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— REALIZZA IL CAMBIAMENTO —



Willing to go back home or forced to return?

The centrality of repatriation in the migration Agenda and the challenges faced by the returnees in The Gambia

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INTRODUCTION

Over the past few years, European migration policies have increasingly helped to confine return migration to repatriation, the latter being pivotal to the European Agenda to counter so-called ‘irregular immigration’. In addition, the refoulement tactic bolsters the majority of repatriation and Assisted Voluntary Return and Reintegration (AVRR) programmes, which have multiplied considerably in recent years and are intended for those migrants who have no wish to remain in their host and transit countries, or are unable to, and who decide to return to their home country. This chain of events has come to the fore since many European programmes are intended for people who have received expulsion orders; even if the latter are considered a more ‘humane’ form of return migration than compulsory repatriation, the ultimate objectives remain the same.

The argument that AVRR is positive since it is voluntary (unlike compulsory repatriation), does not really hold water given that an individual decision may be the result of a process that denies the migrant a real choice. Then there are the repercussions of returning home, namely, reintegration. Since most migrants are ‘irregular’, have spent little time in Europe, and their migratory cycle can be said to have just started, their unpreparedness to return and, more importantly, their lack of the necessary financial and human resources for effective reintegration to make a positive impact of return migration very difficult. For these very reasons, several authors have referred to these programmes as ‘soft deportation’.

Repatriation has become a burning topic on the agenda of public debate in Italy and in the rest of Europe. From the point of view of governments and European institutions, the main problem is the low rate involved, i.e., the ratio between the number of expulsion orders issued and actual repatriations, in particular towards Sub-Saharan Africa. Politically speaking, for transit and home countries, repatriation is an increasingly sensitive issue when it comes to public opinion, beyond the fact that migrants are an opportunity for an inflow of financial resources through remittances, which subsequently greatly exceed development assistance and other financial flows.

In light of this scenario, recent years have seen a growth in the political and financial efforts of the EU and its Member States to persuade migrants’ home and transit countries to readmit their nationals. Conversely, the ineffectiveness of international readmission agreements has caused the *informalization* of bilateral cooperation in this sector through an increase in restrictive practices, for example, Memoranda of Understanding or police cooperation agreements were negotiated with little

transparency and no parliamentary control. From this point of view, Italy is a typical example, as demonstrated by the proliferation of agreements signed with African countries in recent years, where the small amount of information on these that has leaked out is down to the fact that civil society has been demanding for greater transparency.

In parallel, we have witnessed a significant increase in resources, mainly official development assistance, allocated as a part of development programmes in home and transit countries. These interventions have been channelled through the European Union Emergency Trust Fund for Africa (EUTF) and have served to strengthen transit countries’ ability to carry out border checks and to intervene on the so-called ‘root causes’ of irregular immigration. In addition, assisted humanitarian repatriation programmes have seen financing, in particular from Libya and Niger. Albeit justified in light of the humanitarian crisis generated throughout the countries of the Central Mediterranean route, these programmes are actually a response to security issues and an attempt to control migration flows.

In fact, it is the consequences of externalization policies, especially those implemented in Libya, that have caused the humanitarian crisis for migrants: if protecting them were the real objective of European immigration policies, then the tool would not be repatriation, but the creation of minimal safety conditions to face the journey, starting from the prospect of being able to enter host countries legally.

With the aim of contextualizing reflection on return migration, repatriation policies, and their relationship with development, this report has looked in particular at The Gambia: a West African country which in recent years has witnessed a significant share of the migratory flows along the Central Mediterranean route. In fact, between 2013 and 2017, the country saw a significant increase in the number of migrants trying to reach Europe; many of whom remained trapped in Libya and Niger and with the deterioration of the situation eventually obliged to return home thanks to voluntary repatriation programmes, starting from 2017.

Through field research carried out using semi-structured interviews with repatriated migrants, families, associated communities and a series of organizations including NGOs, development agencies and institutions in the Central River Region (CRR), the Upper River Region (URR) and the Greater Banjul Area (GBA), an attempt has been made to more deeply understand the

main dynamics of the reintegration process and the related challenges and opportunities, also in light of the current AVRRE programmes being carried out in the country, mainly financed by the EUTF.

The Gambia represents an interesting example of the political, social, economic and developmental consequences of European external action in the immigration field. On the one hand, migratory routes are more and more hazardous and dangerous, intensifying the human cost in terms of the violation of fundamental, social and economic rights that people must contend with should they choose to migrate and then be obliged to return; on the other, we are witnessing the emergence of a vision that prefers to see migration as a negative consequence of development and not a response to it. Accordingly, migration becomes quite an extraordinary factor to manage from an emergency and progressively repressive standpoint, rather than a structural pattern of development processes which, as such, represent both opportunities and risks. In light of a standpoint that has nothing to do with security but is purely developmental, migration policies should be seeking to maximize these opportunities and at the same time reduce the risks.

Instead, we are witnessing a reverse process, where development cooperation is increasingly integrated within a pattern of refolement accompanied by a

curb on the flows, and where financial resources are increasingly used as a bargaining chip for home and transit countries to agree to readmissions and actions to counter irregular immigration. This basic principle therefore needs to be overcome to define new foundations for a future debate on the link between migration, development and cooperation policies.

This report seeks to frame the theme of return migration within contemporary migration policies created at European and Italian levels. Starting from an analysis of how the return migration issue falls within the broader framework of migration and development (Part 1), the document then investigates the current governance system characterized by policies and programmes that almost exclusively focus on a single aspect of return migration, namely, repatriation (Part 2). Finally, to show the development impacts of these policies and the related programmes, we have analysed the case of The Gambia as well as assisted repatriations from Libya and Niger over the last few years. The document ends with a series of recommendations addressed to Italian, European, and Gambian institutions, in order to promote a reform of EU policies in the field of repatriation, one capable of guaranteeing migrants fundamental human rights and sustainable reintegration.

1 - DEFINITIONS AND CATEGORIES OF RETURN AND REINTEGRATION

1.1 Returns and migration

The topics of return migration and reintegration processes have been the subject of fewer studies and the production of a smaller number of policies than those to do with integration. Even so, since the 1990s, thanks to an increase in flows¹ and the gradual inclusion of a security paradigm² within host countries' migration policies, these issues have garnered increasing attention. Yet another reason that explains the scant consideration paid to this area by studies on migration is the explicit assumption that the process of returning to a home country is linear and nothing like as problem-ridden as integration (Kushminder, 2017a). However, returns and reintegration are not merely *going back home*, they are processes that require long time frames, the outcomes of which are not always foreseeable.

Just as there is not only one category of migrants, so there is not only one type of return. Moreover, the potentially positive impact for a home country of a return hangs on many variables, first and foremost, the duration of the migratory cycle. Both the way in which return migration is conceptualized and the applicable policies are absolutely fundamental in determining a positive impact for individual migrants as well as their home communities.

There is no universally accepted definition of 'return migration'. Some authors have defined it as "the process whereby people return to their country or place of origin after a significant period in another country or region." (King, 2000). The vagueness of this definition raises a whole series of questions, however, starting for example from the meaning of *significant period*. Return migration has been the subject of various classifications that refer to several factors: from the *drivers* that steer the decision, to the migratory history and the conditions pre- and post-departure. Influencing the decision, as well as the impact of the return, are *structural* and *personal* factors that act in both the home and host countries (Battistella, 2018; Cassarino, 2004; Cassarino, 2010a; Kushminder, 2017a).

The complexity of the phenomenon demands the adoption of a conceptual framework that can embrace all of its specific features. One possible conceptualization places the different types of returns along a *continuum* that uses two variables: Time (at or before the end of the migratory journey) and Decision (voluntary or involuntary) (Battistella, 2018, p.9). Out of which come four macro-categories: 1. *Successful Return*: the migrant voluntarily returns at the end of his or her migration plan, possibly also influenced by the ending of an employment contract. 2. *Completion Return*: the migrant returns after the completion of a contract, but this is not a voluntary decision since he or she would have preferred to remain abroad longer. 3. *Unexpected Return*: the migrant voluntarily decides to return home, despite not wanting to, for various reasons, e.g., family circumstances in the home country or the migratory experience itself (abuse, violence, living and working conditions in the host country, etc.). 4. *Crisis Return*: a compulsory return. An emblematic example is that of compulsory repatriation.

Since this is a *continuum*, there are clear overlaps, however, this exercise underlines how the relevant approaches (direct and indirect) and policies (of assistance and/or development), as well as possible outcomes and impacts, totally depend on the different type of return considered (Battistella, 2018).

The distinction between *compulsory* and *voluntary* return is something hotly debated at political and academic levels. The adjective *voluntary* is significantly problematic to define: a voluntary decision may be the result of a process, e.g., the refusal of an asylum application or a descent into 'irregularity' as the result of losing a job with the impossibility of renewing the residence permit, something which in reality does not put the migrant in a position of having to choose whether to stay or leave, but simply of deciding *how* to leave - voluntarily or forcibly. Today, the term *return* is mostly understood as the end of a migratory cycle and is in most cases associated with expulsion and readmission (Cassarino, 2010a). To avoid the ambiguity that the term "voluntary return" has taken on over the last few years, several authors prefer to speak of a return that is "really" or "genuinely" voluntary or

¹ https://migrationdataportal.org/data?i=flows_abs_immig1&t=2013

² Security approach sees migration as a security problem managed by resorting to tools, also of an emergency nature, to control and repress the phenomenon, including criminalization.

“resolved”, meaning a choice taken autonomously, with no coercion or pressure (Cassarino, 2008). Moreover, the distinction between voluntary and compulsory is not dichotomous but shifts along a spectrum that contains several degrees of voluntarism depending on the levels of pressure and coercion (Newland and Salant, 2018).

1.2 Reintegration and its sustainability

A return is accompanied by a process of reintegration. The International Organization for Migration (IOM) defines reintegration as “a process which enables individuals to re-establish the economic, social and psychosocial relationships needed to maintain life, livelihood and dignity and inclusion in civic life.” (IOM, 2019, p.174). It is possible to identify four key dimensions of reintegration: social, cultural, economic and psychological. However, this definition focuses on the individual, when in reality reintegration is a process on two levels: that of the migrant and that of the society of the return country (Kushminder, 2017b).

In analysing the reintegration process we must also take into account three areas: the context of the host country (or destination), the duration and type of migratory experience abroad, the factors and conditions (whether favourable or otherwise) that motivate the return (Cassarino, 2010a). These three conditions – location, time and conditions pre- and post-return – are decisive for the outcome of the reintegration process and allow an understanding of how the latter is a real objective of policies and programmes that tally with appropriate strategies and resources or is a simple corollary to justify the real reason for the return and its objective – expulsion.

One dimension common to all returns, beyond the different types and categories of migrants, is that of the *preparation*, in other words, the process that “frees the capacities, albeit not always the possibilities, to gather the tangible and intangible resources necessary to ensure a return home.” (Cassarino, 2010a, p.3) According to Cassarino, the concept of *preparation* enables a response to two fundamental questions: Why are some migrants more prepared than others? How do migration policies address the issue of *preparation*? Within this concept the question of voluntarism reappears, seen as a decision taken in the absence of external pressure, to which must be added a further important dimension, however, that of *preparedness*, or in other words, the “ability to have mobilized the necessary resources, both tangible (financial capital) and intangible (contacts, relations, skills, networking)

to ensure a temporary or definitive return.” (Cassarino, 2010a, p.4) Both the will and preparedness depend on the individual and the context of final destination. Preparation for a return, therefore, needs to be included appropriately in reintegration programmes, by intervening primarily on those policies that determine the possibility of completing the migratory cycle.

Reintegration is an essential component which contributes to the sustainability of a return (EPRS, 2017). For the IOM, ‘sustainable reintegration’ means that “the returnees have reached levels of economic self-sufficiency, social stability within their communities, and psychosocial well-being to make any future migratory decision a matter of choice and not a necessity.” (IOM, 2016, p.3). It is important to emphasize that the definition of ‘sustainable reintegration’ continues to be hotly debated, also thanks to the lack of sufficient impact studies on the subject (Koser and Kushminder, 2015). Despite this, we are witnessing an upsurge in approaches, guidelines and best practices (IOM 2018b; IOM 2016).

1.3 Assisted voluntary repatriation programmes

Over the last two decades, repatriation and assisted voluntary return and reintegration programmes (AVRR) have gradually become a key component of policies to manage migration among European States. A significant surge in asylum applications throughout Europe in recent years has been matched by an increased number of refusals³. Facilitating return migration has therefore become one of the political priorities of the migration agenda. As we shall see, the European Union considers repatriation to their home country of those with no right to asylum in Europe one of the most effective ways to prevent and reduce irregular migration. This measure constitutes a strong deterrent and is therefore considered a key element for the proper functioning of the immigration and asylum system in the EU⁴.

AVRR programmes are intended for migrants who have no wish to remain in their host and transit countries, or are unable to, and who decide to return to their home country. They are characterized by services of consultancy, logistics, bureaucracy to organize the trip, and accompaniment, all devoted to the social and economic reintegration of returnees. The majority of these programmes are implemented by the IOM,

³ Of the 586,235 initial applications for asylum made in 2018, only 37% were approved. https://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics

⁴ https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/effective_return_policy_it.pdf

even if many NGOs are also involved, in particular for certain of the most vulnerable groups. In recent years, almost all EU Member States have implemented AVRR programmes and their importance is demonstrated by the numbers: out of a total of 63,316 returns assisted by the IOM in 2018⁵, 33,971 were made by the European area, in other words, 53.7%.

BOX 1

THE NUMBERS OF ASSISTED VOLUNTARY REPATRIATIONS

The numbers of assisted voluntary repatriations for European countries are currently lower than they were in 2017 (-33%). According to the IOM, this decrease is due to a combination of structural and contingent factors such as fewer arrivals and asylum requests and changes to national migration and asylum policies, including a restriction on eligibility for AVRR programmes (IOM, 2018). At the same time, West and Central Africa have seen an increase of 128% in assisted repatriations, of which Niger accounts for 77% (IOM, 2018). These two regions also represent the main destination of voluntary repatriations, in this case also showing for 2018 an increase of 88% compared to the previous year. The explanation lies in the increase in IOM repatriations, begun in 2017 from Libya. Again in 2018, Niger was the second home country as regards assisted repatriations (14,977), preceded by Germany. The latter is the European country with the highest number of voluntary assisted repatriations (15,942), followed by Greece with 4,968. In the lowest position is Italy, with only 958 assisted repatriations handled by the IOM.

AVRR programmes have gained in popularity due to their being more humane than compulsory repatriation. There is no doubt that benefiting from a repatriation

programme, and perhaps even a reintegration project, is preferable to being repatriated and left to one's own fate. However, the goal of the majority of these programmes underlines a structural limit within a broader reflection on their sustainability, namely, a focus on refolement rather than development.

Additional factors have contributed to these programmes coming to the attention of policy makers and public opinion. In the first place, experience has shown that home countries are more cooperative in providing the necessary documents when the request is made within the framework of an AVRR programme. In addition, the rhetoric of *voluntarism* has brought them to the notice of public opinion (Kushminder, 2017b). Secondly, they decrease the duration of detention, thereby cutting costs. Lastly, the programmes are applied to all the stages of the asylum request: those still awaiting a response, those who have just completed their request, or those who have received a refusal are all eligible for these programmes (Cassarino, 2010a). Furthermore, voluntary assisted repatriations are associated not only with the question of a more dignified return for individual migrants but are also more sustainable for the individual and for development (Black, Collyer, Somerville, 2011). However, evidence on the development impact of AVRR is scant and there is a need for further research on it (Kushminder, 2017b).

