

### **Forced return and then? Analysis of the impact of the expulsion of different categories of migrants A comparative study of Albania, Morocco and Nigeria**

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## 1. The challenges facing ALNIMA. A theoretical-methodological introduction

Exaggerated by the media, exploited for electoral ends, used as an indicator of the efficacy and validity of migration policies implemented by the government in power, forced repatriation seems to have assumed a central place in present-day national and European migration policies. After a period of history in which forced repatriation appeared, except at certain times, to be a marginal issue in European migration policies, today it appears to involve an increasing and numerically significant number of migrants, and one can suppose that over the next few years some countries undergoing strong migratory pressure will implement a large flow of “forced returns”. Return to the home country for the expelled migrant, in itself a traumatic experience even if it has already been planned, represents the involuntary interruption of his or her migratory journey; to the apprehension which can affect the returnee is added the suffering experienced for not having been able to fulfil his or her personal ambition, and the loss of all power to make decisions about his or her own life. Return – put off, desired and even planned – is turned into an involuntary, sudden and often psychologically destabilising action.

The ALNIMA project (an acronym which stands for the countries involved: Albania, Nigeria and Morocco – *MArocco* in Italian) proposes a rethinking of existing practices by reporting on the need to consider, among other factors, what happens to returnees once they leave the spotlight in the host country which expels them, and they arrive back in their country of origin.

The project started in April 2002, financed by the European Union (in the context of funding for "Co-operation with third countries with regard to immigration and asylum", identified by code B7-667). The project has involved several partners, including an NGO working in the field of co-operation for development (COOPI- *Cooperazione Internazionale*, which has been involved for years in the three countries under consideration), a transnational association (Tampep), a research and training company (SRF-*Società di ricerca e formazione*, very active in prisons in the Piedmont region), a research institute involved in the study of international policy (CeSPI - *Centro Studi di Politica Internazionale*, which has co-ordinated a network of research bodies in the partner countries) and a local authority (Moncalieri, a town in the province of Turin).

The project, effectively lasting 21 months, worked on an ambitious goal: accompanying people expelled from Italy – Moroccan and Albanian ex-prisoners and Nigerian victims of trafficking – to ensure they are treated with respect for their rights and personal dignity, and to facilitate their resettlement in the community of origin. In order to achieve this goal, the partners involved in the project integrated their individual activities by working at a transnational level: a survey of the job market in the countries of origin was carried out, and the results were used as a basis for the setting up of training courses in prisons in the region of Piedmont. In particular a course in carpentry and one in baking were chosen, as they are market sectors which have a high demand for labour both in Morocco and Albania. The beneficiaries therefore had the chance to transform a prison sentence into a training opportunity with the aim of returning to their country of origin with a more “marketable” skill, in the sense that training undergone abroad is more highly esteemed in the home society. However, regarding the Nigerian women studied, it was not possible to set up initiatives in Italy to prepare them for return because the time they spent as detainees in CPTs (*Centri di Permanenza Temporanea* – Temporary detention centres) was considered too short to carry out any preparation of this kind. At the local level, the direct beneficiaries of the project – and also other members of the community – received technical help and financial assistance (grants, top-up wages or micro-credit) to help them enter the job market or to set up their own businesses.

At the same time, under the auspices of the ALNIMA project, a large-scale field survey was carried out - both in Italy and in the three countries involved in the project – with the aim of shedding light on the impact of forced repatriation on the people involved and on their communities of origin. A meticulous reconstruction of the stages of return was used to highlight aspects such as: the trauma

often linked to official and unofficial procedures involved in the return journey; the ability and willingness of returnees to reintegrate into the social and employment context in the country of origin; the amount of prejudice and alienation resulting from repatriation, and the degree to which pre-existing social and family networks operate to facilitate reintegration into society and the labour market. It was also considered important to underline how the specific problems connected with return and the reintegration process vary according to the different categories of migrants involved (economic migrants, trafficking victims or ex-prisoners), and the different countries of origin.

### ***1.1. The novelty of ALNIMA's approach in the European context***

Although the recourse to forced repatriation is assuming ever greater proportions – as will be made clear later – ALNIMA represents one of the first experiments in Europe of assisted return for people who are forced to return to their country of origin because they have been expelled.

As will be shown in more detail in the following chapter, the first studies of the impact of return were carried out in the 1970s and 80s. They examined regular migrants who returned voluntarily to their home countries after the launch of projects in several European countries which gave incentives for voluntary return. In the 1990s, following the war in the former Yugoslavia and then in Kosovo, the delicate nature of the process of resettlement of refugees in countries which had only recently become stable, or which had not yet completely stabilised, increased the attention paid to the problem by different actors at the international level. Attention was focused on the complexity of the return process, the impact it could have not only on the individual but also on the community of origin, and the wider process of development of the countries involved. However, this interest was mostly centred on specific categories of migrants – in particular, asylum seekers and migrants with temporary protection status - and exclusively on voluntary returns<sup>1</sup>. The IOM calculates that in the last 10 years, Bosnia and Kosovo have been the destination of about 80% of organised returns in Europe, and in the same period, the number of existing assisted return programmes has increased from 4 to 20, and involve 18 member countries and approximately 1.6 million beneficiaries<sup>2</sup>.

The need to ensure the effective reintegration of refugees in their societies of origin – thus avoiding a renewed degeneration of the socio-political conditions in the countries involved – has recently been emphasised by UNMIK. The organisation reformulates the right to return – sanctioned by the universal declaration of human rights of 1948 and reaffirmed at an international level in the Dayton peace agreement<sup>3</sup> – as the “right to sustainable return”. In the Manual for Sustainable Return, the right to sustainable return is defined with reference to four main areas:

“Security and freedom of movement, access to public services (public utilities, social services, education and health care), access to shelter (i.e. through effective property repossession or housing reconstruction assistance) and economic, through fair and equal access to employment opportunities”<sup>4</sup>.

This is an affirmation of enormous importance as it reminds governments of the need to manage migratory flows at a transnational level, and the need to put greater emphasis on what happens

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<sup>1</sup> The term “voluntary return” is also used in the case where migrants choose to return home because they are living illegally in the host country, or they risk becoming irregular (for example, if their request for asylum is turned down). J. Morrison in *External Evaluation of the Voluntary Return Project for Refugees in the United Kingdom 1998-99*, London: Refugee Action, 2000 notes the existence of different degrees of voluntariness: “return may be a clear and open choice on the part of the refugee either to return or to stay permanently in the host country, but it can also be a choice between returning voluntarily when asked to do so, perhaps gaining financial or other incentives as a result, or staying and risking forcible return at some time in the future”.

<sup>2</sup> IOM, “Return Migration. Policies & practices in Europe”, Geneva, 2004, p 7.

<sup>3</sup> R. Black, S. Gent, “Sustainable Return to the Balkans”, presentation at the conference: *The sustainability of 'voluntary assisted return': the experience of the Balkans*, at the Mondial Hotel, Tirana, 14 September, 2004, p. 10 and p.8.

<sup>4</sup> UNMIK, e UNHCR, “Manual for Sustainable Return”, Pristina: United Nations Mission in Kosovo/United Nations High Commissioner for Refugees, 2003 in Black,Gent, op. cit. p.11.

outside their national borders. However, the important question is left open of what should happen to those who, rather than having the right to return, are obliged to return to their country of origin.

Although some assisted return programmes have recently begun to be offered to an increasingly wider target of migrants - including students, victims of trafficking and, most recently, also to irregular migrants - the majority of people served with expulsion orders are not given the opportunity to apply for assistance packages. With reference to this problem, the IOM has estimated that only 10-20% of repatriated migrants receive help for resettlement in their country of origin.

At the European level, despite the recommendation for greater recourse to assisted voluntary returns – in as much as this is preferable “for obvious humanitarian reasons, but also for reasons of cost, efficiency and sustainability”<sup>5</sup> – not much emphasis is placed on widening the offer of assistance measures to a differentiated target of irregular and illegal migrants, and there is practically no consideration of the impact of forced return on the countries of emigration.

Paradoxically, right at the moment when there is an appeal for greater co-operation with nearby countries of emigration, with the emphasis on how development and stability in third countries are closely interrelated with development and stability in member countries, there is still very little inclination to regard the impact of expulsions on countries where migratory flows originate as a common European problem. The fact that thousands of expelled foreigners, not finding the means to reintegrate in their home countries, contribute to an increase in the numbers of social outcasts in countries which are already poor, are a burden on their nuclear families, and increase the total amount of poverty, instability and possibly also local criminality, does not appear to cause real widespread concern in Europe. Even where there is an appeal for greater co-operation with third countries, it is made only in operational terms, in order to favour the re-entry and permanent stay of expelled migrants.

A certain unilateral European approach is found, however, in the passages of the Communication of the Commission, which calls for a wider resort to assisted voluntary return programmes. The assistance package offered to those who agree to return has a more important role as an incentive to leave the country voluntarily (thus achieving a reduction in costs and a speeding up of proceedings), than as an instrument for helping resettlement in local communities. The very little *ex post* monitoring of voluntary return projects that has been carried out – the opportuneness and usefulness of which is never mentioned in the Commission’s documents – appears to confirm this hypothesis. Naturally, the question of sustainable return is occasionally raised (with reference to both voluntary and forced returns), but it is examined not so much with reference to the impact of returns on the communities of origin, but more often only from the point of view of the duration of return: *return is considered sustainable if and in the measure in which the expelled person does not “re-emigrate” to member countries*. The length of stay in the country of origin of the expelled migrant, or the *duration of his/her absence* from the country which expels him/her, therefore becomes the main criterion for the evaluation of the sustainability of return:

“It could be considered necessary to support the efforts of the Member States to repatriate illegal residents, as all sustainable returns of illegal residents are in the interests of all Member States as they allow secondary movements to be avoided”<sup>6</sup>.

In conclusion, the main goal still seems to be that of increasing the efficacy of public investment for the realisation of internal political objectives, while the external impact of this investment continues to take second place.

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<sup>5</sup> Commission of the European Communities, “Communication of the Commission to the Council and European Parliament on a community policy regarding the return of illegal residents”, COM(2002) 564 definitive, Brussels, 14.10.2002, p. 8.

<sup>6</sup> Commission of the European Communities, “Green Paper on a community return policy on illegal residents”, COM(2002) 175 definitive, Brussels, 12-04-02, p.24.

