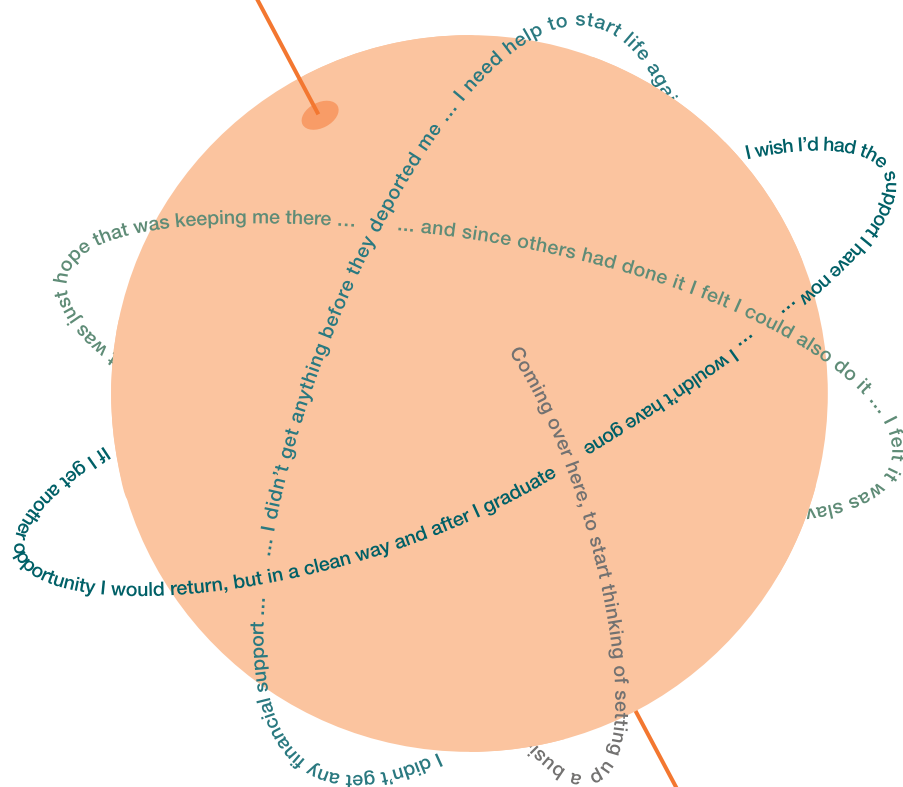


# HOMECOMING

RETURN AND REINTEGRATION OF  
IRREGULAR MIGRANTS FROM NIGERIA



## REPORT

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April 2013  
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## ACKNOWLEDGMENTS

The authors would like to thank the field researchers who carried out the interviews with this hard to access group: Lilian Ezenwa, Ruth Bukar, Aliyu Yakubu, Abdulganiyu Abubakar and colleagues at the Development Research and Projects Centre (dRPC). Without their determined work this research would not have been possible. Thank you to Judith-Ann Walker, Nkiru Duru and colleagues at the dRPC for their work coordinating the research and their invaluable comments and analysis. Thanks are due to our steering group in Nigeria, project advisory group, and other project partners – Eaves, PICUM, CCME and the University of Sussex – for their support with the research. We would also like to thank Myriam Cherti, Sarah Mulley and Graeme Cooke at IPPR for their comments and input into the final report. Finally, we would like to thank those who took part in the research.

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THIS PROJECT IS FUNDED BY THE EUROPEAN UNION



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## EXECUTIVE SUMMARY

In 2008, the number of unauthorised immigrants residing within the EU was assessed as between 1.9 and 3.8 million (PICUM 2009).<sup>1</sup> A sizeable proportion of these migrants are known to be Nigerian. Irregular migration from Nigeria to Europe is of great concern to Nigeria, countries in Europe and advocates of migrants' rights. Irregular migration compromises Nigeria's relationships with European governments, and forces authorities to devote resources to resettling returnees. It also brings European governments' management of migration into question: when irregular migrants succeed in breaking immigration rules, it undermines the integrity of the immigration system as a whole. Migrants who fall outside of immigration laws often suffer exploitation, destitution and abuse while abroad, and many of them struggle to re-establish their lives in their country of origin on return.

Authorities in countries with significant irregular migrant populations, including those in Europe, face three options – tolerate their presence, regularise their status, or return them to their countries of origin. While the return of irregular migrants may be more politically acceptable for European governments than regularising or tolerating them, it is very challenging from a diplomatic and policy point of view. Research has shown that unless return is followed by reintegration, large numbers of returnees – typically between half and two-thirds – think about leaving again. If European policy in this area wants to have success in the medium and long term it must put as much emphasis on reintegration as on return.

Past attempts at returning irregular migrants from Europe have been small in scale, and characterised by legal wrangling and reliance on enforcement measures that have proven expensive, damaging and unpopular. Assisted voluntary return (AVR) schemes delivered by the International Organisation for Migration (IOM) and other organisations across Europe provide an alternative. AVR schemes offer a package of return and reintegration support to irregular migrants who agree to return voluntarily, thereby incentivising return at a fraction of the cost of deportation, as well as encouraging successful reintegration. However, return through AVR accounts for only a minority of returns.

Our research also demonstrates the ways in which irregular migrants are harmed by current return policies. Many of our interviewees had migrated as a means of improving their lives, but returned to a situation in which they were more disadvantaged than they had been when they left. Currently, responsibility for caring for destitute returnees often falls on small civil society organisations in Nigeria that do not have the funding or capacity to respond. Fortunately, it appears that Nigeria is aware of the challenges posed by irregular migration, both to its relationship with Europe and to its citizens. It is also aware of the opportunities that managed migration can offer. The Nigerian government is currently developing a national migration framework. While this is an important step, it is worth noting that very little data about the experiences of irregular migrants in Nigeria is currently available to inform this process.

There is an urgent need for well-evidenced policy ideas that can be implemented by countries of both origin and destination. These must propose means by which European countries can move away from reliance on forced removal and ensure greater uptake of

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<sup>1</sup> The borders of the European Union (EU) were expanded as recently as January 2007 to encompass Bulgaria and Romania, thereby altering the perimeters of free movement and redefining who is legally allowed residence or, more specifically, who an irregular migrant is considered to be (Morehouse and Blomfeld 2011). It is therefore most sensible to focus on irregular migration to the EU following its enlargement. The last reliable estimates of the stock of irregular migration were in fact made after this reform – in 2008.

voluntary return, and demonstrate how Europe and countries of origin can ensure that the rights of migrants are upheld and that reintegration is effective.

This report presents new primary data on the experience of irregular migrants, some of whom are victims of trafficking, who have returned from Europe to Nigeria. Our conclusions are based on more than 60 interviews conducted with Nigerian returnee irregular migrants who have returned from Europe, and with stakeholders in Nigeria who are responding to such returns. This new data has allowed us to better understand what drives the return of irregular migrants, and what action is needed to ensure that return and reintegration policy is effective, efficient, humane and – most importantly – sustainable. Though our conclusions and recommendations are informed by an understanding of the particular policy context in Europe and in Nigeria, some of the general conclusions that we draw will be relevant to policymakers looking at developing return and reintegration policy elsewhere.

While return is a response to irregular migration that can result in positive outcomes for all concerned, European countries must also acknowledge that some irregular migrants will not be able to return, and should be granted either temporary or permanent legal status in Europe. Others will need support to be in place before they can return. Proper risk assessment protocols must be put in place in order to ensure that return is carried out appropriately, and that returnees are referred to the support they are entitled to.

However, encouraging migrants to return does not necessarily work against the grain of migration patterns. Migration is often circular – people set out assuming that they will one day return. Our research documented many cases in which, with the right ‘end-to-end’ support, irregular migrants were willing to leave Europe and re-settle in Nigeria in a way that was positive for them and their community.

As well as encouraging irregular migrants to return when they can, it is important that return policy helps migrants to reintegrate in Nigeria. Support needs to ensure that people do not return to genuine hardship and destitution, and encourage returnees to rebuild their lives in Nigeria, in order to prevent irregular re-migration and re-trafficking.

Our research showed that for reintegration to be effective, there is a need for a greater understanding of the return process. Policy literature often defines return as being either ‘voluntary’ or ‘forced’, but our data demonstrates the need for a more nuanced typology. ‘Forced return’ can be understood as referring to migrants who were removed against their will (or ‘deported’). However, when discussing ‘voluntary return’ distinctions should be drawn between ‘spontaneous’, ‘chosen’ or ‘compelled’.

Many irregular migrants return to their countries of origin, including Nigeria, of their own accord, with no direct intervention from the authorities (although their decision to do so may be affected by a range of policies which affect their ability to live and work as irregular migrants). This is what we mean by ‘spontaneous’ voluntary return. Others may similarly choose to return of their own accord, but are assisted or encouraged to do so by the direct involvement of the authorities: this is ‘assisted’ voluntary return, usually carried out via an AVR programme. Finally, and although its definition appears to present a paradox, ‘compelled’ voluntary return also involves irregular migrants returning voluntarily (rather than being deported), but because they feel that they have no alternative. People who feel compelled to return voluntarily in this manner may return spontaneously, and may also participate in AVR programmes.

These distinctions are critical, as we found that irregular migrants who were compelled to leave (whether ‘voluntarily’ or through deportation) had worse reintegration outcomes than those who returned without coercion. Our research also found that the ‘voluntariness’ of return is a more significant factor in the success of reintegration outcomes than whether an irregular migrant has drawn on support offered through an AVR programme to, for example, start a business or access secure accommodation. If migrants continue to feel that they have ‘unfinished business’ abroad (for instance, the opportunity to reclaim money or return to a job) they struggle to put down roots in Nigeria, and often long to – and sometimes even attempt to – re-migrate to Europe.

Policy must not only encourage irregular migrants to return, but enable them to return with the right mindset for reintegration. In order to feel ready, the migrants in our sample needed time to sort out practical affairs, usually related to their finances, as well as to mentally prepare themselves for a future in Nigeria.

In order to encourage the uptake of voluntary return, European countries need to make sure that the AVR schemes they offer are accessible to all irregular migrants, and make return an appealing and rational option. Most AVR programmes do not address the major barriers to return that migrants report. Some interviewees were worried about the return experience itself, others were worried about their life in Nigeria. Stigma and social derision were raised as significant barriers to their return. Many interviewees did not want to return home with nothing to show for their time away; some were fearful that they would arrive back to their home communities destitute and unable to access housing or other basic services. Increasing the level of support provided to all migrants through AVR will increase the upfront cost of providing AVR programmes, although this will still be cheaper than forcibly removing irregular migrants. If European countries hope to succeed in encouraging more irregular migrants to return, then increasing the appeal of AVR programmes is actually a cost-effective and humane way of doing so.

We came across many examples in our research of valuable reintegration support being provided to migrants through AVR programmes. Some migrants who received support to establish a business reported that this had given them the opportunity to move back into a position of security. However, the efficacy of the support available was mixed.

Greater flexibility is needed so that the support provided is both attractive to migrants and allows them to meet their varied needs on return. For example, the emphasis that AVR schemes often put on entrepreneurship and support to set up a business was felt to present too great a challenge to some migrants, such as those who had been out of work while in Europe or had little formal education.

There are currently many gaps in the support available to people returning to Nigeria. Some returnees are better supported than others. The policy response to return migration only caters for the extreme ends of the returnee experience. Services are developed partially for migrants perceived as the most vulnerable (female victims of trafficking, for example), and the most valuable (such as the highly skilled diaspora). This is not to say that the support in place for trafficked people is sufficient to meet acute and substantial needs. Yet the current response does overlook the vast majority of returnees, including some who have high support needs and many who could make significant contributions to their communities given the right support. Services tailored to the needs of these other groups are thin on the ground.

While support provided through AVR programmes or by organisations in Nigeria is often focused on supporting migrants to reconnect with the labour market, our research demonstrated that support for reconnecting with social networks was also important. Social networks provide an important safety net, a route into support, as well as a means of building confidence and a sense of wider wellbeing. Many of our interviewees had been trafficked, and in these cases the collapse of an individual's social support network (whether due to death, relationship breakdown or abuse) was often the most significant factor in their continued vulnerability to trafficking. In these and other instances, support to re-establish or create new social networks is a key component of reintegration support, but one that is often lacking.

Individual voluntary return packages can play a real and meaningful part in encouraging return. However, even the most generous packages cannot help returnees to overcome systemic challenges, such as the lack of jobs in their local area, a limited market for their start-up business, or prohibitively high school fees for the education of their children. It is important that policy developed jointly between Nigeria and Europe to reintegrate returnees goes beyond support for individual migrants or individual civil society organisations. In order to inspire long-term change it is important that migration is seen as a cross-cutting issue, and that concerns about gender equality and access to education and training opportunities for young people are raised as part of the debate.

Both Nigerian and European agencies working in this field have real political challenges to navigate. Our research found that people who are detained and deported face the most challenges in reintegrating. However it is difficult for governments and policy-makers in Europe to improve the return and reintegration process for people who are forcibly removed. Although it is in European countries' interests to avoid re-migration by making sure that return is successful and sustainable, they may be unwilling to offer support that appears to reward migrants for breaching the law.

This is one reason for Nigeria to take more of a lead in responding to the forced return of its citizens. Ultimately it is the Nigerian government's responsibility to properly reintegrate all returnees, including those who have been forcibly returned, so that their needs are met and they do not try to return to Europe without the appropriate legal status. However the Nigerian government does not need to attend to this alone, and should cooperate with European actors and Nigerian civil society organisations to achieve the best results. While the funding for reintegration support should come from Europe, Nigeria needs to play a much greater role in determining how this funding is allocated and spent. This should not be at the federal level – migration patterns are varied across Nigeria, so state governments should guide reintegration work in order to make the most impact.

Current return policy is not meeting the needs of anyone – European countries, Nigeria, or migrants themselves. Steps must be taken to ensure that those irregular migrants who can be returned are encouraged to do so voluntarily, and are given the necessary support to reintegrate into Nigerian society. This requires coordinated action between Europe and Nigeria, and between governments and civil society, as well as a deeper understanding of how these goals can best be achieved for different groups of migrants.

# 1. INTRODUCTION

## 1.1 Background to the study

Drawing on in-depth case studies conducted in Nigeria, this report discusses how countries of origin and destination can improve the way they tackle irregular migration with a more efficient return and reintegration strategy. Drawing on in-depth qualitative research carried out in interviews with returnees and stakeholders in Nigeria, the report presents new data on what drives return and describes the actions required to ensure that return, and reintegration policy is effective, efficient, humane and, most importantly, sustainable.

Irregular migration<sup>2</sup> from Nigeria to Europe is on the rise. The number of irregular crossings into Europe from Nigeria using the Central Mediterranean route increased by the thousands in 2011 (Frontex 2012). Human trafficking<sup>3</sup> from Nigeria has also escalated, particularly to Italy and the UK although a number of other countries serve as nexus points while victims are in transit (IDMGHU 2012). Though these figures may in part reflect improved mechanisms for detection, they also suggest that the scale of the problem is greater than was previously known. However it is not just irregular migration from Nigeria specifically that is of concern to Europe – the level of irregular migration on the whole is of concern.<sup>4</sup> Data from Frontex shows that the total number of detections of illegal border-crossing in to Europe increased from 104,000 in 2010 to 141,000 in 2011 (Frontex 2012). Again, it is difficult to tell whether this significant increase represents smarter enforcement and better detection or an increase in migrant flows. Frontex’s analysis suggests that flows are increasing, and that this may reflect overall economic improvement in the EU as it recovers from the 2008–09 recession as well as political unrest in West Africa and the Middle East.

In light of these trends, it is essential that countries work together to develop a preventative approach to irregular migration that addresses the underlying drivers of it. Through research carried out across the last two years, IPPR has explored the issue of irregular migration from sub-Saharan Africa to Europe and set out ways in which the problems can be addressed through international collaboration. However, as our previous research has found, preventing all irregular migration is very difficult (Cherti et al 2013).

Irregular migration is a huge global issue. The gross discrepancies of wealth and opportunity in the world make migration from developing to developed countries at least appear to be a highly rational strategy for individuals to follow. Migration also delivers strong development gains: not only do migrants often profit greatly by moving but, through money remitted home, so do their families, communities and even states (Chappell et al 2010). Moreover, there is not only a large supply of migrants in Europe, but also a strong demand for them.

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2 Irregular migrants can broadly be categorised into three groups. The first is comprised of irregular entrants – that is, those who either evade formal migration controls or who present false papers (Gordon et al 2009). The second category consists of migrants who were at one time given permission to reside, but have since exceeded the agreed period of residence or breached the terms of their visa (ibid). Those that fall under this category can be further distinguished between: failed asylum seekers who stayed on in spite of being refused the right to remain; overstayers whose right to reside has expired without renewal; and those who have a restricted right to reside but are violating their conditions (for example, students with limited eligibility to work) (Cherti and Balaram 2013).

3 Human trafficking is an act with three components. It is the recruitment, transportation, transfer, harbouring or receipt of persons by means of the use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purposes of exploitation. Exploitation shall include at a minimum the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

4 In its annual risk analysis, Frontex (the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union) was limited to descriptive statistics of the administrative data provided by member states. This lack of data means that it is difficult to tell whether the number of illegal border crossings is changing.



As long as global development and domestic labour market conditions remain as they are, irregular migration flows are likely to continue. Strict border checks can screen out many fraudulent entries, but authorities may struggle to identify migrants who enter Europe with the correct documentation and then fall into irregularity.

Even if some success is achieved in reducing the number of incoming irregular migrants, there is already a substantial number of irregular migrants in Europe. In 2008 the number of unauthorised immigrants residing within the EU was assessed as between 1.9 and 3.8 million (Clandestino 2009).<sup>5</sup> The EU has a population of approximately 500 million, so on these estimates the stock of unauthorised immigrants represents less than one per cent of the total population of member states (Morehouse and Blomfeld 2011). Nevertheless, this is clearly both a sizeable population and a policy challenge for European governments.

These migrants need to be either returned to their country of origin or regularised in their country of residence. Addressing irregular migration and reducing stocks of people resident with an irregular status is both a genuine policy challenge and a significant political and public concern. The latest Transatlantic Trends survey, undertaken in 2011, shows the level of concern that irregular migration elicits among the population in Europe. When asked whether they were worried about irregular immigration, the majority of respondents in all countries reported concerns, the highest rates of which were recorded in Italy (80 per cent), followed by Spain (74 per cent) and the United Kingdom (71 per cent). While some of these concerns may be based on misinformation, it is clear that that people across Europe feel their governments do not have irregular immigration under control.