It is clear that these programmes serve the policy of refolement and that, whereas those who benefit most – irregular migrants who have spent little time in Europe and whose migratory cycle can be said to have just begun – the question of the positive impact of return migration as well as its sustainability, is difficult to adequately appraise. For these reasons, various authors have referred to these programmes as 'soft deportation' (Leerkes, Van Os, Boersema, 2017).

⁵ Added to these are 22,800 humanitarian voluntary repatriations from Libya.

BOX 2

AVRR AND THE COSTS TO “WELCOME” REFUGEES AND ASYLUM SEEKERS

The OECD - Development Co-operation Directorate accounting rules allow allocation of a part of the reception expenses as Official Development Assistance (ODA) even if it takes place in a donor country (In-Donor Refugee Costs – IDRC). However, following a revision adopted by the OECD-DAC, this expenditure is subject to a more stringent series of criteria and only covers the costs incurred in the countries in the first twelve months of an asylum seeker’s stay. On account of the 2014-2015 refugee crisis, in 2016 this expenditure reached an average 11% of the total ODA costs of OECD countries. In this regard, Italy is a typical example. Indeed, in 2017, IDRC reached 31% of total ODA, i.e., € 1 billion 600 million, meaning for Italy an ODA/Gross National Income of 0.3%, bringing it closer to the international objective of 0.7% (ActionAid, 2019). For its part, ActionAid argues that IDRC do not meet the criteria which define ODA, i.e., targeted to promoting economic growth and welfare in developing countries. In fact, these costs do not represent a flow of resources towards poor countries and are not in any way expenses for their economic development and welfare. For this reason, the talk is of ‘inflated aid’. In fact, net of IDRC, the ODA/GNI for 2018 in Italy would be a meagre 0.18% (ActionAid, 2019). Among these costs are also those for voluntary repatriation assistance which are subject to a series of criteria including: exclusion from the calculation of the compulsory repatriation of those immigrants who were definitively refused an asylum application; costs for the return of regular or irregular migrants and those for the voluntary repatriation of refugees after twelve months. Instead, costs are included – comprising travel expenses and basic needs – for the voluntary repatriation of refugees within the first twelve months in cases where an asylum application has not yet been finally refused (OECD, 2017).

Costs incurred for reintegration programmes in transit and home countries, as well as voluntary repatriations assisted by one developing country to another (e.g., humanitarian repatriation from Libya to home countries), are eligible as ODA within another category of expenditure, namely, that for “facilitation of orderly, safe, regular and responsible migration and mobility”, as defined recently (OECD, 2018).

1.4 Assisted voluntary repatriation in Italy

However, the data available on the total number of returns and voluntary repatriations assisted at a European level are fragmentary and incomplete. There is in fact a perfect match between the figures provided by the IOM, those available on the Eurostat database, and the data provided by the Italian Ministry of the Interior. Taking the latter as a reference, between 1 January 2018 and 31 March 2019, Italy organized 1,080 voluntary assisted repatriations⁶. If we look at the legal status of the people involved, 48% were irregular, 34% asylum seekers, 52% had been in Italy for less than 2 years, and 19% between three and six years. In light of these data, it is clear that, particularly in recent years, it is no longer possible to speak of ‘voluntary return’ but almost exclusively of voluntary repatriation: an oxymoron which brings out the strong emphasis placed (particularly by European institutions and the IOM), on the voluntary dimension of choice as a fundamental criterion to benefit from these programmes – a rather rhetorical exercise.

With Law no. 129/2011, Italy transposed the 2008 Return Directive, including it in a Consolidated Act on the disciplining of immigration and rules on alien status (RE.V.ITA, 2018)⁷, envisaging implementation by the Ministry of the Interior of programmes of assisted voluntary repatriation to home countries – in collaboration with international and intergovernmental organizations, local authorities, and migrant assistance associations. With the Ministry of the Interior’s Decree of 27 October 2011, guidelines were adopted to implement assisted voluntary repatriation programmes that lay down criteria to identify who should implement these programmes, as well as the activities included and certain priority access criteria for the most vulnerable. Assisted voluntary repatriation programmes may benefit third country nationals who have not yet received a negative response to their application for residence and/or international protection; third country nationals who enjoy the right of residence and/or international protection; third country nationals present in a Member State who do not fulfil or no longer fulfil entry and/or residence requirements (RE.V.ITA, 2018). Instead, those who have received an expulsion order as a penalty or as the consequence of a criminal sanction (RE.V.ITA, 2018) are considered ineligible for AVRR programmes. Italy contributes to the financing of AVRR programmes and compulsory repatriations with both its own and European resources.

⁶ <https://italy.iom.int/sites/default/files/Gallery/materiali%20AVRR/INFOGRAFICHE%20CONCLUSIVE%20AVRIT.pdf>

⁷ <http://www.altalex.com/documents/codici-altalex/2014/04/09/testo-unico-sull-immigrazione>

BOX 3

THE FUNDING OF AVRR, THE FUTURE EUROPEAN BUDGET AND THE AFRICA FUND

From 2007, the European Union allocated resources to support repatriation (including voluntary versions) through a Repatriation Fund (2007-2013) and, subsequently, with its asylum migration and integration fund (AMIF)⁸ for 2014-2020⁹, a period for which the Commission has earmarked € 806 million (out of a total of € 3,137 million) to assist Member States with repatriation issues¹⁰. On 12 June 2018, as part of the proposal of the new EU multiannual financial framework (MFF) for 2021-2027, the Commission adopted a new regulation to establish an Asylum and Migration Fund (AMF), to replace the earlier AMIF. One of the specific objectives of this fund is to ensure the sustainability of returns and the effective readmission of irregular migrants in their home countries. In the Commission's proposal, this fund should amount to € 10.4 billion (compared to € 7.3 billion for the AMIF) broken down into € 6.3 billion for Member States' programmes and € 4.2 billion for projects with a real added value for Europe (e.g. resettlement of refugees) and to respond to emergencies in the Member States themselves (EPRS, 2018). The strong emphasis on returns emerges from the proposal to split the expenditure of the fund for member countries: 30% to go to support asylum, 30% to integration, with the remaining 40% for returns¹¹. A part of the funds could also be used for cooperation with third countries, again within

the framework of repatriation. In the context of the European Union Emergency Trust Fund for Africa (EUTF), in 2016, € 25 million were allocated to support 'dignified return'¹². Again within the EUTF, to this was added approximately € 100 million, with contributions from the Italian Government (€ 22 million) and the German Government (€ 48 million), for the protection and reintegration of returnees along the Central Mediterranean route, a quota of which was allocated to reintegration projects and for assisted humanitarian returns organized by Libya¹³ (EPRS, 2017). Another source of funding for assisted returns also deserves a mention, namely, the Africa Fund (see below). In fact, the Italian Government financed assisted repatriations from Libya using development cooperation resources. With the adoption of Decree 4110/48 of 4 September 2017, the Ministry of Foreign Affairs and International Cooperation (MAECI) – Directorate General for Italians Abroad and Migratory Policies – granted a loan of € 18 million which, according to the agreement signed between the IOM and the Italian Ministry of Foreign Affairs and International Cooperation (MAECI), should serve to develop activities in 3 specific areas: a) humanitarian repatriation and reintegration of vulnerable migrants out of Libya for a sum of € 10 million; b) information for vulnerable migrants and assistance along the route through the Migrant Resource and Response Mechanism in Libya to the tune of € 2 million; (c) interventions for stability and resilience to be implemented with the Community Stabilization Programme in favour of the Libyan community for a total of € 6 million.

⁸ The AMIF also finances activities related to compulsory repatriation. In particular, in the Italian national programming for 2014-2020 it is expected use AMIF funds to cover 45% of the total number of compulsory repatriations planned for the period from 2015-2022, i.e. 18,500 out of 41,500.

⁹ http://www.foroeuropa.it/index.php?option=com_content&view=article&id=381:rivista-2017-n1-art-3-pontieri&catid=81&Itemid=101

¹⁰ https://ec.europa.eu/home-affairs/financing/fundings/migration-asylum-borders/asylum-migration-integration-fund_en

¹¹ https://ec.europa.eu/commission/sites/beta-political/files/budget-may2018-fair-migration-policy_en.pdf

¹² https://ec.europa.eu/trustfundforafrica/region/horn-africa/regional/facility-sustainable-and-dignified-return-and-reintegration-support_en

¹³ https://ec.europa.eu/europeaid/news-and-events/eutf-africa-and-iom-initiative-protection-and-reintegration-returnees-along-central_en

2 - MANAGEMENT OF REPATRIATION AT NATIONAL AND EUROPEAN LEVELS

2.1 The low repatriation rates

The available data on returns and repatriations are fragmentary and incomplete. Given the rules and practices currently in effect at both regional and national levels, it is difficult to provide an accurate estimate of the various categories of returns described above, including compulsory repatriations. For instance, some people may decide (where such a thing is possible) to take action before being expelled and profit from voluntary repatriation; while others may become untraceable after their asylum application has been definitively refused.

Repatriation has become a burning issue on the agenda of public debate in Italy and in the rest of Europe. We are witnessing a real *war* of numbers, with political parties committed to promising increasing numbers of repatriations as a part of their commitment to counter irregular immigration¹⁴. From the perspective of governments and European institutions, the main problem is the low rate involved, i.e., the ratio between the number of expulsion orders issued and the actual repatriations recorded over the last few years, in particular towards Sub-Saharan Africa (Stagter, 2019). In 2018, the EU as a whole issued 478,155 expulsion orders. Of these, 198,375 were voluntary or compulsory (Eurostat data). With regard to migrants from West Africa¹⁵, in 2018, 71,300 expulsion orders were issued Europe-wide in the face of only 8,380 repatriations (Eurostat data). Lastly, for migrants from North Africa¹⁶, again in 2018, 22,625 repatriations were carried out in contrast with 79,100 expulsion orders (Graph 1).

BOX 4

REPATRIATION IN ITALY

As regards Italy, Table 1 provides a more comprehensive snapshot showing different types of data useful for an overall analysis of the numbers that characterize the country's entire migration policy, starting from the expulsion measures.

Beginning with the type of repatriation, we can see that out of the 27,070 expulsion orders issued in 2018, only 5,615 were actually carried through, of which 435 were voluntary and 5,180 were compulsory. As for the type of assistance received in 2017, the cases of assisted voluntary repatriation numbered 465, while unassisted ones amounted to 6,580. Compared to 2018, the data provided by the Ministry of the Interior – and not present in the Eurostat database – speak of 958 assisted voluntary repatriations, 83% of which consisted of people who had abandoned or withdrawn their asylum application, 9% those who had seen their asylum application refused, and the remaining 8% those who had lodged an appeal¹⁷. As regards the first half of 2019, the number of returns was 2,839¹⁸, while on 22 September, the Minister of the Interior Luciana Lamorgese reported that the repatriations carried out numbered 5,244, 5,044 of them compulsory and 200 assisted and voluntary¹⁹.

¹⁴ http://www.huffingtonpost.it/2018/01/23/salvini-cacceremo-mezzo-milione-di-immigrati_a_23340743

¹⁵ Benin, Burkina Faso, Cape Verde, Ivory Coast, The Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, and Togo

¹⁶ Algeria, Egypt, Libya, Morocco, Tunisia

¹⁷ https://italy.iom.int/sites/default/files/Gallery/materiali%20AVRR/AVRR%202018_31.12.18.pdf

¹⁸ http://www.camera.it/application/xmanager/projects/leg18/attachments/upload_file_doc_acquisiti/pdfs/000/001/908/49-rimpatriati-al-15-06-2019-per-nazionalita-decrescente.pdf

¹⁹ https://www.agi.it/cronaca/rimpatri_migranti_dati_viminale_lamorgese-6282513/news/2019-10-02/

2.2 Cooperation with third countries

As already mentioned, repatriation is a cornerstone of the European system to control migration and is politically sensitive in both host and home countries. For the former, repatriations are a key policy in seeking the consent of public opinion, whose negative sentiments towards so-called 'irregular' migration have been fuelled in recent years by a security narrative aimed at creating an *enemy* on which to unload the burden of a social, economic and cultural crisis, which for more than ten years has afflicted the political and social life of the old continent. It is no coincidence that immigration is currently regarded as the main crisis by European citizens, second only to terrorism (EPSC, 2017).

Instead, in the origin countries, economic and political interests have helped form a negative vision of repatriation. From an economic standpoint, remittances represent the most important subject; indeed, these are a flow of financial resources so fundamental that in 2019, for countries in the low- to middle-income brackets, they amounted to 550 billion dollars, a figure that far exceeds both official development assistance (ODA) and foreign direct investment (FDI) (KNOMAD, 2019). In 2018, the Sub-Saharan African countries received \$46 billion in remittances; in 2017, Nigeria alone received \$22 billion in remittances, compared to 5.5 billion of ODA, while in 2018, with \$23.4 billion, it was the first country for flows of remittances at a Sub-Saharan level and sixth at a global level (KNOMAD, 2019). With \$245 million²⁰, in 2018, remittances accounted for 15.3% of the Gross Domestic Products (GDP) in The Gambia (World Bank, 2019 and KNOMAD, 2019), which, in 2016, received \$207 million in remittances against \$92 million in ODA²¹ (OECD-DAC, 2019).

From a political point of view, returns are viewed negatively by public opinion in home countries, which are strongly critical of governments who cooperate with repatriation measures. Technically, in order to realize repatriation, readmission on the part of the home country is required through a bilateral cooperation that may, in effect, take the form of readmission agreements (Cassarino, 2010a). From the 1990s onwards, the number of bilateral readmission agreements has increased significantly²², while with the entry into force of the Treaty of Amsterdam, the European Commission received a mandate to negotiate bilateral readmission agreements with third countries. Nowadays, there are 17 agreements in force, none of them with Sub-Saharan African countries²³. These agreements follow a standard approach which includes, among other things, the parties' obligation to furnish the necessary travel

documents for repatriation without delay; the obligation to readmit citizens to third countries once they no longer satisfy the requirements to stay in a host country; and a time limit for accepting the person whose readmission has been authorized (Cassarino, 2010a).

The blatant lack of transparency, not to speak of attention to human rights, has been the subject of criticism by many organizations of international civil society. Readmissions are a jurisdiction shared between the EU and its Member States; the Lisbon Treaty too envisages that the latter must not exercise their jurisdiction over readmission in the event that the EU itself is negotiating and concluding agreements with third countries. The priorities and circumstances of individual Member States have delayed this legal convergence, significantly hindering the *Europeanizing* of repatriation agreements (Cassarino, 2010a).

The actual terms of readmission agreements vary from country to country according to the type of migratory flows that characterize them and must be interpreted within the context of the broader bilateral and regional cooperation that characterizes relations between States. In fact, as we have seen, repatriations are not of mutual interest to the countries involved and therefore must be negotiated as a part of concessions of a commercial nature, quotas for regular entries, technical assistance and cooperation, development aid and investment. At a European level, the most frequently used tool has been that of visa facilitation agreements for certain categories of entry. It is worth adding that the fact that a home country wishes to conclude a repatriation agreement, does not imply that it is equipped to manage one. In fact, in addition to an institutional apparatus that can coordinate repatriations, there are also political costs in implementing them that do not always allow this kind of agreement to become operational. Furthermore, as we have said, by their very nature, these agreements provide for concessions that are not always of mutual interest due to divergent and conflicting concerns (Cassarino, 2010b).