## ***1.2. The bilateral and multi-dimensional approach suggested by ALNIMA***

The approach proposed by ALNIMA is based, on the other hand, on a greater degree of bilateralism and multi-dimensionality of operations. *Bilateralism* in the sense that the assistance given to migrants served with an expulsion order includes attention to all the stages of return, both in Italy and in the home country, and also in the sense that there is direct contact with the authorities in the country of origin in order to share and direct the aid strategy *in loco*. *Multi-dimensionality* in the sense that the sustainability of return is analysed not only in relation to the concept of duration, but also on the basis of a wider evaluation based on the degree of (re)integration of migrants in the country of origin, starting from a consideration of economic, social, relational and psychological factors. A multi-faceted and multi-dimensional analysis of the concept of sustainability can actually be found in the premise of the extension of the *target* for beneficiaries that ALNIMA proposes: the psychological impact of return, as well as the interaction of returnees with the economic, social and relational context of the country of origin, can in fact vary considerably, depending on the different categories of migrants. Evaluating the sustainability of return with respect to the multiplicity of indicators involved can therefore contribute to a better understanding of the specific difficulties that migrants with different experiences in the host country face in the process of reintegration *in loco*.

The concept of *sustainability* in studies of the phenomenon is often associated with integration. In a recent document published by the IOM, for example, the reintegration of migrants is considered an important element which contributes to the sustainability of return, even if the two concepts are not considered to mean the same thing.

“Although there is no consensus as to what is meant by the term ‘sustainable returns’ or a common set of indicators to measure “sustainability”, at the heart of the concept is a notion of durability and a time dimension – to sustain means to ‘keep (something) going over time continuously’. ‘Sustainability’ implies that the returning migrant does not feel compelled for social, economic or security reasons to re-migrate immediately after his or her return. At the simplest level it implies that after a certain period of time that returns are ‘sustainable’ if the migrant has not re-migrated. It seems to be a narrower concept than the notion of ‘re-integration’. Sustainability does not necessarily imply that the returning migrant has been successfully re-integrated, but merely that the returnee continues to live in the country of origin. However, it is likely that returns will be more “sustainable” if the returnee is able to ‘re-integrate’ successfully, and if the migrants of course actually wish to ‘re-integrate’”.<sup>7</sup>

On the other hand, a relationship between sustainability and integration is emphasised by other writers, such as Bimal Gosh, who states in *Return migration: Journey of Hope or Despair?* that:

“Sustainable return is achieved when returnees are able to re-integrate in the community of return, often through a productive role as a member of such communities, without immediate inducement to leave again”<sup>8</sup>.

Richard Black, in a recent study of assisted voluntary return, emphasises that the concept of sustainability can be considered using a fairly broad definition:

“It is possible to draw a distinction between narrow indicators of the ‘sustainability’ of return, such as whether returnees subsequently re-emigrate after their return, and wider definitions, which see ‘sustainability’ as including both the extent to which individual returnees are able to

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<sup>7</sup> M Hulst and F. Laczko, “Identification of sustainable approaches to voluntary return and reintegration of asylum seekers and persons with temporary protection status” Final project report to the European Commission, IOM, March 2003, p.10.

<sup>8</sup> B. Ghosh, (ed.), “Return Migration: Journey of Hope or Despair?”, IOM/UN, Geneva, 2000.

re-integrate in their home societies, and the wider impact of return on macro-economic and political indicators”<sup>9</sup>.

Finally, in a study carried out for the Home Office in the UK, Black, Koser and Munk break up the concept of sustainability into three different aspects: demographic, socio-economic and political.

“The ‘sustainability’ of return can be defined in a number of different ways, as was outlined in our first progress report. Most obviously, a return can be considered ‘unsustainable’ if the individual or group of returnees either immediately re-emigrates, or maintains a strong desire to do so, checked only by the impossibility of overcoming physical or legal obstacles to re-emigration. This we term ‘demographic sustainability’. However, we can also view ‘sustainability’ in a socio-economic or political sense. For example, an economy might be considered unsustainable if it cannot be maintained without continued external economic subsidy, whilst a political situation might be considered unsustainable if without external intervention it had a tendency towards violent conflict”<sup>10</sup>.

As can be seen from an analysis of the table below, the lack of desire to re-emigrate, and access to employment, services and a degree of security make up some of the main indicators of sustainability.

**Table 1. Dimensions and indicators of sustainability**

<b>Dimension of sustainability</b>	<b>Key indicators</b>	<b>Possible sources of comparison</b>
<b>Physical</b>	<ul style="list-style-type: none"> <li>- Wish to re-emigrate</li> <li>- Plan to re-emigrate</li> <li>- Re-emigration of family members</li> </ul>	<ul style="list-style-type: none"> <li>- Can be compared over time</li> </ul>
<b>Socio-economic</b>	<ul style="list-style-type: none"> <li>- Employment (all household members)</li> <li>- Income level</li> <li>- Income sources</li> <li>- Whether return was to pre-war home</li> <li>- Receipt of humanitarian assistance</li> <li>- Receipt of remittances</li> <li>- Access to education</li> <li>- Access to health care</li> </ul>	<ul style="list-style-type: none"> <li>- LSMS and Labour Force Surveys measure employment, income, sometimes remittances</li> <li>- DHS measures access to health</li> <li>Education surveys measure access to education</li> <li>- All indicators can be measured over time</li> </ul>
<b>Political</b>	<ul style="list-style-type: none"> <li>- Feeling of security</li> <li>- How reality of return compares to expectation</li> </ul>	<ul style="list-style-type: none"> <li>- Ad hoc surveys often measure actual and perceived security</li> <li>- Both indicators can be measured over time</li> </ul>

Compared to the studies cited above, research carried out in the sphere of the ALNIMA project has tried to put more emphasis on the importance of emotional, relational and cultural factors, side by side with socio-economic and political elements, by paying greater attention to factors such as the degree of welcome given to the returnee by the family and community of origin, and the motivation of returnees to reintegrate in the society of origin.

Empirical research shows how many migrants, once their personal migratory project has failed and they have wasted an opportunity which is not available to everyone – especially if they left for

<sup>9</sup> Black, Gent, *op.cit.* p.3.

<sup>10</sup> R.Black, K. Koser, and K. Munk, “Understanding Voluntary Return”, *Home Office Online Reports*, Home Office, London, 2004.

economic reasons and were then forced to return – risk becoming objects of recrimination or contempt for their families or acquaintances. Those who were involved in activities considered unacceptable also risk being disowned by their families and stigmatised by the local community. This problem naturally varies according to the category of migrant under consideration, as well as the community of origin, and is expressed particularly strongly – as will be seen in the following paragraphs – in the case of victims of trafficking. It is obvious that, especially in countries where the provision of public services is very poor, the availability of a network of relationships (among relatives or friends), is the key for access to basic necessities such as housing, or to essential services like employment opportunities. Those who find themselves in a condition of isolation therefore become particularly vulnerable, as they lose the main channel they need to achieve a sufficient degree of socio-economic integration.

Social exclusion can naturally become *self-exclusion* if the migrant is not motivated to reintegrate in the society of origin because of a feeling of inadequacy or resignation. Differently from those who return voluntarily, expelled foreigners do not usually have the time to prepare themselves for return (as will be seen, they often refuse to consider the prospect), and they are therefore less able to deal with the consequent shock. Furthermore, in the case of vulnerable categories (like those helped by the ALNIMA project), there is a widespread feeling among returnees that it is not even worth trying to find work because they lack any practical experience and consider themselves too old for the job. Furthermore, the lack of integration of returnees has a negative effect not only on the individuals involved, but also on their families (who in many cases have to support the returnees, or are themselves stigmatised due to the activities of their family members abroad), as well as on the local communities of origin (which can experience an increase in the level of poverty and of crime).

Under these conditions, even if no precise figures are available, it has been established that many migrants attempt to re-emigrate to Italy, while others, although they have given up the idea of leaving, are both excluded from the country which has expelled them and outcasts in their country of origin. In both cases, deportation policies are not very sustainable because even if they remove “the problem” from the countries of immigration, they lead to a degeneration of the socio-economic conditions in the countries of emigration.

In the framework of this research, in order to analyse the emotional and relational aspects associated with return, a methodology based on life stories and the direct testimony of migrants and their families has been used. Through the voices of victims of trafficking, ex-prisoners and illegal immigrants, the research – carried out using qualitative in-depth interviews – shows how migrants with different experiences of life and work in the host country have had to deal with particular problems once they returned to their community of origin. The events recounted by migrants who have returned home through voluntary return programmes have also shed light on how migrants receiving assistance look at the help they receive. At the same time, the comparison between their experience and that of migrants expelled forcibly and without any assistance has provided useful indicators about the effectiveness of assistance “packages” in reintegrating returnees in their countries of origin. The experience of the families and friends of migrants is also extremely interesting, because they have first hand experience of the indirect consequences of repatriation, especially if they live in areas where there is strong migratory pressure. They have proved to be important witnesses in analysing the extended impact on the social fabric in the communities of origin.

The situation associated with the return of different categories of migrants and the problems relating to the process of reintegration obviously varies according to the different countries of origin. The interviews were structured in the same way and carried out among similar samples in all three countries under investigation in order to bring out these differences. It was decided to carry out the interviews at Scutari and Tirana in Albania, and at Khouribga and Beni Mellal in Morocco, as these are areas of large-scale emigration to Italy. Two quite different areas were selected, at least in

Albania, for the differences in their culture and economic development. The capital has the greatest number of businesses in the country, while Scutari, like many other regions in the north, has serious socio-economic problems. In Nigeria, the interviews were carried out in Benin City, as it is the province of origin of the majority of victims of trafficking in Italy.

The table below gives a summary of the sample composition and the number of interviews held.

**Table 2. People interviewed by country**

Person interviewed	Italy	Albania	Nigeria	Morocco	Total
Representatives of authorities	5	20	17	19	61
Returnees or migrants in process of being expelled	10	30	24	42	106
Families of migrants		39	11	3	53
					220

This approach, which gives importance to the personal experience of migrants, seemed suitable for allowing a more complete analysis of the impact of repatriation policies on individuals and the community of origin, and for making useful suggestions for intervention. However, because of the largely qualitative nature of research, there were also some limitations to the findings. Above all, it is difficult to generalise from the results obtained through the interviews: every story is an individual example which cannot be evaluated in terms of statistics, but is quite useful in shedding light on aspects often left in the shade by other studies of these problems. Secondly, the lack of any official and public “trace” of the date and means of repatriation, and the itinerary followed by returnees, means that the relevant data are based solely on the testimony of the interviewees, and it is difficult to verify them through cross-reference with other sources.

Finally, we should remember that the groups of people interviewed in the various countries are not always homogeneous: among the Moroccans, for example, there is a prevalence of migrants who had returned only a few months before the research was carried out (6 months on average), and without assistance; among the Albanians, however, there is a prevalence of testimony from migrants who received some kind of assistance for reintegration, and whose stay in the home country after return is more variable compared to that of the Moroccan sample. In Nigeria, the sample of migrants interviewed is made up entirely of women who worked as prostitutes in Italy or other European countries (in many cases, but not all, they can be technically defined as victims of trafficking according to the meaning of the term defined by the protocol included in the Palermo Convention in 2000). Among the Moroccans and Albanians, however, there is greater differentiation because ex-prisoners and other categories of irregular migrants who were interviewed. Although it is still possible to underline the main basic trends, such differences limit the comparability of the sample.