Research published by IPPR in 2011 (Finch and Cherti 2011), and some of the stories told through this research, demonstrate the importance of addressing irregular migration from a policy perspective – governments can and should set policies to manage migration. This may involve imposing restrictions on who can and cannot enter and stay in a country. Migration policy should have the protection of human rights at its centre; it should also uphold democratic norms, which means that political elites must not shy away from debating and challenging misinformed views on immigration, but must also be responsive to the public's concerns.<sup>6</sup> While most irregular immigrants do work, often pay taxes and have no access to welfare benefits, they do impose some economic and social costs by putting unplanned-for pressures on services and infrastructure (Finch and Cherti 2011). Many irregular immigrants find themselves in situations of vulnerability and psychological uncertainty, and can be prone to exploitation. More broadly, irregular immigration severely damages the integrity and credibility of the immigration system itself, which must function well in order to maintain public support for the migrant flows that Europe needs.

European countries have been stepping up their efforts to encourage irregular migrants to return to their countries of origin, through policies designed to act as a 'stick' (such as increasingly restricted access to the labour market and public services), and policies designed to act as a 'carrot' (such as packages of support offered to migrants who agree to return home). Though such measures have undoubtedly impacted on people's desire to stay and the likelihood of their returning home, previous research has identified major shortcomings in this

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5 The borders of the EU expanded in January 2007 to encompass Bulgaria and Romania, thereby altering the perimeters in which free movement is permitted and redefining who is legally allowed residence – or more specifically, who is considered to be an irregular migrant (Morehouse and Blomfeld 2011). It is therefore most sensible to focus on irregular migration to the EU following its enlargement in 2007. The last reliable estimates of the stock of irregular migration were in fact taken after this reform, in 2008.

6 For an in-depth discussion of the principles underlying a progressive migration policy see Mulley and Cavanagh 2013.

policy response (Finch and Cherti 2011), and rates of both spontaneous return and take-up of AVR by irregular migrants remain too low (Cherti and Szilard 2013).

Alongside policies to ‘encourage’ irregular migrants to return, European states also forcibly return irregular migrants, a practice that raises its own issues and problems. For example, legal and human rights concerns have been raised over the use of indefinite detention and methods of forcible removal (ILPA 2012).

Previous research has shown that, unless return is followed by reintegration, the majority of returnees consider leaving again. Moreover, given the extent to which communities in countries of origin remain in touch with communities in European destination countries, if returnees have poor experiences then this information will filter back to irregular migrants in Europe and further reinforce their resistance to returning. If European policy in this area desires success in the medium and long term it must place as much emphasis on reintegration as on return.

The population of Nigerian migrants living in Europe (with either a regular or irregular immigration status) is significant: it is estimated that in 2009 there were 166,000 Nigerian people living in the UK, 35,000 living in Italy and 38,000 living in Spain (OECD 2013). Although the majority of Nigerian migrants have legal status in their countries of residence, there are also a significant number of irregular Nigerian migrants, particularly in European countries. Before a targeted amnesty in 2004, it was estimated that there were 10,000 undocumented Nigerian migrants living in Italy alone. The latest figures available show that, in 2007, 6,500 undocumented Nigerian migrants were apprehended in the EU – presumably a small proportion of the total irregular population.

In recent years there have been reports of an upturn in return migration among all Nigerian migrants. This can be driven by worsening political or economic situations in migrants’ destination countries. For example, the deteriorating political situation in Libya and other North African countries saw around 3,000 Nigerian migrants leave on planes chartered by the Nigerian government and the IOM (Osugwu 2012), and the decline in opportunities for unskilled labourers in countries such as Spain, where youth unemployment among regular workers is above 50 per cent (Reuters 2013), has also prompted migrants to return to their home countries.

There is also a documented trend for ‘return’ among people with regular immigration statuses in the Nigerian diaspora, as well as people who were born in Europe but whose parents and grandparents migrated from Nigeria. These returnees are attracted by the improved stability and new opportunities offered by certain parts of Nigeria (This is Africa 2013). Civil society initiatives like the Move Back club have been established to attract Nigerian professionals in the diaspora back home by providing networking forums and information on job opportunities for returnees. Despite these trends, recent research into North–South return migration has identified that irregular migrants are much less likely to return than other migrants (Beauchemin 2013).

There is currently very little data available on the experiences of returnee irregular migrants to Nigeria. A lack of data will naturally allow the exaggeration of anecdotal evidence that may over-emphasise the negative experiences of returnees. New data and new policy thinking is particularly important at a time when the Nigerian government is looking to develop their work in this area through the national migration framework and other initiatives.

This study draws on detailed qualitative work with an under-researched target group in order to gain understanding of the impact of different policy approaches from an end-to-end perspective. Our research examines the full circle of a migrant's journey: starting with their journey to Europe, we then focus on their return to their country of origin, and go on to explore their subsequent experience of reintegrating into their community. We also examine the current policy responses. In doing so we are able to highlight opportunities for countries of origin, transit and destination to address irregular migration in a way that is effective, sustainable and beneficial to all parties.

## 1.2 Understanding return and reintegration

The academic literature is replete with discussions of how we should understand the different types of return and what is meant by sustainable reintegration, yet these definitions are not always in sync with how the terms are used in policy or in practice. For example, a binary distinction is usually drawn between 'voluntary' and 'forced' return (Toms and Thorpe 2012). 'Voluntary' generally refers to situations in which the migrant returns under his or her free will, whereas 'forced' refers to the migrant being removed from the host country. Whether returns can actually be considered 'voluntary', however, is contested. Commentators have argued that if the only alternative to return is detention or enforced removal, then the decision to return home of one's own accord is hardly a voluntary one (ECRE 2012) and that alternative terms and typologies should therefore be adopted (see for example Khachani 2006 and Cassarino 2009).

At the very least, distinctions within 'voluntary' return should be drawn in order to differentiate between 'spontaneous' and 'assisted' return, and between 'chosen' and 'compelled' return. While both 'spontaneous' and 'assisted' return can be either 'chosen' or 'compelled', 'spontaneous' return refers to the return of an irregular migrant who has done so of their own accord without intervention from the authorities, whereas 'assisted' return indicates that an irregular migrant has been encouraged or assisted to return by the authorities. In most cases of 'assisted' return, irregular migrants participate in an AVR programme which provides them with a package of support to help them return home and reintegrate.

'Reintegration' is also a contested term. The IOM measures the sustainability of return using indicators of re-migration (such as whether migrants have remained in the country to which they have returned for at least one year) and labour market integration (whether they are involved in generating financial income to support themselves). The Development Research Centre (DRC) among others has questioned this migrant-centric approach, instead advocating measures that look at the impact of return on the wider community (2009).

Clarifying how we should understand and define these terms in ways that are both accurate and useful for policy development is a critical objective of this research. As we set out our findings we will discuss what these terms mean in the context of these debates, and how we (and others) can best understand them.

## 1.3 Methods

This research was carried out in Nigeria by IPPR and the Development Research and Projects Centre (dRPC). It utilises information gained from intensive qualitative research which comprised in-depth interviews with 37 people<sup>7</sup> (19 women and 18 men) who

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7 We interviewed more than 40 returnees, but these 37 fully met our criteria for eligibility, which was based on whether they had been irregular migrants, had migrated or intended to migrate to a European country, and had remained in Nigeria for at least two years following their return.

migrated irregularly from Nigeria to the EU, but subsequently returned to Nigeria. Seven of the returnees returned by their own means, 11 returned through an AVR scheme, and 19 were forcibly removed. An additional 19 interviews were conducted with stakeholders in Nigeria who take roles in facilitating return or responding to the needs of returnees as they attempt to reintegrate. These stakeholders represented a range of government agencies, service-providing NGOs and international agencies.

The aims of this study were to explore the short- and medium-term effects of return and reintegration on returnee migrants and their communities. For this reason, the returnees were interviewed two years after their return to Nigeria. This allowed us to consider the progress returnees had made following receipt of any support, and gave us an initial indicator of the sustainability of the return.

By narrowing our focus to respondents from Nigeria we were better able to understand the experiences and needs of returnees, and the challenges faced by engaged agencies, from the perspective of the country of return as well those of European countries. This is an innovative response: AVR and reintegration programmes tend to be designed, administered and evaluated by European or international institutions rather than by local governments.

The in-depth qualitative interviews we conducted with returnees in the course of this study provided opportunities to identify gaps in support and nuances in reintegration needs – which differed, for example, between people who were trafficked and those who migrated without coercion – which could only be ascertained by speaking with those who are affected most by these policies.

Because of this methodology, this study offers new insights for policymakers into opportunities for implementing effective return and reintegration policies at all stages of the migration journey in countries of origin, transit and destination. Our analysis draws lessons for policymakers on how agencies can encourage the return of irregular migrants who do not need to stay in Europe, and how they can ensure that this return is sustainable for the individuals themselves and countries of destination and origin.

#### 1.4 The structure of the report

The structure of the first part of this report reflects the different phases of migration. In chapter 2 we set out interviewees' experiences of return and reintegration. We start by contextualising their experiences of return by describing their lives in Nigeria, their motivations for moving, how they became irregular, and their experiences in their countries of destination. We then shift our focus to return – what triggers it, what the process is like and how the journey home unfolds. Much of what happens during the return process sets the stage for how successful reintegration is, similar to the ways in which a child's early years can determine the course of their adolescence and beyond. Finally we explore the interviewees' experiences of reintegrating into Nigerian society, and the factors that influence this process.

The third and fourth chapters of our report focus respectively on the policies currently in place to encourage return and reintegration in Europe, and how the Nigerian government and civil society have reacted to the return of their citizens who migrated irregularly to the EU. In order to identify lessons for policy these final two sections examine the barriers to return, migrants' experiences of the policy responses. We end by presenting our conclusions and recommendations for addressing the concerns raised about return and the sustainability of reintegration. While these recommendations apply to Europe and

Nigeria individually, what we stress above all is the need for a collaborative response to irregular migration from Nigeria to the EU.

Responses from our interviews with returnees and Nigerian stakeholders are weaved into the narrative of this report. Basic details are included for each returnee describing their gender, age, and means of return. Their means of return are denoted according to the four categories defined on page 19. In brief, migrants' experience of return is described as 'forcibly removed' if they were expelled by the state, 'spontaneous' if they left of their own accord without the involvement of a mediating agency, and 'AVR' if they were encouraged or assisted to return by the authorities. Returns are described as 'chosen' if the migrant made the decision to return, or as 'compelled' if they returned because they felt that they had little or no alternative.

## 2. IRREGULAR MIGRANTS HERE, THERE AND BACK AGAIN

### 2.1 Moving abroad

#### 2.1.1 Motivations

In order to understand migrants' motivations for returning to Nigeria, and to contextualise their reintegration needs, it is important to explore what initially prompted them to leave Nigeria. Our interviewees' responses support the notion that irregular migration is closely connected to economic conditions, as well as to an enduring trust in the power of migration to alleviate poverty and improve social positioning. When asked about their motivations for migrating, our respondents often described the poverty and scarcity of opportunity which typified their lives in Nigeria. This fits with the trend of rising poverty observed in Nigeria over the past few years: according to the National Bureau of Statistics, in 2010 nearly 61 per cent of Nigerians (over 100 million people) were living in 'absolute poverty' – defined as surviving on less than \$1 (£0.63) a day (NBS 2012). Despite strong and sustained economic growth over the past decade, this figure grew from 55 per cent in 2004 (ibid). The government's lack of success in addressing growing inequality and poverty, despite increasing exports of natural resources, may explain in part why many of our respondents expressed frustration with the government and felt unsupported.

Feelings of lacking of support were prevalent, and were shared by both men and women, by trafficking victims and other irregular migrants. However, women who felt unsupported appeared to be at greater risk of trafficking. The proportion of women living below the poverty line is 65 per cent, compared to 35 per cent of men (FMWASD 2006), and women are more likely than men to be locked out of the labour market (ibid). Gender-based violence, including forced marriage and domestic abuse, and a lack of alternative support for women fleeing violence in the home also drives women to take risks in order to support themselves (Cherti et al 2013). One woman made the link between feelings of isolation and her vulnerability to trafficking when she recalled her reaction to an offer to go abroad.

**'In Nigeria, it is very difficult for you to get help, so I was alone when I left my parents and nobody came to my rescue – not until this man came with the offer, which I could not resist. The government cares even less ... '**

Female, 19, AVR (compelled)

Interviewees who drew attention to the government's apathy usually also had families who were unable to help them. The majority came from poor, low-skilled backgrounds. Almost 90 per cent of our sample had left school before the age of 18, and had been pulled out of school at an early age in order to contribute to upkeep of the home and care for their siblings, or for children of their own. The interviewers conducting the field research for this study perceived that the interviewees struggled with literacy and communication. The lack of training and education among the respondents is likely to explain, at least in part, why they felt opportunities were eluding them or out of their reach, especially those who were young people and had limited work experience.

As in most countries, higher education is closely related to access to and the availability of opportunities, but in Nigeria the options for those without qualifications may be more limited than those, for instance, in a European country. If unable to find work, many people believe that starting their own business is their only alternative means of survival. However, start-ups require significant investment – in the product, equipment and premises, as well as for other considerations such as a stable source of electrical power. The obstacles to launching a business posed by the need for capital and contacts can be insurmountable. Going abroad may allow these people to revisit the possibility of entrepreneurship by saving to start a business on their return. In others, their entrepreneurialism was expressed through

generating enough income to support children in education and obtain symbols of success, such as housing for family members, if only by employment in low-paid, difficult work.

**‘I see it [going abroad] as an opportunity to make money and come back home as a big boy with plenty of money to assist my parents and siblings, and also start a business.’**

Male, 30, spontaneous (compelled)

Men were more explicit than women about their intention to start a business, but both were equally likely to consider migration to be the key to supporting their families. Working to support family is very important in Nigeria, particularly because the state does not provide a safety net. However, the expectation that people accept responsibility for their families in this way can also amount to a great deal of pressure – sometimes of a coercive nature. This pressure can compel people to accept offers of work abroad from strangers, or, as was the case for some of our respondents, induce parents or other family members to connect their relations with traffickers in an effort to spur their migration. Women are particularly vulnerable to this given the challenges they face accessing both education and sustainable work in the labour market. They may believe that they can only fulfil their responsibility to their families if they travel to Europe for work, and are therefore more likely to take risks in order to migrate, and be susceptible to exploitation.

**‘I wanted to liberate my family from ... poverty. I wanted to liberate my family because I knew we had gone through so many things, so my mission was that I say, ‘Okay, if I go there and make ... [the] kind of money that my aunt made, [and] then if I come back my family will at least smile again.’**

Female, 38, AVR (compelled)

The idea that cultural beliefs play a role in promoting migration as a viable route out of poverty is confirmed in research by the United Nations Office on Drugs and Crime (UNODC). In a 2011 report, the UNODC concluded that in some West African countries, including Nigeria, important social value is attached to those who decide to leave, and also to those who have successfully made it to Europe, legally or illegally (UNODC 2011). This is despite the fact that their situation is usually worse in many ways than it was at home. These findings concur with a previous United Nations report which also attested to a ‘culture of migration’ in Nigeria in which international migration is associated with personal, social and material success, while staying at home is considered a failure (UNDP 2009). Migration is culturally ingrained as a norm, especially among the young and able – the group in the best position to take advantage of the assumed opportunities in Europe.

As the female interviewee’s above testimony suggests, many people come to see migration as a way to meet their needs and make money because a family member or acquaintance had already found success through migration. This demonstrates the important role that returnees play in encouraging and informing irregular immigration – people form inviting ideas about life in Europe based on how people in their social networks relate their own experiences. Our interviews repeatedly echoed these findings, with both returnees and stakeholders mentioning the widespread belief that migration is both a necessary and a natural occurrence.

**‘Migration is a way of life, even [since] ... biblical times. People have always migrated: there is always a quest to look for better opportunities.’**

Nigerian stakeholder

Poverty, low opportunity and a lack of alternative support are all important factors which make people more likely to migrate irregularly, as are prevalent cultural beliefs in some localities which are fed by the stories of success told by some returnees.

### **2.1.2 Routes into irregularity**

There are different ways for people to become ‘irregular migrants’. They can be branded irregular migrants if they enter a country illegally, either by evading formal controls or by presenting false papers (Gordon et al 2009). They can also fall into irregularity if they originally entered legally but have since exceeded the agreed maximum period of residence, or otherwise breached the terms of their visa (ibid). This second category may include failed asylum seekers who stayed on in spite of being refused the right to remain, overstayers whose right to reside has expired without renewal, and those who have a restricted right to reside but are violating the conditions of it (for example, students with limited eligibility to work) (Cherti and Balaram 2013).

Our sample was comprised of both illegal entrants and overstayers. The responses of those who entered their country of destination on illegal grounds indicated that false documents were used in many cases, particularly when women were being trafficked. This is consistent with Frontex’s findings, which noted that Nigeria is statistically one of the top five countries of origin among detected users of false documents (Frontex 2012). However, people also spoke of having taken long and harrowing journeys in order to evade border controls entirely.

**‘We travel from Libya to Niger, from Niger to Libya, from Algeria to Morocco, where we cross the sea [to Spain] with an unsafe boat.’**

Male, age undisclosed, forcibly removed

While some of our respondents said that they had taken a similar route to this one (generally recognised as the Western Mediterranean route), intelligence from Frontex indicates that the Central Mediterranean route (from Tunisia and Libya to Malta and Italy) is becoming increasingly popular among Nigerians. In 2011 Frontex recorded 6,078 irregular migrants from Nigeria attempting to cross via the Central Mediterranean route. Nigerians were the second most identified nationality among people detected crossing external borders to the EU by this route (Frontex 2012).

Meanwhile, some interviewees reported having entered their country of destination legally but then overstaying their visas, thereby becoming irregular. Frontex’s figures confirm that the majority of people who currently reside in Europe illegally originally arrived in this way – in possession of valid travel documents and a visa, the validity period of which had since expired (ibid).

The men in our sample were more likely than women to have fallen into irregularity as opposed to having entered illegally. While this could be because more men migrated independently rather than with traffickers, we also found that more men had the know-how necessary to enter legally, as this knowledge was shared through their social networks. While the men in our sample were diverse, they were generally from more stable and socially mobile backgrounds than the women. While men tended to migrate in order to improve their lifestyle, women more often did so as a means of meeting pressing needs and relieving poverty. Men were thus in a better position to obtain legitimate travel documents and visas. Many of the men cited the



influence of family and friends: they were both inspired to move abroad by those they knew who had already left, and privy to the information needed in order to follow in their footsteps.