2.3 Informalization of repatriation agreements

In view of this complex network of bilateral relations within which repatriation agreements are negotiated, it is important to emphasize that cooperation in this area can be realized without being formalized within standard arrangements and that it can in fact take the form of exchanges of letters, Memoranda

²⁰ <http://www.worldbank.org/en/topic/migrationremittancesdiasporaissues/brief/migration-remittances-data>

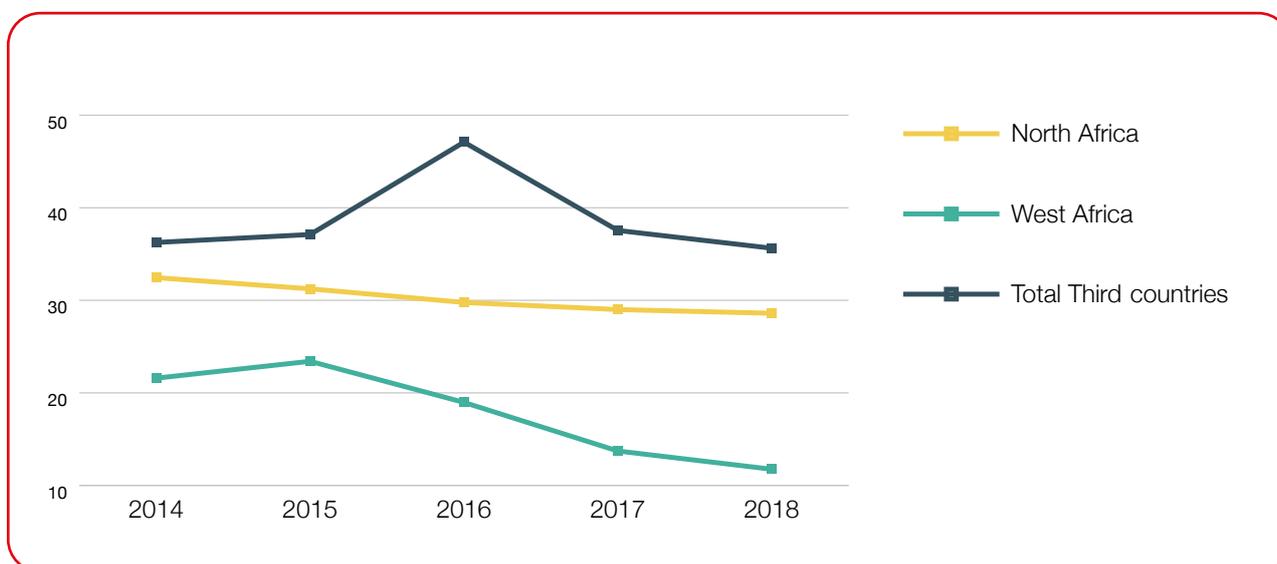
²¹ <http://www.oecd.org/dac/financing-sustainable-development/development-finance-data/Africa-Development-Aid-at-a-Glance-2019.pdf>

²² <http://www.jeanpierrecassarino.com/datasets/ra/>

²³ https://ec.europa.eu/home-affairs/what-we-do/policies/irregular-migration-return-policy/return-readmission_en

GRAPH 1

Rate of repatriation at a European level towards third countries, those of West Africa and North Africa (2014-2018 trend)



Source: ActionAid reprocessing of Eurostat data, 15 October 2019

TABLE 1

Repatriations, asylum applications, expulsion orders, and assisted repatriations in Italy (2014-2018)

	2014	2015	2016	2017	2018
First asylum applications	64,625	83,540	122,960	128,850	59,950
Recognition of refugee status	3,640	3,575	4,800	5,895	6,490
Recognition of humanitarian protection	9,315	15,770	18,515	19,515	19,970
Expulsion orders issued	25,300	27,305	32,365	36,240	27,070
Overall repatriations	5,310	4,670	5,715	7,045	5,615
Compulsory repatriations	4,330	3,655	4,505	4,935	5,180
Voluntary repatriations	980	1,015	1,015	1,805	435
Assisted voluntary repatriations	0	0	75	465	958 Supplemented by Ministry of the Interior source
Unassisted repatriations*	5,310	4,670	5,715	6,580	Not available**

Source: ActionAid re-elaboration of Eurostat data, 15 October 2019

* Eurostat divides returns into two categories, voluntary or compulsory, and classifies them according to the type of support received – assisted or unassisted. With respect to the latter, the data stop at 2017, while for the former also those for 2018 are available

** The Ministry of the Interior has reported that in 2017 compulsory repatriations numbered 6,514 and assisted voluntary ones accounted for 869 for a total of 7,383; whereas for 2018, compulsory repatriations numbered 6,820 assisted voluntary ones accounted for 1,161 for a total of 7,981. These data differ from those provided by Eurostat. Not only that, the data on assisted returns for 2018 also differs from those. https://www.agi.it/cronaca/rimpatri_migranti_dati_viminale_lamorgese-6282513/news/2019-10-02/

of Understanding, or be included within other kinds of cooperation agreement, such as those with the Police (Cassarino, 2010b). This process, described as *informalization* of repatriation agreements or “*non standard approach*”, represents a response to the uncertainties that have characterized the operation of standard agreements (Cassarino, 2010b) and to the concomitant and progressive *securitization* of the European migration policy which has led to greater pressure on origin and transit countries. Moreover, the adoption of a “non-standard” approach to repatriation agreements guarantees a series of benefits, including: lower renegotiation costs and flexibility to respond to contingencies without having to endure long processes of ratification and, most importantly, parliamentary scrutiny; smaller public exposure since the repatriations are included within a broader framework of cooperation; virtually a total lack of transparency due to the hybrid nature of the agreements (Cassarino, 2010a).

This flexibility also ensures a guarantee for home and transit countries when it comes to areas of cooperation, which are as politically sensitive as compulsory repatriation and the management of migration (Cassarino, 2010b). Nonetheless, the choice of home and transit countries to cooperate with in the field of migration should not be seen exclusively as a passive reaction to an external pressure, but rather, as the capacity of certain origin and transit countries to use the contingency of migration as an area of cooperation to strengthen their international legitimacy and to pursue their own domestic political agenda (Cassarino, 2018).

One example is Tunisia. By signing a repatriation agreement with Italy on 28 January 2009, the then president Zine El Abidine Ben Ali tried to show himself capable of controlling his borders to declare his legitimacy to western countries and strengthen his power, while concealing the mounting domestic opposition and consequent repressions (Cassarino, 2018). This was a new kind of agreement with respect to those adopted in the past, in that it provided for accelerated procedures and simplified identification in close collaboration with the consular authorities of Tunisia. The agreement also provided for the financing of assisted voluntary return programmes benefiting from the European Fund for readmissions²⁴. The cooperation between the Tunisian and Italian governments also set out to tackle irregular immigration through the strengthening of border controls and the management

of annual entry quotas of migrant workers²⁵. This agreement was followed by that of 5 April 2011 for the management of migration crises. In the words of the then Interior Minister Roberto Maroni, it was “a technical agreement on cooperation between the two countries against illegal immigration and in addition to strengthening cooperation between police forces, it also regarded repatriation²⁶.” The agreement envisaged the repatriation of approximately 100 people per month²⁷ and currently allows two charter flights per week for 40 persons²⁸.

If we look at the data on expulsion orders (Table 2) and those on repatriation carried out by Italy in recent years (Table 3), we can see a clear correspondence between the nationalities who have received the largest number of expulsion orders and the host countries of the repatriations actually carried out. In 2016 and 2017, Tunisia was in pole position for the number of repatriations, respectively 1,225 and 2,070 people, to then move down in 2018 to 745, topped by Albania and Morocco. For the first half of 2019, according to data provided by the Ministry of the Interior, the nationalities of the main 2,839 returnees were Albanian, Tunisian, Moroccan, Egyptian and Nigerian²⁹.

2.4 Italy and its “non-standard” approach to repatriation agreements

Italy’s repatriation policy followed this same process of *informalization* as described above. Starting from the second half of the 1990s, Italy began to sign a series of readmission agreements with 25 countries³⁰. The first agreements covered the countries of the former Yugoslavia and Albania, in a rather particular way. Starting from the end of the '90s, four repatriation agreements were negotiated with Egypt, Tunisia, Algeria and Morocco³¹. If we exclude Albania – the country which, over the last ten years, has “welcomed back” the largest number of fellow countrymen – the three other states that have witnessed the largest number of repatriations were precisely those with which Italy has agreements in force: Tunisia, Egypt and Morocco³².

²⁴ https://ec.europa.eu/home-affairs/financing/fundings/migration-asylum-borders/return-fund_en

²⁵ <http://www.storiemigranti.org/spip.php?article1004>

²⁶ http://www.esteri.it/mae/it/sala_stampa/archivionotizie/approfondimenti/2011/04/20110406_accordo_italiatunisia.html

²⁷ http://www.agi.it/estero/roma_tunisi_rimpatri_migranti-5805309/news/2019-07-10/

²⁸ https://www.corriere.it/politica/19_ottobre_04/04-politico-a10tcorriere-web-sezioni-95d4320c-e6e9-11e9-9d63-abc92eac7ace.shtm

²⁹ www.camera.it/application/xmanager/projects/leg18/attachments/upload_file_doc_acquisiti/pdfs/000/001/908/49-rimpatriati-al-15-06-2019-per-nazionalita-decrescente.pdf

³⁰ <http://www.integrazionemigranti.gov.it/normativa/documenti/Pagine/Accordi-Italia.aspx> Although agreements were signed with Georgia, Morocco, Nigeria, Bosnia–Herzegovina and Egypt, so far they have not entered into force.

³¹ <http://www.integrazionemigranti.gov.it/normativa/documenti/Pages/Accordi-Italia.aspx>

³² The agreement with Morocco and Egypt is not yet in force even if a Technical Understanding was concluded with the latter in 2017, as we shall see (Table 4).

As shown in Table 4, these formal agreements were subsequently joined by other non-standard agreements (on police cooperation, migratory cooperation, and also Memoranda of Understanding, etc.) which all contain references to repatriation. The question of their legal status, whether they are international or otherwise, and whether they need parliamentary ratification, is somewhat complex and goes beyond the scope of this analysis. However, we are keen to point them out, in particular as regards their transparency. A more exhaustive analysis of the nature of these agreements would necessarily require a reading of the texts, however, as shown in Table 4, many of them are not available.

These types of non-standard agreements then came to characterize all repatriation cooperation with African countries with which no standard readmission agreements were in force, with the exception of Nigeria, until the 2014-2015 crisis. Many of these agreements are not public only become so following the mobilization of civil society³³. The informalization process characteristically results in a lack of the necessary transparency to ensure democratic control and appropriate standards with regard to human rights.

TABLE 2
The first ten origin countries for expulsion orders from Italy (2015-2018)

	2015	2016	2017	2018
Albania	2.555	2.270	2.330	3.035
Marocco	7.570	8.205	9.665	4.780
Tunisia	2.905	3.175	6.885	2.725
Nigeria	1.505	1.820	2.175	1.960
Senegal	1.010	1.295	1.235	1.215
Egitto	1.490	2.030	1.575	1.215
Algeria	595	1.690	2.285	940
Cina e Hong Kong	615	575	590	940
Pakistan	650	615	525	720
Ucrania	550	530	595	670

Source: ActionAid re-elaboration of Eurostat data, 15 October 2019

TABLE 3
The first ten origin countries for repatriations carried out by Italy (2015-2018)

	2015	2016	2017	2018
Albania	1.160	1.115	1.230	1.380
Marocco	675	895	1.005	1.000
Tunisia	910	1.225	2.070	745
Egitto	570	685	400	290
Nigeria	210	165	350	225
Ucraina	65	115	170	200
Perù	30	25	110	185
Moldova	125	130	150	140
Georgia	75	60	125	120
Senegal	65	70	130	115

Source: ActionAid re-elaboration of Eurostat data, 15 October 2019

³³ <https://www.asgi.it/allontamento-espulsione/memorandum-sudan-italia-analisi-giuridica/>. In addition, <https://www.repubblica.it/solidarity/food-and-environment/2016/10/26/news/Sudan-150610745/>

TABLE 4

Non-standard agreements with African countries in the field of repatriation

	Name of agreement/understanding	Signature	Publication
Algeria	Memorandum of Understanding to strengthen cooperation in combating every form of transnational crime but, in particular, trafficking of illegal immigrants	Algiers, 22 July 2009 (Signed by the Chief of Police). Agreement on Police Cooperation	The text of the agreement is not available
Ivory Coast	Memorandum governing the secondment of Ivorian experts to Italy to help identify irregular migrants	Rome, 8 February 2018 (Signed by the Director of the Immigration Service) - Exchange of Letters	The text of the agreement is not available
The Gambia	Agreement to strengthen police cooperation in the fight against smuggling and illegal immigration	Banjul, 29 July 2010 (Signed by the Chief of Police). Replaced by the Memorandum of Understanding signed in Rome on 6 June 2015	The text of the agreement is not available
The Gambia	Memorandum of Understanding to strengthen cooperation in border management, immigration and security	Rome, 06 June 2015 (Signed by the Chief of Police) and renewed with changes 26 October 2017	The text of the agreement is not available
Ghana	Cooperation agreement on security matters	Accra, 8 February 2010 (Signed by the Minister of the Interior). Memorandum of Understanding. New Technical Understanding on repatriation under negotiation (2019)	Text available from the online International Treaty Archive of the MAECI*
Djibouti	Agreement to strengthen police cooperation in the fight against smuggling and illegal immigration	Djibouti, 27 June 2012 (Signed by the Deputy Chief of Police). Memorandum of Understanding	The text of the agreement is not available
Niger	Memorandum of Understanding to strengthen cooperation in the fight against illicit trafficking of migrants and irregular immigration	Niamey, 9 February 2010 (Signed by the Chief of Police).	Text available from the online International Treaty Archive of the MAECI
Nigeria	Agreement to intensify the fight against trafficking in human beings and illegal immigration	Abuja, 17 February 2009 (Signed by the chief of police and countersigned by the Secretary General of Interpol).	The text of the agreement is not available
Nigeria	Working Arrangement between the Italian State Police and the Nigeria Immigration Service (NIS) to establish operational cooperation	Rome, 1 March 2017 (Signed by the Deputy Head of the police with deputizing functions). Memorandum of Understanding	The text of the agreement is not available
Senegal	Memorandum of Understanding to strengthen police cooperation	Dakar, 28 July 2010 (Signed by the Chief of Police). In fact replaced by the Memorandum of Understanding signed in Rome on 16 May 2018	The text of the agreement is not available
Senegal	Memorandum of Understanding to strengthen cooperation in border management, identification, and the fight against illegal immigration, plus an annex that disciplines the posting to Italy of Senegalese experts on a long-term mission	Rome, 16 May 2018 (Signed by the Chief of Police). Memorandum of Understanding	The text of the agreement is not available
Sudan	Memorandum of Understanding for the fight against crime, to manage borders and migration flows, and deal with repatriation	Rome, 3 August 2016 (Signed by the Chief of Police).	Text available online
Tunisia	Simplified repatriation procedures	Tunis, 29 January 2009 (Signed by the Minister of the Interior).	The text of the agreement is not available
Tunisia	Agreement on departure controls and direct repatriation for new arrivals in Italy	Tunis, 05 April 2011 (Signed by the Minister of the Interior).	Available on the site www.jeanpierrecassarino.com

Source: ActionAid re-elaboration**

* <http://itra.esteri.it/>

** The sources of this collection of information are the dataset realized by the researcher Jean Pierre Cassarino who attempted to map the entire network of readmission agreements, whether standard or non-standard, between European countries and third countries (<http://www.jeanpierrecassarino.com/>); the information contained in the presentation made by the Italian ambassador to Norway, Alberto Colella, on 8 February 2019 entitled "Trends in Italian Immigration Policy: The Case of Return"; information provided by the portal www.integrazionemigranti.gov.it (<http://www.integrazionemigranti.gov.it/normativa/documenti/Pagine/Accordi-Italia.aspx>); the Ministry of Foreign Affairs' online archive of international treaties (<http://itra.esteri.it/>) plus academic and journalistic sources. The sources show discrepancies concerning certain dates (from the signing to the entry into force, to the classification of the agreements, i.e., whether standard or non-standard). The latter classification is the one proposed by Jean Pierre Cassarino which has no recognized legal status within official circles but represents an effective snapshot of the evolution towards the informalization of repatriation agreements.