However, the lack of homogeneity in the selected sample is, at least in part, the result of a methodological choice. The witnesses interviewed were in fact chosen according to indications given by local people. In some cases they acted as intermediaries between the Italian researchers and returnees, while in other cases they carried out the interviews themselves. Most of them are workers in the field of repatriation assistance (like Irena Dono from the association *Kape të Ardhmen-Hope for Future*), or local researchers (like professor Mehdi Lahlou, lecturer at the *Institut National Sciences Economiques Appliquées* - INSEA at Rabat, professor Hope Obiamwu, lecturer at the University of Benin City and consultant at UNODC, and the researchers of the *International Catholic Migration Commission* - ICMC in Albania). The work carried out *in loco* was co-ordinated by CeSPI using homogeneous methodological indications, but which were

adapted to individual circumstances. Through the use of local resources it was possible to improve the climate of trust between migrants and interviewers, which at the same time lowered the risk of “cognitive colonialism” on the part of the Italian researchers.

A summary of the framework of the main policy trends concerning expulsions in the European and Italian contexts will be outlined in the following paragraphs. Then the most controversial aspects of the official and unofficial practices which are used to organise the return of expelled migrants will be analysed. At the same time, an attempt will be made to follow the stages covered by returnees once they leave the borders of Italy. The study will then proceed with an analysis of sustainability by examining the factors mentioned above. Finally, several “good procedures” will be proposed which can guarantee greater dignity for returnees in the contexts under consideration.

## **2. Expulsions in the European and Italian contexts**

### ***2.1. The central position of expulsions in Europe***

The attention paid to returnees, although already present in the first studies of migrations<sup>11</sup>, grew in importance in the 1960s. In Europe, at a conference organised by OCSE in 1966, specific analyses were already being presented on the attitude of countries of immigration and some countries of emigration with respect to the hypothesis of returns, but they were analysed only with respect to countries which belonged to continental Europe. The first attempts at voluntary return of migrants from geographical areas outside Europe were put into practice by countries with a tradition of immigration (France, Holland and Germany in particular), only from the second half of the 1970s onwards. These programmes arose from the precise need of countries which were traditional importers of labour to free themselves of foreign workers who had become superfluous after the economic crisis of 1973, substituting them if necessary with their own nationals. Such programmes continued throughout the 1980s, and were directed at a legally resident population for whom return remained a personal choice, even if it was “suggested from on high”<sup>12</sup>. The number of returns and the success of such programmes, however, was actually very low<sup>13</sup>, and mainly involved people who had already decided to return home permanently. In broad outline, one can say that the voluntary return programmes, at first offering only financial assistance for return, were widened during the 1980s to include, depending on the circumstances, financial assistance for the journey, training courses to help reintegration, and assistance in setting up businesses in the country of origin, and were generally based on different forms of co-operation with the countries of origin.

Co-operation with the countries of emigration was never fully realised, and where there was optimism about the feasibility of these programmes, such as happened to some extent in the case of France and Algeria<sup>14</sup>, they were disappointed by the poor propensity of migrants to return.

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<sup>11</sup> For an overview of studies of return, the following works are recommended: K. Taamallah “Les maghrébins en Europe: la question du retour” in L. di Comite (ed.) *Le Migrazioni Maghrebine (North African migrations)* papers from the conference “La migration au Maghreb”, Bari 1999.

<sup>12</sup> In France, as well as assistance return policies, corresponding legal measures were enacted to make the presence of foreign workers in the country more precarious: suspension of the issue of the double work permit – suspension of immigration of family members for three years (1977); the Bonnet law (1980), which made it easier to expel illegal immigrants.

<sup>13</sup> In the case of Morocco, for example, only 8,018 people took advantage of the French programme of “L’aide à la réinsertion dans la société d’origine” between 1984 and 1991; 7,555 Tunisian immigrants living in France returned to Tunisia between 1977 and 1981, and 4,858 returned between 1984 and 1989.

<sup>14</sup> Strengthened by its oil wealth and for particular political reasons arising from the difficult relationships with the old colonial power, Algeria chose to develop a policy symmetrical to that of the French, offering incentives to its own citizens to return.

Such difficulties were compounded by the opposition of public opinion and various authorities in the countries of origin, who asked how their governments could deal with the economic, social and political integration of returnees<sup>15</sup>.

Later studies showed that these programmes did not include decisive guidance factors for individual migrants, but were limited either to managing projects of people who had already planned to return, or of those who – due to the effect of developments in European integration – would soon have been able to return to the country which they had been invited to leave (as was the case of the Spanish and Portuguese in France, for example).

To summarise, factors which played against the success of programmes of voluntary return included individual factors (fear of losing benefits accumulated during their stay abroad, of not being able to return to the host country, of losing the social rights they had acquired), and objective factors, such as the profound change in the characteristics of the immigrant population, the lack of active participation on the part of the country of origin, and the setting up of the Schengen area.

During the 1990s, as previously mentioned, experiments with voluntary return programmes continued to be carried out and were financed by several European countries. They expanded to include not only legally resident migrants but also, to a greater degree, illegal residents in Europe or those who risked becoming so (mainly asylum seekers and refugees). As underlined in a decision by the Council for Justice and Internal Affairs in 1997, voluntary return programmes were used more and more as an instrument for reducing the number of residents in the European Union who did not have the necessary requisites to stay in member countries.

“Assistance to illegally resident citizens of third countries for voluntary return forms part of the European humanitarian tradition, and can contribute to the adoption of a more humane solution for the reduction of their numbers in member states”<sup>16</sup>

Recourse to forced repatriation as a way to control and manage migratory flows has acquired a certain statistical significance only recently. In the most recent documentation dealing with repatriation, there is on the one hand the exhortation to use assisted voluntary returns because they are more suitable “for obvious humanitarian reasons, but also for reasons of cost, efficiency and sustainability”<sup>17</sup>; on the other hand it is stated that forced expulsions – constituting a “vital and integrative function in the fight against illegal immigration”<sup>18</sup> – must be carried out rigorously and without leniency. In the international context, which actually favours a “defensive” approach to the phenomenon of migration, deportation to the country of origin and/or transit for migrants who do not possess the requisite papers for entry and stay in Europe acts, in effect, as an example to others and, in a wider sense, as defence of its territory. As underlined by the European Commission:

“All the efforts directed at combating illegal immigration come under discussion if those who manage to get round those measures then end up staying illegally. The demonstrative effect of a failing repatriation policy cannot be undervalued”<sup>19</sup>.

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<sup>15</sup> In the case of Morocco, for the fears raised by programmes of voluntary return see, for example, the periodical *Lamalif*, no. 91, October 1977. Also regarding Morocco, the five year plan of 1978 did not make provisions for any form of assistance for the planned return flows (approx. 10,000 – 15,000 per year), trusting in a principle of substitution according to which such returns would be matched by the departure of similar numbers of its own citizens for other Arab states.

<sup>16</sup> Decision of the Council, Brussels, 26 May 1997, concerning the exchange of information regarding assistance for the voluntary return to the country of origin of citizens of third countries (97/340/JIA).

<sup>17</sup> Communication of the Commission to the Council and the European Parliament relating to a common policy for the return of illegal residents. COM (2002)564, p.8.

<sup>18</sup> Council of the European Union, “Proposal for a Return Action Programme”<sup>65</sup>, (14673/02) Brussels 25 November 2002 p.1.

<sup>19</sup> Communication of the Commission to the European Parliament and to the Council in view of the European Council of Salonica on the development of a common policy regarding illegal immigration, illegal entry and trafficking of human beings, external borders and return of illegal residents. COM(2003)323 def.

The central position of forced repatriation can be inferred from the attention paid to it by the different institutions of the European Union. The European Commission<sup>20</sup> presented its Green Paper on repatriation and its Communication on the repatriation of illegal residents in 2002. The Council has approved a common directive on mutual recognition of expulsion decisions<sup>21</sup> and a Return action programme<sup>22</sup>; the proposal for the creation of special financial measures for forced repatriation<sup>23</sup>, the approval of the directive on mutual assistance measures for expulsions by air<sup>24</sup>, and the adoption of the decision on the organisation of joint flights for the expulsion of citizens of third countries<sup>25</sup>.

These legal and operational developments reveal how the greater efforts of member states are being directed towards the rapid construction of laws and mechanisms to make forced returns easy, rapid, and, if possible, shared between states in terms of costs and organisation. Voluntary return programmes survive on the margins, gradually widening their targets to include irregular migrants who do not belong to any specific category<sup>26</sup>.

More attentive observers have proposed experiments with forms of “hybrid forced return”, where the obligatory nature of the measure is accompanied by preparation, escort and help for the re-integration of the expelled migrant. This experiment has received financial assistance from the financial budget B7-667, launched by the European Commission and introduced in the budget in 2001, with the aim of financing preparatory actions regarding migration and asylum, and with the priority of intervention in those countries for which the Council has agreed action plans regarding migration<sup>27</sup>. Given its flexibility, this line of financing has allowed, among others things, the ALNIMA project to be carried out. The most important results of this project are illustrated here.

## **2.2. Expulsions and control policy in Italy**

In Europe, Italy has supported a three-party strategy aimed at “moving outwards”<sup>28</sup> the external borders of the Union. In official declarations, the pillars of Italian action in this field are the setting up of an integrated management programme for the external borders of Europe and burden sharing by member states, the strengthening of partnerships with third countries, and the common management of migratory flows. With reference to repatriation policies, these are important in regard to relationships with member states as well as with third countries. Italy calls for greater financial and operational participation by other member states, so that it can meet the costs of the expulsion and turning back of migrants at its borders, which it has to deal with because of its particular geographical position. The proposals presented by the Italian Presidency on the organisation of shared flights for expulsions, and compensation for costs incurred by the application

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<sup>20</sup> Cf. Commission of the European Communities, *op.cit.*, COM(2002) 175 definitive; Communication of the Commission to the Council and the European Parliament on a common policy regarding the return of illegal residents, COM(2002) 564 def.

<sup>21</sup> Council Directive 2001/40/EC.

<sup>22</sup> Approved by the Justice and Internal Affairs Council, 28-29 November 2002.

<sup>23</sup> Conclusion of the Presidency, European Council of Salonica 19-20 June 2003; Justice and Internal Affairs Council Luxembourg, 8 June 2004.

<sup>24</sup> European Directive 25.11.2003 no. 2003/110/CE.

<sup>25</sup> Justice and Internal Affairs Council, Luxembourg 29 April 2004 (doc. 6379/04).

<sup>26</sup> This is the case for the programme recently launched by the IOM in the UK: Assisted Voluntary Return for Irregular Migrants- IOM, which is directed for the first time at foreigners who have entered the country illegally or those who have overstayed the time allowed on their entry visas. Up to this time, voluntary returns were directed at specific categories such as asylum seekers or refugees with humanitarian protection.

