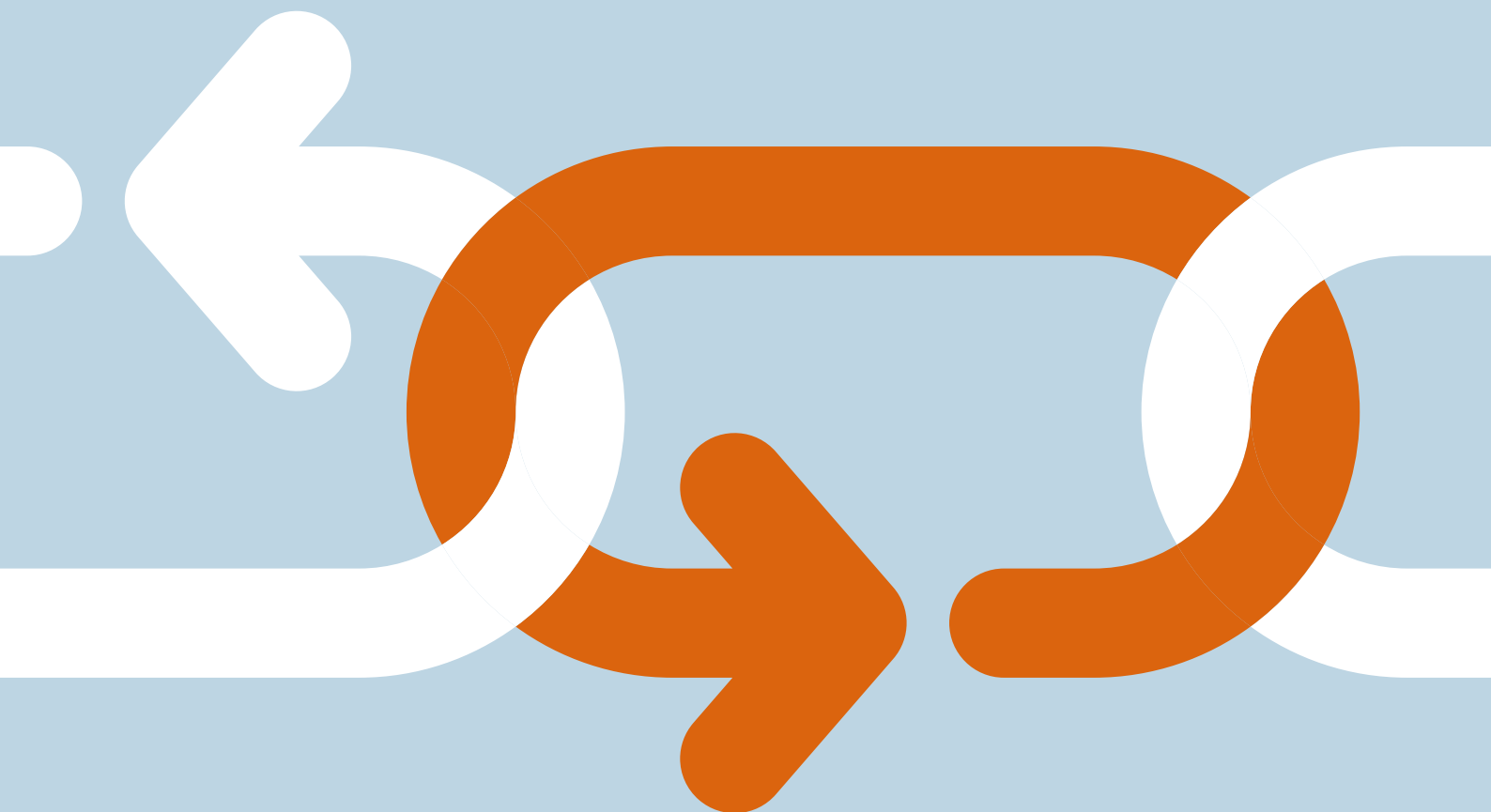


Recommendations for the Return and Reintegration of Rejected Asylum Seekers

Lessons
Learned
from Returns
to Kosovo



Danish Refugee Council

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Editors: Bettina Chu, Kristen Stec, Stephan Dünwald and Trine Loran
Layout: Design Now / Lenny Larsen
Proof-reading: ProLingua ApS
Printing: Vester Kopi

Danish Refugee Council
Borgergade 10, 3rd
DK-1300 Copenhagen K
Telephone: +45 3373 5000
Fax: +45 3332 8448
E-mail: drc@drc.dk

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Danish Refugee Council is an umbrella organisation with 31 member organisations:

ADRA Denmark - Amnesty International - CARE Denmark - Caritas Denmark - Council of Danish Artists - The Churches' Integration Service – DanChurchAid - The Danish Association for International Co-operation - The Danish Association of Youth Clubs - The Danish Confederation of Trade Unions - The Confederation of Danish Employers - The Danish Musicians' Union - The Danish People's Aid - Save the Children Denmark - Danish United Nations Association - The Danish Writers Association - The Danish Youth Council - Engineers without Frontiers - FOA, Trade and Labour - 3F, The United Federation of Danish Workers - Ibis (Danish development organisation) - The Jewish Community - FTF – Confederation of Professionals in Denmark - Sct. Georgs Gilderne in Denmark (The International Scout and Guide Fellowship) - The Association for the Integration of New Danes on the Labour Market - The Women's Council in Denmark - The Danish Union of Teachers - The Danish National Association of Gays and Lesbians - The Inter-Cultural Christian Centre in Denmark - The Union of Commercial and Clerical Employees in Denmark - UNICEF Denmark



Preface

When working with displaced persons – including rejected asylum seekers – the Danish Refugee Council's approach is built on the presumption that the individual comes before principles. Although we have criticised the Danish Government for refusing to grant residence permits to asylum seekers from Kosovo during the lengthy period where they could not return to Kosovo, we chose to assist in the return process when the UN authorities opened up this possibility in the summer of 2006.

Regardless of whether the rejected asylum seekers from Kosovo chose to accept mandatory return due to these changed circumstances or were forcefully deported by the authorities, it was our stance that returnees should be offered assistance not only from a humanitarian perspective but also to ensure the sustainability of the 'return project'.

The majority of rejected asylum seekers from Kosovo in Denmark had lived there for 3 to 5 years. As rejected asylum seekers, they had lived a pseudo-existence in Danish asylum centres and were therefore greatly affected by the many years they had spent waiting. The Danish authorities had its share of responsibility for this situation, and we were therefore pleased when the authorities consequently decided to assist this group of individuals through the project described in this report.

The creation of this comprehensive return project for rejected asylum seekers was an innovation in Danish refugee politics.

This innovation may prove to be extremely important when considering the development of Danish and European refugee policies. It will hardly be the last time that a group of individuals will face return after many years spent in asylum centres in a host country. We already know that many Iraqi citizens will face a similar situation. Iraqi asylum seekers have been living in Denmark since before the start of the war in Iraq. Without residence permits, they live in asylum centres with the prospect of being sent home once the situation allows.

The experiences gained by the Danish Refugee Council through the implementation of a return project for rejected asylum seekers from Kosovo can be utilised for the creation of return programmes for Kosovo returnees residing in other European countries, and when facilitating the return of other nationalities in similar situations.

Individuals who have been displaced for many years need support to rebuild their existences. It is therefore our hope that the authorities and NGOs in other countries will use this report in their future work, so that together we can fulfil the responsibility we have for individuals who end up in our countries.

Andreas Kamm
Secretary General
Danish Refugee Council

Executive Summary

Based on various activities aimed at facilitating and assessing sustainable return to Kosovo, this report describes valuable lessons learned and outlines a set of best practices for NGO-assisted mandatory return. The best practices presented are developed as part of the project '*Design and Facilitation of Sustainable Voluntary Return to Kosovo*' implemented by the Danish Refugee Council (DRC) and the German organisation Bayerischer Flüchtlingsrat (Bavarian Refugee Council - BF) from 2006 to 2008. The project is co-financed by the European Community under the Return Preparatory Actions 2005.

The report highlights the practical experience of different stakeholders. Firstly, a number of lessons learned are based on DRC's experience of implementing a return and reintegration assistance programme for rejected asylum seekers from Kosovo in Denmark and Kosovo. Secondly, a series of studies and assessments have been conducted in Denmark, Germany and Kosovo, assessing the impact of different support and reintegration measures. Finally, discussions with NGOs, institutions and authorities in the Balkans and Western Europe have been facilitated through international conferences and workshops, exploring differing perspectives on the measures needed to achieve sustainable return. As a result of the contributions presented in this report, recommendations for *best practices* in NGO-assisted mandatory return have been developed. The best practices below are fairly general and should be viewed as an inspiration for the design and implementation of return and reintegration assistance projects not only in Kosovo but in other places and countries of origin as well:

- ❖ **Information campaigns.** Extensive dissemination of material informing potential returnees and other relevant stakeholders about current return assistance programmes.
- ❖ **Comprehensive legal and return counselling.** Impartial and individual legal *and* return counselling must be offered to all rejected asylum seekers, using counsellors with both protection and repatriation expertise.
- ❖ **Case specific, up-to-date and reliable information.** Return counsellors must deliver case specific, up-to-date and reliable information about the country of origin (e.g. from field trips or Go-and-Inform Visits) if potential returnees are to constructively consider both the risks and opportunities of mandatory return.
- ❖ **Sufficient time to prepare.** Adequate time should be given to prepare for return, allowing rejected asylum seekers to return in a dignified manner. Necessary documentation, such as diplomas of educational activities and birth certificates, must be procured to facilitate legal reintegration upon return.
- ❖ **Arrival and initial reintegration support.** Information and advice on how to access legal, health, and educational services in the country of origin must be available upon return. Initial basic humanitarian support should be provided to returnees, taking into consideration the specific needs and vulnerability of different groups of returnees.
- ❖ **Housing and accommodation.** Returnees with no immediate housing solution should be assisted in finding permanent affordable accommodation – either through housing reconstruction or through e.g. subsidised social housing for those who do not own property or land.



- ❖ **Income generation activities and employment.** Preparing potential returnees for economic reintegration begins in the host country by allowing asylum seekers to maintain and/or develop vocational skills, as this is vital for a successful reintegration upon return. Return-related vocational training must be based on detailed and up-to-date information about the social and economic situation in the country of origin, and should preferably take place in cooperation with local partners.
- ❖ **Children, youth and schooling.** Ensuring a successful reintegration of children may imply offering native language training to the children of returnees to ease reintegration into the school system upon return. Social activities should also be facilitated, where young returnees can socialise with other young local residents to facilitate reintegration and reconciliation.
- ❖ **Health issues and medical services.** When relevant, information on healthcare institutions in the country of origin should be provided prior to return, in coordination with local authorities and NGOs. Returnees must bring with them their translated medical records from the host country, as this serves as a solid base for continued treatment upon return. Returnees should also receive financial support for medicine and care for a certain period of time upon return.
- ❖ **Re-acceptance and reconciliation.** Activities for and support to returnees must *not* create a gap between returnees and the existing local community. Return assistance programmes should therefore support community activities that involve the resident local population, and should include a balancing component that supports vulnerable members of the receiving community as well.
- ❖ **Monitoring and follow-up.** Cooperation with local partners or implementing organisations is essential to assist in safe, dignified and sustainable returns. This enables pre-return counsellors to provide relevant and up-to-date information, and makes follow-up on the reintegration of returnees possible. It allows support to be adjusted if unforeseen problems arise.
- ❖ **Cooperation and coordination between sending and receiving ends.** Return assistance programmes should build on increased cooperation between organisations and authorities in host countries and countries of origin. This is imperative to avoid duplication of services as well as positive discrimination between different groups of returnees. Cooperation between sending and receiving ends will also facilitate the capacity building of local institutions, and is vital to a holistic approach to return and reintegration assistance.

Along with the recommended return assistance measures, it is concluded that sustainable return is highly dependent on the concrete situation of the individual returnee. However, it is extremely important to ensure that the pre-conditions for sustainable return are in line with the recommendations presented above, by providing relevant and reliable information in the pre-return phase, providing reintegration assistance in the post-return phase, and by monitoring the returnees for a certain period of time after return. It is equally important that returning states address the issue of reconciliation by developing programmes which include a balancing component and capacity building of local institutions and NGOs, combined with development assistance, in the receiving state. There is no easy or inexpensive way to achieve sustainable return, and even if every aspect is included in a return programme there is no guarantee that this return will be sustainable. As stakeholders in the return process, we can only advocate for and assist in the process of ensuring that the relevant preconditions for sustainability are in place.

Recommendations for the Return and Reintegration of Rejected Asylum Seekers

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Acronyms

AGEF

Arbeitsgruppe Entwicklung und
Fachkräfte

APPK

Agjensioni i Përkrahjes së
Punësimit Kosovë
(Employment Promotion Agency
Kosovo)

ATRC

Advocacy Training and Resource
Center

AWO

Arbeiterwohlfahrt

BAMF

Bundesamt für Migration und
Flüchtlinge

BF

Bayerischer Flüchtlingsrat

BMA

Bundesministerium für Arbeit

DRC

Danish Refugee Council

DW

Diakonisches Werk

ECRE

European Council for Refugees
and Exiles

ERF

European Return Fund

GARP

Government Assisted Repatriation
Programme

GGUA Flüchtlingshilfe

Gemeinnützige Gesellschaft zur
Unterstützung Asylsuchender e.V.

GIV

Go-and-Inform Visit

GSV

Go-and-See Visit

IDP

Internally Displaced Person

IGA

Income Generation Activity

INGO

International Non-Governmental
Organisation

IOM

International Organisation for
Migration

KRCT

Kosova Rehabilitation Centre for
Torture Victims

LNGO

Local Non Governmental
Organisation

MWG

Municipal Working Groups

NGO

Non-Governmental Organisation

OCRM

Office of Communities, Returns
and Minority Affairs

OSCE

Organization for Security and Co-
operation in Europe

PTSD

Post-Traumatic Stress Disorder

RAE

Roma, Ashkali and Egyptians

REAG

Reintegration and Emigration
Programme for Asylum-Seekers in
Germany

UNHCR

United Nations High
Commissioner for Refugees

UNMIK

United Nations Interim Mission in
Kosovo

ZIRF

Zentralstelle für
Informationsvermittlung für
Rückkehrförderung¹.



1. Introduction

For some time, the issue of returning rejected asylum seekers residing in Western Europe to their country of origin has been placed highly on the political agenda of European Governments. The reasons are numerous, but often it comes down to increased xenophobia caused by failed integration and increasing numbers of asylum seekers who do not fulfil the criteria for a residence permit in the host country and who at the same time are difficult to return to countries of origin due to (post) conflict conditions. In the context of increasing political interest in this area, the importance of exploring ways to assist rejected asylum seekers to a humane, safe and sustainable return becomes increasingly important.

This report describes the lessons learned from various studies and activities aimed at facilitating sustainable return to Kosovo, with an attempt to develop a set of best practices for NGO-assisted mandatory return. The best practices presented here have been developed as a part of the project *'Design and Facilitation of Sustainable Voluntary Return to Kosovo'* implemented by the Danish Refugee Council (DRC) and the German organisation Bayerischer Flüchtlingsrat (BF) from 2006 to 2008. The project is co-financed by the European Community under the EU Return Preparatory Actions 2005, and the best practices described will serve as recommendations to the development of the European Return Fund.

Purpose and relevance of the report

The political priority of returns has led to an increase in programmes designed to assist rejected asylum seekers who return to their country or place of origin. Governments often include NGOs in the process of return counselling and assistance to ensure that returns are conducted in a safe, dignified and sustainable manner. However, return assistance provided across Europe varies greatly and depends mostly on the specific groups of returnees affected and individual country of origin programmes; most of these programmes focus only on the pre-return phase and do not include follow-up or monitoring in the country of origin.

The findings of DRC, as well as other stakeholders, indicate that enhanced coordination and cooperation at all levels is necessary throughout the return process to increase the efficiency of programmes and to avoid duplication of services prior to and upon return. This is also necessary in order to improve exchange of knowledge, information and lessons learned across programmes, and to avoid positive discrimination among different groups of returnees.

With this report, DRC hopes to contribute a guiding set of principles that can facilitate the sustainable return of rejected asylum seekers from Western Europe to countries of origin. Based on practical experience, this guiding set of principles not only stresses the importance of a holistic approach to return management which includes all phases and dimensions of the return process, it also stresses the importance of improved coordination and cooperation among stakeholders in sending and receiving countries based on best practice, which should be seen as a vital component of any return programme.

Sources of data and methodology

The project of designing improved models for NGO-assisted voluntary return is based upon various sources of information and the practical experience of different stakeholders. First of all, the lessons learned are based on DRC's practical experience of implementing a return assistance programme for rejected asylum seekers from Kosovo in Denmark and Kosovo. Secondly, a series of studies and assessments have been conducted in Denmark, Germany and Kosovo, assessing the impact of different support and reintegration measures. Finally, discussions with NGOs, institutions and authorities in the Balkans and Western Europe have been facilitated through international conferences and workshops, exploring differing perspectives on the measures needed to achieve sustainable return. The sources of data are outlined below.

- ❖ *Return from Denmark to Kosovo.* Since 2006, DRC has implemented a special programme assisting rejected asylum seekers who return to Kosovo. The programme offers legal counselling and practical support to returnees and emphasises a combined effort in facilitating the return process both in Denmark and Kosovo. The impact of DRC's return assistance was assessed in a qualitative survey in June 2007. Along with the experiences of DRC's implementing staff in Denmark and Kosovo, the findings have produced a number of important lessons learned.
- ❖ *Return from Germany to Kosovo.* In spring 2007, BF conducted extensive research on the complex landscape of return counselling and assistance in Germany. An in-depth field study on reintegration of returnees in Kosovo was conducted in August 2007, assessing the counselling and reintegration support offered to persons who return from Germany to Kosovo.
- ❖ *Recommendations from returnees, NGOs and authorities in Kosovo.* To improve and share the knowledge of return measures applied by local and international organisations in Kosovo and to facilitate a discussion of 'best practices' among relevant stakeholders, DRC hosted a conference on NGO-assisted mandatory return in Kosovo in September 2007. Valuable experiences were exchanged at this conference, with representatives from local and international NGOs, institutions and authorities. To further assess the obstacles to sustainable return in Kosovo, DRC conducted a series of focus group interviews with returnees from different Western European countries in March 2008.
- ❖ *Recommendations from NGOs and authorities in Western Europe.* In January 2008, DRC hosted a similar conference in Denmark with the aim of facilitating discussions on mandatory return management among relevant Western European stakeholders. In plenary sessions, discussions and working groups, representatives from various NGOs and authorities working with return discussed various aspects of mandatory return management at the national, regional and European levels.

The findings from DRC's assessments, the BF field studies in Germany and Kosovo and the conclusions from the conferences in Kosovo and Denmark have been gathered together in this report, drawing upon these valuable experiences to develop recommendations for mandatory return management.



Structure of the report

The report is divided into nine chapters encompassing the various contributions outlined above. Chapter 2 addresses the importance of consistent use of terminology when discussing return issues and clarifies the use of important terms and definitions in the report.

Chapter 3 describes DRC's experiences with different types of return, such as return of internally displaced persons (IDPs) in the Balkans and voluntary repatriation of refugees and immigrants in Denmark to their country of origin. The chapter discusses the implications of working with these different types of return and the return of rejected asylum seekers.

Chapter 4 outlines the structure and number of returns from Western Europe to Kosovo. It provides a short introduction to the conditions for reception in Kosovo as well as the readmission agreements and political devices structuring returns from Western Europe to the region.

Chapter 5 describes DRC's return assistance project for Rejected asylum seekers from Kosovo and explores the main lessons learned from the implementation of the project. The findings of DRC's qualitative survey of beneficiaries in Kosovo and the experiences of DRC's implementing staff are presented, along with a number of selected case stories that illustrate the complexity and divergence of specific needs among individuals and families returned from Denmark. The chapter ends with a discussion of the sustainability of the returns from Denmark and the impact of DRC's return assistance measures.

In Chapter 6, BF addresses the complex landscape of return counselling and assistance in Germany and the reintegration support (or lack thereof) offered to persons who return from Germany to Kosovo. Based on extensive field studies in Germany and Kosovo, the politics of return and the impact of such politics on the sustainability of return are discussed.

Chapter 7 turns attention to the receiving end (region of origin), and highlights recommendations from local and regional stakeholders in the Balkan countries. It outlines the findings from a series of focus group interviews conducted in Kosovo with returnees from different Western European countries and discusses the measures needed to achieve successful reintegration from the point of view of returnees.

Chapter 8 sums up the issues and dilemmas addressed throughout the report and discuss the need for and the implications of a consolidated approach to NGO-assisted mandatory return. An attempt is made to clarify the diverging interests among stakeholders involved in the return process in order to find common ground which could lead to enhanced coordination and cooperation and help to clarify the role of NGOs in return.

Finally, Chapter 9 brings together conclusions and sets out a series of recommendations for assisted mandatory return, which can be used in the design and implementation of return assistance programmes to Kosovo, as well as other places and countries of origin.

2. Terminology and Definitions

In the context of increasing political interest in return from Western Europe, a growing number of return assistance programmes are specifically targeted at rejected asylum seekers. However, actual experience of the return of rejected asylum seekers is scarce, and most return/repatriation assistance programmes are targeted both at rejected asylum seekers and refugees holding a residence permit. This is reflected in the research on the topic, and most recommendations do not distinguish between the two groups of returnees. However, while many issues and considerations may overlap between different groups of returnees, aspects such as the motivation to return and the material and social capital gathered during the stay in the host country may be very different. DRC therefore opts for a consistent use of terms such as *refugee*, *asylum seeker*, *voluntary repatriation* and *mandatory return*. This is necessary to compare approaches to assistance and to explore ways to achieve dignified and sustainable returns for each particular group of returnees.

Voluntary repatriation or mandatory return?

In general, the return of refugees and asylum seekers encompasses (1) voluntary repatriation, (2) mandatory return of rejected asylum seekers who are required by law to leave, and (3) forced return of rejected asylum seekers. DRC's definition of **voluntary repatriation** is compatible with the one used by the European Council on Refugees and Exiles (ECRE), which recommends that "*voluntary repatriation be used to describe the return of Convention refugees, other persons with a complementary or temporary protection status, or persons still in the asylum procedure who freely choose to exercise their right to return to their country of origin or habitual residence*".¹ This definition used by DRC and ECRE differs from the one used by the IOM,² which uses the concept of voluntary repatriation to cover a much wider group encompassing refugees, asylum seekers and rejected asylum seekers.³

The primary focus of this report is the return of rejected asylum seekers and refugees whose residence permit has been withdrawn or has not been extended. It is argued that return of this group can never be truly voluntary or based on free choice, as the person has no legal basis for staying in the host country. Return of rejected asylum seekers who consent to return is therefore referred to as **mandatory return**. DRC's understanding of mandatory return is in line with ECRE's definition, which applies to individuals who, although not having consented freely to leave, have been induced to do so by means of incentives or threats of sanctions.

DRC believes that return must always be based on positive incentives, not sanctions.⁴ Only positive incentives are conducive to eventual sustainable return. This report therefore focuses exclusively on positive incentives to facilitate mandatory return, such as legal and return counselling and practical and financial return and reintegration assistance. It does not investigate the impact of negative incentives such as detention pending deportation and deprivation of economic or social services.

1 ECRE, October 2003: *Position on Return*, p.4

2 International Organization for Migration

3 NTG-asyl & Integration, 2007: *Återvändande i Sverige och Europa – Policy Praxis och projekterfarenheter*, p.8

4 Incentives can be defined as any initiative on the part of the host state designed to influence the behaviour of persons subject to mandatory return and encourage them to co-operate with return proceedings (ECRE, October 2003: *Position on Return*, pp. 9-10).



To both DRC and ECRE, mandatory return is preferred to **forced return**, as forced return implies physical coercion.⁵ The definitions used in this report are outlined in DRC's *Policy concerning the return of rejected asylum seekers and refugees whose residence permit has been withdrawn*, published in 2006.

Voluntary repatriation is used to describe the return of refugees and persons holding a temporary or permanent residence permit who, after reviewing all available information about the conditions in his/her country of origin, decide to leave the host country and go home.

Mandatory return is used to describe persons who have no legal right to stay in the host country and who consent to return, but may be induced to do so by means of a court order or other threats of sanctions.

Forced return means the return of persons who have not granted their consent, and who may be subject to the use of force in connection with their departure.

Defining and measuring sustainability

Return is not a simple and straightforward process. It is important to bear in mind that in many cases return does not represent an end to the 'refugee cycle', but coincides with the beginning of a new cycle and may lead to secondary movements. Return rarely implies a situation where the returnee can return to the same life as before they fled. Often, returnees return to a country affected by war, where the material living conditions are worse than when they left and often worse than living conditions during their time in the host country. It is therefore vital to implement return assistance programmes which recognise that returnees are facing a whole new world with new possibilities, opportunities and problems, in order to facilitate durable solutions and achieve sustainable return.

