

ASSISTED VOLUNTARY RETURN & REINTEGRATION OF IRAQI NATIONALS FROM SELECTED EUROPEAN COUNTRIES

An analysis of policies and practices



IOM International Organization for Migration



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IOM International Organization for Migration



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Return. Not necessarily a step backward.

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1 – INTRODUCTION

1.1 ABOUT ASSISTED VOLUNTARY RETURN AND REINTEGRATION

Assisted Voluntary Return (hereinafter: AVR) and Reintegration (hereinafter: AVRR) are terms frequently used to express the voluntary return of individuals to their countries of origin with the assistance of a particular government or organization, whereby sometimes additional assistance is provided to ensure a fruitful reintegration of that particular individual in his or her country of origin.

The International Organization for Migration (hereinafter: IOM) has as its primary goal the facilitation of orderly and humane management of international migration. IOM strives for this goal building on its expertise and experience and respecting the mandates of, and coordinating with, national governments and the NGO/IO scene. By wishing to enhance this orderly and humane management, IOM has undertaken different activities carried out at the request of, or in agreement with, its Member States. Examples of these activities are programmes facilitating AVR and AVRR of migrants in need, in cooperation with governments and other (international) organizations as appropriate. Such AVR and AVRR programmes, also known as AVR(R) programmes when mentioned in conjunction, are implemented in a range of countries and are among the core competence of many IOM missions. The programmes provide secure, reliable, flexible and cost-effective services for persons who require international migration assistance.

AVR(R) activities are greatly diversified, and a range of different approaches are used in each of the different stages of the process.¹ Such activities include:

- Outreach and information dissemination;
- Pre-departure assistance and counseling;
- Assistance during the return and upon arrival in the country of origin;
- Post-arrival assistance (reintegration support).
- Monitoring and evaluation of reintegration process.

In recent years, different governments have expressed their preference for AVRR as a return option, rather than merely AVR, for regular as well as irregular migrants. AVRR programmes endeavor to provide a holistic and harmonised approach towards the preparation of return migrants so as to make their socio-economic reintegration and embeddedness in their countries of origin a success. This contributed to the sustainability of return, something most governments strive for when designing and implementing return policy and programmes.

1.2 AN ANALYSIS OF POLICIES AND PRACTICES

In recent years, numerous efforts have been made towards making AVR(R) policy formulation and programme designing more and more effective for those in need of assistance. AVR(R) policy is designed by governments to facilitate return of irregular migrants. In addition to this objective AVR(R) policy and programmes are also concerned with other,

¹ These phases may not always be as clearly identifiable as suggested here, however, they are often closely intertwined.

equally important qualitative issues, such as safeguarding humane return, contributing to returnees' future prospects and reducing the negative impact of returnees on their home communities. A focus on numbers of return does not provide us with sufficient details as to the extent to which these objectives are adequately addressed by AVR(R) policy and programmes. Addressing both quantitative and qualitative objectives may result in increased effectiveness of such policy.

The different approaches which may form part of AVR(R) policies and programmes, as mentioned above, can be specific to certain nationalities, legal categories of migrants or other target groups (such as victims of trafficking), and they may also use different methodologies. While new methodologies are still adopted and practices replicated, there is very little hard evidence of the effectiveness of these methodologies and practices. It is increasingly common to evaluate AVR(R) projects, but this is still often done in isolation. It is rare for evaluations of different projects that employ similar methods, to be brought together and have their results compared. This means a lot of replication of efforts takes place, and little basis exists for determining whether specific approaches have had a positive impact on, for example, the exposure of failed asylum seekers and irregular migrants to information on the possibility of voluntary return, their willingness to return, their practical possibilities to return and their potential to reintegrate in their countries of origin after return. As striving for increased effectiveness of AVR(R) policy and programmes is beneficial to migrants as well as governments financing, implementing or (assisting countries of origin with) designing AVR(R) facilities, this report aims to provide a contribution to the discussion on the effectiveness of AVR(R) assistance, whereby contributing to making such assistance as effective as possible in the fast and ever-changing circumstances of our ever-shrinking world. The chosen route towards this ambitious goal is a comparative analysis of AVR and AVRR policies and practices.² Given the broad range of issues that have an impact on AVR and AVRR policy, as well as the intimate connection between such policy and other policy areas, we limit our focus to certain aspects.

The choice was made to focus on Iraqi nationals as this particular group is present in many different European countries and make use of AVR(R) facilities, and many of these countries have also started to develop, or have already developed, AVR(R) policies and programmes specifically aimed at Iraqi nationals. The existence of such policies and programmes allow for a sound comparative analysis and will therefore contribute to a overall analysis and description of possibilities and constraints regarding future developments. It follows that the specific goal this report strives to achieve, is a contribution to the discussion on successful and effective AVR(R) policies and programmes for Iraqi nationals. The research underlying this report does so through the comparison of different existing AVR(R) policies and programmes, those apply at Iraqi nationals or open to all. In addition, the results of this analysis may be of use to the discussion of the possibilities for a common European approach towards AVR(R) – for Iraqi nationals or other nationals – or steps that may be taken in this particular direction.

Such an analysis fits well within IOM's mandate, which amongst other matters, includes the support of addressing the challenges of (irregular) migration through research and analysis and the spreading of best practices. Moreover, IOM aims to advance the identification of effective policies to address the challenges migration presents as well the identification of

² The choice was made to focus on policies as well as programmes, as governments may sovereignly design policy for the return of non-nationals within their borders and subsequently design programmes executing this policy.

comprehensive approaches and measures to advance international cooperation, something this report aims to provide. Moreover, such an analysis can move the future development of AVR(R) policies and programmes away from ‘assumed best practices’, based on impressions and understandings rather than objective information and analysis, towards the adoption of more effective ‘proven practices’.

1.3 SCOPE OF AVAILABLE INFORMATION & METHODOLOGY

Firstly, a description of the scope of available information as well as the methodology used in this research is in place in order to provide the correct frame of reference. Secondly, a brief overview of the different issues to be discussed in this report will be given.

The scope of the research entails the possibilities for increased success and effectiveness of AVR(R) policies and programmes for which Iraqi nationals are eligible, from selected European countries, as well as the options of designing a European approach in this regard.³ The study aims to be complementary to other conducted studies in the field, whereby we aim to work alongside relevant research results so as to avoid duplicity and reiteration.

The initial set-up for this qualitative research was to evaluate and compare existing evaluations of AVR(R) programmes that were open to Iraqi nationals, or comparable in scope to, and employed similar methods as, programmes for Iraqi nationals. During the course of this research it became evident that finding relevant many evaluations of programmes specifically aimed at Iraqi nationals, to develop a solid evidence base, was not realizable. The main reason for this was the fact that almost all Iraqi-specific programmes were too recently established to have been evaluated, or were still running during the course of the research. Following this, the choice was made to primarily focus on the existing AVR(R) policies and programmes for which Iraqi nationals are eligible, and more specifically on the specific features thereof.

For each activity related to AVR(R) policies and programmes, a whole range of indicators of success could be used.⁴ These different indicators can be the following. The first is the country of destination (number of returns and related costs, socio-economic factors such as support for return policies, legal factors such as added value of AVR compared to forced return). The second indicator is the individual (conditions and sustainability of return, contribution of return assistance to increased willingness to return). Lastly, the third indicator is the country/community of origin (employment, service provision, investment in local economy). It suits the purpose of this study to integrate these different indicators as much as possible (sometimes dependent on the available data) and as such aim to compile an overall view on the success and effectiveness of AVR(R) policies and programmes.

For the ‘European countries’ that are part of the study, a geographical understanding of the word ‘European’ is in place, meaning that the countries included are not necessarily European

³ The policies and programmes included in the scope of this research may be executed by IOM, a national government, or other organizations. It always concerns voluntary return, and does not include forced returns.

⁴ K. Koser, *The Return and Reintegration of Rejected Asylum Seekers and Irregular Migrants*, IOM Research Series No. 4, IOM (2001), p. 36. For the purpose of this study, we shall use the division of indicators of effectiveness as drawn up by Koser, as it is encompassing and does not favour the importance of one indicator over the other.

Union (hereinafter: EU) Member States.⁵ The European countries chosen for comparison are Austria, Bulgaria, Denmark, Finland, France, Germany, Greece, Norway, Romania, Sweden, Switzerland and The Netherlands. This choice was based on the available time and budget for the study, the willingness of the states to be part of the study, and the wishes of the donor of this research project, the Dutch government, regarding the countries to include for analysis.

‘Iraqi nationals’ is to be understood in the following manner: all those individuals possessing Iraqi citizenship on the moment of return to Iraq. It includes:

- | | | |
|---|---|--|
| (1) legal asylum seekers | - | those holding a residence permit; |
| (2) legal asylum seekers | - | those still in procedure; ⁶ |
| (3) illegally residing asylum seekers | - | those whose possibilities for legal residence have ended and periods to depart have been overstayed; |
| (4) legal regular migrants | - | those holding a residence permit; |
| (5) legal regular migrants | - | those still in procedure; ⁷ |
| (6) illegally residing regular migrants | - | those whose possibilities for legal residence have ended and periods to depart have been overstayed; |
| (7) irregular migrants | - | those who have never had legal stay. |

Regarding the timeframe, the choice was made to look at the years 2000 until 2010 (included) as this comprises the, for the purpose of this study, most relevant period of intense movement of Iraqi nationals to European countries. Moreover, most Iraqi-specific AVR(R) policies and programmes are not older than 10 years.