<sup>27</sup> We refer to the “Action Plan” drawn up by the High Level Working Group (HLWG) and adopted by the Council, regarding (in the first phase) Afghanistan and nearby regions, Iraq, Morocco, Somalia, Sri Lanka, Albania and nearby regions.

<sup>28</sup> Paper given by the Prefect, Alessandro Pansa, at the SIDI Conference “Migrations: a challenge for international, European and Italian law” Scuola Superiore Amministrazione dell’Interno, 18 June 2004.

of the directive on mutual recognition of expulsion decisions affecting citizens of third countries<sup>29</sup>, move in this direction, as does the creation of a European Agency for external borders (the interminable official name is: “European Agency for the Management of Operational Co-operation at the External Borders of the Member States of the European Union”). As regards third countries, Italy has promoted a strategy aimed at getting closer co-operation in fighting irregular migration by countries which have the highest levels of emigration to Europe. This co-operation should be expressed – depending on the case – in a more careful control of migratory flows on leaving, in participation in shared coastal patrols, in co-operation between police forces responsible for border controls, and the signing of readmission agreements, which are fundamental for making sure that expulsions and returns at the borders can be carried out quickly. The “generosity” of development aid and entry quotas should be dependant on the actual amount of co-operation given by these countries, according to a position consecrated at judicial level by Law 189/2002.

The position of Italy in Europe is consistent with what it has enacted in its own territory in the last few years. The approval in Italy of Law 40/98, and above all Law 189/2002, consolidated the central position of measures to fight irregular migration<sup>30</sup> (including expulsions), in laws relating to migration.

This tightening up of restrictions under Italian law is reflected in a more or less continual growth in the number of forced expulsions which have been carried out over the last 5 years (see table 3). The exception was in 2003, the year in which the number of expulsions and migrants turned back at the borders is a sign of the fall in the number of immigrants who were apprehended “because of the decrease in the number of attempted landings and the sharp fall in the number of irregular or illegal immigrants present in Italy due to an amnesty for certain categories of immigrants with work contracts”<sup>31</sup>.

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<sup>29</sup> Council Directive 2001/40/EC.

<sup>30</sup> For example, the figures given by the State Audit Board underline how the introduction of the Bossi – Fini Law has led to a large increase in the financial resources allocated to fighting illegal immigration, to the detriment of funds set aside for the assistance and integration of legally resident foreigners: in 2002, funds of 65,469,100 euros were destined for the first cause and 63,404,004 to the second, while in 2003 they were respectively 164,794,066 and 38,617,768. State Audit Board, “2003 Control Programme – Management of resources allocated in connection with the phenomenon of immigration, regulation, and support for immigration. Control of illegal immigration”, p. 3.

<sup>31</sup> State Audit Board, *op.cit.* p. 8.

**Table 3: Expulsions from Italy 1998-2003** <sup>32</sup>

	1998	1999	2000	2001	2002	2003
Total effectively expelled	54,135	72,392	69,263	77,699	88,501	65,153
Turned back at borders	29,593	36,937	30,871	30,625	37,656	24,202
Expelled by police authorities	15,564	11,500	11,350	10,433	6,139	3,195
Compliance with expulsion orders			3,206	2,251	2,461	8,126
Expelled with escort to border	8,546	12,036	15,002	21,266	24,799	18,844
Expelled by judicial authorities	432	520	396	373	427	885
Re-admitted	/	11,399	8,438	12,751	17,019	9,901

[Source: Caritas dossier 2002; State Audit Board – Control Programme 2003].

Regarding the expulsion of foreign prisoners, the introduction of Law 189/2002 seems to have led to a considerable increase in the number of foreign prisoners expelled. The figures issued by the Department of Prison Administration<sup>33</sup> show a constant increase in the number of foreigners released from prison on expulsion orders. While 214 prisoners were released on expulsion orders between January and August 2002, between September (when the “Bossi-Fini” law was introduced) and December of the same year the number had risen to 235. In 2003, the total number rose to 1,162 and in the first six months of 2004 it was 536. Unfortunately, the figures issued by the Prison Board do not give the reasons for expulsion, making it impossible to evaluate more carefully and in more detail to what extent the new provisions of the “Bossi-Fini” law have affected this increase<sup>34</sup>.

Apart from the judicial aspects, the procedures for forced repatriation have recorded an effective leap in quality: more and more frequent recourse to charter flights, training of personnel specialised in expulsion procedures<sup>35</sup>, ever shorter stays in CPTAs (temporary detention centres) of migrants from countries which have extradition agreements with Italy – these all demonstrate how the expulsion “machine” is working faster and faster.

However, in contrast to this evidence of the “efficiency” of the expulsions machine, the economic costs of repatriation operations remain in the shade.

<sup>32</sup> The State Audit Board has had a special entry for compliance with expulsion orders since 2000. The figures for 1998 and 1999 have been taken from the Caritas dossier of 2002, which does not have this entry. It has not been possible to see if compliance with expulsion orders were previously included in general expulsions or were not counted. In the first case, the total number expelled would be in excess for 2000 and 2003 (that is, the number for compliance with expulsion orders would have been counted twice). This hypothesis is confirmed by the observation that Caritas gives a total number of expulsions for 2000 equal to the number resulting from the subtraction of the number for compliance with expulsion orders from the total reported by the State Audit Board. In the second case, however, there would be a lower number for the years 1998-1999. The final result for the number of expulsions, at a minimum up to 2002, is instead significant in 2003, the number for compliance with expulsion orders being 8,126. In the course of this study in all cases where figures on expulsions are quoted, in the case of uncertainty, it has been decided to opt for the first possibility (compliance with expulsion orders included among general expulsions).

<sup>33</sup> [http://www.giustizia.it/statistiche/statistiche\\_dap/det/2004/giugno/detg31\\_stranieri.htm](http://www.giustizia.it/statistiche/statistiche_dap/det/2004/giugno/detg31_stranieri.htm).

<sup>34</sup> On the other hand, the distortion and the unintelligibility of the data have been constant problems for the present research. As regards expulsions, the Ministry of the Interior should publish an annual ordered collection of figures on the number of expulsions, divided by nationality and type. This publication is not actually made public, for example, by putting it on the Ministry’s internet site, and a copy is only available at the relevant offices of the Ministry. In the last few years, this publication has not always been issued before the deadline. Other sources include those made available in the valuable Dossier edited annually by the “Caritas” charity organisation, and in the last two years by the State Audit Board. The entries under which expulsions were divided and registered also changed during the 1990s with the introduction of Law 40/98, and again in the last few years they have often been distorted or incomplete, depending on the source.

<sup>35</sup> Sources at the Ministry of the Interior speak of about 330 police trained specially for this job. Spain is experimenting with a *brigada* formed ad hoc and with similar duties.

Sources from the Ministry of the Interior<sup>36</sup> indicate an approximate cost of 1,500 euros for each individual repatriation (escort and return home). In a recent article, Morozzo della Rocca estimated that the actual cost of repatriation was approximately 6,000 euros for each return, based on estimates including the costs of keeping migrants in detention centres and other general expenses<sup>37</sup>. A total amount which includes all the aspects of repatriation<sup>38</sup> can be estimated from the technical paper on escort appended to proposed law 795<sup>39</sup>. In this document, the average unit cost of the journey for expelled immigrants is estimated at 413.17 euros, to which must be added the cost of the escort service inside or outside the national borders (in cases where deportees show violence or resistance to expulsion)<sup>40</sup>, which has an average cost per unit of 214.85 and 1187.85 euros respectively<sup>41</sup>. In the same document, an increase of 10,000 in the number of expulsions with an escort as far as the border was predicted for the first year the new law came into force, and of 36,000 over the following two years (2003 – 2004). According to this prediction, the amount of money necessary for repatriation operations over the three years 2002-2004 would be 36.94 million euros. To this should be added the cost of extending existing detention centres and opening new ones, which would be necessary given the predicted increase in the number of foreigners to be escorted to the border. For these two entries the cost was estimated at 62.97 million euros for the three years from 2002 to 2004. Finally, the cost of running the detention centres should be added to the total. This was estimated at 66.11 euros per day for every foreigner kept there, which would amount to an annual cost of 91.41 million euros once all the centres are finished. With reference to this problem, it should be emphasised that predicted costs have encountered logistical and operational difficulties which have slowed down identification, activation and running procedures for the new detention centres to be provided in accordance with the law. Thus,

“in this phase, the administration is proceeding through the setting up of structures characterised by the assembly of *caravans, camper vans, containers and prefabricated buildings* which are similar to models experimented with in the phase of the first setting up of the “Turco Napolitano” centre, and which have proved to be completely unsuitable from the point of view of active and passive security, as well as of the living conditions of the subjects held there. This appears even more serious in consideration of the fact that the majority of subjects held are not illegal residents waiting to be expelled, but people expecting a positive outcome to a request for asylum”<sup>42</sup>

As regards the usefulness of the CPTA detention centres for the purpose of expulsions, it can be seen that, as an interview with a high-ranking official at the Ministry of the Interior revealed<sup>43</sup>, it is mostly citizens of countries which have deportation agreements with Italy which are held there, and

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<sup>36</sup> Interview carried out by the authors in May 2003 with a high-ranking official from the Ministry of the Interior; on this occasion the official in question underlined the dual function of repatriation, on one hand exercised as a right of the State, on the other as a political operation, a demonstration of the efficiency and sensitivity to the needs of public opinion.

<sup>37</sup> P.Morozzo della Rocca, “Espulsione e danno: la normativa italiana sull’allontanamento dello stranieri” in *Diritto Immigrazione e Cittadinanza 2002*, n. 4 (Expulsion and damage: Italian law on the return of foreigners, *Immigration law and Citizenship 2002*, no. 4).

<sup>38</sup> Travel costs for foreigners expelled, escort expenses, construction of new detention centres, and running costs.

<sup>39</sup> Modification of the law regarding migration and asylum.

<sup>40</sup> According to the same source, escort on board was only necessary in 5% of cases in 2001.

<sup>41</sup> The costs are reduced in cases where it is possible to organise charter flights (a method which has increased, for example, for the repatriation of Nigerian migrants) and it is no coincidence that the countries which carry out the greatest number of repatriations are moving in this direction. For repatriations carried out using scheduled flights the relationship escort/returnee is in fact two to one, while in the case of charter flights this is reduced to 1.5 to one. The use of charter flights is also useful for the control of the visibility of the expulsions and to avoid the problem of the refusal of regular passengers to travel with deportees, leading to an extension of the time needed for expulsion, as has happened several times in France.

<sup>42</sup> State Audit Board *op.cit.*, p.62

<sup>43</sup> Interview by the authors, 2003.

therefore it is easier to repatriate them. However, the figures demonstrate that a large number of those held are not in fact repatriated: between June 1999 and June 2001, the number of migrants effectively repatriated as a percentage of the total held in detention centres fell from 44% to 29.6%<sup>44</sup>. Even if the trend has reversed in recent years, the number of expulsions as a percentage of those held continues to be below 50%. This figure leads one to think about the usefulness and the real nature of these detention centres, which at the moment seem to have more of a role as a place for punishment rather than contributing to fair proceedings for expulsions.