But what constitutes sustainable return? Is it simply a question of avoiding secondary movement – and if not, what aspects of the reintegration process (e.g. socio-economic reintegration and physical, legal and material safety) should be the focus of attention? It is obvious that the physical and socio-economic aspects of sustainability are intrinsically linked, as secondary movement can only be avoided if returnees return and reintegrate in a safe, dignified and sustainable manner. As described by Bimal Ghosh, '*sustainable return is achieved when returnees are able to reintegrate in the community of return, often through a productive role as members of such communities, without immediate inducement to leave again*'. Sustainable return therefore implies the successful reintegration of returnees, and prerequisites the availability of the receiving community to receive and accept the returnee as well as social and physical stability in the area of return.⁶

⁵ DRC, August 2006: *The Danish Refugee Council's policy concerning the return of rejected asylum seekers and refugees whose residence permit has been withdrawn*, p.1. ECRE, October 2003: *Position on Return*, p.4

⁶ European Migration Network, Italian National Contact Point – IDOS, 2006: *Return Migration in Italy*, p.32. / Bimal Ghosh, 2001: *Return migration: Journey of hope of despair*, IOM, Geneva.

However, the concept of sustainability can be viewed from various perspectives, and its meaning may change according to the benchmark against which it is measured. Thus, returnees' subjective perception of sustainability may differ from an assessment of the objective conditions for reintegration in the country of return (i.e. level of employment, access to health care, etc.) Moreover, consideration also needs to be given as to whether the benchmark for comparison is the standard of living among the remaining local population or in the host country. Various other indicators must be taken into account, and to truly measure sustainability, a definition would first of all have to be both geographically and temporally precise.⁷ Questions of how long after the physical return it is relevant to assess the subjective and objective sustainability of returns, and for how long, must be taken into consideration. At the same time, the necessary data may not always be available.

To assess sustainability of returns therefore requires a strong monitoring process and follow-up mechanisms, optimally years after the return. Today, many return assistance programmes are focused on the pre-return phase, i.e. counselling and travel arrangements, and do not include monitoring or follow-up in the country of origin. This makes it difficult to compare the impact of different return assistance programmes on sustainability.

Based on all these considerations, the concept of sustainability applied in this report prescribes a holistic approach to return and reintegration. Various important aspects of life upon return, such as employment, children's schooling, access to health care, housing, and the feeling of security, as well as the desire to leave again, are thus all important indicators when assessing the sustainability of returns.

The terms and concepts defined by DRC in this chapter will be used consistently throughout the entire document to ensure the reader shares a common understanding of the lessons learned and best practices described in the report. As mentioned above, DRC believes that by utilising these terms in a consistent fashion, relevant stakeholders can compare approaches to the various methods that could ensure the possibility of a sustainable and dignified return.

⁷ UK Home Office, 2004: Understanding Voluntary Return, Online Report, p.25.



3. Return from Western Europe to Kosovo

Background Information

It is difficult to ascertain the exact amount of outbound migration from Kosovo. Kosovo Albanians, as well as considerable numbers of Serbian, Roma, Ashkali, Egyptian, Bosniak and Gorani communities have sought political and/or economic refuge in Western Europe and other countries. It is estimated that there are 100,000 persons originating from Kosovo without legal stay abroad, and the numbers continue to increase.⁸ According to UNHCR⁹, Serbia and Montenegro, including Kosovo, was the fourth largest source of citizens seeking asylum in industrialised countries in 2006 with a total of 15,700 individuals, even though this represented a decrease from the 2005 figures.¹⁰ Return to Kosovo is thus at the forefront of discussions and policy debates, particularly in relation to readmission and reintegration of voluntary returnees, rejected asylum seekers and other migrants from Western Europe. The fact that Kosovo has now declared independence also calls attention to the reality that there will be an increased number of returns in the near future.

As of June 2007, over 48,000 people had been forcibly returned to Kosovo¹¹ and 90,000 more could be subject to deportation.¹² It is estimated that 53,000 inhabitants of Kosovo are without legal stay in Germany, of which 38,000 claim to be from the Roma, Ashkali, or Egyptian minority.¹³ According to UNHCR's partner the Advocacy Training and Resource Center (ATRC), which is responsible for Pristina/Prishtina airport monitoring, there were 746 voluntary returns from third countries in 2007. This includes both minority and majority communities. During 2006 and 2007, a total of 6,724 persons were returned forcibly to Kosovo, including 2,354 individuals who were returned from Germany. Germany had the largest number of deportees to Kosovo from any country, followed by Switzerland and Sweden. Overall, more than 90 percent of the deportees were Kosovo Albanians.¹⁴

Readmission agreements: Structuring returns from Western Europe

Based on international human rights standards, EU standards and the UNHCR recommendations, a readmission policy for Kosovo was drafted in 2007. It was endorsed by the Kosovo Government on 31 October 2007 and approved by the Head of UNMIK/Special Representative of the Secretary General on 28 November 2007. The document details a strategy for handling the readmission of persons originating from Kosovo and residing without legal status in host countries. It introduces readmission procedures; roles and responsibilities for implementing and also monitoring readmissions in accordance with international human rights standards. The policy is open to change and improvement based on the needs existing following Kosovo's declaration of independence.

In January 2008, UNMIK transferred limited readmission competencies, such as screenings of potential cases, to the Kosovo Government's Ministry of Internal Affairs. Policies on repatriation, which are based on UNHCR Position Papers on the Continued International Protection Needs of Individuals from Kosovo, continue to be under the authority of UNMIK as resolution 1244 remains in effect. According to the most recent paper in June 2006,

8 United Nations Mission in Kosovo (UNMIK), Office for Returns, Communities, and Minorities.

9 United Nations High Commissioner for Refugees

10 UNHCR, 2006: *Asylum Levels and Trends in Industrialised Countries*.

11 Amnesty International, 2007: *No forcible return of minorities to Kosovo*.

12 UN Security Council, 9 March 2007: *Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo*.

13 Provisional Government of Kosovo, October 2007: *Strategy for Reintegration of Repatriated Persons*.

14 United Nations Mission in Kosovo, Office for Returns, Communities, and Minorities.

Ashkali and Egyptian minorities were generally no longer considered to be in need of international protection. However, due to security concerns and limitations on human rights, UNHCR stated that Kosovo Serbs, Roma and Albanians in a minority situation should continue to benefit from international protection in countries of asylum and should only be returned if the return was voluntarily.¹⁵ In addition, UNMIK urges that the return of the elderly, the ill and separated children for whom relatives and care-givers have been identified should only take place after advance notification and arrangements have been made by the returning state, so that there is no gap in care and protection provided to the person.¹⁶

In principle, no person will be readmitted to Kosovo unless the person has been confirmed to originate from Kosovo. To prepare and readmit its inhabitants, Kosovo authorities should cooperate with host countries to realise the safe and dignified return of its persons. This cooperation should include the signing of procedural agreements and eventually, formal readmission agreements with these host countries.¹⁷ UNMIK has so far reached memorandum of understanding agreements on returns with several countries, including Germany, Belgium, Sweden and Switzerland.

Conditions for reception and reintegration in Kosovo

Until recently, there was no clear strategy outlining conditions and procedures for the reception and reintegration of returnees in Kosovo. Host countries had the possibility of working with UNMIK to develop a plan and support the return of persons without legal stay by providing return assistance packages that could include financial support, job trainings, and other reintegration incentives. Due to a foreseen influx of returns and the transfer of competencies for reintegration of repatriated persons from UNMIK to the Kosovo Government, a Steering Committee comprised of relevant Kosovo Ministries, international organisations and also international and local experts was formed by the Kosovo Government in October 2006 to develop a Strategy for Reintegration of Repatriated Persons.¹⁸ During September 2007, a draft Strategy was released to the public that specified the procedures, responsibilities/partnerships and conditions necessary for reintegration. It was approved by the Government of Kosovo on 10 October 2007.

The Strategy for Reintegration of Repatriated Persons provides guidelines and recommendations on all aspects of reintegration, including: initial reception assistance; legal reintegration; transport upon arrival; temporary accommodation; access to civil services and documentation; access to health care, employment, education and social welfare; humanitarian minority transportation; vulnerable groups; and social housing and property. It defines coordination mechanisms and offers a plan to establish an inter-ministerial body responsible for the proper implementation of the Strategy. As stated in the document, the Strategy is based on the principle of equality and *'on critical analysis and assessment of problems from different points of view, with special emphasis on the socio-economic impacts in order to have the situation of non-voluntary returns and the process of reintegration of repatriated persons under control. The Strategy will be implemented through an action plan and subsequent programmes with the aim to integrate repatriated persons in all spheres of public life based on the principle of equality'*.¹⁹

15 UNHCR, June 2006: The Continued International Protection Needs of Individuals from Kosovo.

16 UNMIK Background Note on Repatriation Policy, June 2006

17 Provisional Government of Kosovo (October 2007): Kosovo's Readmission Policy, May 2007.

18 There were no local and/or international NGOs involved in the Steering Committee or in the process of drafting the document.

19 Provisional Government of Kosovo, October 2007: Strategy for Reintegration of Repatriated Persons.



Conclusion

The current climate in Kosovo offers limited opportunities for returnees to improve their standards of living and reintegrate. Challenges include an extremely difficult economic and social situation, and high unemployment levels heightened by the volatile political situation in Kosovo. Unfortunately, increased returns from Western Europe to Kosovo are often met with the limited capacities and resources of relevant authorities to deal with a high influx of returns. Besides Denmark, some countries (such as Germany or Switzerland) do offer some level of support through NGOs or organisations such as IOM. This includes, among other things, transportation from the airport, temporary accommodation and income generation support. Unfortunately, if support is available, it is often limited and temporary, so many of the returnees are left to their own devices. As it stands now, it will be imperative for host countries to continue to support the process and also to support the capacity building of local authorities in readmission and reintegration.

Even with the Strategy for Reintegration and the Readmission Policy, the return process still remains very complex, with many challenges for all stakeholders. There is a considerable lack of funding available from the Kosovo Government to implement the Strategy and the Policy, and despite the willingness of relevant stakeholders, implementing proper systems and mechanisms as outlined in these documents will take a considerable amount of time and resources. This is coupled with a long transition period of competencies from UNMIK to the Kosovo Government. Furthermore, NGOs are mentioned only once in the Strategy for Reintegration and there is no clear role stipulated that would guide their involvement in the process. This is particularly worrisome, as NGOs have demonstrated an important role in promoting sustainable return and supporting the return process. A stronger role for local and international NGOs in the overall process therefore needs to be defined and supported.

4. Different Types of Return: What are the Implications?

For more than twenty years, DRC has been working on the return of internally displaced persons (IDPs) and voluntary repatriation of refugees and immigrants in line with its core mandate to work for durable solutions for refugees, IDPs and asylum seekers both in Denmark and abroad. DRC's repatriation/return activities focus on enhancing refugees' and IDPs' ability to make an informed choice on return. If a decision to return is made, DRC aims to assist returnees in their sustainable voluntary repatriation/return to their country or place of origin through rehabilitation and reintegration measures.

IDP return to Kosovo

DRC has been working in the Western Balkan region for over 13 years, providing humanitarian assistance and enabling access to durable solutions for refugees and IDPs. In particular, DRC's Kosovo programme has extensive experience in supporting vulnerable returns, IDPs and minority communities. Since 2003, DRC Kosovo has assisted over 750 displaced minority families to return from displacement in Montenegro, Macedonia and Serbia,



Delivering food assistance to beneficiaries. Photo by DRC

supporting over 3,000 individuals. DRC's return projects employ a multi-sectoral approach that focuses on reconstruction, inter-ethnic dialogue, economic self-reliance, reintegration support and social and/or economic community development opportunities.

Firstly, DRC focuses on informed decision-making processes through the facilitation of information sharing and decision-making activities prior to and during return. This process involves among others displaced persons, residents, local community leaders, and municipal representatives. It includes the facilitation of Go-and-Inform Visits

(GIV), Go-and-See Visits (GSV) and Municipal Working Groups (MWG). These activities are essential to ensure that the return process is guided by beneficiary demand, expressed upon the basis of a free and informed decision. Secondly, DRC strengthens cross-boundary links and relationships between displaced persons and their communities of origin. DRC Kosovo, in close cooperation with DRC Serbia and DRC Montenegro, has a proven cross-boundary capability that extends beyond the DRC offices through its links with networks and local NGOs working with IDPs and receiving communities. DRC supports activities that expand and develop cross-boundary links between local NGOs by partnering with local NGOs in Serbia and in Kosovo to facilitate return activities. Finally, multi-sectoral return and reintegration activities are implemented which benefit the whole community, returnee and receiving alike. DRC activities comply with the UNMIK policy on returns as outlined in UNMIK's Revised Manual for Sustainable Returns.



DRC assists returnees in their physical return from their place of displacement. This assistance includes obtaining essential documents, briefings on the return process, transportation and basic provisions. DRC focuses on enhancing the economic perspectives of returnees and residents through small-scale, self-reliance and income-generation interventions, social or economic community integration projects and/or facilitation of access to micro-finance institutions for longer-term economic regeneration. Other activities include housing reconstruction, infrastructure repair, enhanced access to essential services, community projects and inter-ethnic dialogue activities focused on issues of common interest to both returnees and the receiving community.



Inter-ethnic hairdressing course in Koš/Kosh facilitated by the local NGO Initiative for Peace. Photo by DRC

Voluntary repatriation from Denmark to the country of origin

It is DRC's position, with respect to repatriation, that it is important to 1) undertake international operations in direct relation to the refugee situation in Denmark and 2) provide refugees and immigrants in Denmark wishing to repatriate with the best foundation for making a decision. Voluntary repatriation is viewed as one of three durable solutions, which include: repatriation, local integration in the host country, and resettlement in a third country. This creates a unique possibility for DRC to link its national and international work regarding return/repatriation, and DRC applies the

same principles to voluntary repatriation and IDP-related programmes. In daily work, however, this can prove to be quite challenging, as there are different types of activities, case loads and time perspectives involved with each return process. While IDP assistance often involves a community-based approach and covers a larger number of returnees at one time, repatriation from Denmark mostly involves individual assistance. DRC's case loads of voluntary repatriated persons averages at 150-300 persons per year. The top three countries of origin to which refugees and immigrants in Denmark wish to repatriate include Iraq, Bosnia and Herzegovina and Somalia.



Husband and wife – voluntarily repatriated from Denmark to Bosnia and Herzegovina. Photo by DRC

Over the years, DRC has identified some best practices based on lessons learned from repatriation programmes. These best practices are flexible and are constantly being updated and readapted to the relevant context. Some of these practices include: easy access to information in the person's mother tongue; long-term business trainings upon return; development of a network of returning entrepreneurs; special activities tailored to elderly beneficiaries; capacity-building of local authorities in the place of origin; and support for dialogue and reconciliation.

Return of rejected asylum seekers from Denmark

DRC's experiences and lessons learned from working with both voluntary return of IDPs and voluntary repatriation of refugees and immigrants has in recent years been utilised in DRC's assistance to rejected asylum seekers. In particular, DRC has provided legal and return counselling to rejected asylum seekers who returned to Afghanistan, and most recently a more extensive programme has been implemented with regard to the return of rejected asylum seekers from Kosovo.

DRC's approach is rights-based, which requires DRC to defend the rights of people to seek asylum, but also the rights of governments to return rejected asylum seekers. It is a prerequisite that any decision to return someone to their home country is based on a fair and efficient asylum procedure, to prevent incorrect decisions and decisions on premature return which can lead to renewed prosecution. However, there are certain dilemmas when working with the return of rejected asylum seekers that do not apply to refugees and IDPs, especially the issue of voluntariness and possibilities for preparation. These dilemmas have been discussed within DRC prior to involvement in return projects for rejected asylum seekers, and as mentioned in Chapter 2, a *DRC policy concerning return of rejected asylum seekers and refugees whose residence permits have been withdrawn*²⁰ has been developed. The guiding principles are briefly outlined below.

Guiding principles for DRC's work relating to the return of rejected asylum seekers:

1. Mandatory return is the preferable non-voluntary option
2. DRC is not party to the use of force
3. Return must be sustainable and based on positive incentives, not sanctions
4. Sustainability requires a holistic approach
5. Return procedures must respect human rights
6. Temporary residence permit if return cannot be accomplished
7. Reintegration programmes – the return process does not end with the physical return
8. Monitoring programmes – to ensure a safe, humane and dignified return
9. Defending the right to seek asylum and provision of information in countries of origin
10. The right to return 'all the way home' – according to the wish of the returnee
11. Sustainable return requires support to the existing capacity in the home country

²⁰ DRC (August 2006): http://www.drc.dk/fileadmin/uploads/pdf/English_site/Microsoft_Word_-_Return_31082006_.pdf



As mentioned above, DRC's Asylum and Repatriation department was involved in a project for rejected asylum seekers from Afghanistan prior to DRC's return programme for rejected asylum seekers from Kosovo. In 2004, the Danish Government, the Afghan Government and UNHCR entered a tripartite agreement on the return of rejected asylum seekers from Afghanistan living in Denmark, offering counselling and financial support to the returnees. DRC was asked by UNHCR to provide comprehensive legal and return counselling, information on the support offered by different actors involved in the project, deliver Mine Risk Education and to follow-up on individual cases.

Based on the implementation of the project, a number of important lessons were learned. It was ascertained that the value of providing precise and clear information about the support offered was imperative to avoid misunderstandings and the spreading of false rumours. This also implies that counsellors must have a comprehensive knowledge of the country or place of origin and the services offered upon return. It was found that a counselling approach based on a team of legal and repatriation counsellors was extremely valuable and that using the same counselling team throughout the counselling period facilitated a necessary trust in DRC among the potential returnees. Moreover, proper education in the host country was recommended by stakeholders in Afghanistan, and it was noted that it is vital for children of rejected asylum seekers to have their documentation of schooling prepared prior to return. Finally, experiences from a follow-up visit to Afghanistan by DRC in October 2005 showed that the returnees had a strong need for counselling and advice upon return as well. Monitoring of the returnees in Afghanistan was identified as an important element which was not fulfilled in the project. The experiences from the counselling project for Afghans have served as inspiration in the development of the return assistance programme for rejected asylum seekers from Kosovo described in Chapter 5.

Conclusion: Different types of return – what are the implications?

As demonstrated above, DRC applies the same rights-based approach to each type of return. While there are similarities in all return processes, such as the importance of economic reintegration in the place of origin, there are also unique issues related to each type of return that need to be taken into account when designing programmes. This can include anything from the differences in the political, legal and social context to the differences in security and freedom of movement upon return. Therefore, projects should be designed that comprise multifaceted contributions to meet the needs and support the rights of each type of returnee. They need to be flexible and able to adapt to the contextual circumstances, while still providing the necessary assistance to ensure a durable solution.

As stated in the former chapter, one of the key differences between the return of rejected asylum seekers, IDP return and voluntary repatriation is the issue of voluntariness. In the case of voluntary repatriation, only persons with a legal permit to stay in the host country are involved, and refugees who repatriate voluntarily from Denmark to their country of origin have a one-year time limit to regret their decision and return to Denmark again – maintaining the status they had when they departed Denmark. IDP return is based on an informed choice to return through intensive information dissemination, including GSVs, GIVs and MWGs. The decision-making process may last for years, which is often due to the lack of funding available for the large number of IDPs who wish to return. Furthermore, due to limited funding beneficiary selection is crucial to the entire return process. Potential beneficiaries are visited and assessed in displacement, and a committee comprised of relevant international and local stakeholders selects a limited number of beneficiaries for each project based on a set of pre-determined criteria.

The decision-making processes in voluntary repatriation and IDP return are in stark contrast to the situation of rejected asylum seekers who do not have the legal right to make an informed decision to return and often are not

interested in receiving information prior to return as they believe this will hinder their chances to stay in the host country. This leads to the issue of insufficient time for rejected asylum seekers to prepare for their return. Many rejected asylum seekers are faced with a very short time to prepare their departure and are unable to properly plan for it. This includes not having enough time to put their affairs in order or obtain important legal, medical, and education documentation. In the case of IDPs, the time spent preparing to return can be seen as a very long, frustrating and depressing process, with large amounts of energy spent on searching for funding from international NGOs/organisations. An overwhelming majority of IDPs are stuck between uncertain return prospects and the lack of local integration opportunities even after being displaced for such a long period of time. This may also be the case in voluntary repatriation. Preparations are often more time-consuming than expected by the refugee or immigrant. The procurement of travel and identification documents may delay the whole process and disturb the wish for a rapid process of return.

Another issue that has been observed is the difference between an individual versus a community assistance approach. It is crucial in the IDP return process to provide assistance to the receiving community as a balancing component. This may include housing support or minor shelter repair to vulnerable families, infrastructure rehabilitation, and economic support and/or community projects. As a good portion of IDP return projects are done in an organised fashion, where at least 15 or more persons return to one specific area, balancing components are beneficial in generating support for IDP return in the receiving community, as well as to support the inter-ethnic dialogue process prior, during and after return. In voluntary repatriation, and often in cases of rejected asylum seekers, assistance is provided on an individual basis. This may be seen as detrimental to the return process, as providing assistance only to returnees may create jealousy among members of the community who have chosen to remain in the place of origin and are also struggling financially and socially. In the case of large groups of rejected asylum seekers from the same country of origin, the challenge is to design country-specific programmes supported by donors that combine individual reintegration assistance with support and rehabilitation for the local community.

These are just a few examples of the unique issues that each return process may face. It is important to assess the contextual situation and ensure that all issues are addressed effectively and appropriately. Potential harmful effects need to be identified and weighed against expected benefits when designing and implementing any return project. In DRC's experience, employing a participatory approach and conducting consultations with local authorities, beneficiaries and other stakeholders in the design, planning, implementation and monitoring of the project activities can also contribute to the sustainability of the project.



5. Return of Rejected Asylum Seekers from Denmark to Kosovo

Since 2006, the Danish Refugee Council has implemented a special programme assisting rejected asylum seekers from Kosovo to find a durable solution to their future. The programme offers legal counselling and practical support to potential returnees and also aims to design improved models for NGO-assisted mandatory return based on the experience gained from the implementation of the project. This section draws upon the main lessons learned from DRC's mandatory return assistance.

DRC's return assistance programme for rejected asylum seekers from Kosovo

DRC's return assistance programme for rejected asylum seekers from Kosovo emphasises a combined effort in facilitating the return process both in Denmark and Kosovo. The programme is focused on achieving sustainability by: 1) ensuring that return is based on an actual and informed choice; 2) applying a holistic approach which includes all phases and dimensions of return; and 3) advocating a rights-based approach ensuring that the dignity and rights of returnees are respected in the post-return process. All project activities aim at improving the possibilities for mandatory return as an inherently more sustainable solution than forced return. In this process, impartial and individual legal and return counselling is the first step towards constructively clarifying both the legal prospects for staying in the host country and the obstacles and possibilities for support if return is the solution.

Return counselling was initiated in spring 2006 and experienced counsellors from Denmark and Kosovo toured asylum centres in Denmark offering individual and group counselling to rejected asylum seekers from Kosovo. The aim was to present rejected asylum seekers with an opportunity to examine the prospects for mandatory return to Kosovo, informing them about support opportunities and the situation in Kosovo.

The primary target group of DRC's support is rejected asylum seekers from Kosovo who had applied for asylum in Denmark before May 2006. At that time, approximately 300 rejected asylum seekers from Kosovo were residing in Denmark. Most had lived in asylum or deportation centres for three to five years as they could not be forcefully returned to Kosovo by the Danish authorities. The aim of the project was to present this group with an alternative to life in asylum centres by facilitating mandatory return to Kosovo. However, following the revision of UNHCR's *'Position Paper on the Continued International Protection Needs of Individuals from Kosovo'* in June 2006, the Danish National Police was able to forcefully return many of the rejected asylum seekers to Kosovo. By October 2007, approximately 190 rejected asylum seekers from Kosovo had left Denmark: 115 had returned to Kosovo, while 75 had disappeared from asylum centres.²¹ At the same time, 84 persons were registered as beneficiaries of DRC: 67 as mandatory returnees and 17 as forced returnees. These 84 persons comprised 18 families, 15 single persons and 36 children or youngsters.

Upon return in Kosovo, mandatory returnees are offered a return package, based on the needs of the individual family, containing food and non-food items such as basic tools, firewood and furniture. The reintegration support provided by DRC also includes income generation activities, support for reconstruction of housing, special language training for children and support in accessing local authorities. Initially, returnees sent by force who contacted DRC in Kosovo were offered assistance in finding temporary accommodation and received the same return package as

²¹ These numbers are based on statistics from the Danish National Police and cover the period until 13 October 2007.

mandatory returnees. They were also supported in accessing relevant local authorities and were offered information on how to obtain micro-credit loans. As of July 2007, forced returnees have also been offered income generation activities and special language training for children, as a survey conducted by DRC revealed that returnees found these types of assistance to be crucial for a successful reintegration process. Since May 2007, DRC has also provided medical and psycho-social support to all returnees from Denmark.²² The different return measures are illustrated below.