2.5 Development cooperation in the service of repatriation: the case of Italy

The tools employed to convince home countries to cooperate in the area of repatriation include Development Cooperation. Law no. 77/2019, known as “Security Decree bis”³⁴, in Article 12 paragraph 1, provides for the establishment at the Ministry of Foreign Affairs and International Cooperation of an “Incentive Fund for Repatriation Policies” – with an initial budget of 2 million Euro, which can be increased up to a maximum of 50 million in the coming years. The text binds Italian development cooperation interventions with partner countries to a *particular collaboration* of the latter in the repatriation of “irregular subjects present on national territory from states not belonging to the European Union”. The purpose of this fund was further clarified by the new Minister of Foreign Affairs, Luigi Di Maio, during a press conference on 4 October 2019 to present the so-called “Safe Repatriation Decree”³⁵, stating that “*the repatriation fund, which can reach up to 50 million Euro, is not to cover our expenses to carry out repatriations, but is a fund that we require to sign the necessary agreements. In the sense that we will only come to understand the necessary expenditure on the basis of, for example, development cooperation projects to be opened with other countries, to then accelerate the repatriation mechanism.*”³⁶

The draft law of the State’s projected budget for the financial year 2020 and the multiannual budget for the triennial 2020-2022 presented by the government on 15 October 2019 and, at the time of writing, still under discussion at the Senate, in Article 101, provides for the establishment of a “Fund for Cooperation on Migratory Movements”³⁷. This is the renaming and refinancing of the “Fund for extraordinary interventions aimed at reviving the dialogue and cooperation with the African countries of primary importance for migratory routes”, now known as the “Africa Fund”, established

with the Budget Law of 2017, Art. 1 paragraph 621, to the estimates of the Ministry of Foreign Affairs and International Cooperation (MAECI) with an initial budget of €200 million as financial loan refinanced by the two Budget laws respectively with €30 and €50 million (ActionAid 2019). According to the Draft Law its budget will be €30 million in 2020, €40 million in 2021 and €40 million in 2022³⁸. The Fund appears to broaden its geographical scope beyond Africa, however, to find out the destinations and priority countries, it will be necessary to wait for the Decree from the Ministry of Foreign Affairs and International Cooperation.

Consequently, Official Development Assistance could be used as an exchange currency for readmission agreements with home and transit countries. The proposed fund therefore denatures the ultimate purpose of development cooperation by formally introducing for the first time a principle of conditionality of aid which would respond to Italy’s national interests more than development objectives. This would be in breach of the principles – signed by Italy with the Paris Declaration on Aid Effectiveness of 2005 and confirmed at the Forum of Busan in 2011 – as well as the purposes of ODA as defined by Law 125/2014, governing Italy’s international development cooperation and in which it is stated that the “*objective of development cooperation is poverty eradication and reduction of inequalities, the protection and affirmation of human rights, and the prevention of conflicts*” (ActionAid, 2019)³⁹.

Since repatriation is the main form of return from Europe, its link with development and the ability to maximize its impact loses importance and it ends up being translated into a progressive change of course and a conditionality of funds for development cooperation, as the repatriation incentive fund clearly demonstrates. The strong emphasis on repatriation feeds public hostility against the growing number of irregular migrants who are not so much the result of the inefficiency of the repatriation system as a progressive reduction in the area of regularization⁴⁰ due to more security-based regulations on migration – such as Law no. 132/2018, known as the “Salvini Decree”, which eliminated such forms of ancillary protection as the humanitarian kind (ActionAid and Openpolis, 2019)⁴¹.

³⁴ Decree Law no. 53 of 14 June 2019, Urgent Provisions on Law and Order and Public Safety <https://www.penalecontemporaneo.it/upload/1063--atto-completo-.pdf>. The Decree was then converted into a Law (no. 77/2019 <http://www.regioni.it/news/2019/08/10/ordine-e-sicurezza-legge-08-08-2019-n-77-conv-dl-532019-journal-journal-N-186-of-09-08-2019-599915/>)

³⁵ The decree promoted by the Minister for Foreign Affairs, Luigi Di Maio, and the Minister of Justice, Alfonso Bonafede, did not establish any incentive fund, which has been provided for by Law no. 77/2019, as we have seen. The Decree focuses on reducing the number of people who can make a request for asylum through the definition of a list of 13 safe countries which includes Tunisia, Morocco, Algeria and Senegal. Immigrants from these countries would not in fact be entitled to refugee status unless they are in a serious personal situation of danger, but it would then be up to them to show, “by reversing the burden of proof [currently] the responsibility of the magistrates”. At the same time, the Conte-Bis government has relaunched the effort to dialogue with home countries regarding repatriation, also through the financing of the incentive fund for repatriations.

³⁶ https://www.askanews.it/esteri/2019/10/04/migranti-di-maio-decreto-rimpatri-non-comporta-oneri-di-spesa-pn_20191004_00108/

³⁷ <http://www.senato.it/service/PDF/PDFServer/BGT/01125659.pdf>

³⁸ Official Development Assistance. Allocations for the financing of interventions to support development cooperation policies (Law no.125 of 11 August 2014, Article 14). Draft Integrated Budget law – accruals and cash-flow forecasts – 2020-2022.

³⁹ <https://www.gazzettaufficiale.it/eli/id/2014/08/28/14G00130/sg>

⁴⁰ https://www.repubblica.it/solidarieta/immigrazione/2019/10/24/news/decreti_sicurezza_cresce_il_popolo_dei_senza_permesso_di_soggiorno_-239348638/?fbclid=IwAR29xdNBz8Xh2xioz3wA3yknF8e_icAoF8qTyk4gFvyhIH3K6f_dTuyJgmA

⁴¹ https://www.repubblica.it/solidarieta/immigrazione/2019/10/24/news/decreti_sicurezza_cresce_il_popolo_dei_senza_permesso_di_soggiorno_-239348638/?fbclid=IwAR29xdNBz8Xh2xioz3wA3yknF8e_icAoF8qTyk4gFvyhIH3K6f_dTuyJgmA

2.6 The European repatriation agenda

In recent years, also certain European institutions have undertaken to increase the rate of return of irregular migrants to their home countries. In addition to its shared jurisdiction in the area of readmission agreements – the EU currently has 17 of them in force⁴² – over the past fifteen years, the EU has promoted a series of initiatives and strategies aimed at developing a common approach to return and repatriation.

The first framework of reference was the one in the GAMM (Global Approach to Migration and Mobility) adopted in December 2005 (EPRS, 2015b). Then Directive 2008/115/EC was approved. Also known as the “EU Return Directive”, it aimed to operationalize readmission agreements and establish a common standard approach to repatriation (EPRS, 2015a). This directive has been criticized by civil society organizations as regards: the maximum duration of detention following a repatriation order (18 months), the detention of children as a last resort and the imposition of long periods of prohibition on returning for migrants subject to compulsory repatriation. In addition, despite containing a reference to guarantees for the protection of fundamental human rights during the whole readmission process, these measures have not been fully implemented by all Member States (Cortinovic, 2018)⁴³.

In 2014, the European Migration Network produced an evaluation report on the impact of European readmission agreements on Member States, highlighting how some of them continued to use their own bilateral agreements rather than the European ones (EMN, 2014). In May 2015, the European Commission presented the new European Agenda on Migration (EC, 2015a) and among the actions identified to discourage irregular migration was again that of repatriation. The latter also represents one of the points of the Valletta Action Plan adopted during a summit on migration between African and European heads of state and governments (November 2015)⁴⁴. Again in 2015, the Commission launched a Repatriation Action Plan (EC, 2015b), which included a consolidation of European regulations on the matter, a fuller exchange of information on compulsory repatriation, and a strengthening of the mandate of the European Border and Coast Guard Agency (Frontex), as well as an integrated system to manage returns. In conjunction with the action plan, approval was also given to the EU Return Handbook, which provides guidelines, best practices and recommendations to successfully carry out repatriations while respecting the

rights and safeguards contained in European legislation (EC, 2015c). In the action plan it is stated that the external dimension of European policies, including trade and development cooperation, should be mobilized to stimulate the interest of home and transit countries to cooperate on returns (EMN, 2017).

This approach has been added within the framework partnerships with third countries launched in June 2016 (EC, 2016) which, among other things, seeks to cooperate on returns and readmissions with such important home countries as Ethiopia, Senegal, Mali, Nigeria and Niger. The goal is to employ all the EU policies – commercial, energy, development, migration, and security – to improve the cooperation of home and transit countries also within the area of returns. The framework partnerships represent the process of *informalizing* the repatriation agreements described above among the EU Member States. In fact, in view of the difficulties encountered in carrying out effective understandings in the field of cooperation on repatriation with home countries, the Commission has expressly recognized the need to pursue informal agreement to accelerate repatriation operations without the need to negotiate standard agreements (EC, 2016) and without the required democratic scrutiny of the European Parliament (Cortinovic, 2018). Furthermore, while some of these agreements include reciprocal commitments to respect returnees’ human rights, no effective monitoring procedure is mentioned on implementation in third countries (Cassarino and Giuffrè, 2017). Given the unsatisfactory results in increasing repatriation rates, in 2017, the European Commission published a new Return Action Plan (EC, 2017a), asking Member States to increase their commitment to the repatriation of irregular migrants resident in Europe. In its recommendations, the Commission urged the states to make full use of the maximum duration of detention provided for by the Returns Directive, stressing that detention can represent an essential element for an effective repatriation system. In addition, they recommended a reduction in the period to lodge an appeal against a repatriation measure (Cortinovic, 2018).

In parallel, in order to make the repatriation system more efficient at a European level, the Commission strengthened the role of Frontex. with a new regulation adopted in 2016 (EC, 2016b). Through this the European Agency extended its mandate to manage repatriations by providing technical assistance for cases in which Member States might require support to implement repatriations, including coordinating and organizing them⁴⁵. According to the contents of the new regulation, the European Agency should ensure the coordination and organization of repatriation operations by Member States also by chartering flights.

⁴² https://ec.europa.eu/home-affairs/what-we-do/policies/irregular-migration-return-policy/return-readmission_en

⁴³ On the conformity of repatriation practices and respect for migrants’ rights throughout all the phases, see the report on the monitoring of the compulsory repatriation of foreign nationals by the National Authority for the Rights of Persons Deprived of Liberty (Garante, 2019 and 2018).

⁴⁴ https://www.consilium.europa.eu/media/21839/action_plan_en.pdf

⁴⁵ <https://eulawenforcement.com/?p=1459>

Starting from 2016, Frontex significantly increased its assistance in the field of repatriations, ultimately supporting 13,729 of them in 2018 compared to the 3,500 of 2015⁴⁶. However, there is no lack of criticism of the Agency regarding its capacity to be responsible for the protection of human rights (Fink, 2016). In 2018, the European Commission proposed a further revision of the Frontex regulations, including a strengthening of it both in terms of human resources (10,000 units by 2027) and financially (1.6 billion Euro per year for the Multiannual Financial Framework for 2021-2027, compared to the 322 million provided by the 2016 reform)⁴⁷, in addition to suggesting an expansion of Frontex' assistance mandate in the field of repatriation to third countries, in other words, a system to externalize repatriation⁴⁸. On 1 April 2019, the European Parliament adopted a position that asked for the elimination of the rule that required the externalization of repatriation⁴⁹. Negotiations between the European Council, Commission and Parliament are still in progress.

One last important reference – a demonstration of the efforts made by the European Commission in the field of repatriation over the years – is the proposal to reform the 2008 Directive (EC, 2018) in order to reduce the length of repatriation procedures, ensuring a better correlation between asylum and repatriation procedures and a more effective use of the measures to prevent migrants absconding (EPRS, 2019a). The revision proposed by the Commission intervenes in various important measures laid down by the 2008 Directive, including expansion of the cases and longer detention periods (between three and six months, compared to the current maximum three months), the risk of absconding, voluntary returns (including the obligation to establish assistance programmes for voluntary repatriation, allowing Member States ample discretion in their definition of eligibility criteria, by establishing a maximum limit of thirty days for departure) and the obligation to cooperate with the Commission regarding third countries (EPRS, 2019b).

The Commission's choice to propose a modification of the repatriation directive without complementing it by an impact assessment has been criticized by the European Parliament which, through the Committee on Civil Liberties, Justice and Home Affairs (LIBE), commissioned its own analysis which brought out that, among other things, there is no evidence of the extent to which the Commission's proposals for amendments could actually lead to an increase in repatriation rates (EPRS, 2019a). Not only that, the document stresses the potential impact on a number of the human and social rights of irregular migrants, including the likely violation of such fundamental rights as those contained in the Charter of Fundamental Rights of the European Union (EPRS, 2019a)⁵⁰.

BOX 5

BORDER EXTERNALIZATION

Externalization is a process of delegating control of migratory flows to third countries. Although the physical relocation of borders is not a new phenomenon, with the accompanying activities of control and repression of the movement of third country nationals, it is only recently that the European Union and its Member States have politically and economically defined an equilibrium to justify remote control of the flows and to delegate this occasionally gory and cruel task to third countries, especially those most affected by transiting migrants. Physical or administrative remote control consists of multiple actions which, when combined, allow the European Union and its Member States to effectively prevent the arrival of foreign nationals on European territory. On the one hand, a physical blockade and integrated control of the border, on the other, a policy of deterrence to stop them from leaving their home countries, backed up by increasingly rapid re-admissions of irregular citizens, accelerated procedures for determining the right to residence, and externalization of repatriation policies. (Cecchini, Crescini and Fachile, 2018)

In conclusion, repatriations constitute one of the fundamental cornerstones of European immigration policies whose objective is to prevent migrants arriving on our territory. This is achieved through three key areas: strengthening of the capacity for border control on the part of transit countries (externalization), intervening on the so-called root causes of irregular immigration in home countries and, lastly, adopting a more efficient repatriation and return policy. Repatriation from transit countries, for example Libya and Niger, must take place within an analysis that sees the EU and its Member States engaged in programmes and externalization policies aimed at "lightening" the migratory pressure towards the old continent. This produces widely testified negative consequences on fundamental rights, with respect to which the protection programmes financed by the EU and carried out by international organizations, even if justified by a humanitarian intention, respond in a purely functional manner to security issues and control of the flows as described above. Put another way, they are the consequences of the externalization policies, especially those implemented in Libya, which caused the humanitarian crisis for migrants along the Central Mediterranean route. If protecting them were the real objective of European immigration policies, then the tool would not be repatriation, but the creation of minimal safety conditions to face the journey, starting from the prospect of being able to enter host countries legally.

⁴⁶ <https://frontex.europa.eu/operations/return/>

⁴⁷ <https://eulawenforcement.com/?p=1459>

⁴⁸ <http://statewatch.org/news/2019/mar/eu-frontex-returns-non-eu.htm>

⁴⁹ <http://www.statewatch.org/news/2019/feb/ep-new-frontex-libe.htm>

⁵⁰ For a deeper look at the issues contained in the Commission's proposal see ECRE, 2019, and Statewatch, 2019.