The research on which this report is based relies on so-called ‘hard’ and objective documentary evidence, i.e. information regarding activities that have *de facto* been designed or carried out, rather than impressions or anecdotes. A distinction needs to be made between core data (the main object for analysis), and secondary data (supportive in shaping the analysis). The *core data* of the research consists of a Europe wide collection of reports, project documents and other background documentation, as well as the available AVR(R) projects evaluations or documents containing evaluative elements (providing insight into specific activities and their outcomes). Core data was also retrieved through a questionnaire, which was designed and submitted to IOM missions in the European countries which are part of the study. This questionnaire contained open and closed questions on all different topics discussed in this report, and information was provided by IOM missions as well as their respective governmental counterparts.⁸ The *secondary data* consists of information forming a broader background to the core data and which provides additional points of discussion (i.e. interviews with IOM Iraq staff members and Iraqi returnees).

As discussed above, the starting point of this report is an introduction into the topic and scope of the research, as well as the methodology. Chapter 2 focuses on the starting point, the Iraqi nationals in the different European countries. Chapter 3 provides an overview of the different AVR(R) policies and practices in place in the different European countries, for which Iraqi

⁵ The study does not include the return and reintegration of Internally Displaced Persons (hereinafter: IDP’s), as IDP’s do not return from a European country to Iraq, but return from within Iraq.

⁶ This second category cannot be distinguished in IOM data from the first category (these numbers are intertwined), but the distinction is mentioned for reasons of clarity.

⁷ This fifth category cannot be distinguished in IOM data from the fourth category (these numbers are intertwined), but the distinction is mentioned for reasons of clarity.

⁸ The questionnaire can be found as Appendix A to this report.

nationals are eligible. Chapter 4 comprises the analysis of the success and effectiveness, as well as the different features, of the AVR(R) policies and practices for Iraqi nationals. It then pulls the discussion towards the European level, describing the current common European approach on return and reintegration as well as discussing the possibilities of designing and implementing such an approach for Iraqi nationals. Finally, chapter 5 will provide the concluding remarks.

|

2 – IRAQI NATIONALS IN SELECTED EUROPEAN COUNTRIES

2.1 INTRODUCTION

When discussing the success and effectiveness of AVR(R) policies and programmes for Iraqi nationals, the starting point is those Iraqis present in European countries. Some European countries have had populations of Iraqi migrants since the 80's, others have only recently transformed from countries of transit to countries of destination. Whether Iraqis had been present in European countries before, or came as a result of the international conflict that broke out in Iraq in 2003, is irrelevant for the purpose of this study. The point of interest for our analysis is a description of the context in which the stay of Iraqi nationals took place as well as their prospects of legal residence, regardless of their numbers and the fact that such numbers increased strongly after the outbreak of the 2003 conflict. This chapter will thereby contribute to the overall understanding of return migration of Iraqi nationals, as influx of migrants may have a particular bearing on their return.⁹

It is important to note that this chapter is concise and therefore merely illustrates a context. It is by no means intended to provide an exhaustive overview of admission requirements and protection policies for which Iraqis may have been eligible for each country.¹⁰ Therefore, this chapter does not provide a quick glance into the legal framework of admission of 'foreigners'¹¹, but merely focuses on the admission requirements and policy measures specific for Iraqi nationals as these constitute specific circumstances under which Iraqis are present in the selected European countries. This may include resettlement of Iraqi nationals, even though resettled nationals may not be in need of assisted voluntary return as often as those obtaining admission on different grounds.

2.2 AUSTRIA

The Austrian Asylum Office has not implemented a country-specific policy or regulation regarding admission or legal stay for Iraqi nationals. Asylum applications are all considered on a case by case basis, based on the information available through individual preliminary

⁹ For an in-depth analysis of this assertion, please see International Organization for Migration, *Assisted Voluntary Return from the Netherlands. An analysis of fluctuations in AVR participation (1992-2008)*, IOM (2010).

¹⁰ For such a complete overview, please see International Organization for Migration, *Laws for Legal Immigration in the 27 EU Member States*, IOM (2009).

¹¹ The word 'foreigners' is often understood as 'third-country nationals' by European Union Member States, and for the purpose of this study it is meant as 'those not possessing citizenship of a European Union Member State or a country which is a member of the Schengen Agreement (i.e. Norway, Switzerland).

investigations.¹² Asylum seekers from Iraq have often been eligible either for refugee status or for subsidiary protection, but this was never solely based on their Iraqi citizenship.¹³

2.3 BULGARIA

During the period under review in this report, three significant phases could be distinguished in protection policies for all nationalities in Bulgaria. From 2000-2001, Bulgaria was a country of emigration. Until 2007, Bulgaria was mainly a country of transit. Then, upon accession to the EU in 2007, Bulgaria became of country of destination and its legal framework covering migration and asylum changed significantly. A specific law was created regulating the admission and residence of third country nationals, i.e. Iraqi nationals.¹⁴ However, no special admission requirements were in place for Iraqi nationals only.

2.4 DENMARK

During the period under review, Denmark has had special requirements for the granting of short term visas for Iraqi nationals. Prior to the year 2001, all Iraqi asylum seekers from central and southern Iraq were granted subsidiary protection in Denmark. After the amendment of the Danish Aliens Law in 2002, this situation changed and only asylum seekers facing an individual risk of persecution could be granted subsidiary protection. It follows that as of this moment, no Iraqi specific protection policy existed.

2.5 FINLAND

Finland has considered the situation in southern and central Iraq since 2003, to be a situation of armed conflict, following Section 88 of the 'Aliens Act' until May 2009.¹⁵ This allowed for asylum seekers from this region to be awarded a (temporary) residence permit based on a need for protection, regardless of their individual grounds for asylum. If the asylum-seekers failed to fulfil the eligibility criteria for asylum, they often qualified for residence permits on the grounds of protection. Though the security situation in the northern part of Iraq (three Northern Governorates) is viewed by Finland as relatively calm, asylum seekers from that region have been awarded temporary residence permits according to Section 51 of the 'Aliens Act' as forced returns to this part of Iraq have proven to be difficult in practice.¹⁶ Recently,

¹² For detailed information on the Austrian legal framework covering admission, see European Migration Network, *Reception Systems, their Capacities and the Social Situation of Asylum Applicants within the Reception System in the EU Member States*, EMN (2005), European Migration Network, *The Organization of Migration and Asylum Policies in Austria*, EMN (2010) and European Migration Network, *The Practices in Austria Concerning the Granting of Non-EU Harmonized Protection Statuses*, EMN (2009).

¹³ Adviescommissie voor Vreemdelingenzaken, *Preliminary studies on Categorical Protection Policy ECRE/ICMPD*, ACVZ (2009), p. 9; Adviescommissie voor Vreemdelingenzaken and ICMPD, *Comparative Study on Categorized Protection*, ACVZ (2006), p. 24.

¹⁴ For more information see European Migration Network, *The Organization of Asylum and Migration Policies in Bulgaria*, EMN (2009).

¹⁵ For details on the Finnish asylum and migration policy (i.e. entry procedures, admission conditions, legal residence, access to the labour market and issues of return) see European Migration Network, *The Organization of Asylum and Migration Policies in Finland*, EMN (2008).

¹⁶ Adviescommissie voor Vreemdelingenzaken, *Preliminary Studies on Categorical Protection Policy ECRE/ICMPD*, ACVZ (2009), p. 40.

the Finnish government re-evaluated the security situation in Iraq and based its re-assessment of the need for international protection for Iraqi asylum seekers on this.¹⁷

Additionally, in November 2008, after the decision of the European Ministers of Justice and Home Affairs to resettle 10.000 vulnerable Iraqi refugees from Syria and Jordan to the EU, Finland agreed to admit 300 Iraqis.

2.6 FRANCE

During the period under review in this study, no special admission requirements were in place for Iraqi nationals under the framework of asylum regulations.¹⁸ However, in 2007, a special programme for the reception of threatened Iraqis was approved, the 'Reception Programme in France for Threatened Iraqi Nationals', and conditions for reception were identified. Individuals qualified for this programme if they belonged to a threatened religious minority and could provide, through proof of family relations or knowledge of the French language by at least one family member, that they have a certain connection to France. Iraqi nationals under consideration may have been residing on Iraqi soil, or in the neighbouring states of Jordan, Syria, Lebanon or Turkey. Applications for this programme were considered under common law status, as opposed to asylum. However, once in France, the applicants would also be able to request refugee status from the French Office for the Protection of Refugees and Stateless Persons.¹⁹

2.7 GERMANY

During the period under review, no special admission requirements or protection policies have been in place for Iraqi nationals.²⁰ Furthermore, since the year 2004, Germany has denied refugee status to 20.000 Iraqi nationals who were granted legal status under the period of Saddam Hussein's governance.²¹ Following the outbreak of the conflict in Iraq in 2003, Germany determined the threat stemming from Saddam Hussein's government as well as the established Ba'ath Party to be gradually diminishing and considered return an option for Iraqis. However, since May 2007, the German authorities consider the religious minorities (e.g. Christians, Yezides or Mandeans) from Central Iraq a persecuted group and these individuals are therefore eligible for refugee status. Furthermore, positive decisions

¹⁷ Adviescommissie voor Vreemdelingenzaken, *Preliminary Studies on Categorical Protection Policy ECRE/ICMPD*, ACVZ (2009), p. 41.

¹⁸ For details on the French legal framework see European Migration Network, *The Organization of Policies Relating to Asylum and Immigration*, EMN (2008) and European Migration Network, *Practices in France Concerning Granting of Non-EU Harmonized Protection Statuses for Non-European Union Nationals*, EMN (2009).

¹⁹ For more information on this programme see the Ministry of Immigration, Integration, National Identity and Solidarity Development, *Political Report 2009*, pp.23-25.

²⁰ For details on the German legal framework on migration and asylum, see European Migration Network, *The Organization of Asylum and Migration Policies in Germany*, EMN (2009). For details on the granting of protection in Germany, procedures, rights and statistics, see Federal Office for Migration and Refugees & EMN, *The Granting of Non-EU Harmonized Protection Statuses in Germany*, FOMR & EMN (2009).