<u>Mandatory return</u>	<u>Forced return</u>
<ul style="list-style-type: none"> • Reception and transport to final destination • Return package – including cash compensation for fresh food • Temporary accommodation and rehabilitation of housing • Income generation activities (IGA) and distribution of tools for business start up • Language training for minors • Information on micro-credit loans • Support to access local authorities • Psycho-social and medical support 	<ul style="list-style-type: none"> • Return package – including cash compensation for fresh food • Income generation activities (IGA) and distribution of tools for business start up • Language training for minors • Information on micro-credit loans • Support to access local authorities • Psycho-social and medical support

Returnees are monitored by DRC for at least six months after their return to Kosovo. This allows the beneficiaries to stay in regular and personal contact with DRC staff and for adjustments in support to be made as new and unforeseen problems arise. As the project is ongoing, DRC will continue its follow-up visits and monitoring of returnees until the end of October 2008. Counselling activities and reintegration support are co-financed by the Danish Ministry of Foreign Affairs, the Danish Ministry of Refugee, Immigration and Integration Affairs, and the European Community.

²² DRC's return assistance programme for rejected asylum seekers from Kosovo did not initially include a health and medical component. However, in May 2007, the Danish Ministry of Foreign Affairs approved financing for DRC to provide medical and psycho-social support to the returnees from Denmark and to support capacity building of the health sector in Kosovo.



Experiences with return assistance and lessons learned

The lessons learned presented in this section were developed from DRC's extensive experience of working on returns in Denmark and Kosovo, and also on a field study conducted in Kosovo. DRC's return assistance programme for rejected asylum seekers from Kosovo has been going on for more than two years, and the experiences of DRC's implementing staff include both positive and negative examples. In June 2007, a qualitative survey among DRC's beneficiaries was conducted by a local assessment team, analysing the obstacles to sustainable return and the impact of return assistance. The survey included 25 adult beneficiaries of DRC returned as rejected asylum seekers from Denmark either by force or as mandatory returnees, and 8 young returnees between 15 and 21 years old, also beneficiaries of DRC. All respondents had been back in Kosovo for a minimum of six months at the time of the survey, with an average of 9.5 months, to allow for a certain degree of 'stability' to evolve following the physical return. The following lessons learned comprise experiences and recommendations for all phases of the return process – from pre-return information and counselling to post-return and reintegration assistance.

Information material

DRC initiated the return counselling phase by disseminating a fact sheet and a newsletter informing people about the possibility of mandatory return to Kosovo and the support offered by DRC. This information material was presented in clear and accessible formats and was available in Albanian, Serbian and English. It was disseminated among eligible rejected asylum seekers and relevant stakeholders in areas such as asylum camps and deportation centres, and to the Danish National Police who are responsible for deporting rejected asylum seekers in Denmark. Besides disseminating the fact sheet and newsletter, an informal agreement between DRC and the Police ensured that DRC was informed when a rejected asylum seeker was about to be forcefully returned to Kosovo, guaranteeing that the returnee was counselled and informed about possible support from DRC. On two occasions, DRC staff from Denmark and Kosovo presented information about the return assistance programme during a live broadcast on local Albanian radio in Denmark.

However, despite all these attempts to inform the target group of the support, many of DRC's beneficiaries in Kosovo claim they had no knowledge of DRC during their stay in Denmark or did not find DRC's role as an independent humanitarian organisation clear. This highlights the difficulties of informing all eligible persons of possible support, as well as of clarifying the role of DRC (or any other NGO) in the process of mandatory return. It shows clearly that counselling organisations need to be visible throughout the asylum process and that it is important that asylum seekers are counselled at an early stage of the asylum procedure about the possibility of eventual rejection and return. If the first meeting with rejected asylum seekers occurs only when they are about to be forcefully returned, naturally this does not facilitate trust in the counsellor. Building a trustful relationship between DRC and the rejected asylum seekers should thus start with by giving asylum seekers a better introduction to the role and mandate of DRC.

During the counselling phase, DRC had difficulties establishing contacts with rejected asylum seekers from Kosovo who were privately accommodated. The Danish authorities were not able to provide contact information for this group, and DRC tried to reach them through contact points within relevant networks and associations. This was not a success, however. Even though cooperation with the Danish Police ensured that some eligible rejected asylum seekers who DRC had not previously been in contact with were informed about the support, initiatives should have been taken to reach such groups at an earlier stage, either with assistance from the authorities or by building up stronger relationships with relevant networks and associations.

Legal and return counselling

All activities carried out in DRC's return assistance programme aim to improve the possibilities for mandatory return, which is an inherently more sustainable solution than forced return. In this process, impartial and individual legal and return counselling becomes the first step towards constructively clarifying both the risks and opportunities of returning to Kosovo. Until June 2006, however, when the Danish National Police began the forced return of certain groups of rejected asylum seekers from Kosovo²³, not many rejected asylum seekers wished to explore the possibilities of return and reintegration support as they did not want to 'jeopardise' any possibilities for legalising their stay in Denmark by seeming interested in return.

When DRC's beneficiaries who had accepted mandatory return were asked, the majority stated that they would *not* have accepted mandatory return without the threat of being forcefully sent from the host country. This confirms DRC's experience from the counselling sessions, where the willingness of rejected asylum seekers to discuss mandatory return was closely connected with recognition of a possible forced return. Therefore, it is DRC's experience that counsellors must possess both protection and return expertise in order for potential returnees to properly assess the possibilities of a legal stay in the host country and the risks and opportunities of mandatory return. Moreover, legal competence enables counsellors to ensure that individual rejections are based on a fair and efficient asylum procedure. During counselling, rejected asylum seekers were invited to present their individual cases to DRC for advice on their asylum application and their legal possibilities for staying in Denmark. In cases where DRC's return counsellors found a denial of refugee or subsidiary status incorrect, the counsellor applied to the Danish authorities for the case to be reopened.

The case of A.A.

During counselling in a detention centre, DRC became aware of the case of A.A., a rejected asylum seeker of Roma ethnicity who originated from Kosovo. The Danish authorities recognised that A.A. was a refugee with respect to Kosovo but found that the "internal flight alternative" could be applied in his case, as he had spent two years (involuntarily) in a refugee settlement in Serbia proper during his flight from Kosovo to Denmark. He was detained with the purpose of sending him to Serbia proper. DRC and UNHCR spoke to the Mayor of his village, who stated that A.A. was not welcome back and expressed a potential risk to A.A.'s safety in case of return. Through this intervention, A.A.'s case was reviewed by the Danish authorities and A.A. was granted refugee status in Denmark.

Country of origin information

DRC's counselling experiences and the findings from DRC's survey confirm the importance of delivering detailed, up-to-date and reliable information about the situation in the country or place of origin. The scope, duration and timeframe of possible financial and practical support must be clear to potential returnees to avoid raising false or unrealistic expectations and to allow them to make an informed decision about mandatory return.

It is DRC's experience that it is vital that potential returnees find the information provided during return counselling trustworthy and reliable if the information is to be used in a constructive way. DRC believes that a trustful relationship between the counsellor and potential returnee is facilitated by using counsellors with first-hand knowledge of the

²³ See UNHCR's Position Paper on the Continued International Protection Needs of Individuals from Kosovo of June 2006 for further details.



country or place of origin e.g. from field trips. Ideally, return counselling should be based on repeated visits by the same counsellors, and if possible, native-language counsellors from the country of origin. This was done by DRC on two occasions in 2006, when DRC's staff from Kosovo came to Denmark on GIVs. The experiences from the GIVs, as well as findings from DRC's survey, show that it was a great advantage to use native-language counsellors with the same cultural and linguistic background as the target group. At the GIV group meetings, the delegation from Kosovo clearly had a positive impact on the willingness of rejected asylum seekers to listen to the information from DRC and to discuss and explore the possibility of mandatory return.

It is still DRC's experience, however, that many rejected asylum seekers are reluctant to receive information about reintegration support *prior* to their return, as they believe it will ruin any chances they may have of staying in the host country. Others, as in the case of a few families among DRC's beneficiaries, did not want to contact DRC due to general mistrust in organisations and authorities. As one family describes it; '*we were in such a situation where we didn't believe in anyone*'. DRC's attempt to open a weekly telephone hotline for rejected asylum seekers at the office in Copenhagen (with interpreters waiting on hand) thus failed, as absolutely no one used the opportunity to call.

However, a direct telephone line to DRC's office in Kosovo during individual counselling sessions proved to be a great success. Regular and direct contact with DRC's staff in Kosovo enabled the counsellors in Denmark to provide case specific information e.g. on housing and local security conditions, and thus contributed greatly to trust in DRC and the productiveness of discussions during counselling. DRC's presence in Kosovo assured returnees that reintegration support would actually be delivered upon return. Families and individuals who refused to talk to DRC prior to their return have in most cases contacted DRC Kosovo for support after their arrival. Continuous dialogue with DRC Kosovo also ensured that the rights and risks of vulnerable returnees were assessed prior to their return.

Case of B.B.

The Danish National Police contacted DRC as they were preparing the return of B.B., a rejected asylum seeker of Kosovo-Serb ethnicity, who had declared that he wanted to return voluntarily to Kosovo and therefore would like to know more about the possibilities of receiving reintegration assistance. During counselling with DRC it turned out that B.B. had felt pressured by the police to sign papers saying that he would return voluntarily to Kosovo and that B.B. was not aware that as a rejected asylum seeker of Serb ethnicity he could not be forcefully returned to Kosovo.

DRC Kosovo spoke to a Municipality Returns Officer who came from the same village as B.B. and was informed that before the conflict, the village was an ethnically mixed village with 31 Serb families and 70 Albanian families. 28 of the 31 Serb houses in the village had since been destroyed and the remaining three houses were occupied by Albanians. Earlier that year, DRC Kosovo had conducted Go-and-See visits for IDPs to the village, and while the visits went without problems, no ethnic Serbs intended to return to the village. According to DRC Kosovo, B.B.'s return to the village of origin was out of the question for the moment for reasons of personal security. DRC therefore proposed to assist B.B., should he wish to return to Kosovo, with temporary accommodation and reintegration assistance to a village mainly inhabited by Serbs. Although the only alternative to return was to continue living in an asylum camp in Denmark, B.B. chose that option once he became aware of the situation in his village and the fact that he could not be forcefully returned to Kosovo.

Pre-return preparations

As described above, the revision of UNHCR's position paper impacted the circumstances for DRC's counselling activities and influenced the conditions under which rejected asylum seekers from Kosovo could decide to accept and prepare for mandatory return. Many were forced to leave sooner than expected, and the time to prepare for mandatory return was in most cases limited. A number of activities that were planned to take place in Denmark prior to return, such as vocational training for heads of families and native language training for minors, were therefore implemented in Kosovo instead.

It is DRC's experience that it is extremely difficult to engage rejected asylum seekers in activities related to their return while they are still residing in the host country. As described above with regard to DRC's counselling activities, this is due to the fact that they often believe it will ruin their chances of staying in the host country. Moreover, it is DRC's experience that *if* a family/person decides to accept mandatory return they often want to return as soon as possible to begin their new life in the country of origin. DRC therefore believes that it is important that asylum seekers, and especially rejected asylum seekers who for various reasons cannot be returned, are allowed access to schooling and education as well as employment during their stay in the host country. Not through activities related to a removal order, but as a dual aim of preparing asylum seekers throughout the entire asylum process for possible integration in the host country as well as for a potential return. This will empower asylum seekers to (re)integrate, no matter the outcome of their asylum application. Many of DRC's beneficiaries in Kosovo lived for several years in Danish asylum camps without being allowed to work, without access to proper schooling or further education, and in many cases without being allowed to cook their own meals. It is DRC's experience that return and reintegration of this particular group who had lived very inactive lives for several years is much more difficult than for returnees who have been able to work and provide for their families while living in the host country. This experience is confirmed by Bedri Xhafa, Director of APPK²⁴ in Kosovo who has said that: *'One of the conclusions of our organisation on the issue of successful or unsuccessful reintegration of Kosovo returnees is that the success of reintegration very much depends on the success of integration of the Kosovo citizens during their stay in a foreign country.'*

With regard to return preparations, it is DRC's experience that proper documentation, i.e. documentation of educational activities, birth certificates, etc from the host country is absolutely necessary to facilitate legal reintegration upon return. Some children of DRC's beneficiaries experienced difficulties getting their diplomas of schooling in Denmark accepted upon return in Kosovo. DRC was able to procure the necessary diplomas by communicating with Red Cross camp schools in Denmark and further provided legal recognition of the documents to ensure the children were able to attend school in Kosovo and were placed at the right academic level. This stresses the importance of preparing all relevant diplomas and certificates prior to return to avoid unnecessary waiting time upon arrival in the place of origin.

DRC has extensive experience in facilitating GSVs to the country of origin and such visits were offered to those rejected asylum seekers who could not be forcefully returned to Kosovo.²⁵ A GSV allows at least one family member to assess, first hand, the possibilities for housing, work, health care, social integration and to experience the security situation before deciding to return to Kosovo. Such a visit not only eases the transition of returning to an 'unknown' place after many years abroad for the individual returnee who had participated in a GSV; the information learned

²⁴ APPK (Agjensioni i Përkrahjes së Punësimit Kosovë/Employment Promotion Agency Kosovo) is a local project founded by AGEF (Arbeitsgruppe Entwicklung und Fachkräfte).

²⁵ The group includes Kosovo Serbs, Roma and Albanians in a minority situation as described in UNHCR's *Position Paper on the Continued International Protection Needs of Individuals from Kosovo* of June 2006.



during the GSV can also benefit other rejected asylum seekers who contemplate returning to Kosovo. However, all rejected asylum seekers offered the opportunity to participate in a GSV declined due to security concerns.

Arrival in Kosovo: Information and advice

Upon arrival in Kosovo, DRC meets mandatory returnees from Denmark at the airport whenever required. Through information provided by the Danish National Police, in most cases DRC in Copenhagen had the opportunity to notify DRC Kosovo of the exact time of arrival. Some returnees were then received and transported to their final destination by DRC, while others preferred to be met by family members and to arrange transport for themselves. As mentioned above, forced returnees who contact DRC in Kosovo upon arrival in Kosovo are also eligible for support. The forced returnees from Denmark included in DRC's survey stated that the primary reasons for them to contact DRC were to ask for assistance in housing reconstruction and for health support.

Access to services and social welfare for returnees upon return constitutes a key factor in achieving successful reintegration. Among DRC's beneficiaries, legal reintegration has primarily caused problems in regard to children's access to schooling, as mentioned above, and in a few cases with regard to property rights. In these cases, DRC has assisted beneficiaries in communicating with the local authorities. Registration with the Kosovo municipalities has not constituted a problem upon return for DRC's beneficiaries thanks to DRC's strong links with local authorities and rigorous preparation prior to the return taking place. When relevant, DRC Kosovo informed the local community (neighbours, family, municipalities, etc.) in advance about potential individual returns in order to facilitate the reconciliation process and to assess the individual conditions for reintegration.

Housing and accommodation in Kosovo

DRC Kosovo's assessments of the individual conditions for reintegration prior to return were crucial in identifying basic needs, especially with regard to housing and accommodation. Many of DRC's beneficiaries were not able to return to their original house or village as their property had burned down or been destroyed during the war. The majority stayed with family members for an initial period upon return, or were assisted by family members in finding accommodation elsewhere. This indicates that for many returnees there is a strong need for support in reconstructing housing, especially for those with no relatives with which to stay. DRC's reintegration assistance includes temporary accommodation to mandatory returnees. DRC also provides assistance for repair and reconstruction of housing to those mandatory returnees who own land or property in Kosovo.

As illustrated in the photographs below, individual and tailor-made solutions based on existing property were found for those mandatory returnees in need of housing rehabilitation. Rehabilitation of housing follows UNMIK's Housing Reconstruction Guidelines and Standards as formulated in UNMIK's Revised Manual for Sustainable Return. In some cases an existing house only needed minor repairs, but sometimes the house had to be torn down and a new house constructed. In other cases, family members donated a piece of their land to the returnee for house construction or allowed an additional apartment to be built on top of their existing house. DRC ensured legal documentation in all cases, giving the returnees ownership and access to the house.

As DRC only provides assistance for repair and reconstruction of housing to those mandatory returnees who own land or property in Kosovo, the crucial problem becomes ensuring sufficient accommodation to returnees who do *not* own land or property.



Reconstruction of house for a family of four – before and after. Photo by DRC

Livelihood and employment in Kosovo

All the returnees from Denmark included in DRC's survey believe that finding employment and improving the overall economic conditions in Kosovo are the most important factors in achieving successful reintegration. Due to the difficult economic situation and the high unemployment rate in Kosovo, establishing a livelihood thus becomes the main obstacle to sustainable return. Many rejected asylum seekers return empty-handed as they have not been allowed to work in their host country. Initial support upon return, such as food, hygienic kits, kitchen tools, firewood, and furniture may therefore be necessary for returnees to build up a new home and to put food on the table until the individual or family secures a livelihood.

In DRC's programme for rejected asylum seekers from Kosovo, all beneficiaries are eligible for a return package containing fresh and dry food, furniture, kitchen utensils, fire wood, etc. The actual content of the package is based upon the needs of the individual or family, and has the value of approximately 615 Euros per person. When asking

beneficiaries in the survey what they found most useful from the package, the majority stated that food, and also furniture and kitchen utensils (such as a cooker or a refrigerator), were the most important elements. It is DRC's belief that basic humanitarian support should be provided to mandatory as well as forced returnees and that special support should be offered to vulnerable groups such as single individuals, elderly persons, families with small children, etc.



Kitchen utensils for a family of five – delivered as a part of the family's return package. Photo by DRC.

Establishing a livelihood for the individual or family is vital as well. Among DRC's beneficiaries, heads of families were offered the opportunity to



participate upon return in job orientation training and courses in business start-ups with the Employment Promotion Agency Kosovo (Agjensioni I Përkrahjes së Punësimit Kosovë - APPK)²⁶. Beneficiaries selected for business start-up grants were furthermore supported with equipment and tools, while others were offered job placements or job training positions within companies or small businesses around Kosovo. Among DRC beneficiaries who had participated in income generation activities, either through APPK or DRC directly, all had started to generate an income after less than one year back in Kosovo. Some are still in job placement or job training (based on six-month to one-year contracts with local companies), while most have chosen to pursue private business ideas financially supported by APPK and DRC. These businesses include restaurants and cafés, an internet café, a chicken farm, parquet repair and polishing, auto repairs, etc. This experience supports the knowledge of other organisations working with return assistance, who have found that private business start-ups are the most popular form of employment among returnees when planning their economic reintegration prior to or upon return.



Business start-up supported by DRC through APPK – A chicken farm with 500 chickens. Photo by DRC

Employment Promotion Agency Kosovo

APPK offers job orientation courses to returnees in order to identify the best employment solution for the individual returnee. Employment through APPK involves:

Job placement into a private enterprise. APPK identifies a job and monitors the employment throughout the contracting period. Contracts are usually made for one year and the returnee receives a subsidy paid by APPK for the first 6-8 months while the employer pays a salary for the remaining period. If both employer and returnee are satisfied with the employment, the contract is usually extended.

Qualification courses where the returnee participates in a three-month, labour-market-oriented qualification course in e.g. computer programming, office management, English language, assistance for kindergarten, book keeping, etc. At the end of the course, professional perspectives are discussed with the returnee who is also offered assistance in job seeking.

Training on the job and employment promotion packages are directed towards returnees who have no qualifications or work experience and who do not fulfil the prerequisites for participating in a training course. Training on the job is implemented by selected enterprises, where the returnee gains practical as well as theoretical knowledge for their subsequent working activities.

²⁶ APPK offers employment promotion activities, including business development for small and medium-sized enterprises, job placement, professional orientation and job application trainings for job seekers – supporting the integration of marginalised groups, among them returnees, into the labour market (www.appk.org).

Business start-up takes the returnee through an orientation seminar in order to identify an idea for starting up a business. The returnee then attends one week of training to learn how to work out a business plan. If the idea is assessed to be compatible to the current market, the returnee will be eligible for a subsidy in addition to his own contribution. APPK is available for counselling during the first six months running the business.

DRC finds that cooperating with local partners with current knowledge of the job market in Kosovo has been vital to facilitate employment for beneficiaries. This includes cooperation with APPK as well as DRC's staff in Kosovo. Along with access to general vocational training, computer or language courses, etc. in the host country (which allows rejected asylum seekers to maintain and/or develop vocational skills and thus speeds up the reintegration process upon return), cooperation with local partners is necessary to prepare returnees for real employment opportunities upon return and to ensure that trainings are tailored to the job market, the economy and developments in Kosovo.

Case of C.C.

C.C., who is a technical chemist, was employed by the regional water supply company prior to his flight from Kosovo in 2002. Like most returnees he had the idea of starting up his own business and wanted to open a shop providing graphic and design services. However, having no experience in this line of work and requesting machinery that was too expensive, APPK advised against supporting his business plan. Instead, C.C. agreed that the best solution would be job placement. After negotiations between APPK and C.C.'s former employer, C.C. managed to get his old job back at the regional water supply company, which is what he had really wanted all the time but had not thought to be a possible solution.

DRC Kosovo has many years of experience in counselling returnees on income generation activities. The expertise of DRC staff was utilised in cases where returnees already had a clear idea of how to generate an income and only needed the appropriate support to get started. Such cases were not referred to APPK; nor were cases where returnees, because of age or illness, were unable to generate an income but chose to have livestock as livelihood support.

School and reintegration of children

According to returnees included in DRC's survey, reintegration of returned children into the culturally different school system in Kosovo constitutes another important obstacle to sustainable return. Problems that need to be addressed include: adapting to a very different school system in Kosovo; speaking, reading, and writing in the native language; and coping with the academic level of different scientific subjects in school. Many children have difficulties speaking, reading, and writing their native language after many years abroad, and returnees stress the importance of providing children with native language training as well as general support in re-adapting to life and culture in Kosovo. DRC's own experiences show that offering the children of DRC beneficiaries individual special language training in Albanian and Serbian, as well as training in various scientific subjects, has been absolutely vital in facilitating their



reintegration into schools in Kosovo. Originally, native language training for minors was planned to take place in Denmark *prior* to their return. However, due to the revision of UNHCR's position paper, many Kosovo families in Denmark returned sooner than expected and native language training has been offered in Kosovo instead. Based on the individual needs of each child, DRC Kosovo arranged extra classes with local teachers in Albanian and Serbian, but also scientific subjects such as mathematics, chemistry, physics and biology.²⁷ Language training and extra classes in other subjects have in some cases ensured that children have passed relevant exams and were thereby allowed to move on to the next grade with their classmates.

As mentioned above, some children among DRC's beneficiaries also experienced difficulties getting their diplomas of schooling in Denmark accepted upon return. DRC needed to assist those beneficiaries in procuring the necessary diplomas by communicating with Red Cross camp schools in Denmark to ensure that the children were able to attend school in Kosovo and were placed at the right academic level.



A class room in a local school in Kosovo. Photo by DRC.

Thus, successful reintegration of children into the school system upon return is often not easily achieved. Many aspects of the reintegration process are difficult, such as adapting to a different language, the academic level of teaching, and also making friends and fitting in. Therefore, alongside the need for language training and the procurement of diplomas, returnees from Denmark and their children also express a wish for more social activities for children and youngsters upon return. To contribute to the reconciliation and reintegration process, return assistance programmes should therefore include the organisation of sports activities, youth clubs, camps and other social activities where young returnees can socialise with other young local residents.

For example, as part of DRC's activities under the psycho-social part of the programme, a local NGO partner, the Kosova Rehabilitation Centre for Torture Victims (KRCT), has focused on organizing social, cultural and recreational activities for young returnees from Denmark and young residents. These activities provide an opportunity for young returnees to improve their social and cultural skills and to ease their transition into Kosovo society. Activities included excursions to swimming pools and the zoo, football matches, drama, dance, art, and trips to the movies.

The process of re-adaptation and reconciliation

The findings from DRC's survey show that adult returnees also have great difficulties re-adapting and re-orientating to the culture and traditions in Kosovo. Half of the beneficiaries included in the survey stated that they do *not*

²⁷ In Denmark, the children of rejected asylum seekers were often moved from one centre to another, and were thus constantly being moved to a new class. This instability did not facilitate the technical development of their skills, and may possibly have made them fall behind the technical level appropriate to their age.

have the same network (i.e. friends, family or acquaintances) in their community as before their flight to Denmark. Most of them explain that *'the people have changed'* or that all their friends are abroad. Many of them therefore find it important to stay in contact with other returnees, as they are facing similar problems and share the same history. In this regard, common activities (e.g. info meetings) could be facilitated in order to establish informal contacts and friendships. However, project activities must not create a gap between returnees and the existing local community. Return assistance programmes should therefore always



*Children of DRC beneficiaries playing football with local children.
Photo by KRCT.*

focus on developing strong linkages with resident communities and facilitate a balancing component that supports vulnerable receiving communities as well (e.g. through reconstruction assistance, infrastructure rehabilitation and community development initiatives). This is necessary to facilitate the overall reconciliation of returnees from Western Europe and the remaining local population.

