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Dealing with (non-)deportability

A comparative policy analysis of the post-entry migration enforcement regimes of Western European countries



Content

1. Introduction and research questions	3
2. Brief literature review of determinants of (non-)return	4
3. Return rates from EU and Schengen associated countries (EU+) countries	7
4. Case studies: Dealing with (non-)deportability	13
5. Comparative analysis of the case studies	15
6. Conclusions	20
Annex I Methodology	22
References	27

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Date

13 May 2019

1. Introduction and Research questions

The return and non-return of rejected asylum seekers is an issue that is high on the agenda of the European Union and its member states (EMN 2016, 2017). Across the EU, the 'efficacy gap' between those ordered to leave and those who actually return via assisted voluntary return programmes or forced removal is consistently between 60 and 65 per cent in the past ten years (Eurostat 2018). The persistence of the efficacy gap is remarkable as since the beginning of the 1990s, a global 'deportation turn' (Gibney 2008) has led to increasingly proactive policy to coerce or force irregular migrants to return. This gradual shift has accelerated since the increased influx of asylum seekers in 2015-2016 (EMN 2018).

This report was drafted at the request of the Long-Term Resident Foreigners Committee, also known as Van Zwol Committee¹. It aims to provide an overview of the policy approaches in selected EU and Schengen associated countries (hereafter: 'EU+ countries') regarding the return and presence of rejected asylum seekers. It comparatively investigates the factors, including policy factors, that contribute to the return and non-return of rejected asylum seekers who are legally required to leave the territory. It also looks into the public concerns and acceptances of these policy measures, including measures to accommodate the presence of rejected asylum seekers who cannot easily be returned to their country of citizenship, especially (families with) minor children. The main research question is:

How do different states of EU+ countries deal with the deportability and effective non-deportability of rejected asylum seekers, and what can be said about (a) the outcomes of their policies in terms of the rate of voluntary and forced return and (b) the public acceptance of these policies and their outcomes, especially when it concerns (families with) minor children?

This report will answer the following sub-questions:

1. What can be said about the rate of rejected asylum seekers that returned via (1) Assisted Voluntary Return and (2) Forced Return from different EU+ countries?
2. What explains the 'efficacy gap' (the difference between the number of rejected asylum seekers and those who return to their country of citizenship) according to the literature?
3. What policies have European countries developed to promote voluntary and forced return for rejected asylum seekers?
4. What policies have European countries developed to mitigate the negative consequences of the presence of rejected asylum seekers who are (1) unwilling or (2) unable to return to their country of citizenship?
5. What is known about the public acceptance of or controversy around these policies and their outcomes?

The report is based on literature review, analysis of Eurostat asylum and migration enforcement data, document analysis and interviews with experts from selected EU+ countries and with an internationally comparative perspective at the EU-level. A description of the precise methodology, and an explanation of the selection of the 12 EU+ countries and the 6 countries of origin is given in Annex 1.

¹. See: <https://www.rijksoverheid.nl/actueel/nieuws/2019/06/04/commissie-van-zwol-stuur-op-snelheid-en-tijdigheid-in-asielprocedure-door-wachttijden-te-bekorten>. The authors would also like to thank Mr. Lambert Obermann of the Dutch Advisory Committee on Migration Affairs (ACVZ) for his advice on the final quantitative analyses.

2. Brief literature review of determinants of (non-) return

Some of the key comparative studies of the past 15 years on decision-making of rejected asylum seekers and irregular migrants from Europe include studies by Black et al (2004), Koser and Kuschminder (2015), Leerkes (2016), Leerkes and Kox (2016), and Leerkes et al. (2017). Other studies focus on policy effectiveness (EMN 2017, Ellermann 2008, Noll 1999). Below, we will discuss the determinants that have been discussed in the literature as affecting (non-)return.

The outcomes of deportation regimes (or: post-entry migration enforcement regimes) in terms of the rate and type of migrant return can be understood in light of **policy determinants**, including the type of policy instruments and their implementation, on one hand, and **non-policy determinants** such as structural drivers for migration and individual and social factors on the other. Last, pressure by the public discourse and the media also play a role in policy enforcement.

Policy determinants

Return requires compliance by two different actors: the government of the country of origin, and the migrant in question. Policy instruments therefore need to be considered on both the diplomatic, interstate level and on the individual migrant level.

Interstate level

The main reasons why so many irregularly staying migrants cannot be returned relate to practical problems in the identification of returnees and in obtaining the necessary documentation from non-EU authorities. Therefore, diplomatic agreements and mutually beneficial international cooperation with the country of origin are crucial (Ellerman, 2008; Leerkes, 2106; Leerkes & Kox, 2016).

Migrant level

- **Increased enforcement.** In the Netherlands, immigration detention capacity was increased and in 2007, the “Repatriation and Departure Service” (DT&V) was founded, which became responsible for coordinating the departure of rejected asylum seekers and (other) deportable migrants. Deportation rates have indeed gone up after 2007 (Leerkes, van Os, and Boersema 2017). Koser and Kuschminder (2015) found that one reason why migrants comply with return programmes is because the alternative (to be deported) is unacceptable, as it would entail disobeying the law. However, the level of enforcement is shaped (i.e. limited) by the state’s political ideology/system and political interests on the local, national, and international level.
- **Financial compensation.** In the period 2001–2004, reintegration assistance for (rejected) asylum seekers was raised through the “Return and Reintegration Regulation”, leading to an increase in AVR (Leerkes, van Os, and Boersema 2017). Leerkes et al. suspect that this increase was (at least in part) caused by people who would otherwise have left on their own but now decided to take the money. This is confirmed by research by Black et al (2004), who found that assistance programmes, however configured, were not a decisive factor in return motivations for any respondents— although most respondents welcomed assistance once they had decided to return, in particular assistance with employment, training and money. The study also showed an information gap about the assistance programmes.
- **Social exclusion.** The effects of deterrence resulting from the exclusion of unauthorized migrants from labour markets and social provisions (Leerkes, van Os, and Boersema 2017) can be observed in various studies. This was by far the most important reason mentioned in the Koser and Kuschminder (2015) study: more specifically, people mentioned the difficulty of finding employment/having no right to work; tired of living as an undocumented migrant, and lack of financial resources. Based on interviews with IOM employees and an assessment of their client files, Van Wijk (2008) concludes that it is not unusual for returnees to feel pressured into AVR due to financial problems, unemployment, labor inspections, and a desire to evade immigration detention.
- **Carrot and stick.** Koser and Kuschminder (2015) conclude from their findings that return policy may be most effective when it combines ‘sticks’ with ‘carrots’: The respondents weighed almost equally the lack of any other option other than to return (a ‘stick’) with the prospect of return assistance (a ‘carrot’).

- A **'fair' amount of time** spent to assess the asylum claim makes a difference: A study shows that the percentage of asylum seekers appealing a negative decision was about 20% points lower among those rejected between 2 weeks and 3 months than among those rejected within 2 weeks, or after more than 3 months (Leerkes et al. 2014).
- A **relationship with case workers**. In 2005, the UK government began allocating case-workers to asylum seekers who follow the asylum case from beginning to end and are to build up a relationship with them. Gibney (2008: 166) hypothesizes that such relationships potentially "generate[s] in the asylum seeker a feeling of obligation to return home if his or her claim is deemed unfounded." Also in the Netherlands, a relationship with the DT&V case workers being systematically assigned to rejected asylum seekers after 2007 is suspected (Leerkes, van Os, and Boersema 2017).

Non-policy determinants

Structural conditions in the origin country

- **Socio-economic conditions**. Dustmann and Weiss (2007), for example, show that return rates are lower among migrants originating from poorer countries than among those originating from richer countries. For asylum migrants, economic factors are assumed to be less important than political factors (Black et al. 2004, King 2000, van Wijk 2008), but asylum migrants certainly also have socio-economic reintegration concerns (Klinthall 2007, Zimmermann 2011). Return is associated with more prosperous countries (Leerkes, van Os, and Boersema 2017).
- **Security** is cited as the most important factor determining return motivations among rejected asylum seekers, although its meaning varied between respondents from overall security in the country of origin to individual security on return (Black et al. 2004).
- **Information**. Although some policy initiatives are oriented to providing information about the country of origin, Black et al. (2004) show that there was no information gap about conditions in the country of origin.

Socio-economic and cultural attachments

To origin country

- **Formal education** in the source country, is generally associated with higher return rates (Constant and Massey 2002, Dustmann and Weiss 2007, Jensen 2011, Klinthall 2007).
- Similarly, previous **employment** in their country of origin is associated with higher return rates (Constant and Massey 2002).

To host country

- **Sociocultural integration** is generally found to have a negative effect on return intentions (de Haas and Fokkema 2011, de Vroome and van Tubergen 2014). Those who have acculturated to the immigration country may experience return as particularly stressful (Tannenbaum 2007), and immigrants who identify strongly with the immigration country, and feel at home there, are less inclined to return (Constant and Massey 2002).
- **Economic integration** has a more ambiguous and sometimes positive effect on return (de Haas and Fokkema 2011, de Vroome and van Tubergen 2014), although negative effects have also been found (Leerkes and De Hoon, forthcoming). Conversely, unemployment in the country of destination might encourage people to consider return (Black et al. 2004).

Social and family networks

- **Family in origin country**. Asylum seekers who left their families behind, especially if they are married, are expected to be more likely to return than people who came with their families, or whose families joined them later (Leerkes, van Os, and Boersema 2017). Black et al. (2004) found that people without partners in the UK were more willing to consider return, while people with children in the UK were less willing to do so. Koser and Kusminder (2015) found that a desire to reunify with family at home was an important reason

to return. Moreover, they found that respondents named family members back at home as the most important influence in decision-making, only 15 per cent of the respondents in this study had made the decision to migrate alone. As they argue, these findings illustrate the importance of policy interventions being considered not just at the individual migrant level, but also in the wider family context.

- **Immigrant networks.** Ethnic incorporation is especially relevant for individuals lacking legal residence, as it increases the “opportunity structure of illegal residence” (Engbersen, van San, and Leerkes 2006, Leerkes, Engbersen, and van San 2007): opportunities to find accommodation, informal work, financial support, and potential future spouses able to sponsor family reunification applications. It also reduces apprehension risks (Leerkes, Varsanyi, and Engbersen 2012).