## 2.2 Life in the country of destination

Migrants' experience of life in their country of destination often did not concur with their original expectations. Hopes of the 'grass being greener' were dashed by hardship. Over half (12) of our female respondents were trafficked into exploitative situations. These women had anticipated taking up legitimate work, having been promised good jobs by their traffickers, but instead were deceived into prostitution. This could be both physically demanding and mentally defeating. Respondents described being forced out into cold weather while barely clothed, regularly threatened by traffickers, and mistreated by clients. They shared stories of men refusing to pay them, and of rape and physical abuse; one woman was arrested because her client falsely accused her of theft. The fear of being turned over to the authorities and deported, as well as of further abuse from their traffickers for failing to deliver, made many of these respondents compliant even in the worst of circumstances.

It was not necessarily any easier for other irregular migrants, who often continued living in poverty after escaping similar situations at home. The work could be gruelling, and for men, often entailed manual labour. It was also unstable: some men could only secure seasonal work in agriculture, or were only able to work while in possession of valid papers. Many remained indebted to agents who helped them find work or had smuggled them into the country, and so were not able to save as much money as they had believed they would. However, many of these migrants persevered in spite of the poor conditions because they felt they were better off abroad than they would have been in their country of origin.

**'I felt it was slave labour. [But] I had hope for the three years I was there. It was just hope that was keeping me there, and heat at home [pressure from family] ... and since others had done it I felt I could also do it.'**

Male, 31, spontaneous return (chosen)

Migrants who entered their country of destination legally rather than illegally were more likely to have support from relatives and from other irregular migrants they had met. Their period of legality had allowed them to live in the real economy for a time, accessing work, services and social activities without fear of detection. Nevertheless the transition from legality to irregularity was a difficult one. Job prospects dried up, and successful evasion of the authorities became paramount. Migrants became reliant on others in order to get by. As one man explained, he was able to manage by learning from other Nigerian irregular migrants.

**'I made some money through odd jobs within the legal period of my stay, but it was not easy to come by ... [after] my six-month visa expired. I learned from other Nigerian illegal migrants [the] ways of survival, though.'**

Male, 28, forcibly removed

Even illegal entrants were able to meet others and draw on support if they were working. Respondents spoke of how other migrants, particularly those from Nigeria but also from the wider African diaspora, were in most cases supportive of one another. In some instances the shared experience provided comfort, while in others these friends proved instrumental in helping respondents to return home.

However, fellow irregular migrants were not universally supportive: one trafficking victim told us of how other women in her situation colluded with her madam to break her resistance and force her into submission, silencing her and discouraging her from seeking help:

**‘[On the] first night, I refused to follow anybody, and when I came back home without any money she [the trafficker] and some other girls just beat me up.’**

Female, 29, AVR (compelled)

In some cases, trafficking victims became as isolated in Europe as they had been in Nigeria. They were walled off socially, making it difficult for them to find the support they needed to leave their situation. Traffickers often kept a close eye on their victims to ensure they did not escape, and this often meant restricting their freedom. In these instances, migrants felt that they did not know who to turn to for support, or that they in fact had no one – neither family nor government – to rely on for help in times of need. This isolation was compounded by the predicament of being irregular, and therefore potentially being criminalised upon disclosing this status to those who could offer support.

**‘I had no friends there. She [the trafficker] was the only person I was close to. I was strictly guarded by her.’**

Female, 32, AVR (compelled)

After conducting this research, our view is that return can be in the best interests of not just host countries but also of migrants themselves. Since there was often a great deal of pressure on them to migrate in the first place, migrants who have reached their country of destination feel under continuing pressure to stay there even while living in vulnerable or exploitative conditions. However, the abuse and exploitation of irregular migrants should not be accepted as inevitable. Taking action against employers that dodge workplace regulation and pay below minimum wage rates, as well as prosecuting instances of trafficking, exploitation, abuse and coercion, must be priorities for European countries – whether these crimes involve irregular or regular migrants, or indeed citizens of that country. Similarly, irregular migrants who cannot be returned to their country of origin due to issues concerning their safety must be offered protection by their countries of destination. However, if migrants have no such reason to be legally allowed to stay in Europe then they face a choice between living in destitution or working in exploitative conditions; both can take their toll physically and psychologically. We should be in no doubt that returning to Nigeria may offer migrants the chance of a fresh start in which they can reconnect with their families, friends and wider communities, or create new social networks, rather than living in isolation abroad. They may also be able to use skills they have gained abroad to undertake fulfilling work once they return to Nigeria. Policy needs to address the reasons why European economies allow the abuse and exploitation of irregular migrants to flourish. It also needs to make return a viable and rational option.

## 2.3 Moving home

### 2.3.1 Triggers of departure

Many studies into irregular migration have carried out their research in countries of destination, which meant that they were unable to explore the return experience. We were able to explore what prompted migrants to return, as well as their experiences of return itself. Most of our returnees’ departures from Europe were involuntary, and involved being apprehended and forcibly removed. For a smaller number, the threat of forced removal triggered them to leave. Others had a degree of choice in their decision – and

in these cases the triggers were often similar to the reasons given by migrants for why they left Nigeria – a lack of opportunities, discomfort in their host country, and perceived opportunities in Nigeria.

Our research shows that spontaneous or voluntary return was affected by ‘push’ factors. Respondents reported being tired of enforcement actions against them, of being aware of their low status, and feeling dismayed by their ongoing lack of success because of exploitative working and living conditions. These reasons can all be attributed to the type of ‘hostile environment’ created by governments in order to deter new irregular arrivals, and to encourage refused asylum seekers and others without the legal right to reside to leave (Cherti and Balaram 2013). Governments make it very difficult for irregular migrants to remain through the use of enforcement raids on houses and workplaces, and monitoring by employers and public service providers such as health services and the police. Furthermore the imminent threat of deportation ultimately compels many to leave of their own accord.

**‘[In] 1995 they gave us a chance ... nothing, no disturbance, nothing. But eight years later, immigration [services] started disturbing a lot of people. They will come and break in to your house at 2am, and they will take [the] husband and leave the wife there to suffer it, so I have seen a lot of things. That’s why I decided to carry my wife and my baby and come back to Nigeria.’**

Male, 46, spontaneous (compelled)

A related trigger was migrants’ growing disenchantment with their life in Europe and what it could offer. Respondents spoke of how they eventually realised that their ambitions about what their lives would be like in their country of destination would not be satisfied. It became increasingly apparent to them that they had been deceived and, having lost hope that their experience abroad would result in the success they dreamed of, they began planning their return.

**‘When I was going to the UK, basically I was thinking that within two years I was going to make enough money to take care of my parents, get them a house, get myself a house too, [and] settle my siblings in school. But when I went I realised it was almost like slave labour, because we had the oddest of jobs among the odd jobs, and the agents were the ones paying us.’**

Male, 31, spontaneous (chosen)

Other significant push factors were related to the exploitative conditions that migrants faced while working in the shadow economy. For some people who had been trafficked, or who had worked in the shadow economy, returning to their country of origin represented an escape from their exploitation. It is important that policy addresses such cases of exploitation, and thereby gives migrants an exit beyond return. When migrants leave before reporting these instances of abuse this aggravate efforts to address them, and also prevents migrants from accessing the support they are entitled to.

At the same time, ‘pull’ factors were also in play. Many interviewees became more interested in return as they began to realise that the opportunities for them to achieve their goals may not lie in Europe. Previous research has identified the strong influence on return of migrants’ ‘migration projects’ and ‘migration ambitions’. Essentially, migrants who set clear targets about what they wanted to achieve by migrating struggle to ‘give up’ on their life abroad

and return to their country of origin (Cassarino 2009). These factors certainly featured in our interviewees' descriptions of the barriers to and triggers of their return. As one returnee who was forcibly removed expressed it:

**'I could not return earlier because I had not reached my targets for travelling.'**

Male, 31, forcibly removed

Migrants who had achieved success through moving to Europe, or who hoped to achieve something that involved them returning to Nigeria, were more willing to leave. These migrants recalled their desire to explore the business and political terrain at home, which they felt could be best achieved in person. This renewed interest was usually sparked by contacts at home, reinforcing the belief of stakeholders that finding out about the opportunities available in Nigeria can help migrants imagine returning to a life there.

**'When you are there [Europe], you don't experience what is happening back home. So when ... they [migrants] agree to return, they can see that they can find something to do, so they are happy.'**

Nigerian stakeholder

Our research also suggested that, for some migrants, the influence of these 'migration ambitions' was something that they 'grow out of' over time. This was particularly true of male migrants in our sample, and of those from a higher socio-economic background. Their desire to realise their life goals through migration diminished over time and changed with age. Many of our interviewees left Nigeria for Europe at a young age, seeking riches. However as they grew up they wanted their life to be more settled and centred around home and family. As one migrant described, as he grew older he became less interested in the adventure that living in Europe offered. Rather than seeking to make money at any cost, he became attracted to the stability and familiarity presented by a job offer from the place where he grew up.

Family also proved to be an important trigger. Some participants mentioned family obligation and recounted that, as they got older, their parents expected them to take on greater responsibility at home. One participant spoke about the draw of family, and of wanting to start a relationship with someone who shared similar cultural values who they felt they would be more likely to meet in Nigeria.

These instincts have been documented in studies on return migration among Nigerians facing less strict immigration rules. These studies found that people typically moved home to participate in the next stage of their life (CAPPS 2009). As migrants grew older the excitement of adventure, new challenges and the promise of wealth gave way to the attraction of social gatherings with family and friends, of opportunities for marriage and of increased social status. Many migrants spoke about their desire to make themselves 'socially relevant' in Nigeria. While the money and success that they accrued through living in Europe may have helped them to achieve this, ultimately this goal could not be achieved while living in Europe.

These triggers to leave differed widely according both to gender and to migrants' experiences in the host country. Male migrants were more likely to identify new opportunities in Nigeria as a pull factor in their return. Female migrants, on the other hand, did not mention pull factors: they were more likely to report the impact of their experiences of exploitation or abuse in Europe as the factors pushing them to leave. There was therefore a clear gender split regarding triggers to migrate and triggers to return. This suggests a need for a gendered

interpretation of the steps needed to address irregular migration, and a need for gender-sensitive policy to encourage return and reintegration.

### 2.3.2 Process of return

The experience of return varied depending on the type of return as well as on the characteristics of the returnee – namely the gender and type of migrant (whether or not they were a victim of trafficking, for instance). Of our sample, 19 respondents – just over half of the group – were forcibly removed. Seven respondents returned voluntarily without assistance of any kind, and 11 returned voluntarily through an assisted scheme. Out of those who returned of their own volition or through an AVR scheme, nine felt compelled to do so, while the remaining nine reported having chosen to return on their own accord.

#### Types of return

Return must be understood in greater depth than simply whether migrants decided to return home of their own volition or through an assisted scheme, or were forcibly removed. A distinction is usually drawn between returns that are voluntary and those that are forced (Toms and Thorpe 2012). ‘Voluntary’ generally refers to situations in which the migrant returns according to his or her free will, whereas ‘forced’ returns involve the migrant being forcibly removed from his or her host country.

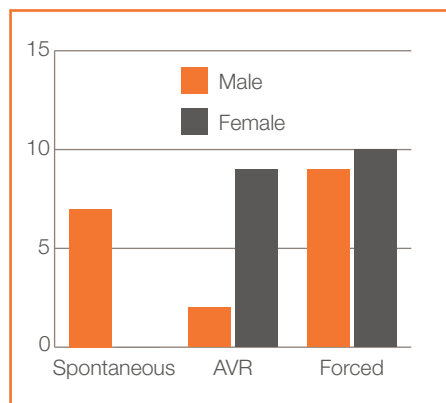
Whether returns can be considered genuinely ‘voluntary’, however, is contested. If the only alternative is detention or forced removal, whether to return of one’s own accord represents a choice is dubious at best (ECRE 2012). The experience of return also differs by whether a migrant’s return was mediated by the state or whether they ‘slipped out’ by their own means. ‘Voluntary’ return should therefore be clarified by distinguishing between ‘spontaneous’ and ‘assisted’ return, and between ‘chosen’ and ‘compelled’ return. ‘Spontaneous’ return should refer to instances in which irregular migrants leave of their own volition, whereas ‘assisted’ return should identify cases in which the authorities intervened to encourage or support irregular migrants to return. ‘Chosen’ return should signify that the migrant did not face any form of pressure or coercion when deciding to depart for their country of origin, and ‘compelled’ return should be used to express the fact that the migrant left as a consequence of unfavourable circumstances and factors which abruptly interrupted the migration cycle (see Khachani 2006, Cassarino 2009, and Cherti and Szilard 2013).

If irregular migrants are unable to return spontaneously, it may be possible to return through an Assisted Voluntary Return (AVR) programme which can provide them with a package of support to help them go home and to reintegrate once there.

While both men and women were about equally likely to be forcibly removed, there were significant differences in how they returned voluntarily. Women were far more likely to return through an AVR scheme than men were. Only two men (out of the 18 men in our group) used AVR schemes to return home. Given that none of the women in our sample returned home voluntarily (without the support of AVR), the evidence suggests that women are less likely than men to be in a position in which returning of their own volition is financially feasible. Female trafficking victims’ freedom is likely to be more limited because their traffickers control their movements in addition to seizing their income.

Of the two men who used an AVR scheme, one had migrated to Spain to work as a fruit picker and fell into irregularity when his visa expired. After being harassed by the police he applied at the Nigerian embassy in Spain for support to leave. The other man lived and worked in the UK, heard about the scheme through a friend and decided to enrol because he had political and entrepreneurial interests he wanted to explore in Nigeria. In both cases they were provided with a flight back to Nigeria, but no other support with return or reintegration.

**Figure 2.1**  
Type of return, by gender, among interviewees



All of the women who used an AVR scheme in our sample were victims of trafficking, whereas none of the men reported having been trafficking victims. The low take-up of AVR schemes among irregular migrants more generally (of both genders) suggests that these schemes – particularly those which include support for reintegration – may often be narrowly targeted at victims of trafficking. Targeting AVR to victims of trafficking may be the most politically appealing option for European countries because the migrants involved are given support but are also encouraged to return home. Victims of trafficking are not automatically entitled leave to remain, although they are entitled to a limited period of support in Europe, and return should only be carried out following a risk assessment. While it is positive that people who have been trafficked are provided with reintegration support in Nigeria, it should be noted that none of the trafficking victims in our sample were referred (by the AVR provider, or another agency that they came in to contact with) to support for trafficked people in Europe (for example, accommodation or counselling). AVR support is also not being offered to everyone, nor are instances of trafficking being identified during the return process: three of the women we interviewed identified themselves as victims of trafficking were forcibly returned. Even if countries are putting provisions in place to reintegrate victims of trafficking on return, it is important that they also meet their treaty obligations to identify victims and support them in Europe before they are returned.

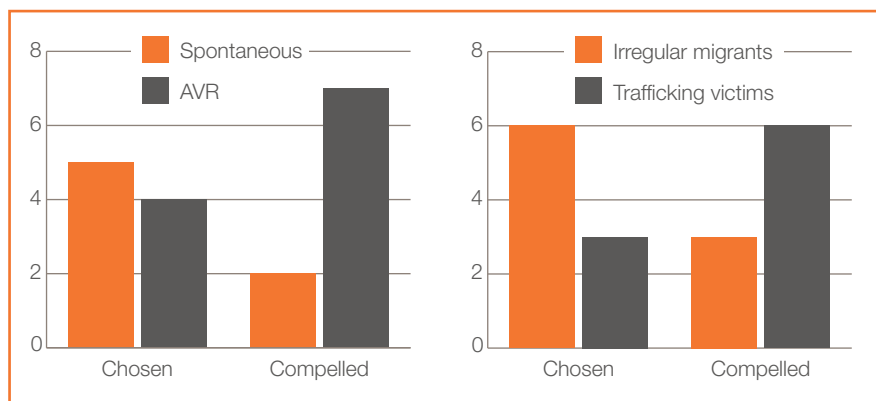
Of our sample, all but one woman (who had returned from Italy) were given reintegration support of various amounts for their flight home and to open their own businesses. However, one of these women believed that the support she had received from the IOM was insufficient, and she also stated that she was ‘compelled’ to return to Nigeria even though she was participating in an AVR programme. This is important to note because it suggests that she was unprepared to leave, but did so nonetheless because she felt it was her only option. As illustrated below, in cases such as this, the amount of reintegration support may ultimately prove to be inconsequential, though still materially significant, if the person is not yet ready to leave or not yet committed to the idea of restarting their life in Nigeria. This particular woman had migrated to France under the impression that she would be employed in her field of work, but she was instead coerced into prostitution. She was not clear about

how long she spent working as a prostitute, but it appeared that she had tried to escape her situation as soon as she could: once she made friends who were also from Nigeria and working as prostitutes she was escorted to the embassy, met with IOM officials, and was given €400 and a ticket home, and advised not to return to the country again.

The apparently short amount of time she spent in France is also critical to explaining why her ‘voluntary return’ was compelled. The less time a migrant spends abroad, the less time they have to accomplish the goals which were their reasons for risking leaving home in the first place. In the simplest of cost-benefit analyses, when they are only abroad for a short period of time migrants are not getting as much *out* of the move as they put *in* to getting there (for example, in terms of time and money). When migrants feel that they still have more to gain from being abroad they are not only less inclined to return but are also less likely to reintegrate than those who are prepared to go.

**Figure 2.2 (left)**  
Type of voluntary return, by ‘choice’ or ‘compulsion’, among interviewees

**Figure 2.3 (right)**  
Chosen or compelled return, by type of migrant, among interviewees



The trafficking victims in our sample were more likely than other irregular migrants to have been compelled to return. More than half of these trafficking victims felt compelled to return through an AVR programme because they did not want to continue in prostitution, and did not see an alternative if they remained – they would have preferred to stay provided that they were not forced into exploitative working conditions. However some of them were also concerned that, if they did remain in the country after escaping their traffickers, they would re-encounter their traffickers and/or fall back into prostitution. They left with reluctance, because they had planned on being able to return home on their own terms and when they felt ready (once they had met their initial goals, for example). Once these women returned they were also less likely to reintegrate because they still believed that – if they were given another opportunity to migrate from Nigeria, hopefully legally – they would be able to ‘make it’ under different circumstances.