A Water Supply Community Project

As mentioned in chapter 4, assisting returnees from Europe compared to assisting IDPs differs when it comes to the number of returns to one place. Whereas IDP return can encompass a great number of returnees going back to the same village, returnees from abroad are often spread across the entire region; sometimes, therefore, community projects are not as necessary as in IDP return.

As six returnee families who all received considerable reintegration assistance through the programme returned to the same small village, it was decided to create a community development project in which many local residents could participate and from which the entire community would benefit. In a joint effort, the municipality and the village work together with DRC to facilitate a community project that will enhance the water supply system in the village. The village only receives water for two hours a day due to insufficiencies in the existing piping system. Improvement of the water supply system will therefore not only benefit the returnees but also the receiving community.

Health and medical care upon return

A final important obstacle to sustainable return identified by the returnees included in DRC's survey is the lack of proper health care and medical systems (including mental health) in Kosovo. As mentioned above, DRC's return assistance programme for rejected asylum seekers from Kosovo did not initially include a health and medical care component. However, in May 2007, the Danish Ministry of Foreign Affairs approved financing for DRC to provide medical and psycho-social support to returnees from Denmark and to support capacity building of the health sector



in Kosovo. The project was initiated due to the overarching medical and psycho-social needs of returnees from Denmark, particularly related to Post-Traumatic Stress Disorder (PTSD).

Significant work and improvements have been made to health institutions in Kosovo, but capacities and resources to provide adequate treatment, especially related to trauma, are still limited. The project aims to provide durable medical and psycho-social treatment and interventions to returnees from Denmark over an 18-month period. Approximately 50 returnees and their family members from Denmark receive direct medical, psychiatric and psycho-social interventions based on individual and family action plans through local partner KRCT. The project also supports and strengthens local capacities for treatment of traumatised persons in Kosovo. Some community mental health clinics are being provided with varying levels of support, with the aim of improving the treatment of returnees and other people with mental health illnesses and psychological disorders related to trauma. Furthermore, with the support of two local NGO (LNGO) partners, KRCT and One to One Kosova, DRC delivers additional psycho-social support to individuals in Kosovo including residents and other returnees.

As returnees may have mental or health problems and thus be in need of medical care upon return, this project provides them a way to integrate and eventually mainstream into the existing systems available in Kosovo. It is crucial that mental and medical assistance projects not only focus on short-term direct support of returnees but also on long-term institutional capacity development support.

Support from the authorities

Only one couple among the beneficiaries that returned from Denmark included in the survey received social assistance (40 Euros per month) from their municipality in Kosovo upon return. None of the respondents have received other kinds of social support, such as offers on social activities, job training, health care, etc from the authorities. When asking the respondents what they think the authorities in Kosovo (i.e. their municipality) could do better to support their reintegration, the number one request is for the authorities in Kosovo to enable people to provide for their families through the creation of job opportunities and to provide financial support to secure normal living conditions. Secondly, respondents request the authorities to provide social aid and medical treatment (health insurance), and thirdly to secure better conditions for children's schooling. As described above, DRC Kosovo has assisted its beneficiaries, returned from Denmark, in accessing local authorities in regard to e.g. schooling, registration and property rights.

Conclusion: Sustainability of returns from Denmark to Kosovo

DRC's return assistance programme for rejected asylum seekers from Kosovo is based on the assumption that only a holistic approach that includes all phases of the return process will facilitate sustainable return. DRC therefore believes that its presence in both Denmark and Kosovo has facilitated many aspects of the return and reintegration process, as demonstrated in the counselling activities in Denmark and also by the availability of support to forced returnees who contact DRC Kosovo upon their return. It is DRC's experience, through monitoring and follow-up visits, that just as much as other groups of refugees, forced returnees are highly in need of support to ensure successful reintegration. The possibility of adjusting the project to fit the reality has been vital for this group of returnees and has probably only been possible due to DRC's permanent presence in Kosovo.

DRC's presence in Kosovo also makes follow-up on the actual reintegration of returnees possible, allowing DRC

to immediately respond to new and unforeseen problems. One example was the need for communication between schools in Denmark and Kosovo to obtain the relevant diplomas for children's schooling. At the same time, continuous evaluation of the reintegration process has delivered up-to-date information on the possibilities for reintegration in Kosovo to new potential returnees abroad. Finally, DRC's regular and personal contact with beneficiaries has provided an important safeguard to monitor the safety and rights of returnees in the post-return process.

As mentioned in Chapter 2, the concept of *sustainability* is not easily defined or measured. Definitions may vary depending on which perspective it is seen from. A sending state may choose to understand sustainability as the lack of secondary movement within a given time, while the returnee may understand sustainability as having achieved the same standard of living as prior to departure or even as the standard enjoyed in the host country. In the Manual for Sustainable Return, UNMIK describes four basic conditions required to ensure sustainability of return:

- 1) security and freedom of movement;
- 2) access to public services (public utilities, social services, education and health care);
- 3) access to shelter (i.e. through effective property repossession or housing reconstruction assistance where appropriate); and
- 4) economic viability through fair and equal access to employment opportunities

As the survey of DRC beneficiaries sought to assess the sustainability of returns, the level of reintegration after a minimum of six months back in Kosovo was assessed with regard to employment, housing, children's schooling etc., as well as the returnees' own perception of their reintegration and their wish to remain or migrate. These findings, as well as DRC's experiences of implementing the project, confirm that the return assistance measures provided by DRC (i.e. comprehensive legal and return counselling, income generation activities, rehabilitation of housing, medical assistance, language training of minors, and assistance in accessing the local authorities) are all important aspects that contribute to successful reintegration in Kosovo and confirm the benefits of DRC's holistic approach to return assistance. Moreover, DRC believes that personalised and needs-based support has truly contributed to the reintegration process, and thus facilitates sustainable return in the long run. However, the survey also indicates that readapting to life in the country of origin is extremely difficult both for adults and for children who have spent several years abroad. Many stated that they would rather be somewhere other than Kosovo.

As the project is still ongoing, DRC will continue the follow-up and monitoring of returnees (some of whom have been back in Kosovo for more than 18 months) up to the end of October 2008. This continuous contact with the returnees gives DRC a good picture of who has departed Kosovo, and in some cases where they have gone to and why they have left.

Reasons for leaving Kosovo

Among the 84 returnees registered as beneficiaries under the DRC programme, 23 persons are not in Kosovo at the moment (March 2008). During the course of DRC's follow-up and monitoring visits, DRC was able to ascertain some of the causes and motivations for secondary movement. The cases are described below.



Reasons for leaving Kosovo

- *Two young, single males have declared that they see no perspective in Kosovo. Both young men have been offered income generation assistance through APPK in Kosovo but have not been interested. One is now living with relatives in Montenegro while the other stated that he wanted to go to France.*
- *Three families with children have departed for Western Europe. One family left because of the financial situation and the health of their children, another sought reunification with a spouse, while the third family left to seek work abroad. Two of the families received housing assistance, two were offered income generation activities and one had received extensive medical assistance through KRCT.*
- *One family has temporarily closed down business (a chicken farm) and gone to visit relatives in Serbia. The reason for this was the extremely cold weather, which caused the death of approximately 100 chickens. The family is in contact with DRC and has stated that business is temporarily closed until springtime, when the family intends to return to Kosovo. The family has received housing and income generation assistance.*
- *One elderly couple has left to visit relatives in Austria. They have received housing assistance and were in the process of receiving income generation assistance when they left Kosovo.*
- *One young, single male left Kosovo early in 2007 and returned to Kosovo again later that year. He went to Montenegro and claims that he left for seasonal work. At the time he left, he was employed in Kosovo through APPK. Upon his return, APPK was able to find a job placement for him again.*
- *One young, single male has declined job offers through APPK as he intends to leave Kosovo to be reunited with his girlfriend and child in Western Europe.*

It appears that the secondary movement of this particular group of returnees is highly related to personal circumstances such as their health condition, relatives in other countries, external factors such as the economy in Kosovo, and perceptions of what is 'good enough' compared to the living standard they enjoyed in the host country. While most returnees state that the assistance provided has been good, they also complain that it is not good enough. This is in spite of the fact that the project has been designed for returnees to achieve the same living standards as the receiving community. Furthermore, compared to the Kosovo population, returnees are often better off than most people as they have an opportunity to make a decent living in spite of the current Kosovo unemployment rate of more than 50 percent.

Reasons for remaining in Kosovo

When trying to assess the sustainability of the return of those returnees who are still in Kosovo it is important to look beyond the mere fact that they are still there after 18 months. This calls to mind many questions that may not have simple, straightforward answers: Is it because they are unable to migrate that they are still in Kosovo? Or is it because they want to reintegrate? Do they consider going to a neighbouring country to visit relatives and work for a couple of months 'migration', or is this simply part of their culture – something they have always done?

Case of D.D.

D.D. is a Kosovo Albanian man of 60 who had been living as a rejected asylum seeker in Denmark for some years before he decided to return to Kosovo. His wife, who is of Roma ethnicity, decided not to return voluntarily with D.D. D.D. had previously refused to return voluntarily and declined all offers to speak with DRC about return and reintegration support. When forceful return became possible and he was arrested with the purpose of deportation, he decided to return and receive whatever support he could get from DRC.

D.D. has returned to an area with mixed ethnicities but dominated by Roma. He owns a house that needed repairing. He was allowed to use some space owned by his brother to open a small café serving coffee, beer and light foods, and he also has a selection of fishing equipment which is rented out to locals who want to go fishing at the nearby fish farm.

D.D. already had experience in running his own business, and since space for a coffee shop was available it was decided that he would receive all income generation support through DRC and start up the business immediately. The shop only needed some painting and furniture, and two months after his return D.D. was already able to open his shop. The clientele of D.D.'s shop are Albanians and Romas and D.D. employs a Serb woman part-time to help him out. He makes around 150 Euro per month and states that he lives comfortably on that.

D.D.'s house has been partly restored to meet the needs of a single person. Restoring the house



D.D. in his shop. Photo by DRC.

was a bit delayed as he was waiting to see if his wife would join him as the entire house would then need to be repaired. D.D. says that he is happy that he decided to return to Kosovo because it is his country and it is where he really wants to live. He states that it has made a difference to him that he was able to receive support and start generating an income almost immediately after his return. He is sad, though, that his wife did not want to return with him.



Among the 51 returnees who have chosen to remain in Kosovo, all have now been back between 12 and 18 months. They comprise a group of families, single males and single females, and also elderly couples. Some state that they found life in an asylum centre in Denmark better because they did not have to worry about generating an income, schooling for the children, medicine or health care and wish they were back in Denmark. However, the majority claim that they intend to focus on reintegration, as they were tired of living without any perspectives in Denmark and would like to get on with their lives and focus on the future of their children. Some young returnees state that they have returned because they want to find a spouse and start a family. Only very few claim that they are happy to be back and are content with their lives in Kosovo.

Case of E.E.

E.E. and his wife and two children, 8 and 11, were among the first families to contact DRC in Denmark to ask about return and reintegration support. The family did not want to return to Kosovo but had witnessed the Police waking up other rejected asylum seekers from Kosovo at 5am to execute forced returns. They knew that the same could happen to them at any time, and they therefore decided to accept the assistance provided by DRC and return to Kosovo 'voluntarily'.

The family had lived in Denmark for five years, and before coming to Denmark they had lived with E.E.'s mother. Photographs provided by DRC Kosovo clearly showed that E.E.'s house could not accommodate E.E. and his family any longer. E.E.'s brother had started construction of a house before the conflict broke out but had never managed to complete construction. As E.E.'s brother already had a place to live in, he offered the plot to E.E. DRC completed the construction, and within a few months E.E. and his family were able to move in.

While E.E.'s son soon adapted to the new situation and to school back in Kosovo, E.E.'s daughter had many difficulties with the return. Due to insufficient schooling in Denmark she was not able to enter a class appropriate to her age and instead had to attend a class with children who were a year younger. She found the culturally very different relationship between teacher and pupil difficult to adapt to and in the beginning she felt teased by the other children at school. After having received language training and also training in other subjects, E.E.'s daughter is now well integrated and has a few friends.

E.E.'s wife suffers from PTSD and was very concerned about the return. She feared that she would not be able to receive adequate treatment in Kosovo. She is presently being supported with medical assistance through KRCT.

E.E. has been working in a private production company in job placement through APPK for almost a year. There are good prospects for him to continue in the company once the one-year contract ends.

Although the family state that they are not satisfied with being back in Kosovo and would rather live elsewhere, they also want to focus on reintegration rather than migration as they realise that migration is not a durable solution for their future.

The conditions which UNMIK²⁸ describes as necessary to ensure sustainable return are all present in DRC's programme facilitating return from Denmark:

- 1) Return has only taken place according to UNHCR guidelines for return to Kosovo²⁹ and there have been no security incidents or hindrance of freedom of movement among the returnees.
- 2) Access to public services is available, and whenever necessary DRC has facilitated access to e.g. education and health care.
- 3) Access to shelter has been made available in almost every case. DRC has repaired and reconstructed houses for mandatory returnees in need. Forced returnees have not been offered this assistance, but have found accommodation with relatives if in need. This difference in assistance to mandatory and forced returnees is not, however, reflected in the group who have re-migrated.
- 4) All returnees have been offered income generation activities, and while some returnees who have re-migrated state that they can make a better living outside of Kosovo, based on their economic viability it is not possible to draw a clear picture as to why some have re-migrated while others have stayed.

Although stakeholders may agree on core elements that must be present in order to ensure the possibility for sustainable return, these elements can never guarantee that the individual return is sustainable. Experiences from DRC's programme facilitating return from Denmark to Kosovo show that sustainability is more closely linked to the personal conditions of the individual returnee, i.e. health, family abroad, personal resources, etc. than the reintegration support offered through the programme. Even with a new house and a job in a safe environment in the country of origin, a returnee may choose to re-migrate because of better income generation possibilities and better health care systems abroad. It may also be that it is too painful and too difficult for the returnee to be back in the country where he/she witnessed traumatising events. Stakeholders can therefore never guarantee the sustainability of returns, but must nevertheless ensure that the preconditions for a sustainable return are always present.

²⁸ UNMIK, July 2007: Revised Manual for Sustainable Return.

²⁹ UNHCR, June 2006: Position Paper on the Continued International Protection Needs of Individuals from Kosovo.



6. Return from Germany to Kosovo: Counselling and Assistance

As partner in the project *'Design and Facilitation of Sustainable Voluntary Return to Kosovo'* co-financed by the EU Return Preparatory Actions 2005, Bayerischer Flüchtlingsrat (BF) assessed the complex landscape of return counselling and assistance in Germany. This chapter is written by BF and presents their findings from extensive field studies in Germany and Kosovo in 2007 and 2008. It discusses the politics of return in Germany and its impact on the sustainability of returns to Kosovo. The conclusions of this chapter contribute to the final recommendations of the overall report.

A complex landscape: Return counselling and assistance in Germany

Beginnings

The implementation of return counselling in Germany stems from the late 1970s and early 1980s, when the German Government introduced a law regarding return counselling and assistance for working migrants.³⁰ Part of this law, concerning the right of every migrant to be counselled on return, is still in existence. Assistance should also be provided for travel from Germany to the place of origin. The German Government has cooperated with IOM since 1979 and runs a programme to finance travel costs and offer financial assistance for return (REAG, since 1989 a second programme – GARP).³¹

These return activities were first implemented during the first phase of intensified return in Germany in the late 1970s and 1980s. Unfortunately, these returns, mainly of Turkish migrants, were not very successful.³² The overall mood in Germany was quite hostile towards migrants and their return was mandatory. Despite the fact that migrants could receive part of their pension when they left and that counselling, business start-up and qualification programmes were provided by the Ministry of Labour (Bundesministerium für Arbeit, BMA), many Turkish returnees were not prepared to return and did not manage to successfully reintegrate back in society. The reasons are manifold, but they can be seen again in recent return experiences. Poorly educated migrant workers often failed to start their own business in Turkey, and their money was quickly spent on taxes and on re-establishing social networks. Children had difficulties reintegrating into the school system and culture, regardless of the efforts made by some German Länder (states) that financed teachers to travel to Turkey in order to ease the reintegration of school children into the Turkish school system. While almost all large German welfare organisations were engaged in these return programmes, the rate of return dropped and from the mid-1980s onwards counselling became less important.

In the mid-1990s a second important phase of intensified return assistance took place when most Bosnian refugees³³ returned home. More than 300,000 Bosnian refugees who had fled to Germany during the war were required to return back to Bosnia. Unlike the return of Turkish migrant workers, there was no public pressure to return.

³⁰ Gesetz zur Förderung der Rückkehrbereitschaft von Ausländern (RückHG), 1983.

³¹ REAG (Reintegration and Emigration Programme for Asylum-Seekers in Germany) started in 1979; GARP (Government Assisted Repatriation Programme) exists since 1989. Since 2002, both programmes were combined to REAG/GARP. Apart from these large scale programmes aimed mostly at rejected asylum seekers, specific programmes exist for skilled workers, students and academics from Third World countries etc.

³² Osiander, Klara, Zenger, Johannes: Rückkehr in die Fremde. Die Problematik der Remigration junger Türken/-innen u. deren Familien in ihr Heimatland ; oder: 'Keine Ahnung u. zurück'. Augsburg. 1988.

³³ Refugees is used here in a somewhat broad sense. The example of Munich illustrates that about 21,000 persons were officially registered as refugees, partly as asylum seekers, and partly as so called contingent-civil-war-refugees. Additionally, about 18,000 persons were not registered, because they had fled and crossed the border without a visa and lived in Munich with relatives.

Instead, pressure was exercised through foreigner registration offices, which withdrew residence and work permits and conducted a certain number of forced returns. However, returnees received substantial support from local communities and groups, and some Länder financed return, reintegration and restructuring or development programmes. Many refugees had saved some money, owned cars, and had a collection of household items, meaning there was only a minimal need for equipment to restart their life back in Bosnia. Return assistance therefore focused on supporting returnees to gather useful equipment for their return. Announcements were published in newspapers about collections of second-hand furniture, collection points were established and transport for these items was organised. GSVs were facilitated which stimulated refugees to actively shape their return, and information spread quickly among the refugee communities. Some of the return facilities operating today gained much of their experience from this period.

During the 1990s, projects targeting Romas from Serbia and Skopje illustrated that there was practical knowledge and awareness about the necessity of holistic return and reintegration approaches. A model project financed by the Government of North Rhine-Westphalia (Nordrhein Westfalen) starting in 1991 and another project in the city of Essen in 2004 (both projects were in cooperation with Caritas Essen) both embraced activities such as training, business start-ups, vocational training for youth, leisure time and sport facilities, support to schooling matters, and a centre for medical care.

As mentioned above, the institutions of return assistance became less relevant, but it was this positive experience of successful return initiatives that seemed to convince governmental and welfare institutions to establish return assistance as a constant initiative. Certain return counselling and assistance structures evolved from the late 1990s onwards; conferences and meetings among the different stakeholders enhanced knowledge among these institutions. Broader programmes or projects are rare, and most return assistance happens at a low level. The European Refugee Fund (ERF) was mostly used to extend the capacities of pre-return counselling and assistance agencies and helped to establish a more complex landscape of voluntary return management. Finally, return counselling was extended from a focus on the Balkans to include all countries of origin.

An emerging field

It was not until recent years that the field of voluntary return assistance became a debated issue in Germany. Human rights organisations discovered the emerging field of return counselling and made the topic politically relevant. In 2002, the Bavarian Ministry of Interior opened a supposed “departure centre”, combining an almost closed camp situation with (enormous) pressure and (minimal) incentives to achieve the ‘voluntary’ return of rejected asylum seekers. Welfare organisations refused to cooperate inside the departure centre, but decided to offer return counselling outside the centre. They were supported by the Social Ministry of Bavaria and established return counselling and assistance centres in three major cities in Bavaria.

In Bremerhaven in the north of Germany, the local *Arbeiterwohlfahrt* (a social welfare organisation) expanded a project called ‘Heimatgarten’. At first, Heimatgarten was aimed at return assistance for Bosnian refugees, and Heimatgarten was the first organisation to establish facilities for vulnerable persons in Bosnia. Heimatgarten offered its services to other refugee counselling and return assistance organisations. Step by step, this small organisation opened counselling and assistance offices in other countries of origin, such as Serbia and Kosovo, and extended its activities from Bremerhaven to other towns in Germany. Through conferences and bilateral talks, Heimatgarten began intensive communication with governmental and municipal stakeholders. Many of Heimatgarten’s projects were co-funded by ERF, which became a major financial source for other return offices and projects as well.



Increasing numbers of smaller and bigger return projects emerged. These projects were sometimes run by small associations, sometimes by foreigner registration offices in municipalities, and sometimes by local branch offices of welfare organisations like *Arbeiterwohlfahrt*, Caritas, the German Red Cross, and *Diakonisches Werk*. This was not only because voluntary return became an increasingly important and highly discussed field of migration policy, but also because return became one of the realms in migration and refugee counselling that was financially attractive.

While the Federal Ministry of Interior was reluctant to provide stronger financing to voluntary return, one by one the Länder set up programmes to promote and support the development of return assistance facilities. North Rhine-Westphalia directly transferred funding from reception and integration to return, and the welfare organisations followed suit.³⁴ In 2005, Rhineland-Palatinate (Rheinland-Pfalz) established a fund of five million Euros for return counselling and assistance (Landesinitiative Rückkehr 2005), which was prolonged until 2007, and *Diakonisches Werk* in Trier was assigned to establish a network and assistance structure for return counselling run by municipalities or other organisations. Baden Württemberg finally allocated one million Euros for regional return assistance projects for 2008 and 2009, causing a vivid debate among local initiatives about engagement in return counselling.

Categories and approaches

As of early 2008, the field of actors involved in return counselling assistance is still evolving, and it is difficult to survey what is actually available. Systematically, roughly five types of institutions can be distinguished. These include:

- a) State-run 'departure centres' and 'arrival/departure centres'.
- b) Return counselling by foreigner registration offices.
- c) Specific return counselling centres run by welfare organisations.
- d) Organisations that offer return counselling as part of more general counselling including all perspectives (legal assistance and integration, third-country-migration, return).
- e) Centres and projects with established field offices for assistance in countries of origin.

a) State run 'departure centres' and 'arrival/departure centres'

These departure centres reflect a strategy of return counselling at an early stage, and are often bound to special so-called 'departure' or combined 'arrival/departure' centres for asylum seekers. Applicants that are deemed to have poor chances to succeed in their asylum procedure are confronted with return offers, different grades of pressure and incentives. The potentially right idea of offering return possibilities at an early stage is linked to procedures that clearly do not fit under the mantle of voluntary return. Pushing asylum seekers to return even before a first decision has been made about their asylum application does not enhance trust in the German asylum system. Trust between counsellor and client does not seem to be a relevant factor in the counselling process. In the Bavarian departure centres, for instance, staff have three goals: to confirm the asylum seeker's identity; to promote the return of those whose asylum cases are believed to be obviously unfounded; and to arrange reception and accommodation. 'Supervised' talks have the goal of convincing clients that it is not possible to stay longer in Germany.

³⁴ Actually, the financing was cut in 2005 and again in 2006, BAMF, 2006: Expertentreffen 'Erfahrungsaustausch freiwillige Rückkehr', Nürnberg, p. 81.

If the asylum seeker does not cooperate, they may be placed in a remote refugee camp, they will not receive a labour permit, and their pocket money may be reduced or totally eliminated. An asylum seeker who consents to return gets the opportunity to work for a maximum period of three months. The money he earns (maximum 3,000 Euro) will be paid out at the border when he leaves Germany.³⁵ The effects of these centres are mixed. Only a small proportion of residents do consent to return. Many abscond, while some stay in such centres for years, often showing signs of depression and other mental or physical reactions to a hopeless situation.³⁶ Return assistance is directed towards departure, not towards reintegration in the country of origin. The quality of counselling or assistance could not be assessed. Not even participation in counselling sessions is voluntary. The relatively low output of these centres to achieve the stated goal of departure or return clearly shows the deficiencies of this model. Instead of positively planning and organising the future, counselling emphasises the negative implications of staying in Germany. Counselling tends to be confrontational rather than cooperative.

b) Return counselling by foreigner registration offices

Some counselling offices in municipalities face specific problems because they are a branch of foreigner registration offices offering return counselling. It is often difficult for both staff and clients to understand the purpose of counselling, and it lacks the necessary trustful relationship to develop a successful return plan. These difficulties can only be reduced by maintaining a clear distinction between the foreigner registration offices and the offices that are offering assistance for mandatory return. Often these branches have only one member of staff, which considerably limits their capacity to maintain up-to-date information on countries of origin. Municipal counselling and assistance does not necessarily have any standards to adhere to and the quality of such services seems to differ; the most relevant factor appears to be the orientation of the staff (departure vs. reintegration assistance).

c) Specific return counselling centres run by welfare organisations

Specific return counselling centres are mostly run by bigger welfare organisations which have a broader network of refugee counselling offices (or are even designed as projects where three or more organisations cooperate). Two good examples are the centres for return counselling in Bavaria and the offices of *Raphaelswerk*. Nonetheless, these specialised centres do not necessarily have the regular contact to refugees which develops from long-term counselling activities. Since the establishment of these specific centres is a recent development, most counsellors have a background in refugee counselling. Legal and social counselling should thus be part of the return counselling, though this is not necessarily the case. A clear advantage of these centres is their capacity to concentrate on return counselling and assistance. Specialised centres can gather and spread detailed and up-to-date information on return measures and countries of origin better than institutions that offer various forms of counselling. Dedicating their work to return implies that counsellors will enhance experience and develop greater competence. Furthermore, some of the bigger welfare organisations have field offices in countries of origin³⁷ that can assist with information and post-return support. However, even the bigger organisations have only few staff members, and one person often covers a vast array of countries of origin (e.g. 'the Balkans' or 'Africa').