**Table 4: People held in Detention Centres 1999-2003**

<i>Detention Centres</i>					
Year	1999	2000	2001	2002	2003
Number held	8,847	9,768	14,993	18,625	14,223
Effectively repatriated	3,893	3,134	4,437	6,372	6,830
Released due to max. time held by law	3,379	4,721	6,893	5,927	4,271
Released for other reasons	1,172	1,483	3,500	5,003	1,920
Left for arbitrary reasons	403	430	163	167	225

[Source: State Audit Board – Control programme 2003].

As regards the particular countries dealt with directly in this report, it should be emphasised that where consolidated relationships of co-operation exist, as in the case of Albania, re-admissions proceed quickly, while in cases where diplomatic relations are more complicated, as in the case of Morocco, they are more variable. As a result, the case of Albania is often presented by the Italian authorities as the prime example of migratory control policies in action. We will see later how, in order to sustain such a policy, there has been recourse to mechanisms for financial compensation and privileges regarding entry quotas.

**Table 5: Albanian, Moroccan and Nigerian citizens held in Detention Centres (2002-2003)**

<i>Country</i>	<i>Held in centres</i>		<i>Effectively repatriated</i>	
	2002	2003	2002	2003
Albania	1,017	268	873	211
Morocco	3,256	2,227	809	942
Nigeria	1,042	961	453	537

[Source: State Audit Board – Control programme 2003. Analysis: CeSPI].

In conclusion, we should underline that there is an anomaly regarding the expulsion of Moroccan and Albanians prisoners. Personal identification of these prisoners for reasons of expulsion is often carried out in the period after their release from prison, while they are in transit at the detention centres. This further period of detention after serving their sentence is considered by them to be unfair and harmful.

Regarding this, a recent report by MSF (*Médecines Sans Frontières*) underlines how:

“the holding of a former prisoner [in a CPTA detention centre] is seen by them as an extension of the sentence already served, causing a feeling of injustice in the individual which affects his or

<sup>44</sup> State Audit Board *op.cit.* p.72.

her behaviour while held in the detention centre, both in terms of their relations with the other people held and with the workers at the centre”<sup>45</sup>

Furthermore:

“forced or daily contact between these two different groups carries the risk of not offering behavioural models suitable for the most recent arrivals. In fact, it happens that individuals without any network of acquaintances are taken in by groups of fellow countrymen who have previously committed crimes, and who consider illegal activities to be the only means of survival under the new conditions of life. Relationships which develop inside the centres risk being copied outside once the period of stay in the centre comes to an end”<sup>46</sup>.

Unfortunately, the human costs of forced repatriation are not a less important problem. The rapidity with which expulsion orders are carried out seems to have a negative effect, at least in some cases, on the human and constitutional rights of migrants. There have also been some reported cases of lack of the recognition of the right to asylum and repatriation of people at strong risk in their country of origin<sup>47</sup>. If, on the occasion of the interviews carried out in Albania, Morocco and Nigeria<sup>48</sup>, some of those interviewed reported being sedated, badly treated and gravely insulted by the Italian police, much more serious is the report of the nine deaths which happened during repatriation from several European countries between 1998 and 1999<sup>49</sup>.

### **2.3. Expulsions from Italy to Morocco, Albania and Nigeria: the figures**

On 31.12.03, the number of Albanian and Moroccan immigrants legally resident in Italy amounted to 233,616 and 227,940 respectively<sup>50</sup>. They represented respectively the second and third largest foreign communities present in our country. As regards Albanians and Moroccans, their record presence is also reflected in the number of their fellow-countrymen held in prisons in Italy, which on the 30 June 2004 was 2,806 and 4,015 respectively<sup>51</sup>. Of the number of foreigners effectively deported from Italy in 2001, they represented 19,738 and 5,818 respectively<sup>52</sup> - the first and second communities in the rankings of deportations. More recent figures show (only with reference to expulsions, however)<sup>53</sup>, that in 2003 there was a substantial fall in the numbers of Albanians expelled – down from 7,611 to 3,830 – while there was a slight increase in the number of Moroccans expelled – up from 2,349 in 2001 to 2,495. Both countries went down one place in the rankings for expulsions, to the detriment of Romania, which, with 8,891 expelled in 2003, now holds first place in the rankings. This record is probably connected to the increase in the numbers of people from this country present in Italy, as well as the greater ease and lower cost of expulsions to Romania.

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<sup>45</sup> MSF, “Report: temporary detention centres in Italy”, January 2004, p.4.

<sup>46</sup> MSF, *op.cit.*, p.4.

<sup>47</sup> Vassallo Paleologo, F. in “Guerra ai migranti e disciplina dell’immigrazione” (“War on migrants and discipline of immigration”), internet site: <http://www.meltingpot.org/articolo567.html>.

<sup>48</sup> Interviews carried out between April and December 2003.

<sup>49</sup> M.T. Iwinski, “Procédures d’expulsion conformes aux droits de l’homme et exécutées dans le respect de la sécurité et de la dignité” Conseil de l’Europe, conférence sur la « migration irrégulière et dignité des migrants : coopération dans la région méditerranéenne » Athènes, 3 et 4 octobre 2001 actes.

<sup>50</sup> Dossier Caritas 2004.

<sup>51</sup> Internet site, Ministry of Justice, Prison Administration Board, [http://www.giustizia.it/statistiche/statistiche\\_dap/det/2004/giugno/nazionale.xls](http://www.giustizia.it/statistiche/statistiche_dap/det/2004/giugno/nazionale.xls)

<sup>52</sup> The following entries are counted: Re-admitted, expelled by order of judicial authorities, expelled with escort, turned back at the border, expelled by police authorities. As regards compliance with expulsion orders, these are included among expulsions in general.

<sup>53</sup> Expulsion with escort to the border, expulsion by order of the Judicial Authorities. Those turned back at the border and those expelled by order of the police authorities are not counted, while it can be hypothesised that they are included in both compliance with expulsion orders and those re-admitted.

As regards Nigeria, the latest figures show that 26,377 Nigerian citizens are legally resident, the twentieth largest foreign community in our country. 833 Nigerian citizens were expelled in 2003.

**Table 6: (Partial), expulsions to Morocco, Albania and Nigeria (1992-2003)**

<b><i>Albania</i></b>	<b><i>1992</i></b>	<b><i>1993</i></b>	<b><i>1994</i></b>	<b><i>1995</i></b>	<b><i>1996</i></b>	<b><i>1997</i></b>
Expulsion orders	1,021	4,576	9,013	11,444	9,415	9,518
Recommended expulsions	530	1,436	2,621	3,301	2,322	5,278
Expelled			3,179	5,693	3,443	3,922
<b><i>Morocco</i></b>	<b><i>1992</i></b>	<b><i>1993</i></b>	<b><i>1994</i></b>	<b><i>1995</i></b>	<b><i>1996</i></b>	<b><i>1997</i></b>
Expulsion orders	6,991	10,693	10,862	7,539	4,330	6,627
Recommended expulsions	568	730	598	483	328	232
Expelled				1,875	2,591	1,529
<b><i>Nigeria</i></b>	<b><i>1992</i></b>	<b><i>1993</i></b>	<b><i>1994</i></b>	<b><i>1995</i></b>	<b><i>1996</i></b>	<b><i>1997</i></b>
Expulsion orders	1,208	2,000	2,123	1,993	1,321	1,796
Recommended expulsions	109	100	98	107	96	54
Expelled						
<b><i>Albania</i></b>	<b><i>1998</i></b>	<b><i>1999</i></b>	<b><i>2000</i></b>	<b><i>2001</i></b>	<b><i>2002</i></b>	<b><i>2003</i></b>
Re-admitted	/	4,374	529	434	/	
Expulsion orders	/	4,959	6,228	5,386	/	4,562
Compliance with expulsion orders	/	798	1,284	292	/	
Expelled by judicial authority	92	124	97	76	/	172
Expelled with escort	/	5,526	7,445	7,535	/	3,658
Expelled by police authority	9,500	6,980	5,489	3,833	/	
Turned away at border	6,013	11,677	10,913	7,860		
<b><i>Morocco</i></b>	<b><i>1998</i></b>	<b><i>1999</i></b>	<b><i>2000</i></b>	<b><i>2001</i></b>	<b><i>2002</i></b>	<b><i>2003</i></b>
Re-admitted	/	505	1,145	2,010	/	
Expulsion orders	/	2,708	4,739	6,226	/	/
Compliance with expulsion orders	/	61	124	51	/	/
Expelled by judicial authority	41	46	39	67	/	135
Expelled with escort	/	851	1,186	2,282	/	2,360
Expelled by police authority	2,119	677	855	952	/	/
Turned back at border	543	513	443	507	/	/
<b><i>Nigeria</i></b>	<b><i>1998</i></b>	<b><i>1999</i></b>	<b><i>2000</i></b>	<b><i>2001</i></b>	<b><i>2002</i></b>	<b><i>2003</i></b>
Re-admitted	/	67	36	101		
Expulsion orders	/	2,445	2,160	1,815	/	2,551
Compliance with expulsion orders	/	82	135	23	/	/
Expelled by judicial authority	4	13	32	19	/	4
Expelled with escort	/	790	893	1,069	/	833
Expelled by police authority	2	32	4	25	/	/
Turned back at border	311	304	321	478	/	/

[Source: Analysis by CeSPI of official figures issued by the Ministry of the Interior, collected and organised by G. Sciortino].

As can be seen in the above table, the new measures introduced by Law 40/1998, in particular those concerning the involvement of third countries in the control of migratory flows, have led to an increase in the number of expulsions to all three countries under examination.

With reference to Morocco, the re-admittance agreement signed in 1998 (additional protocol signed 18-06-99), has led to a constant increase in the absolute number of migrants expelled and turned back<sup>54</sup>. Although the agreement has not been ratified by the Moroccan parliament, it is in effect operational, at least as far as concerns the repatriation of Moroccan citizens, while there is more resistance to the re-admittance of citizens of third countries who use Morocco as a transit country.

The situation is different for immigrants expelled to Albania. There was a negative trend during the three years from 1999 to 2001, but the actual number expelled still remains exceptionally high. This is probably due to the fact that re-admission agreements signed from 1997 onwards have worked well – they have been “rewarded” with a massive grant of development aid from the Italian state and particularly generous entry quotas for Albanians – and because there are a large number of illegal Albanian immigrants in Italy.

As regards financial assistance, it should incidentally be noted how, between 2000 and 2002, the amount of APS (“*aiuti pubblici allo sviluppo*” – state aid for development) allocated for Albania in the form of grants and effectively delivered credit was respectively 16,275,623€, 17,952,703€ and 27,495, 909€; compared to APS for Morocco of: 4,201,377€; 3,117,570€ and 3,768,196€.