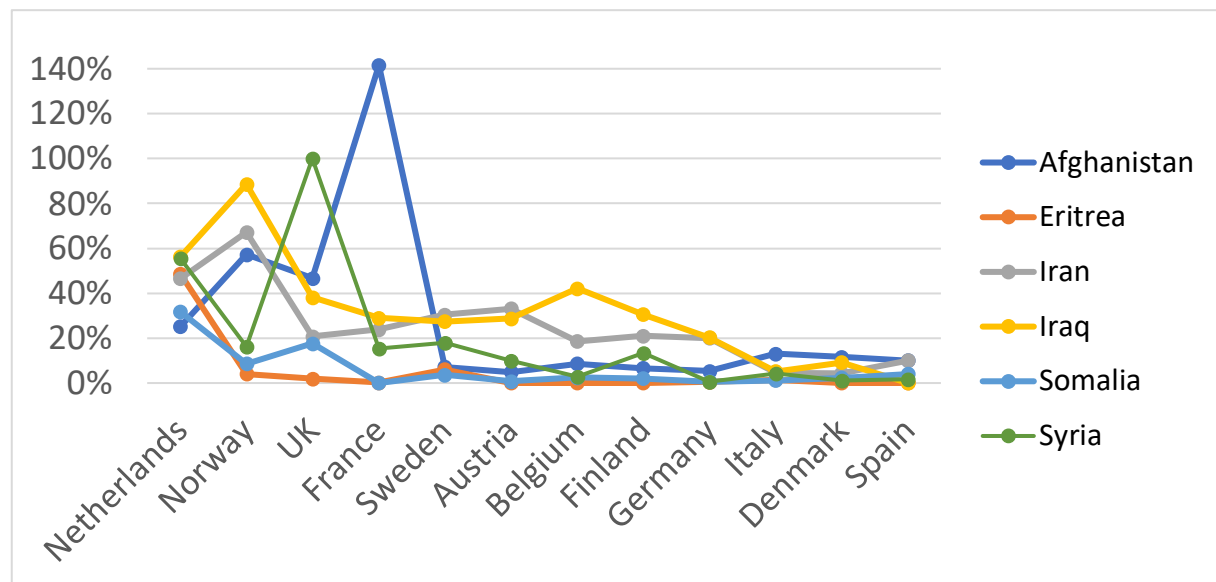
Individual characteristics

- **Age.** Younger respondents were more willing to consider return than older respondents in the UK (Black et al. 2004). Age at migration—indicating source country attachments—has a curvilinear effect on AVR, with rates peaking around the age of 60 (Leerkes, van Os, and Boersema 2017).
- **Gender.** There is some evidence that women tend to be more reluctant to return to a place where there is more gender-inequality than in the destination country.
- Inability to meet aspirations (Koser and Kuschminder 2015).
- Psychological problems / stress (Koser and Kuschminder 2015).
- **Attitudes / Belief system.** A direction for future research on policy effects would be to better understand such mechanisms, and to examine whether cultural developments under the influence of globalization, including the possible rise of an aspired “global citizenship” in countries outside of the Global North, attenuate such normative influences on migration patterns (Leerkes 2016b).

3. Return rates from selected EU and Schengen associated countries (EU+) countries

Figure 1 shows the estimated percentages of rejected asylum seekers between 2013-2017 who returned to a third country via Assisted Voluntary Return (AVR) and forced return in the period 2013-2017³, specified for six nationalities of origin in 12 EU+ countries. The absolute numbers for the selected countries and nationalities of origin are shown in Table 1 on page 9.

Figure 1. Return rates (proxies) from 12 EU+ countries for 6 nationalities, 2013-2017



What are these figures?

The presented return rates are estimations of the number of demonstrable returns to a country outside the EU in the five-year period 2013-2017, divided by estimates of the ‘population at risk’ of post-entry migration enforcement: in other words, those people who are eligible for removal. The population at risk is defined as the number of rejected asylum applications of person with nationality x in the 2013-2017 period, plus the number of withdrawn applications of persons with nationality x in that period, minus the number of intra-EU returns of persons with nationality x in the 2013-2017 period. In Annex I, we explain why the population at risk has been calculated in this way.

These figures give a general, rough overview of the return rates per country and nationality of origin, based on actual return rates that are comparable across countries based on the standardized Eurostat statistical guidelines. The data is not biased by returns in relation to stops at country borders as we excluded countries with land border with non-EU+ countries from the analysis.⁴

As the selected nationalities of origin are countries in conflict or under political repression, return rates are likely to be lower than for other countries of origin such as Eastern European countries neighbouring the EU.

What are these figures not?

It is impossible to calculate precise rates as Eurostat data are not cohort data. This means that the persons who returned in the period 2013-2017 are not necessarily the same people as the persons whose applications were rejected or withdrawn in that period. We have reduced biases because of temporal mismatches in the

³ The order in which the countries are presented is determined by the (unweighted) average return rate for each EU+ country for the six migration nationalities (also see Table 2).

⁴ Finland and Norway also have such land borders (with Russia), but have been kept in the analysis as there is limited irregular border crossing between Russia and Finland/Norway involving nationals from the six countries selected.

numerator (returnees) and the denominator (population at risk of migration enforcement) by taking a relatively long, five-year period.

Nevertheless, biases are still possible: for example, the high return rate for Afghans for France – we can see that the number of returnees is actually larger than the measured size of population at risk, leading to a return rate of 140% – may be explained by returns involving (former) (temporary) residence permit holders who are no longer protected against return (because their residence permits are not extended or have been withdrawn) and/or by returns involving Afghans who have not applied for asylum. Such groups are at risk of migration enforcement, but are not included in our measure of the population at risk: Eurostat does not provide systematic data on residence permits not being renewed, and also does not specify the extent to which returnees are former asylum seekers, holders of a temporary residence permit or (other) irregular migrants. The return rate for Austria, especially its Assisted Voluntary Return rate, has probably been overestimated somewhat, as it seems to also include ‘returns’ of migrants to Serbia (e.g. Iranians who could travel to Serbia visa-free in 2017).⁵ However, by comparing six countries of origin over a longer time period we can still identify general patterns per host country.

The data also do not give any information on the number of persons who return to their country of origin without any assistance or force from European governments. Based on the available literature (eg Leerkes, Galloway, and Kromhout 2010), we think that this number will be limited for the six nationalities selected, considering the overall low return intentions among rejected asylum seekers from relatively unsafe countries.

Finally, part of the persons whose asylum applications are rejected in the first instance are not required to return to their country of origin, for example because they obtain a residence permit at a later stage because of appeals to a negative first instance decision. For that reason, we also calculated the rates for the 12 European countries when returns are related to the number of **return decisions**⁶ that have been issued to persons originating from the six countries of origin in the 2013-2017 period. That calculation, which resembles the method previously used by Eurostat (2018), leads to different return rates and a somewhat different order of EU+ countries (the results are reported in Table 1 and 2).⁷ However, there are considerable differences between European countries in when return decisions are issued; while some countries, including the Netherlands, always combine a rejection of an asylum application with a return decision, other countries are more inclined to issue return decisions in a selective manner, for example only to those who are considered likely to leave. In our view, it is therefore better to base estimates of the population at risk on information about asylum applications rather than on information about return decisions.

See Annex I for a more thorough explanation of the methodological choices and their limitations.

⁵ Also see: <https://www.rferl.org/a/serbia-abolishes-visa-free-travel-iranians-citing-abuses-by-some-migrants-to-eu-/29539329.html>

⁶ A return decision or removal order is a formal letter that states that a person is obliged to leave the territory.

⁷ The Spearman rank correlation coefficient between the rank based on rejected asylum seekers and the rank based on return decisions is 0.45.

Table 1. Persons returned to a third country, rejected and withdrawn asylum applications, and return decisions for 12 EU+ countries and 6 nationalities (2013-2017).

	Syria					Afghanistan				
	Returned	Rejected asylum seekers	Returned intra EU	Applications withdrawn	Return decisions	Returned	Rejected asylum seekers	Returned intra EU	Applications withdrawn	Return decisions
Austria	195	435	1325	2845	2365	995	14300	385	6695	2550
Belgium	45	745	35	815	4160	520	5450	215	805	6760
Denmark	15	805	470	1185	1000	405	2610	405	1305	2355
Finland	10	45	35	65	95	250	3520	30	305	3750
France	125	685	370	500	3145	1755	2570	1410	80	5670
Germany	80	11100	1245	3700	6125	5165	89745	380	7460	14495
Italy	60	910	0	465	1155	165	725	0	535	1090
Netherlands	1145	1800	150	410	4480	980	3785	90	200	6155
Norway	155	965	225	220	1075	2090	4535	970	90	8640
Spain	25	320	125	1145	385	5	35	30	45	90
Sweden	1020	3200	1120	3620	1970	1935	24185	1475	4365	8045
UK	220	1180	1375	415	6495	2155	5745	1855	720	12225

	Iraq					Eritrea				
	Returned	Rejected asylum seekers	Returned intra EU	Applications withdrawn	Return decisions	Returned	Rejected asylum seekers	Returned intra EU	Applications withdrawn	Return decisions
Austria	2090	3530	835	4570	2140	0	20	160	55	220
Belgium	2795	5115	35	1555	8230	0	250	10	70	2370
Denmark	165	1310	405	890	1360	0	185	65	290	235
Finland	5365	11725	45	5850	16205	0	0	10	5	10
France	245	920	180	105	4680	5	2405	255	20	3825
Germany	9875	40790	300	8095	10110	10	2025	830	1015	3065
Italy	40	495	0	285	865	20	595	0	815	1290
Netherlands	2090	3095	105	730	6585	460	945	30	30	4575
Norway	1165	1700	545	160	3770	35	1085	230	5	1970
Spain	0	45	15	135	90	0	15	5	0	95
Sweden	5255	12510	600	7205	8615	80	1080	395	650	1080
UK	1615	6365	2625	495	11075	45	3165	1010	130	10760

	Somalia					Iran				
	Returned	Rejected asylum seekers	Returned intra EU	Applications withdrawn	Return decisions	Returned	Rejected asylum seekers	Returned intra EU	Applications withdrawn	Return decisions
Austria	10	1100	170	390	570	760	1210	210	1295	405
Belgium	35	1290	20	165	1580	190	830	20	215	3515
Denmark	45	1385	150	750	1025	125	2135	55	820	970
Finland	25	1245	95	45	1465	100	395	20	100	520
France	0	2905	85	20	1640	130	730	220	35	3125
Germany	50	7075	385	1780	4545	4305	18380	140	3295	4450
Italy	10	350	0	500	1225	25	365	0	195	425
Netherlands	345	1035	25	75	4080	1160	2175	60	380	3835
Norway	120	1815	435	10	4195	440	760	135	30	2675
Spain	5	120	10	15	180	20	125	15	90	385
Sweden	230	6065	1395	1770	4555	1165	2805	250	1280	2405
UK	185	1050	135	140	1725	1480	7940	1310	525	12190

Patterns of return

Figure 1 and Table 1 together show highly variegated patterns of return. First, the average return rates for the six nationalities selected vary from 44.0% (Netherlands) to 4.3% (Spain). We find that countries in the North and North-West of Europe generally have higher return rates than Southern European countries, a pattern that is in line with the available literature on migration enforcement regimes (Düvell, 2006; Gibney, 2008; King and Debono, 2013; Leerkes, Van Os and Boersema 2017). Denmark, a Nordic country with a relatively low return rate, diverges from this pattern. Also, Germany has a remarkably low return rate.