²¹ For more information, see Amnesty International Deutschland, *Die Menschenrechtssituation in den Herkunftsländern: Ablehnungen und Widerrufe sind nicht gerechtfertigt*, Amnesty International (2005); United Nations High Commissioner for Refugees, *Global Refugee Trends*, UNHCR (2005), p. 28; United Nations High Commissioner for Refugees, *Revocation procedures alarm Iraqi refugees in Germany*, UNHCR (2005).

concerning legal status of Iraqi refugees were not withdrawn, unless the applicants were accused of criminal activities.²²

Additionally, in November 2008, after the decision of the European Ministers of Justice and Home Affairs to resettle 10.000 vulnerable Iraqi refugees from Syria and Jordan to the EU, Germany agreed to admit 2.500 Iraqis, including religious minorities, individuals in need of medical assistance as well as single women.²³

2.8 GREECE

During the period under review, no special admission requirements or protection policies have been in place for Iraqi nationals.²⁴

2.9 NORWAY

Since 2004, Iraqis from central Iraq have been eligible for protection on the grounds of being a refugee or on humanitarian grounds.²⁵ Iraqis coming from northern and southern Iraq have been generally denied protection. In June of 2007, more restrictive measures were announced in response to the increase in the numbers of asylum applications.²⁶ Following this, the measures regarding the handling of asylum applications from Iraqi nationals were amended, making the Norwegian practice more in line with that of Sweden and Denmark, ensuring that protection was no longer granted to Iraqis solely on the basis of their country or region of origin. Instead, all asylum cases were reviewed individually.

In 2008, the Norwegian Directorate of Immigration implemented a special asylum procedure for Iraqi nationals. This entailed that Iraqi asylum seekers were sent to a special Asylum Reception Centre while their cases were being reviewed in a short period. This practice resulted in many rejections of asylum applications submitted by Iraqi nationals. Since 2008, fewer Iraqi asylum applications were registered in Norway.

²² See Adviescommissie voor Vreemdelingenzaken, *Preliminary Studies on Categorical Protection Policy ECRE/ICMPD*, ACVZ (2009), pp. 58-59.

²³ See European Council on Refugees and Exiles, *Five Years on Europe is Still Ignoring its Responsibilities towards Iraqi Refugees*, ECRE (2008), p. 3. See also the Federal Office for Migration and Refugees, *Admission Process Iraq*: http://www.bamf.de/nn_432320/EN/Migration/AufnahmeverfahrenIrak/aufnahmeverfahren-irak-node.html?_nnn=true (retrieved on 30 May 2010).

²⁴ For details on the political, legislative and institutional framework of Greece as well Greek asylum and migration policy, see European Migration Network, *Organization of Asylum and Migration Policies in Greece*, EMN (2008); European Migration Network & Centre for European Constitutional Law, *The Practice in Greece Concerning the Granting of Non-EU Harmonized Protection Statuses*, EMN & CECL (2009).

²⁵ For additional details on the Norwegian framework for immigration and asylum, see Migration Policy Institute, *Norway: Migrant Quality, Not Quantity*, MPI (2005); Yearly Reports on Migration, Immigrants and Policy in the Netherlands for the Continuous Reporting System of the OECD, *International Migration 2007-2008*, SOPEMI (2008); United States Committee for Refugees and Immigrants, *Norway: The Refugee Protection/Asylum Process, including the Application and Hearing Procedure, Appeal Provisions and whether the Claimant would be Provided with a Copy of the Decision in Cases where His/Her Claim was Rejected*, USCRI (2003). For more information, also see <http://www.udi.no/Norwegian-Directorate-of-Immigration/Oversiktsider/The-new-Immigration-Act-and-Immigration-Regulations/> (retrieved on 30 May 2010) and <http://www.regjeringen.no/en/dep/jd/Subjects/Immigration/asylum-and-refugee-policy.html?id=1135> (retrieved on 30 May 2010).

²⁶ European Council on Refugees and Exiles, *Guidelines on the Treatment of Iraqi Asylum Seekers and Refugees in Europe*, ECRE (2007), p.4 and 26.

2.10 ROMANIA

During the timeframe under review, no special admission requirements or protection policies existed for Iraqi nationals, nor did any developments take place in this regard.²⁷

2.11 SWEDEN

In April 2002, stricter asylum measures were adopted by the Swedish Migration Board applicable for Kurdish individuals from northern Iraq, after the Swedish Migration Board had announced in February 2002 its view that it was no longer dangerous for Iraqi asylum seekers to return to their country of origin.²⁸ However, during the period from 2003 until 2007, Sweden became the most generous country regarding the acceptance of Iraqi nationals and it housed 33,000 Iraqi asylum seekers. Immigrants granted with residence permits were also eligible for Swedish language and vocational training and a stipend lasting 18 months. The numbers of asylum seekers dramatically increased in 2006. The amount of approved asylum applications subsequently started to decrease as Sweden and other previously welcoming European countries started re-evaluating their domestic political climate and their resources to provide assistance to asylum seekers.²⁹

2.12 SWITZERLAND

From September 2005 until May 2007, all rejected Iraqi asylum seekers were granted temporary protection in Switzerland, irrespective of the region of origin.³⁰ Up until 2009, most Iraqi nationals applying for asylum were granted provisional admission. During this period, those asylum seekers who had been denied protection previously, became eligible for subsidiary protection upon request.³¹ Currently, the provisional admissions are re-analysed, and revoked for those originating from the Northern governorates of Iraq. Iraqis from the governorates of Dohuk, Erbil and Sulaimaniya are only granted asylum based on exclusion grounds, if they are accompanied by children, or are deemed as vulnerable. Iraqis originating from all other governorates are required to return to the governorates of Dohuk, Erbil or Sulaimaniya if close ties exist with relatives residing there, if they are on good terms with the

²⁷ For more information on the asylum and immigration policies in Romania, see European Migration Network, *The Organization of Asylum and Migration Policies in Romania*, EMN (2009); International Organization for Migration, *Migration in Romania: A Country Profile 2008*, IOM (2008).

²⁸ Immigration and Refugee Board of Canada, *Sweden: Asylum Procedure, including Legal Representation, Appeal Procedure, Documents Issued to Claimants, Processing times, Approval Rates for Iraqi Claimants*, IRBC (2004). For more information on the Swedish legal framework for migration and asylum, see European Migration Network, *The Organization of Asylum and Migration Policies in Sweden*, EMN (2008) and European Migration Network, *The Practices in Sweden Concerning the Granting of Non-EU Harmonized Protection Statuses*, EMN (2010).

²⁹ Germany, Greece, the Netherlands and the UK accepted more than 10,000 asylum seekers from 2003 until 2007, see The Stimson Center, *Iraq's New Reality*, STIMSON (2009), p.5.

³⁰ For more information on foreign nationals in Switzerland (e.g. entry and stay, free movement, working and living, political asylum and integration), see the Swiss Portal, via: <http://www.ch.ch/schweiz/00157/00176/index.html?lang=en> (retrieved on 30 May 2010).

³¹ European Council on Refugees and Exiles, *Guidelines on the Treatment of Iraqi Asylum Seekers and Refugees in Europe*, ECRE (2007), p. 4.

two biggest political parties there, if they have job opportunities or if they have stayed in these governorates for a longer period in the past.³²

2.13 THE NETHERLANDS

During the period under review, protection policies have differed for those Iraqis coming from northern Iraq and those coming from central and southern Iraq.³³ Based on the view that northern Iraq is relatively safe for return, there have not existed any northern Iraqi-specific policies since February 2004. However, from February until June of 2004, the general policy towards asylum seekers from central and southern Iraq was widened. Since June 2004, those individuals originating from central and southern Iraq were eligible for categorical protection, leading to permanent or temporary residence permits, considering the general situation in Iraq rather than their individual circumstances.³⁴ Categorical protection for asylum seekers from Iraq was terminated on 24 February 2006.³⁵ However, in April 2007, this categorical protection became applicable once again to asylum seekers from Iraq. In November 2008, the categorical protection was terminated once again, and asylum seekers from central and southern Iraq were no longer eligible for protection solely based on the situation in their country of origin.³⁶ All individuals, whose permits were revoked when the latest categorical protection policy was terminated, will have their cases re-examined by the Dutch Immigration Service based on the individual circumstances of their case.

³² Adviescommissie voor Vreemdelingenzaken, *Preliminary studies on categorial protection policy*, ACVZ (2009), p.82, 85, 89-92.

³³ For additional information on the political, legislative and institutional system in the Netherlands, the development of the asylum and migration systems and the policy organization, see European Migration Network, *Organization for Asylum and Migration Policies in the Netherlands*, EMN (2009), European Migration Network, *Developments in Migration and Asylum Policy in the Netherlands*, EMN (2006), pp. 31-32 and European Migration Network, *The Practices in The Netherlands Concerning the Granting of Non-EU Harmonised Protection Statuses*, EMN (2010).

³⁴ For more information, see European Council on Refugees and Exiles, *Country Report*, ECRE (2004), p.4.

³⁵ For more information on the developments surrounding the categorical protection policy for Iraqi nationals, see European Migration Network, *Developments in Migration and Asylum Policy in the Netherlands*, EMN (2007), p.8, 19, 36-37, 45.

³⁶ European Migration Network, *The Practices in The Netherlands Concerning the Granting of Non-EU Harmonized Protection Statuses*, EMN (2010), p.22.

3 – RETURN AND REINTEGRATION POLICIES AND PRACTICES

3.1 INTRODUCTION

This chapter will discuss the return and reintegration policies and practices, mostly in the form of implemented projects that have existed specifically for Iraqi nationals in certain European countries over the course of the years 2000 until 2010.³⁷ As not all European countries in this report may have return or reintegration policies or practices put in place, each subchapter will provide specifics on the situation in the particular country. An effort has been made to provide a complete and up-to-date overview; however, we refrain from stating that the below-mentioned subchapters providing an exhaustive overview of Iraqi-specific return and reintegration projects.