### 2.3.3 Journey to the country of origin

Migrants who left entirely of their own volition were more prepared to return home than those who were compelled to leave voluntarily or were forcibly removed. Being properly prepared entailed sorting out practical affairs such as securing final wages and closing bank accounts, but there was also an emotional element involved: saying goodbyes, envisioning a future at home, and planning ahead – for example, by reconnecting with family and friends living in Nigeria. Migrants who chose to return had more time to get their affairs in order than those who were either compelled to turn to, or were picked up by, the authorities. Most irregular migrants who returned through an AVR programme were able speak to the programme’s workers and, to some extent, plan their return and reintegration.

Migrants who were detained and deported experienced the most difficult return, particularly because they did not receive any pre-departure support – in contrast to those in AVR schemes. They were also denied the benefits of being re-connected with relatives or civil society organisations in Nigeria in advance, and had no one to receive them at the airport or to help them cope with the initial shock of return. In some cases they were forcibly returned without knowing where they would live or who they could turn to for emotional or financial help.

Migrants who were forcibly removed were at a greater disadvantage than those who felt compelled to enrol in AVR programmes because they were arrested without warning, detained and deported without being allowed to wrap up loose ends. This can pose a real barrier to reintegration upon return.

**‘I did not have the opportunity to get my personal items or access my bank account ... I felt bad about returning because I was not prepared, and wasn’t given a chance to sort issues out before returning.’**

Male, 40, forcibly removed

The lead-up to return can also be aggravating if people feel they are entitled to rights that have been denied them: all irregular migrants may have reasons to stay. Asylum seekers who have had their claim turned down are given the right to apply for leave and to appeal decisions, and while there were no failed asylum seekers within our sample, we interviewed three women who identified as trafficking victims but were forcibly removed without access to support. There were also irregular migrants who felt that they had legitimate grounds to remain because of the amount of time they had spent in the country, which suggested that they had developed relationships and integrated.

**‘I was not informed about the processes or given an opportunity to defend myself.’**

Male, 28, forcibly removed

However, people who felt compelled to return through AVR schemes did not have an easy time returning either. They had not realised their ambitions for migrating, and had anxieties about their safety and about being stigmatised and shunned by their communities upon return. They worried about what opportunities awaited them in Nigeria, and whether they would need to start from square one again. These are legitimate concerns which must be addressed if returning migrants are to properly reintegrate into Nigerian society. Presenting irregular migrants with ultimatums are particularly unhelpful in these situations, because this pressure can be stressful and adds to the feeling that they are being rushed into decisions they aren’t prepared to make.

**‘The [AVR provider] people kept telling me to go back to my country or else I will just die for nothing. I finally surrendered to them.’**

Female, 34, AVR (compelled)

Previous research by IPPR found that in many cases there was a lack of smooth transition between European and Nigerian agencies as people were returned (Cherti et al 2013). Victims of trafficking who had been returned to Nigeria through an AVR scheme arrived at the airport with no one to meet them, and had no means of contacting the organisation that they had been given details of. Some ended up in detention in Nigeria, or were met at the airport by their trafficker (ibid). Therefore it is not enough to help people emotionally and financially



prepare for return through an AVR scheme if there is a no coordination at the other end to follow through on support. European actors aren't completely absolved of responsibility for migrants once they have reached Nigerian soil, especially if the sustainability of reintegration is questionable and the possibility of re-migration, or re-trafficking or abuse, is therefore a genuine concern.

## 2.4 Reintegration

Once interviewees returned from Europe to Nigeria they faced the prospect of rebuilding their lives and reintegrating into their communities. Respondents' experiences following their return to Nigeria varied. At the time of their interview, some were happily resettling into their lives; others, however, were struggling. Although most had migrated to Europe in hope of improving their lives, many reported that their life was now worse than it had been – that they had relapsed into poverty and lacked the support they needed to find a way forward. Many were still in need of support to properly reintegrate.

**'Life is more difficult because now: no money, nothing to do, no empowerment and security ... life is hell now.'**

Female, 25, forcibly removed

Reintegration is understood to have been successful if a migrant's return is deemed 'sustainable'. Sustainability of return can be measured in numerous ways. The IOM defines sustainability as having been demonstrated by returned migrants who have remained in their country of origin for at least one year, and who are generating sufficient income to support themselves (Black, Collyer and Somerville 2011). Yet in practice little is known about the medium- and long-term sustainability of return (whether forced or assisted): a lack of programme monitoring, particularly monitoring of outcomes after six months, means that the evidence base is limited.

Our research demonstrates a clear need not only for greater monitoring of return, but also for a clearer understanding of what we mean by 'sustainability of return' and how it can best be achieved. All of the returnees in our sample partially met the IOM's criteria for sustainability, having remained in Nigeria for at least two years following their return. Yet some returnees were not generating financial income. Furthermore, it is notable that some who were able to support themselves nonetheless had not abandoned the possibility of re-migrating, which complicates any evaluation of sustainability. Less than half of our respondents were confident that they would remain in Nigeria indefinitely. The remainder expressed uncertainty about their future plans, or revealed that they were either open to migrating again or were positively intending to do so.

**'Most of we girls that return always wish to go back, even myself. There you have the simplest kind of people, the way they behave and address people, but here the situation is different. Europe is very good and accommodating. To be sincere, I think life is more difficult for returnees, especially when they are neglected at the point of return.'**

Female, 19, AVR (compelled)

Others have been deterred from attempting to irregularly migrate again, but would consider opportunities to migrate legally.

**‘If I get another opportunity I would return, but in a clean way and after I graduate.’**

Female, 30, forcibly removed

Many returnees adopted a pragmatic approach, preferring to make the decision to remain on the basis of their continued wellbeing or success.

**‘[I will stay] for as long as I am able to meet my family needs.’**

Female, 26, AVR (compelled)

These results demonstrate the importance of revisiting the IOM’s definition of sustainability and asking whether it is fit for purpose. Even when people fulfil the IOM’s success indicators, they remain in a state of uncertainty and suffering and are likely to re-migrate. We need a measure of sustainability of return that encapsulates what we want to achieve and how we want to achieve it. Formulating a useful definition of sustainability is much more than an academic pursuit: it impacts upon how we conceive of what it means to live well and, critically, the support needed to get there.

The rationales behind measures of sustainability are often not made explicit in the policy debate. However the measure of sustainability used by the IOM has been challenged before. Some, including Black and Gent at the Development Research Centre (DRC), have suggested that consideration should be given to whether the returnee has achieved certain living standards, including the availability of employment and access to housing and basic services (Black and Gent 2005). Determining a set of living standards that mark the level of sustainable return is difficult: it is unclear what set of conditions should provide the benchmark. Measuring returnees’ current living conditions against their pre-departure experiences is unhelpful, as those pre-departure experiences were what led them to migrate in a risky way. Benchmarking their experiences against their pre-return life in their European country of destination may be misleading, as this was a temporary state of affairs either pre-detection or while waiting for a decision to be made on their status. Instead, the DRC and others have proposed defining sustainability according to returnees’ access to a number of rights. The strength of this approach is that it would be based on absolute, as opposed to relative, standards of sustainability. Policymakers are faced with the challenges of reaching agreement on what rights are necessary to promote sustainable return, and operationalizing them in a way that can be promoted and measured.

Finally, the DRC (2009) recommends that we look beyond the individual when assessing sustainability, and instead focus on how the larger community is affected by return. For example, there may be consequences such as emerging tensions between ‘stayees’ and returnees, or increasing reliance on external assistance. Specifically, the DRC (2009) proposes that that sustainability should be defined as having been achieved if socioeconomic conditions and/or levels of violence and persecution are not significantly worsened by return, as measured one year after the completion of the return process. However this analysis assumes that return migration will be disruptive to the community, though the impact of return could be positive. It also provides a blunt tool for ascertaining the safety of the returnee, and presents challenges for agencies looking to monitor sustainability.

While the above critiques are instructive, we must be realistic about the policy context which both informs and utilises these definitions. The central objective of policies which seek to secure the return of irregular migrants is to reduce irregular migration. Therefore, an essential

component of sustainable return must be the prevention of irregular re-migration. While these objectives are clearly led by European concerns, they are not necessarily bad principles: the safety of potential irregular migrants is at their heart. In order to ensure that these progressive principles are incorporated in the definition, the safety of irregular migrants must be a part of the definition of sustainable return. Due to the obvious drawbacks of relative measures of sustainability, we must instead use absolute ones. This means that irregular migrants should not live in fear, and must be enabled to support themselves independently. Achieving this, and measuring the factors that contribute to it, will be challenging. As we saw with the IOM measures of sustainability, even if someone is active in the labour market and has remained in Nigeria for one year, that does not fully demonstrate that they have reintegrated – nor does it definitely indicate they will not re-migrate in future. In order to clarify this, we have explored the factors which determine whether reintegration is successful and return is sustainable. We set out the main factors below, and go on to discuss how sustainability should be defined – and how support should be structured – in light of these findings.

#### 2.4.1 Control over return

Our research found that the success of reintegration, and the likelihood that migrants would not feel forced to re-migrate, was greatly influenced by the ‘voluntariness’ of return. Migrants who left their country of destination entirely of their own volition were more likely to successfully reintegrate and express a desire to remain than those who were compelled to leave voluntarily or were forcibly removed. Those who were deported were the most likely to struggle to reintegrate. Migrants who were compelled to leave were also more likely to feel that the support they had received was inadequate.

Migrants who had been able to stay in their country of destination for as long as they desired were less inclined to make an attempt to re-migrate, or to express the intent to do so: instead, they were more focused on readjusting to life in Nigeria. Conversely, migrants who were able to stay in their country of destination for only a short period of time (usually because of forced removal) were more likely to express dissatisfaction with their return, doubts about reintegrating, and a desire to re-migrate; this was particularly true in cases in which people had been intercepted by the authorities before reaching their country of destination. These feelings appeared to relate to the extent to which they had been able to achieve their original goals for migrating during their time abroad.

**‘It [return] affected me greatly because I was not able to succeed, and all my plans were affected too.’**

Male, 25, forcibly removed

This is a challenging finding to react to. In some ways it is only natural that people who have had their plans thwarted will feel that they want to try to fulfil them again. The strength of influence that this feeling has on whether migrants successfully reintegrate should not be ignored: the returns process might be improved by encouraging people to accept their situation, and by offering support to help them achieve in Nigeria the goals that they felt they could only achieve overseas.

#### 2.4.2 Access to formal support

Relatedly, access to support was an important factor in people’s ability to reintegrate. There were only three cases in which the respondents who participated in AVR expressed dissatisfaction with the reintegration assistance they received – these three returnees felt they had not been financially empowered to pursue their goals (for example, self-employment or entrepreneurship). However the majority reported being, as a result of

the support they received, better off than they were before they first left Nigeria. In some cases the assistance made such a tremendous difference that returnees said that if they had received the same level of support earlier they would not have left the country.

**‘Life is better now than before. I wish I’d had this support I have now then – I would not have gone.’**

Female, 34, AVR (choice)

Irregular migrants who are deported do not receive any reintegration support from the country which forcibly removed them or from the government in Nigeria: returnees themselves must seek out local services or organisations which are able and willing to assist them. Male respondents were found to have had a more difficult time reintegrating because they more often migrate independently as opposed to being trafficked. As mentioned above, there is only limited support for male irregular migrants, whereas there is targeted support for female victims of trafficking.

However, some women in our sample still experienced recurring poverty and feelings of neglect, despite being in a better position to access support. This was often the case with women who had been compelled to leave. One woman who was arrested and deported told of how she was still struggling to transform her circumstances upon returning.

**‘Nothing has changed in my relationships. I am still with my mother and the community still remains the usual way ... neglecting the poor. Everything is still the same way.’**

Female, 29, forcibly removed

### **2.4.3 Social stability and networks**

While assistance provided through AVR was important, having a supportive family and community to return to was also crucial. Those returnees who were removed and were then able to successfully reintegrate had the support of their families or communities. Even those who went back through AVR had a much more successful experience if they received social support in conjunction with practical support.

Migrants also made clear the importance of social support when they discussed the barriers to their reintegration. For some, the stigma they faced upon returning or being deported presented major social hurdles – particularly for those who had been victims of trafficking.

**‘It affected my relationships because I have lost some of my friends. When I came back some of them were just saying different things about me. Some even said I have HIV ... I heard a lot, and that made me feel I don’t have friends.’**

Female, 29, AVR (compelled)

Stigmatisation could also affect individuals who were not trafficked or sexually exploited, because when they returned people often still suspected that this had been the case. As one female migrant described, there is high stigma surrounding female returnees:

**‘You know this stigma that is always [attached to] anybody that [has gone] to Italy. They always feel that she has gone for prostitution – that’s what people that I know have always thought about me, but I am the one**

**that will tell myself, and God, the truth, and the truth is that I never went into that.'**

Female, 38, AVR (compelled)

A number of the stakeholders we interviewed identified stigma like this as one of the main difficulties which plagues returnees. However, it is important to stress the nuances around stigma. In our tally of responses from returnees, stigma was cited as a concern by some, but more stakeholders than returnees were apt to draw attention to it. This could be because of regional variations. Some areas, such as Benin City in Edo, are more accustomed to people migrating, and even expect it, while others are less accepting. While some felt stigmatised because they felt accused of working in prostitution, others felt stigmatised for their lack of success.

**'Another challenge that they face when they return is rejection from relatives because there was a lot of expectation from them – of changing the financial status of the family. But now, having not achieved that ... they are seen as failures.'**

Nigerian stakeholder

The support of family, friends and the wider community can make a considerable difference to whether or not the returnee will remain or attempt to re-migrate. Many of the returnees who reported that their reintegration was successful and that they were content to stay in Nigeria explained that their family was integral to their transition.

**'It [life] is better than I expected when [I was] deported to Nigeria, and this is due to the massive family support. It [life] is better than when I left, and that is why they can support me now.'**

Male, 28, forcibly removed

Our research found that support from family was a decisive factor in migrants' ability to reintegrate. A narrow definition of access to support that focuses only on access to the labour market does not take into account the importance of a supportive community environment.

All of this finally leads back to the question of how we should define sustainability. In our view, a definition of sustainability should reflect the degree to which the returnee has been able to reintegrate socially as well as financially. Research by IPPR into the driving forces behind trafficking from Nigeria to the UK found that it was often the breakdown of an individual's social support network (whether due to death, relationship breakdown or abuse) and their lack of alternative support that was the single most significant factor explaining their vulnerability to trafficking (Cherti et al 2013). Social networks provide an important safety net: a route into support (whether statutory or through work opportunities) as well as a way to build confidence and a sense of wider wellbeing.

The importance of a range of factors should be reflected in a combined approach to the way we measure sustainability. It should also capture how migrants feel about their situation in order to take proper account of individual choice and better reflect the diversity of returnees. Measures of sustainability should look at a migrant's current situation and their level of satisfaction with their life, and acknowledge the importance of social integration both for wellbeing and for emergency support.

Measures of sustainability should also identify whether a returnee's human rights are secure – whether their life is in danger, and whether they are at risk of a human rights violation.

Secondly, the measures should determine whether are they able to support themselves independently by confirming if they are in work or training. Thirdly, a returnee's own sense of wellbeing should be ascertained – for example, how a returnee feels about the future. Further to this, measures should take into consideration the strength of a returnee's social networks, and whether they feel that there is someone or somewhere they could turn to for support if they were in an emergency situation. Finally, the importance that the success or failure of reintegration has on the wider social environment should be reflected. Measures of sustainability should not just monitor the outcomes of return for the individual migrant, but also take into account the effects on his or her community: this could be measured by their access to work and their relationships with their community.



While Nigeria and Europe are interested in making return and reintegration work, persistently low numbers of migrants are returning voluntarily, and those who do return seem to struggle to rebuild their lives. While efforts have been made to address these issues, there remain gaps in the policy response, and these are leading to poor outcomes for Nigeria, Europe and migrants themselves. Chapters 3 and 4 examine the policy reactions of Europe and Nigeria respectively, in order to identify gaps in their responses and areas which can be improved upon in future.

### 3. THE EUROPEAN RESPONSE

Authorities in countries with significant populations of irregular migrants face three options: tolerate the presence of irregular migrants, regularise their status, or return them to their countries of origin. The return of irregular migrants may be more politically palatable for European countries than regularisation or tolerance, but it is very challenging from a diplomatic and policy point of view. European governments are increasingly exploring opportunities to actively engage with irregular migrants and encourage them to return (EMN 2011).

However, the need for more concerted action from Europe to address the return of irregular migrants was evident from our sample, many of whom lived in Europe as irregular migrants for a significant period of time. The majority did not want to return home, even if they found their experience abroad to be challenging. Though the intention and likelihood of migrants returning home persisted, most did not return until they felt prepared to do so on their own terms, or until they were forced. As set out above, only nine of the 37 respondents reported having returned voluntarily of their own accord (without compulsion of any sort), while a further nine returned voluntarily but felt compelled to do so. More than half (19) of our sample were forced to return. The experiences of some of our respondents also suggest that migrants' rights are not being upheld consistently across the EU. One of the women in our sample who was arrested following a raid recounted the horror of being detained:

**'I was lucky that I was not tortured like some of the others.'**

Female, 30, forcibly removed

Reintegration outcomes were just as inconsistent as the return process. Yet in many cases it was noticeable that despite migrating to improve their lives, returnees found themselves in a worse position than they had been in when they left Nigeria. Of particular concern to policymakers in Europe is that many of the returnees remained unsettled in Nigeria and were keen to re-migrate.

Differences in return and reintegration outcomes may be explained in part by conflicting and incomplete policy responses across Europe (Cherti and Szilard 2013). Attempts to create a coordinated returns strategy are still at an early stage of development. The European Returns Fund has been established to support the efforts made by member states to improve the management of return. For the years 2008–2013, its budget was €676 million. The European Commission has tried to harmonise EU member states' response to the return of irregular migrants, most notably by introducing the Directive on Common Standards and Procedures in Member States for Returning Illegally Staying Third-Country Nationals (also known as the returns directive) in 2008 (EC D-G Home Affairs 2008). The directive introduces EU-wide rules and procedures about both forced and voluntary return of migrants. The directive covers a range of issues, including the use of detention and re-entry bans for returned migrants (European Parliament 2008). Member states that ratify the directive are prohibited from applying harsher rules than those set out in it, but can be more generous if they choose. Other European-level directives and conventions are relevant to this area, particularly those concerned with ensuring that victims of crimes such as trafficking, exploitation and abuse are able to access the support they need prior to return. Examples of these include the European Convention on Trafficking and the EU Anti-Trafficking Directive.