Second, even in the countries with the highest return rates, the majority of the rejected asylum seekers from the selected countries have *not* demonstrably left these countries. This finding also is in line with previous research. Many studies indicate the limited effect of policy interventions compared to the structural international inequality - both in living standard, safety and freedom - between origin and host country, as well as individual and social factors: Koser and Kuschminder found that only 18.4 per cent of their respondents mentioned policy incentives or disincentive as a decision-making factor. Leerkes, Van Os and Boersema (2017) found that less than 50% of each cohort of rejected asylum seekers left the Netherlands “demonstrably”, suggesting that many individuals still preferred the curtailed life chances as unauthorized migrants to a return to the source country conditions that they fled.

Third, return rates vary per nationality of origin, in which return rates to Iran and Iraq are generally relatively higher than to Eritrea and Somalia. Return to Afghanistan and Syria shows an overall higher but mixed pattern. The low return rates to Eritrea and Somalia can be explained by the fact that even if people are not granted asylum, they will often not be sent back to these countries based on humanitarian grounds. Conversely, while Afghanistan faces similar conditions of unsafety, the country is, after the extensive international interventions, considered a relatively safe country (safe enough to try to enforce return decisions). The relatively high return numbers to Afghanistan should furthermore be seen in light of the country’s aid and military (see Leerkes, and Kox, 2016) dependency: In 2016, Afghanistan agreed with unlimited numbers of deportees from the EU in exchange for aid. A notable detail about Iraq is that most returnees are Kurds who returned to Iraqi Kurdistan through Assisted Voluntary Return (possibly also because of an economic boom, and greater autonomy, in Kurdish Iraq (see Leerkes et al, 2014)). In a comparative study on return motivations, Iraq was one of the few countries where the threat of deportation from a destination country was cited as a key reason for choosing Assisted Voluntary Return: A reason for this is that the Kurdish Regional Government does not cooperate with forced return and accordingly, for a number of years, forced return was to Baghdad, which was considered an unsafe option for Iraqi Kurds (Koser and Kuschminder 2015). An explanation for the relatively higher overall return rates to Iran would require more investigation.

Next, Table 2 presents the (estimated) average rate of voluntary and forced return for nine EU+ countries with separate Eurostat data on the number of voluntary and forced returns.⁸ The percentage is the (unweighted) average of the rates for Syria, Eritrea, Afghanistan, Iraq, Somalia and Iran⁹, based on returns divided by the number of asylum applications rejected in the first instance. The differences in the estimated rate of Assisted Voluntary Return versus forced return represent another remarkable difference between the countries under study, including the six case countries, ranging from 13% of all demonstrable returns for Denmark to 69% of all demonstrable returns from Sweden.

⁸ For these 8 EU+ countries, Eurostat mentions the total number of forced and voluntary return by country of citizenship and year, but it does not specify whether or not these returns were ‘returns to a third country’. We therefore assumed that the ratios of forced to voluntary return to a third country were equal to the total ratios of forced to voluntary return by country of citizenship. For example, there were 935 voluntary returns involving Iraqi citizens from Norway in the period 2013-2017, as well 960 forced returns. We therefore assumed that 49.6% of the returns to a third country from Norway involving Iraqi citizens were voluntary returns. The 21% voluntary returns for Norway (8.6/40.3=.21) is the (unweighted) average for Norway of the figures for Afghanistan, Eritrea, Iran, Iraq, Somalia and Syria for the 2013-2017 period. For some of the 8 EU+ countries Eurostat only mentions separate figures on forced and voluntary returns for some years (e.g. Austria only gives this information for 2017); we then used the available years in the 2013-2017 period.

⁹ Unweighted means that each observation has the same weight regardless of the number of rejected asylum seekers originating from these countries.

Unfortunately, the UK, the Netherlands, Finland and Germany do not provide separate data on AVR and forced returns to Eurostat. Annual reports by the Dutch Ministry of Justice and Security, the *Rapportage Vreemdelingenketen*, nonetheless indicate that the Assisted Voluntary Return among all nationalities (not just the six asylum nationalities selected) represented 46% of the demonstrable returns in the period 2013-2017 (Ministerie van Justitie en Veiligheid, 2015, 2018).¹⁰ This figure has been used in Table 2 and Figure 2 to estimate the rate of forced and assisted returns for the Netherlands.¹¹

Table 2 Estimated average return rates (2013-2017) for 12 EU+ country by type of return for 8 EU+ countries (forced vs. assisted)

	Returns related to asylum applications rejected and withdrawn			Returns related to return decisions			
	Total average return rate (returns / rejections)	Estimated forced return rate (returns/ rejections)	Estimated assisted return rate (returns / rejections)	Total average return rate (returns / return decisions)	Estimated forced return rate (returns/ return decisions)	Estimated assisted return rate (returns / return decisions)	
1. Netherlands	44.0%	23.8%	20.2%	1. Austria	55.7%	10.9%	44.8%
2. Norway	40.3%	31.7%	8.6%	2. Germany	38.8%	-	-
3. UK	37.5%			3. Sweden	33.0%	10.2%	22.8%
4. France	35.0%	22.1%	12.9%	4. Netherlands	20.3%	-	-
5. Sweden	15.4%	4.8%	10.6%	5. Norway	15.1%	11.9%	3.2%
6. Austria	12.9%	2.5%	10.4%	6. Finland	11.9%	-	-
7. Belgium	12.4%	4.5%	7.9%	7. UK	9.8%	-	-
8. Finland	12.3%			8. Belgium	8.4%	3.1%	5.3%
9. Germany	7.9%			9. Denmark	8.0%	6.9%	1.1%
10. Italy	4.9%	4.2%	0.8%	10. France	7.4%	4.7%	2.7%
11. Denmark	4.7%	4.1%	0.6%	11. Italy	5.5%	4.6%	0.9%
12. Spain	4.3%	0.8%	0.2%	12. Spain	3.3%	3.1%	0.2%

The rate of assisted voluntary returns can be juxtaposed to the rate of forced return, resulting in four ideal-typical post-entry migration enforcement regimes:

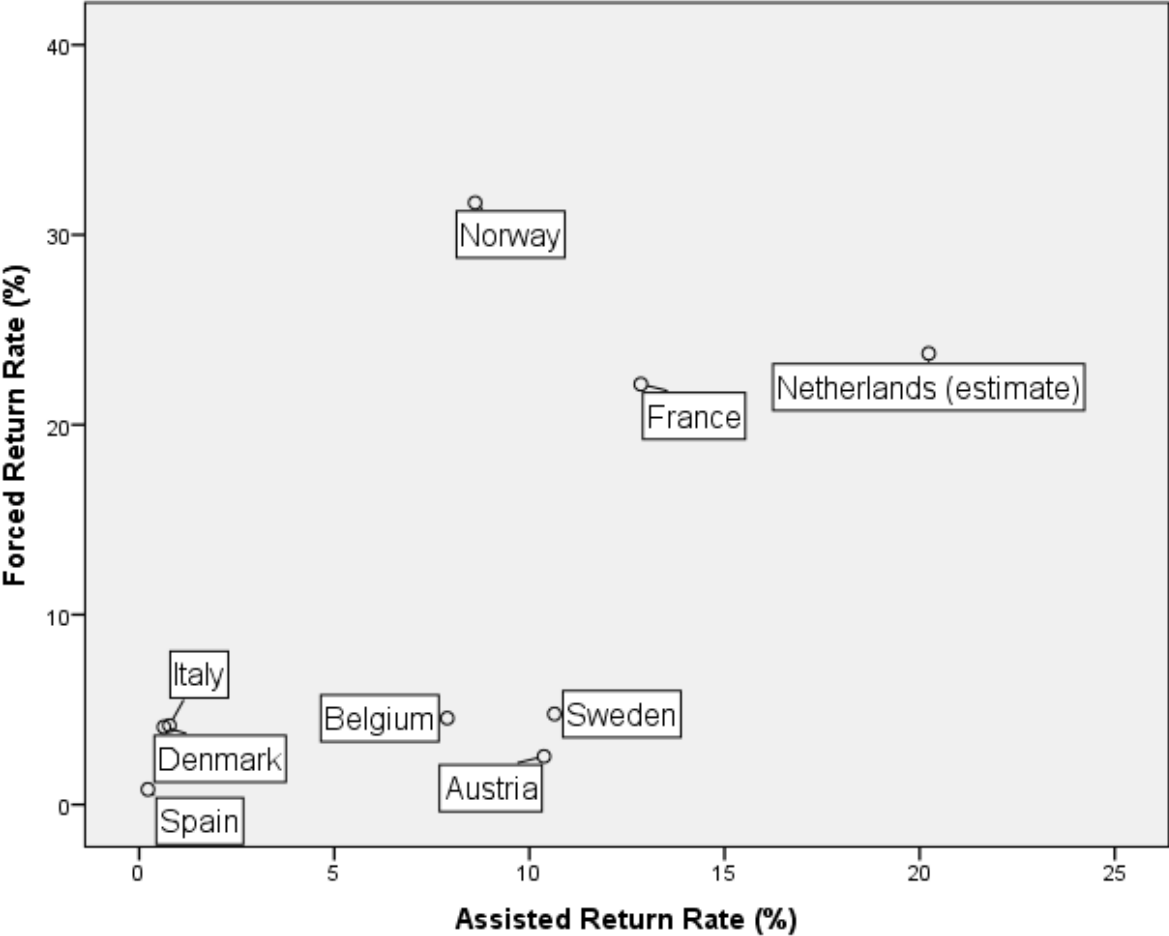
- (1) *Total regimes* score high on both AVR and Forced Return, resulting in high overall return rates.
- (2) *Non-enforcement regimes* score low on both AVR and Forced return, which reflects in low overall return rates.
- (3) *Hard deportation regimes* score high on Forced return but low on AVR.
- (4) *Soft deportation regimes* score high on AVR but low on Forced Return.