35 Bayrisches Ministerium des Inneren, see www.ausreisezentren.de/az/Grundlagen/Bayern/konzept.pdf.

36 Thal, Alexander: Besser fahren mit Ausreisezentren. In: *Blätter für deutsche und Internationale Politik* 2/2003, pp. 153-156.

37 E.g. AWO-international and Caritas-international.



d) Organisations that offer return counselling as part of more general counselling including all perspectives (legal assistance and integration, third-country-migration, return)

There are clearly some advantages to offering return counselling and assistance as part of more general counselling for refugees. Many organisations include the issue of return into the counselling they offer to refugees. Others, mostly independent organisations and associations, are quite reluctant to speak about return, tending to see it as the last possible option. It is these organisations that can rely on the best, most trusting relationships with rejected asylum seekers and other persons without a residence permit, which is an important precondition for close cooperation and also for possible return to the country of origin. These organisations take into account other options and alternative perspectives, with the aim of a true voluntary return. However, organisations' resources, competences and knowledge of return counselling differ considerably. While some organisations include return among other fields of counselling and assistance, others only offer return assistance once in a while and can supply only very basic information. It is not only level of competence that explains such differences, but also the question of their position regarding return and their motivation for addressing it. Some local initiatives have decided to assist 'their' refugees and rejected asylum seekers to return, even if this return is not voluntary, and have deployed notable personal, financial and material support, often well beyond what is normally available. Some counselling centres that have developed a return assistance department seem to have been successful in effectively combining the positive effects of establishing a trusting relationship with refugees through long-term counselling with the benefits of a specialised department with expertise on return assistance matters.³⁸

e) Centres and projects with established field offices for assistance in countries of origin

The most prominent organisation to extend return assistance to the country of origin is the *Arbeiterwohlfahrt* project Heimatgarten, but a few other welfare organisations have recently followed their example. In 2007, the *Diakonisches Werk* in Rheinland Pfalz established an office in Fushe Kosova/Kosovo Polje in Kosovo. The advantages of this approach are clear, since return assistance does not end with the departure of the returnee, but can be followed up closely throughout the reintegration process. Reintegration planning with the returnee can continue, and support can be adapted to the specific situation of the returnee. Another advantage is that it offers an opportunity to gather first-hand information about the situation in the country of origin. Heimatgarten's first projects were dedicated to offering shelter and assistance to the most vulnerable people. The concept has now been extended to all returnees. However, these projects are quite expensive and thus depend strongly on appropriate funding; they are efficient only when a suitable number of returnees make use of the centre's services.

Generally speaking, this form of assistance, extending beyond return and dispensed in countries of origin, is not very developed. Most German return counselling offices therefore seek organisations or institutions in the countries of origin which can take over responsibility for providing at least some assistance to returnees. In general, this is a difficult task for all return counselling projects, because contacts are difficult to establish and only a few connections have been built between institutions working on return and refugee counselling and organisations that are active in development. Unfortunately, little progress can be seen over the last few years at either the NGO or governmental level. Continued assistance in countries of origin tends to be one of the weakest points of return management in Germany.

³⁸ E.g. Gemeinnützige Gesellschaft zur Unterstützung Asylsuchender e.V. (GGUA), see www.ggua.de/Beratung-fuer-Fluechtlinge.beratungfuerfluechtlinge.0.html.

Struggling for standards

Gradually, the field of return counselling and assistance has come under attack from human rights organisations. Welfare organisations have been criticised for working in a way that is too close to the Government's goal of increasing the numbers of returned asylum seekers. Other criticisms relate to the lack of options in the return counselling offered to refugees and rejected asylum seekers and, most notably, the lack of standards in implementing return counselling despite the ongoing debate about the issue. In recent years, however, the bigger institutions and welfare organisations have discussed standards in return counselling, and this topic has been examined at conferences and meetings that focus broadly on the topic of voluntary choice. They have also addressed practical themes such as the capacity of return counselling agencies to offer options leading to the successful reintegration of returnees.

Bigger welfare organisations like Diakonisches Werk (DW), German Red Cross, and the return counselling centres from Bavaria have published standards that mostly describe the ethical dimensions of return counselling, turning the ethics of social work to the field of return and applying it to specific problems.³⁹ Not surprisingly, these publications focus on respecting the free will of clients, voluntary choice in decision making, and informed choices for returnees. These reflect the lack of voluntary choice in situations where foreigner registration offices take repressive measures against rejected asylum seekers to force them to leave the country, whereby charity organisations offering 'voluntary' return often serve as a last chance to avoid forced return.

Position papers from these conferences openly show the dilemma of providing assistance for 'voluntary' return. Most of the papers underline that clients come voluntarily to the counselling office. However, they do not explain how to prove that foreigner registration offices did not exercise pressure on the clients to go to a counselling office. Interestingly enough, the whole discussion still relies on the term 'voluntariness', even though several years ago both UNHCR and ECRE introduced the terms 'ordered' and 'mandatory' return options in order to make it possible to discuss the issue of voluntariness in a more differentiated manner. Staff of state-run 'departure centres' are sometimes present at these conferences, but generally not take part in such discussions.

Voluntariness is viewed as being less relevant at the more practical level of counselling and assistance. Here, existing standards focus on the process of counselling and the necessary steps and procedures which counselling should follow. While various organisations have recently begun to develop manuals and standards, a more general conclusion would be that many actors in return counselling are still in a somewhat 'experimental' phase; knowledge depends on the skills of individual counsellors rather than being formalised in manuals and standards.

Connecting competences

While human rights organisations criticised the adopted standards, saying that they do not fit well with the practice of return counselling and assistance, some of the welfare organisations involved have made serious efforts to improve the quality of counselling and assistance through networking and intensified exchange of information and successful practices. Some offices have concentrated on a limited number of countries of origin and have

³⁹ See the position papers of Diakonisches Werk and of the federal working group of free welfare in Germany http://www.diakonie.de/1519_1557.htm.
<http://www.bagfw.de/media/publikationen/publikation/stellungnahmen/104001000009/Stellungnahme%20freiwillig%20R%C3%BCckkehrer.pdf>.



thus improved the quality of their return counselling.⁴⁰ They share their knowledge with related offices, and this networking appears to be a step forward towards a better standard in return counselling and assistance. Some centres also cooperate on assistance facilities in countries of origin, though this is a less developed area. There is growing interest in connecting one's own work to other organisations, sharing knowledge and gaining more skills. The field of return counselling, which started in a disordered and improvised manner, has clearly developed and has gradually generated standards, procedures, competences and structures.

Some organisations are trying to further improve this process. For example, Bundesamt für Migration und Flüchtlinge (Federal Office for Migration and Refugees – BAMF) hosted a conference on return assistance in 2006 to facilitate information exchange among experts and stakeholders. It also established a database in 2003 to provide information about the most important countries of return (Zentralstelle für Informationsvermittlung für Rückkehrförderung - ZIRF) which is accessible to all return assistance offices.⁴¹ Furthermore, BAMF is working to develop a database that would give information on return facilities in Germany and is also conducting a study on return assistance and counselling in Germany.

Money and Motivation

Some definite improvements are still required in the field of return counselling and assistance. These improvements can be summed up in two words: money and motivation.

Even though official policy is flexible with regard to voluntary return, this is not backed up by equivalent or adequate funding. As stated above, the German Government is reluctant to invest more money in return than the means it already dedicates to the standard REAG and GARP programmes; funding has actually decreased in the last few years. These programmes cover travel costs, some way of transporting household items, and varying sums for each returnee. There is no intention to fund return counselling or assistance. Only some Länder co-finance the work of counselling organisations and offer returnees the means to give them a fair chance of a new start in their country of origin. Counselling organisations mostly rely on themselves and on co-funding through ERF. The consequences are twofold. Firstly, the lack of resources makes it impossible to extend counselling and assistance. Only the bigger welfare organisations can finance bigger projects, while most organisations have to be careful as they operate with smaller amounts of staff and equipment. This clearly leads to inadequate counselling and skills, which can only partly be compensated by intensified knowledge exchange and networking procedures.

The most severe consequences of this lack of resources involve return assistance. German organisations often have nothing to offer returnees beyond the basic REAG and GARP programmes. The possibilities for giving real assistance to returnees depend on the organisation's ability to convince municipalities that they are responsible for supporting rejected asylum seekers. Some municipalities see return as a way of sharing social benefits and agree to provide funding for returnees, but many do not. In the end, the lack of financial support lowers the attractiveness of return counselling and at the same time reduces the possibility of offering substantial assistance. This is observed most clearly in cases where organisations have return assistance offices in countries of origin.

⁴⁰ This is for instance the case with the Bavarian counselling offices.

⁴¹ See www.bamf.de/clin_011/nn_442136/DE/Migration/Rueckkehrfoerderung/rueckkehrfoerderung-node.html?__nnn=true

The second serious difficulty for return counselling and assistance is the lack of motivation on the side of returnees. There are two prominent reasons. Firstly, today many refugees can keep in touch with their home countries and are well-informed about the situation there. Often this information is seen through a lens of fear and coloured by emotions related to their departure. Whether these views are well-grounded or not, asylum seekers see many obstacles to return resulting from the insecure situation in their country of origin. Even if their asylum claim has been rejected, the longer their stay lasts, the more they stick to the belief that remaining in the receiving country is the only viable option. Secondly, like many other refugee-receiving countries Germany has adopted a broad array of measures to deter asylum seekers. They are obliged to live in camps that are often remote from the local population. Many are not permitted to work or to receive vocational training, their movement is restricted, and often they cannot even decide their own meals. This leads to a very passive and restricted life, which hardly provides the necessary preconditions for making a serious decision about return. It can be quite difficult to motivate persons that have been living under these conditions for years to start planning their own life under quite insecure conditions. Most clients of return counselling offices fall under this category. Return counselling offices have only a few options to motivate potential returnees, although a part of the counselling is often dedicated to motivating the returnee. Pre-return programmes seldom exist and normally consist of short trainings for additional skills which in many cases are of questionable use.

Conclusion: A need for standards and means

Although no statistics are available, voluntary and mandatory return processes from Germany resemble a wave. Most people return shortly after a conflict has been resolved and the situation seems to be secure enough to go back. After this first wave of return, there is a remarkable dip in the graph. The first returnees mostly leave by themselves without the assistance of return counselling offices, often not even knowing about the possibilities of assisted return. Nonetheless, for a broad array of reasons many failed asylum seekers are not yet prepared to return, even though they face growing pressure to leave the receiving country. Return counselling and assisted return processes have to deal with failed asylum seekers who face sanctions but are not yet ready for return.

In Germany, state institutions, welfare organisations and other organisations have developed programmes and projects for assisted voluntary and mandatory return which vary significantly in their size, quality and ability to address the needs of returnees. While some centres have developed quite elaborate standards, others seem to lack the necessary competences. Furthermore, different Länder have developed different strategies for funding return assistance to returnees. Funding of return is still directed mostly towards assisted departure, not to reintegration in the country of origin. Lack of means is thus the most relevant barrier for the development of a sustainable return counselling and assistance structure.



German return assistance offices in Kosovo

Limited options

The influence of lack of funding on the quality of return assistance is most evident when we consider what German return counselling offices are offering in the field. When research in Kosovo was conducted in August 2007, three organisations had established field offices for return assistance in Kosovo.

- 1) Heimatgarten established an office in Prizren in 2002.
- 2) DW Trier started its work in Fushe Kosova at the beginning of 2007.
- 3) A project centre URA – The Bridge with BAMF as lead agency was opened in Mitrovica in the early summer of 2007. It moved to Prishtina/Pristina in October.

Heimatgarten and DW have the potential to offer a variety of reintegration measures to voluntary returnees, including: counselling; job training and small business start-ups; assistance to children for successful integration into the schooling system; and special assistance to vulnerable persons. DW even offers the reconstruction of houses. The Heimatgarten office is run by two experienced staff. The largest centre is run by Arbeiterwohlfahrt (AWO) Nürnberg, which is responsible for counselling and assistance to (voluntary and forced) returnees at the URA (Bridge) centre. Other project partners in the URA project are the IOM and APPK. The overall project is coordinated by the BAMF and is funded under the EU Return Preparatory Actions. In the centre, five AWO social workers are ready for counselling and assistance. Within the frame of the project, the centre can offer business start-up trainings for 45 persons and micro-credit up to 4,000 Euro for about 15 persons. Other financial or material support is not foreseen, which obviously limits the possibilities for assistance. A specific aspect of the BAMF project is the vocational training of ten Kosovo therapists as special therapists for PTSD. This training took place in Germany in the summer of 2007, and until recently the ten therapists, two of them being employed in the centre, did not have any returnees as clients.

The Heimatgarten and DW field offices can offer substantial support to returnees only in cases where financing is secured by a German municipality or another agency. This was hardly the case when the offices were visited in summer 2007.



Limited options/not connected. Photo by BF.

No field of activity for the field office

While more than 100 returnees have arrived in Kosovo under the REAG/GARP programme administered by IOM between January and August 2007, less than a dozen cases seem to have been registered by the three German field offices (concrete figures could not be obtained). For various reasons, returnees did not ask for their services. Firstly, all centres state that their mandate is well known by counselling offices in Germany, although this might not in fact be the case, as a quick survey among refugee councils in Germany found that e.g. the URA project

was almost unknown, even at AWO refugee-counselling offices. This hints to a clear lack of information among counselling offices in Germany, who in the case of returns use the standard REAG/GARP scheme only. A second reason lies in poor cooperation between project stakeholders. It was not until autumn 2007 that IOM forwarded information about returnees to the URA project even though IOM is a project partner. Obviously, returnees were not informed by IOM about the assistance opportunities of other field offices in Kosovo.

Another important reason might be the lack of practical support offered by the field offices. If no donor covers the costs for a specific measure, the field offices' capacities to provide something exist only in theory. As these centres can offer no material support, German counselling agencies might decide that they are of no use at all for returnees.



Currently, no financial support is offered for housing reconstruction to individuals/families returned from Germany. Photo by BF.

Finally, the number of returns to Kosovo is notably low. It may be that many returnees opted for “voluntary” return to avoid deportation, meaning there is often no time for careful preparation, pre-return counselling or gathering information about the situation in Kosovo. When asked if the majority of returnees had any contact with any of the return counselling organisations or if the foreigner registration office was responsible for just filling a REAG/GARP application form and handing it over to IOM, no relevant institution was able to provide a clear answer or add relevant information.

Uninformed passengers

Maintaining a flow of information between field offices in Kosovo and return counselling organisations in Germany is seen to be difficult. All field offices state that gathering and transferring information regarding single cases is among their most important duties. Nevertheless, field office staff had some criticisms, saying that returnees often do not get relevant information or that they return with false information. Sometimes the most basic information and assistance is lacking, for example proper documentation on schooling in Germany which is needed to register smoothly at a school in Kosovo. In some cases, it even appears that wrong information (mostly about material or financial aid to be obtained after their arrival in Kosovo) is given to returnees, primarily with the purpose of persuading them to leave Germany. In 2007, the offices did not seem ‘overburdened’ with carrying out studies or answering requests from return counselling offices in Germany. Even if we take the low number of returnees in 2007 into account (a total of approximately 300), it seems that many counselling offices in Germany have not made use of this option to get up-to-date information on the local situation in different parts of Kosovo.

The German network in Kosovo

Another criticism was the lack of cooperation between German field offices and other (often local) NGOs in Kosovo.



While all three field offices are run by local staff from Kosovo with long experience in Germany (and are thus all returnees themselves), cooperation with NGOs from Kosovo could be improved. This became apparent from the fact that field offices would rather rely on cooperation with German NGOs in Kosovo, perhaps because German NGOs are thought to be easier to handle, have more experience in international project work, or are better known in Germany and thus give project applications more 'weight'. The possibility of assisting local NGOs from Kosovo to build up or extend their support structures is neglected.

Conclusions: No future for the field office?

As demonstrated from the experience of 2007, German return facilities in Kosovo are struggling for survival. None of the centres have had sufficient numbers of clients to legitimate their existence. A question has to be posed as to why three field offices were established in Kosovo offering similar assistance. All three centres rely heavily on project funding (mostly ERF), and their further existence is closely linked to new funding. The BAMF project has the biggest difficulties legitimising its work as it has an implementation period of only 18 months ending in June 2008. As of autumn 2007, IOM had handed over the addresses of persons returned to Kosovo through REAG/GARP. Social counsellors then try to get in contact with these returnees to offer assistance. This can be seen just as a method to raise the number of clients. However, it is doubtful whether returnees will profit much from this activity. The project, which was planned to be handed over to an NGO or governmental institution in Kosovo after June 2008, is more likely to close at the end of the project period.

A much cheaper and potentially more effective method is applied by the Munich municipality office for return counselling, 'Coming Home'. A counsellor from Kosovo who lives

in Germany is responsible for returnees from Kosovo (and some other former Yugoslavian countries). He visits Kosovo frequently to gather fresh information and keeps in contact with returnees, sometimes being able to give some additional support. This model secures up-to-date and first-hand information on the situation in Kosovo and thus allows returnees to make an informed decision. Because the centre has no own field office, it has to rely on all relevant organisations in the field and seeks cooperation with local Kosovo organisations. Clearly, it is more difficult to organise intensive support for reintegration from afar, but as this is financed in other field offices only in very few cases, the need for a lasting presence in Kosovo in the form of a field office is questionable.



Not sustainable: The entrance of the BAMF/AWO Nürnberg field office in Mitrovica. Photo by BF.

Lives and cases: How returnees in Kosovo see past and present

The field research conducted in August 2007 was not only directed toward the work of German return assistance facilities; of the main purpose was to visit returnees in Kosovo. A survey was conducted with the help of several return counselling centres in Germany that provided contacts for returnees and information about the counselling and assistance they could apply for. Regarding pre-selection of returnees, the following should be taken into account: 1) the German counselling centres have no contact with the majority of the returnees after return is accomplished; and 2) it can be assumed that at least some centres that assisted with contacts chose examples that can be seen as the more successful cases. On the other hand, one might have the impression that returnees sometimes tried to describe their situation to make it seem worse than it actually was. For this reason we visited some cases for interviews twice, which mostly revealed a broader and more accurate picture. The survey covered voluntarily as well as forcibly returned persons and families, and the cases covered examples of returns from 2007 back to 2000. Furthermore, the survey also used expert interviews and included aspects of more generally oriented ethnographic research to be able to evaluate the collected stories within the framework of the life, expectations and possibilities of Kosovo society in general.

Returning to Kosovo

The comparison with forcefully returned persons revealed one important insight. While there is often not much difference regarding the assistance returnees receive, voluntarily returned persons are, generally speaking, in a better mental condition. Months after deportation forcefully returned families are often still in some state of shock and are unable to manage essential parts of their everyday life in Kosovo. It therefore appears that allowing returnees even a short period of time to prepare for return and consent to mandatory return gives them the chance to accept the return decision and to arrive with at least some motivation to start a new life in the country of origin.



Forcefully returned persons often cannot bring much luggage with them during the return. Photo by BF

In general it can be stated that even with relatively good counselling and assistance, reintegration is often difficult. Many returnees (and many other inhabitants of Kosovo too) depend on remittances from close relatives living and working mostly in Germany, Switzerland or Austria.

Returnees have a clear disadvantage in comparison to inhabitants of Kosovo who have stayed in the country, as they often lack the means to reintegrate in local or parental circles of reciprocity. This is particularly true for persons who

have been forcefully returned, but also for voluntary returnees without sufficient means. All returnees who have stayed in Germany or other Western countries for some years are presumed to have saved at least a 'small fortune', which for most rejected asylum seekers in Germany is not in fact the case. Unable to 'give' something to start a reciprocal relationship, they cannot expect to be given something back. The displacement of a great part of the



Kosovo population has often resulted in destroyed local relationships and loyalties, so that returnees often find themselves left alone.

No harvest on the countryside

Three peasant families living in a village near Peja/Pec have no remittances as financial support. They fled to Munich and returned shortly after the war in 2001. Before the war, they supported themselves with small-scale agriculture and working as day labourers. The men are now about 40 years old and there are no jobs for them in the village. None of the men have any specific job experience or training that could serve as an advantage on the job market. They live below the poverty line, and two of the three families say it is impossible to save money for school materials for the children or for medical care. The families seem to be stuck in a dead end. Having returned soon after the war, they profited from NGO assistance and their houses have been repaired or reconstructed. However, they now realise that they can hardly survive in the village, but at the same time they have no means to go elsewhere to find work more easily.



Due to poor infrastructure, agriculture in Kosovo does not pay and most food is imported at a cheaper price from neighbouring countries. Photo by BF.

No livelihood in the city

A woman who returned to Kosovo after her husband died in Germany now lives in Prishtina/Pristina with her two children who are eight and ten. The return counselling centre managed to get her additional support so she could finish her studies in medicine and get a job. She now works as a doctor in a community medical centre. She is battling with her husband's relatives for part of the family house to be secured as inheritance for the children. She has no friends in Prishtina/Pristina, and due to her work and children she has limited time to build up relationships. She cannot even cover the rent for the flat with her salary. Earning 180 Euro a month, she has to pay 250 Euro for the apartment where she lives with her children. Every month she receives money from a brother living with a residence permit in Germany. She is doing vocational training to specialise in dermatology. With this additional qualification, she hopes to be able to open her own practice and step by step to build up to earning a sufficient livelihood.

Success has a history

Returnees, who had some money before their departure often manage to successfully reintegrate, at least economically. The following two case studies show examples of families and individuals who have succeeded in creating livelihoods upon return.

A returnee family opened a pastry shop in a remote village in the Dragash Mountains in the south of Kosovo.

The head of the family had earned some money before the flight and he still owned the house and the necessary technical equipment to run the bakery. Funding from a return assistance centre in Germany allowed him to furnish a small café, and the family could therefore continue and even improve its business.



Pastry shop in the mountain village of Dragash. Photo by BF.

A man from Peja/Pec who had been a well-known and remarkably wealthy businessman before the war had lost most of his money due to personal problems. After three years in Germany, he successfully revitalised some old connections and could count on the help of his relatives. His wife got one of the rare jobs in the Peja/Pec municipality, and though he is not wealthy, he lives in his own house and owns a car. Their adolescent daughter seems to have the biggest problems reintegrating in Kosovo, especially regarding the school system.

The motivated returnee

The length of time spent in a host country does not necessarily have a negative impact on a returnee's ability to 'recapture' life in Kosovo. A couple that fled to Germany in the early 1990s returned immediately after the war in 1999. They first headed for Mitrovica where the husband's family lived. After a short time they moved to Peja/Pec where they opened a small fashion store. The wife's family lives in Peja/Pec and helped them to obtain bank credit to enlarge the store. A brother in Istanbul was the connection to buy cheap goods for fashion. Step by step, the first credit was repaid; with a second loan they moved the shop to the central shopping area of Peja/Pec. The couple now has two sons, the second loan has been paid off and the husband, who gave the interview in a café while his wife ran the shop, was seeking information about how to obtain a business visa for Germany. He wants to get more expensive branded goods from Germany because he sees this as a way to gain an advantage over the competing local shops. He was busy all the time when he was an asylum seeker in Germany, working for the refugee department in a municipality in Germany first running a refugee camp, then organising transport for returnees to Bosnia. This did not give enough to save a fortune, but it sufficed to start a small business back in Kosovo. More remarkable is the high motivation of the couple to plan and realise their future in Kosovo. They did not get any assistance from return counselling.

Stressing family bonds

An old couple returned from Germany to Prizren a year ago. They live in the family's two storey house, which is being renovated one bit at a time. Two of the grown-up children were present during the visit because of summer holidays in Germany. All their children live and work in Germany or Switzerland where they have residence permits, unlike the old couple. The wife suffers from hypertension and has been hospitalised several times. The entire family sees the bad conditions of the medical system in Kosovo as a major problem. The couple is sufficiently supported by the children, but none of the younger family members want to return to Kosovo. All have children and see their



future in Germany or Switzerland. They feel guilty about the old couple that had to return to Kosovo, and they are faced with the dilemma of contradictory obligations towards their parents and their children.