The terms ‘AVR’ and ‘AVRR’ have been established by IOM. As other organizations as well as national governments may also perform activities or implement programmes related to return and reintegration, this chapter will use the terms ‘return’ and ‘reintegration’ rather than merely ‘AVR’ and ‘AVRR’ for the purpose of clarity, as it is the content of the activity at hand determining its comparative value. For the purpose of this study, all relevant policies and practices are taken into account, whether implemented by IOM or others. Moreover, wherever applicable, the bilateral readmission agreements concluded with Iraq on the readmission of unauthorized Iraqi nationals are included in this chapter.

3.2 AUSTRIA

Specific return and reintegration policies and practices for Iraqi nationals have not existed during the period under review.³⁸ Furthermore, Iraq is not mentioned as a main country of return during the years 2001-2003. Special return and reintegration programmes for other nationals than Iraqis, for example Afghans, have been implemented when warranted by circumstances.

No readmission agreement exists between Austria and Iraq.

3.3 BULGARIA

Specific return and reintegration policies and practices for Iraqi nationals have not existed during the period under review.³⁹ However, based on the available funding, NGOs have the

³⁷ The terms ‘practices’ and ‘programmes’ are interchangeable in the current context, as most practices have been established through implemented programmes (projects). Both terms will therefore be used throughout this report. It should be noted that general return and reintegration programmes, for which all nationals are eligible, will not be discussed in this chapter as it is beyond the scope of this research.

³⁸ For detailed information on general return and reintegration policies and practices in Austria, see European Migration Network & International Organization for Migration, *Return Migration in Austria*, EMN & IOM (2006), and International Organization for Migration, *Return Migration. Policies and Practices in Europe*, IOM (2004).

³⁹ For detailed information on general return and reintegration policies and practices in Bulgaria, see International Organization for Migration, *Migration in Bulgaria: A Country Profile 2008*, IOM (2008) and <http://www.iom.ch/jahia/Jahia/activities/europe/central-europe/bulgaria> (retrieved on 3 May 2010).

possibility to implement return programmes especially designed for Iraqi nationals. These NGOs are those falling under the ‘Non-profit Legal Bodies Act’. All other entities are obliged to act in a non-discriminatory manner and are therefore banned from designing and implementing programmes aimed at a certain category of nationals only. No readmission agreement exists between Bulgaria and Iraq.

3.4 DENMARK

Specific return and reintegration policies and practices for Iraqi nationals have existed during the period under review. An AVR contractual arrangements scheme was available to Iraqi asylum seekers between the fall of 2007 and November 2008 for Iraqi’s originating from the northern part of Iraq and between the fall of 2007 and May 2009 for Iraqi’s originating from the central and southern parts of Iraq.

A specific project pertaining to return and reintegration to Iraq called the ‘Integrated Assisted Voluntary Return Programme from Denmark to Iraq’ ran from February 2005 until October 2005, and was implemented by IOM, the Danish Immigration Service and the Danish Red Cross.⁴⁰ This programme facilitated the voluntary return of Iraqi nationals from Denmark. It contained an information component in the form of information meetings in Denmark and an IOM helpline, and the programme included assistance with transportation and the making of cargo arrangements.

Another specific project pertaining to return and reintegration to Iraq called the ‘Information on Return and Reintegration for Iraqi Migrants in Denmark’ project (hereinafter: IRRIM) was established to increase the provision of information to potential returnees and to improve return counselling.⁴¹ This project was implemented by IOM. An example of its activities was the setting up of a free helpline to be specifically used by Iraqis who have questions relating to return and reintegration from Denmark to Iraq called the ‘Toll-free Helpline’. This helpline was not used as extensively as thought prior to its opening (as of November 2007, 48 calls received and 12 e-mails received). Furthermore, representatives from Iraq have come to Denmark to share their experiences of return, but they spoke to an audience of 2 and 5 individuals respectively, rather than the expected 150 individuals. The IRRIM project makes use of the close ties of IOM offices in Helsinki and those of the Danish government. In an interim report to the Danish Immigration Service pertaining to the project ‘Information on Return and Reintegration for Iraqi Migrants in Denmark’ (hereinafter: IRRIM), a preference was laid out by the Danish government to facilitate the voluntary return and sustainable reintegration of Iraqi migrants from Denmark to Iraq.

One more specific project pertaining to return and reintegration to Iraq called the ‘Assisted Voluntary Return, Cargo Arrangements and Grant Payments for Voluntary Returnees from Denmark to Iraq’. This project was implemented by IOM. The overall objective of this particular project was to enhance the return mechanisms for Iraqi migrants heading to Iraq from Denmark. On 1 June 2007, the Danish Parliament amended the Aliens Act which introduced the provision of economic support upon voluntary return if an Iraqi national was to comply with a training programme in Denmark prior to leaving. Within this project, the

⁴⁰ For more information, see <http://iom.fi/files/Information%20sheets/IOM%20Helsinki/Integrated%20AVR%20from%20DK-IQ.pdf> (retrieved on 30 September 2010).

⁴¹ For more information, see http://iom.fi/files/information_sheets/info_sheet_irrim_english_feb2008.pdf (retrieved on 30 September 2010).

Danish government, together with Care 4 You offered the storing, packaging and returning of an Iraqi nationals cargo to Iraq. This was intended to limit the burdens during the journeying of return. Under the framework of this project, 12 of the intended 120 Iraqi nationals returned. The interim report of IOM to the Danish Migration Service noted that this small number was due to difficulties in scheduling movements and finalizing of agreements. Also migrants considered, the volatile security issues in Iraq itself a great deterrent to their voluntary return of Iraqi nationals.

A memorandum of understanding on the readmission of Iraqi nationals was signed between the Danish and Iraqi Ministries of Foreign Affairs in May 2009.

3.5 FINLAND

Specific return and reintegration policies and practices for Iraqi nationals have not existed during the period under review.⁴²

The Finnish Ministry of Interior has recently announced the upcoming drafting of a document establishing a readmission agreement between Finland and Iraq encouraging humane and voluntary return.⁴³

3.6 FRANCE

Specific return and reintegration policies and practices for Iraqi nationals have not existed during the period under review.⁴⁴ Iraqi nationals eligible for reintegration assistance from IOM in France are the beneficiaries in the northern part of Iraq, but this assistance is not part of a programme specifically designed for Iraqi nationals.

No readmission agreement exists between France and Iraq.

3.7 GERMANY

Specific return and reintegration policies and practices for Iraqi nationals have not existed during the period under review.⁴⁵ However, the German Ministry of Interior has recently

⁴² For detailed information on general return and reintegration policies and practices in Finland, see European Migration Network, *Programs and Strategies in Finland Fostering Assisted Return to and Re-integration in Third Countries*, EMN (2009) and International Organization for Migration, *Return Migration. Policies and Practices in Europe*, IOM (2004), pp. 112-114.

⁴³ European Migration Network, *Programs and Strategies in Finland fostering Assisted Return to and Reintegration in Third Countries*, EMN (2009), p. 10.

⁴⁴ For detailed information on general return and reintegration policies and practices in France, see European Migration Network, *Programs and Strategies in France to Encourage Assisted Returns and Reintegration of Migrants from Third Countries*, EMN (2009) and International Organization for Migration, *Return Migration. Policies and Practices in Europe*, IOM (2004).

⁴⁵ For detailed information on general return and reintegration policies and practices in Germany, see European Migration Network, *Return Assistance in Germany. Programs and Strategies Fostering Assisted Return to and Reintegration in Third Countries*, EMN (2009), European Migration Network, *Voluntary and Forced Return of Third Country Nationals from Germany*, EMN (2006), International Organization for Migration, *Return Migration. Policies and Practices in Europe*, IOM (2004), IOM Germany via <http://www.iom.int/jahia/Jahia/germany> (retrieved on 30 May 2010).

expressed its interest in developing country-specific reintegration assistance programmes focussing on small business-setups in the countries of origin. This initiative may allow for Iraqi specific programmes to evolve.

No readmission agreement exists between Germany and Iraq.

3.8 GREECE

Specific return and reintegration policies and practices for Iraqi nationals have not existed during the period under review.⁴⁶

No readmission agreement exists between Greece and Iraq. However, the Greek government has recently indicated in its National Action Plan for Migration Management which it submitted to the European Commission, that it aims to conclude bilateral agreements with countries from which a large number of nationals illegally enter Greece, thereby possible encompassing Iraq.

3.9 NORWAY

Specific return and reintegration policies and practices for Iraqi nationals have existed during the period under review.⁴⁷

A specific programme for the return and reintegration of Iraqi nationals existed from March 2008 until February 2009, the 'Information, Return and Reintegration of Iraqi Nationals to Iraq from Norway' project. This project was implemented by IOM, financed by the Norwegian Directorate of Immigration, and applicable to Iraqi nationals who were in the process of seeking asylum, but willing to return to their country of origin, Iraqis with failed asylum applications and Iraqis who had been granted refugee or protection status. The programme's objective was to encourage humane voluntary return and reintegration in the country of origin. Assistance was provided through return information and counselling, travel (documentation) arrangements, post-arrival transportation assistance, and reintegration and monitoring.⁴⁸ IOM cooperated for this programme with, amongst others, the Iraqi Ministry of Displacement and Migrants as well as the Kurdistan Regional Government.

⁴⁶ For detailed information on general return and reintegration policies and practices in Greece, see Centre for European Constitutional Law and European Migration Network, *Study Concerning the Projects and Strategies of Greece, fostering Assisted Return to and Reintegration in Third Countries*, CECL & EMN (2009) and Centre of Planning and Economic Research & European Migration Network, *Greek Contribution to the EMN Research Study III: Return*, CPER & EMN (2006).

⁴⁷ For detailed information on general return and reintegration policies and practices in Norway, see Yearly Reports on Migration, Immigrants and Policy in the Netherlands for the Continuous Reporting System of the OECD, *International Migration 2007-2008*, SOPEMI (2008), International Organization for Migration, *Return Migration. Policies and Practices in Europe*, IOM (2004).