The proportion of AVR and forced return per EU+ country (based on rejections rather than return decisions) is plotted in Figure 2. Empirically, based on the aforementioned national information on the number of Assisted Voluntary Returns and forced returns from the Netherlands, we suspect that the Netherlands, Norway and France have the strongest orientation to the 'total deportation' cluster. Of these, Norway also has the strongest orientation to the hard deportation regime. Belgium, Austria and Sweden have a relatively strong orientation to the soft deportation regime. Italy, Spain and Denmark can be classified as non-enforcement regimes, although they do have significant numbers of forced returns.

¹⁰ <https://www.rijksoverheid.nl/documenten/publicaties/2018/01/01/rapportages-vreemdelingenketen>. There were 21,1140 forced return in the 2013-2017 period (4400 + 4340 + 6410 + 5990) and 17,950 assisted returns (4110 + 4510 + 6510 + 2820).

¹¹ The percentage of assisted returns may be lower for the 6 nationalities examined than this general figure indicates, as the willingness to return can be expected to be low for nationals originating from relatively unsafe countries.

Figure 2. Voluntary and forced return as a percentage of rejected asylum applications for nine EU+ countries



4. Case studies: Dealing with (non-)deportability

This section focuses on policy measures put in place after an asylum application has been rejected¹². The range of policy practices can be categorized in a somewhat chronological logic (although the chronological order of policy measures will differ per country), as (1) international and bilateral agreements with origin countries to create the legal and practical conditions for return; (2) incentives to encourage (voluntary) return, starting with fair and humane treatment to enhance legitimacy and, further down the line, AVR infrastructure.

This is complemented by (3) disincentives to stay (e.g. removing rights to accommodation, social benefits etc.). If this does not lead to return, states may turn to (4) domestic measures to increase forced return, such as identification obligations and apprehension targets, also using the agreements mentioned under (1). Finally, considering the overall low return rates, states also define (5) measures to accommodate those who cannot be deported, including specific cases such as families and minors.

These policy measures in the different countries under study, and any public debates on these issues, are summarized in Table 2¹³ and further discussed below, based on document analysis and expert interviews. While this offers a good first overview, the narrow scope of this report did not allow us to do a detailed analysis of the policies and practices in each country. See Annex I for more details on the methodology.

Despite the strongly diverging return patterns, there are, at least on paper, strongly *converging* policy approaches. This has both to do with national and local policy interests that are typical for liberal democratic states, and adherence to international agreements, notably the EU Return Directive, which is a binding legal instrument containing a set of common rules on return agreed by EU states except UK and Ireland, plus the 4 Schengen associated countries. Furthermore, the similarities are related to the selection of EU+ countries: in consultation with the Van Zwol committee it was decided to only compare Western-European and Northern European countries.

The key features of the Return Directive include: (1) the requirement for a fair and transparent procedure for return decisions; (2) an obligation on EU States to either return irregular migrants or to grant them legal status, avoiding situations of “legal limbo”; (3) promotion of the principle of voluntary departure; (4) provision for persons residing irregularly of a minimum set of basic rights pending their removal, including access to basic health care and education for children; (5) a limit on the use of coercive measures in connection with the removal of persons, and ensuring that such measures are not excessive or disproportionate; (6) providing for an entry ban valid throughout the EU for migrants returned by an EU State; (7) limiting the use of detention, binding it to the principle of proportionality and establishing minimum safeguards for detainees (EMN 2017) .

¹² For a comprehensive overview of asylum procedures (before rejection), please refer to the AIDA country reports, which can be found on the ECRE website: <https://www.ecre.org/ecre-publications/publications/>.

¹³ Explanation to the table: Return: *Average return* rate indicates the average of (proxy) return rates of the 6 main nationalities of rejected asylum seekers included in this study between 2013-2017. *Bilateral agreements*: Year and type of signed agreement. Codes refer to: Standard Bilateral readmission agreements which may be signed ('S') or have entered into force ('V'); Non-standard agreements, namely: Memoranda of understanding ('ME'); Administrative arrangements ('AA'); Finally, agreements can be under negotiation (N = Negotiation). Source: Inventory of readmission agreements, Jeanpierrecassarino.com. *Fair and humane treatment, Institutional exclusion, enforcement infrastructure, Non-return policies*: Sources EMN 2016, 2017, <https://www.globaldetentionproject.org/>.

Table 3. Summary of case studies

	Return	Bilateral agreements with the six countries of origin selected	Fair and humane treatment	AVR infrastructure	Institutional exclusion	Enforcement infrastructure	Non-return policies
NL	44.0 %	Afghanistan ME S 2003, Somalia ME S 2009	Continued stay in reception centres during AVR period, appeal & after final rejection (limited, conditional), for people with special needs. Healthcare, Social benefits in cash & adult education during AVR period.	Counselling, information about entry bans as a deterrence measure.	Exclusion from the formal labour and housing market, welfare arrangements and (most) health care through 'linkage act'.	Maximum detention of 18 months; coordination through DT&V; identification measures.	Grant residence permits on special grounds; accommodation; Legalisation; bed-bath-bread accommodations
NO	40.3 %	Afghanistan V 2005 & 2011, Eritrea N, Iraq V 2009		Early group counselling and motivational meetings; After rejection, police informs of opportunity to return via IOM. Financial assistance decreases as time passes.	Exclusion from formal society through Personal Identification Number including labour market, welfare, medical treatment.	Maximum detention of 18 months, but in practice a few days to weeks; Return targets set to police force; Identification on entry; surprise raids.	Indefinite access to reception centres, including living allowance, until deportation is arranged (or not). No legalisations or amnesties.
SE	15.4%	Afghanistan S 2016 (stalled), Iraq S ME 2008	Continued stay in reception centres during AVR period, appeal & after final rejection (limited, conditional), for people with special needs. Social benefits in cash & employment during AVR period.	Early counselling, 'motivational interviewing' techniques; information about entry bans as a deterrence measure.	Elaborate exclusion from formal society through personal identification number including labour market, welfare medical treatment, sports.	Maximum detention of 2 months; surprise raids; identification measures.	Grant residence permits on special grounds; accommodation; Track switching system for rejected asylum seekers who have found employment.
BE	12.4 %	None	Transferred to 'open return places' during AVR period, appeal & after final rejection (limited, conditional), for people with special needs. Health care & adult education during AVR period.	Early counselling, differentiated return packages to (rejected) asylum seekers.	No right to accommodation (although the provision of material aid can be extended in certain cases). No official access to the labour market, social welfare and only urgent medical assistance.	Maximum detention of 5 to 8 months; Information exchange; surprise raids; identification measures.	Grant residence permits on special grounds; Special accommodation arrangements for families.
DE	7.9 %	Afghanistan S 2016, Syria V 2009	Continued stay in reception centres after final rejection (unlimited, not conditional). Social benefits in cash & employment during AVR period.	Information about entry bans as a deterrence measure.	Unlimited access to reception centres and services.	Maximum detention of 18 months. Information exchange; identification meas.	Grant residence permits on special grounds; Temporary non-enforcement with access to services, employment and accommodation (Duldung).
DK	4.7%	Afghanistan S ME 2004, Somaliland AA S 1997, Iraq S ME 2009	'Tolerated stay' in departure centre.	AVR option mainly/only directly after return decision.	No access to labour market, education, health care and leisure activities.	Maximum detention of 18 months.	Indefinite and compulsory stay in 'departure centres'.

5. Comparative analysis of the case studies

In this section we comparatively analyse how the converging policy measures, the way they are being implemented and the public debate about them may explain the divergence in return patterns.

Policy measures

Bilateral agreements with origin countries

Several key informants claim that return policy stands or falls with bilateral agreements with the country of origin that are embedded in good international relations. This is not only about signing formal readmission agreements that are recent enough to apply to the current situation and are acknowledged by the current government, but also about wider diplomatic relations. It is argued that the high forced return rates of **Norway** (see Figure 2) are partly due to its investment in comprehensive diplomatic and interpersonal relations, where, next to the formal and general agreement, immigration police officers are stationed in the embassy of the country of origin to make arrangements for individual cases. This seems particularly important in less bureaucratic countries of origin. If not complemented with diplomacy, readmission agreements can arguably also have less practical and more symbolic value, which may serve to appease the public opinion without leading to more enforcement. **Belgium** and **the Netherlands** use positive incentives such as aid packages to persuade third-country authorities to cooperate in return procedures. **All countries** also apply political pressure on third countries' authorities so that these accept returns, in which **Germany** indicates that only measures at the highest political level seemed to be effective in increasing the willingness of origin countries to cooperate (EMN 2016)¹⁴.

Incentives to encourage assisted return

Legitimacy through fair and humane treatment

The Return Directive requires a fair and transparent procedure for decisions on the return of irregular migrants, and a minimum set of basic rights pending their removal, including access to basic health care and education for children. While all countries adhere to this, **Sweden** has made this a policy priority, which may partly explain their high rates of Assisted Voluntary Return (see Figure 2) (DeBono, Ronnqvist, and Magnusson 2015, Weber et al. 2019), which are realized in spite of the low rate of forced return. This implies that it is not primarily the threat of forced return that pressures migrants into accepting assisted return in Sweden. Moreover, the Swedish focus on legitimacy seems to be necessary for retaining public support on migration enforcement policies (see below).

AVR infrastructure

The Return Directive prescribes the promotion of the principle of voluntary departure by establishing a general rule that a "period for voluntary departure" should normally be granted. In **all of the case studies**, this period lies between 7-30 days as prescribed by the Return Directive (EMN 2016), and all of these countries focus on counselling and provision of information about AVR and the consequences of refusal to return independently (entry ban). In **Denmark**, the option for Assisted Voluntary Return seems to be open mainly directly after the return decision. It remains unclear if and under which conditions AVR is possible after this moment. The limitations on the availability of assisted return may explain Denmark's low AVR rate (see Figure 2).