Only one person interviewed who had returned voluntarily belonged to a minority group (except for the Gorani couple with the bakery shop); he was a middle-aged Roma from Prizren. He had lived for some years in Germany, where he had been married to a German woman, whom he divorced two years prior to his return. His decision to return was clearly influenced by the threat of being forcefully returned. Back in Kosovo he lives with his brother's family, who own a house in the Roma quarter. Once in a while he has a job for a day, but no regular income, and he seems to rely on his brother. He had no job in Germany either. Nonetheless, his plans are to go back to Germany, where after his divorce he had a relationship with another woman he is hoping to marry.



Worrying about the future: An elderly woman returned to Prizren. Photo by BF.

Reintegration of children

The children of returning families suffer the most. The longer they have lived in Germany, the less they feel at home in Kosovo after the return. Children often are (and feel) much better integrated in the receiving country's society, but they are rarely asked about or prepared for the return. Not only do they have difficulties adapting to the Kosovo school system, they also have difficulties managing the Albanian language and suffer from the loss of friends and the German culture with which they are familiar.

More questions than answers

Generally, the case stories presented above shed light on the impact of return counselling and assistance in Germany. Only in one case, that of the doctor living in Prishtina/Pristina, can return assistance be seen as a relevant if not decisive means of shaping the returnee's future in Kosovo. In all other cases, return counselling and assistance can hardly be said to be an influence. Return counselling and assistance can ease departure and the initial period back in the country of origin, but in most cases, agencies in Germany do not have the means to secure a stable reintegration. Nonetheless, some returnees manage to reintegrate successfully and some do not. This raises three questions: 1) What impact can return counselling and assistance have?; 2) What are the most important aspects of return counselling and assistance?; and 3) How can return counselling and assistance ensure/strengthen (the possibilities) of sustainable return? These three questions are addressed in the conclusion below.

Conclusion: The politics of return and return-assisting NGOs

The research on return facilities in Germany (addressed at the beginning of this chapter) consisted of telephone interviews and personal interviews with return office staff, refugee counselling organisations, departments of the Federal Government, BAMF, government offices of the Länder and foreigner registration offices, different stakeholders such as IOM and AGEF/APPK, and experts at welfare organisations and universities. A questionnaire sent to return counselling offices focused on exploring the experiences of counselling offices and was enhanced by an analysis of print materials and websites from return facilities and a literature review. A seminar organised with representatives from return counselling offices and refugee councils was used to present insights from the research and brought further insights. The research started in spring 2007, but it proved to be quite difficult a) to identify relevant stakeholders, b) to establish contacts and c) to get reliable information. The heterogeneous structure of return counselling and assistance made it impossible to arrive at simple results, so the chosen research approach consisted of obtaining a broad overview of the different actors and projects and then deepening knowledge about the practice of return counselling and assistance by exploring the work of some selected offices in depth.

Experiences of return counselling facilities varied. While many of them claimed to supply potential returnees with all necessary information and assistance for reintegration, only a few had developed a self-critical view and were willing to share their experience with the researcher. Though most information has to be seen through critical eyes and often the information obtained is contradictory, the results of this research allow a couple of general statements to be made about return counselling and assistance in Germany. The research conducted in Kosovo delivered important insights into the greatest difficulties faced by returnees with respect to social and financial reintegration in the home society.

Getting persons moved

First, the most general statement: return counselling and assistance is only one factor in the return process. Second, the motivation, qualification and flexibility of returnees are more important for a successful return. Next, the political, social and economical situation in the country of return are important influential factors. Lastly, the best prepared returnee can fail to reintegrate for many reasons that are not foreseeable.

Regarding the cases revisited, return assistance can support a successful return but does not seem to be the most important factor. The doctor from Prishtina/Pristina is the only example in which return counselling had a decisive impact on reintegration. The family with the bakery in Dragash was already well equipped and got additional support, and hence the view of the return counselling centre involved, that the case is a prominent example for successful return counselling and assistance, can not be shared. The fact that the family wished to return and had a clear idea of how and where to establish their pastry shop seems to be more important. Though a remote village may not seem the best place to install a pastry shop, the family had lived there before and seem to have successfully reactivated local connections.

Return counselling and assistance would be successful if cases like the ones described above were standard. Return counselling agencies can confirm options, help organise necessary documents, offer vocational trainings, assist the returnees developing their business ideas, organise travel and provide transport of equipment, and ease the reintegration through assistance on the ground. In most cases, however, voluntariness and motivation, which are crucial factors of success, cannot be taken for granted.



The scope of a return policy

Mandatory return is to be seen first and foremost as a political means to raise the number of departures of rejected asylum seekers and other aliens without a residence permit. The policy is formulated in different papers published by German governmental institutions and similarly in relevant EU documents (e.g. the draft Return Directive, Return Funds, etc.). The administrative view sees mandatory return as an alternative to forced return, and thus return counselling and assistance are perceived as a means of migration management supposing that potential returnees are obliged to leave the host country. The target group for mandatory return is marked by involuntariness and obligation. This is mirrored through the experience of return assistance centres: 80-90 percent of clients face the threat of forced return and are under more or less hard sanctions. Return policies still do not reach far beyond the own state's border and a soft landing for the returnee in the country of origin.

Seen from the policy angle, pressure is a sometimes necessary and often useful instrument in return management. So-called incentives are the carrots in this carrot-and-stick game, which sort of works despite (or because of) its simplicity. This mix of pressure and incentives may result in a person eventually consenting to return but it does not create the motivation to return or a belief that a future in Kosovo or elsewhere is an option. This might lead to a lack of sustainability, including destabilisation in the country of return, legal or illegal attempts at re-entry, or re-migration to other (EU) countries. Furthermore, other rejected asylum seekers receive information about these failed reintegrations and will postpone potential return plans.

Though most returnees from Germany are assisted only through the REAG/GARP programme, the authorities realise that this is not sufficient. Some Länder have introduced additional programmes to promote and assist mandatory return; the BAMF database, ZIRF, offers information on countries of origin, and the rising number of conferences and meetings organised by NGOs or BAMF show that there is growing interest in return assistance on

both sides. Authorities welcome the know-how of NGOs, their closer and more trusting contacts with potential returnees and their ability to start flexible programmes.



Difficult perspectives: Deported girl is welcomed by her family at Prishtina/Pristina Airport. Photo by BF.

Building perspectives

Many rejected asylum seekers in Germany do not consider return a viable option. The only future they can imagine is linked to the receiving country, even though there are often no realistic grounds for such a perspective. These persons do not develop plans or strategies for return, and most importantly, they lack motivation. This is a structural problem that is a lasting burden for return counselling.

How are return counselling measures to handle this burden? It seems that return counsellors often do not have adequate answers to this question. The usual first step in the process of return counselling is to clarify perspectives. If this first talk ends in a decision to return, counselling continues with practical preparation. In many cases, however, there is not enough time to prepare more than the most necessary steps. Sometimes clients wish to return very fast after the decision is made; in

other cases the foreigner registration office does not allow enough time for more careful preparation. Even if there is plenty of time for preparation, pre-return measures often include only administrative support, limited (more or less accurate) information, and sometimes short trainings which may not be beneficial. Assistance in finding a job or starting a business in Kosovo is often marked by insufficient skills and resources. The measures applied are thus often limited to more 'technical' aid easing departure and arrival.

Between assisting departure and sustainable reintegration

Is return counselling and assistance in Germany merely an aid to departure? For many return counselling and assistance centres this is not the case. Departure aid is one pole of return assistance, however, and reintegration is the other. In their programmatic texts and statements, most German NGOs active in the field of return counselling and assistance promote the idea of sustainable return and reintegration. In the given circumstances in Germany, however, there are insufficient means to realise these goals for more than a few individual cases.

Return counselling and assistance in Germany does not have a homogenous structure. Return assistance depends on financing through governments or municipalities. As a consequence, counselling structures are extremely heterogeneous, they are often underdeveloped, and the quality of counselling and assistance suffers from a lack of resources.

This is partly a consequence of the divergence of goals between welfare organisations active in return counselling and local authorities as potential donors. Only some Länder and municipalities see the necessity of developing and financing a reintegration-oriented model of return. Often the responsible foreigner registration offices stress the returnees' legal obligation to leave the country and see no need to spend money on returnees. The aim of raising the number of departures often seems to be the only motivation to supply at least some money for return assistance. This makes sustainable return a game of chance. What a returnee can expect is determined by the Länder, the counselling office and its ability to persuade the responsible municipality to decide on the quality and quantity of return assistance.

Counselling offices between two stools

Welfare organisations rely on their client's trust to work in their interest. Counselling offices sometimes have longstanding contact with potential returnees and a good reputation. In addition to more ethical considerations, return assistance offices also have a practical interest in promoting and realising return assistance as a form of support to returnees that does not end when returnees arrive in the country of origin. Counselling offices cannot risk arousing suspicion that they are on the authorities' payroll. A clear divergence of views and interests between the relevant authorities and welfare organisations dealing with voluntary and mandatory return assistance thus lies at the heart of cooperation between stakeholders. This is the reason for at least some of the published standards, formulated to strengthen the legitimacy of return counselling rather than for practical purposes.

Nonetheless, there are possible intersections between NGO and governmental interests. For instance, authorities have good reasons to promote and support a more sustainable return policy. Mandatory return has not so far been very successful. A better quality of return assistance can lead to more sustainability and to a rise in the numbers of returnees. In particular, a successful return assistance programme in countries with considerably high numbers of potential returnees could create a push factor, whereas examples of failed returns and returnees living in inhuman



circumstances in the country of origin can damage the image of the receiving country and make other potential returnees more reluctant to return.

To achieve the goal of sustainable return, counselling offices and returnees have to be better equipped for this task. Return has to be carefully planned and prepared, and a returnee needs the motivation, skills and means to start a new life. Finally and most importantly, the interests and abilities of returnees have to be recognised and considered. A returnee who is self-confident and who accepts return as a good choice will be better prepared than someone who only sees return as a defeat.

Perspectives for the future

Strong migration chains have existed between Kosovo and Germany since the 1970s. The model for migration was to go abroad and then to come back with money, skills and experience. In many cases, however, this is a myth. These links were cut by wars and by Western countries' increasingly restrictive migration and asylum systems; the generation that had to flee from persecution has become a 'loser' generation that could neither achieve successful residence in receiving countries nor successful return. This group had no chance to allocate money or learn a profession; they did not obtain residence permits and had nothing to return to or with. Discussions about counselling and assistance to mandatory returnees have to be understood in this context.

Taking these migration goals into account (refugees and asylum seekers seek perspectives in life just like other migrants), return counselling and assistance alone cannot balance out the disadvantages this group has encountered in receiving countries. Return policy has to prepare the ground for sustainable return assistance.

To sum up, return counselling in Germany is marked by the following shortcomings:

- ❖ Despite growing political interest in mandatory return, these concepts are not very convincing and many difficulties arise because of decentralised responsibility.
- ❖ Return counselling and assistance is directed at the single returnee and his family. Cooperation and coordination between this individual-oriented assistance and development programmes aiming at structural development in the countries of origin face many difficulties. This hardly leads to a sustainable return strategy.
- ❖ Counselling and assistance in Germany is still in an experimental phase. There seems to be a growing exchange of knowledge and experiences, but no platform for coordination. Strategies for improvements and best practice studies are not well developed and the whole field lacks a medium for information exchange and networking.

The field of return counselling and assistance in Germany is on the move. However, with the resources and competences that are presently available, assisted mandatory return will soon reach its limits.

7. The Receiving End and the Perspective of Returnees from Western Europe

The previous chapters of this report primarily focus on the sending countries of Denmark and Germany and the support offered to returnees in and from these countries. This chapter focuses on the perspective of stakeholders at the receiving end, and compiles suggestions and recommendations from local and regional stakeholders in Kosovo and the Balkans working on return. These are presented along with the viewpoints of returnees from various Western European countries, who participated in a series of focus group sessions arranged by DRC. Stories of returnees from Germany, Austria, Switzerland and Sweden, and also recommendations from Balkan stakeholders, give interesting insights into the situation of returnees and deepen the debate on sustainable return.

Kosovo stakeholders on return from Western Europe

On 19-20 September 2007, DRC hosted a regional Balkan Conference in Kosovo, with a focus on designing improved models for mandatory return and identifying best practices regarding mandatory return management. It featured plenary sessions, discussions and working group sessions centred on past practices/experiences in mandatory



*Working Group discussions at the regional Balkan Conference in Kosovo.
Photo by DRC.*

return and harmonizing future actions/approaches. The conference brought together various representatives⁴² from local and international NGOs, institutions such as UNHCR, the OSCE⁴³ and UNMIK, authorities from liaison offices, relevant ministries and municipalities in the return process, and also a few returnees from Denmark. There was representation from Kosovo, Serbia, Macedonia, Croatia, Bosnia and Herzegovina, Belgium, Denmark, Germany, Switzerland and Sweden.

Participants worked on assessing different approaches and methodologies to improve mandatory return management within the European Union and on return to the Balkan region. One of the main aims of the conference was to gauge the sustainability of different measures implemented in the field of mandatory return from Western Europe and to examine positive and negative practices implemented thus far. For the purpose of the conference, five main topics were discussed in detail, particularly during the working group sessions: pre-return and host country services; access to services and social welfare; housing and property issues; livelihoods and vocational training; and health and medical services.

⁴² Please refer to Annex C for a full list of representatives participating in the regional Balkan Conference.

⁴³ Organization for Security and Cooperation in Europe.



Below is a summary of the conference results based on discussions in plenary sessions and during working groups. The recommendations discussed below reflect the opinions of the various stakeholders present at the conference and do not necessarily reflect the opinion of DRC. However, many of the conference findings confirm DRC's experience as detailed in Chapter 5. Furthermore, the recommendations in this chapter may be specific for the return process in Kosovo.

Pre-return and host country services

The main issue that the Balkan Conference stakeholders focused on in relation to pre-return and host country services was the lack of time for preparation to return, as it was stated to be crucial that people have the opportunity to prepare for return in a dignified manner. Stakeholders stressed that there is often insufficient time to prepare for return and to obtain proper documentation such as birth certificates. Returnees therefore often lack proper documentation from the host country to facilitate their legal reintegration upon return. This also impacts upon the children of rejected asylum seekers, and Balkan stakeholders also stressed that there are often problems getting sufficient documentation of educational activities.

It was also recommended that returnees should be informed properly about available services in their country or place of origin prior to return. False expectations are often raised when misinformation is relayed to returnees. Proper coordination mechanisms are thus required between the host country and the country or place of origin. Balkan stakeholders stated that host countries should consult local authorities for information about the conditions for individual returnees. They were strongly critical of the fact that there is often insufficient consultation with the Kosovo authorities prior to return.

Additional conference recommendations by stakeholders:

- ❖ Support should be offered to rejected asylum seekers during the decision-making process through counselling. However, the decision and responsibility should remain with the rejected asylum seeker, i.e. whether to return immediately or continue attempts to legalise their stay in the host country.
- ❖ Minimum standards in education and training should be developed and implemented after being rejected in order to prepare adequately for return. Some people recommended a period of 3-5 months for this process.

Access to services and social welfare

Upon arrival in Kosovo, access to services and social welfare for returnees constitutes a key factor in achieving successful reintegration. Balkan Conference stakeholders agreed that returnees should be provided with information and advice from local NGOs and local authorities upon return about their access to legal, health and educational services.

As many children have difficulties speaking, reading, and writing in their native language after many years abroad, stakeholders stressed the importance of providing children with native-language training and also general support in readapting to life and culture in Kosovo. Moreover, some stakeholders in Kosovo were critical of the academic

level of asylum camp schools in Western Europe, arguing that it is too low and this makes it difficult for children to reintegrate into the school system in Kosovo upon return. With regard to children's adaptation to life and culture in Kosovo, Balkan Conference stakeholders criticised children's general lack of preparedness for return. They recommended that more attention be paid to preparing children for the different life and culture in their country of origin prior to return and that action should also be taken to facilitate their adaptation upon return.

Additional conference recommendations by stakeholders:

- ❖ Returnees should receive the same level of services as other inhabitants of Kosovo with respect to social welfare, pension, and education - not more.
- ❖ Coordination of NGO inputs is critical to maximise the use of resources. There are many NGOs who have the resources to provide some support, but they need to coordinate to avoid duplication of these services.
- ❖ Temporarily ease processes and administrative costs in the municipality for returnees.

Housing and property issues

The Balkan Conference stakeholders also discussed various issues surrounding dilemmas in housing and property. A crucial problem in Kosovo is to ensure sufficient accommodation to returnees who do not own land or property. A major topic of discussion at the conference was that returnees subject to NGO assistance for housing reconstruction must own land to qualify for assistance. Providing assistance to returnees that do not own land is extremely difficult, and Balkan stakeholders stated that alternative solutions need to be found. Moreover, most returnees from other Western European countries do not receive housing support even if they do own land. The Balkan Conference stakeholders stressed that housing is a precondition for a new beginning and suggested that when needed, temporary accommodation should be provided to both mandatory and forced returnees, giving them time to assess possible durable solutions. One possible solution discussed in working groups was to provide options for subsidised social housing, where the amount of payment for rent and utilities would gradually increase as returnees reintegrate into society. Ideally, Balkan stakeholders believed that Kosovo municipalities should identify ways to find social housing/land and investigate ways to provide co-funding for such initiatives.

It was considered a positive practice for NGOs to reconstruct houses for those who do own land or property in Kosovo. However, Balkan Conference stakeholders stressed that procedures are difficult in cases where returnees lack proper documentation or previously lived in 'informal' settlements. Moreover, when providing support for housing reconstruction, experience shows that it may be necessary to ensure that returnees do not sell their house for a certain time period after the reconstruction, without infringing on people's right to own property. Participation of beneficiaries should be promoted from the beginning of the process, especially in the actual reconstruction of the house, as this is crucial to finding a durable solution. The reconstruction process should therefore begin *after* return has taken place, and the option of signing a tripartite agreement between the NGO/construction company, the municipality and the beneficiary could be considered. According to Balkan Countries stakeholders, exchange of information between host countries and countries of origin must be improved to ensure that accurate information on the profiles and needs of people returning is communicated to the place of origin. This will assist the place of origin to prepare for returns and to prioritise support for those with the most acute needs.



Additional conference recommendations by stakeholders:

- ❖ Investigate the possibilities for returning people to other towns/villages in their place of origin if there are difficulties for them to reintegrate in their previous community (economically, socially, and culturally).
- ❖ Provide a balancing component for vulnerable members of the receiving community when designing projects to avoid creating internal conflict within communities.
- ❖ Operate a temporary transit centre for individuals/families to stay if there is no immediate housing solution. The duration of the stay should be between 7-10 days. The transit centre should be viewed as a temporary solution until housing problems are addressed by the authorities.
- ❖ People should be accommodated with nearby relatives, in pre-fabricated houses and/or in social housing until reconstruction works have finished. This provides the returnee the opportunity to take part in and monitor the reconstruction activities.
- ❖ A strong coordination mechanism should be in place to connect central authorities to the grassroots levels.
- ❖ Support the development of grassroots organisations/associations of returnees so that they can advocate for their needs and for support from relevant stakeholders.

Livelihoods and vocational training

Balkan Conference stakeholders also stressed the crucial nature of returnees receiving livelihood support, as this was vital to their reintegration. It was stated many times throughout the conference that if economic reintegration was secured, other forms of reintegration would follow (cultural, social, health, etc). Some of the stakeholders agreed that it was important to allow returnees to acquire, develop or maintain skills during their stay in the host country. Moreover, they underlined the importance of sustainable business projects, income generation training/ grants as well as job placement initiatives upon return. Such initiatives were deemed necessary in order to orient returnees towards employment opportunities in Kosovo; it was recommended that these initiatives should be tailored specifically to the job market, economy and development in the country. Experienced Balkan NGOs in the field of economic reintegration of returnees also stressed that *if* return-related vocational or professional training is organised in the host country prior to return, it must be based on detailed and up-to-date information on the social and economic situation in the country or place of origin. Cooperating with local partners with current knowledge of the job market in the country of origin is therefore vital to facilitate employment, no matter whether the training takes place in the country of asylum or the country of origin.

Additional conference recommendations by stakeholders:

- ❖ In the pre-return phase it is strongly recommended that individuals are provided with information on the overall economic and social situation in their place of origin. The host country should provide this information with the support of the authorities in Kosovo.
- ❖ Livelihood support should also be considered as a balancing component to assist vulnerable receiving community members.
- ❖ OCRM⁴⁴/UNMIK's Reintegration Strategy should take into account existing specialised organisations and utilise current resources in Kosovo.
- ❖ Case-chain management is a tool preliminarily being used by the German Government. A specialised website is established that follows each case through the return process from start to finish. All relevant stakeholders may access this site to view the status of each case and the support/assistance they may have received. This will allow for proper monitoring of the cases in an efficient and cost-effective manner. The website will further support the reintegration process into Kosovo society.

Health and medical services

Balkan stakeholders also recognised the lack of proper healthcare and medical systems (including mental health care) in Kosovo as an important obstacle to sustainable return. This is due to the limited resources available and the lack of capacity, human resources, infrastructure, and drugs, in addition to very expensive treatment costs. At the conference, Balkan stakeholders therefore recommended the provision of basic medical support, medicine and mental healthcare monitoring for up to 12 months or more upon return to ease the financial burden of returnees and to allow them to become more acquainted with the medical systems in place. Moreover, stakeholders should work with local health care using cooperation between mobile teams, NGOs, local experts and the Kosovo authorities, but without draining the human resources of local health institutions in Kosovo. Existing healthcare NGOs should be utilised to provide immediate health care, but at the same time ways should be developed to strengthen long-term sustainable care in combination with long-term capacity building of local health institutions.

It was strongly recommended that people who could not be properly treated in Kosovo for their medical conditions should not be returned from the host country as there are no adequate medical services for serious medical conditions or those with special needs. Improved coordination between sending and receiving countries, and also local agencies and NGOs, was suggested as a way to facilitate the creation of common funds and approaches, e.g. through a national referral point in Kosovo. Lastly, Balkan stakeholders stressed that healthcare and medical support projects in the country or place of origin need to be based on a comprehensive approach that takes into account socio-economic, educational and cultural factors.

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Additional conference recommendations by stakeholders:

- ❖ Institutions and organisations should facilitate an assessment of the immediate and long-term needs of returnees upon arrival.
- ❖ Prior to returnees being sent back it is necessary to stabilise all acute health conditions to avoid complications in the country or place of origin. It is also imperative to provide proper information about health institutions and to provide returnees with a minimum of one month's supply of medicine, to allow time for the individual to contact relevant organisations and be properly informed about the services available.
- ❖ It is crucial to build up the capacities of healthcare institutions in the country of origin. Additional funding should be allocated to support the development of the healthcare system.
- ❖ There should be better coordination between sending and receiving governments to create common funds and approaches to treat the medical needs of returnees.
- ❖ There should be better coordination between implementing agencies, especially local and international NGOs, to avoid duplication of work.

Other issues related to sustainable return

Discussions also focused on a wide range of issues that could not be encompassed in the five main topics discussed above. Balkan Conference stakeholders criticised the lack of a legal framework for returns from Western Europe to Kosovo and viewed this as a significant obstacle to successful reintegration. Accordingly, the need to introduce a clear division of responsibilities among local duty-bearers was discussed in great detail, as this would support a faster reintegration process and would prevent discrimination in reintegration assistance between municipalities. UNMIK's recently developed *Strategy for Reintegration of Repatriated Persons*, discussed in Chapter 3, was therefore welcomed by stakeholders in Kosovo, as it clarifies the rights of returnees to services and defines the responsible duty-bearers. However, all stakeholders stressed that municipal budgets in Kosovo do not have proper resources for returns and questioned where the resources to implement the Strategy would come from.

Balkan NGOs and authorities also noted that the coordination of NGO input and information to authorities is critical to maximise the use of resources in return assistance, and that the role of NGOs was not clearly specified in the Strategy. It was strongly emphasised that support provided both by NGOs and by the authorities need to be coordinated to avoid duplication of services and avoid positive discrimination between different groups of returnees. Balkan NGOs and authorities also stated that NGOs providing return assistance should ideally be based in both sending and receiving countries in order to successfully support the reintegration process and to monitor returns. As a minimum, close cooperation with local implementing partners in the country of origin should be established.

Additional conference recommendations by stakeholders:

- ❖ It is crucial to develop the skills and capacity of local institutions to support and assist sustainable return. One way is to implement twinning projects between municipalities at the sending and at the receiving end to facilitate large-scale assistance.
- ❖ Sending and receiving countries need to strongly consider the security concerns of returnees.

Focus groups

As a follow-up to the information obtained during the survey conducted in Kosovo during the summer 2007, DRC decided to undertake additional qualitative research through focus groups with the support of Index Kosova.⁴⁵ Since much of DRC's experience and research centred on returnees from Denmark, DRC decided that participants would be comprised of returnees from other Western European countries, including Germany, Austria, Switzerland and Sweden. No returnees from Denmark were included in this study.

