

## Joint Statement on Returns and Reintegration in the Context of International Governance of Migration

*Delivered at the Third Thematic Consultation on the Global Compact for Safe, Orderly and Regular Migration: "International cooperation and governance of migration in all its dimensions, including at borders, on transit, entry, return, readmission, integration and reintegration"*

Geneva, 20 June, 2017

Dear Co-Facilitators,

Thank you very much for this opportunity to contribute to the session.

I will deliver the following joint statement on behalf of ACT Alliance and Caritas Internationalis.

The **2030 Agenda**, to which the NYD explicitly refers, reminds us to leave no one behind (Par. 16). The discussion on returns, as part of the global approach to migration governance, is one of the most complex examples of migrants not being an important part or left behind in the policy discourse. They are left behind by governments on both ends of the migration cycle, who often don't have policies for sustainable returns and focus primarily on the immediate benefit of migrant workers for the country (in the form of remittances for sending countries, and cheap labour for receiving countries), and neglect the root causes of forced migration.

Migrants are subjects and not objects. Regarding them as the latter leads to violations of their rights that are seen as acceptable in the name of regulated migration.

The debate about returns needs to be re-examined in the light of the current reality of rights deficits at every stage of the migration journey. Only once the centrality of protecting migrants' rights has been agreed, a meaningful discussion of "promising practices" related to the area of returns and reintegration makes sense. Previous issue briefs, as well as members states in previous thematic sessions, have been reiterating that **migration must be a choice, not a necessity**. Thus, returning to a country of origin, and the timing of that return, should also be a choice—not a "choice" under threat of forcible return, but an informed choice.

The co-signatories of this statement believe that in order for a return to be successful and sustainable both for the migrant and the receiving community, it should be individually tailored to the situation of the person(s) involved, coordinated both in the host community as well as in the receiving community, and accompanied with appropriate counselling and policies in order to provide the returnees a real foundation upon which to rebuild their lives and support their communities.

**Therefore we offer the following 7 key recommendations:**

1. States should expand the availability of legal channels for labour migration at every skill level, which respect the fundamental rights of migrants and the choices people retain about their mobility, in particular choices about leaving the country and coming back again.. This is beneficial for migrants as well as for states, as it would protect the individuals' choice over their movement, including potential return, while providing transparency about their movements to state actors for planning and resourcing purposes.
2. All migrants in the territory of a state irrespective of their legal status should have access to justice and legal remedies.
3. Appropriate and sufficient services should be provided to those returning home both at the departure point and arrival point, where they should receive legal, social and financial support. It is important to underline that the services should act as a bridge between both countries.
4. For vulnerable groups such as unaccompanied minors or survivors of trafficking an assessment about their security and well-being before return should be made. In the case of children, they should be heard and their best interests should prevail. Survivors of trafficking should be offered protection and access to justice in a way that safeguards their dignity in the country before any consideration of return. In the case of return, psychosocial support and long-term rehabilitation should be provided throughout their return process and beyond.
5. States involved in repatriation programmes or evacuation programmes of foreign nationals caught up in a crisis in their host state, should adopt policies and procedures which facilitate and promote reintegration of returnees.
6. Civil society organisations and diaspora can contribute and effectively complement actions of states in accompanying the voluntary return and reintegration process on both ends of the process.
7. Detention in the return process should be avoided and instead alternatives to detention implemented. The detention of minors must be avoided in all circumstances.

Supplementing this statement, we will submit a longer paper which reflects the experiences of our members with unsustainable return practices, as well as with community-based sustainable reintegration practices.