With reference to Albania, the annual report of the Ministry of Foreign Affairs underlines clearly the relationship between APS and the reduction of migratory flows when it declares:

“As regards Italy in particular, the fact should be underlined that our unfailing commitment to civil co-operation in the areas of security and defence has led to a net fall (of approximately 60%) in flows of illegal immigrants: this is an evident sign of the positive response of the economic and social fabric of Albania to the policies of co-operation with the country”<sup>55</sup>.

At the same time, as can be seen in the table below, the number of privileged quotas established for Albania between 1998 and 2004 has systematically exceeded that of other countries.

It is possible to hypothesise that the number of Albanians expelled by order of the judicial authorities will experience a further increase in the next few years. On the 15<sup>th</sup> May 2003, Italy and Albania ratified an agreement making it possible to transfer Albanians serving sentences in Italy to prisons in their country of origin. On the basis of this agreement, it is forecast that about 950 prisoners who have committed particularly serious crimes will be transferred to the high security prison in Pequin, built under the two-year aid programme signed between Italy and Albania in 1997. Albania has already signed bilateral agreements with Greece, Macedonia and Turkey for the repatriation of its citizens who are in prison in these countries, but Italy is the only case in which prisoners can be transferred even without their consent. Negotiations for agreements regarding the transfer of prisoners are also being concluded with Morocco, but at present they are continuing on a voluntary basis and only Italian prisoners in Morocco have so far asked to be transferred.

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<sup>54</sup> Even if, as previously shown, the working of this agreement seems discontinuous, there has been a net increase in expulsions since 1999 compared to previous years. Cf. table 6.

<sup>55</sup> Ministry of Foreign Affairs, Direzione generale per la cooperazione allo sviluppo, “Relazione annuale sull’attuazione della politica di cooperazione allo sviluppo nel 2002 - Annual report on the activation of the policy of co-operation for development in 2002”, p.141.

**Table 7: Privileged quotas in planned flows (1998-2004)**

	1998	1999	2000	2001	2002	2003	2004
Albania	3,000	3,000	6,000	6,000	3,000	1,000	3,000
Morocco	1,500	1,500	3,000	3,000	2,000	500	2,500
Tunisia	1,500	1,500	3,000	3,000	2,000	600	3,000
Somalia	/	/	/	500	/	/	/
Egypt	/	/	/	/	1,000	300	1,500
Moldavia	/	/	/	/	500	200	1,500
Nigeria	/	/	/	/	500	200	2,000
Sri Lanka	/	/	/	/	1,000	500	1,500
Bangladesh	/	/	/	/	/	300	1,500
Pakistan	/	/	/	/	/	/	1,000
Argentina <sup>56</sup>	/	/	/	/	4,000	200	/
Argentina+Uruguay+Venezuela <sup>57</sup>							400
Reserve <sup>58</sup>	/	/	6,000	4,000	/	/	2,500
Total privileged quotas	6,000	6,000	18,000	16,500	14,000	3,800	20,400
Total seasonal workers	/	/	/	39,400	56,000	68,500	50,000
Total flow decrees	58,000	58,000	83,000	89,400	79,500	79,500	79,500
No. countries with privileged quotas	3	3	3 <sup>60</sup>	4	8	9	12 <sup>61</sup>

[Source: Analysis by F. Pastore of annual flow decrees].

Going back to table 6, it can be seen that in the three years from 1999 to 2001, the only period for which complete figures are available, compared with an increase in the absolute number of expulsions carried out, the percentage of people effectively expelled as a total of those served with expulsion orders appears decidedly high only in the case of Albania. In the case of Morocco, the opposite is true: the proportion is negative for 1999, a little above 50% in 2000, and it is again a little less than 50% in 2001. According to the figures, issued partially by Caritas, these percentages

<sup>56</sup> "...workers of Italian origin on the part of at least one parent up to the third generation in direct ascending order, resident in Argentina ...” (art. 3, Prime Ministerial Decree, 15 October 2002, in G.U. (Official Gazette) no. 268, 15 November 2002). The same wording is used in the decree for 2003 (art. 4, Prime Ministerial Decree, 6 June 2003). In a restrictive meaning, which defines privileged quotas as a specific reward for greater collaboration in helping the fight against illegal migratory flows, the quota allocated to Argentine citizens of Italian origin would not be included in this definition.

<sup>57</sup> "...workers of Italian origin on the part of at least one parent up to the third generation in direct ascending order resident in Argentina, Uruguay and Venezuela ...” (art. 4, Prime Ministerial Decree, 19 December 2003).

<sup>58</sup> "...citizens of other countries not belonging to the European Union, that sign specific co-operation agreements regarding migration” (art. 3, Prime Ministerial Decree, 8 February 2000, in G.U. (Official Gazette) no. 62, 13 March 2000). The same wording is used in the flow-decree for the following year (art. 3, Prime Ministerial Decree, 9 April 2001, in G.U. (Official Gazette) no. 113, 17 May 2001).

<sup>59</sup> The flow-decrees for 1998 (Prime Ministerial Decree 16 October 1998, in GU (Official Gazette), 24 October 1998, no. 249) and 2000 (Prime Ministerial Decree 8 February 2000, in GU (Official Gazette), 15 March 2000, no. 62), likewise for the Directive for 1999 (Prime Ministerial Directive, in GU (Official Gazette), 6 September 1999, no. 209), even if expressly contemplating entry for seasonal work inside the total quota for subordinate work, they did not define the number of seasonal workers in relation to those allowed in for longer periods. This lack of precise numbers obviously left wider margins of flexibility in the application of quotas.

<sup>60</sup> In reality, the number of countries benefiting from privileged quotas is higher, if citizens of countries not mentioned in flow-decrees issued by ministers or the prime minister are included. These, however, were later given entry quotas (called "reserve": see above, footnote 3). For example, in 2000, the entry of 3,000 Romanian citizens was authorised under this ruling (Ministry of Labour, Direzione generale per l'impiego, Servizio per i problemi dei lavoratori immigrati extracomunitari e delle loro famiglie, Circolare n. 72/2000).

<sup>61</sup> The descendants of Italians in the three Latin-American countries who have a special right to entry are included in this number. This criterion for calculating the figures is justified by the fact that it still concerns people of specific foreign nationalities, who are given special privileges *a priori* to the management of entries.

were also the same in 2003: 84% of Albanian citizens served with expulsion orders were actually expelled. This percentage falls to 32.7% in the case of Nigeria.

Several competing factors can explain why there is this difference: *in primis* there is a greater financial commitment and larger privileged quotas assigned to countries in the Balkans, which gives an incentive to their governments for greater co-operation; in second place, these countries are nearer to Italy so that from a logistical point of view it is easier to expel their citizens. Above all, though, the most important factors are: the different relative importance of the two countries of origin (Albania and Morocco), the different type of emigration, and the profound difference in the state of relationships between the two countries and their communities abroad.

In Albania, mass emigration in the 1990s, facilitated above all by its closeness to countries such as Greece and Italy, was the spontaneous answer of the population to a situation of poverty and endemic unemployment. The presence of the state, and any form of state planning, was practically non-existent with reference to these problems. Faced with the weakness of its own state apparatus and its extreme dependence on international aid, Albania agreed to comply with Italian requests for co-operation in the control and management of illegal migratory flows, including the re-admission of its own citizens expelled and turned back by Italy. It is for this reason that it has been abundantly rewarded with a strong financial commitment from Italy, and with particularly generous privileged immigration quotas.

The case of Morocco is quite different. Here the state has traditionally played a central role in migratory processes, and relationships with its citizens resident abroad have a history of being included in the political and economic agenda of this country. Morocco has always maintained a clear and coherent policy with regard to migration: it promotes emigration, incentivises, and – as far as possible – manages migrant transfers, it protects and at times controls its citizens resident abroad. Migrant transfers are a valuable resource and are the main source of foreign currency, being far and away superior to income from other sources like tourism or direct foreign investments (IDE): migrants have always been the object of attention of the kingdom of Morocco. This is not the place to investigate this relationship, which over the years has been built up on the difficult balance between necessity and reciprocal diffidence, always caught between protection and control by the state and request for help and the demand for autonomy on the part of migrants. It is sufficient to note here how this tie, together with the importance that the management of migratory flows has assumed in international relations between Morocco and its European neighbours, can contribute to explaining the greater difficulty for this country to accept the re-admittance of its citizens passively.

The size and characteristics of the Albanian migratory flow (the co-existence and superimposition of economic migrants, asylum seekers and refugees, especially in connection with the crisis in Kosovo) have led to experiments in Albania with many assisted return programmes that were at first aimed at specific categories, but were later widened to recently include any kind of irregular migrant. The openness of Morocco to these kinds of initiatives is, at present, much reduced. Furthermore, although Morocco defends with all its might – at least as regards public declarations – the rights of its citizens to emigrate, and it strongly challenges forced repatriation policies enacted by European countries, at present no assistance programmes for returnees exist or have been set up and maintained by the authorities in this country.

With reference to Nigeria, a re-admission agreement was signed with Italy in September 2000, and also in this case it led to a large increase in the numbers of its citizens turned back or expelled. This agreement included, among other points, the commitment of Italy, as far as possible using existing resources, to provide Nigeria with technical assistance on the subject of migration for the professional training of employees working in consulates and the immigration service in this

country<sup>62</sup>. The figures for 2003 show how, although the agreement had become operational, expulsions of Nigerian citizens again recorded a very negative ratio of actually expelled/expulsion orders: out of the 2,551 people served with expulsion orders, only 833 were actually expelled.

### 3. Forced repatriation: results of empirical research

#### 3.1. Preparation: fears, removal, acceptance and hope among Moroccan and Albanian prisoners

In the first phase of the research, before fieldwork began in Morocco and Albania, we carried out several interviews with Moroccan and Albanian prisoners held in the Vallette prison in Turin. The aim of these interviews was to evaluate the degree of interest of prisoners in the ALNIMA project, and collect the first recruits and requests for participation. During these interviews, the prisoners provided some comments and revealed fears and attitudes towards forced repatriation which deserve to be reported here. Indeed, these interviews offer a first reading – differentiated according to the nationality of the foreign prisoners<sup>13</sup> – of what could be the impact of forced repatriation on the individual, and a first clue as to the amount of stigmatisation the prisoners expected, and the strategies used by the interviewees to avoid and remove it.

Some of the Moroccan and Albanian prisoners who were interviewed were taking a carpentry course, others a course for translators and interpreters. The Moroccans were from different places and educational backgrounds, were from different age groups and had spend different amounts of time as migrants, but they shared (except in one case) a common reason for being in prison. This ranged from possession of drugs and drug dealing to international trafficking in soft and hard drugs. However, all those interviewed emphasised the ease with which migrants could be recruited into this crime circuit (“*you just need to go to certain bars or certain places*”, M., Moroccan), and they generally underlined that the choice of dealing in drugs was linked to the failure to find legal work, due to their position as illegal immigrants.