The overall objective of the research was to explore and examine the issue of sustainable return and the reasons for secondary movement. Specific objectives included: an assessment of the obstacles to return for returnees from Western European countries; an assessment of the support provided to returnees; and an impact analysis of various return measures on different groups of returnees. DRC also paid careful attention to any particular issues that affected vulnerable groups, i.e. women, children, youth and the elderly, during the return and reintegration process.

Index Kosova conducted these focus groups during March 2008. Five focus groups were facilitated in various locations. There were 46 participants; 17 percent were female and 50 percent represented minorities from the Bosnian, Turkish, and RAE⁴⁶ communities. Various age groups and different social profiles were also represented. The focus groups consisted of voluntary, mandatory and forced returnees. The data presented here reflects only the attitudes and behaviours of participants in these groups and is not necessarily representative of their social group or ethnic background. Their experiences may be considered in relation to the return and reintegration process, but cannot be generalised for the whole population.

Decision to return

Through these focus groups, DRC aimed to explore the factors that influence a decision to return to Kosovo. The rationales behind the decisions to return were diverse, ranging from family re-unification through to lack of employment and integration possibilities. According to participants, limited working rights, food, movement and inadequate residence made their decision to return much easier as it sounded more reasonable to return to Kosovo than to be caught in stasis in the host country. Some focus group participants even said that they had been 'deceived' by the authorities, by their own family members, or by themselves by hoping there would be job opportunities, development and prosperity in Kosovo.

⁴⁵ Index Kosova is a public opinion, media and market research private company based in Kosovo. It is a joint venture with BBSS Gallup International. For more information, please visit: www.indexkosova.com.

⁴⁶ Roma, Ashkali and Egyptian communities.



Obstacles and difficulties faced in reintegration

An overarching characteristic of all participants was their expressed disappointment with their living conditions in Kosovo and their lack of optimism and perspectives for the future. All participants considered the reintegration process to be extremely difficult. Financial obstacles, overall unemployment, and the lack of housing were considered to be the most common major obstacles for all returnees. Nevertheless, these obstacles were always followed by other difficulties which mainly related to social reintegration. There were not many noted differences between participants who decided to return voluntarily or mandatory and those who were returned by force. However, there were noted differences in social reintegration between those who left Kosovo years before the conflict and those who had left Kosovo more recently – just before or right after the conflict. Many who had been away from Kosovo for a longer period of time found it extremely difficult to reintegrate and stated that society in Kosovo does not make enough effort to ease their transition.

Financial obstacles

Unemployment was the main area of concern for many focus group participants. Returnees hoped for the involvement of the governments of both the host country and the receiving country in developing new job opportunities. Some participants stressed the need for inter-government collaboration in order to help the return and reintegration process into Kosovo society. Many felt that an improvement in the economy and the job market would be a motivating factor influencing the decision to return to Kosovo.

Family

According to the claims and experiences of focus group participants, the family unit could not provide enough support to assist with the reintegration of returnees. Many resident families have insufficient financial resources and/or lack of living space to accept members that have returned from abroad. It was also noted that there were some cultural differences which created a gap between returnees and resident members of the family. Another issue that returnees faced was tensions created within the family because of the decision to return. As discussed during the focus groups, voluntary and mandatory returnees often felt family pressure, blame and responsibility for making a decision to return. As the heads of households, men were usually the target in such families and they described how they were the object of continuous attacks and provocations from their wives and children.

A woman who returned voluntarily with her husband and kids regretted accepting her husband's decision to return to Kosovo from Germany:

***F.F.:** 'We had a nice life there, and in Kosovo it is a disaster. We live in a dormitory (collective building). Unemployed... Until recently we received social aid, but here, as soon as the child becomes five years old, you no longer receive any social aid. We do not work at all. I wish my husband would have listened to me back then and we would have never come back here. Now I regret not telling my husband "you go and I will stay here with the kids".'*

Reintegration of children and youth

As described throughout the document, the focus group discussions also confirmed that children and youth face difficulties in reintegrating into society particularly for families who were outside of Kosovo for an extended period of time. During the focus groups, participants discussed the problems with language that usually impacts their school work and socializing with peers. Discussions focused on the obstacles with being seen by everyone else as 'the others', 'the newcomers', 'Germans', etc. There were also discussions around teasing, name calling and even fighting between resident and returnee children and youth.

In response to a question made by the moderator relating to the problems children and youth faced in reintegrating in society, a young woman responded:

G.G.: 'I do not know the language that well. I went to Germany when I was 9 and came back here when I was 23-24 years old. I do not know the grammar that well, but now I am improving my Albanian... But, my brother and sister speak half Albanian and half German. They do not have friends like the other young people do. The young men here do not accept my brother as their friend, they stay away from him because "he does not speak well", and "he is like this or that".'

Elderly and disabled persons

According to focus group participants, elderly returnees found it easier to reintegrate into Kosovo society. The elderly were mainly concerned with inadequate health care and the lack of health insurance in Kosovo. Families with disabled members also had difficulties in the reintegration process. In the host country, institutional care towards disabled was supportive and structured, while in Kosovo it is often not readily or easily available.

Assistance programmes

There was an overall feeling of dissatisfaction among the returnees regarding the assistance programmes for return and reintegration provided by host countries. Participants felt that this assistance was often a symbolic gesture to motivate their return. Many participants felt that the assistance they received was insufficient to reintegrate into Kosovo society. Many recommended that assistance should be given throughout the reintegration process rather than only at the moment of return. Participants noted some differences between the assistance provided by different countries and also between different regions within countries and this appeared to cause some jealousy or tension. In general, participants felt very disappointed by the level of care and help they received from society. Many of them claimed that they have been deceived with promises of assistance from the government of the host country, but when they arrived in Kosovo they received nothing.

Secondary displacement

Almost all participants expressed their desire to leave Kosovo again. There were numerous reasons for declaring their wish to leave Kosovo, including family reunification, but the most prevalent responses were poverty and unemployment.



H.H.: *'Poverty. No way of living here. No money even to visit a doctor. You need to live only for tomorrow, while the day after tomorrow no one can know what will happen. God help me'.*

Many became emotional over the topic of leaving Kosovo. It was noted that participants were adamant about leaving Kosovo, especially participants who had been returned by force.

I.I.: *'Based on the current circumstances, I would rather leave now than wait until tomorrow. I pray to God to help us since we are only living for today. There are days when we do not have even a cent in our pocket. It is for sure that I would rather leave today than wait until tomorrow'.*

Most forced returnees and those separated from their families could not imagine their lives in Kosovo. They usually sought ways and opportunities to leave Kosovo, since according to them there was no way to integrate into society when their families were not with them.

Interestingly, the vast majority of participants, especially those whose entire family returned, say that would rather live in Kosovo if conditions were just slightly better. Some participants also stated they would leave Kosovo again temporarily, but not forever.

J.J.: *'If life would be as it was in Germany, I would never leave this place, because there are a lot of people who have jobs here, apartments, freedom of movement and no one annoys you. Here we see things that we never had a chance to see before. When I was returned from Germany, I had a chance to see cows, horses in the street, and I said: "Oh my God – where am I?".'*

Conclusion

Through the abovementioned activities, DRC aimed to facilitate in-depth discussions among Balkan stakeholders and returnees from Western Europe to identify best practices in the return process that promoted sustainable return and prevented secondary displacement. The recommendations provided by conference stakeholders and by the returnees in the focus groups offer substantial and reflective opinions on what may facilitate successful reintegration in the various areas of the return process, including: pre-return counselling/assistance; housing; income generation; health care; social assistance; and many other areas identified by the stakeholders and returnees. These activities have supported DRC in the process of designing recommendations for improved models for mandatory return.

In particular, issues related to the overall development of Kosovo society, especially related to health, education, and above all the economy, were at the forefront of discussion among both conference stakeholders and returnees in the focus groups. While many returnees stated that they would like to re-migrate to Western Europe, an equal amount also said they would remain in Kosovo if their economic situation/prospects improved. This leads to the conclusion that sending and receiving governments, as well as other stakeholders, also need to focus their attention on large-scale institutional and economic development programmes that target the large-scale problems facing (in this case) Kosovo society.

8. A Consolidated Approach to NGO-Assisted Return

In many cases, recommendations on return assistance measures from NGOs and international organisations point to the same needs of returnees prior to and upon return. But how is it possible to improve coordination and cooperation in such practices at a national, European and international level? This chapter outlines some frequently discussed issues regarding the need for a consolidated approach to return assistance, and considers the possibility of establishing common ground for improved cooperation. Based on input and suggestions from European stakeholders⁴⁷ presented at an international conference in Copenhagen hosted by DRC in January 2008, as well as on existing research in the area of return, this chapter seeks to identify ways to improve practical coordination and cooperation on assisted mandatory return.

Return from Western Europe – a mixed picture of return assistance

As has been shown throughout the report, the scope of practical and financial support to mandatory returnees differs greatly between and within Western European countries. As described in various research studies on return assistance,⁴⁸ many European countries cooperate with IOM in the field of voluntary/mandatory return assistance and offer financial and practical support for travel arrangements and in some cases financial reintegration contributions upon return. At the same time, a great number of NGOs based in Western Europe are implementing smaller counselling and return assistance programmes, either in cooperation with IOM or through other government and/or EU-funded projects. Such programmes are usually directed at specific countries of origin or have a local/regional setting in the country of asylum, defining its target group. Most programmes are targeted at asylum seekers, rejected asylum seekers *and* refugees with a permit to stay. The number of returnees assisted through individual programmes is, however, rather low.

Most return assistance programmes in Western European countries focus on the pre-return phase i.e. counselling, preparation of documentation and travel arrangements. In some cases, a one-off financial reintegration contribution is offered. The financial contributions offered to mandatory/voluntary returnees are generally in the range of 300-700 Euros per adult, with a maximum amount of 1,200-1,750 Euros per family. In recent times, however, some return assistance programmes have started to offer much larger financial reintegration contributions. Since August 2007, rejected asylum seekers residing in Sweden who accept mandatory return to Afghanistan are eligible for approximately 2,685 Euros per adult, with a maximum of approximately 6,711 Euros per family.⁴⁹ Since May 2007, rejected asylum seekers from Iraq in Denmark who cannot be forcefully returned are offered a reintegration contribution of approximately 2,013 Euros per adult and child, along with an accommodation supplement of approximately 2,013 Euros. An additional reintegration contribution of approximately 2,013 Euros per adult and 1,007 Euros per child is paid after six months. The offer also includes 12 months' vocational training, divided between the pre- and post return phase. In general, return assistance is not offered to forced returnees. In some cases, reintegration assistance, i.e. reception and accommodation, language and vocational training, is provided in the country of origin. Most programmes involving reintegration support offer technical equipment or additional financial support to small business start-ups. NGOs involved in return indicate that there is no systematic monitoring and follow-up on the

47 Please refer to Annex D for a list of representatives participating in the international conference in Copenhagen.

48 European Migration Network (EMN) country studies: *Research Study III on Return 2006* (<http://www.european-migration-network.org/>). ECRE 2004-2006: *Increasing Refugee Participation in the Field of Voluntary Return* (http://www.ecre.org/resources/research_paper/352).

49 UNHCR, 2007: Press release, Stockholm, Monday 25 June.



security and reintegration of returnees in their countries of origin, although most NGOs agree that this component is very important, not only because it allows for continuous updating of the situation in the country of return, which may benefit other potential returnees, but also because it makes it possible to adjust reintegration support according to unforeseen needs and problems.

A consolidated approach to return assistance – why?

As indicated above, the scope of practical and financial support to returnees differs greatly between and within Western European countries. However, there are important reasons to work towards a consolidated approach to NGO-assisted return management based on practical experience and lessons learned.

Firstly, various stakeholders stress that differing levels of return assistance offered by EU Member States can create tension among returnees, and also between returnees and the remaining population. Positive discrimination among different groups of returnees should therefore be avoided. This is supported by recommendations from UNMIK and UNHCR (who have been the main international institutions working on return in Kosovo), who highlight the importance of avoiding differentiated reintegration assistance among returnees from different Member States, IDPs from the region and the remaining local population.⁵⁰ An important point is that it can be destabilising to the reintegration process if returnees from different Western European countries receive significantly different levels of support – particularly differing levels of cash allowances. Where job opportunities are few, return assistance projects should aim to improve the situation in the region as a whole.⁵¹ This also implies integrating return assistance programmes into existing development aid projects in the receiving communities. For the same reasons, ECRE supports the harmonisation of support packages provided by European Countries to returnees in line with best practice.⁵²

Secondly, as stressed by participants at an ECRE Cards Meeting in Skopje 2007, Western European NGOs and governments need to improve their knowledge of local NGOs who assist returnees from Western Europe.⁵³ This is necessary to avoid positive discrimination and to avoid duplication of services prior to and upon return. Sharing of knowledge of return assistance programmes, as well as good and bad practices, is therefore vital to improve and coordinate the assistance provided.

A third and final reason to improve coordination and cooperation at a national, regional and European level, is to avoid a mass influx from Western Europe. As stated previously in Chapter 3, it is estimated that around 100,000 persons from Kosovo are living without legal stay abroad, and the numbers continue to increase. Local stakeholders, and also UNMIK and UNHCR, view the fear of a mass influx of people from Western European countries without consideration for the social and economic situation in the country of return as an important obstacle to sustainable return. Caution in regard to large-scale returns is therefore essential, as a mass influx could create new instability and lead to further displacement.⁵⁴ This could be avoided by enhanced coordination among Western European countries that have a large number of potential returnees from the same country of origin, in this case Kosovo.

⁵⁰ UNHCR, June 2006: The Continued International Protection Needs of Individuals from Kosovo, pp.2-3 / UNMIK, July 2007: *Revised Manual for Sustainable Return*, p.7.

⁵¹ ECRE, January 2004 – May 2006: *Increasing Refugee Participation in the Field of Voluntary Return*, p.86.

⁵² ECRE, October 2003: *Position on Return*, pp. 7-21

⁵³ ECRE CARDS Meeting Minutes, February 2007 – Skopje 22/23, p.15.

⁵⁴ Group 484, July 2005: *Return from Western Europe – of nationals of Serbia and Montenegro who were not granted asylum or whose temporary protection ended*, pp. 26-31.

Conflicting interests and the role of NGOs: Establishing common ground

As described in a report by the Belgian Contact Point under the European Migration Network, the overall challenge is then to systematise return assistance, irrespective of the country of origin and in the framework of a comprehensive policy offering tailor-made support for individual needs and expectations. To this end, short-term projects for specific target groups have to be converted into a long-term formal policy for a broad group of people and should be primarily focused on achieving lasting reintegration.⁵⁵ However, in the process of cooperating and coordinating approaches to return, the stakeholders involved may have conflicting interests when designing and implementing return assistance programmes. Common ground for cooperation must therefore be established.

Three important stakeholders in the process of return may be defined as 1) *the returning state*, 2) *the individual returnee* and 3) *the country of return*. As described by Gregor Noll, the priorities of returning states are likely to be the credibility of asylum policies, the reduction of costs related to return activities and accommodating rejected asylum seekers, and finally to avoid secondary movement. The individual returnee, on the other hand, may view the return process as a choice between illegality and a return that implies considering the consequences of 'giving up' and revising the original plan of migration. Lastly, the country of return may worry about the loss of remittances paid to the country, and consider the fear of domestic instability and poor economic conditions as obstacles to sustainable return.⁵⁶

As a fourth stakeholder, NGOs may also play an important role in the process of mandatory return, e.g. by providing legal counselling and return assistance to potential and actual returnees. The interests of NGOs and authorities in the area of return differ, but for exactly that reason they may have successful complementary roles in the process. Authorities prioritise cost-efficiency, while NGOs provide a humanitarian perspective and contribute with independence, experience and information from the field. For the same reasons, NGOs are often asked to provide independent legal counselling, to provide country of origin information based on field experience, and to monitor returnees as an independent actor. NGOs usually enjoy greater trust among rejected asylum seekers than the authorities, and trust is an important precondition for successful counselling and provision of assistance. They function as bridge builders between the authorities (*the donor*) and the returnees in need of assistance (*the beneficiary*). In the end, both NGOs and authorities are needed in the process.

Still, some NGOs choose not to be involved in return matters due to ethical considerations, seeing it as a way of legitimising government policies. Other NGOs base their assistance to returnees on a humanitarian imperative and consider the opportunity to offer assistance to those who would be returned no matter what as the only humanitarian solution. Still, the issue constitutes an important dilemma for NGOs working with return assistance. In the case of DRC, the work of the organisation is rights-based and therefore defends the right of individuals to seek asylum. At the same time, DRC acknowledges the right of governments to return rejected asylum seekers. A prerequisite for this, however, is that any decision to return someone to their home country is made on the basis of a fair and efficient asylum procedure. Moreover, a maximum degree of consent should naturally always be encouraged, based on positive incentives instead of sanctions, since positive incentives are the only conducive way to ensure an eventual sustainable return.

⁵⁵ European Migration Network, Belgian Contact Point, 2006: Forced and Voluntary Return in Belgium, p. 64.

⁵⁶ Gregor Noll, 1999: Rejected Asylum Seekers: the problem of return, University of Lund, Sweden, p. 4.



A final issue that may be viewed differently by the involved stakeholders is the question of what constitutes push and pull factors when accepting and assisting mandatory return. Return assistance may be seen as a pull factor from the viewpoint of Member State authorities, who fear that extensive return and reintegration schemes will only attract more asylum seekers to the host country. However, governments across Europe do offer reintegration grants as an incentive to accept mandatory return – especially to groups of rejected asylum seekers who for various reasons cannot be forcefully returned. At the same time, it is DRC's experience (as well as the experience of other organisations and agencies working with return counselling and assistance) that financial contributions to returnees are not usually the main reason for consenting to mandatory return. Instead, a rejection or denial of refugee status (or the anticipation thereof) and the consequent living conditions for rejected asylum seekers (including not being allowed to work) are pointed to as the most important '*push factors*'.⁵⁷ NGOs and authorities thus have differing interests when designing and implementing return and reintegration programmes. Of course, reasonable eligibility criteria need to be defined to avoid support being misused. Return assistance programmes must involve a needs-based and flexible approach – taking account e.g. of the length of the stay in the host country and the vulnerability of individual persons. At the same time, consideration must be given to the need for legal clarification and advice as an important means to assist potential returnees in their decision to return.

In spite of their differing interests throughout the return process, all stakeholders seem to be able to agree to the main objective of 'achieving sustainability'. Having sustainable return as a common goal, it *should* be possible to establish common ground for enhanced coordination and cooperation. In the mutual interest of achieving sustainability, a few simple means, which should be adhered to by all stakeholders, are listed below:

- The first is to facilitate the production of human capital (material, social and educational competencies) throughout the stay in the host country. This would facilitate an eventual successful (re)integration no matter what the outcome of the asylum application is.
- The second is to leave space for informed consent by allowing the individual time to plan their personal strategy for a new and better life. This would give potential returnees time to clarify their legal prospects in the host country and country of origin and strengthen their motivation in case of mandatory return.
- The third is to offer all returnees a minimum of reintegration assistance upon return – based on the needs of individual returnees and taking into consideration the need for a balanced community approach. Returnees should be given a fair chance to reintegrate – no more, no less. Again, this would help to avoid positive discrimination among different groups of returnees and would support the overall reconciliation process in post-conflict countries.
- Finally, sending and receiving countries need to cooperate in order to provide up-to-date information and learn about possible assistance prior to and upon return, as well as to support capacity building of local institutions. As mentioned above, this would help to avoid positive discrimination among different groups of returnees and duplication of services, and would support overall long-term development in the country of return.

⁵⁷ See chapter 5 and European Migration Network, Dutch National Contact Point, 2006: Return: The Netherlands / European Migration Network, National Contact Point of Austria, 2006: *Return Migration in Austria*.

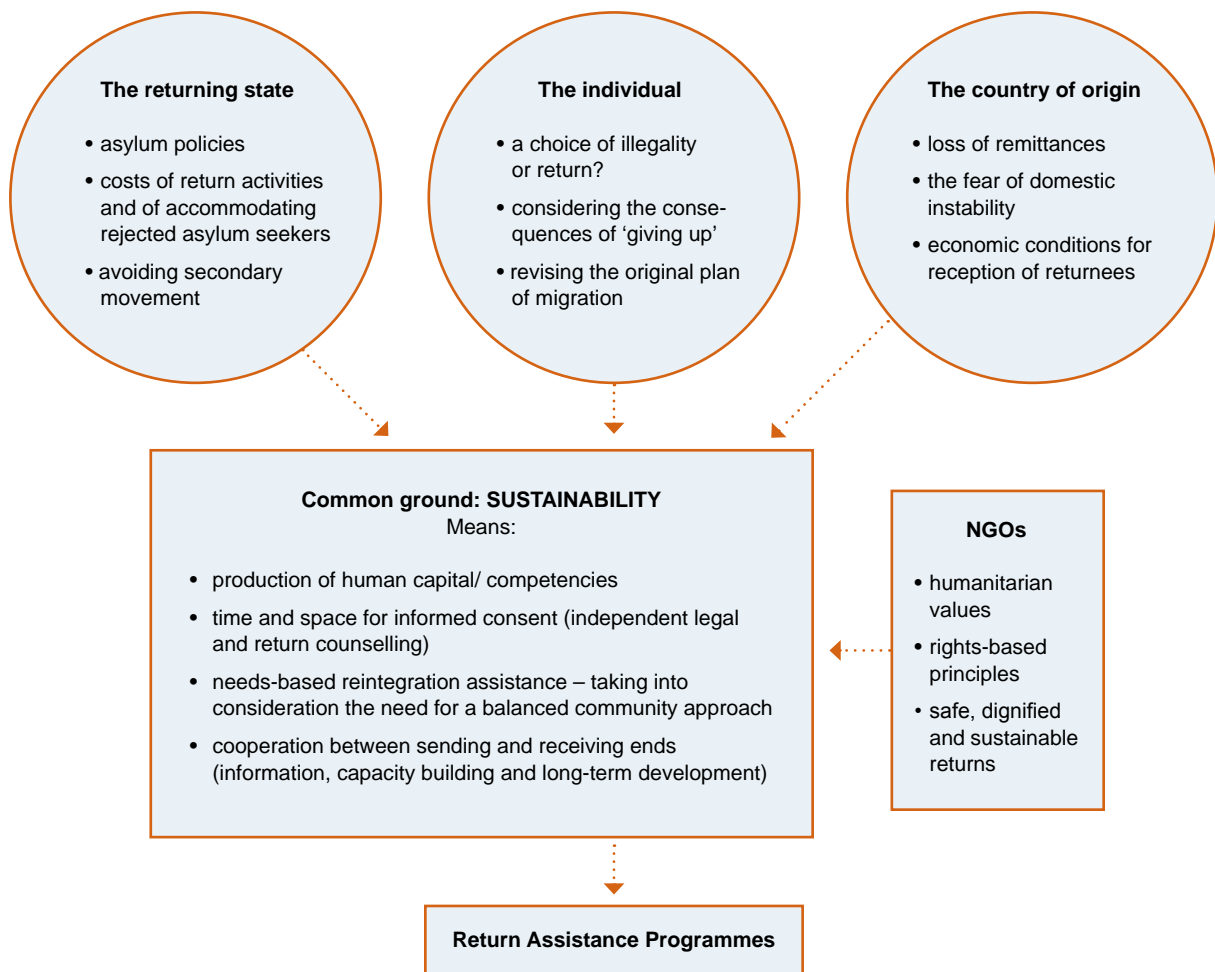


Figure 1. Establishing common ground for stakeholders in return programmes.

As clarified in the illustration above, it is necessary to establish common ground in order to improve cooperation in return matters between the authorities and NGOs in the sending and receiving states, and ultimately to achieve sustainable returns. As stated by Minister Counsellor Jørgen Andersen from the Danish Ministry of Foreign affairs at the European Conference hosted by DRC in January 2008, to achieve the overall aim (sustainability), individual support must be combined with an *'overall process of dialogue, reconciliation and building of mutual confidence between the receiving and returning local communities. (...) A conclusion is that our assistance should be locally anchored and in full concordance with the national political agenda, national priorities and plans. If not, the sustainability of our interventions is in jeopardy'*.⁵⁸ Cooperation between NGOs and authorities at both the sending and receiving ends is thus an absolute necessity and should be continued in a spirit of partnership. The search for common ground and standards at both policy and operational level must therefore be facilitated.

⁵⁸ Presentation by The Danish Ministry of Foreign Affairs, Jørgen Andersen: 'Sustainability in a return context, Kosovo', presented at DRC's conference 'A Consolidated Approach to Voluntary Return Management', Copenhagen, 23-24 January 2008.



Conclusion: A consolidated European approach to return assistance – How?

But how is coordination and cooperation between NGOs, host country authorities and countries of origin to be improved? How is it possible for NGOs and authorities to improve exchange of information and to cooperate at a practical level? Three levels of cooperation can be identified: 1) the national level (between NGOs and Member State authorities), 2) the European level (cross-boundary between Member States and NGOs) and 3) the international level (between NGOs and authorities in sending and receiving countries).