⁴⁸ For more details on this project, see International Organization for Migration Mission in Norway, *Information, Return and Reintegration of Iraqi Nationals to Iraq (IRRINI I)*, IOM (2008), and International Organization for Migration via http://www.iom.no/irrini/irrini_project_info_english.pdf (retrieved on 23 April 2010).

Furthermore, the Norwegian authorities have expressed their intention to focus the 'Assistance to Support the Return of Qualified Nationals' programme on Iraqis.⁴⁹

A readmission agreement was signed between Norway and Iraq in June 2009.

3.10 ROMANIA

Specific return and reintegration policies and practices for Iraqi nationals have not existed during the period under review.⁵⁰

No readmission agreement exists between Romania and Iraq.

3.11 SWEDEN

Specific return and reintegration policies and practices for Iraqi nationals have existed during the period under review.⁵¹

In 2008-2009, Iraq was one of the countries where the 'return migration' project was implemented, a scheme that was made available in August 2007 through which the Swedish Migration Board provides cash grants for 'assisted return' on an individual basis to countries where re-establishment, or reintegration, would be challenging.⁵² Iraqis are currently the biggest group making use of the facilities under this programme as Iraq is considered to meet the criteria for being such a country. In this respect, Sweden has been cooperating with the German 'Association of Experts in the Fields of Migration and Development Co-operation' (hereinafter: AGEF) and IOM in (northern) Iraq.⁵³

Furthermore, different programmes exist specifically aimed at Iraqi nationals. Firstly, a project implemented by the Swedish Red Cross, 'Office for Voluntary Return Migration to

⁴⁹International Organization for Migration, *Return Migration. Policies and Practices in Europe*, IOM (2004), p.285. Moreover, Norwegian Prime Minister Stoltenberg announced in May 2010 that Norway plans to introduce a more restrictive asylum policy and increase the number of returns of asylum seekers whose claims have been rejected. The government has allocated around 12 million Euros to facilitate voluntary and forced return and has set a target of removing 6,000 people annually. Stoltenberg hopes that additional funding will provide an incentive for people, in particular Iraqis, to return voluntarily. See ECRE Weekly Bulletin of 7 May 2010, via http://www.ecre.org/files/ECRE_Weekly_Bulletin_07_May_2010.pdf (retrieved on 30 September 2010).

⁵⁰ For detailed information on general return and reintegration policies and practices in Romania, see European Migration Network Romanian National Contact Point, *Policy Report 2007 on Migration and Asylum*, EMN (2007) and International Organization for Migration via <http://www.iom.int/jahia/Jahia/romania> (retrieved on 3 May 2010).

⁵¹ For detailed information on general return and reintegration policies and practices in Sweden, see European Migration Network, *Programs and Strategies in the EU Member States fostering Assisted Return to and Re-integration in Third Countries*, EMN (2009) and International Organization for Migration, *Return Migration. Policies and Practices in Europe*, IOM (2004).

⁵² Grants provided under this project have been presented to applicants travelling to Iraq, see European Migration Network, *Programs and Strategies in the EU Member States fostering Assisted Return to and Re-integration in Third Countries*, EMN (2009), p. 13. This project is valid until 31 December 2010, a possible extension is currently under review with the government, see also the report: Statskontoret, *Uppföljning av återetableringsstödet*, Statskontoret (2010) and www.migrationsverket.se/info/515_en.html (retrieved on 30 September 2010).

⁵³ European Migration Network, *Programs and Strategies in the EU Member States fostering Assisted Return to and Re-integration in Third Countries*, EMN (2009), p. 16-24.

Iraq', which provides assistance to Iraqis from the Kurdish region, with permanent Swedish residence. Assistance is granted through counselling, practical arrangements, and psychological support to the prospective returnees.⁵⁴ Secondly, a Swedish Migration Board and IOM implemented programme, the 'IOM Sweden-Iraq Helpline', provides information on voluntary return to Iraq (e.g. reintegration services available through IOM Iraq, re-establishment assistance, information on the situation in Iraq).⁵⁵ Thirdly, the IOM implemented programme 'Pre-departure Information and Reintegration Assistance to Voluntary Returnees from Sweden to Iraq' provides pre-departure information, counselling and reintegration assistance (incl. monitoring) from IOM Iraq.⁵⁶

A readmission agreement, named a Memorandum of Understanding, was concluded between Sweden and Iraq.⁵⁷

3.12 SWITZERLAND

Specific return and reintegration policies and practices for Iraqi nationals have existed during the period under review.⁵⁸

Country-specific return programmes have been implemented in the northern part of Iraq, amongst other countries. The services provided by the country-specific return programmes consist of financial assistance and reception, as well as e.g. domestic transport, temporary accommodation, counselling and advice. The programmes may also offer assistance not only to returnees, but also to the receiving communities.⁵⁹

A specific programme aimed at Iraqi nationals is 'Assisted Voluntary Return from Switzerland to Iraq', which runs from 2008 until 2010 with a possibility of extension.⁶⁰ This project is implemented by IOM (mandated by the Swiss Federal Office for Migration) together with the Federal Office for Refugees, the Swiss Agency for Development and Cooperation and other relevant agencies, the Ministry of Labour and Social Affairs of Iraq, the Kurdistan Regional Government of Iraq and the Ministry of Migration of Iraq. The target group includes up to 140 Iraqis under the asylum regime, mostly the prospective returnees to the northern Governorates, but also other regions of Iraq. The project aims to encourage sustainable return of Iraqis who have submitted applications for asylum and who decided to

⁵⁴ Ibid, p. 30.

⁵⁵ For more detailed information, see International Organization for Migration & Swedish Migration Board, *IOM Sweden-Iraq Helpline*, IOM & SMB (2010), p. 1 and IOM Helsinki via <http://iom.fi/content/view/202/8/> (retrieved on 3 May 2010). Calls to the Helpline number are charged to IOM and are thus free for a caller.

⁵⁶ For more information, see International Organization for Migration & Swedish Migration Board, *IOM Sweden-Iraq Helpline*, IOM & SMB (2010), pp. 2-7, and <http://iom.fi/content/view/202/8/> (retrieved on 30 September 2010).

⁵⁷ For more information, see European Migration Network, *Programs and Strategies in the EU Member States fostering Assisted Return to and Re-integration in Third Countries*, EMN (2009), pp. 24-25.

⁵⁸ For detailed information on general return and reintegration policies and practices in Switzerland, see International Organization for Migration, *Return Migration. Policies and Practice in Europe*, IOM (2004) and International Organization for Migration Switzerland via <http://www.newwebsite.iom.int/jahia/Jahia/switzerland> (retrieved on 3 May 2010).

⁵⁹ Projects offering structural aid are financed by the Federal Office for Refugees and implemented by the Swiss Agency for Development and Cooperation together with partners in the field, International Organization for Migration, *Return Migration. Policies and Practices in Europe*, IOM (2004), p. 378.

⁶⁰ For detailed information, see International Organization for Migration Bern, *Assisted Voluntary Return from Switzerland to Iraq*, IOM (2008).

return to their country of origin. The assistance provided consists of return counselling and information, return and reception assistance and reintegration assistance.⁶¹ Follow-up on the reintegration of individual returnees is administered by IOM Iraq.

No readmission agreement exists between Switzerland and Iraq.

3.13 THE NETHERLANDS

Specific return and reintegration policies and practices for Iraqi nationals have existed during the period under review.⁶²

A specific programme for return and reintegration of Iraqi nationals is in place since December of 2009 and will run until December 2011. It is called the 'Assisted Voluntary Return and Reintegration of Iraqi nationals' project. This project was implemented by IOM in order to provide for return assistance of Iraqi nationals who previously fell under categorical protection but who, after individual assessment of their cases following the termination of the categorical protection policy, might have their temporary residence permits revoked. The programme was also a reaction to a sharply increased interest in return migration to Iraq. The programme provides Iraqi (rejected) asylum seekers residing in the Netherlands with tailor-made return and reintegration assistance. The assistance will be complementary to the return assistance provided under the main return programme (Return and Emigration of Aliens from the Netherlands) and will be provided as an alternative to the cash assistance given under the Reintegration Regulation scheme. Post-arrival reintegration assistance will be offered to a maximum of € 2.500, of which a maximum amount of € 750 will be paid out *in cash*, whilst the remainder is paid out *in kind* (services), thereby aiming to contribute to a sustainable return and reintegration. The post-arrival assistance entails reception assistance, counselling, referral and reintegration assistance defined individually, according to needs and skills of the returnees (e.g. small business set up, education/vocational training, work placements). Monitoring and follow-up of returnees will be done up to six months after arrival by IOM Iraq. A total of 500 Iraqis are expected to return under this scheme. The project also includes a development component, in the form of several Community Assistance Projects, set up to provide a quick, direct and positive impact on the local economy resulting in increased income generation for the local population including returnees from the region and internally displaced persons. These projects are also monitored by IOM Iraq.

No readmission agreement exists between the Netherlands and Iraq.

⁶¹ Travel arrangements fall under the Swiss REPAT-IOM Movements project, which is part of a bigger program established by the 'Interdepartementale Leitungsgruppe Rückkehrhilfe' of the Swiss authorities. The 'Project Team Iraq' is responsible for the project, implementation of which is delegated.

⁶² For detailed information on general return and reintegration policies and practices in the Netherlands, see European Migration Network, *Research Study III. Return*, EMN (2006); European Migration Network, *Programs and Strategies in the Netherlands Fostering Assisted Return to and Re-integration in Third Countries*, EMN (2009) and International Organization for Migration, *Return Migration. Policies and Practices in Europe*, IOM (2004).