The success of this drive for harmonisation is limited so far. On the face of it, the returns directive does seem to promote cooperation between EU member states to manage the return of irregular migrants by advocating for a common response. However, its success has so far been limited. The UK and Ireland have opted out of signing the directive

altogether, while eight other states have not notified the Commission of any measures taken on a national level to implement the directive (EC D-G Home Affairs 2012). This resistance to the directive is perhaps because of certain of its provisions, or because governments would prefer to exercise greater autonomy on the issue of returns than it allows for. Whatever the explanation, there is a need for greater mediation and consensus-building on this matter, which may require reform of the directive or the development of new policies. In this chapter we will evaluate the European response in this area to date. We examine how European actors identify who can and who cannot be returned, and what attempts they have made to encourage voluntary return and promote sustainability through reintegration.

### 3.1 Managing return

Return migration may provide a long-term solution to the problems associated with irregular migration that is beneficial to all concerned. However, as the European returns directive and other, national policies recognise, not all irregular migrants should be returned, or can be returned immediately. Some may be unable to travel back to Nigeria, for example, because they meet the criteria of persecution under the UN Convention relating to the Status of Refugees. Others may need to remain in the country of destination while they pursue recourse to justice against those who trafficked and/or exploited them.

#### 3.1.1 Ensuring that people who cannot return to Nigeria are not returned

The principle of non-refoulement (the protection of certain migrants, such as refugees, from being returned to places where their lives or freedom could be threatened) is a long-established principle in international law. In Europe, the principle of non-refoulement is extended to irregular migrants as well as to asylum seekers (UNHCR 2008), as agreed in the returns directive. The acknowledgement of the principle of non-refoulement in the directive should serve as the most basic tenet of risk assessment when considering whether to return an irregular migrant to their country of origin. However, there are other provisions in the directive which undermine this objective. Many persons seeking protection are compelled to enter the EU in an irregular manner (due to visa regulations and other entry restrictions), yet the directive is not mindful of this reality. The protections contained in the directive are limited to third-country nationals who entered the EU legally. This curtails the rights of persons apprehended for irregular crossing of an external border and who have not subsequently obtained authorisation to stay. Additionally, individuals whose applications for protection were rejected by a member state for procedural reasons, such as 'safe third country' grounds, are protected by only very minimal safeguards (UNHCR 2008).

The fair implementation of return policy is also a real concern. Provisions in the directive permit member states to forgo the provision of translation and of information on the main elements of removal and entry ban decisions, and allow member states to relinquish any obligation to provide legal aid to those in need of it. These provisions weaken the ability of individuals to effectively appeal against a return decision. Actors including UNHCR have warned that these provisions increase the risk of removing of people who have genuine protection needs.

The potential gaps in protection are apparent in national policy responses. For example, the UK's detained fast track procedure limits migrants' access to legal processes, and judges the veracity of a claim prior to information on the claim being submitted. Nigeria is the third most cited nationality of people implicated in the UK's detained fast track. A strategic review undertaken by the chief inspector of the UK Border Agency found that decisions made



as part of this process were not fully scrutinised (Vine 2012a). More generally, there are also shortcomings in terms of adequate resourcing, training and clear communication of guidance for decision-makers. In the UK, this has meant as much as 26 per cent of declined asylum applications being overturned on appeal. Though this figure is much lower than in previous years, it nonetheless demonstrates a persistently high proportion of incorrect decision-making (Vine 2012b).

Assessment of needs and of risk on return is not systematic. For migrants returning through an AVR scheme, risk assessment is mostly carried out at the discretion of AVR providers. Forced removals rely on protection needs being identified as part of the legal process – an unhelpful approach given that legal support is both difficult to access (PICUM 2010) and also may not achieve the best outcome alone. Rather than working with the migrant to decide the terms on which they may be able to return, this approach determines only whether the migrant should stay or go. This occurs even when it is likely that a third option may be more appropriate, such as allowing migrants to leave after resolving particular issues and meeting their support needs. While access to justice is critical, it does not trump a risk assessment process.

Only one of the returnees we interviewed had been given a risk assessment and referred into the support they were entitled to prior to return. All other returnees were, once they came into contact with authorities, immediately directed into a return process. Consequently, migrants who were forcibly removed were not informed about their options for voluntary return, and neither those who were forcibly removed nor those who returned voluntarily were informed about their right to support in Europe.

### **3.1.2 Ensuring that people who need to stay in Europe are not returned**

Some migrants cannot be returned because they need to stay in Europe. This may be long-term or for a short period while they access support or wait for their return to be arranged. While some trafficking victims require only limited support, and may feel that help to arrange their travel home is a good outcome for them, clearly this is not always the case. Research by Zimmerman (2003) into the health needs of people trafficked for prostitution found that 57 per cent of this group had an acute physical health need, such as access to abortion or pregnancy services, access to sexual health services (including HIV counselling), or access to basic medical care. In addition, as much as 80 per cent of trafficking victims were found to need support for a mental health condition. Research by IPPR about people trafficked from Nigeria (Cherti et al 2013) found that people who escape from a trafficking situation often receive threats from their trafficker, directed towards them, their family or community. Such threats were common and (unsurprisingly) had a powerful effect. One female interviewee continued to pay money to her trafficker, even after she had escaped and was working without duress, due to the fear he invoked. Threats were also carried out. In one instance, after fleeing a trafficking situation a woman learned that a trafficker had killed her sister in retribution; in another, a woman reported that her traffickers had killed her parents. Other women reported damage to property and attempts to kill them on their return.

Beyond the importance of protecting migrants, there are instrumental reasons for authorities to ensure that people who have been trafficked, or are experiencing abuse and exploitation, can access some protection. A lack of protection will ultimately frustrate attempts to address trafficking: if migrants feel that they will not be offered protection and redress then they will not come forward, and will not feel able to testify against traffickers (Cherti et al 2013). Migrants interviewed both in this study and in our first case study, *Beyond borders: Human*

*trafficking from Nigeria to the UK* (Cherti et al 2013), believed that if they made contact with the authorities they would be returned without support. This misgiving encouraged trafficked people to remain in their situation for longer, and made all migrants more likely to put up with abusive and exploitative relationships. This means that the authorities will have a woefully incomplete record of the extent of exploitation, and low prosecution rates for it. However, many advances have been made in this area, with Europol and Eurojust investing significant funds in intelligence-gathering exercises such as the cross-Europe intelligence gathering exercise 'AUF Phoenix'.<sup>8</sup> It is critical that further opportunities to collect data and prosecute traffickers are maximised.

The European convention on trafficking requires signatory states to establish a mechanism to identify trafficked people, and to allow them a 'reflection period' of a minimum of 30 days. During this period immigration actions against them should cease, and access to health, housing and legal support services should be granted, in order to allow trafficked people time to decide their next move without removal. This has been incorporated into national policy to varying degrees (Cherti et al 2012), but ultimately the convention provides limited protection to trafficked people. The short length of time for which support is offered has been criticised by those reviewing medical evidence about the often profound healthcare needs of trafficked people (London School of Hygiene and Tropical Medicine 2007). Reviews of how the convention has been adopted in a national context have found that the 30-day minimum period does not provide a space for 'reflection'; rather, it is filled with interviews and appointments.

In practice, even these basic provisions are not being provided. Previous research has shown that support for trafficked people in Europe is of mixed quality, and is often provided as a crisis response rather than a means to aid long-term recovery and independence (Cherti et al 2013, ATMG 2010). Only one of the interviewees who experienced trafficking had been referred to someone who could determine her trafficking status and refer her into specialist support. The support needs of other interviewees who had experienced trafficking were overlooked. For example, one young woman was trafficked to Italy for prostitution. She was assisted to leave her situation, but was referred to the Nigerian embassy rather than to one of the many anti-trafficking NGOs in Italy or the police. She was then compelled to return home, and denied an opportunity to verify her status as a trafficking victim or to file a complaint against her trafficker. Similar experiences have been described in other research (see Cherti et al 2013).

None of the interviewees for this study who had been trafficked chose, or were advised, to make a claim for asylum or leave to remain. Instead, they were forced to return or spent stretches of time in camps while deciding or preparing to return. One of our interviewees was provided with support and spent as long as four years in Italy to bring her trafficker to justice. However, this 'support' had a hefty emotional price.

**'They [AVR provider] wanted to get her [the madam] arrested. It was then my suffering started. I spent four years there wallowing in pains.'**

Female, 34, AVR (compelled)

There are also gaps in provisions for migrants who were not trafficked which are preventing them from accessing the support to which they are entitled before removal. At present, irregular migrants who have, or allegedly have, been working illegally have no recourse for claiming compensation or unpaid wages after experiencing labour exploitation. Trafficking

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8 [www.soca.gsi.gov.uk/ukhtc/europe](http://www.soca.gsi.gov.uk/ukhtc/europe)

victims are often given the opportunity to prosecute their traffickers – for example, people trafficked to Italy are offered a residence permit while their trafficker’s prosecution is processed. Conversely, exploited migrant workers cannot hold their employers accountable for breaking the law, or pursue payment of their remaining wages, which allows exploiters a degree of impunity. Migrants can find this very distressing, and it can affect their will to return and reintegrate. When asked what would improve the return process, one of the interviewees noted the importance of collecting what was owed to her from her employer:

**‘I would have ensured that I collected my pay from my employer before leaving the country ... I wish I had achieved my goal then.’**

Female, 30, forcibly removed

### 3.2 Encouraging voluntary return

The European return directive does make one point clearly: return that is undertaken voluntarily is preferable to return that is forced. This preference for voluntary return over forced return has also been a key message from international organisations engaged in managing migration, such as the IOM and the Global Migration Forum. Voluntary return is also potentially much cheaper than forced removal. Data from a 2005 report from the UK National Audit Office (NAO) suggested that the cost of removing one rejected asylum seeker was £11,000, which broke down into: £2,800 for detection and arrest, £5,800 for detention, £1,500 for obtaining travel documents and other administrative charges and £900 for the actual removal. This compares with an average cost of repatriating someone under an AVR scheme of £1,100 per person (NAO 2005). A shift towards greater use of AVR and a reduction in forced returns could save significant amounts of money. Although the UK Home Office does not publish data on the costs of enforced removals, the UK Migration Observatory notes that in parliamentary written answers the UK immigration minister Mark Harper revealed that the cost of enforced removal flights alone totalled nearly £28.4 million in the year 2010/11 (Blinder 2012, Cherti and Balaram 2013).

European governments have developed a number of approaches to encourage migrants to return voluntarily to their countries of origin. These have ranged from measures to encourage irregular migrants to leave spontaneously (for example, through creating a ‘hostile’ environment) to approaches which try to make the process of returning to countries of origin seem more manageable, such as offering packages of support.

This latter approach is usually exemplified by the use of assisted voluntary return (AVR) programmes. The programmes vary – all of them pay for the return journey, but some also provide returnees with some degree of support both before return is carried out and upon arrival in the country of origin. For instance, some irregular migrants who agree to return voluntarily from Austria can receive in-kind financial assistance worth up to €3,500; additional support is provided to returnees who meet specific categories (for example single-parent families, unaccompanied minors and victims of human trafficking). In the UK, the Choices service offers three options for assistance, depending on a host of factors determining eligibility such as whether a person has sought asylum, is a minor, or is accompanied by at least one minor. The level of support also varies. Choices includes a small amount of support paid in cash. Many AVR programmes offer payment in kind only: rather than paying returnees directly in cash, funds are put towards a range of goods or services including vocational training, help to start a small business and the purchase of tools and equipment. While the available support differs between countries, it is often quite limited. The level of support also varies according to the individual migrant’s circumstances. For example, in the UK, irregular migrants who have not claimed asylum

and who are not returning with children are rarely entitled to any financial support on return. Irregular migrants are only entitled to a small amount of in-kind support (up to £1,000) if they are classed as ‘vulnerable’ according to a narrow definition that is not always made explicit. None of the interviewees in our sample returned with children or claimed asylum, thus limiting their entitlement in some cases.

AVR programmes are typically facilitated by international agencies such as the IOM, which oversees these programmes in most of Europe as well as all around the world. The IOM oversees the return of Nigerian irregular migrants from countries such as Switzerland, Ireland, Austria, Norway, Malta, Belgium, the Netherlands and Italy. There are other organisations that also manage return and reintegration programmes, such as Refugee Action in the UK. Such programmes are available in most European states, although to varying degrees: some countries provide support only to refused asylum seekers, others only to migrants from certain countries (EMN 2011). These schemes draw on the support of agencies from both the countries of origin and destination.

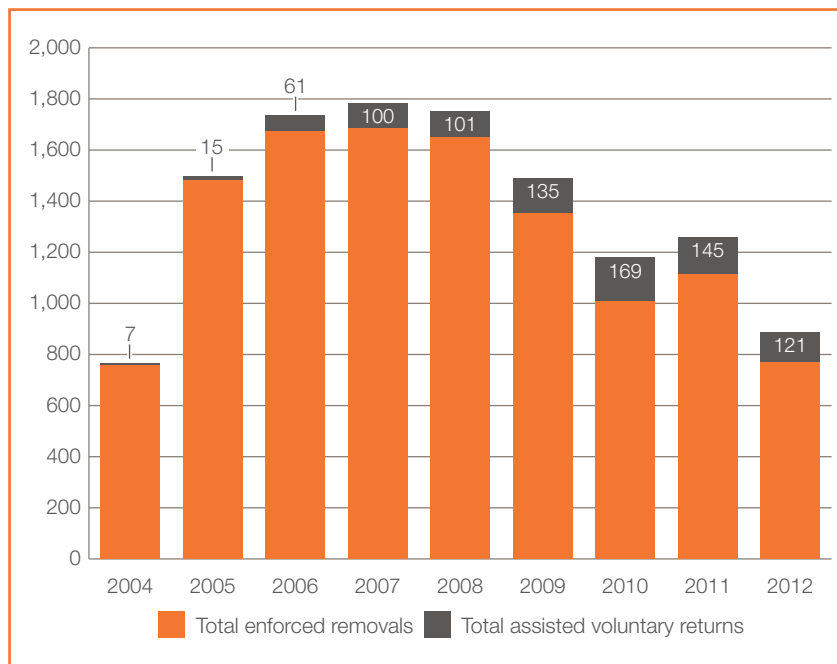
**‘The only organisation we as a government work with is IOM, but there are other organisations like the Nigeria Diaspora. They work with the Nigerian embassies in different countries, and counsel them [irregular migrants] to come back home instead of suffering in detention.’**

Nigerian stakeholder

The success of such work in encouraging voluntary return is not completely clear. More than half of the returnees in our sample did not choose to return – rather, the trigger for their return was enforcement action. Although AVR programmes were first established in the late 1970s, the shift towards voluntary returns has yet to be reflected in practice by European governments. Cherti and Szilard (2013) identified two approaches within the EU to dealing with stocks of irregular migrants: namely the ‘southern’ approach, with frequent processes of regularisation as seen in countries including Spain and Italy, and the ‘northern’ approach developed by Germany and the UK, which are characterised by less flexibility and a focus on tight border controls and forced returns. Detention and deportation remain the principle tools used by governments to reduce the stock of irregular migrants. EU member states are still deporting more people than they are returning through AVR schemes.

Taking the UK as an example, the skewed relationship between the numbers of removals and of returns through an AVR scheme can be clearly illustrated. While the Choices service is facilitating the return of increasing numbers of irregular migrants to Nigeria from the UK, there is still a much higher rate of enforced removals to Nigeria from the UK as revealed in figure 3.1 by the statistics for the period of 2004–2012. According to research by the European Migration Network (2011), the number of forced returns exceeds the number of voluntary returns in at least 13 member states, including those that receive high numbers of irregular migrants such as Spain, Italy and Greece. Indeed, some European states have established Nigeria-specific programmes in order to increase the number of forced returns to Nigeria – the UK for example has recently commenced monthly removal operations of migrants to Nigeria (All Africa News 2013). However, though exact numbers are hard to come by, the voluntary return of Nigerian nationals abroad has been carried out on a relatively small scale. Research by Hein de Haas in 2006 found that many stakeholders felt that the policy was ultimately ‘largely symbolical’, and served to give the impression that policymakers were ‘doing something’.

**Figure 3.1**  
Total Nigerian removals and departures from the UK by type, 2004–12 (stated data total is AVRs only)



Source: Home Office 2012

It is clear that the work of European countries to encourage voluntary return has not gone far enough. All of the irregular migrants who participated in our research intended to stay in Europe only temporarily – most made the journey with the explicit purpose of making money and then returning to their family and community in Nigeria in a stable position. This meant that for all interviewees return was always a possibility; or at least it was when their journey first began. Yet even when migrants were highly dissatisfied with their experiences in Europe (which in some cases included extreme abuse and exploitation), or when they were attracted to returning home by opportunities available in Nigeria, a number of barriers prevented them from returning. These barriers were highly diverse, and they differed according to gender, to the various factors that contributed to the migrants’ decisions to leave Nigeria in the first place, and according to their experiences in their country of destination.

Stronger enforcement actions by European governments clearly had an effect on whether people chose to return. However, our research found that spontaneous return was not an option for the majority of migrants. An important barrier to return was migrants’ inability – whether real or perceived – to leave Europe and to return home. Some migrants who had chosen to return mentioned that one trigger for return was that they had found it difficult to find work that was not dangerous and exploitative. Yet for many migrants the difficulty they had in finding sustainable work meant that not only were they unable to adequately fund their stay in Europe, they were also unable to fund their return to Nigeria.

**‘If immigration got easier and flights cheaper [I’d have returned earlier].’**

Male, 40, forcibly removed

Some migrants received support remotely from their families in Nigeria. However, these funds were often implicitly seen as an ‘investment’ that allowed them to continue living abroad and to work towards building a successful life there – one that would bring future rewards for their family or for the ‘investee(s)’. Under these circumstances, even migrants

who had contact with benefactors in Nigeria found it difficult to request money to fund their return. They found themselves ‘stuck’ in Europe – unable to move their lives forward in Europe, but also unable to move back to Nigeria.

Given these problems, opportunities for access to support for return are not made sufficiently accessible or promoted enough. Migrants’ awareness of the return and reintegration support that was available was low, and many interviewees reflected that had they known about the available assistance for return they would have considered leaving sooner. It was also clear that, throughout the return process, opportunities to incentivise voluntary return were not being taken. Migrants picked up by the authorities and threatened with enforced removal were unaware that there was help available to them to plan and manage their voluntary return. As one man reflected, this would have made him far more likely to leave earlier and avoid removal.