The amount of financial assistance available when complying with Assisted Voluntary Return seems to matter: high premiums also seem to lead to higher return rates. The relatively higher premiums for **Iraqis** in Belgium may partly explain their comparatively higher return rates. See Leerkes et al. (2014) for indications that increases in financial assistance in **the Netherlands** increased AVR rates, although they may also lead to some degree of substitution from unassisted return to assisted return.

¹⁴ There is no information on this for Norway and Denmark as they are not included in the EMN reports.

Measures to facilitate forced return

The Return Directive requires a limit on the use of coercive measures in connection with the removal of persons, and stipulates that such measures may not be excessive or disproportionate. This includes limiting the use of detention, binding it to the principle of proportionality and establishing minimum safeguards for detainees. Detention is only allowed to administratively detain migrants in immigration detention centres for a maximum of 18 months if there is a view to expulsion, and, in case of rejected asylum seekers, only after migrants have had the opportunity to return independently (see above). It is allowed, however, to repeatedly detain migrants in immigration detention (leading to more than 18 months detention time in total) as long as the government can demonstrate that there is a view to deportation. In **the Netherlands**, for example, this is generally assumed to be the case if the previous detention period has ended at least 12 months earlier. All countries under study use detention, although there is some diversity on the grounds on which people can be detained, and the length of detention. Interestingly, **Norway** and **Sweden**, two countries with high return rates, make very limited use of detention, with shorter detention periods, even if the legal maximum detention period is relatively long.

As an alternative to locate and apprehend irregular migrants, **Norway**, **Sweden** and also **Germany** allow surprise raids (for example once deportation is arranged), which is being restricted in other countries. In **Belgium** it is possible to carry out address controls but not surprise raids (EMN 2016). Another measure to facilitate forced return is tracking and identification of irregular migrants who have gone into hiding. **Germany** and **Belgium** allow the exchange of information between authorities, although this does not seem to lead to more return rates.

While detention is meant to physically facilitate forced return, one of the key administrative measures, as well as the key challenge to facilitate forced return, is identifying rejected asylum seekers' nationality and obtaining travel documents. Several measures are in place in the different countries under study. **Germany** and the **Netherlands** invest in fingerprint capture attempts, including by using special software to read damaged fingerprints. **Germany** and **the Netherlands** as well as **Belgium** also use language experts to detect nationality. **The Netherlands** and **Sweden** involve the authorities of the country of origin to confirm their nationality and to issue travel documents (EMN 2016).

Disincentives to stay: institutional exclusion

The Netherlands, **Sweden** and **Norway** all have a comprehensive system to exclude rejected asylum seekers past the Assisted Voluntary Return period from formal society, such as access to employment or benefits, education and health care, and in the case of **Sweden** even associations such as sports clubs, by linking these 'services' to a personal identification number. In this way, irregular migrants are marginalized and excluded from society with the hope that it will disincentivize them to stay. Denmark has a similar system, in which rejected asylum seekers are moved to remote camps without access to employment, education, and benefits, although it is unclear whether this is linked to a personal identification number. In **Belgium**, although rejected asylum seekers are officially also excluded from formal aspects of life, this is less systematically enforced and therefore easier to bypass. Conversely, in **Germany**, irregular migrants continue to have access to accommodation, benefits, education and employment until their departure, with the rationale that migrants will stay 'above ground' and traceable once the deportation is made possible (EMN 2016).

Measures to accommodate the presence of effectively undeportable asylum seekers

The Return Directive provides for an obligation on EU States to either return irregular migrants or to grant them legal status, thus avoiding situations of "legal limbo". Considering the fact that a large proportion or even the majority of rejected asylum seekers do not return, the question is how European countries deal with effective non-deportability, in particular individual cases that are identified as particularly poignant, such as (families with) minors who have been living in the country for an extended period of time.

Legalisation

Most countries in the case study, **Germany, Belgium, the Netherlands, Sweden** and **Denmark** have had regularisation *programmes* in the past twenty years, targeting specific categories of people for a limited amount of time (Brick 2011). While these countries considered regularisations as incidental, the largest and most frequent regularisations have taken place in Southern European (Italy and Spain). By contrast, there is little support of regularization programmes in Norway (UDI 2011).

In addition, **Sweden, Germany, Belgium** and **Norway** have put in place individual-level regularisation *mechanisms*, in which legalization is ‘earned’ based on long-term residence or humanitarian considerations (Brick 2011). **Sweden** has a track switching system involving labour market requirements: rejected asylum seekers may be given a year to seek regular employment¹⁵. If they find such employment, they will receive a regular residence permit. In **Germany**, rejected asylum seekers who cannot be deported and who have received a ‘Duldung’ status (meaning that their presence in Germany is ‘tolerated’ after their asylum applications have been rejected), may in specific cases apply for a residence permit after one year on the grounds of being well-integrated. In **Belgium** and **Norway**, regularisation can be applied for on humanitarian grounds or on medical grounds. **The Netherlands** only has a more limited *buiten schuld* procedure for foreigners who can demonstrate that they cannot return to their country of origin despite demonstrably having tried everything in their power to do so (EMN 2016).

Regularisations based on individual cases at the discretion of a minister or state secretary happen in **most countries**, except for **Norway**, which makes no exceptions in their attempts to enforce a return decision. In **the Netherlands**, the discretionary power to decide over asylum cases was removed in May 2019¹⁶.

Last, we suspect that in **all countries** rejected asylum seekers may obtain family reunification residence permits through spouses who are citizens of the country of stay or have a residence permit that gives a right to family reunification.

Tolerated or temporary status

All countries in the case study have a form of ‘tolerated stay’ or temporary status for people who cannot be deported, but with very different meanings. **Germany** is most well-known for its Duldung system, under which non-deportable rejected asylum seekers are entitled to accommodation, employment, benefits, education and health care (EMN 2016).

In other countries such as **Denmark**, the **Netherlands** and **Norway**, tolerated status takes the shape of a poor house construction (also see Leerkes (2016) on the rise of ‘secondary poor relief’ in contemporary welfare states). **Denmark’s** tolerated status means that rejected asylum seekers are accommodated in remotely located centres, where they are not detained but have to report on a regular basis, without access to employment, benefits, education or other activities, and limited healthcare (Suárez-Krabbe, Arce, and Lindberg 2018). **Norway** hosts rejected asylum seekers in reception centres with a living allowance that is below the Norwegian minimum of unemployment benefits, and without the right to work, alternative housing, or benefits. In the **Netherlands**, families now receive relief from the national government in *family locations* (gezinslocaties). For single persons, local level bed bath and bread arrangement are available (EMN 2016). The relatively formalized tolerated status in our Western European and Nordic case studies are still different from practices in Southern Europe, especially Italy and Spain, which are known to for their de facto toleration policies: authorities are aware that a large number of unauthorized migrants work in certain sectors (e.g. agricultural sector, construction, sewing factories) but largely turn a blind eye to their presence.

Throughout Europe and especially in places where there are no formal provisions for undocumented migrants, there is substantial involvement of NGOs (e.g. Caritas) and civil society organization in the provision of basic services to unauthorized migrants (Ambrosini 2018).

Encampment / detention

¹⁵ <http://asyluminfo.se/uncategorized/change-of-tracks-spa%CC%8Arbyte-6-1-for-employers-applying-for-a-work-permit/>

¹⁶ <https://ind.nl/nieuws/Paginas/Discretionaire-bevoegdheid-per-1-mei-afgeschaft.aspx>

(Repeated) detention, described above as a measure to support forced return, is also often used as a way to deal with non-deportability. **The Netherlands** has high rates of long (more than 6 months) and repeated immigration detention (Van Alphen et al. 2013, Leerkes and Kox 2017). In addition, the above described departure camps in remote places in **Denmark** for rejected asylum seekers who are difficult to deport are not only meant to 'tolerate their stay'. It is also hoped that, over time, migrants will develop a willingness to leave (Suárez-Krabbe, Arce, and Lindberg 2018), although this does not translate in return numbers for the period and groups under study.

Policy implementation

Budgets/capacity

Several key informants in different countries note that, more than the specificities of policy, a significant factor in explaining the difference in return rates is the budgets that are spent on making return happen. It is very difficult to calculate the real cost of an individual successful return, since it is a combination of costs, with on one hand the costs directly spent on the individual, such as accommodation in reception centres, detention and surveillance, AVR funds, a police escorted flight, and on the other hand the costs at large, including the financial and human resources spent on bilateral agreements and the costs of the return infrastructure. However, the Gross Domestic Product (GDP) of a country could count as an indicator for enforcement capacity: Generally, the countries with a higher GDP per capita also stand out in terms of return rates and vice versa, although this is not a one-on-one relationship and there are clear exceptions, such as **Denmark**.

Priority

In addition to spending capacity, the question whether it is rational to spend high amounts on deportation of rejected asylum seekers depends on the level of priority that is assigned to deportation. **Norway** is known not only to have the means, but also to give high priority to return. Increased policy priority due to recent influxes and the need to maintain public support for the asylum system was expressed mainly in **Sweden** and **Germany** (EMN 2016). The Nordic countries in general, which are not only wealthier but until recently also relatively culturally homogenous societies built on solidarity and a large welfare state, are argued to have developed a form of 'welfare nationalism' (Brochmann and Hagelund 2012), granting more priority to excluding 'those who are not members of these close-knit democracies' (Weber 2015, Barker 2013, Ugelvik and Ugelvik 2013). These Nordic welfare states seem more inclined to spend these budgets, while less wealthy states with a more modest welfare state and more familiarity with foreign-born populations make different calculations/assessments.

Effective bureaucracy / coordination of return procedures

In addition to the means and the will to prioritise deportation, a more effective bureaucracy contributes to its effective implementation. On the macro level, **Norway** and **Sweden**, despite having very different ways of working, share that they are working according to a highly systematic and bureaucratised procedure. Furthermore, there is reason to believe that more centralized coordination of the return procedure affects its efficacy, as it is a very complex multilevel governance issue, involving the EU level, the national level and the local level. **The Netherlands** saw its return rates increase with the arrival of a designated Return and Repatriation Service (DT&V) in 2007, which coordinates the return process and chairs local return consultations with relevant stakeholders (EMN 2016).

On the other hand, the complex and overall polemic governmental landscape in **Belgium** and more particularly in Brussels, trickles down to a reluctance of local law enforcers to comply with national migration enforcement policy. The lower return rates in **Germany** might also be related to the complexities of their federal governance system.