**OVERVIEW OF IRAQI-SPECIFIC ADMISSION AND
RETURN POLICIES / PROGRAMMES
Situation in 2000-2010 (timeframe under review)**

COUNTRY	ADMISSION/ PROTECTION	RETURN/ REINTEGRATION	READMISSION AGREEMENT
Austria	NO	NO	NO
Bulgaria	NO	NO	NO
Denmark	NO	YES	YES
Finland	YES	NO	NO
France	YES	NO	NO
Germany	YES	NO	NO
Greece	NO	NO	NO
Norway	YES	YES	YES
Romania	NO	NO	NO
Sweden	YES	YES	YES
Switzerland	YES	YES	NO
The Netherlands	NO	YES	NO

4 – EUROPEAN AVRR TO IRAQ

4.1 INTRODUCTION

This chapter discusses the success and effectiveness of the return and reintegration policies and practices specifically pertaining to Iraqi nationals, as described in the previous chapter. It is beyond the scope of this study to evaluate all policies and practices for which Iraqis are eligible.

The analysis of what constitutes the success and/or effectiveness of a particular policy or programme will naturally depend on the definition of the terms. As we wish to go beyond this discussion, the definition of success and effectiveness will simply be the attainment of the goals inherent in the specific programs. As evaluations of programmes were not available when writing this report, as mentioned in chapter 1, our basis for analysis will consist of the particular features of the specific programmes for Iraqis, as well as the policy objectives of the institutions implementing these programmes.

Thereafter, the possibilities for the creation of an efficient and effective common European approach for return and reintegration of Iraqi nationals is discussed, as return migration is increasingly considered not only within the context of controlling migration flows on a national level, but also with regard to the development of a comprehensive and coherent migration policy within the European Union. Such a common European approach may rely on a comparative analysis of the different programmes, the latter possibly even forming a blueprint for such an approach. If this approach were to be a step further along the lines of the European future, this study's comparative analysis may assist states in designing and adopting such a programme, or it may be beneficial to the improvement of their programme(s) in place.

4.2 ELEMENTS OF AVR(R) POLICIES AND PROGRAMMES

It immediately becomes clear that while only several countries have implemented Iraqi specific programmes (Denmark, Norway, Sweden, Switzerland and the Netherlands), all have placed emphasis on the same features while doing so.⁶³ Preferring voluntary return over forced return, deeming voluntary return safe to all regions of Iraq, moving beyond mere AVR assistance (pre-departure included) into the realm of reintegration possibilities with *in cash* and *in kind* assistance, aiming for the unattainable result of 'sustainable return'.⁶⁴

⁶³ For a discussion on the possible recommendations for effective return programmes on a European level, as well as the possible incentives for returns, see for example, Advisory Committee on Migration Affairs, *Bijlage 2: Return Migration – Policies and Practices in Europe – IOM Study*, ACVZ (2004), UNHCR Research Paper No. 165, *Circular repatriation: the unsuccessful return and reintegration of Iraqis with refugee status in Denmark*, UNHCR (2008), and HIT Foundation, *European cooperation on the sustainable return and reintegration of asylum seekers*, HIT Foundation (2010). All recommendations following from different studies on voluntary return (of Iraqi nationals and in general) have been used in the construction of this chapter, although not all specific references are made to ensure legibility of this report.

⁶⁴ As part of its comprehensive approach to return migration, IOM has long held that the effectiveness of return depends on its 'sustainability', which is in turn related to successful reintegration assistance measures, based on

The notion of the EU on a sustainable common policy with regards to return is unattainable in the sense that the concept is undefined thus far, as it is differently defined by different implementers of AVR(R) assistance, nor are there clear cut markers for measuring sustainability of return policy. However, it is also a concept that has often been reiterated as integral to a successful European return policy. While such measures and definitions will attain greater common agreement and standardization over time, it is important now that as many discrepancies as possible between European countries' policies are removed. This is important as it is the differences in policies which prove ripe for exploitation. As the EU is increasingly being represented as a collective whole in its external migration matters, the notion of sustainability will be one in which all EU Member States will actively have to play a role. Whether sustainable return is purely sustained as long as the returnee remains in their country of origin void of whether or not the EU is involved in reintegration will depend on what works best in practice. A sustainable return will also be in the interests of a voluntary returnee as they themselves will need to maintain their well being and livelihood upon return. Programmes including reintegration assistance can do a great deal to ensure that a returnee is successfully immersed in the community of return. An increased insurance that a returnee is satisfyingly reintegrated and has longer term prospects in the community will diminish the likelihood of illegally attempting to return to the host country. Whether or not European countries are to measure sustainability in terms of purely ensuring that a returnee remains outside of the EU borders, or also in terms of the prospects that the returnee can optimize, will become clearer as the European countries increases their cooperation and the EU increases its mandates in the field of sustainable voluntary return. Regardless, sustainable return will be a practice that will actively need to be maintained.⁶⁵

Success = Cash component

One of the most successful elements of the return and reintegration programmes, as stated by returnees in Iraq, is the assistance in cash, regardless of the amount.⁶⁶ Most Iraqi specific programmes have included a cash component, whereby the returnee is entitled to receive some of his/her assistance in cash without any requirements attached, upon departure or upon arrival. All programmes have focused on this cash component, (sometimes) next to the reintegration component.

Success = Information component

Another successful element is the information component inherent in most programmes. The information component comprises different instruments – for example individual or group counselling sessions in the native language, brochures, helplines, websites, and video messages from Iraq, Skype possibilities with IOM Iraq staff – to provide information to returnees on the different forms of assistance they may receive. All returnees present in Iraq as well as the IOM Iraq mission have been very clear in their desires to include information and counselling components in all programmes specifically aiming at Iraqi nationals, to

adequate preparation prior to departure and effective post-arrival assistance. Returns are more sustainable if the decision to return is informed and voluntary, and if it is supported by appropriate reintegration assistance.

⁶⁵ The discussion on the importance of synchronized terms is also present in the following report: HIT Foundation, *European cooperation on the sustainable return and reintegration of asylum seekers*, HIT Foundation (2010), pp. 7-8 as well as in R. Black & S. Gent, *Sustainable Return in Post-conflict Contexts*, International Migration Vol. 44 (3), IOM (2006).

⁶⁶ This also follows from a Swedish evaluation report pertaining to the *cash assistance* given by the Swedish Migration Board to Iraqi nationals amongst others, see Statskontoret, *Uppföljning av återetableringsstödet*, Statskontoret (2010). This report also notes that *cash assistance* in itself does not seem to be a determining factor for an individual to opt for voluntary return or not, but the assistance is valued highly by returnees who return.

ensure returnees have a realistic view of the situation in Iraq and may make an entirely well-informed decision. Therefore, integrating such an element has been valued.

Success = Development component

One more successful element is the development component as integrated in the Dutch AVRR Iraq programme for example (Community Assistance Projects). The development component works irrespective of the return component and is a fairly recent phenomenon as part of a return and reintegration programme. The incorporation of this component in this specific project was a response to the increased tensions between returnees and their local communities in Iraq. The development component, by achieving its targets, ensured a win-win situation, whereby the local community directly benefitted and the returnee indirectly benefitted.

Challenge = Competing general return and reintegration programmes

A challenge facing the return and reintegration programmes for Iraqi nationals are the general return and reintegration programmes implemented in most countries, for which Iraqis are eligible, and which provide different types of assistance, mainly *cash assistance*. This can be viewed as an obstacle as many countries with options for Iraqi returnees to choose return under a general programme with *cash* assistance or return under a specific programme for Iraq with *in kind* assistance, saw their Iraqi returnees numbers' grow, but merely under the *general* return programmes. The Iraqi-specific programmes include reintegration components through which cash assistance is given in a pre-determined manner, the so-called *in kind* assistance. This comprises amongst others the payment of wages (part to an employer, part to the returnee), the purchase of goods or services allowing a business to be set-up, or the offering of vocational training. The general programmes often merely provided *information* and *cash assistance*. Returnees have indicated that some of the reintegration components provided by the Iraqi-specific programmes made them opt for a general programme instead. This can partly be attributed to the unpredictable local socio-economic circumstances in Iraq.⁶⁷

Challenge = Impossibility of tailor-made return assistance

Another challenge for returnees is the local socio-economic circumstances in Iraq. As the specific settings to which an individual returns will be different per person, and providing the assistance in an individualised manner would increase costs tremendously, the *information component* of a project will never be able to fully meet the individual needs of each returnee. The decision to return is a personal one, and as programmes have inherent limitations due to the personal circumstances of each returnee, they may not provide all assistance needed in each case. This may deter individuals from choosing to receive assistance from a, or any, programme.

⁶⁷ A review of the Dutch Return and Reintegration Regulation (HR(P)T) in May 2008, the general return and reintegration programme providing *cash assistance* to Iraqi nationals, showed that the reasons for a migrant to prefer reintegration support *in cash* are diverse. Returnees may not have sufficient confidence in the local implementing partners to support them with the reintegration grant. The changing social structures, as well as the economic crisis and the unstable political climate, may support the idea that returning to unstable countries of origin is not so much returning, but more migration to a new and different surroundings – something for which money is preferred as this enables the returnee to feel a sense of control over his or her life and future. Cash enables people to purchase items which IOM or other agencies cannot, or will not, purchase on their behalf. Or returnees may have built up debts which they must pay back upon return.

Challenge = Many sending countries, relatively few migrants and only one receiving country
Iraqi migrants are scattered across European countries, however, return only takes place to one country. The IOM Iraq mission, the main implementer of return and reintegration programmes in Iraq, deals with various European countries, implementing different programmes with each programme's different requirements. This does not allow for a speedy and efficient process of providing assistance. It should also be noted that the group of returnees from European countries are only a small part of the local challenges for coordination of return assistance, as most returnees to Iraq stem from neighbouring countries or from within the country, as internally displaced persons.