**‘I had no idea there were schemes available [when I was removed] – I would have been glad if they allowed me to get my monies and sort out my properties before leaving.’**

Male, 28, forcibly removed

This information deficit is widely acknowledged in the literature on return. It was also one of the most prominent issues raised by Nigerian stakeholders in our interviews with them: some felt that lack of information about the initiatives promoting return migration and the opportunities available to returnees in Nigeria were holding people back. There have been many innovative attempts to address this by reaching out to migrant groups. For example, in the UK the IOM employed community outreach workers for key nationalities in order to seek out community spaces and provide training and information on return options and how to seek support.

However, it is important to acknowledge that lack of information about return options was not the most significant barrier for most interviewees. Even some returnees who had eventually taken up opportunities offered by AVR schemes had known about them for some time before putting themselves forward for them.

We found that fear was by far the most powerful barrier to return. For those who had travelled to Europe to flee violence (whether arising from political or religious persecution, or domestic or gender-based violence) or destitution, the ongoing situation in Nigeria and migrants’ (real or perceived) inability to be safe and successful there presented a major barrier to their return. This was true even for migrants who had a high social status in Nigeria, as they remained uncertain about the quality of lifestyle they could expect on return. This included uncertainty about accommodation or employment, limited opportunities for education, career progression, and general wellbeing. These dynamics are also well documented in other research studies (such as Thiel and Gillan 2010).

**‘My major concern was how to start again, how to begin a new life different from [the one] I had lived.’**

Male, 24, forcibly removed

For these reasons, access to some support on return was attractive, but our research underlined how important it is that this support is appropriate to the individual. Some migrants need only limited support, while others may need intensive health care, access to training and support in order to develop a business, and protection from traffickers. Support needs to become more flexible. Some migrants expressed the feeling that the

support offered to them, either by an AVR scheme or by local service providers in Nigeria, was in many ways unsuitable for them, and did not allay their fears about return. As one interviewee explained, for migrants who had been living in an irregular situation in Europe – shut out of the formal labour market and education – the idea of starting and managing a business was an intimidating one.

**‘How do I start, considering that I was used to an easy life of opening my legs and making money? Coming over here, to start thinking of setting up a business, and the stress involved in it – that was my major concern.’**

Female, 26, AVR (compelled)

AVR programmes need to be more mindful of issues that are important to individual returnees. Alongside fears of a lack of material support and lack of safety were other, more social fears. Most migrants had left in order to improve their lifestyle and their status within their community. The feeling of ‘failure’, and of coming back to an area where they had no contacts and no social status, was particularly unattractive. Beyond basic economic concerns, people were concerned about the stigma attached to the appearance of having failed. This stigma was felt most keenly by female interviewees. As one woman expressed, being identified as a ‘returnee’ meant that people assumed she had been engaged in prostitution in Europe. This stigma affected migrants’ willingness to return to their families or communities. The isolation that results from this stigmatisation means that building social networks is critical both to migrants’ wellbeing and to their ability to access further assistance. Help to build social networks and form new communities is important for returnees, but we found few examples of support in this area.

Even if support is provided, migrants may need support to overcome these fears. A scoping report of AVR programmes in Europe found that most offered ‘pre-departure counselling’ (EMN 2011) in order to ensure that migrants did not feel coerced to leave, and to help them to come to terms with the reality of return. While this service may be offered by some AVR schemes, none of our interviewees reported having accessed counselling through the AVR scheme they participated in. Given that fear of return was such a significant barrier, this service might have helped interviewees. Counselling needs to go beyond an assessment of whether the migrant wants to leave or not: it must help them accept their return and prepare for resettling in Nigeria.

European countries should try and reduce the number of forced returns to an absolute minimum by encouraging greater uptake of voluntary return. Current work to mitigate some of the harm and expense inflicted by forced returns remains at a very early stage. The European returns directive establishes a maximum length of time for which migrants can be detained; however, under some circumstances this can still be up to 18 months. In the UK, the use of indefinite detention has meant that some migrants spend long periods of time incarcerated. While the majority of migrants held in immigration detention in the UK are held for less than six months, a freedom of information request made in early 2013 found that some migrants had been detained in immigration detention for over four years, and some for over nine years in the prison estate (Justice & Peace Scotland 2012). European governments need to place much greater emphasis on developing and implementing policies which encourage voluntary return. They must also ensure that forced returns are carried out safely.

### 3.3 Supporting reintegration

An important reason for working to achieve a greater uptake of voluntary return is to ensure that migrants are better able to reintegrate into their country of origin on their return. Policy that facilitates return and encourages reintegration has been developed at a mainly bilateral level between individual European states and Nigeria. The treaty of Amsterdam conferred powers for the negotiation of readmission agreements to the European Union, but to date, no such agreement has been signed with Nigeria (EMN 2011). Agreements have been signed between some European states and Nigeria to allow the readmission of Nigerian migrants who have no right to reside in Europe. Bilateral agreements that concern the return and reintegration of vulnerable migrants (such as victims of trafficking) have some provision for reintegration support alongside return. For example, the Memorandum of Understanding on Co-operation to Prevent, Suppress and Punish Trafficking in Persons signed between the Nigerian and UK governments in 2004<sup>9</sup> states that ‘the participants will not subject any victim of trafficking in persons to degrading or inhumane treatment and will ... provide for the physical safety of victims of trafficking in their respective jurisdictions’. However, agreements concerning other irregular migrants commonly address only the readmission of the migrant, and make limited provisions for reception and reintegration support. Some European states, such as Finland, have gone further and by directly funding Nigerian institutions that provide reintegration support such as NAPTIP.

It is in the interests of both Europe and Nigeria to develop a collaborative approach to return that aims for voluntary rather than forced return. Return processes that are drawn out for longer than necessary while return is arranged are costly for European governments. Likewise, reliance on forced return by Europe leads to poor reintegration outcomes that lead to costs for Nigeria (ACP Observatory on Migration 2013).

In practice, a lack of meaningful links between key actors in countries of origin and destination (in our case, Nigeria and European states) had a major impact on whether or not the returnee was able to reintegrate successfully in Nigeria. IPPR’s research on trafficking between the UK and Nigeria (Cherti et al 2013) found that few service delivery organisations in Nigeria and the UK had developed relationships with their counterparts in the other country. Nigerian organisations found it difficult to identify the most appropriate UK-based statutory or voluntary organisations to communicate with. In turn, voluntary organisations in the UK have reported finding it very challenging to establish links with Nigerian agencies such as NAPTIP (see page 41) or with NGOs. Forced returns led to instances in which returnees struggled to leave the airport, let alone arrange for somewhere to stay for their first night. Such scenarios present particular risks for returnees who have been trafficked to Europe.

**‘The phone just rings and rings: we don’t know if anyone’s there. And we don’t know anything about who these organisations are, their capacity to [provide] support, or what they’ll do with our service users when they meet them ... or if they’ll meet them. But often it’s the only option, because they [migrants] are told they’ll be removed and it’s up to us to find someone – anyone – who can help them even to leave the airport.’**

UK stakeholder

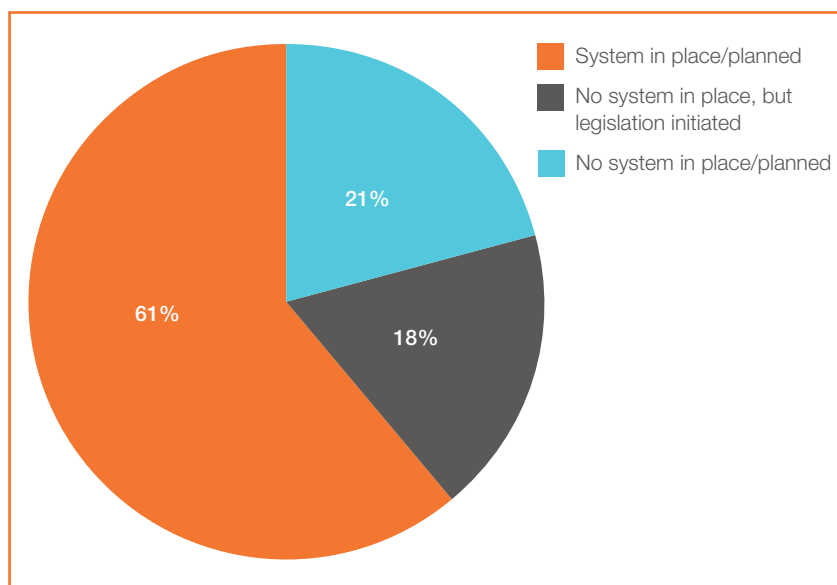
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9 [http://www.childtrafficking.org/cgi-bin/ct/main.sql?ID=1211&file=view\\_document.sql&TITLE=-1&AUTHOR=-1&THESAURO=-1&ORGANIZATION=-1&TYPE\\_DOC=-1&TOPIC=-1&GEOG=-1&YEAR=-1&LISTA=No&COUNTRY=-1&FULL\\_DETAIL=Yes](http://www.childtrafficking.org/cgi-bin/ct/main.sql?ID=1211&file=view_document.sql&TITLE=-1&AUTHOR=-1&THESAURO=-1&ORGANIZATION=-1&TYPE_DOC=-1&TOPIC=-1&GEOG=-1&YEAR=-1&LISTA=No&COUNTRY=-1&FULL_DETAIL=Yes)



Forced returns are not always monitored to find out whether the migrant has reintegrated in the country of destination, or if they are facing hardship. Research by Matrix Insight found that European states had a number of monitoring systems for following up on forced returns either in place or being planned (see figure 3.2). However, in over a third of cases no monitoring was either in place or planned.

**Figure 3.2**  
Current monitoring systems in place/planned in 28 EU countries (March 2011)



Source: Matrix Insight Ltd 2011. Based on a survey of 28 EU countries.

Migrants who return voluntarily through an AVR programme are provided with more support to reintegrate than forced returnees. However, there also needs to be monitoring in place for migrants returning through AVR programmes because little is known about the extent to which they benefit from the reintegration support they receive. While the support offered by AVR programmes differed by provider and by European country, most offered a flight home and support into a work activity or to start up a small business. Many of our interviewees were grateful for this support, and had benefitted from it. Entrepreneurship was particularly popular, as it was seen by many as the only way to become financially self-sufficient. However, entrepreneurship is not easy. Financial acumen, market knowledge and significant amounts of capital are all essential, and rates of failure are high. Currently, AVR programming offers support to start up a business as a way of helping returnees gain financial independence but, given the high rate of risk involved in entrepreneurship, this has mixed results. Evaluations of start-up support have revealed cases in which migrants would not have made the same decision to return had they known how probable it was that their enterprise would fail (Vranken 2010).

**‘When I came back to Nigeria the [AVR organisation] sent me about 100,000 naira – it was €500. I opened a shop where I was selling tinned tomatoes until two months ago, but there was no profit in it. So I decided to sell all my goods and change my line of business ... after renting the shop out of the 100,000 naira I [did not have] sufficient [money to stock the] shop, so I had to add my own money to the business ...’**

Female, 26, AVR (choice)

Greater monitoring and evaluation of the entrepreneurial support provided to returnees is needed to gauge whether this is an appropriate strategy for helping returnees to become financially self-sufficient. In our view, support to start up a business should be staggered to allow AVR providers to better monitor progress and intervene where necessary.

The IOM's overarching objective concerning reintegration is to support wider socio-economic development in countries of origin through improved access to services, strengthened community networks and improved local capacities to deliver reintegration assistance – in addition to supporting individual migrants to resettle. The hope is that local actors can assist returnees who continue to struggle following the initial receipt of financial support, and help to meet their ongoing needs – including their emotional and psychological needs – in a way that the IOM cannot. By increasing the capacity of local areas to respond to return, the IOM intends to address some of the push factors that drive irregular migration in the first instance.

While these are laudable aims, the extent of success achieved by reintegration support provided through AVR schemes for returnees and for their wider communities is largely unknown. Reintegration support is sometimes evaluated by the AVR provider after a few months, but there is limited follow-up. Given its importance, and the gaps in current practice, monitoring returns through partnership work in Nigeria should become a priority for EU member states. At present, European agents have deferred responsibility for monitoring reintegration to Nigeria without providing adequate funding or tools to do so. Nigeria is assigned the management of the aftermath of return and the reintegration of irregular migrants – including the decision of whether or not to implement a monitoring and evaluation process at all, which depends on both the resources available and the level of commitment.



Significant capital has been committed to developing and running AVR programmes in Nigeria and around the world by Europe and its member states. Yet we know very little about the extent to which they encourage sustainable return. Greater monitoring of reintegration needs to be put in place to assess the impact of support, and determine if, and what, more needs to be done for reintegration to be successful. To develop effective policy in this area, the monitoring and evaluation of AVR programmes should become a greater priority and be funded appropriately.

## 4. THE NIGERIAN RESPONSE

### 4.1 Policy responses to return

Though policy on return migration in Nigeria is developed at regional, national and bilateral levels, the country has taken many important steps towards developing a comprehensive policy response to the issue. Within government, migration is recognised as a cross-cutting issue, and is addressed by a range of different ministries including the ministry for labour and ministry for women and social affairs. Although a 2009 IOM review of Nigeria's response found that this recognition of migration as a cross-cutting issue has not yet translated into coherent policymaking, there is nonetheless a significant level of commitment to addressing the challenges and opportunities that return migration presents.

Nigeria does not yet have a policy framework for addressing irregular returnees as a specific group, nor does it have a strategic approach to supporting their return and reintegration besides individual return schemes negotiated with specific countries or international organisations. The lack of an overarching policy framework on migration is leading to gaps in provision.

**'Five girls come to me now, [and] UNODC money is finished.  
How do I help?'**

Nigerian stakeholder

Responses which are particularly well-developed are those which support victims of trafficking. In 2003 the Nigerian government passed the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, and with it established the National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP), an agency charged with addressing human trafficking, including the coordination of support for returnees who have been victims of trafficking. NAPTIP is the only agency of its kind in the ECOWAS<sup>10</sup> region. In recent decades the Nigerian government has also identified and acknowledged the role that could potentially be played by the Nigerian diaspora (and their return) in the country's development (Afolayan A and the IOM 2009). With that in mind the government has established the Nigerians in Diaspora Organisation within the Nigerian National Volunteer Services. The organisation aims 'to encourage the Nigerian diaspora to engage in political affairs at home' and 'to tap into the huge reservoir of skills, knowledge and experiences of Nigerian professionals abroad for national development' (ibid).

However, there has been limited response to the vast majority of returnees who might be categorised as falling somewhere between the most vulnerable and excluded migrants (victims of trafficking for example) and the highly-mobile skilled migrants with low support needs (such as those in the Nigerian diaspora). The provision of support to people who have been trafficked is vital, but it is also important to recognise that victims of trafficking are only a sub-section of a much larger group of other returnee irregular migrants, many of whom will also require support to reintegrate into society. Likewise, while the work of the Nigerians in Diaspora Organisation and the Nigerian National Volunteer Services is valuable to Nigeria, it is clearly focused on a very narrow group of highly mobile, self-sufficient migrants.

Furthermore, while some institutions respond adequately to migration issues, others are underutilised. For example, the Nigerian ministry of foreign affairs, despite having a diplomatic presence in all 27 EU states, does not have a clearly mandated role to support the Nigerian diaspora abroad, or to facilitate return (beyond its individual embassies

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arranging replacement documentation for returnees) (Afolayan A and the IOM 2009, Federal Government of Nigeria 2012).

At the time of writing, the Nigerian government, led by the National Commission for Refugees, is developing a national policy framework for migration. The final draft for government approval is due to be published in May 2013. The document was first initiated in 2006 and presented in 2007, but lay dormant after a change in government. It was revisited in 2011, and responsibility for it was given to the National Commission on Refugees. They are supported by a technical working group of 11 interested ministries, including the ministry of foreign affairs, ministry of women and social affairs and ministry of employment, as well as organisations such as the IOM. A consultation on the latest draft of the policy is underway, and the National Commission of Refugees, along with national and international partners such as IOM Nigeria, is currently finalising the draft and agreeing on an implementation plan with local and subsidiary agencies.

Drafting a new framework has provided an opportunity for the development of a stronger strategic direction, as well as an opportunity to address some gaps in policy. The framework is intended to ensure that all returnees are able to draw on some level of support, and can return free from fear of criminalisation. The legislation is to be wide-ranging, covering migration and development, national security and irregular movement, forced displacement, the human rights of migrants, internal migration and the monitoring of the wellbeing of Nigerians abroad. Alongside proposals to harness the opportunities for Nigeria that migration offers, there are plans for addressing the challenges that it poses – for example, to ensure that migrants are returned safely through bilateral partnerships. The draft policy proposes to change the remit of the National Commission on Refugees so that it is also tasked with coordinating the implementation of the migration framework and future migration policies. It is clear from our sample that stakeholders are pinning their hopes of change on what this new national policy framework will deliver.

**‘We have the new migration framework that will be introduced, and [it] will address many of these challenges.’**

Nigerian stakeholder

The draft legislation is a very welcome initiative. However, it is so far fairly light on details about how these initiatives will be implemented and on which agencies should be taking the lead. While the policy will commit Nigerian agencies to working towards specific aims (such as the provision of replacement documentation for returnees by diplomatic missions abroad) and provide an impetus to the further harmonisation of policy, the proposals do little to substantially improve the current arrangements in place for the return of migrants from Europe. They do not demonstrate a commitment to taking new opportunities to make Nigeria’s migration situation work for the country’s own benefit, or to developing the migration institutions it already has in order to more effectively respond to irregular migration. The government should capitalise on the opportunity that the new national policy framework presents by developing a coherent approach to the return and reintegration of irregular migrants. In the next section (4.2) we set out some of the areas that the new policy framework needs to address.

## 4.2 Return and reintegration in practice

The institutional, strategic and funding environment that is needed to develop Nigeria’s response to returning irregular migrants is not yet in place. The majority of available funding (mainly from joint European organisations and individual European nation states) is targeted at addressing migration ‘problems’ shared by both Nigeria and countries of

transit and destination. For example, action is limited to initiatives that address human trafficking and smuggling, or to support returnees from particular destination countries so that those countries can return irregular migrants to Nigeria. Too little funding is allocated to meeting key objectives for Nigeria, such as ensuring that the skills that returnees have developed outside of Nigeria are utilised on their return to help develop the Nigerian economy, and making sure that returnees without a support network do not fall into destitution, exploitation or criminality to survive. Due to targets that were mandated by organisations based in Europe rather than in Nigeria or in the local area where support was being provided, support was available only to people who met certain criteria, thereby excluding many people in need.