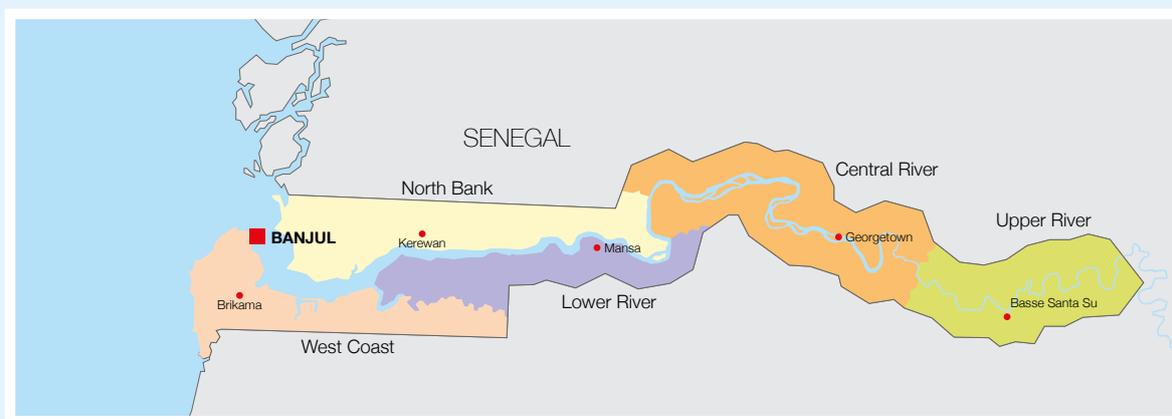
An efficient approach to reintegration, able to maximize the impacts of development and ensure the medium- to long-term sustainability of returns, would necessarily begin from a radical reform of Europe's external policies in the area of migration, starting from repatriations. As long as the objective is to curb the flows, we will continue to witness a rhetorical use of the sustainable reintegration concept, also within the scope of assisted voluntary return programmes, and an increasingly

instrumental use of the security aspect of development cooperation.

The following analysis of the repatriation system and the reintegration programmes in The Gambia is an interesting case of the system just described.

MAP

The Gambia and its districts



3 - REPATRIATION AND REINTEGRATION PROGRAMMES: THE CASE OF THE GAMBIA

3.1 Introduction

The following analysis aims to contextualize reflection on the link between migration and development, starting from the subject of returns and reintegration, and on the impacts in terms of development that European return policies have in The Gambia, a small West African country which, in recent years, has nonetheless witnessed a significant quota of migratory flows along the Central Mediterranean route. In fact, between 2013 and 2017, the country saw a substantial increase in the number of migrants trying to reach Europe. Many of them were trapped in Libya and Niger and, with the deterioration of the security situation in Libya, starting from 2017, a part of them went home benefiting from voluntary repatriation programmes funded by the European Union and some of its member countries including Italy, and managed by the IOM (International Organization for Migration). Consequently, this analysis does not consider repatriations towards The Gambia directly from European countries which, as we shall see, currently represent a very small proportion. Even so, this African country represents a useful case study to make projections with respect to the possible impacts of a possible growth in compulsory and voluntary repatriations assisted by the EU.

The 2017 change of regime in The Gambia determined a risk for many of its citizens who, on arriving in Europe, were denied a request for asylum and were subsequently repatriated. In addition, the democratic transition led to a reopening of relations with Europe, including the thorny issue of repatriation, which has already caused internal tensions and a diplomatic stalemate. Finally, like many other countries in West Africa, The Gambia clearly shows the consequences of European externalization policies on African countries, particularly the role played by development cooperation within them.

In this specific case, the link between migration and development is read as part of an examination of the needs and challenges that returnees must tackle once back home and the reintegration programmes they can benefit from.

For the majority of repatriations, these are people who have just begun their migratory cycle, who have suffered major

traumas and sustained significant costs and then had to return of their own accord to their home country without any resources and, very often, with grave psychophysical suffering. The challenges that emerge call into question both the current programmes and the reintegration policies, the latter at the moment being virtually non-existent.

From an analysis of the programmes and profiles which emerged in the interviews it is clear that, in the case of The Gambia and the voluntary repatriations assisted by Libya, we cannot talk so much about the choice of going back home and the sustainability of returns, but the management of repatriation in a humanitarian way which is key in serving as a strategy to contain migratory flows.

3.2 The migratory profile of The Gambia

The Gambia has historically been a country of emigration and circular migration. Starting from the 1970s, both Europe and North America have tended to polarize the migratory flows for work and education. However, migration from The Gambia remains multi-centre, with a significant proportion of migrants who remain inside West Africa⁵¹ while the emigration rate of people with tertiary education is among the highest in the world – around 28%⁵² (Lahire, Johanson and Wilcox 2011). The Gambia is among the first in the world rankings for the percentage share of remittances out of its gross domestic product (approximately 20%). Migration between rural and urban areas, mainly along the Atlantic coast, is a phenomenon that is deeply-rooted and still growing. The rural migration rate stands at 17% and the country sees the highest rates of urbanization throughout the region (58%) (Republic of The Gambia, 2018). Migration has historically been dominated by a young male population despite the fact that women have always moved too, in particular after the 1970s thanks to increased mobility for educational reasons.

With regard to the causes of migration, this analysis assumes a different point of view with respect to the “mechanical” cause & effect vision. Various factors

⁵¹ https://www.un.org/en/development/desa/population/migration/data/estimates2/data/UN_MigrantStockByOriginAndDestination_2017.xlsx

⁵² Generally speaking, Gambians go abroad to study and then remain there to work.

help determine the dynamics of immigration in relation to specific contexts, acting on different levels and interconnected. Economic, political, and social factors tend to average out and intermingle with others, both at family and individual levels. At the macro level, we can identify three types of driver that have prompted migration: the decline in the rural economy, low investment, environmental deterioration, and inadequate public policies; an increase

in youth unemployment rates (30%) and increasingly precarious working conditions (Lahire, Johanson and Wilcox 2011); political oppression and violence, in particular during the regime of Jammeh (July 1994–January 2017), characterized by abductions and violence against civil society, the media and minorities (in particular against the LGBTQ community).

THE GAMBIA AND ACTIONAID'S COMMITMENT

In terms of territorial extension, The Gambia is the smallest state in the whole of continental Africa¹. Independent since 1965, the country was governed by the first president, Dawda Jawara for about 3 decades followed by more than two decades in the second republic by the former President Yahya Jammeh, who came to power thanks to a coup in 1994. According to the political observatory Freedom House, Jammeh's government was infamous for its constant violations of political rights and civil liberties. In 2016, the elections brought the victory of the opposition candidate Adama Barrow. Since then, fundamental freedoms, including the right of assembly, association and speech, have been restored but the rule of law is still weak and LGBTQ people (lesbians, gays, bisexuals, transsexuals and queer) still suffer grave discrimination². Only 42% of the population is literate³ and out of a population of 2,28 million inhabitants, 230,000 people live below the poverty line⁴. Ten per cent of the population suffer from hunger and about 64 children out of every 1,000 die before they reach the fifth year of life⁵. In The Gambia only one sixth of the land is arable and the poor quality of the soil prevents crop diversification⁶, causing a food shortage that threatens the very survival of the population.

ActionAid's work

ActionAid started work in The Gambia since 1979 and went through different strategic shifts.

» ActionAid is currently operating in 3 Local Rights Areas (LRPs) in the Niampinas and Upper Niuni, of which **2 are directly financed by ActionAid Italy**

» **31,000** people reached (17,000 women and 14,000 men) through the AA programmes thanks to activities in the field.

» **1,808 children adopted at a distance** by Italian donors through the Child Sponsorship programme.

After 22 years of dictatorship, the Gambian people are increasingly interested in mechanisms that ensure participation in the processes of governance, particularly accountability and transparency. In 2018, ActionAid continued to work with different stakeholders to strengthen leadership and participation including youths and women in the process of democratization. The new government has promoted freedom of speech which encouraged many to freely express their opinion on the government's actions through the social media and other communication channels. Our work to reinforce accountability in the country in 2018 saw the involvement of 16,650 people, mainly young men and women, students, local authorities, and women leaders, who strengthened their knowledge of the basic principles of governance and accountability. In addition, 3,500 women received training on the subject of gender violence, the rights of children and their protection.

¹ See Atlante Geopolitico Treccani 2019, p.346.

² <https://freedomhouse.org/report/freedom-world/2019/gambia>

³ See Atlante Geopolitico Treccani 2019, p.346.

⁴ https://databank.worldbank.org/views/reports/reportwidget.aspx?Report_Name=CountryProfile&Id=b450fd57&tbar=y&dd=y&inf=n&zm=n&country=GMB

⁵ <https://data.unicef.org/country/gmb/>

⁶ See Atlante Geopolitico Treccani 2019, p.346.

BOX 6

THE GAMBIA AFTER JAMMEH

Starting from 2017, the political context in The Gambia changed considerably. A coalition of opposition parties won the presidential elections in December 2016, forcing Jammeh into exile after the threat of a military intervention by the forces of the Economic Community of West African States (ECOWAS).

The new president, Adama Barrow, during the campaign prior to elections, promised to rule for three years if he wins. However, soon after the new government has been ushered in, the coalition started to crumble. The change of regime transformed the country's political life and freed up public debate. From the point of view of security, The Gambia continues to raise several concerns that have already brought an extension of the presence of ECOWAS military forces thanks to EU financing. At this time (September 2019), it is not yet clear whether there will be a further extension.

The entire security apparatus is still far from being reformed, raising concerns about possible coups and instability post ECOWAS. National and international civil society, but also various countries as well as the EU and the United States, have expressed concern in relation to the efficiency, transparency and centralization of power and, more importantly, the repression of dissent⁵³. In fact, the population is manifesting growing discontent regarding the democratic transition in course, in particular following Barrow's decision to extend his mandate for five as provided for in the Constitution, which has generated heated public debate and the birth of a popular movement called "Three Years Jotna" (Three Years is up). In September 2019, the rapper Killa Ace, a vocal critic of the government, was arrested along with another 36 people accused of being involved in the protests that occurred last July in the cities of Serekunda and Brikama following the death of a Sierra Leone national in custody at a local police station⁵⁴. A further increase in social pressure is planned for December, when Barrow's three-year promise is due to expire.

3.3 The "backway"

Since 2010, The Gambia has become one of the more important home countries on the Central Mediterranean route, seeing a peak in 2016 – with 12,000 Gambian nationals who reached the Italian coasts, a significant number given the small size of the country.

In addition to the above-mentioned factors, also the reduction of legal routes has contributed to an increase in irregular flows (Gaibazzi 2018a). If irregular migration (*the "backway"* in Gambian slang) is not a new phenomenon, nor confined to Europe, departures towards the old continent increased significantly from 2010 onwards. This applies, for example, to various communities of the Niamina district in the Central River Region (CRR) interviewed during the research, who had had almost no previous experience of migration towards Europe but who, in recent years, have seen an increasing number of young people undertaking the backway.

Even with the growing presence of women, the profile of migrants who have made this journey towards Europe is still dominated by young men with a low level of education (Samuel Hall, 2018). Individual perception and the trends in the backway have changed since 2017, with an overall decrease in departures due, on the one hand to the repressive action on illegal immigration implemented in Libya, Niger and all along the Central Mediterranean route, and on the other by the post-Jammeh democratic transition. Despite this decrease in departures from the country, however, there is still a high level of aspiration to leave (Ebere, 2018) with a modification of the route towards that of the Western Mediterranean (via Algeria, Morocco and Spain).

Finally, the backway is becoming increasingly unpopular among families and communities of migrants – who had initially backed the decision to travel, also from an economic point of view - as it was also apparent from the meetings with members of the communities of Sambang and Baro Kunda (as level of danger on the route, the risk of failure in the face of a significant investment, the negative impacts on the families who remain behind and the intra-family tensions created domestic violence, increase in care work, divorces, etc.). This result has also been encouraged by information campaigns financed by European donors which have involved a growing number of migrants returning from Libya.

3.4 Return migration and repatriation

Historically, mobility was of a circular type (agricultural workers who went to do another job during the dry season); so returns are an intrinsic element of the migratory experience without necessarily representing its goal. When international migration became a structural factor within the country, then return migration also became a choice that could mark the end of the migratory cycle after a long period spent abroad (e.g.

⁵³ <https://www.theguardian.com/global-development/2019/sep/23/gambia-joy-gives-way-to-sinking-distrust-adama-barrow-clings-to-power>

⁵⁴ <https://fatunetwork.net/ousman-darboes-death-protesters-sack-serrekunda-police-station-free-all-prisoners/>

a return after retiring). In general terms, the return represents a goal for many migrants, and in many cases people invest in their own homeland in the prospect of going back there. Compulsory repatriation is not a new phenomenon in The Gambia either. In particular, during the 1990s, thousands of Gambians returned from states hit by civil war (Sierra Leone, Liberia, the Ivory Coast, and the Democratic Republic of the Congo) while many were expelled from the countries of West and Central Africa as a result of the decolonization process (Gary-Tounkara, 2008; Gaibazzi, 2015 Gary-Tounkara, 2016).

In recent years, the repatriation phenomenon has grown in relation to flows along the Central Mediterranean route. Between 2017 and August 2019, for example, the IOM repatriated approximately 4,000 Gambian citizens, mainly from Libya and Niger – and these data do not include migrants who returned of their own accord. In the first eight months of 2019, the IOM assisted between 100 and 150 people per month coming mainly from Niger (as was also apparent from interviews held at the IOM office in Banjul). In parallel, a limited number of Gambians were repatriated by Europe, in particular by Germany, as a result of their asylum applications being rejected.

The high number of repatriations has stirred up a heated public debate in the country. The increase is the result of an external intervention through programmes financed by the European Union Emergency Trust Fund for Africa (EUTF) launched in Valletta in 2015 by the EU in an attempt to intervene on the root causes of irregular immigration – including the question of returns – as well as dealing with the humanitarian crisis of migrants trapped in Libya⁵⁵. Reintegration programmes were the main tool at the disposal of the country to deal with the return of migrants – managed by the IOM, however.

3.5 The political economy of return migration

Since independence (1965), migration and return have represented major issues of national policy. The Gambian diaspora has always played an important role in economic and political support for the country thanks also to the organization of the political opposition to President Jammeh during the early two thousands.

With the democratic transition, President Barrow adopted a twofold policy regarding the issue of returns, distinguishing between qualified and unqualified migrants (Zanker and Altrogge, 2019). Professionals and intellectuals who had left the country during Jammeh's regime were invited to return and contribute to the development of the "New Gambia", while the poor migrants repatriated from transit and home countries were left out in the cold, considered more of a problem than a resource. This approach also emerges when looking at initiatives undertaken by the government of Barrow who defined the diaspora as "the eighth region of the country". The activism of the diaspora is reflected in an initiative called "Migration and Sustainable Development in The Gambia (MSDG)", an activity of political pressure that has led to the definition of a development strategy for the diaspora being included in the National Development Plan for 2018-2021 (NDP)⁵⁶; the institution of a directorate for the Gambian diaspora at the Ministry of Foreign Affairs; and, finally, the introduction of a "Diaspora Month" (December 2018-January 2019)⁵⁷. It is important to underline the influence that the interests of European countries in controlling flows exerts on the country's migration governance. As we have seen, this is a dialectical relationship, where divergent positions and interests often come into play. However, the way in which the European migration agenda makes the link with security increasingly explicit and strategic (IAI, 2017), with development cooperation seen as a tool at the service of migration control (Seron Airers and Gabrielli, 2019), also emerges in the humanitarian repatriation programmes promoted in the country. The latter turn out to serve the control objective by concentrating exclusively on managing the "problem" in the short term (through repatriation and reintegration programmes) and not automatically in a vision of medium- to long-term development.