On the micro-level, an effective bureaucracy is about getting the 'street-level bureaucrats' to work optimally: public employees who interact directly with citizens or clients (DeBono, Ronnqvist, and Magnusson 2015). This is not merely about controlling their outputs, such as giving deportation targets (with consequences) to the police, as is happening in **Norway**. In a study on police officers implementing deportation of unaccompanied

minors in **Sweden**, Hansson finds that a level of discretionary space is important as a coping mechanism and to combine efficiency and dignity (Hansson 2017). The discretionary space is the power that these bureaucrats have 'in determining the nature, amount, and quality of benefits and sanctions provided by their agencies' (Lipsky 1980: 13 in DeBono, Ronnqvist, and Magnusson 2015). According to DeBono et al., the main reasons why these bureaucrats need discretionary space are because they have to make decisions based on a limited amount of information, and because their interactions with citizens (or, in this case, non-citizens) are too complex to be guided in detail by rules and regulations (DeBono, Ronnqvist, and Magnusson 2015). Conversely, the Norwegian system leaves no room for discretionary space and Norwegian street-level bureaucrats are known for their stoicism in aiming for their targets. In **the Netherlands**, there have been various attempts to define apprehension quota for police, but these measures always met resistance by police and (other) local actors, especially when they were required to apprehend migrants who are not involved in crime and do not cause public order issues (Leerkes, Varsanyi, and Engbersen 2012). The coping mechanisms and efficacy of street-level bureaucrats therefore show a mixed picture, in which further studies need to be undertaken (Hansson 2017).

Public acceptance and legitimacy of return policy

Last, a lot of policy measures are shaped to retain public support for migration enforcement, which is essential as it forms its political basis. A distinction can be made between general public support for the migration enforcement approach taken, and controversy about individual cases.

All countries in the case study, being liberal democracies, search for public support when shaping their migration enforcement strategies. But 'what the people want' is the most complex and least tangible factor of all, as it is embedded in the culture and history of a country. For example, both the **Swedish** focus on Assisted Voluntary Return *and* the turn towards increased enforcement can arguably be seen in light of public calls for ensuring the human rights in the deportation process on one hand, and calls to reduce costs on the other, which are in turn embedded in the humanitarian principles underpinning law and policy development in migration in Sweden *and* the tradition of keeping to the rule of law (DeBono, Ronnqvist, and Magnusson 2015). Conversely, the more-strict deportation measures in **Norway** are generally supported by the Norwegian public, but since there is much more controversy about the use of detention, detention is kept to a minimum. The hard approach (at least rhetoric) to deportation in **Denmark** should be seen in light of the long-term popularity and influence of the anti-immigrant Danish People's Party (Siim and Meret 2019). Our unconfirmed presumption is that the reluctance to enforce deportation by **Germany**, despite being an otherwise highly organized and bureaucratic state, may be related to the sense of collective guilt from the holocaust, making deportation of rejected asylum seekers a politically sensitive and unpopular issue. The practice of regularization of well-integrated individuals could also be related to the relatively high demand for cheap labour in Germany. For Belgium, it is argued that a general distrust towards the federal government may hamper enforcement.

On the other hand, **all countries** also deal with public controversy when it comes to individual cases that are reported in the media, especially when it concerns minors, although with different outcomes. In **Norway** and **Denmark**, the controversy does not seem to have a lot of political effect. Germany, Belgium and the Netherlands (see Leerkes, Varsanyi and Engbersen, 2012) seem to be more susceptible to such public pressure, yet this needs to be investigated further.

While we have given some suggestions on how the search for public discourse affects policy making and implementation (see also Czaika and De Haas 2013), these examples merely scratch the surface of a highly complex issue. Truly and comparatively understanding the public support and controversy around deportation would require a more in-depth study in which the culture and political history of each country are taken into consideration.

6. Conclusions

In this report we compared 12 EU and Schengen associated countries, of which six in more detail, and six nationalities of origin in order to investigate the policy factors that contribute to the return and non-return of rejected asylum seekers who are obliged to leave the territory, and the public concerns and acceptances of these policy measures.

The outcomes of deportation regimes (or: post-entry migration enforcement regimes) in terms of the rate and type of migrant return can be understood in light of policy determinants, including the type of policy instruments and their implementation, on one hand, and non-policy determinants such as structural drivers for migration and individual and social factors on the other. Last, pressure by the public discourse and the media also play a role in policy enforcement. We investigated policy measures and implementation and public discourses in the host countries, while acknowledging that the often-large differences between return rates of different nationalities of origin within a country could often also be ascribed to structural conditions in those countries.

We first looked at the rate of migrants from these countries that returned, and the rate of Forced versus Assisted Voluntary Return. We found that return rates were highly divergent between host countries. The Netherlands has, depending on the way of calculating, the highest or one of the highest rates of demonstrable return, followed by Norway. There are also differences in the type of demonstrable returns ('Assisted Voluntary Return vs forced), leading to four types of migration enforcement regimes. The Netherlands has both relatively high voluntary and forced return rates, therefore tending, together with Norway, and France to a lesser extent so, toward a 'total regime'.

The statistics furthermore show that the majority – in some countries: the large majority – of the rejected asylum seekers from the selected countries do *not* demonstrably leave these countries, and that return rates vary per nationality of origin, in which return rates to Iran and Iraq are relatively higher than to Eritrea and Somalia, while returns to Afghanistan and Syria show a mixed pattern.

We then investigated policy measures and implementation. The North-West European case studies have developed a range of policies to promote voluntary and forced return for rejected asylum seekers. Yet the specificities and similarities with regard to these policy measures alone do not explain differences in return patterns. The implementation of these policies, in terms of budgets and capacity, priority and effective bureaucracy complement part of the puzzle, while it creates new questions as well. The report shows that the political space to act depends strongly on the public support of or controversy around these policies and their outcomes. This is the most opaque and complex factor, as 'what the people want' is a fascinating question that is driven by cultural, historical and emotional factors that we cannot grasp within the scope of our study but would require a more in-depth approach. On the other hand, considering the low return rates, countries have also developed policy measures to deal with the non-deportability of rejected asylum seekers who are unwilling to return to their country of citizenship, which appears to be closely related to the priority that is given to migration enforcement. Figure 3 shows a continuum of policy measures and rationales that can tentatively be categorized into three main groups.

Figure 3. Dealing with (non-)deportability

Countries	Migration enforcement priority	Dealing with non-return	Rationale
Norway Denmark Netherlands	High priority to return all rejected asylum seekers through territorial and institutional exclusion (with a relatively low effectiveness in case of Denmark)	Continued access to food and accommodation	Migrants cannot provide for themselves as access to work and housing has been limited. Being able to locate migrants in order to facilitate deportation. Only the most piteous rejected asylum seekers have a chance to be regularized.
Sweden Germany	Priority to return unwanted migrants only	Mechanisms of regularization via track changing and Duldung	Achieved deservedness of 'integrated' migrants
Belgium (and Italy / Spain)	No capacity / political will to enforce return	De facto tolerated stay Ad hoc regularizations	Accept the presence of undocumented residents

The Netherlands can be categorized in the group that prioritizes migration enforcement through territorial and institutional exclusion. The other side of this coin is that people who are effectively non-deportable need to be provided with food and shelter, because they cannot otherwise provide for themselves. To some extent these policies have resulted in a return of the 'poorhouse' or the rise of 'secondary poor relief': basic accommodation in shelters with a basic income below the official social minimum for citizens (also see Leerkes, 2016a).

On the other side of the continuum, there are countries that do not in practical terms prioritize migration enforcement, out of a lack of capacity and/or political will to do so. In these countries, there is more informal space to make a living as an undocumented migrant. In practice, the presence of undocumented migrants is silently accepted without the state interfering. The only way to deal with non-return is regularization on an ad hoc basis.

In the middle of this spectrum, there are countries that in principle prioritize return, but are also susceptible to the social and humanitarian aspects and political sensitivity of deportation, and to the economic value of some migrants. They have formalized and individual-level mechanisms for regularizations in place, based on achieved deservedness.

Given that the Netherlands already belongs to the EU+ countries with the most developed post-entry migration enforcement infrastructure, and highest return rates, it is questionable whether or not the Netherlands can increase the effectiveness of its migration enforcement much further. Lessons learned from the other case studies are the focus on legitimacy (Sweden), diplomacy (Norway), and the pragmatic attitude towards rejected asylum seekers that are well-integrated in society (Germany and Sweden).

Annex I Methodology

We took a two-phased mixed methods approach to address the research questions.

Phase 1

In **Phase 1**, we aimed to provide an overview of return rates and -modes (forced return or Assisted Voluntary Return) in selected countries across the European Union.

Statistical data and definitions

The best way to assess the rate of forced and Assisted Voluntary Return from different European countries would be to analyse **cohort data** (cf. Leerkes et al., 2014; Leerkes, Van Os and Boersema, 2017). In case of cohort data, a group of people who are required to leave the territory (for example, all asylum seekers who were rejected in year X) are followed over time. As such data are not regularly available –certainly not for different countries- we used Eurostat data.

Eurostat is the statistical office of the European Union. In its migration enforcement statistics, it mentions the number of persons ‘returned to a third country’ following an ‘order to leave’, and the total number of such persons returning to a different country, specified by EU and Schengen associated *country*, nationality of those having returned, year and destination of the return (total versus ‘returned to a third country’).

EU and Schengen associated countries (EU+, our abbreviation) are EU Member States plus Iceland, Liechtenstein, Norway and Switzerland.

Third countries are non-EU countries.

Return to a third country. The statistics on persons returned to Third countries usually means return to their country of birth and/or nationality. It excludes removal to an EU country of first asylum (so-called Dublin cases). Return to a third country either pertains to deportation (‘forced return’) or to forms of assisted return with no physical force being applied (‘Assisted Voluntary Returns’), usually through IOM.

Ordered to leave. It is not completely clear how Eurostat defines ‘ordered to leave’. We assume that it refers to persons who have received what are called ‘**return decisions**’: under the EU Return Directive, all rejected asylum seekers and known (apprehended) irregular migrants are to receive a ‘return decision’, which states that the person is to leave the territory within a reasonable period of time, usually four weeks in case the person is a rejected asylum seeker. Third countries are all non-EU countries. Eurostat also includes data on the number ‘negative first instance decisions’ and ‘positive final decisions’ specified by EU+ country and migrant nationality. Negative first instance decisions pertain to rejected asylum applications before eventual appeals. Positive final decisions are decisions resulting in a residence permit being reached after a first instance rejection (because of appeals).