Incorporating successes, facing challenges

An entirely successful and effective programme has so far not been designed, or it has not been acknowledged as such thus far due to the fact that most programmes are relatively new. The successes, i.e. the *information component*, the *cash component* and the *development component* ought to be incorporated in the programmes. The challenges faced may be overcome.

The challenge of *competing general return and reintegration programmes* can be faced by ensuring less alternatives programmes are available for Iraqi nationals. This might mean exclusion from general return programmes, or the creation of nationality specific programmes only. Whether such is desirable is a decision sovereign to a country's authorities.

The challenge of *tailor-made return* cannot be faced. This is an inherent flaw in all programmes and cannot be addressed by any programme, unless an individualised approach to return and reintegration is chosen.

The challenge of *many sending countries, relatively few migrants and only one receiving country* can be faced by synchronizing the assistance provided to the returnees coming from different European countries. The different programmes can then have the exact same elements, to be implemented by the local partners such as IOM Iraq, or one programme is in place for all different European countries. The local implementing partner may then have more remaining capacity to assist returnees not stemming from European countries, and thereby contributing to the overall development of the country, something beneficial to all returnees.

4.3 COMMON EUROPEAN POLICY

While all states are implementing voluntary return, the practice differs widely.⁶⁸ This chapter discusses the possibilities for the creation of an efficient and effective common European approach. Efficient in the sense that it uses its resources in the best ways possible. Effective in the sense that it is realistic to assume it will reach its targets. The common European approach may best take shape in the form of a 'policy' rather than a 'programme' as the latter is very concrete and as such may be a leap, rather than a step, in the direction of a common European approach towards return migration. If European countries wish to move in this direction, this chapter may guide them on this journey.

⁶⁸ Advisory Committee on Migration Affairs, *Bijlage 2: Return Migration – Policies and Practices in Europe – IOM Study, ACVZ (2004)*.

When one examines the foreign policies of the EU, enlargement aside, the greatest strength of the European Union in external relations is its growing role as a 'normative power'.⁶⁹ Migration issues provide the EU with an excellent opportunity to develop this soft power. The ability to represent itself as a single entity and not as an array of 27 totally sovereign states will clarify the terms in the whole of the European Union for both legal and (potentially) illegal migrants. The current condition of EU coordination, consisting of EU Member States ultimately possessing their own distinctive policies pertaining to all issues of migration, renders the EU vulnerable as a collective entity. Therefore, the possibilities for a common European policy deserve thorough analysis.

A common European policy for return and reintegration of Iraqi nationals may be two-fold. It may contain minimum standards for EU Member States' designing and implementation of such a policy and may have as a mere requirement that such a policy is erected. It may also contain the entire blueprint for an Iraqi-specific return and reintegration policy, and may thereby oblige states to participate in this European policy. It should be noted that such obligations can only rise for EU Member States, and that non-Member States have the option to either align their national practices with the EUs practice, or to continue following their domestic rules and policies.

The journey Europe has undertaken so far where migration is concerned has been a tumultuous but rewarding one. The origins of the European migration initiatives are to be found at the Tampere European Council in 1999 in which the first steps were taken towards the creation of a common asylum system, a legal immigration policy and the EU stance towards combating illegal immigration. While there was momentum for such initiatives prior to Tampere, it continued to build in speed and scope over the course of the following decade. The Hague Programme, the European Pact on Immigration and Asylum, the Global Approach to Migration initiative, the recent Stockholm Programme, the Return Directive as well as the European Asylum Support Office (hereinafter: EASO) have all been consequential actions in the creation and realization of harmonized policies towards migration.⁷⁰ The European Union has taken significant steps towards a harmonized migration policy. The dynamism of the European Union is proving to be a successful and unique actor in the field of both internal and international relations. EU Member States are becoming ever more aware of the need of a coherent migration policy. The level of success achieved by so far should be reflected and complimented by a functioning and uniform policy regarding migration. It is in this light that the EU is now realizing that in order to continue the internal success story of open borders; it will need to devise a unified policy for those external to the EU.

⁶⁹ I. Manners, *Normative Power Europe: A Contradiction in Terms?*, Journal of Common Market Studies, Vol. 40, No. 2, University of Kent at Canterbury (2002), pp. 235-238.

⁷⁰ The Stockholm Programme focuses on the consolidation of the European legacy, the *acquis communautaire*, as well as the expansion of existing policy. It is based on the Tampere Programme and the Hague Programme. The Tampere Programme revolved around four goals, whereby the migration goal emphasized the guaranteeing of the free movement of persons within the EU. The Hague Programme revolved around ten priorities, out of which four concerned the area of migration and asylum, namely: developing a balanced approach towards migration; developing an integrated control of the EU's external borders; creating a common asylum policy; and maximizing the positive effects of immigration. The Stockholm Programme revolves around five general themes, out of which 'access to Europe in a globalised world' touches upon the field of migration. The Stockholm Programme also includes many studies and evaluations to be conducted. Most relevant is the fact that the Stockholm Programme views an effective and sustainable return policy as an essential part of a well-controlled migration system in the EU. For more information, see M. van Beek, *Stockholm Programme*, *Journal Vreemdelingenrecht* juli 2010, nr. 2, pp. 86-92 and the EC's website on the development of a common European immigration policy: http://ec.europa.eu/home-affairs/doc_centre/immigration/immigration_intro_en.htm (retrieved on 30 September 2010).

The EC Directorate for Home Affairs covering migration, with EU Commissioner Cecilia Malmström at its head, is currently conducting a dutiful fulfilment of tasks, and more and more concrete steps towards common standards in the field of asylum and migration, including return, are taken. The Temporary Desk on Iraq (hereinafter: TDI) is such an example, as this body was erected to determine how countries may improve their practical cooperation on protection, resettlement and return with regard to the Iraqi caseload as well as develop tools and mechanism to deal with other caseloads.⁷¹ The EU has proven itself to be in favour of voluntary return on multiple occasions.⁷² Countries such as Norway, Switzerland and (on occasion) Denmark, are able to collide their policies with EU ones and have done so in the past by adhering or acceding to certain EU frameworks. Therefore, introducing minimum standards or a blueprint for a common return policy for Iraqi nationals does not exclude those countries.⁷³

Whether minimum standards are created, or the choice is made to create an entire blueprint, both will require certain specific elements:

- It is advisable that the previously indicated successful components (*cash component, information component, development component*) are incorporated.
- Measures need to be taken to ensure the previously mentioned challenges are met and that a common approach is not based on the lowest common denominator.
- Evaluations of (several) currently running, or recently ended, AVR(R) programmes ought to take place beforehand.
- Monitoring of activities ought to be incorporated as to gradually remove the constant need for time-consuming evaluations.
- The most important actors in the field of return migration from the host countries as well as the country of origin ought to be consulted on their experiences.
- The host countries, as well the Iraqi authorities, need to be consulted on their experiences and requirements for such a common policy.
- Cooperative approaches between the host countries and the country of return is recommended to ensure a joint and feasible approach. One may think of readmission agreements, specifically designed for voluntary returns.⁷⁴

The IOM mission in Iraq has been consulted during the course of this study to have a complete picture when discussing a possible common approach for return and reintegration to Iraq, as they are currently dealing with many different European return and reintegration programmes. Their experience has provided us with the following recommendations for improved return and reintegration assistance, benefitting the returnees, the host communities, as well as the country of origin:

- Include 'planning' the return in the pre-departure counseling sessions provided to the returnees.
- Provide returnees with the same amount of money for the reintegration grant, irrespective of the host country from which the returnee is departing.

⁷¹ The TDI has not fully become active in the field of return migration thus far. See *TDI Newsletter No. 11*, July 2010.

⁷² See, for example, the European Pact on Immigration and Asylum: <http://register.consilium.europa.eu/pdf/en/08/st13/st13440.en08.pdf> (retrieved on 30 September 2010).

⁷³ As specifically mentioned by the Norwegian government in the *White paper on Norwegian refugee and migration policy in a European perspective*, via <http://www.regjeringen.no/en/dep/jd/Subjects/Immigration/midtpalte/Fact-sheet-White-paper-on-Norwegian-refugee-and-migration-policy-in-a-European-perspective.html?id=600197> (retrieved on 30 September 2010).

⁷⁴ Advisory Committee on Migration Affairs, *Bijlage 2: Return Migration – Policies and Practices in Europe – IOM Study*, ACVZ (2004).

- Design one programme for return of Iraqis from European countries.
- Additional mandatory support and training to returnees to ensure sustainability of the livelihood chosen.
- Flexible reintegration assistance, i.e. one grant that can be used for different kinds of purchases or installments, is preferred as this enlarges possibilities to match the individual needs and circumstances of each returnee. It can be considered to oblige usage of parts of the grant as ‘housing allowance’ or for training, this may enhance the sustainability of the return.
- When returnees are presented with support for business set-up, they ought to be required to follow courses on the topic and they should have the scheme explained to them to be able to provide a proper business plan. Moreover, the business set-up support should be given in several installments (second after six months) as this enhances the chances of success for businesses.
- When returnees are presented with job placement assistance, the amount should be the same as provided for business set-up assistance. Part can be used for an employee’s salary, part for the employer (if private) which may work as an incentive to hire returnees. Moreover, for the elderly, such assistance could be paid out as a pension installment (not to be viewed as *cash assistance*).
- Finding partnering organizations or salesmen might be beneficial for prices of goods or services purchased with the reintegration grants.
- Standardized monitoring of assistance provided is of crucial importance to determine sustainability and prevent abuse of funds. This may form a prerequisite for payment of the second installment of the reintegration grant (through whichever means this is done).
- Returnees’ associations can be set-up to act as support mechanisms for returned Iraqis in Iraq and can possibly be information providers for those considering returning (i.e. counseling, sharing experiences and alike) to provide them with a realistic image of where they return which makes them better equipped to assess their needs.