⁵⁵ https://ec.europa.eu/trustfundforafrica/all-news-and-stories/eu-iom-joint-initiative-migrant-protection-and-reintegration-new-web-portal_en

⁵⁶ <http://gambiandiaspora.net/wp-content/uploads/2018/04/Gambian-Diaspora-Strategy-A6-Book-Jan-2018-FINAL.pdf>

⁵⁷ <http://gambiandiaspora.net/wp-content/uploads/2019/09/SNF1-Programme-13-Jan-2018-FINAL.pdf>

TESTIMONY - MOHAMMED BAH

«My name is Mohammed Bah, I'm 35 years old and I live in the village of Niamina Sambang in the Central River Region. I have a wife and a daughter, and I work as a bricklayer, but life is hard, and I earn little from this activity. I learned this profession during my stay in Libya. The trip was hard, and I still bear the signs of maltreatment on my back. Before deciding to use the backway (clandestine route – ed.), my brother gave me money to open a small shop. But given that from the travel stories it seemed simple enough, I decided to use these resources to finance my departure. Once in Libya the money soon ran out, but I was too ashamed to ask my family for help. So, I decided to learn to become a bricklayer and three months later I went to Mali, then Dakar, Senegal, and from there I settled in Casamance (Senegal) where I got married and had a daughter. For several years I couldn't find the courage to call my family because I felt so ashamed; I'd squandered their money and I had failed. In the meantime, my brother found out where I lived and in 2017 he came to get me, and he took me home. Everything is different from the way it was. Not only because I'm poorer but because my family is still bitter; even if they never say so directly, I can feel it. I've changed since the trip; my family say so too. Some of them have even threatened to use black magic and spells to make me change. Ever since I came home I've worked a lot and the only time I have to rest is during the night. In addition to bricklaying, I grow peanuts and millet. My wife and my daughter are also suffering from the whole situation. My younger brothers are more respected than me, because I left with their money and I returned empty-handed. I'm not saying all this to get help. I'm just telling the truth. Apart from the aid received from my brother to come back home, I survive thanks to my work. But it's hard. I can't put anything aside because the little that I earn I spend to feed my family. I have no plans for my life. I don't advise anyone to use the backway. I would tell them to use their money to work here. The trip is a gamble. It can go well just as it can go badly. If I had opened my shop, instead of leaving, I'd be better off now. I thank God that I have a wife and a daughter. I know several people who still live in Libya and they don't have a family.»



3.6 Readmission agreements and re-politicization of repatriations

The Gambia has signed migration agreements and Memoranda of Understanding with, among others, Spain (2006), Italy (2010, 2015, 2017) and Qatar (2010). As announced by the then Italian Minister of the Interior, Matteo Salvini⁵⁸ (October 2018), and confirmed by sources of the Gambian Ministry of the Interior, negotiation was to take place to facilitate the repatriation of irregular fellow countrymen from Italy. A sluggish negotiation also due to The Gambia's reluctance to cooperate in the matter. In fact, following the public protests in relation to the first repatriations from Germany (15-20 persons)⁵⁹ between the end of 2018 and the beginning of 2019, the country imposed a moratorium on compulsory repatriation from the EU, denying that it had ever signed an agreement with Germany⁶⁰. There is a broad consensus inside the country that irregular immigration is not a criminal offence and should not be criminalized even in the host countries. Moreover, the government is concerned about the possible social consequences of mass returns, with risks for internal stability in the face of difficulties to effectively meet the needs of these people and the consequent increasing frustration that would ensue. Which is why, in the interviews carried out, various stakeholders emphasized the need to guarantee adequate preparation for reintegration to be implemented before departure from the host countries.

BOX 7

REPATRIATION FROM THE EU

In 2018, expulsion decisions imposed to the detriment of Gambian nationals within the EU numbered 5,845: 1,750 in Germany, 2,570 in Spain, 540 in Italy and 440 in France. Out of the total, 740 repatriations were actually carried through: 230 from Germany⁶¹, 60 from Austria, 55 from Spain (compulsory), 40 from France (compulsory), 35 from Italy (compulsory), 30 from Sweden and 5 from Greece. Only 65 were assisted voluntary repatriations, of which 40 were from Austria, 20 from Sweden and 5 from France (Eurostat data).

The more or less intentional attempt to “depoliticize” the issue of repatriation – mainly through allocation of resources by the EU for reintegration programmes – is not working, also in light of the growing widespread protests which threaten to destabilize the fragile fledgling democracy⁶². The discontent is a result of the twofold approach to returns as described above, with repatriated migrants who undertook the backway feeling abandoned by their own government. To this must be added the difficulty of accessing reintegration programmes, and the related delays because of the high number of repatriations compared to those expected, which also unleashed a protest in November 2017 in front of the IOM offices in Banjul⁶³. Two returnee associations – Gambian Returnees from the Backway (GRB) and Youth Against Irregular Migration (YAIM) – were set up with the objective of promoting greater attention among the public and the institutions regarding their needs and to help other returnees access the programmes and also for peer support and consolation.

The differentiated approach to returns in Gambia represents a worrying alignment with the problematizing of irregular migration pursued by the EU and its Member States. If from a European point of view this represents a further opportunity to externalize migration governance for The Gambia then there is the risk of importing the political problems that the action provokes. In fact, as we have seen, repatriations represent a potential destabilizing element for the country's democracy and an increase in them would only worsen the situation. The moratorium imposed by the government shows the extent to which the problem is recognized internally, and at a European level this ought to open reflection on the opportuneness of continuing to insist on this approach. Like other African States, The Gambia has repeatedly expressed the need for more regular entry channels instead of an exclusive focus on the repatriation of irregular migrants⁶⁴.

⁵⁸ <https://www.ilfattoquotidiano.it/2018/09/09/migranti-salvini-entro-lautunno-accordi-di-espulsione-con-paesi-africani-altrimenti-ci-mettiamo-80-anni-per-rimpatri/4614554/>

⁵⁹ The Refugee Council of Baden Württemberg reported and monitored these repatriations. <https://fluechtlingsrat-bw.de/informationen-ansicht/dritte-sammelabschiebung-nach-gambia-destabilisierung-wird-in-kauf-genommen.html>. In December 2018, Gambia-Helfernetz, a network of people and associations working with The Gambia wrote an open letter to the Minister-President of Baden-Württemberg repudiating his instrumental declaration that the post-Jammeh transition had made The Gambia a safe country. <https://fluechtlingsrat-bw.de/files/Dateien/Dokumente/INFOS%20-%20Fluechtlingsarbeit%20BW/2018%20Ueberregional/2018-12-Offener%20Brief%20-%20Abschiebungen%20nach%20Gambia%20Enf.pdf>

⁶⁰ <http://foroyaa.gm/no-deal-on-deportation-signed/>

⁶¹ The Eurostat statistics do not provide any details on the compulsory and voluntary repatriations of Gambians from Germany.

⁶² https://wadr.org/home/index.php?p=highlight&lang=&auth_=991

⁶³ <https://www.reuters.com/article/us-gambia-migration-returnees/freed-from-libyan-jails-frustrated-migrants-pose-challenge-to-new-gambia-idUSKBN1FJ06T>

⁶⁴ An example of a more balanced approach, at least on paper, is that of the Mobility Partnerships negotiated by the EU with the countries of Eastern Europe. For an analysis of the risks and opportunities of this initiative, see: <https://www.migrationpolicy.org/article/eu-mobility-partnerships-expression-new-compromise>

3.7 The return and reintegration experience

The success of reintegration depends on several factors such as the place, the time and the pre- and post-return conditions. Reintegration is a key aspect of the sustainability of returns. The following analysis is the fruit of two weeks' qualitative research in The Gambia, realized through semi-structured interviews with repatriated migrants, families, associated communities and a series of organizations, NGOs, development agencies and institutions in the Central River Region (CRR), the Upper River Region (URR) and the Greater Banjul Area (GBA). The aim of this work was to more deeply understand the main dynamics of the reintegration process and the related challenges and opportunities, also in light of the AVRR programmes currently being carried out in the country.

3.7.1. The economic and social failure of return migration

Although migration cannot be reduced to a mere economic driver, means of subsistence do represent a vital factor in domestic and international migration. Hence, migrations represent a response to the need to diversify means of livelihood (ActionAid, 2017). The ability to return with resources, know-how, and investments is critical to the success of the migratory experience. On the contrary, returning with empty pockets, in addition to potentially representing a personal failure, also compromises the success of reintegration. But even worse, and not to be forgotten, is the fact that many people run up debts to deal with migration costs (Samuel Hall, 2018; Altrogge, 2019). All the migrants interviewed in the Niamina district emphasized the enormous personal and collective sacrifices they had to cope with in order to leave. Even when the decision to leave is not communicated to their families, the latter must subsequently send resources to cope with all the unpredicted circumstances of the migration pathway (for example when migrants are held in custody at checkpoints and detention camps which are present not only in Libya, but also in Mali, Burkina Faso, Niger, Algeria and Morocco and the family must pay for their release). All the migrants interviewed claimed to be in a worse situation than when they left. Then delays in receiving or lack of access to reintegration packages exacerbate their already fragile socio-economic situation.

The economic situation of the country itself is also a major obstacle to sustainable return: the high levels of youth unemployment, the environmental degradation affecting rural areas, and economic inefficiencies contribute to frustrating the expectations of returnees regarding their future prospects. During the interviews, everyone emphasized the importance of financial

support and access to income-generating activities. A recent study of Gambians seeking asylum in Germany highlighted concerns about the opportunities offered by the assisted repatriation and reintegration programmes in that they do not represent a medium- to long-term solution to the problems they face on returning home (Altrogge, 2019).

3.7.2. To leave again or to stay?

Under these conditions, a return is economically unsustainable, and the migrant will consider leaving home once again. This is also confirmed by a recent analysis (Samuel Hall, 2018) according to which 72% of returnees would like to leave again; a percentage in line with the potential migrants. The interviews we conducted during the field research showed some distinct attitudes: while all are open to the idea of starting afresh, none would repeat the backway experience or other similar unauthorized routes, and all are now actively engaged in raising awareness and preventing others from undertaking a similar journey. Many respondents said they wanted to stay in the country to remain close to their families. However, there is no contradiction between the option of remaining and that of leaving since the young often keep both options open depending on the opportunities that arise (Gaibazzi, 2015). Much hazier instead was the question of internal and regional mobility as a result of returning. In fact, migrants can stay in urban areas in search of job opportunities or for other reasons, including waiting for a reintegration package; or they may return to their home communities, or move back and forth between two places depending on the period and the situation. In general, the communities in rural areas complain about the young people moving more and more often towards urban areas because of the lack of employment and income opportunities (due to an economy that is mainly agricultural).

3.7.3. Social and psychosocial aspects: stigma and guilt

In addition to economic problems, returnees also face considerable challenges of a social and personal nature. As we have said, the majority of them have spent all their money, often collected by running up debts. For young men, the majority of those who take the backway, migration represents an accelerator of the passage to adulthood, putting them in a position to provide for themselves and their family - at least in theory. Consequently, the failure of a migration project leads these people to blame themselves for the waste of resources and the frustrated hopes that others in turn have shackled them with. Although all the respondents confirmed feeling guilty for having lost an opportunity - and in many cases for having wasted resources placed at their disposal but not always explaining the goal of their migration project - the theme of guilt and failure

seems to be less significant than in other West African countries⁶⁵.

Furthermore, it emerged that many returnees, and their communities, consider the backway a form of “hustling”, which in The Gambia indicates ‘ingenious hard work to acquire more economic resources’, and is therefore seen in a positive manner. Travelling in search of resources is a form of hustling *par excellence*. In the popular mindset, hustling may succeed or not: risk is inherent to the attempt.

Consequently, a failed migration is a risk inherent to the type of experience and can happen despite individual abilities.

The expectations that gravitate around a migration project represent a crucial aspect of returns (Zanker and Altrogge, 2017; Samuel Hall 2018). There is a widespread belief that until a migrant commits a criminal act he or she is allowed to remain in the host countries. As a result, returnees are stigmatized since they are suspected of having committed criminal acts which justified their repatriation. However, the *politicization* of repatriation following the EU’s externalization policies has increased awareness among the public of the fact that a migrant who has been expelled, or in any case repatriated, is not a criminal. Despite this, in light of the violence suffered during stays in Libya and other transit countries, there is a growing perception that returnees or migrants repatriated from those places are more prone to violence and therefore constitute a threat to society. It is no coincidence that a part of the Gambian population tends to link the increase in the number of returns with a rise in petty crime.

Moreover, stigmatization applies even more markedly to women, particularly those (few) who have returned from Libya or the Middle East, and who were victims of trafficking, in many but not all cases. The fact or mere suspicion of having suffered sexual abuse during their stay abroad affects their reputation in concert with a heavy moral judgement.

It is important to stress that shame and stigma need to be inserted within a social context that is shifting and not static. In fact, the guilt felt by returnees is the result, on the one hand, of an exasperation with migration opportunities, on the other, of the erosion of respectable forms of staying abroad, including the journey. Today migration from The Gambia is more difficult, expensive, and risky. Thus, people feel a strong pressure to succeed in their trip since the cost of failure is high. Migration is not simply a way to support one’s family or community but is also a way to increase one’s social reputation which can also be compromised when, due to various contingencies, the ability to send resources home decreases, helping to negatively impact a wider-

ranging social network of people who, to different degrees, depend on them.

3.7.4. Psychological needs

In addition to the experience of failure that people must deal with once they have returned, when they are psychologically exhausted by the experience, whether because of being victims of violence or abuse or because of being direct witnesses of such. However, a stigma also arises in respect of these situations, so that it is difficult that they emerge spontaneously in conversation. In fact, not one of the respondents admitted to needing psychological assistance but almost all claimed to know of situations where this support would be necessary. Only in the encounter with the Network of Girls against Women Trafficking did the need for psychological assistance explicitly emerge among the many women they are in contact with, after suffering violence during their migratory experience. Yet this dimension is given little consideration in reintegration programmes (Samuel Hall, 2018). Some progress has been made recently with the NGO COOPI, which, since 2018, has provided mental health and psychological support services (COOPI, 2018), while in 2019, the IOM has launched the first mobile caravan to provide medical assistance, including psychological support⁶⁶.

3.7.5. Family and community reintegration strategies

Despite the fact that on their return, returnees must cope with critical family and community situations (in the case of the family for having run up debts, for having used resources that were originally intended for other purposes, for having indebted the family as a result of extortion suffered during their migratory experience, for having kept them in the dark about their decision to leave, up to the moment of the telephone call asking for money), both the family and the community remain a fundamental resource for the reintegration process. Family and social networks play a fundamental role in helping returnees, particularly those not benefiting from IOM support, but even for those who do have access to it. The majority of respondents said that their families were happy to see them. One of the young people interviewed said he had returned home precisely on the day when his family was making a charitable offer (*Sadaqah*) for the memory of their son whom they believed dead.

The community too can represent a fundamental resource to support the reintegration process. Their needs, in particular those of young people, are reflected in the dynamics of immigration and ought

⁶⁵ This aspect was confirmed by the encounter with the Catholic Relief Service (CRS).