1. Agreement on common terms and definitions

To improve cooperation between NGOs and authorities at all three levels in the process of return, common use of terms and categories must first of all be agreed by all relevant stakeholders. As suggested by participants at the European Conference hosted by DRC in January 2008, there is already great acceptance of the definitions applied by ECRE as a forum of NGOs in Europe working for refugees and asylum seekers. An effort should therefore be made to disseminate and recommend these definitions to a wider set of stakeholders. Moreover, as far as possible, the legal and practical implications entailed by these different categories should also be agreed. In the first instance, a common understanding of 'mandatory return' and the options presented to this category of returnees at a national level would ensure that all mandatory returnees are given the same possibilities to prepare for return.

2. A common understanding of 'sustainable return'

In line with the need for common terms and definitions, the substance of sustainability also needs to be agreed. As NGOs and authorities pointed out at the European Conference in Copenhagen, an important dilemma is often how to decide on a common 'success rate' in return assistance projects. Authorities will often evaluate the success by the number of actual returns and lack of re-migration, while NGOs may evaluate the success of a project based on the level of clarity with regard to legal possibilities in the host country among potential returnees and/or their successful reintegration upon return. To improve cooperation in return matters, it is necessary to agree on a common understanding of sustainability and on the fact that the concept of sustainability needs to be given substance to ensure returnees a fair chance for reintegrating. There is therefore a need to develop standards that provide individual returnees with the necessary skills and support to ensure the possibility of successful reintegration.

Host country governments must also acknowledge that individual training and assistance needs to be complemented by general development schemes in the country of origin. This applies both at a national, European and international level. At the national level, NGOs and authorities (donors) need to find a common approach to designing return assistance programmes. At the European and international levels, all stakeholders need to facilitate a consolidated approach to assistance in order to avoid positive discrimination among different groups of returnees or incentives for 'return programme shopping'. As recommended above, return assistance programmes should therefore be harmonised in line with best practices, to ensure that although arriving from different countries, returnees receive the same level of reintegration support, always respecting the need for a balancing component in support of the reconciliation process between returnees and the receiving community.

3. Ensuring necessary sharing of information and knowledge

At all levels, sharing knowledge and experiences in the field of return is vital to improve coordination and cooperation among stakeholders. To harmonise return assistance packages in line with best practices as suggested above, knowledge of existing programmes and their success needs to be disseminated nationally, as well as at a European and international level. As pointed out in Chapter 6, return assistance across Germany is very disparate and is based on the contacts and principles of individual counselling organisation, foreigner registration offices, etc. As recommended throughout the chapter, a common approach should therefore be facilitated which builds on best

practices, harmonised funding standards, closer cooperation among stakeholders, and the exchange of information and contacts.

At a European level, NGOs are already communicating and sharing their experiences in the field of return, and the number of projects attempting to coordinate initiatives at a European level is rising. However, as exemplified by the low numbers of attending authorities at the European Conference hosted by DRC in January 2008, there is an acute need for settings where NGOs and authorities can meet to discuss the challenges of return assistance and exchange valuable viewpoints on future possibilities for cooperation. Moreover, to combine individual return assistance with long-term development in the countries of origin, Western European countries need to cooperate in securing the necessary funds. As stated by Minister Counsellor Jørgen Andersen: *'In order to create a better livelihood for this significant part of the population (vulnerable groups among the remaining population) the pipette or project approach is not the way ahead. The approach may be effective in the sense that it actually produces the desired results, but it is not efficient. Unit costs will be too high, if applied large scale'*.⁵⁹

In spite of existing cooperation between NGOs at a European level, actual coordination in designing and implementing return assistance programmes could still be improved. As suggested by participants at the European Conference, this is the case e.g. with regard to project applications to international donors, where a closer network among NGOs and improved knowledge of each other's experiences, capabilities and current return activities would facilitate more efficient cooperation and joint efforts in designing improved project proposals and finding partners in other European Member States. The same logic applies at an international level, where better knowledge of programmes prior to and especially upon return is needed. As suggested previously in this section, Western European NGOs and authorities need to improve their knowledge of existing support in the country of origin from local NGOs and authorities to avoid duplication of services and positive discrimination among returnees. Better knowledge and contacts within countries of origin would furthermore facilitate cooperation with local implementing partners.

The focus of this chapter was to address the reasons and practical possibilities for enhanced coordination in mandatory return assistance. As stated above, all relevant stakeholders have the same ultimate objective of achieving sustainable returns. A common ground for further cooperation therefore involves agreement on the fact that sustainability needs to be given 'substance' and an understanding that successful reintegration begins already in the host country, not only by allowing asylum seekers to work and lead fairly ordinary lives during their stay, but also by allowing rejected asylum seekers time and space to make an informed decision to consent to return. There is a need for forums for discussion, expert consultations, monitoring to identify best practices and networks for dissemination of information and lessons learned. Along this line, the following chapter presents a series of recommendations for *best practices* involving all phases of the return process. A series of return assistance measures are recommended based on the practical experiences of DRC and BF and the suggestions of various other stakeholders presented throughout the report. The recommendations should be seen as a possible point of departure when designing new and improved return assistance programmes and at the same time should contribute to the future development of a common approach to return assistance and the determination of minimum standards across Europe

59 Presentation by The Danish Ministry of Foreign Affairs, Jørgen Andersen: 'Sustainability in a return context, Kosovo', presented at DRC's conference 'A Consolidated Approach to Voluntary Return Management', Copenhagen, 23-24 January 2008.



9. Concluding Recommendations: Best Practices for NGO-Assisted Mandatory Return

A key factor for all stakeholders in a return and reintegration programme is sustainability. Sustainable return is important not only to the sending and the receiving states, but also to the NGO facilitating return and especially to the returnee. At the same time, the motives for working towards sustainable return may differ from one stakeholder to another. The lessons learned in Kosovo from the assessments conducted by DRC and BF, from the two conferences and from the practical experience gained through implementation of a return programme all point in one direction: Return programmes must be designed to ensure a holistic approach to return including all phases of the return process.

Various returnees in Kosovo have been asked about their return experience in surveys, focus groups and interviews. Although they may have personal motives for presenting their case in a particularly positive or negative light, their answers all indicate that the most important components for successful reintegration are personal motivation coupled with support. Some returnees have not received any assistance at all, while others have received quite comprehensive support. A very general conclusion based on the various assessments is that: 1) those who were motivated to return are clearly doing better than most other returnees; 2) those who had no choice but to return and did not receive much support are finding it extremely difficult to be back, and only stay because they have no means to re-migrate; while 3) those who had to return and have received comprehensive return and reintegration support either choose to stay in the country of origin or choose to re-migrate.

This illustrates that sustainable return is highly dependent on the concrete situation of the individual returnee. However, it is extremely important to ensure that the preconditions for sustainable return are met by providing relevant and reliable information in the pre-return phase, by providing reintegration assistance in the post-return phase and by monitoring returnees for a certain period of time after return. It is equally important that returning states address the issue of reconciliation by developing programmes that include a balancing component and capacity building of local institutions and NGOs, combined with development assistance in the receiving state. There is no easy or inexpensive way to sustainable return – it is a comprehensive affair! Even if every aspect is included in a return programme, there is no guarantee that return will be sustainable. Migration has always existed and will continue to do so. As stakeholders, we can only advocate for and assist in the process of ensuring that the relevant preconditions for sustainability are in place.

As a result of the contributions presented in this report, recommendations for *best practices* in NGO-assisted mandatory return have been developed. These best practices are generalised and should be viewed as inspiration in the design and implementation of return assistance projects not only in Kosovo but in other countries of origin as well.

- ❖ **Information campaigns.** Extensive dissemination of information material is necessary to inform *all* eligible persons about available support. This implies informing all relevant stakeholders in the host country about current return assistance programmes, e.g. foreigner registration authorities, social workers, staff at asylum camps and detention centres, and relevant networks and associations. Information must be presented in clear and accessible formats, must be based on linguistic differentiation and must clearly define the role and mandate of the NGO offering support. In the country of origin, relevant stakeholders must also be informed about reintegration initiatives, as well as about the rights and conditions of rejected asylum seekers in the host country.

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- ❖ **Comprehensive legal and return counselling.** Impartial and individual counselling is the first step towards constructively clarifying both the risks and opportunities of return. Comprehensive legal *and* return counselling must therefore be offered to all rejected asylum seekers, using counsellors with both protection and repatriation expertise. Legal counselling is necessary in order for rejected asylum seekers to assess the possibilities (or lack thereof) of a legal stay in the host country and to ensure that the individual rejection is based on a fair and efficient asylum procedure. Counsellors with protection expertise are able to address protection issues in the country of origin and thus provide a safeguard in the case of vulnerable groups.
 - ❖ **Case-specific, up-to-date and reliable information.** Return counsellors must deliver case-specific, up-to-date and reliable information about the country of origin if potential returnees are to constructively consider both risks and opportunities of mandatory return. This is facilitated by using counsellors with first-hand knowledge of the country of return (e.g. from field trips) and preferably native-language counsellors with the same cultural and linguistic background as the target group (e.g. by organising GIVs or by opening a direct telephone line to local advisors in the country of origin). The scope, duration and timeframe of possible support must be clear to returnees, to avoid raising false and unrealistic expectations about the support available upon return. Regular and close contact with local partners in the country of origin is therefore essential.
 - ❖ **Sufficient time to prepare.** The psychological aspect of returning, as well as the physical aspect of packing up one's personal belongings, should be given consideration in the case of any return. An acceptance of mandatory return should automatically provide sufficient time to prepare in order for rejected asylum seekers to return in a dignified manner. As a minimum, adequate time should be given to prepare for legal reintegration into the country of origin by ensuring that all necessary documentation relating to educational activities, medical records, birth certificates, etc. can be procured. Return preparations may also include the organisation of GSVs to the country of origin, as this would allow returnees to assess their reintegration options upon return and ease the transition of returning to an 'unknown' place.
 - ❖ **Arrival and initial reintegration support.** Returnees should preferably be met at the airport by NGOs to receive information about their rights and available reintegration support. Relevant contact information and advice on how to access legal, health, and educational services in the country of origin must be readily available. Moreover, most rejected asylum seekers return empty-handed as they have not been allowed to work in the host country. Basic humanitarian support such as food, hygienic kits, kitchen tools and firewood is therefore necessary for an initial period upon return. Basic support should be provided to both mandatory and forced returnees in a flexible manner, taking into consideration the specific needs and vulnerability of different groups of returnees.
 - ❖ **Housing and accommodation.** For various reasons, many rejected asylum seekers are not able to return to their original property or home area upon return. Returnees with no immediate housing solution should therefore be assisted in finding permanent affordable accommodation. For those who own land or destroyed property, support in housing reconstruction should be offered based on the strong participation of the beneficiary in finding a durable solution. However, as many returnees do not own land, other solutions such as subsidised social housing must be pursued as well. Exchange of information between host countries and countries of origin must be improved, ensuring that accurate information on the profiles and needs of people returning is communicated to the receiving end. This will assist the place of origin in preparing for returns and prioritising support for those with most acute needs.



- ❖ **Income generation activities and employment.** Economic reintegration is the most efficient and sustainable aspect of reintegration. Preparing potential returnees for economic reintegration should begin in the host country, where rejected asylum seekers should be allowed to work, attend vocational training, computer or language courses, etc. This will allow them to maintain and/or develop vocational skills and will increase their chances of successful economic reintegration upon return. If vocational training is offered in relation to pre-return preparations, it must be based on detailed and up-to-date information about the social and economic situation in the country of origin. Vocational training can also be offered upon return, reorienting returnees to the job opportunities in the country of origin. Cooperating with local partners with a current knowledge of the job market is a necessity, no matter whether the training takes place prior to or after return.
- ❖ **Children, youth and schooling.** Ensuring the successful reintegration of children upon return should constitute an important aspect of any return assistance programme. After many years abroad, children of returnees often experience great difficulties speaking, reading, and writing their native language and readapting to a culturally different life and school system in the country of origin. Classes should be offered for minors in their native language and if necessary individual training in other academic subjects should be offered as well. Prior to return, better counselling and information to children should be pursued on the different nature of the country of origin. Upon return, social activities should be facilitated where young returnees can socialise with other young local residents to facilitate reintegration and reconciliation.
- ❖ **Health issues and medical services.** Returnees may have mental and/or physical health problems and may thus be in need of medical health care upon return. In such cases, information on relevant healthcare institutions in the country of origin should be provided to returnees prior to return, in coordination with local authorities and NGOs. It is important that returnees bring their translated medical records with them from the host country as this will serve as a solid base for continued treatment in the country of origin. Upon return, returnees should be provided with medicine and care for a certain period of time (up to 12 months) to allow time to contact relevant organisations and receive proper information about available services. If needed, long-term capacity building of local health institutions must be supported to ensure that long-term sustainable care is available to both returnees and the resident population. Finally, healthcare and medical support projects must be based on a comprehensive approach, taking into account socio-economic, educational and cultural issues.
- ❖ **Re-acceptance and reconciliation.** Readapting to the culture and traditions of the country of origin can be difficult for both children and adults after many years abroad. Many returnees therefore find it important to stay in contact with other returnees, since they face similar problems and share the same history. Common activities for returnees (e.g. info meetings or social activities for children) could be facilitated in order to establish informal contacts and friendships. However, such activities – as well as support to returnees in general – must *not* create a gap between returnees and the existing local community. Return assistance programmes should thus support community activities that include the resident local population as well. Ensuring a balancing component, NGOs should support vulnerable members of the receiving community (e.g. through infrastructure rehabilitation and community development initiatives). This is necessary to facilitate the overall reconciliation process.
- ❖ **Monitoring and follow-up.** Advocating a rights-based approach, return assistance programmes must ensure that the rights of returnees are respected in the post-return process. Returnees must be able to fully exercise their rights and obligations, regardless of their sex, age and ethnicity. Cooperation with local partners or implementing organisations is therefore essential to assist in safe, dignified and sustainable returns. Firstly,

close cooperation with the country of origin enables pre-return counsellors to provide relevant and up-to-date information about available post-return support. Secondly, a presence in the country of origin makes it possible to follow the reintegration of returnees and allows programmes and support to be adjusted if unforeseen problems arise. Regular follow-up visits to beneficiaries are an important safeguard to monitor the security and rights of returnees. It allows for continuous evaluation of the reintegration process and provides up-to-date information on the country of origin to new potential returnees.

- ❖ **Cooperation and coordination between sending and receiving ends.** A holistic approach to return assistance is only possible in co-operation with local partners and implementing organisations. Return assistance programmes should therefore build on increased cooperation between host countries and organisations or authorities in the country of origin. Closer cooperation facilitates coordination of the assistance provided by different NGOs and authorities and would furthermore facilitate the building of the capacity of local institutions in the country of origin to assist in sustainable return. This is imperative in order to avoid duplication of services and positive discrimination of different groups of returnees, as well as for sharing knowledge and facilitating large-scale assistance.

Core Return Programme Elements

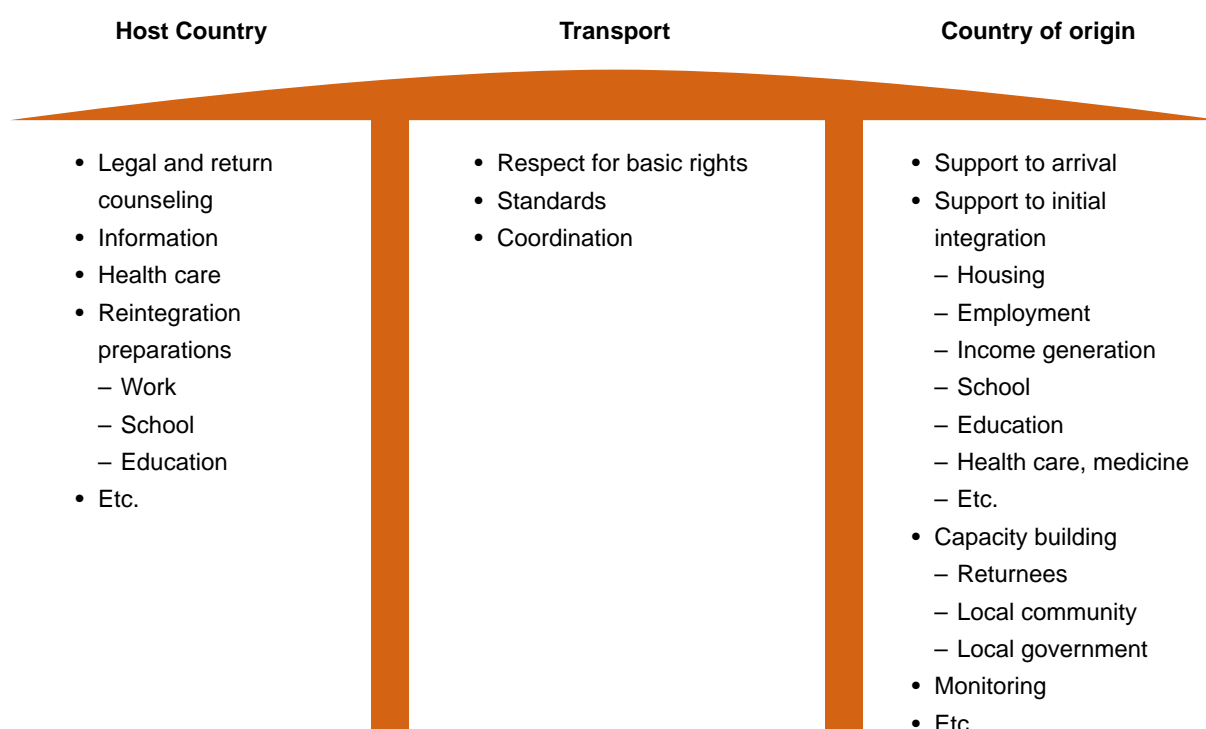


Figure 2. Illustrating core elements that should be included in return programmes.



Annex A: Danish Refugee Council: Background and Development

The Danish Refugee Council was established in 1956 as a temporary umbrella organisation to coordinate and facilitate the reception, accommodation and integration of Hungarian refugees. For the next 30 years – while keeping much of its original modus operandi and assisting different groups of refugees (Eastern Europe, Latin America, Asia and Middle East) – DRC gradually established itself as a professional organisation with a diversified field of activities: DRC became from the start the Danish partner vis-à-vis UNHCR. Nationally this resulted in a unique structure, where DRC became legally responsible for all integration activities of refugees during their first 18 months after being granted asylum. Equally, DRC played a major role in the asylum procedure. Two professional departments grew out of this: Integration and Asylum. As a spin-off, DRC soon became heavily engaged in the training of refugees in Danish Language skills. Internationally DRC was still primarily an umbrella for its member organisations. But gradually an International Department emerged, handling independent international projects.

From the mid 1980s DRC went through a major expansion – primarily due to the heavy influx of refugees from the Middle East (Iran, Iraq and Palestine) and Asia (Sri Lanka). Integration became the predominant area of activity, and more than 90 percent of its budget was based on grants from the Danish Government. This trend was even further accentuated in the early 1990s when the Balkan wars resulted in thousands of refugees seeking shelter in Denmark. At that time, turnover rose to almost 2 billion DKK, while the number of employees reached 2,000. 95 percent of all activities at that time were financed by the Danish Government. The predominant position of national activities – i.e. integration – continued till the end of 1998, when the responsibility for integration by law was transferred from DRC to the local Danish authorities (municipality level).

1998-99 marked a crossroads for DRC. The number of employees dropped from 1,500 to less than 400, and turnover fell from approximately 1 billion to about 500 million DKK. This downward trend continued until 2003. By this time DRC had changed completely into a project-based organisation, with international projects as the predominant factor. At the same time, the activities of the Integration Department were adapted to the new situation. It thus went from governmental grant to projects and the sale of know-how and services related to integration and language skills. On the national scene, its activities were further expanded by the creation of a Volunteers Department, while on the international scene de-mining was added as a new activity.

From this low ebb in 2003, DRC has since expanded by more than 50 percent. The organisation currently has a turnover of about 650 million DKK. Of this only 4 percent is generated from governmental grants. 75 percent comes from project activities, of which most are international projects, while the remaining approximately 20 percent is generated from national contracts, sales and collected funds.

DRC's mission is to create lasting solutions for refugees and internally displaced persons (IDPs) – nationally as well as internationally. To carry out this mission, DRC has more than 350 employees and more than 3,500 volunteers in Denmark (Integration, Asylum, Volunteers and Administration). On the international scene, DRC is active (food supply, shelter programmes, infrastructure, sanitation, de-mining) in approximately 30 countries – with 140 expatriates and approximately 4,500 local employees.

Annex B: Bayerischer Flüchtlingsrat: Background

The Bayerischer Flüchtlingsrat, founded in 1986, is an independent association of organisations and groups of volunteers active in the realm of refugee aid in Bavaria, Germany. It assembles approximately forty groups and organisations throughout Bavaria with a central office in Munich.

The office publishes a journal on refugee, asylum and migration topics, offers seminars on new developments in these realms and engages in counselling, lobbying, and public relations. BF advocates fair asylum procedures and dignified social conditions for asylum seekers and refugees. In close cooperation with human rights and refugee organisations, BF campaigns on specific refugee-related topics, including the right to stay, a German resettlement program, protests against deportations or restrictions on free movement and on the poor living conditions of refugees. Though the focus is on asylum policy in Germany, BF conducted research on the migrant/refugee situation at the external borders of the European Union, including missions to Ukraine, Slovenia, Poland, Southern Italy, Lampedusa, and Mali in West Africa.

For more information about BF please see www.fluechtlingsrat-bayern.de



Annex C: List of Representatives Participating in the Regional Balkan Conference in Prishtina/Pristina, Kosovo, 19-20 September 2007

Arbeiterwohlfahrt (AWO) – Heimatgarten, Kosovo	Ministry of Education, Science and Technology, Kosovo
Association for Democratic Initiatives (ADI), Kosovo	Ministry of Internal Affairs, Kosovo
Association for Human Rights Protection of Roma, Macedonia	Ministry of Internal Affairs, Macedonia
Bayerischer Flüchtlingsrat, Germany	Ministry of Labour and Social Policy, Macedonia
Belgian Migration Office, Belgium	Ministry of Labour and Social Welfare, Kosovo
Care for Refugees, Montenegro	Ministry of Local Government Administration, Kosovo
Croatian Red Cross, Croatia	Municipality of Gjakova/Dakovica, Kosovo
Danish Liaison Office in Kosovo	Municipality of Gjilan/Gnjilane, Kosovo
Danish Refugee Council, Denmark, Kosovo, Serbia and Macedonia	Municipality of Peja/Pec, Kosovo
Department of Border, Asylum and Migration, Kosovo	NATO Kosovo Force (KFOR)
Diakonisches Werk Trier, Kosovo	One to One, Kosovo
Employment and Promotion Agency Kosovo (APPK), Kosovo	Organization for Security and Co-operation in Europe (OSCE), Kosovo
German Liaison Office in Kosovo	Reintegracija, Serbia
Good Governance Office, Kosovo	Serbian Refugee Council, Serbia
IOM, Kosovo	Swedish Liaison Office in Kosovo
Kosova Rehabilitation Centre for Torture Victims (KRCT), Kosovo	Swiss Liaison Office in Kosovo
Kosovo Returnees from Denmark	UNHCR, Kosovo
Migration, Asylum, Refugees Regional Initiative (MARRI), Macedonia	UNMIK -Department of Civilian Affairs, Kosovo
	Vasa Prava, Bosnia and Herzegovina

Annex D: List of Representatives Participating in the International Conference in Copenhagen, Denmark, 23-24 January 2008

Asociación Comisión Católica Española de Migración (ACCEM), Spain

Arbeitsgruppe Entwicklung und Fachkräfte (AGEF), Germany

Amnesty International, Denmark

Arbeiterwohlfahrt Bundesverband (AWO), Germany

Bayerischer Flüchtlingsrat, Germany

Caritas International, Belgium

Ciré, Belgium

Coraid Mediation Agency for Return, Netherlands

Bulgarian Helsinki Committee, Bulgaria

Danish Red Cross, Denmark

Danish National Police, Denmark

Danish Refugee Council, Denmark and Kosovo

European Commission

European Council for Refugees and Exiles (ECRE)

Fluechtlingszentrum Hamburg, Germany

Greek Council for Refugees, Greece

Grupa 484, Serbia

International Centre for Migration Policy Development (ICMPD)
IOM, Finland

Organisation for Aid to Refugees, Czech Republic

Ministry of Foreign Affairs, Denmark

Ministry of Interior, Finland

Ministry of Labour and Social Inclusion, Norway

Ministry of Refugees, Immigrants and Integration Affairs, Denmark

Norwegian Directorate for Immigration, Norway

Norwegian Refugee Council, Norway

Romanian National Council for Refugees, Romania

Romanian Forum for Refugees and Migrants (ARCA), Romania

Soze, Czech Republic

Swedish Migration Board, Sweden

Swedish Refugee Aid, Sweden

Swiss Liaison Office in Kosovo

UNHCR, Germany

Verein Menschenrechte, Austria

Vluchtelingenwerk Vlaanderen, Belgium



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