Data analysis and procedure

We approximated the return rates involving 12 EU+ countries and six migration nationalities based on the following procedure.

Country selection

We first selected all EU+ countries with at least 10,000 negative first instance decisions in 2016 and 2017. Subsequently, we excluded three countries (Hungary, Poland and Greece) because they have land borders with non-EU+ countries that are regularly crossed by persons applying for asylum. Such land borders inflate the number of persons ‘returned to a third country’ as it will involve persons who are stopped at the border and are then handed over to the authorities of the country of transit. We kept Norway and Finland in the analysis, however. Both countries have land borders with a third country (Russia), but these land borders are not crossed regularly by the six nationalities selected. For eight of the twelve countries Eurostat also gives

information about the share of 'Assisted Voluntary Returns' relative to the number of 'forced returns' (but without specifying the number of such return to a third country).

We then wanted to select nationalities of origin of which we could adequately estimate the population that is required to leave the territory. For this reason, we wanted to select nationalities of origin that produce mainly asylum seekers, as rejected asylum seekers are registered by the state whereas there are no accurate estimations of the size of the irregular population by country of origin for our selected 'host' countries. We therefore selected the 10 nationalities with the highest number of asylum seekers in EU+ countries in 2016 and 2017, but decided to exclude 4 of the top 10 countries from the analysis because a significant part of the returnees from these countries are not rejected asylum seekers but other irregular migrants including visa overstayers: Pakistan, Albania, Nigeria, and Russia. For these countries of origin, the total population that is at risk of post-entry migration enforcement is hard to assess.

The remaining nationalities of origin are Afghanistan, Eritrea, Iran, Iraq, Somalia and Syria. As discussed in section three, the fact that these asylum seeker-producing countries are often countries in conflict or under political repression, return rates are lower than average, as migration enforcement will be lower. However, had we chosen other nationalities, such as Albania or Macedonia, the measurement of the population at risk of migration enforcement could be off the mark as only a limited share of the Albanians and Macedonians who are required to leave the territory are rejected asylum seekers (but overstaying 'tourists').

Return rates

The (approximated) return rates in Figure 1 are defined as follows: the total number of persons with nationality X returning through Assisted Voluntary Returns or forced return to a third country in the period 2013-2017 (numerator) divided by the total number of negative first instance decisions and withdrawn asylum applications involving persons with nationality X in the period 2013-2017, minus the number of intra-EU returns of these nationals in that period (denominator), multiplied by 100.

For example, we then find a 'return rate' for Afghan asylum seekers in the Netherlands of 25.2%; in the 2013-2017 period, 980 Afghans were returned to a third country from the Netherlands, while 3,785 negative decisions involving Afghans were reached, 200 applications were withdrawn and 90 Afghans were returned to another EU country $(980/(3785+200-90)=.252)$.

We added the number of asylum applications withdrawn because these persons, too, are at risk of immigration enforcement. Some of the 'explicit' withdrawals concern persons returning with IOM; some asylum seekers no longer want to await the decision on their asylum application, for instance because they want to reunify with their families. Other withdrawals (the 'implicit' withdrawals) concern persons who have left (absconded from) the asylum seeker centres without letting the authorities know their destinations. This often happens if persons anticipate that their asylum application will be rejected and/or if they rather go to another European country and apply for asylum there. If these persons stay irregularly in the country where they had applied for asylum they are still at risk of apprehension and subsequent removal; if they go to another European country, they may be returned to the initial country where they applied for asylum; they will then be at risk of immigration enforcement there.

The reason for subtracting the number of intra-EU returns from the number of rejected and withdrawn asylum applications is that persons who are returned to another country under the Dublin Regulation are not at risk of being returned to their country of citizenship, at least not while they are in the EU country making the Dublin claim. Here, we assume that such persons are, as a rule, counted in the figures on decisions on asylum applications (namely as rejections or as applications withdrawn).

The general return rate for a EU+ country is the unweighted average of the returns rates for the six nationalities that were examined. We took the unweighted average in order to prevent the overall rate from being biased by differences between the countries in the relative size of different origin groups (as these nationalities tend to have different return rates).

Rates of Assisted Voluntary and forced return

For the eight selected EU+ countries where Eurostat specifies the number of Assisted Voluntary Returns (AVR) and forced return separately, we also approximated the rates of AVR and forced return for the six migrant nationalities selected. As Eurostat does not specify the number of voluntary and forced returns to a 'third country' separately, we assumed that the percentage of forced and voluntary returns to a third country involving nationals of one of the six countries selected is equal to the percentage of forced and voluntary returns of such nationals to all countries, including intra-EU returns. The percentage of voluntary returns is the number of voluntary returns divided by the sum of forced and voluntary returns (there also is a small category of 'other returns' in Eurostat that has been excluded from the figure). The percentage voluntary and forced returns in table 2 is the unweighted average of the six percentages of voluntary returns for the six countries of origin selected. Some countries only specify forced and assisted returns for specific years in the 2013-2017 period (e.g., Austria only mentions figures for 2017). In these cases, we only used information on assisted and forced returns for the available year(s).

Limitations

It is impossible to calculate precise return rates with the available data, but the Eurostat data, as used here, give, in our view, the best possible indication of the return rates among rejected asylum seekers from different EU+ countries. The following methodological limitations should be mentioned.

First, all Eurostat data are administrative counts by year; the migrants being counted are part of different cohorts (i.e., they will have arrived in Europe at different points in time). The calculated return rate for a given period is also influenced by developments in the population required to leave the territory before and during that period. If the number of rejected asylum seekers was higher in the years before the period examined, the measured return rate will be relatively high as persons from the previous cohort will be included in the numerator (as part of them returned in the period examined), but not in the denominator (they were not rejected in the period examined). Similarly, if the population required to leave the territory increased during the period examined, the return rate will be underestimated: part of those who have received a negative decision will still be awaiting appeals to a negative decision. We have tried to reduce such biases by examining a relatively long period of time (5 years).

Second, the Eurostat data do not include information about the number of persons receiving return decisions who leave the territory through *non-assisted* return, i.e., who leave without any involvement of organisations in the field of migrant return. There is no evidence, however, that the numbers of migrants leaving in that way are particularly high in the case of rejected asylum seekers from relatively unsafe countries. In a sample of 108 migrants who were at risk of receiving a return decision (mostly asylum seekers from relatively unsafe countries who were rejected in the regular asylum procedure) about 80% scored the lowest value on a question measuring their return intentions in the next 12 months, and only a handful of respondents really intended to return (Leerkes, Galloway, and Kromhout 2010).

Third, the Eurostat counts on asylum decisions will include double counts as they also pertain to decisions regarding repeated asylum applications. Eurostat data show that 4% of all applications in the 12 EU+ countries involving nationals from the six countries of origin selected were repeated applications. If we assume that all repeated applications resulted in negative decisions, repeated applications represent a maximum of 10% of the negative first instance decisions. The actual return rates may therefore be a few percent points higher than reported here, as size of the population required to leave the territory may have been overestimated by 5% to 10%. This underestimation of the return rate is compensated, however, by an unknown overestimation of the number of rejected asylum seekers returning: although we selected typical asylum countries the number of persons returning to a third country could still include irregular migrants who have never applied for asylum.

Fourth, part of those being rejected in the first instance are eventually not required to return as they obtain a residence permit because of appeals to a negative decision. Eurostat does provide numbers concerning 'final positive decisions', which could have been subtracted from the population at risk, but these figures are not

comparable between countries due to different legal systems¹⁷. However, such bias will be limited as only a minority of all individuals appealing to a negative first instance decision in a European country eventually obtain a residence permit (see Leerkes, 2015).

Fifth, the returns also include asylum residence permit holders who choose to return with IOM or persons who migrate irregularly without applying for asylum and return through assisted or forced return. We have reduced such biases by limiting the analysis to typical ‘asylum’ groups. To the extent that such biases are still present, they will have led us to overestimate the numerator, thus counterbalancing bias in relations to the third and fourth limitation.

Sixth, the counts of persons ‘returned to a third country’ will include an unknown number of persons who have been handed over to the authorities of transit countries outside of the EU (e.g., Turkey, Morocco or Serbia). We will have limited this bias by eliminating countries with ‘external’ land borders (with the exception of Finland and Norway), but some bias is still possible. Austria, for example, has reported a substantial number of returns of Iranian citizens to a third country. It could involve ‘returns’ to Serbia: In 2017, Iranians could travel to Serbia visa-free but in 2018, visa requirements were reintroduced because of concerns that the visa-free regime was leading to irregular migration to the EU. Such biases, too, counterbalance the bias in relation to the third and fourth limitation as they promote return rates that are being overestimated.

Finally, the Eurostat data give no information about the *sustainability* of the returns. We know that a significant number of deportees continue their migration project in the region or by migrating to Europe once again (Schuster and Majidi 2015).

All in all, the figures should be treated like *proxies*: the Eurostat data cannot give precise information on return rates, but they do allow us to calculate rough estimates of these rates, to identify European countries with relatively high and relatively low return rates, and to distinguish countries with an emphasis on forced return (such as Norway) from countries with a stronger emphasis on assisted return (such as Sweden).

Phase 2

In **Phase 2**, we further explored policy practices aimed at increasing voluntary and forced return as well as policy practices to deal with non-deportability. The case studies were based on document analysis and interviews and correspondence with key informants – academics, government and NGO representatives from the respective countries.

Data analysis and procedure

For the case studies, we proceeded as follows:

1. Based on the figures produced by the statistical analysis, we wrote up the general similarities and specific return patterns per country, leading to a number of guiding questions in addition to the general questions of the study.
2. We then looked for documentation (Policy and NGO reports and academic literature) on the specific case studies and comparatively across the EU.
3. Next, we approached around 25 key country or comparative experts on the topic to discuss our findings. We asked them to interpret the findings based on their expertise. Interestingly, many of these experts indicated that they were not able to explain the specificity of a certain case compared to others. Eventually, we spoke to or corresponded with ten experts on return from the EU in general, and country specialists on Norway, Sweden, the Netherlands, Germany, and Belgium. Within the limited time frame of the report, we did not yet speak to country specialists on Denmark.
4. We merged our findings into a draft report
5. We presented our findings to the committee and we finalized the report.

¹⁷ In some countries, such as the Netherlands, asylum seekers can only appeal to a first instance rejection; in other countries, such as Germany, it is also possible for residence permit holders to appeal to a positive first instance decision by trying to obtain a higher, more privileged, residence permit.

