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Research Report

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SWP Comment, No. 40/2019

Provided in Cooperation with:

Stiftung Wissenschaft und Politik (SWP), German Institute for International and Security Affairs, Berlin

Suggested Citation: Biehler, Nadine; Meier, Amrei (2019) : Return and reintegration: Conflicting priorities between political demand and development policy principles, SWP Comment, No. 40/2019, Stiftung Wissenschaft und Politik (SWP), Berlin, <https://doi.org/10.18449/2019C40>

This Version is available at:

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SWP Comment

NO. 40 OCTOBER 2019

Return and Reintegration

Conflicting Priorities between Domestic Political Demands and Development Policy Principles

Nadine Biehler and Amrei Meier

In Germany there is broad agreement that rejected asylum seekers and other persons obliged to leave the country should do so as soon as possible. Deportations, however, are complex, expensive and particularly controversial when the country of origin's political and security situation is fragile and unsafe. To incentivise voluntary return, the German government has expanded its programmes that facilitate return and complemented them with local reintegration measures, to be implemented by development actors. Non-governmental organisations have criticised this blending of migration and development policy objectives. Aside from this normative debate, however, there is too little discussion of the extent to which development programmes are suitable for meeting the individual and structural challenges of return, if at all.

The declared goal of the German government is to increase the number of returnees from Germany. In August 2019, the so-called Orderly Return Act came into force, which is intended to facilitate the deportation of foreigners who are obliged to leave the country. This was justified with domestic political necessities such as enforcing the rule of law and promoting the acceptance of asylum. This acceptance, it was argued, can only be maintained if people who are obliged to leave the country do so as quickly as possible. Efforts focus on rejected asylum seekers. In 2018, 216,837 asylum applications were decided. Just over 35% (75,971) of the decisions were positive, slightly less than 35% (75,395) negative. A further 30% were resolved formally, for example because applications were with-

drawn or because other EU states were responsible. To ensure that all those obliged to leave return quickly to their countries of origin, some of those affected are forcibly deported. These measures are often carried out by the federal police, and are complex and expensive to organise. Deportations are heavily criticised by civil society groups. They fear human rights violations when people are sent back to countries with armed conflicts and autocratic regimes. They also deplore the hardships involved when families are separated or when those ordered to be deported have fallen ill, and generally condemn coercive measures during deportation. These groups refer to the current reform of asylum legislation as the "Get Lost Act", claiming that it would strongly undermine human rights by



increasing the use of pre-departure detention.

Aside from coercive measures, the German government provides financial incentives to encourage those obliged to leave the country to return independently. In addition to information and advisory services, the government and Länder bear the travel costs of voluntary returnees, for example through the REAG/GARP programme (Reintegration and Emigration Programme for Asylum Seekers in Germany/Government Assisted Repatriation Programme). Further financial support for the trip of up to 200 euros per person can also be granted. In addition, a maximum of 2,000 euros in medical costs can be covered up to three months after arrival in the destination country. In the event of early departure, a separate contribution of 500 euros can be paid. For this purpose, the people concerned must make a declaration before or no later than two months after the asylum decision that they voluntarily return to their home countries. Finally, since 2017, voluntary returnees in more than 40 destination countries have been able to receive a one-off start-up grant of 1,000 euros per person through the supplementary “Start-hilfePlus” programme. This is financed by the Federal Ministry of the Interior, Building and Community (BMI), by the state ministries responsible and by the EU’s Asylum, Migration and Integration Fund.

Whether or not people wishing to return can receive support, and if so which kind, depends on several factors, including the nationality of those concerned. To be eligible for assistance, they must generally confirm that they are leaving voluntarily and do not plan to return to Germany permanently. They must also withdraw any appeals that may be pending before public authorities and courts, for example on residence issues.

As a rule, such return support programmes target people whose asylum applications in Germany have been rejected or have little chance of success, as well as others who are obliged to leave the country. People who belong to this group are there-

fore not free to decide about their departure, but merely to organise it independently.

The Role of Development Policy in Facilitating Return

The German government has complemented this potential financial support for repatriation with support for reintegration in the countries of origin. To this end it uses development cooperation (DC) funds, actors and instruments. A key component of this new facilitation of return is the “Perspektive Heimat” (“Returning to New Opportunities”) programme of the Federal Ministry for Economic Cooperation and Development (BMZ), which has a financial volume of up to 150 million euros (2017–2020). This programme aims to provide comprehensive support for returnees, from advice and training in Germany to local measures. One focus is on so-called advice centres for jobs, migration and reintegration, which have so far been set up in the following countries of origin: Afghanistan, Albania, Ghana, Iraq, Kosovo, Morocco, Nigeria, Senegal, Serbia and Tunisia. The centres primarily offer training support and further vocational training as well as job search assistance.

Opposition parties protest that this makes development policy a tool of asylum and migration policy. Too little attention is paid to the question of whether current programmes are at all suitable for helping returnees to overcome individual and structural obstacles to their return and reintegration.