*“A lot of young people arrive, they can’t find work, they don’t have anybody, they don’t even know where to live or what to eat, and after a few months you see them out on the streets pushing drugs”*. [M., Moroccan].

Illegal activities are often accompanied by or alternate with legal activities during their stay in Italy, specifically in Turin, even if they usually work “in the black”.

Being imprisoned not only marks a break with the daily life they have built up for themselves in Italy, but often leads to a break in relations with the country of origin. The family usually knows about the prison sentence not because they have been directly informed by the prisoner, but because telephone communication has stopped (and, in the majority of cases, remittances are no longer sent). K., for example, has had no communication with his family since he was sent to prison. Besides the objective difficulty of communicating with the outside world from prison, there is also the shame connected with their situation.

*“I don’t want them to hear me from me from in here”* [K., Moroccan].

Mu., Moroccan, has also interrupted communications with his family since he has been in prison. His family were worried and contacted his wife, who had to admit that her husband was in prison. He still does not call them, and his parents do not know why he is in prison.. He is waiting to be released before he speaks to them so that he can have the time and the calm to explain.

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<sup>62</sup> Ministry of the Interior: [http://www.interno.it/news/pages/2001/200102/news\\_000016461.htm](http://www.interno.it/news/pages/2001/200102/news_000016461.htm) . Buses and cars donated by the Italian government are probably included in this aid to the NIS (Nigerian Immigration Service)

Even when the family knows the position and communication with the prisoner exists, the real reasons for being in prison are not given.

The parents of Mt., for example, know that he is in prison because he phones them every Friday. Only his immediate family know he is in prison, but they do not know why, *“because if they know you are in prison for drugs, because you take drugs, it’s shameful, they think badly of you”* [Mt., Moroccan].

Albanian prisoners, in the cases analysed, also interrupted communications with their families, but not always for the same reasons as the Moroccans. F., for example, has interrupted communications with his family – only his brother knows he is in prison, while his parents are kept in the dark. This is because his parents would think that prison in Italy is like it is in Albania, and so they would worry too much. K., on the other hand, is always getting letters from his father, but he never replies because *“it hurts me too much”* [K., Albanian].

As we will see later, families, even if they are often very different, play a prominent role in the reception and re-integration of the returnee in both countries.

With reference to return, although in both cases the reason for and imprisonment itself are often not disclosed, the experience of being in prison appears to be seen differently by Moroccans and Albanians. Prevalent among Moroccans is the shame and fear that, if it became public knowledge, the experience of being in prison would cause them to be stigmatised when they return home. For example, M. explains that:

*“When I used to go home in summer, I went back by car...it was full of presents, everyone made a fuss of me...four of us would go back together, to save money, you needed a million (lira) ... I felt happy, fulfilled...but if I go back now?, those who believe my story will treat me OK, they know that I’m in prison by chance, even if everyone here knows...one of my friends was put in prison here and when he saw me he started crying and said: what are you doing here, you shouldn’t be here, you don’t do those things, you’ve never done them...in fact I’ve never done those things, when I’m outside I’m even an Imam, and also here sometimes...surely now none of my fellow countrymen will trust me”* [M., Moroccan].

The same fears are not expressed by Albanian prisoners. Z., for example, admits:

*“Of course, they talk about you in the village, but they don’t look down at you if you’ve been in prison, as long as you haven’t killed anyone or committed a particular crime”*. [Z., Albanian].

Regarding forced repatriation, the hypothesis of return and expulsion are felt as a real danger but at the same time repressed by all the prisoners interviewed.

*“I’m not worried about prison, what I’m worried about is that they’ve given me a judicial expulsion [...] After nine years here, used to living here, I’m going to go out with three blades and if they touch me I’ll split my stomach open...what can I do back in Morocco...I’ve made my life here, I feel Italian, I’m 32, I’d rather die here...I can’t accept expulsion, I’ve got my home, my life, I want to get my papers, bring my wife over, my boss wants me, I’ve always been a good worker...I want to live in this country, I ran away from Morocco...”* [K., Moroccan].

*“it’s shameful to go back as deportees, you haven’t got a penny and people think: look at him over there, he’s got no balls; That’s why people would often rather stay in prison than be deported”* [A. Moroccan].

*“I’m scared of expulsion the lawyer told me that this is what they’re doing, you get released and the police get hold of you and take you to the airport...even those of us inside see a lot of them, married people too, with children...more than anything else for my girlfriend...and then you have to stay there five years”* [F., Albanian].

They often try to repress the worry and fear of expulsion by thinking that it can be avoided by getting married: S., for example, does not show that he is worried and claims he is going to get married as soon as he is released:

“...my girlfriend always used to say, instead of queuing up every time (to renew his residence permit) let's get married and solve the problem” [S., Moroccan]

“At the end of the day – he continues – if they should deport me it's OK, because I'd already decided to move to Essaouira and open a little Italian restaurant with my girlfriend, she was enchanted by this town during the last trip we went on together”. [S., Moroccan]

Also F., who seemed worried about the possibility of expulsion, immediately added:

“I've got an Italian girlfriend and as soon as I get out I'm going to get married...of course, not for convenience but because I want to, not to help me!”. [F., Albanian].

In cases where they cannot manage to avoid expulsion, many prisoners do not exclude the possibility of being able to get back inside European borders quickly. Mu., for example, said that even if they should send him back, “from the port at home [Casablanca] it's easy, there are Moroccans with keys to trucks, I can do it for three hundred euros” [Mu., Moroccan].

F. also has the same idea:

“If they expel me it's not a problem, with the Albanian police no problem, the problem is that I have to pay to come back, for a visa I've got to pay 2,000 or 3,000 euros”. [F., Albanian].

Side by side with the methods of repression cited above, in more than one case a practical strategy aimed at banishing the idea of expulsion appears evident: the false declaration of nationality, which usually becomes Algerian in the case of Moroccans<sup>63</sup>. A consideration of the figures on expulsions issued by Caritas for 2003 shows that this strategy seems to pay off: out of 2,609 Algerian nationals served with expulsion orders, only 361 were actually expelled.

Finally, there are those who see an opportunity in the particulars the “Bossi-Fini” law, and expulsion becomes an instrument for reducing their sentences and re-starting their individual migratory itinerary as soon as possible.

“Then there are those who request it (expulsion), so they can get out two years earlier and then come back...in prison they talk about these things, expulsions, amnesties, reduction of sentences” [F., Albanian].

Kr., for example, is going to ask to be expelled to avoid the last two years of prison, but the idea is to buy a good visa as soon as he arrives home.

“Buying visas for Greece is easy, you just need to know some Albanian working in the Greek consulate, and for 5 million (lira), more or less, you can buy one. Or else I'll be a truck driver, then they give you a visa straight away”. [Kr., Albanian].

A. wants to be expelled, go back to Morocco and from there go to France (where he lives with his girlfriend) with false documents. Except that the CPT detention centres are full and they cannot manage to transfer him there. He had already lived in Morocco for three years after running away from France (where he committed a crime), and he claims to have an easy life in Morocco because he has several flats bought by his father, and can live off the rents from them. Entry and residence permits for Italy are easily found, however.

“The cops sell them...when I went back to Morocco in 2001 I went back with documents belonging to a Belgian citizen, all in order”. [A., Moroccan].

In the case of Moroccan prisoners, a strong uneasiness lies behind the apparent calm. Expulsion and return are issues which are discussed in prison, with one's own lawyer or with other prisoners, and while they say that if they are actually expelled this would mean a loss of time and money but nothing else, such claims often reveal true despair at such a prospect.

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<sup>63</sup> It is interesting to note that it is nearly possible to construct a scale of risk for expulsion: on this scale the first are Tunisians, second Moroccans, and only third Algerians. For this reason it is easy to meet a Moroccan who claims to be Algerian, and a Tunisian who claims to be Moroccan.

Among those interviewed, forced return is not feared only because it is a sign of failure, but ever more insistently they refer to the difficulty of returning because they have adopted European habits and customs.

“I don’t like life there, it’s like the Wild West, there’s no electricity, water, gas...you can’t have a shower...” [F., Albanian].

“*He couldn’t manage to stay there, the life, alcohol, entertainment...*” [K., Moroccan, talking about his brother who was repatriated].

Morocco and Albania appear suffocating, without prospects, they imagine and worry about being under heavy social control, and traditions are felt to be old-fashioned or anyway no longer shared.

For those who have spent quite a few years in Italy, ties with friends have been broken, networks which existed at the time of departure are no longer trustworthy, relationships with the family were often difficult even before leaving, and return would only make them more complicated.

Among Albanian prisoners, an attitude of being less worried about return was noticed compared to Moroccan interviewees. In our opinion, this reduced level of worry can be attributed to the geographical closeness of Italy to Albania (which makes return, also with regard to feelings, less traumatic and definitive), and to the perception of the existence of an open migratory channel, even if it is becoming more and more expensive, and to a lower level of stigmatisation *in loco*. As we will also see later, the feeling of failure associated with forced return is in fact less acute in the case of Albanians, as is the shame of having been in prison, as long as it is not linked to certain crimes (murder and others not specified).

### **3.2. Expulsion procedures**

From the point of view of procedures, repatriation to Morocco and Albania are carried out according to methods which are by now codified and repeated without significant variation. In Albania, expelled migrants are disembarked at the two ports of Valona and Durazzo, or land at Rinas airport in Tirana, whilst in Morocco they are mainly sent to Casablanca airport.

Both in Morocco and in Albania, illegal emigration is considered a crime and at least in theory returning migrants, once they reach their country of origin, could meet with penal and administrative consequences; in fact, the Albanian penal code states that “illegal migrants can be sentenced to pay a fine or face up to two years in prison”. In Morocco, the new law on migration (proposed law 02/03, approved by parliament in June 2003) has increased the penalties linked to illegal emigration, not only for traffickers and those who transport migrants, but also for those who try to emigrate illegally, increasing fines (which rise to an amount varying from 3,000 to 10,000 dirhams), and imposing the possibility of a prison sentence (from 1 to 6 months).

In effect, in both countries, nearly all the migrants expelled – including former prisoners- are kept from a minimum of a few hours to a maximum of 3 days at the police station responsible for their registration (and hearing in the case of Morocco). They are then released and not followed up. In Albania, returnees do not receive any administrative sanctions, while in Morocco they are entered in the judicial register for the crime of illegal emigration, and generally have to pay a small fine (usually not more than 150 dirhams - about 15 euros)<sup>64</sup>.

Until a few years ago, Albanian victims of trafficking were put in prison, but now they undergo the same treatment as other returnees. The national strategy of 2001 to fight the illegal trafficking of human beings recognised them as innocent, and made provisions for, among other measures, the

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<sup>64</sup> At least, this was the procedure at the time of our last research trip to Morocco (November 2003).

setting up of a State Committee and a special branch of the police dedicated to the fight against trafficking<sup>65</sup>.