Combining all the aforementioned elements will lead to balanced return and reintegration programmes that can ensure that the objectives of the host countries, of the country of origin as well as of the migrants are fulfilled to the largest extent possible. It also ensures that potential returnees, as well as the country of origin, are given the chance to ensure a prepared return, which will benefit both. The actions that need to be taken may (partly) be paid from the European Return Fund, as one of its objectives is to further improve the management of return and ensure the implementation of common standards on return.⁷⁵ In order to do so, both, the national and community part of the Fund could be used but may need to be re-adjusted.

Whether the alternative of a European policy is a realistic one is a different matter. Such a policy will decrease state sovereignty in an area sensible to such a decrease. However, the advantages for the states when going ahead with a further harmonisation of return policy are clear. Funds can be saved. And the political implications of European cooperation have proven themselves in the past. The EC has shown its wish to lead the way on the path towards a harmonized migration policy.

⁷⁵ Decision No. 575/2007/EC of the European Parliament and of the Council, *establishing the European Return Fund for the period 2008 to 2013 as part of the General Programme ‘Solidarity and Management of Migration Flows’*, 23 May 2007.

Front office

Furthering our theory for a common European policy on return, the so-called ‘front office’ is covered by the objective of having all EU Member States’ asylum policies form part of a Common European Asylum System (hereinafter: CEAS) by 2012.⁷⁶ This ensures that all Member States, and possible surrounding states wishing to align their policies, have the same grounds and standards for admission and protection of third-country nationals.

Centre office

The so-called ‘centre office’ is formed by the implementation of the admission policies, asylum or others. This ensures third-country nationals go through the different kinds of procedures, where the same standards are applied, and the result will either be a (temporary) residence permit, or a denial thereof and a subsequent removal order.

Back office

The so-called ‘back office’ could then be covered by the creation of a common return policy open to those countries included. As sustainable return is at the forefront of the EU’s head, and reintegration assistance is seen as the means of achieving this, return policy is to be combined with reintegration policy on the European level. The idea of a *onestopshop* in the country of origin, comparable to our term ‘back office’, has been brought forward in recent research.⁷⁷ If such a *onestopshop* - the combination of service providers of return and reintegration assistance in the country of origin in one entity - is feasible, the government of the country of origin may take the lead. If they choose to share responsibility for the provision of return and reintegration assistance, an international organization such as IOM, currently the leading agency for return and reintegration assistance to Iraqis, may be involved.

It follows from the foregoing that a common European return and reintegration policy can be seen as a realistic alternative. However, an important matter to bear in mind is the possibility of creating an Iraqi specific policy without having attained a common policy for all nationals. To avoid the risk of facing complaints based on the discriminatory nature of a nationality-specific policy, which is only relevant if the standards included therein are less beneficial to one group of nationals than the standards enclosed in general EU measures or general domestic measures, one may request a common return and reintegration policy for all nationals before embarking upon a nationality-specific adventure.

Would a European return and reintegration policy be a step too far at the current moment in time, or practically unfeasible, a different option exist. Without this being mandated by the EU, ensuring that European countries cooperate and the same return and reintegration policy for Iraqi nationals is implemented, i.e. same elements, same conditions, may be feasible. Bilateral or multilateral consultations between countries can take place to facilitate the design and implementation of this.⁷⁸

⁷⁶ For more information on CEAS and the European Commission stance towards it, see the speech of Cecilia Malmström, Commissioner for Home Affairs, at the Ministerial Conference on ‘Quality and Efficiency in the Asylum Process’ of 14 September 2010.

⁷⁷ See HIT Foundation, *European cooperation on the sustainable return and reintegration of asylum seekers*, HIT Foundation (2010).

⁷⁸ As emphasized by Cecilia Malmström, Commissioner for Home Affairs, who mentioned during the speech at the Ministerial Conference on ‘Quality and Efficiency in the Asylum Process’ on 14 September 2010 that Member States should support each other in building capacity as the Action Plan on the Implementation of the Stockholm Programme foresees.

5 – CONCLUDING REMARKS

The research at hand aimed at providing an inventory on existing admission, readmission and voluntary return & reintegration policies and programmes for Iraqi nationals in various European countries and on prospects for an improved coordination and cooperation between (selected) European countries on voluntary return to Iraq in the future. It should be noted that due to the ever changing political dynamics this report elucidates the situation at this very moment, summer/autumn 2010. According to the outcome of this analysis there exists a dire need for well-functioning AVRR programmes for Iraqi nationals. More and more European countries are in the process of changing their admission policy regarding to Iraqi nationals. At the same time, Iraqi nationals opt for voluntary return to their country of origin. Moreover, the Iraqi government repeatedly noted that they encourage their nationals to come back in order to build together on the future of their country.

This research may support the process of efficient and effective policy making when it comes to the process of voluntary return migration. Based on IOM's mission – migration for the benefit of all - migrants needs as well as policy interests and concerns of the government of Iraq and the respective governments of European member states should be taken on board: Ideally a triple win situation.

However, an insight in the implementation of the various projects has revealed that it is impossible to create an individualized approach to return migration. AVRR programs can never take all circumstances into account, or provide for services designed to match all individual needs. Therefore a somewhat general programme ought to be created, while leaving sufficient flexibility to the migrant and the agency supporting him/her in this process. Working closely together with the governments of countries of origin, such as the Iraqi government, will ensure for a somewhat specialized approach to return migration, which is beneficial to all involved. Cooperation should show the added value for the Member States.

IOM recommendations are in line with the Stockholm Programme and the organization is positive towards a multidisciplinary and coordinated approach of the European Commission⁷⁹. The IOM, in partnership with both EU member states and other IOM member or observer states could help to draw up bilateral reintegration and return programmes with states that are seen as important origin states of migrants coming into the EU. The broad and encompassing information that the IOM and EU member states have in theory and in practice towards return will provide for an excellent background from which 'best practices' can be deduced.

⁷⁹ Source: IOM Migratie Info No. 3, October 2009, pp. 18-20

APPENDIX A

Questionnaire AVR Research

(Re)assessing AVR: the Netherlands in a European perspective

Please mark with X where applicable and include any additional information when requested.

Please indicate the country that your office covers and for which you will fill out the questionnaire:

Austria	<input type="checkbox"/>
Bulgaria	<input type="checkbox"/>
Denmark	<input type="checkbox"/>
Finland	<input type="checkbox"/>
France	<input type="checkbox"/>
Germany	<input type="checkbox"/>
Greece	<input type="checkbox"/>
Norway	<input type="checkbox"/>
Romania	<input type="checkbox"/>
Sweden	<input type="checkbox"/>
Switzerland	<input type="checkbox"/>
The Netherlands	<input type="checkbox"/>
United Kingdom	<input type="checkbox"/>

Definitions of concepts as used in the research:

Legal framework: legal rules on immigration (amongst which: asylum).

Third country national: migrants of all non-EU nationalities; here the term is used to encompass all migrants, and especially to stress the inclusion of all Iraqi migrants.

AVR and reintegration: Assisted Voluntary Return (AVR) and reintegration contains the following stages for sustainable return and reintegration: outreach and information dissemination, counseling and pre-departure assistance, return and reception assistance, post-arrival assistance (incl. reintegration support).

Categories of migrants: asylum seekers (legal - permit, legal - still in procedure, illegal - procedure ended); regular migrants (legal - permit, legal - still in procedure, illegal - procedure ended); irregular migrants (never part in any procedure).

Questions:

1. In the years 2000 – 2010, have there been any special admission requirements for Iraqi nationals?

Yes

No

Please specify:

2. In the years 2000 – 2010 have there been any special protection policies for Iraqi nationals?

Yes

No

Please specify:

3. Could you please indicate the general and country specific protection policies that existed in the period 2000 – 2010, for which all third country nationals are eligible?

4. In terms of the legal framework have there been significant amendments in the period 2000 – 2010 that have affected the admission and/or protection of third country nationals?

Yes

No

Please specify (what can the amendments be attributed to?):

5. Have there been any significant developments (temporary and/or one-time policies, e.g. pardon) in the period 2000 – 2010 that have affected the admission and/or protection of third country nationals?

Yes

No

Please specify (what can the developments be attributed to?):

6. Have there been any significant developments (temporary and/or one-time policies) in the period 2000 – 2010 timeframe that affected the admission and protection of Iraqi nationals?

Yes

No

Please specify (what can the developments be attributed to?):

7. Is there, or has there been, a readmission agreement (or something of a similar nature) with Iraq?

Yes

No

Please specify:

8. Were/Are there any Assisted Voluntary Return (AVR) and reintegration policies available for all third country nationals in the period 2000 – 2010?

Yes

Please specify (please indicate the categories of migrants if applicable):

No

Why not?

What will the approach to return be (to your best knowledge) in the nearest future?

9. Were/Are there any AVR and reintegration policies, specifically aimed at Iraqi nationals, available for Iraqis in the period 2000 – 2010?

Yes

Please specify (indicate, if applicable, specific conditions (i.e. regions of return, categories of migrants etc.)) :

No
Why?

Are they likely to become available in the nearby future (to your best knowledge)?
Why? Why not?

10. If applicable, who administers the AVR and reintegration programmes for all
nationals: /for Iraqi nationals:

11. Are there any **evaluations** (i.e. reports, studies, summaries etc.) available of AVR and
reintegration programmes that are aimed at third country nationals/at Iraqi nationals?

Yes

Please specify:

**If possible, please attach or provide a reference to these 2000 - 2010 AVR and
reintegration policy evaluations (*all languages are welcome*).**

No
Why not?

12. If/when applicable, can the AVR programmes, for which no evaluations are available,
be assessed as successful?

Yes

Please specify programme:

Why?

No

Please specify programme:

Why not?

13. Please specify, if applicable, specific wishes of the government(s) your office is in
close cooperation with regarding a possible European approach towards return (AVR)
for Iraqis:

**Please attach any documents that, in your opinion, may assist us in our research (*all
languages are welcome*).**

Please take the opportunity to leave additional remarks of any nature:



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