Limitations

The narrow scope and time frame for this report did not allow us to reach full saturation in terms of interpreting the return patterns through document analysis and expert interviews: While migration enforcement policies in The Netherlands, Sweden, Belgium and Germany are very well-documented in the EMN reports, Norway and Denmark are not included in these reports. Comparable information is easier to find on Norway than for Denmark. Additional data collection was still taking place when the report went to press and will be included in later publications. Moreover, the hesitance of experts to comparatively interpret the findings, highlights a more fundamental knowledge gap: while there is a lot of research on the effects of migration enforcement regimes, less is known about why and how migration enforcement regimes emerge in comparative perspective. Throughout the report, we have clearly indicated which elements still need further investigation.

References

- Ambrosini, Maurizio. 2018. "Conclusion: The "Battleground" of Migration Governance." In *Irregular Immigration in Southern Europe: Actors, Dynamics and Governance*, 131-139. Cham: Springer International Publishing.
- Barker, Vanessa. 2013. "Democracy and deportation: Why membership matters most." In *The borders of punishment: Migration, citizenship, and social exclusion*, edited by M. and Aas Bosworth, K. F., 237-54. Oxford: Oxford University Press.
- Black, Richard, Khalid Koser, Karen Munk, Gaby Atfield, Lisa D'Onofrio, and Richmond Tiemoko. 2004. Understanding Voluntary Return. In *Home Office Report* London: Home Office.
- Brick, Kate. 2011. Regularizations in the European Union: The Contentious Policy Tool. Washington, DC: Migration Policy Institute.
- Brochmann, Grete, and Anniken Hagelund. 2012. *Immigration Policy and the Scandinavian Welfare State 1945-2010*. London: Palgrave Macmillan.
- Constant, Amelie, and Douglas S. Massey. 2002. "Return Migration by German Guestworkers: Neoclassical versus New Economic Theories." *International Migration* 40 (4):5-38. doi: 10.1111/1468-2435.00204.
- Czaika, Mathias, and Hein De Haas. 2013. "The Effectiveness of Immigration Policies." *Population and Development Review* 39 (3):487-508. doi: doi:10.1111/j.1728-4457.2013.00613.x.
- de Haas, Hein, and Tineke Fokkema. 2011. "The effects of integration and transnational ties on international return migration intentions." *Demographic Research* 25 (24):755-782.
- de Vroome, Thomas, and Frank van Tubergen. 2014. "Settlement Intentions of Recently Arrived Immigrants and Refugees in the Netherlands." *Journal of Immigrant & Refugee Studies* 12 (1):47-66. doi: 10.1080/15562948.2013.810798.
- DeBono, Daniela, Sofia Ronnqvist, and Karin Magnusson. 2015. *Humane and dignified? Migrants' experiences of living in a 'state of deportability' in Sweden*. Malmo: Malmo University, Criminal Justice, Borders and Citizenship.
- Dustmann, Christian, and Yoram Weiss. 2007. "Return migration: theory and empirical evidence from the UK." *British Journal of Industrial Relations* 45 (2):236-256.
- Düvell, F. (ed.) (2006), *Illegal Immigration in Europe. Beyond Control?*. Houndsmills, Basingstoke Hampshire: Palgrave Macmillan.
- Ellermann, Antje. 2008. "The limits of unilateral migration control: Deportation and inter-state cooperation." *Government and Opposition* 43 (2):168-189. doi: 10.1111/j.1477-7053.2007.00248.x.
- EMN. 2016. The Return of Rejected Asylum Seekers: Challenges and Good Practices.
- EMN. 2017. The Effectiveness of Return in EU Member States: Challenges and Good Practices Linked to EU Rules and Standards – Synthesis Report. edited by European Migration Network. Brussels.
- EMN. 2018. The Effectiveness of Return in EU Member States. In *EMN Inform*. Brussels: European Migration Network.
- Engbersen, Godfried, Marion van San, and Arjen Leerkes. 2006. "A room with a view: Irregular immigrants in the legal capital of the world." *Ethnography* 7 (2):209-242. doi: 10.1177/1466138106067057.
- Eurostat. 2018. "Statistics on enforcement of immigration legislation." Last Modified June 2018, accessed 30 December 2018. https://ec.europa.eu/eurostat/statistics-explained/index.php/Statistics_on_enforcement_of_immigration_legislation#Latest_trends_in_enforcement_statistics.
- Gibney, Matthew J. 2008. "Asylum and the expansion of deportation in the United Kingdom." *Government and Opposition* 43 (2):146-167. doi: 10.1111/j.1477-7053.2007.00249.x.
- Hansson, Jonas. 2017. "Mind the blues: Swedish police officers' mental health and forced deportation of unaccompanied refugee children." Umeå University.
- Jensen, Anne. 2011. "Mobility, Space and Power: On the Multiplicities of Seeing Mobility." *Mobilities* 6 (2):255-271. doi: 10.1080/17450101.2011.552903.
- King, Russell. 2000. "Generalizations From the History of Return Migration." In *Return migration: Journey of Hope or Despair*, edited by B. Ghosh, 7-55. Geneva: IOM / UNHCR.
- King, R. & DeBono, D. (2013) Irregular Migration and the 'Southern European Model' of Migration, *Journal of Mediterranean Studies* 22(1): 1-31.

- Klinthall, Martin. 2007. "Refugee return migration: Return migration from Sweden to Chile, Iran and Poland 1973-1996." *Journal of Refugee Studies* 20 (4):579-598. doi: 10.1093/jrs/fem029.
- Koser, Khalid, and Katie Kuschminder. 2015. "Comparative research on the assisted voluntary return and reintegration of migrants." *International Organization for Migration, IOM Publications: Geneva, Switzerland*.
- Leerkes, A., M. Galloway, and M. Kromhout. 2010. Kiezen tussen twee kwaden : Determinanten van blijf- en terugkeerintenties onder (bijna) uitgeprocedeerde asielmigranten. In *Cahiers*. Den Haag: WODC.
- Leerkes, A. (2015) *How (un)restrictive are we? 'Adjusted' and 'expected' asylum recognition rates in Europe*. The Hague: WODC.
- Leerkes, A. (2016) Back to the Poorhouse? Social Protection and Social Control of Unauthorized Immigrants in the Shadow of the Welfare State, *Journal of European Social Policy* 26 (2): 140-154.
- Leerkes, Arjen. 2016. "Managing Migration Through Legitimacy." In *Irregular Migration, Trafficking and smuggling of human beings: Policy Dilemmas in the EU*, edited by Sergio Carrera and Elspeth Guild. Brussels: CENTRE FOR EUROPEAN POLICY STUDIES.
- Leerkes, Arjen, E. Boersema, R.M.V. van Os, A.M. Galloway, and M. van Londen. 2014. Afgewezen en uit Nederland vertrokken? Een onderzoek naar de achtergronden van variatie in zelfstandige terugkeer onder uitgeprocedeerde asielzoekers. Ministerie van Veiligheid en Justitie.
- Leerkes, Arjen, Godfried Engbersen, and Marion van San. 2007. "Shadow Places: Patterns of Spatial Concentration and Incorporation of Irregular Immigrants in the Netherlands." *Urban Studies* 44 (8):1491-1516. doi: 10.1080/00420980701373479.
- Leerkes, Arjen, and Marloes de Hoon. forthcoming. *Blijven vergunninghouders in Nederland? Patronen en determinanten van vervolgmigratie en remigratie onder asielmigranten, cohort 1995-1999*. Den Haag / Heerlen: WODC/CBS.
- Leerkes, Arjen, and Mieke Kox. 2016. "Pressured into Deportation? Detainees'(Un) willingness to 'Return' and the Moderating Influence of International Relations." *Detaining the Immigrant Other. Global and Transnational Issues*:15-16.
- Leerkes, Arjen, Rianne van Os, and Eline Boersema. 2017. "What drives 'soft deportation'? Understanding the rise in Assisted Voluntary Return among rejected asylum seekers in the Netherlands." *Population, Space and Place* 23 (8):e2059-n/a. doi: 10.1002/psp.2059.
- Leerkes, Arjen, Monica Varsanyi, and Godfried Engbersen. 2012. "Local Limits to Migration Control: Practices of Selective Migration Policing in a Restrictive National Policy Context." *Police Quarterly* 15 (4):446-475. doi: 10.1177/1098611112453719.
- Noll, Gregor. 1999. "Rejected Asylum Seekers: The Problem of Return." *International Migration* 37 (1):267-288.
- Schuster, Liza, and Nassim Majidi. 2015. "Deportation Stigma and Re-migration." *Journal of Ethnic and Migration Studies* 41 (4):635-652. doi: 10.1080/1369183X.2014.957174.
- Suárez-Krabbe, Julia, José Arce, and Annika Lindberg. 2018. *Stop Killing Us Slowly: A Research Report on the Motivation Enhancement Measures and Criminalization of Rejected Asylum Seekers in Denmark*. Copenhagen: Freedom of Movements.
- Tannenbaum, Michal. 2007. "Back and Forth: Immigrants' Stories of Migration and Return." *International Migration* 45 (5):147-175. doi: 10.1111/j.1468-2435.2007.00430.x.
- UDI. 2011. *Practical Measures for Reducing Irregular Migration: The Case of Norway*. Oslo: Norwegian Directorate for Immigration.
- Ugelvik, Synnøve, and Thomas Ugelvik. 2013. "Immigration control in Ultima Thule: Detention and exclusion, Norwegian style." *European Journal of Criminology* 10 (6):709-724. doi: 10.1177/1477370813495127.
- van Wijk, J. 2008. *Reaching Out to the Unknown; Native Counseling and the Decision Making process of irregular migrants and rejected asylum seekers on voluntary return*. International Organization for Migration (IOM).
- Weber, Leanne. 2015. "Deciphering deportation practices across the Global North." In *The Routledge handbook on crime and international migration*, 155-78. London: Routledge.
- Weber, Leanne, Sigmund Book Mohn, Francesco Vecchio, and Andriani Fili. 2019. "Beyond deportation: researching the control of outward mobility using a space of flows logic." *Global Networks* 0 (0). doi: 10.1111/glob.12226.

Zimmermann, Susan E. 2011. "Reconsidering the Problem of 'Bogus' Refugees with 'Socio-economic Motivations' for Seeking Asylum." *Mobilities* 6 (3):335-352. doi: 10.1080/17450101.2011.590034.



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