⁶⁶ <https://reliefweb.int/report/gambia/psychosocial-reintegration-gambian-returnees-strengthened-through-mobile-health>



to represent the priorities of any local development intervention. Both at Sabi (URR) and at Niamina (CRR), the decline in the agricultural economy is seen as the main reason for young people migrating. Agricultural and Rural Development, horticulture, livestock rearing, and for riverside communities, fishing, are identified as priority areas of intervention for young people, and returnees in particular. The poor and sometimes lack of investment and public policies – access to credit, infrastructure, market access and adaptation to climate change – is reflected in the inability to develop a system of agricultural production that is anything more than subsistence.

Even non-agricultural activities (“off-farm”) are seen as necessary, particularly in the commercial field. Technical training is one need that emerged during the various interviews. Not only economic needs but also social ones emerged as areas for intervention to avoid young people abandoning the rural areas. In Kudang (CRR), for example, the need emerged to create youth clubs close to the rural communities and not only in the main urban centres. Establishment of recreational and youth multi-purpose centres will go a long way in helping youths to stay in the villages and engage in activities that will take forward the community development process. Football tournaments and other sporting activities can be organized by the youths with support from development organisations including government to keep the youths busy and engaged to make the rural areas lively and interesting throughout the year. This will be helpful in the reintegration process as well as keep in check the rate of migration.

3.7.6. The active role of returnees

An effective reintegration strategy necessarily comes out of backing returnees as civic actors in the country. From this point of view, The Gambia represents an interesting situation of self-organization among returnees, also in reaction to the poor consideration received from the government. The two associations, Gambian Returnees from the Backway (GRB) and Youth Against Irregular Migration (YAIM), were founded in 2017 thanks to the initiative of some migrants returning from Libya. Their brief is to transform people’s perception of returnees, to organize themselves collectively to increase the effectiveness of reintegration interventions⁶⁷, to raise awareness among their peers on the risks of the trip and increase their visibility towards institutions. In particular, the two associations have been involved in many activities to increase awareness, obtaining public visibility nationally and internationally and contributing to the nation’s grasp of the sufferings of the migratory experience.

More difficult is the work to create socio-economic alternatives. Fifteen members of the GRB shared the resources and opportunities offered by the IOM reintegration package to start poultry production at Berending in the North Bank Region. Meanwhile, together with the YAIM they recently started a small horticulture pilot project within the Greater Banjul Area.

⁶⁷ <https://www.refworld.org/docid/5b3e0a5c4.html>

A last significant experience to point out is that of the Network of Girls Against Women Trafficking. This is a rare example of a women's returnee association, who organized themselves starting from the problem of trafficking towards Middle Eastern countries, and in particular Lebanon and Kuwait. The authorities have identified victims of trafficking in Egypt, the United Arab Emirates, and Finland. It is estimated that many returnees from Libya have been victims of trafficking and exploitation.

The women met during the study complained about the lack of support received from the IOM which currently has no dedicated resources for projects to assist survivors of trafficking. Gender discrimination usually contributes to fuelling the problem of stigma which, as we have seen, is very strong against migrant women

who have been victims of abuse and violence⁶⁸. The Gambia is a home and host country for women and girls who are victims of labour and sexual exploitation (domestic servitude, peddling, and prostitution) while a growing number of children and young people are also falling prey to all of this. The majority of these boys and girls are victims of sexual exploitation tourism by British, Scandinavian, Dutch and Canadian citizens.

As emerged from several interviews, reintegration programmes must be designed not only on an individual level but also on a community level (IOM, 2017). Strengthening the positive role of returnees, thanks to their involvement in campaigns and public debates, can help to counteract the negative visions of them, be these due to stigma, blame or criminalization.



⁶⁸ The research has not focused on the issue of trafficking in the country, which deserves further study, as does the launching of programmes aimed at supporting victims from an economic and psychological point of view.

TESTIMONY - HATAB TOURAY

«My name is Hatab Touray, I'm 26 years old and a Gambian citizen. I decided to use the backway because I saw so many of my peers go to school, get a qualification, and then have no opportunities. So, I resolved to leave just after finishing my studies. The trip was very difficult. From Gambia I went to Senegal, from there to Mali – where I waited a week before starting off again, sleeping outside a garage, suffering from the cold, and eating only twice a day to save money. Then I set off again for Burkina Faso and things got much worse. We were continuously stopped at checkpoints and had to pay 5,000 CFA (about 8 Euro – ed.) to continue. I spent three days in a village called Katchari, near the border with Niger, all those who have used the backway know it. I needed money and so I tried to contact my brother who lives in Italy who insisted that I should go back home promising that he would find me a job. In the end he became convinced that I would never go back and so he helped me. All things considered, he'd made a success of it, so why shouldn't I? Finally, I arrived at Agadez, where the transport to cross the desert towards Libya departs from. Once I arrived in the city I found my "agent", but I had to wait for two weeks before any transport was available. Then we finally left. It was a Monday night and there were sixteen of us. Before us we had a week of desert before arriving in Libya. We travelled eating biscuits, cassava flour, and some sardines. We had a five-litre jerry can of water each and we had to make it last for a week. Five litres for a week in the desert. On arriving in Libya we split up and so there were only three of us. Then some "Arabs" abducted us saying that our agents hadn't paid them and that they wouldn't let us go until our transport had been paid for. Every day they mistreated us and threatened us with a gun. I was just starting to lose hope when one day my agent called them and immediately we were freed and taken to Tripoli where, one week later, I embarked for Italy.

Just an hour after our departure we started to take on water and after a while the engine stopped and we sank. We began to panic, the boat started shaking and taking on more and more water. Many threw themselves into the sea and drowned. I remained on the boat with the others and when I saw some Libyans appear, I thought they would take us ashore and let us go. Instead, we ended up in a prison called Fella. We thought it was a detention centre where we would stay a few days and then the IOM would come and save us. Three long, interminable months passed. I started thinking that I was going to die in that cell. Some tried to escape, like Daddy, a Gambian guy like me, and they shot him. Every day they killed people and others were mistreated. One day, I was still asleep when I was woken up by someone looking for me to do a job. I asked what kind and he just answered: a shop. He asked me if I spoke Arabic and when I said yes, he just said that he wanted a black because otherwise no other blacks would buy anything from an Arab. Since he didn't trust me, for the first week I was kept shut up in a small cell, I lived like it was a prison. When he finally understood that I wouldn't try to escape he began to ask me to do small jobs around his house. Finally satisfied, he put me to work in the store, an internet café, where I stayed for three months. He paid me by the day, I earned about 10 Euro, and he also gave me dinner. I started to see the first earnings so that I was even able to buy a car. Once a week I called my parents who asked me to come back home. I kept telling them that I would never return but staying in Libya made no sense apart from the fact that it was very dangerous. Not being able to go to Italy, it was just as well to go back home and so thanks to the IOM, I returned. Now I'm happy and I must thank my parents for insisting. Today I work as a carpenter and I have a car. One day a friend came to see me and said he wanted to use the backway. I immediately answered no, don't do it, but he replied, and I can't blame him: 'What am I going to do? I don't have a job.' So I suggested he use my van to make money transporting things and to pay me a monthly rental. In this way he was able to buy a car that he used as a taxi. He returned the van telling me to lend it to others too, so that they might not try the backway. If I can help anyone to avoid going through what I went through I gladly help them. And that's what I've done. I'm also teaching some youngsters to learn the trade of a carpenter.

In Libya, when I was in prison together with my companions the idea came to become involved in a project. We wanted to stick together, after all we had been through, so we came up with the idea of starting to produce vegetables and raise poultry. We asked the IOM to be able to combine the resources of our packages (reintegration – ed.) and to be able to train. We returned from Libya without a penny in our pocket, with ideas, but in need of support, also from our own government. Today I can say that I believed in myself, that I never let myself feel down after the failure of my migration project and despite this I feel able to say that I've made it. But how many have been as lucky as me?»

As we have seen, The Gambia is launching a series of institutional initiatives to engage the diaspora, also on the subject of returns. However, too little consideration is given to less privileged returnees who have virtually no access to spaces for participation and political dialogue, except the most negative sides of their migratory experience and repatriation. While the dialogue with the diaspora focuses on economic matters, much less attention is given to the social and cultural dimensions which should instead be heightened. It is important to emphasize that focusing exclusively on the problems of social stigma and failure – promoting activities targeted to these aspects – is not enough; these elements need to be contextualized through work on public awareness of migration policies at national and international levels and on the impact these have on migratory projects. Indeed, without a change in externalization policy, the impacts of reintegration programmes will always be limited and serve a security approach and not one of development.

That being said, it is important to better understand and appreciate the domestic strategies for reintegration and the resiliency of families and communities. In fact, many of them have long experience of migration, including reintegration, which should be thoroughly studied and valorized. An experience such as that of the community of Sabi in the Upper River Region, for example, shows that the conditions of return – whether permanent or circular – depend on the overall circumstances that young people live in, and the option to stay is not in contrast with that of migrating but an integral element of it (Gaibazzi, 2015). The community has in fact developed social models and cultural values of staying: remaining is not seen simply as an alternative to emigration but has a particular role in the context of the migration project (e.g. looking after the family and the fields in the absence of the migrants, managing the remittances, etc.). Thus, returning is not conceived exclusively as ‘staying’ but means taking on other roles and activities within a migratory society. Current approaches to the management of migration and returns risk creating problems for these systems since, on the one hand they are trying to make the migration option more difficult, on the other they are detaining returnees in their own community or country. A bottom-up development of these models would contribute to a new approach to returns, not finalized at stopping migration but ensuring dignity and sustainability for a settled approach (Gaibazzi, 2015).

3.8 Reintegration programmes

The assisted repatriation programmes in The Gambia are currently funded by the European Union Emergency Trust Fund for Africa (EUTF), while another two projects are managed by civil society organizations. It is important to underline that the evaluation of these programmes goes well beyond the scope of this research. However, a rapid review of the projects is important to complete the analysis of repatriation and returns in the country in terms of reintegration.

3.8.1. EU-IOM Joint Initiative for Migrant Protection and Reintegration

The IOM has been present in The Gambia since 2001 although its mandate and operations have increased significantly since 2016-2017 in the management of assisted voluntary repatriation along the Central Mediterranean route. In December 2016, the EUTF launched the “EU-IOM Joint Initiative for Migrant Protection and Reintegration”. For this programme, the IOM received € 3.9 million to assist the repatriation and reintegration of 1,500 Gambians⁶⁹. The reintegration package includes several options: education, vocational training, psychological support⁷⁰ and support for business schemes. One night’s accommodation and the sum of €65 are given on arrival to every migrant along with information on his or her reintegration package which includes around € 1,060 in goods and services in order to start an activity to generate income. According to the IOM, about 90% of the people assisted have opted for micro-business activities in the sectors of commerce (39%), construction (31%), and transport (13%)⁷¹. As we also noted during the interviews, training courses are among the most recurrent requests, although the more remote communities, such as those of the Upper River Region expressed the desire to access training courses closer to where they live. However, despite the popularity of these courses, the majority of people have opted for goods and services to support start-ups – the reason lying mostly in the pressing financial needs of the returnees, including the need to repay debts for their trip.

Access to reintegration packages is limited to those who benefited from assisted repatriation by the IOM starting from 2017. Those who returned before 2017 are excluded, as are as those who returned without the

⁶⁹ By June 2019, the number had risen to 4,000. In addition to providing support for returnees, the programme included activities to raise awareness of the risks of migration and its alternatives and to support the national and local authorities and actors for development to carry out analyses in support of evidence-based interventions. <https://www.iom.int/news/gambia-eu-iom-launch-joint-initiative-migrant-protection-and-reintegration>

⁷⁰ As we have seen, this dimension is marginal compared to the others.

⁷¹ <https://www.iom.int/news/over-3500-returned-migrants-2000-receive-reintegration-assistance-gambia>

assistance of the IOM. From research commissioned by the IOM, carried out in February 2018, it emerges that only 21% of the Gambians repatriated by Libya had received support from the IOM (Samuel Hall, 2018b). It may be inferred from this that a significant number of people re-entered The Gambia unaided. Initially, the IOM had stated that access to the reintegration programmes was permitted only to those who had returned after May 2017, thereby excluding approximately 800 people and then, as a result of protests, they authorized support from January of the same year (Zanker and Altrogge, 2019).

In February 2019, the IOM stated that it had provided reintegration packages to 2,097 people out of 3,668 who had benefited from assisted repatriation⁷².

The data show that a significant number of migrants have never received reintegration support. The explanation lies in part in the large number of repatriations that occurred in 2017 which caused administrative hold-ups. Some migrants had to wait more than a year to obtain a package and others abandoned the scheme. Frustration with the waiting times, particularly in rural areas, emerged clearly from the interviews. Another of the common problems that emerged is that of distance and the transport costs for those who live outside the Greater Banjul Area (GBA). The opening of a local IOM office in Basse in the URR would only partially alleviate this problem.

As we have seen, the IOM adopted an integrated approach to sustainable reintegration (IOM, 2016), and this has proved an interesting innovation. From the point of view of collective reintegration, the IOM allows several people to combine their packages to start a joint business activity (on average two or three people). With regard to the community approach to reintegration, some recent research in 2018 (Samuel Hall, 2018) analysed the socio-economic reintegration programmes in ten urban centres and rural areas of The Gambia. The final report contains an assessment of the development challenges and the opportunities for every community monitored, highlighting the need for a systemic approach that uses supply chains as socio-economic catalysts (Samuel Hall, 2018)⁷³. However, community and collective reintegration remain residual activities which the IOM is trying to accelerate through incentives, such as the ability for those excluded from reintegration packages to enter a collective programme, as well as an integration of the collective package provided by the organization itself.

3.8.2. Youth Empowerment Project (YEP)

Another important programme launched as a part of the EUTF, and not exclusively the prerogative of returnees, is the Youth Empowerment Project (YEP). Originally planned to last three years (2017-2020) it has been extended to four, with € 2 million of additional resources. The main objective is to intervene on the root causes of irregular immigration through work on potential migrants and returnees. The YEP is managed by the International Trade Center (ITC), a joint initiative of the World Trade Organization and the United Nations in support of small- and medium-sized enterprises. The programme includes various objectives⁷⁴, with interventions in the sectors of agriculture, textiles, IT and communication technologies, crafts, tourism and creative industries. In 2018, this programme developed activities in the GBA, the Lower River Region and the North Bank Region. Its approach is characterized by cooperation between different ministries and the National Youth Council, as well as collaboration with many partners⁷⁵. Like the IOM's AVRR programmes, also the YEP has been accused of excluding various migrants repatriated from Libya and other transit countries (Zanker and Altrogge, 2019). The YEP signed a Memorandum of Understanding with the IOM regarding repatriated migrants. However, the numbers of their involvement are currently very low⁷⁶.

Although an evaluation of these programmes is not the object of this research, it is useful to mention some of the critical issues that emerged during the various interviews. For example, few of the returnees interviewed were aware of the YEP programmes. Some complained of having completed a request without receiving acknowledgement, while others maintained that the registration of their business was a prerequisite to access the support packages ("mini-grant schemes"). Since the registration has a cost this would be a barrier to access for the poorest. It is important to emphasize that the YEP managers questioned in this respect all denied the existence of this prerequisite. However, it is not clear whether it has been eliminated or if it never existed in the first place.

3.8.3. Building a Future - Make it in The Gambia

The programme, "Building a Future - Make it in The Gambia" was designed starting precisely from the YEP experience and is funded by the EUTF with the involvement of the Gesellschaft für Internationale

⁷² <https://www.iom.int/news/over-3500-returned-migrants-2000-receive-reintegration-assistance-gambia>

⁷³ As an example, the report mentions a project to cultivate rice in Bansang (CRR) and Dampha Kunda (URR). Initially, the IOM provided support for this.