**‘When they [irregular migrants] do return ... unless they are organized from Europe we cannot assist [them]. When they are organised from Europe we are able to assist the agencies that have an interest in their welfare. But those who returned on their own, they find their [own] way home, except for sometimes – when they have problems settling down – they reach us.’**

Nigerian stakeholder

The institutions tasked with coordinating and developing Nigeria’s response to the return of irregular migrants are not always the ones best placed to respond, and some of their responsibilities need to be transferred to other organisations. A case in point is NAPTIP, which was designed to provide a comprehensive response to human trafficking. It is tasked with the investigation and prosecution of traffickers and the prevention of trafficking, as well as the coordination of support for trafficking victims (Cherti et al 2013). According to the latest US Department of State *Trafficking in Persons Report* (2012), NAPTIP received \$7 million from the Nigerian government last year, and spent one-fifth of this (around \$1.2 million) on reintegration support for trafficked people. NAPTIP puts some of this funding towards providing such services directly, but it also disperses money to NGOs that support the reintegration of victims of trafficking. There was a strong sense among the stakeholders interviewed for this study that not enough of this funding is being filtered through to NGOs, which may be more effective at providing support than NAPTIP itself.

**‘[They should fund] not only NAPTIP – they should give us [a woman’s organisation providing services to victims of trafficking] subvention.’**

Nigerian stakeholder

Whether this is the case or not, it is debatable whether NAPTIP is best placed to administer reintegration support to victims of trafficking. NAPTIP does play an important role in coordinating Nigeria’s response to trafficking more generally, including: training police officers to apprehend traffickers; collaborating with other countries to gather intelligence and secure prosecutions; coordinating and supporting NGOs to take on targeted work with at-risk groups; and advising government when there is a need to take action in other areas such as domestic violence or access to education. Requiring NAPTIP to coordinate programmes of support is an extra responsibility on top of an already heavy workload.

As NAPTIP is the only national body that coordinates support for returning migrants, most support for returning migrants is geared towards people, particularly women, who have been trafficked. While it is important that migrants with high support needs are prioritised, this approach can also create problems. Our research shows that there are gaps in provision for irregular migrants whose support needs are distinct from those of

migrants who were trafficked. For example, one respondent who freely decided to migrate irregularly reported that, upon her return, she had been referred to a specialist trafficking support provider. The support she received was not appropriate for her situation. Other returned migrants who had not been trafficked, particularly men, had significant support needs that left them in a vulnerable situation, but because they were unable to access any assistance they found reintegration far more challenging.

**‘Nobody supported me at all, at all. I didn’t get any financial support ... I didn’t get anything before they deported me. That’s why I am still suffering now, you see – because of no job, no ... Government cannot help you ... I need help to start life again.’**

Male, 24, forcibly removed

In order to avoid a complex system of administering reintegration support for different types of returnees, a new and separate body, independent of NAPTIP, should be created to oversee the coordination and funding of the reintegration of all irregular migrants, including victims of trafficking.

Furthermore, although support was available for people who had been trafficked, we found that it did not meet their needs. The support was not provided in such a way as to be therapeutic. While it met basic material needs, it was often offered on a short-term basis without adequate follow-up, as opposed to long-term support which helps people to become independent gradually over time.

**‘When I came back I spent three days with NAPTIP, after which I was taken to the nearest police station to my house, where I was made to sign an undertaking ... I was handed over to my mother directly, and I was told they were going to get back to me. I waited for them for four months. Nothing was heard from them.’**

Female, 34, forcibly removed

Support to enable trafficked people to access employment is particularly narrow. Yet this is important: previous IPPR research (Cherti et al 2013) has found that women’s inability to support themselves through work, whether due to discrimination or low training opportunities, was a key factor that made them vulnerable to trafficking. All returned irregular migrants need to be supported into the labour market, either through the provision of education and training, or by support with starting a business or applying for jobs. However, the support available to returnees varied. Our research did identify a number of civil society organisations that were running innovative projects designed to build returnees’ confidence, connect them to volunteering opportunities that could turn into employment, or offer training in key competencies. These projects provided meaningful support, but were not widely available.

In general we found there was limited focus on up-skilling returnees in a meaningful way (for instance, by ensuring they had basic math and literacy skills). Emphasis was instead placed on support to start a business. This may have proven to be a sensible approach for some returnees – unemployment in Nigeria is high, even among graduates and highly skilled workers, and routes into available work can require contacts and patronage. However, as discussed in chapter 3, entrepreneurship can be an uncertain way of making a living, particularly for people who have limited experience of managing a business and limited knowledge of local markets. While returnees obviously appreciate and desire support to start their own business, it is vital that this support is sustainable. The type

of projects that returnees are guided into should be diversified: other options should be offered alongside or as alternatives to small business support. Support should be given to up-skill returnees in economically relevant ways, such as sector-specific training or high-value training in basic accountancy or marketing. Local businesses should also be engaged in providing training or work opportunities. As one stakeholder expressed it, support was sometimes provided with limited appreciation of whether it would ultimately lead to economic independence.

**‘Some they’ll teach to be hairdressers and bead-makers and painters, but there are only so many [of these] you can have.’**

UK stakeholder

The provision of social support, whether through mentoring, peer support groups or family counselling was also limited. The assistance provided was often rudimentary, with emphasis put on basic material support rather than on rebuilding social networks, even though the latter is crucial to sustainable reintegration. Again, there were some outstanding examples of organisations that emphasised the importance of building relationships with the women they were providing support to, and helping them to rebuild their social networks, but unfortunately this was not common. Some stakeholders and interviewees reported that some organisations lacked sensitivity to the issues surrounding social reintegration. One interviewee reported that although she was afraid of contacting her family because they had colluded with her trafficker, her support provider had contacted them regardless, on the assumption that family reintegration would be the final outcome of their intervention – despite the abuse that the interviewee had suffered.

**‘The way they were doing it was very bad ... if you have problem and you share it with them, or you need something, they will refer it to your parents.’**

Female, 19, AVR (compelled)

In order to improve services, funding needs to be restructured and collaboration between organisations needs to be strengthened. There are many NGOs in Nigeria providing innovative and much-needed support to trafficked people and other returned irregular migrants. These NGOs did not always feel supported by NAPTIP, and expressed doubts about community acceptance of NAPTIP as well as concern about their own lack of funding.

**‘[NAPTIP] was supposed to engage NGOs because we are the grassroots. In the community, people don’t respect NAPTIP because is a government organ, but they respect us – we are able to reach down. So the ideal thing [would be] for NAPTIP to partner with NGOs on every area of their assistance, but we do not have that. That relationship is not working as expected.’**

Nigerian stakeholder

However it is also important to acknowledge that change is needed within the voluntary sector as well as within government. Currently, many organisations are providing support to returnees as a side project to their wider work – their primary purpose may be working with children or women, or on health issues such as HIV/AIDS. As a result, support is both stretched and not necessarily tailored to the practical needs of many returnees. Our research found that many people felt there was a lack of knowledge about what services were needed, and what service design would best deliver them. Many organisations were

working independently, whereas the response needs to be better coordinated and more closely aligned.

It is clear that work in this field is being hampered by a lack of understanding of the particular problems that face returnees and their communities at a local level, as well as the absence of strategic direction and shared objectives. Opportunities to bring together a wide range of stakeholders to create a strategic response to the issue are being missed.

The current draft policy document on migration is a case in point. If the policy framework is to be effective, widely accepted and easily implementable then consultation with a range of partners must be undertaken. As the proposals are drafted and tightened it is essential that the gaps identified in this study, and others, are acknowledged and addressed. While officials once stressed the importance of taking the views of a wide range of stakeholders into account, now, with the policy in consultation stage, organisations in Nigeria – including key stakeholders interviewed for this study – report that they have faced challenges with simply viewing a copy of the latest version of the draft policy document. Some civil society organisations were not even aware of the document's existence.

**‘Yes, we have influence as long as we have our voice, but whether we are consulted as we expect is another matter.’**

Nigerian stakeholder

While there is an onus on civil society organisations to ensure that they coordinate their efforts in order to engage coherently with government, it is also in the governments' interests to engage in kind. Return and reintegration can only be managed effectively if all actors involved are able to cooperate.

There is a need for much stronger engagement by government agencies in Nigeria on this issue. The government should develop a clear strategy that sets out its objectives in this area, and gives guidance on the how organisations can best work together to meet these objectives. The government should create new institutional structures to ensure that bodies such as NAPTIP are better able to focus on the core areas of their work, and that reintegration support is provided to all migrants that are in need of it. Funding should be allocated at a local level so that local migration challenges can be adequately met. NGOs should critically evaluate the services they provide to ensure that they are meeting the long-term needs of returnees, and they should also engage the help of other actors, such as local businesses, to support returnees.

#### **4.3 Encouraging sustainability of return through mainstream work**

While it is true that there needs to be more targeted work to support returnees to reintegrate, it is important that strategies for reintegration go beyond small interventions. Much of the support that returnees need – help to secure sustainable employment, for example – is beyond the scope of small civil society organisations. Even returnees who were in a stable situation before they left Nigeria may struggle to re-enter the labour market when they return. While support services can help people by providing training or assistance with establishing a business, they cannot provide long-term economic support, as this stakeholder expressed:

**‘We have a lot of challenges because we don't have sufficient funds to meet these needs ... [We need] the support of private organisations and communities to fight against human trafficking.’**



**The state government needs to be actively involved because it is not cheap to rehabilitate one person.'**

Nigerian stakeholder

Nigeria should not look to civil society or government agencies that work with returnee migrants to fill this gap – it is primarily an economic issue. If returnee migrants are to support themselves then once they have received training and acquired new skills there need to be job opportunities for them to move into. This problem reflects wider issues in the Nigerian economy, where significant levels of foreign direct investment in the oil industry have not translated into jobs for the Nigerian population; and where jobs are created, groups such as women and families without connections face barriers to accessing them.

These challenges are broad, but they must be addressed in order to arrive at a sustainable response to irregular migration, and in order to meet the goal set out by the IOM that return should lead to greater development. The stakeholders that we spoke with were not naïve about these objectives. They, and we, acknowledge that this mainstream response is a medium-term goal.

**'There must be a conscious effort by government and civil society [groups] that are working with [returnee irregular migrants] to improve the standard of living of the people ... [but this] is a very complex situation: you can't solve it overnight. It takes time for an economy to mature, and of course we have to be honest to ourselves.'**

Nigerian stakeholder

It is essential that the Nigerian government and advocates for migrants do not lose sight of this bigger picture. To date, little has been done to connect policies about migration and policies of economic and social development. Migration has barely been touched upon as a factor that can contribute to Nigeria's main development plans, including the National Economic Employment Development Strategy (NEEDS), its state and local government counterparts (SEEDS and LEEDS), and the new plan for development. In fact, in those instances in which it is mentioned, migration is seen as a force which disrupts social cohesion (through rural to urban internal migration) or which is representative of failures in development (international irregular migration or trafficking). There are indications of growing acknowledgement of the opportunities offered by migration in national policy and practice. For example, the Nigerian government has participated in some small-scale migration and development initiatives, such as the Joint Migration and Development Initiative implemented in Nigeria by the United Nations Development Programme (Afolayan A and the IOM 2009)

The new national migration framework provides an opportunity for Nigeria to develop this response. The framework acknowledges the role that poverty, conflict and environmental degradation play in driving irregular migration, and recommends action concerning the reduction of poverty and the strengthening of democracy and good governance. While what effect this will have in practice is not yet clear, these acknowledgements are an important step. The migration framework also recommends the mainstreaming of migration issues into national and local development strategies, including NEEDS, LEEDS and SEEDS, the National Food Security Programme, the programme for achieving the Millennium Development Goals and the Nigerian development programme, 'Vision 20:2020'.

It is unclear whether action to prevent irregular migration and reintegrate returnees will be included as one of the issues addressed by these development plans. At the moment, the migration framework proposes that agencies should prevent irregular migration through 'sensitisation', or raising awareness about the risks of migration. However, our research with returnees shows the limits of awareness-raising. For example, even participants who had experienced hardship in Europe first-hand still expressed a continuing desire to migrate. Sensitisation may have a role to play in preventing irregular migration, but needs to be carried out alongside action that addresses the wider drivers of migration. Furthermore, returnee migrants may bring skills or savings that they have developed abroad, and so be able to contribute positively to a local area, given the right support. As the migration framework is implemented, it is essential that irregular migration and the reintegration of returnees are included in the migration issues incorporated into development plans.

Policy that addresses the gender dimension of migration should also be strengthened. The framework acknowledges that migration has a gender dimension, and that the needs of women may be distinct from men. However, policy that targets the specific needs of female migrants is currently limited. The framework states that women may be affected by migration as 'homemakers, and adversely affected by the migration of spouses, fathers, brothers and sons.' (Federal Government of Nigeria 2012). However, our research shows that migration is highly feminised – over half of our sample were women. Women are also disproportionately affected by human trafficking (UNODC 2011). There is a need for the framework to acknowledge the specific factors that drive women to migrate and prevent women from reintegrating including violence, low education levels and low earning potential.

Some steps can be taken immediately. Government agencies that work on migration must look at the impact that migration policy has on other issues of concern, such as the economy and gender equality. For example, when assessing the merits of different approaches to migration, positive impacts such as remittances and overseas network-building should be balanced against the impact on a migrant's ability to reintegrate into society following low-skilled work or years out of the labour market.

Other actors can also play an important role here. Local areas in Nigeria need to take more of a lead – they can be well-placed to do this, since the areas where irregular migrants typically originate from tend not to be the least economically developed ones in Nigeria, contrary to what might be expected. Areas in the south such as Edo, where many irregular migrants from Nigeria originate, are some of the most wealthy (albeit unequal and insecure) in the country.

European countries working in southern areas can also look into ways in which they can combat irregular migration by encouraging local development. Nestlé, in partnership with the Swiss government's migration partnership, have developed an innovative programme that allows seven young Nigerian workers to travel to Geneva for a six-month placement each year, and which also offers a training programme and links with local schools. There are many other examples of work that can be further developed. The UK's Department for International Development has developed targeted programmes to address gender equality and empowerment in Nigeria, which could be further expanded to address the root causes of trafficking and support returnees.



The imminent new migration policy framework provides an opportunity for Nigeria to both harness the positive effects of migration while also addressing its negative aspects, such as exploitation and destitution in countries of transit and destination, brain drain, and the challenges that returnees face with reintegrating into society and the labour market when they return. Until these areas are adequately addressed, the policy response will remain an ad hoc response to the needs of European countries rather than the needs of Nigerian migrants. While policy responses to victims of trafficking have developed, these need to be diversified into effective responses to the needs of other vulnerable migrants. Wider support is required to ensure that female returnees who have not experienced trafficking and male returnees are able to access the support they need to reintegrate successfully. Our research has identified a number of issues that need to be addressed by European, international and Nigerian organisations in order to develop a sustainable and effective return and reintegration framework. We will now turn to the overall conclusions of our research, and our recommendations for change.

## 5. CONCLUSIONS AND RECOMMENDATIONS

The return of irregular migrants is more politically acceptable for European countries than regularisation or tolerance of them, but it is very challenging from the point of view of diplomacy and policy. Despite decades of relationship-building with countries of origin and the development of voluntary return programmes, efforts to facilitate return are mired in legal wrangling due to an over-reliance on forced return. The current approach is characterised by the unwillingness of both countries of origin and destination to take responsibility. This is expensive, unsuccessful, and can be harmful to returnees. Migrants who are forcibly returned often struggle to reintegrate in Nigeria, which increases the risk of further irregular migration. It is clear that new ideas and, importantly, a new commitment to taking them forward are needed.

### 5.1 The problem: Return and reintegration policy does not work for anyone

Our study draws two broad conclusions for policy in this area. Firstly, current return policy is not adequately meeting anyone's needs – those of European countries, Nigeria or migrants themselves. Despite political pressure to act, the number of forced returns and returns through AVR programmes between Europe and Nigeria is small. Failures in return policy, which lead to low levels of return and significant cost, contribute to public concern about immigration in European countries. On the other hand, people in Europe who know migrants who face forced return are often appalled by perceived abuses against their neighbours and colleagues (see Detention Action 2010).

Meanwhile the challenges of piecing returnees' lives back together falls to Nigerian agencies. While Nigeria is aware of the opportunities that migration can make available, the policy response to return migration caters only to the extreme ends of the returnee experience. Services are developed partially for migrants perceived as the most vulnerable (female victims of trafficking) and the most valuable (the highly skilled diaspora). However, this passes over the vast majority of returnees, including some who have high support needs and many who could make significant contributions to their communities, given the right support. Services tailored to the needs of these other groups are thin on the ground.

Our research, and a wide range of other evidence, also demonstrates how irregular migrants are harmed by current return policies. Many migrants in our sample who had migrated as a means of improving their lives returned to a situation in which they were more disadvantaged than they had been when they left. The return journey can result in real suffering for migrants.

Secondly, our study suggests that it is possible to develop a return policy that is better able to meet the needs of migrants, the Nigerian government and European governments. While return policy is not working at the moment, it is possible to envisage a situation in the future where it will.

Encouraging migrants to return is not necessarily working against the grain of migration patterns. Migration is often circular – people set out assuming that they will one day return. Our research documented many cases in which, with the right 'end-to-end' support, irregular migrants were willing to leave Europe and resettle in Nigeria in a way that was positive for them and their community. The relationship between poor reintegration and an increased likelihood of future irregular migration should be recognised by all sides in the debate – there is a shared interest in making return successful and sustainable.

## 5.2 Accepting return as a response to irregular migration

In order to achieve successful return policies, European countries need to be realistic. All actors in the European debate (including organisations which support migrants) must acknowledge that most irregular migrants should be encouraged to return to Nigeria because their circumvention of the immigration system damages its credibility, and in any case it may be in the migrants' best interests to return. The irregular migrants in our sample sometimes lived in irregular situations for years, inactive and excluded from all but exploitative and abusive work. This led to prolonged suffering and further difficulties with reintegration when they finally did return.