Complex Contexts

The challenges for returnees vary greatly depending on their country of origin. The BMZ programme tries to do justice to this by offering advice and qualification opportunities already in Germany that are adapted to the individual needs of returnees. The local advice centres will then continue to help individuals find work.

However, an analysis of the situation in the countries of origin shows that the difficulties there are usually far too serious to be overcome by these development cooperation measures. Some countries suffer from widespread destruction and a poor security climate, which is often caused by religious and ethnic tensions, and aggravated by the presence of non-state armed groups. State and institutional structures are often dysfunctional or completely absent, which creates considerable problems as well. Returnees in Afghanistan, for example, report that they are at risk of attacks and hostilities. In Iraq, returnees need valid identity documents to move around the country or access basic services. These papers are issued in the locality where the family was registered before their displacement. However, the necessary administrative processes are usually inadequate and slow – if those affected even manage to pass through various checkpoints throughout the country without any documents and reach the responsible authority.

Moreover, in many countries of origin there are hardly any prospects for the future. In Nigeria, for example, there is a lack of employment opportunities and quality education. To find work or claim rights, many depend on networks based on nepotism and clientelism. Together with widespread corruption, this contributes to poverty and inequality. Furthermore, many returnees had invested considerable sums in their flight; some are heavily indebted. Without a job, seed capital or a resilient network of relationships, they often have little chance of successful reintegration.

Return and Development Policy: Approaches and Gaps

Not all returnees are equally affected by these challenges. Rather, prospects in their country of origin depend strongly on the returnees' individual profile. Thus, it makes sense to provide them with tailor-made support and to ensure that they can obtain

comprehensive advance information, and therefore make an informed return decision.

The potential for sustainable reintegration also increases if those concerned can already acquire qualifications in Germany, and garner advice and financing for setting up a business in their country of origin. Particularly in countries such as Nigeria, with its pronounced informal sector and difficult access to vocational training, offers such as job placement, further training and start-up capital can be attractive. However, the reintegration programmes are not designed to solve structural problems that exist in the countries of origin, and which incite many people to flee in the first place.

Another important element in the facilitation of return is the voluntary nature of repatriation: forced deportations render advice, preparation and pre-qualification practically impossible and thus make reintegration more difficult. There is also little scope for a positive contribution to development in the state-supported departure of people whose return may not take place under physical coercion yet cannot be described as voluntary, since there are no alternatives.

Conclusion

Development cooperation actors have both country expertise and implementation structures in the countries of origin. It is thus not surprising that the German government would like to make greater use of them and their instruments to facilitate return. Although German return policy is primarily motivated by domestic policy, the responsible Federal Ministry of the Interior cannot draw on comparable experience and knowledge of developing and emerging countries. However, German initiatives to facilitate return do not fall within the usual area of responsibility of development policy. The latter pursues goals such as poverty reduction, the promotion of human rights, or climate protection, and is geared towards the achievement of the Sustainable Development Goals. Return programmes there-

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ISSN 1861-1761
doi: 10.18449/2019C40

Translation by Tom Genrich

(English version of
SWP-Aktuell 50/2019)

fore entail reputational risks for development actors: they can adversely impact on their credibility. There is a danger that future partnerships with civil society, development cooperation beneficiaries or authorities in developing countries will become more difficult, and that the scope for action by development actors will thus be reduced.

It is undoubtedly true that development cooperation programmes may facilitate reintegration for individual returnees and alleviate possible hardships. However, it cannot be assumed that these programmes can improve structural conditions in the countries of origin such that returning there from Germany would become an attractive option for those obliged to leave, and that they would opt for it of their own free will. Any positive development effect would therefore remain limited.

Amidst these tensions between the demands of domestic policy and the principles of development policy, DC should draw red lines in facilitating return. Development cooperation should always meet the minimum requirements of a “do-no-harm” approach. This is called into question whenever the existence of development programmes is used to justify returns, especially to countries in crisis. Development policy should also continue to unequivocally distance itself from providing logistical or organisational support for deportations.

In the absence of alternative concepts and instruments for dealing with rejected asylum seekers and others obliged to leave the country, the German government should generally complement its development policy with comprehensive foreign and security policy efforts to improve the economic and political situation in countries of origin. Considering the human, financial and social costs of the current return policy, it would be advisable to fundamentally rethink asylum and migration policy: more opportunities for legal

migration pathways would make return programmes at least partially superfluous.

Rather than on return, the focus should be on exchange with countries of origin concerning their interests and perspectives. In the Global Compact on Refugees, adopted by the United Nations General Assembly in December 2018, return in safety and dignity is identified as one of four objectives, thus providing a common framework. Informal platforms such as the Global Forum on Migration and Development (GFMD) can be used to negotiate specific forms of cooperation, and to learn from cooperative experiences.

Nadine Biehler and Amrei Meier are Associates in the Global Issues Research Division. This paper was written as part of the project “Migration, forced displacement and development cooperation – challenges and opportunities for German and European policy”, funded by the German Federal Ministry for Economic Cooperation and Development.