⁷⁴ <https://www.yep.gm/about>

⁷⁵ For more details see <http://www.intracen.org/uploadedFiles/intracenorg/Content/Redesign/Projects/YEP/YEP%202019%20Q1%20update.pdf>

⁷⁶ On 2,178 young people who have benefited from entrepreneurial training, 66 of whom were returnees. As regards other programmes, e.g., the mini-grant scheme, disaggregated data are not available.

Zusammenarbeit (GIZ) International Services, the Instituto Marqués de Valle Flôr (IMVF), Enabel, GK Partners and the ITC itself. The project – whose general objectives are to help speed up economic development and promote a socio-economic environment that is more favourable to sustainable reintegration – seeks specifically to strengthen the orientation mechanisms developed by the IOM, to ensure a sustainable and positive experience when accessing programmes of skill-building and social reintegration, and to increase employability⁷⁷. The project began its activities recently with a media and awareness campaign by the name of “tekki IFI”, i.e. “Make It in The Gambia”.

3.9 General considerations on the EUTF programmes

The EUTF has been heavily criticized both because of the use of ODA funds intended for security objectives such as the curbing and control of migratory flows, and for the conditionality of aid for repressive action by home and transit countries and, ultimately, for the flexible procedures that have led to a circumvention of key controls as well as the infringement of important principles of effectiveness.

Here we would like to highlight some critical aspects concerning The Gambia, in the first place regarding participation. The returnee associations that benefit from some of the contributions from these programmes have no role in the implementation process. Moreover, there is an obvious problem of the ownership of these programmes by reason of the management carried out by external individuals in institutions such as the IOM and the YEP. Despite the Ministry of the Interior chairing the steering committee (which the IOM participates in) which coordinates repatriation and return activities, and the fact that in the YEP there is a similar mechanism involving different ministries among which are those of sport, young people and commerce, it is clear that the management of the reintegration process (as well as development programmes geared to deep-rooted causes) are processed and managed outside the country’s socio-political context. This is due to the very nature of the EUTF, designed as a flexible European tool that can respond effectively and quickly to evolutions in the dynamics of immigration and conflict on the African continent. Another point of criticism concerns the issue of resources: € 3.9 million were allocated to assist reintegration programmes for about 1,500 repatriated migrants but the number has grown considerably, to reach approximately 4,000. Lastly, many of the reintegration programmes focus on the economic dimension which represents the main

request from young Gambians. However, this approach is based on two fundamental assumptions: on the one hand, considering migrants as individuals in need of skills tends to underestimate and disqualify those who already possess them (conceivably acquired during their migratory experience) (Koser and Kuschminder, 2015); on the other, the conviction that these new skills will automatically translate into jobs and development.

BOX 8 THE EUTF

The European Union Emergency Trust Fund for Africa was launched during an EU-Africa Summit on migration in Valletta, Malta in 2015 with the aim of addressing the root causes of so-called ‘irregular’ migration. It included a budget of € 4 billion mostly coming from the European Development Fund. In the vision of the EU and its Member States, this fund was supposed to be a flexible tool that could respond effectively and quickly to evolutions in the dynamics of immigration and conflict on the African continent. The EUTF presents itself as an innovative emergency tool, which allows a more flexible and rapid response to the challenges posed by mixed migration from third countries.

The EUTF has become a hybrid tool, with two main areas of concern: (1) Traditional development aid and (2) The management of security, migratory flows, and borders. In essence, instead of pursuing development as a general objective, the approach pursued by the new migration agenda makes instrumental use of aid from donor countries to stop migrations through a combination of development interventions and migration management (Concord and CINI 2018, Oxfam 2017).

Totally absent in this vision is the role played by structural inequalities and the national and international drivers, which determine the high rates of unemployment and poverty. Worse still, in this way it transfers the responsibility for unemployment onto the shoulders of the individual alone; the question, for example, of the quality of the work as well as the minimum wage and employment standards are not taken into consideration at all. Not only that, doubts have also arisen on the real alignment between labour demand and the training courses offered.

⁷⁷ For more details, see the Action Fiche text, <https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/t05-eutf-sah-gm-03bisiii.pdf>

3.10 Development and migration policies

The logic underlying the establishment and operation of the EUTF sees migration as a development problem. The rhetoric of “root causes” sends out the wrong message: migrations are not a problem but a response to and consequence of lack of development, wherever policies are either lacking or failed to address issues affecting the people. There is a need to explain just what migration is: a part of development processes and not their negative externality.

The factors that determine the choice to migrate are many and act on several levels. Furthermore, the approach to the deep-rooted causes does not consider mobility as a normal developmental momentum of society, particularly in West Africa. From the interviews it emerged that the challenges for local and national development are not exclusively linked to migration, but involved in a more general sense education, rural development, infrastructure, etc. An economy that works properly and efficient, social services are the priorities for any population, irrespective of whether they have been migrants or not. From this point of view, migration should be an opportunity for a more effective fight against poverty and inequalities, and not their consequence and problem. To this end, it is necessary to change the whole approach to managing migratory flows and development and should go back to promoting effective responses rather than remaining a hostage of security control objectives.

Moreover, the current reintegration programmes are characterized by different critical issues in terms of approach, resources, accountability and implementation. A significant number of migrants returning from the backway do not benefit from these programmes, while others have been waiting for a very long time. The approach to reintegration processes pursued in the EUTF programmes does not adequately consider the structural needs of communities, raising many doubts about the impacts and overall sustainability, already compromised by the very nature of a return: repatriation. Rapid individual solutions such as professional training, are being carried out without any structural interventions, for example on educational systems. In this way, the instrumental use of development cooperation for short-term migratory objectives risks compromising the impacts of the medium-term development of aid. In this way, reintegration programmes appear to play a role of “normalizing” repatriation practices, shifting the focus onto the phases after a return, without calling into question the legitimacy of the repatriations.

BOX 9

NON-EUTF REINTEGRATION PROGRAMMES

Two additional programmes that target returnees are those of the ERRIN and the APIMA.

The European Return and Reintegration Network (ERRIN)⁷⁸ was born in the middle of 2018 as a follow-up to the previous ERIN programme⁷⁹. This is an initiative promoted by 15 European States (but not Italy) which also sees the participation of Frontex and the European Commission. The programme is financed by the AMIF Fund and includes a budget of € 28.6 million. The programme – which handles repatriation and voluntary returns – is coordinated by the Dutch Ministry of Justice and Security (Repatriation & Departure Service). In The Gambia the project is managed by the Belgian Caritas, in coordination with the local branch. By August 2019 they had managed the returns/repatriations of 12 people, but we do not know either the origin or the reason. The reintegration package amounts to approximately € 2,000 all inclusive; Caritas provides guidance services including the management of expectations of the family and peers regarding the return of migrants. According to information from the project managers, various migrants conceal the fact that they have been repatriated. The mechanism is very similar to that of the IOM, although the reintegration projects are approved by the Belgian Caritas. All 12 returnees opted to start micro-businesses. None of them were interviewed during this research.

The programme of the APIMA (Action for the Protection and Integration of Migrants in [West] Africa) was born in response to Pope Francis' call to build solidarity and honour the dignity of migrants. The project was launched by the Catholic Relief Service (CRS), and is in its pilot phase in The Gambia. It is addressed to both potential migrants and returnees and focuses on information, the improvement of resiliency, employability, and the ‘soft skills’ (approach to life, work ethic, communication). The returnees are involved as “ambassadors of knowledge” in information campaigns. Meanwhile, APIMA has signed a Memorandum of Understanding with the IOM for orientation work. The pilot project is currently active only in the Greater Banjul Area. None of the beneficiaries of this programme were interviewed during this research.

⁷⁸ <https://returnnetwork.eu/>

⁷⁹ https://ec.europa.eu/knowledge4policy/organisation/erin-european-reintegration-network_en

RECOMMENDATIONS

ActionAid calls on the Italian government to:

- » Make all understandings public (Memoranda of Intent, police cooperation agreements, technical cooperation, etc.) concluded in the recent year with third countries.
- » Ensure full involvement of the Italia Parliament in any future negotiation of standard and non-standard agreements with clauses regarding the readmission of third country nationals in their home countries, through a regular update on the negotiations in progress.
- » Insert clear clauses to protect the human rights of migrants and appropriate mechanisms to monitor any future agreements in the field of repatriation, whether standard or informal.
- » Provide an independent assessment of the impact of the sustainability of returns within the framework of the assisted repatriation programmes carried out in recent years.
- » Not use development cooperation as an incentive to cooperate on repatriation, ensuring that the guidelines and priorities of the future “Fund for extraordinary interventions aimed at reviving dialogue and cooperation with African countries”, are in line with those contained in the triennial document on programming and guidelines for development cooperation and are not in any way associated with negotiations on repatriation.
- » Repeal as soon as possible the provisions on asylum, immigration and citizenship contained in the so-called ‘security decrees’ (Legislative Decree no. 113/18 converted into Law no. 132/18) and Security-bis (Legislative Decree no. 53/19 converted into Law no. 77/19)
- » Increase the possibilities of legal entry and provide for a review of the regulatory framework on the management of migration, in line with the popular law initiative “New rules for the promotion of regular residence permits and for the social and employment integration of non-EU citizens” promoted by the campaign “I Was a Foreigner and You Welcomed Me”, currently under discussion at the Constitutional Affairs Committee.

ActionAid calls on European institutions to:

Recognize the importance of increasing the legal avenues for entry as the only effective response, bringing them to the centre of cooperation on migration and mobility with African countries.

Reform the whole architecture in the field of migratory governance aimed at the externalization of borders, in particular, abandoning the centrality of repatriation as a measure to reduce migratory flows and to shelf every initiative aimed at containing foreign nationals in home and transit countries.

Increase the safeguarding and protection of migrants’ rights in repatriation policies starting from a review of current regulations and approaches, in particular, the ongoing revision of the repatriation directive, paying specific attention to the presence of non-expulsion causes and the desire of returnees to submit an application for international protection.

Look beyond the vision of reintegration as a target for the reduction and prevention of migration and instead include it within a positive approach to migration, one that also provides for future departures of returnees, in a circular dimension.

Launch an assessment of the impact of reintegration programmes on the sustainability of returns not only at an individual level but also at EU and national levels.

ActionAid calls on the Gambian government to:

- » Eliminate the discriminating twofold approach with respect to the different forms of return (irregular vs diaspora). The dialogue on the institutional frameworks and public policies on migration and development should include all types of returns and their actors.
- » Take into account the need to abandon the European security approach, promoting a positive vision of migration and mobility as part of defining a new immigration policy.
- » Continue the moratorium on negotiating repatriation agreements.
- » Allow for the public scrutiny by the parliament and the civil society of the ongoing negotiations on readmission with host countries and to

improve the participation of the public and civil society on the definition of the migration policies, including readmission.

At the level of approaches to reintegration programmes it is necessary to:

- » Look beyond the short-term approach to the reintegration of returnees, in place of a long-term vision that can intervene on the structural factors of poverty and inequality which particularly affect women and young people. As has emerged from the field research, the communities underline the need for a general approach to developing solutions that is not tied only to the dimension of migration.
- » Improve access to and sustainability of the forms of subsistence provided for by the reintegration programmes, starting from management of the programmes in terms of effectiveness, accessibility, selection criteria, and accountability.
- » Enhance and strengthen migrants' skills to overcome an approach that is merely market-oriented, and work to improve workers' rights, working conditions, and wage levels.
- » Strengthen the role of families and communities in reintegration programmes.
- » Promote an alternative approach to information campaigns on the risks of migration and enhance the positive dimension of migration, investing in the sustainability of reintegration as an example of the opportunity to remain.
- » Strengthen the active civic role of returnee associations as a way of safeguarding their independence.
- » Promote a dialogue between returnee associations at a regional level.



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METHODOLOGICAL ANNEX

The third part of the report, “Repatriation and Reintegration Programmes: The Case of The Gambia” is the fruit of a background research commissioned from Dr Paolo Gaibazzi, which consists of an analysis desk on primary and secondary sources and some field work realized in The Gambia from 11 to 24 August 2019. The fieldwork was supported by ActionAid Gambia and took place in the communities of three regions: the Central River Region (CRR), the Upper River Region (URR) and the Greater Banjul Area (GBA). Semi-structured interviews were carried out with representatives of the Village Development Committee (VDC) - members of the community, individual returnees and, in some cases, members of their families. Interviews were also conducted with institutional stakeholders, in the GBA only.

Interviews with returnees in the Central River Region (Niamina District) and Greater Banjul Area (GBA)

Initials	Location	Role	Gender	Age (Years)	Date
B.K.	Sabi	Backway returnee	Male	About 35	12.8.19
L.S.	Sabi	Backway returnee	Male	26	13.8.19
O.S.	Sabi	Backway returnee	Male	29	13.8.19
B.C.	Sinchu Alhagie	Backway returnee	Male	Just under 30	14.8.19
L.M.	Kudang	Backway returnee	Male	32	14.8.19
M.B.	Sambang	Backway returnee	Male	35	15.8.19
H.J.	Sowe Kunda	Backway returnee	Male	32	15.8.19
O.C.	Jakoto	Backway returnee	Male	29	16.8.19
S.B.	Baro Kunda	Backway returnee	Male	39	16.8.19
G.S.	Serekunda	Mother of a migrant	Female	60s	18.8.19
S.S.	Serekunda	Community member	Male	48	17.8.19
I.S.	Serekunda	Migrant repatriated from Italy	Male	A little over 40	21.8.19
M.B.	Sukuta	Backway returnee	Male	26	22.8.19
I.J.	Serekunda	Backway returnee	Male	32	22.8.19
F.C.	Serekunda	Backway returnee	Female	Just under 30	22.8.19
	Serekunda	Stepmother and brother of F.C.			23.8.19
M.J.	Salaji	Backway returnee	Male	35	23.8.19
F.M.	Salaji	Wife of M.J.	Female	Just under 30	23.8.19

Meetings with families and communities of the Upper River Region (Basse District) and the Central River Region (Niamina District)

Village	Respondents	Date
Upper River Region, Basse District		
Sabi	Sherif Silla, VDC member and adviser to the village chieftain	13.8.19
Central River Region, Niamina District		
Sinchu Alhagie	VDC and community members	14.8.19
Kudang	VDC	15.8.19
Sambang	VDC and community members	15.8.19
Sowe Kunda	VDC and community members	15.8.19
Jakoto	VDC and community members	16.8.19
B.K.	Family of S.B.	16.8.19

Institutional Meetings

Institutions	Respondents	Date
Gambian Returnees from the Backway (GRB)	Collective Interview	17.8.19
Focal Point on Migration, Ministry of the Interior	Maleding Saidykhan, Principal Administrative Assistant Secretary	19.8.19
Network of Girls Against Women Trafficking	Collective Interview	19.8.19
Youth Against Irregular Migration (YAIM)	Collective Interview	20.8.19
International Organization for Migration (IOM)	Alejandra Gomez, Reintegration Officer	20.8.19
International Trade Center (ITC)	Youth Empowerment Project (YEP): Ngoneh Panneh (National consultant for tourism), Baboucarr Sallah (Project operations and finance officer)	21.8.19
Caritas Gambia	Francis Mendy, National Director and head of ERRIN	21.8.19
Catholic Relief Services	APIMA: Pedro Gomez, Coordinator for The Gambia	21.8.19
Basse Youth Centre	Mohamed Ceesay, coordinator (Telephone interview)	22.8.19
Migrant Information Office, Basse	Hamsa Ceesay, migration officer	22.8.19





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