However, European countries must also acknowledge that some irregular migrants will not be able to return, and should be granted either temporary or permanent legal status in Europe. Some will need to stay in Europe for a short period, others for longer. However, some migrants cannot return to Nigeria and so will need to stay in Europe permanently. Commitments made as part of the refugee convention and the European Convention on Human Rights are important components of each European country's legal framework – a return that break any of the principles set out within them would be a grave (although relatively rare) mistake. Other migrants may need to stay in Europe for a defined period, whether to take part in a prosecution (against their trafficker or exploiter, for example) or to access medical care. To ensure that European countries can return people who do not need to stay, decisions about asylum or humanitarian protection need to be made quickly and correctly so that people with no need to remain can be returned with confidence.

Similarly, Nigeria needs to acknowledge that its citizens will be returned from European countries if they are found to be irregular, and that the return of these citizens may have consequences for Nigeria. The Nigerian government should thus be more proactive and assume a greater role in overseeing the return of irregular migrants from the EU to Nigeria.

## 5.3 Support that makes return a viable and attractive option

All the evidence suggests that programmes that encouragement for migrants to return voluntarily is less expensive, less harmful and has better outcomes than forced return. Our research shows that support to return is not offered consistently across Europe, and even where it is available, migrants tend not to be aware of its existence. Most AVR programmes do not address the major barriers to return that migrants report.

Migrants can be encouraged to return by the offer of support that meets their needs and addresses their fears. Interviewees were worried about the return experience itself – for example, some were concerned they would be detained on arrival and have their possessions confiscated. Other important barriers to return were issues of reintegration. Interviewees often considered stigma and social derision to be significant barriers to their return. Many did not want to return home with nothing to show for their time away; some were fearful that they would arrive in their home communities destitute and unable to access housing or other basic services.

For reintegration support to be effective it needs to meet a wide range of needs. A one-size-fits-all model will not work given the diverse needs of migrants. For example, the emphasis that AVR programmes put on entrepreneurship and support for migrants to set up their own businesses was seen as too challenging by some people, particularly those who had been out of work while in Europe or who had little formal education.

The reintegration support available through AVR differs between countries – however, it is often very limited. In many cases, irregular migrants who have not claimed asylum and who are not returning with children are not entitled to any financial support on return. Increasing the level of support provided to all migrants through AVR will increase the upfront cost of providing AVR programmes. However, if European countries are genuinely committed to reducing irregular migration then increasing the appeal of AVR programmes is a cost-effective way of achieving greater success.

#### 5.4 Support for reintegration beyond entrepreneurship

As well as encouraging irregular migrants to return, it is important that support helps migrants to reintegrate in Nigeria, and addresses the factors that caused people to leave Nigeria in the first place, in order to prevent further irregular migration. Skills and access to a regular source of income are critical to people's ability to support themselves independently. Greater emphasis should be placed on up-skilling returnees in meaningful and long-term ways, rather than relying on entrepreneurship alone which may provide a more uncertain future.

Reintegration support also needs to reflect the importance of social reintegration: solid social support structures are essential for effective reintegration, and provide a safety net beyond work. Return policies and reintegration support should seek to strengthen these social networks, as well as migrants' ability to participate in the labour market. Policymakers also need to recognise the importance of ensuring that returnees are mentally prepared for the challenge of building a new life in Nigeria. For many migrants, life in Nigeria will have moved on since they left. Others may be vastly different people – they may be traveling back to a country that they knew only as a child, or only as someone in a very different socio-economic situation. The journey 'home' may feel like a journey into the unknown. The return process should acknowledge this. Returnees should be allowed time to break their ties with Europe and reconnect with old ones in Nigeria. Support in Nigeria should not just be practical, it should be social, emphasising network-building and opportunities for peer support. These initiatives are inexpensive but can make a real difference.

#### 5.5 Addressing the wider drivers of re-migration

Trends in return migration reveal wider issues that need to be addressed in Nigeria. Individual voluntary return packages can have a real and meaningful impact on encouraging return. However, even the most generous packages cannot help returnees to overcome systemic challenges such as there being few jobs in their local area, a limited market for their start-up business, or prohibitively high school fees to educate their children. It is important that policy developed jointly between Nigeria and Europe to reintegrate returnees goes beyond support for individual migrants or individual civil society organisations. In order to produce long-term change it is important that migration is seen as a cross-cutting issue, and that issues including access to education and training opportunities for young people are included in the debate. In the short term, it is particularly important that the barriers to women's participation in the labour market and the stigma they may face are taken into account when the type and level of support needed for their sustainable return is considered.

Creating a fertile environment for reintegration also goes beyond addressing economic, social and cultural issues. The networks that facilitate irregular migration and trafficking are able to function effectively in Nigeria. This is a significant concern for both the Nigerian government and governments in Europe. Throughout our research we heard migrants' experiences of being harassed by the police and detained on returning to Nigeria, yet those who had experienced violent retribution at the hands of traffickers had their concerns

dismissed. The US government's latest report on Nigeria's response to trafficking highlights the lack of progress made by Nigerian agencies in prosecuting traffickers and safeguarding trafficking victims from retribution (US Department of State 2012). NAPTIP cannot act alone to prevent trafficking from Nigeria, nor should it have to. NAPTIP needs to have its role as a coordinating body clarified. It needs to work hand-in-hand with senior law enforcement agencies to address the impunity that traffickers currently enjoy, and to ensure that police agents on the ground are clear that their attentions must be focused on arresting traffickers and not arresting migrants. It is important that European countries also take action to address demand for trafficking at home, not least by prosecuting traffickers and exploiters in Europe. European governments should also consider the threats faced by people who have been trafficked from Nigeria when determining whether it is safe to return them. It is encouraging to see recognition of this in the latest *Country of Origin Information Report* for Nigeria published by the UK Border Agency (UKBA 2013).

Finally, the enduring desire to migrate among returnees, even those who had experienced hardship abroad first-hand, demonstrates the low efficacy of awareness-raising campaigns in preventing migration or re-migration. It is also important to acknowledge that irregular migration is, to some degree, associated with a lack of legal channels for migration. While expanded legal migration routes between Nigeria and Europe, particularly for low-skilled workers, might bring benefits to both sides in the long term, the short- and medium-term prospects of this are remote, and in any case some irregular migration would inevitably continue. In order to respond to irregular migration and build a political environment in which it might be possible for expanded regular routes between Europe and Nigeria to be introduced in the future, both European countries and Nigeria need to develop a trusting, collaborative relationship.

## 5.6 Identifying roles and responsibilities

Our research makes clear that responsibility for encouraging return and facilitating reintegration is shared by Nigeria, individual European governments and collective European institutions. Yet to date this area has been dominated by bilateral rather than multilateral agreements, and by short-term funding. The responsibility for caring for destitute returnees has often fallen on small civil society organisations in Nigeria and Europe without the funding or knowledge to respond adequately. Until the Nigerian government ratifies its migration policy framework it will lack the strategic oversight that is needed in this area; it also lacks the institutional capacity to respond to challenges posed. Until Europe is able to ensure that the investment made by European bodies and individual countries in this area is spent effectively, and make the necessary reforms to harmonisation efforts such as the returns directive, success in this area will be limited. To suggest a way forward we have made a number of recommendations for policy. We have structured our recommendations by theme, taking into account the different roles that different countries, and various actors within them, must take. For example, given that migration patterns between Nigeria and Europe vary significantly by region, reintegration support in Nigeria should be led at a state rather than federal level to address trends and barriers to reintegration specific to those areas.

We have developed these recommendations based on our case study of Nigeria. However, all of our recommendations for Europe would apply even if the country of origin were different, and all of our recommendations for Nigeria would apply to returnees from countries outside of Europe.

## 5.7 Recommendations for change

### 5.7.1 Safeguarding return

- **European governments should ensure that all returnees who are forcibly removed or who participate in an AVR programme are risk assessed by an independent agency.** Risk assessment should consider whether or not a migrant can be safely returned and identify the support they need to reintegrate. **Risk assessors should be trained to identify the signs of trafficking and refer victims on to the appropriate support provider.**
- The pre-return period should be short. **Detention should be used only when there is meaningful risk of people absconding.** Families with children should not be detained unless for very short periods immediately before return. **If someone cannot be returned within six months because the necessary paperwork is not in order, or because their safety would be at risk, they should be provided with some kind of legal status, at least temporarily, that allows them to work.**
- **Nigeria and European countries should agree that the process of forced removal ends only when the returnee is transferred to an address in Nigeria, not when they arrive at an airport.** Support should be secured from end to end before a removal occurs. Support for individual returnees to travel from the airport, and for at least one night of accommodation on arrival, should be included as part of the return process and funded by the European country returning the migrant.
- **The European government should refer all returnees, regardless of how they are returned, to the new Nigerian reintegration institution (see section 3).** This institution must receive returnees at the airport. In the case of a return from Europe to a sending country other than Nigeria, the European government should refer the returnee to an appropriate institution.

### 5.7.2 Encouraging voluntary return

#### *Making voluntary return accessible*

Voluntary return options should be available across Europe:

- **Half of the money that is allocated to each country from the European Returns Fund should be ringfenced for funding AVR schemes.** This should be a pot of 'use it or lose it' funding that must be used to develop and maintain AVR schemes.

AVR programmes should be accessible to all irregular migrants:

- **AVR programmes should be established for all irregular migrants and not just for certain categories** such as refused asylum seekers or victims of trafficking. All irregular migrants should be able to return through an AVR programme.
- European governments should acknowledge that many irregular migrants are unlikely and unwilling to approach agents of the state, or those they perceive to be government agents, even when support is available. **European governments should ensure that AVR is offered by agents of independent organisations working under government tender.** No organisations should be excluded from the tender process. The tender process for the provision of AVR organisations should give more weight to organisations that can demonstrate that they are independent of government and are trusted by migrants and migrant-supporting organisations.
- Even when AVR schemes are available, they are not often well known or well understood. **Tenders to provide an AVR scheme should include outreach officers** with good links to particular communities which are thought to have large irregular migrant



populations. In the UK, Italy and Spain, the Nigerian community should be one of these. These outreach workers should deliver training and produce publicity materials to be distributed in common spaces, such as internet cafés, churches and destitution support centres, as well as to the relevant embassies.

### *Incentivising take-up of voluntary return*

European governments should encourage return by ensuring that AVR programmes help irregular migrants overcome the main barriers to return. They can do this by giving irregular migrants the opportunity to put their affairs in order in Europe (including claiming outstanding wages) before their departure; reassuring them that they can maintain ties in Europe by reducing the re-entry ban in some circumstances; preventing destitution upon return; and assisting them in establishing a sustainable livelihood in Nigeria. Incentivising take-up of voluntary return will require European governments to design packages that are more attractive to migrants. This will require restructuring of the way in which AVR is organised. It will also require an increase in the level of financial support offered to all irregular migrants (although only by a small amount).

- **Finalising affairs:** In order to allow irregular migrants to put their affairs in order in Europe before their return, governments should offer a number of provisions under AVR.
  - Some irregular migrants will have outstanding wages owed to them by employers, due either to non-payment or under-payment relative to minimum wage laws. Accessing this money would allow them to achieve a sense of ‘closure’ and could significantly help them to reintegrate successfully. **In cases where a prosecution is being brought against an employer (for the employment of irregular workers, or other employment offenses), irregular migrants should be offered outstanding wages upfront in exchange for giving evidence, on the condition that they return home immediately once this process is complete.** In these circumstances, the relevant authorities should pay these wages upfront and add this cost to the fine charged to the employer. **In cases where no prosecution is being brought, irregular migrants should have the opportunity to make a direct claim against their employer for any wages owed, and be allowed to remain in the country while their case is being processed (although if they are in danger of absconding this time may be spent in detention).**
  - Irregular migrants who did not come forward to enrol in AVR voluntarily, but were instead arrested and detained, then subsequently chose to return through an AVR programme, are likely to have other outstanding affairs to finalise. **If these returnees can prove that they are not at risk of absconding they should be offered a short grace period** during which they are not detained and removal actions against them cease. During this time they can pack up their belongings and make arrangements to return.
- **Managing the re-entry ban:** The existence of a re-entry ban (which prevents any legal entry for an average period of five to 10 years) encourages migrants who can return to do so spontaneously or before they become irregular. However, it does discourage irregular migrants with a strong connection to Europe from taking up supported return options. **Migrants who return under their own steam should face a short re-entry ban. Migrants returning under AVR should face a re-entry ban of five years (as is the case in most countries). The length of this re-entry ban should be reduced for irregular migrants who have been in the country of**

destination for five years or more. The level of reduction should be dependent on their level of cooperation with the return process.

- **Meeting immediate needs upon return:** Access to cash upon return is important for irregular migrants moving back to Nigeria's mainly cash-based economy. **Returnees should be given an initial payment of €500 on a debit card at the airport, which can be withdrawn in cash from any cashpoint.** This cash could be spent on goods or services for which returnees have an immediate need, in order to safeguard them from immediately becoming destitute. Any additional payments should be paid in kind (with assistance received in services rather than in cash).

### 5.7.3 Encouraging reintegration

#### *Fostering reintegration through AVR*

- AVR support must encourage return that is truly voluntary. **Risk assessment procedures should identify and refer anyone who is in need of pre-departure counselling** to help them to prepare for return.
- **AVR programmes should be restructured so they offer support in stages** to reflect the fact that migrants differ in terms of the level of support they need. Staggering support payments would also help AVR providers, such as the IOM and European governments, to track returnees' progress, and allow them to monitor how the money has been spent and evaluate the sustainability and success of reintegration support. AVR providers should record the returnees' progress at all stages. Support should encourage returnees to invest in their own long-term reintegration by rewarding those who spend their financial assistance on education, training or entrepreneurship.
- In order to ensure that return is sustainable, migrants need to be provided with the support they need to move into independence. This will require Europe to increase the level of financial support offered to irregular migrants, though this may be by only a small amount per migrant – and the additional costs of doing so will be more than offset if the level of forced return is reduced. **The minimum level of financial assistance initially offered through AVR to all irregular returnees immediately upon their return should be €500, paid in cash.** The amount of financial assistance offered in further instalments should be decided at the discretion of individual European governments, but it should be substantial enough to make a significant difference to a returnee's ability to reintegrate:
  - **Stage one:** as mentioned above, returnees should be given €500 in cash to help them meet their immediate needs on arrival.
  - **Stage two:** some returnees should then be able to access a package of in-kind support that is appropriate to their level of need as determined by the AVR provider. After their return, these returnees should have six months to decide how they want to spend this support – they should be allowed to spend it on healthcare, counselling, rent, childcare, training or education. Evidence of spending should be provided to the AVR provider in order to receive this support. Returnees should also be able to put this support towards developing a business, provided that they produce a business plan.
  - **Stage three:** to incentivise investment in their own long-term reintegration, the AVR provider should offer a top-up payment to returnees one year after their return if they have used a portion of their stage two support for training, education or business development. This conditional top-up should be equivalent to the initial amount of spending on any of the aforementioned areas. In addition, to encourage returnees

to report on their progress and assist the monitoring of sustainability of return, all returnees who report back to their AVR provider one year after their return should be given a small cash reward to be used as they see fit.

#### 5.7.4 Nigerian support for reintegration of returnees

- **The Nigerian government should task the National Commission for Refugees with developing a return and reintegration strategy. This should include the founding of a new ‘reintegration institution’ that is like NAPTIP, but specifically responsible for reintegrating returnees.** This institution should be charged with cooperating with European agencies to ensure the smooth running of return and reintegration initiatives, and with making sure that returnees are received at the airport and referred to appropriate support from civil society organisations. **The institution should be responsible for coordinating work in this area and allocating funds to service delivery organisations. It should not run services itself. However, it should work with state and local governments in areas of high migration to ensure that the reintegration needs of returnees addressed by local development plans.**
- To ensure that Nigeria is able to properly support returnees, **the European Commission should provide an initial envelope of funding for this new reintegration institution to allocate** to organisations providing services in Nigeria. This European funding should be additional to the funding that is provided to individuals through AVR schemes, and conditional on strict reporting of the impact that this funding is having. It is crucial that the Nigerian government invests more in return and reintegration programming in the medium term in order to address citizens’ needs over the long term – and that being the case, this new funding should only be provided for a limited period of time. **The European funding provided to the reintegration institution should be €4 million annually. This should be agreed over 10 years and should be gradually reduced in the final few years. By the seventh year, European funding should be contingent on matched funding being provided by the Nigerian government. After 10 years, Europe should fund only support for individual returnees through their AVR packages, and allocate a small additional amount to the reintegration institution for reintegrating people who have been trafficked.** Funding for this should come from Europe’s development budget, the European Return Fund, and individual contributions from European countries.
- The allocation of this reintegration support in Nigeria needs to be led at a state level to take account of the different migration patterns and different barriers to reintegration experienced by migrants in different parts of the country. **State-level governments within Nigeria should bid for this funding from the national reintegration institution. They should then allocate it to civil society organisations in their region who bid for the funding.**
- It is vital that adequate care and protection is given to people who have been exploited. **All victims of trafficking should be accommodated and supported to access independent housing and support. This should be funded by the reintegration institution. NGOs should develop reception-style specialist housing for trafficked returnees.** This accommodation should be secure and anonymous, and provide care and support. **These houses should be social centres where returnees can return to in order to participate in activities and social gatherings.** They should be run by civil society organisations within the women’s sector. These should be welcoming and attractive, but not designed for long-term living. **Civil society**

organisations which provide trafficking support should work with local landlords to secure 'move-on' housing.

- Reintegration provision needs to be diversified in order to reflect the needs of all irregular migrants. **A portion of the funding from Europe should be ringfenced for the provision of support for non-trafficked people** in order to ensure that this diversity is developed. **NGOs should establish a diverse range of support for both men and women, and for both people who have been trafficked and other returning irregular migrants.** There is a particular need for more reintegration support that can be accessed by people who have been forcibly returned.
- **Funding should be given to civil society organisations whose main objective is to help trafficking victims and other irregular migrants to reintegrate. Funding for reintegration support should not be given to NAPTIP,** which was specifically created to combat and prevent trafficking. The Nigerian government should continue to fund NAPTIP's enforcement and prevention duties (such as prevention through awareness-raising, and the prosecution of traffickers). Furthermore, NAPTIP should retain its responsibilities for allocating funding to organisations which it collaborates with to prevent and prosecute trafficking.
- In order to encourage social reintegration and prevent social isolation, **a lead civil society organisation in each local area should develop a network of returned irregular migrants.** Where possible, previous returnees who have successfully reintegrated should be trained to mentor new returnees as they settle into their new life in Nigeria.

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