The procedures regulating repatriation of trafficking victims in Nigeria are slightly different, and, above all, not very systematic. This is not the place for an in-depth analysis of the different regulations in force in Nigeria with reference to trafficking in women and minors<sup>66</sup>. At a national level, the law applicable in Edo state<sup>67</sup>, even if it extends the possibility of crime for abuse and forms of exploitation to women in general (before, this crime was limited to minors under 13), and increases the sentences for agents and sponsors who give financial, material or physical support for women to leave the country to work in prostitution, still maintains, in many respects, a punitive and criminal view of prostitution, and as a consequence of the victims of trafficking. The new federal law on trafficking - *Trafficking in persons (prohibition), law enforcement and administration Act, 2003* – for the first time frames the problem at a national instead of regional level, and ceases to consider women/victims as punishable for the exercise of prostitution both abroad and in Nigeria. It also provided for the creation of a National Agency for the prohibition of Trafficking in Human Beings, with the purpose of fighting the phenomenon of people trafficking at a federal level.

In practice, witnesses told us that 1 or 2 charter flights a month arrive from Italy. Italy and Spain are the countries which repatriate the largest number of Nigerian citizens<sup>68</sup>.

As regards procedures, as far as information collected during field research in Nigeria tells us, the NIS (*Nigerian Immigration Service*) is directly informed of the arrival and the number of women repatriated by the country which expels them. Excluding Thailand, which indicates the precise reason for expulsion, other countries use the three different wordings: “immigration problems – drugs – fraud”. A pass is given to the women and if a crime is indicated, they are taken to the office of the *Human Trafficking Unit* of the police. On the journey from the airport to this office, or when they are there, the women often vent their anger and frustration at expulsion with acts of violence. In the office, the women are asked to complete a questionnaire, which includes questions on the reason for their stay in the country which expelled them, how they got there, and the reason for being repatriated. The women are then registered in the police records with photo and name. An HIV test seems to be no longer compulsory. Once this paperwork has been completed, the women are taken to Lagos to the Liaison office for their state (which is most often Edo State). When officials from the NIS are not able to go to the airport, the *Human trafficking Unit* of the police organises the arrival of the women at the airport. When officials from both the NIS and the *Human Trafficking Unit* go to the airport, the latter interrogate the women only after screening by the NIS

In theory, the *Human Trafficking Unit* is only responsible for the women who are victims of trafficking, and there is not a lot of collaboration between this agency and the NIS. The amount of time the women stay at the *Human Trafficking Unit* varies for 24 hours to several days, depending on the number of women. The objective of the interviews the *anti-trafficking* police carry out with the women is to collect useful investigative information on trafficking and traffickers. They often encounter serious difficulties in identifying the women because of the lack of an official registration

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<sup>65</sup> ICMC-Center for refugees and migration studies, “Draft national report on human trafficking - rapid assessment for ILO”, October 2002 to April 2003.

<sup>66</sup> For an in-depth analysis, we suggest: *Il traffico di donne. Il caso della Nigeria*, (Trafficking in women. The case of Nigeria), a research report by Fondazione Internazionale Lelio Basso in collaborazione con Associazione Parsec Ricerca ed Interventi sociali, Rome, 2003.

UNICRI, “Report of field survey in Edo state, Nigeria, Programme of Action against trafficking in minors and young women from Nigeria into Italy for the purpose of sexual exploitation”, July 2003.

<sup>67</sup> Criminal Code (Amendment) Law, 2000.

<sup>68</sup> UNICRI, *op.cit.*. 632 people, of whom 592 were women, were repatriated from Italy to Lagos airport in 2002. The same source indicates 225 repatriations from Italy in 1999 (206 women), 517 in 2000 (501 women), and 273 in 2001.

system<sup>69</sup>, the fact that identity cards do not exist, and above all, the widespread custom of people of changing their birth name. The procedures have become more complicated with the introduction of a new agency - the NAPTIP (*National Agency for Prohibition of Traffic in Persons*)<sup>70</sup>. According to a spokesperson for this agency, the Italian Interior Ministry or the Nigerian embassy in Rome informs the Nigerian Ministry for Foreign Affairs, which then informs the *Human trafficking Unit* and the NIS. Where the presence of traffickers or victims of trafficking is noted during identification procedures, the NAPTIP is invited to intervene.

International agencies and local NGOs which give support to repatriated women trafficking victims are not always informed of their arrival. The IOM has the responsibility for the reception of the women and finding accommodation for their immediate future. Equally the local NGOs WOTCLEF (*Women Trafficking & Child Labour Eradication Foundation*) and IDIA Renaissance declare that they are informed directly by the NIS and they take care of their immediate needs and accommodation.

Although at an official level the procedures regulating repatriation appear quite “soft”, several witnesses denounced the brutality of the practices used - both in the country which expels them and in the home country - as well as actual cases of violence and administrative arbitrariness.

Many of those interviewed complained in particular of not being given the opportunity to collect their belongings in the host country, or to contact relatives or friends. Several witnesses also reported the profound injustice of not being able to get back the state contributions they had paid in (even among the prisoners, many had normal jobs at the same time as carrying out illegal activities, and had therefore accumulated state contributions).

H., Albanian, held in the “Vallette” prison in Turin, tells how his brother was recently expelled to Albania for the second time, even though he was waiting for the outcome of his application for a residence permit. He was apprehended in a police round-up and repatriated directly in his work clothes:

“What makes you angry is the way they do it, they don’t even let you go home to get your things, they send you back just as they find you”. [H., Albanian].

M., repatriated to Morocco about a year ago, says the same. He worked for several years in Italy as a street seller of carpets. His expulsion was entirely for administrative reasons. He defines what he had to undergo after many years in Italy as profoundly unfair, and in his opinion, a sign of not being acknowledged. Caught without documents, he was not able to get back the goods he had paid for or the savings he had hidden.

D. and U., an Albanian couple, chose to leave the United Kingdom with the help of the IOM after losing their claim for asylum. This choice seemed preferable to them because their friends who had been forcibly repatriated by the police had been taken from their homes in the early hours of the morning, and they had not been given the opportunity of collecting their belongings and their savings (rental deposit, savings in the bank etc.). However, even the choice of “voluntary” repatriation was very hard for D. and U., as they had moved from Manchester to London and had to wait 5 months before they could leave. During this period they used up all their savings, which had already been greatly reduced to pay the lawyer who helped them with their request for asylum.

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<sup>69</sup> The “programme for a National identity card” was established by military decree in 1979 but became law (*The Civil registration Act*) in 1990. President Obasanjo re-launched the programme on the 18th February 2003, granting 10 billion *naira* (Nigerian currency) and establishing 60,000 registration stations.

<sup>70</sup> NAPTIP (National Agency for Prohibition of Traffic in Persons). The agency was established by the *Trafficking in persons (prohibition) law enforcement and administration Act*, 2003, and is responsible to the Ministry of Justice, although for some problems it is responsible to the “President Secretariat”. Personnel have so far been recruited among officials working in other ministries and government bodies, but after the start-up specialised personnel will work there.

For trafficking victims, this procedure is particularly hateful because in the majority of cases they are sent back still in their “work” clothes. They do not usually leave money in Italy as they do not have any savings of their own, but they leave their personal belongings such as jewellery, clothes, shoes, bags, television sets, radios or stereos.

S., a Nigerian victim of trafficking, was stopped while going to work by train. She claims that her mobile phone was taken off her and she could not let anyone know about her situation. She slept one night at the police station in Novara and from Novara she was transferred to Milan. From there she was taken to Rome and then repatriated to Lagos. At no stage in the proceeding did she have time to collect her personal belongings.

Many of those interviewed also claim that they were not adequately informed of what was happening, or they were even made fun of.

C., an Albanian about 50 years old, remembers that, before being expelled, he was forced to sign documents which he did not understand as they were written in Italian, and that he had, in general, difficulty in understanding what was happening.

E., who emigrated from Albania to Italy using a false passport, denounced the inhumanity of repatriation during the interview:

*“They sent my cousin away. He came to bring me some clothes, they tricked me by saying that I would be out soon, ...they didn’t let me get anything!”*[E. Albanian].

Verbal harassment and episodes of corruption and/or arbitrary management of administrative procedures are often experienced by expelled migrants, both in the host country and the country of origin.

A., now a student in Tirana, was repatriated from Italy in 2000, as he did not possess a regular residence permit. Caught in Italy without papers, he claims that he was kept seven days at police headquarters (the time the police needed to apprehend other Albanians and repatriate them together). During this period he says he was subject to verbal and physical violence by the police. Only when a sufficient number of Albanians had been collected for repatriation, the Italian police took him to Ancona, and from there he was repatriated to Durazzo, at his own expense<sup>71</sup>.

D., repatriated to Morocco, claimed to have been threatened, insulted and sedated by the Italian police before the return journey, while R. was kept for three days at the police station in Casablanca without food, water or a place to sleep.

Many women in Nigeria reported being treated like criminals by the government officials who came to meet them on arrival. The police, they claim, are hostile and often extort money from them (sums of up to 285€ are reported). In at least one case, a woman was held for three days at the police station. It can also happen that the women are re-contacted by trafficking networks during the time they spend in the police station<sup>72</sup>.

B. was repatriated to Nigeria in March 2003, even though she had a son in Italy who was being looked after by a friend. The woman claims she was sedated before boarding the plane, and says she had to pay 6,000 *naira* to get out of police headquarters in Lagos after spending two days there. While she was being held in police headquarters, she was contacted by a lawyer sent by the “Madame”, who promised to have her released immediately.

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<sup>71</sup> By law, the journey costs of expelled migrants should be paid for by the government.

<sup>72</sup> In Nigeria, out of 24 witnesses interviewed, 7 claimed they had been re-contacted by people sent by the “madame”. The same problem was found in Albania where, according to ICMC research, many women who do not go into IOM assisted shelters risked being re-trafficked.

In Albania – and to a lesser extent in Morocco – several interviewees also reported that they had to pay a bribe to local officials who threatened to create administrative problems or to prolong the time necessary to speed up identification procedures.

D., repatriated from the United Kingdom to Albania, says:

*“The English police treated us like dogs, they screamed at us. Then they packed us into the back of the plane, telling us that we would not take off until we declared that we didn’t want the meal that would soon be served to the other passengers”.* [D. Albanian]

In Albania, the welcome was no better. The police expected to be paid 40 pounds, and insulted and threatened them:

*“...they put their feet on our suitcases, and ordered us to pay”* [D. Albanian]

U., her boyfriend who was repatriated with her, refused to pay, and was forced to wait for hours at the police station, and had to face particular bureaucratic difficulties (he was even told that records showed he had been in prison in Albania, which was not true). C.’s story is similar. She was repatriated to Nigeria, and claims that she could not leave police headquarters until she had paid 42,000 *naira*.

### **3.3. The impact of forced and assisted repatriation on migrants and their community of origin.**

None of the three countries under consideration has programmes of government assistance<sup>73</sup> or special employment lists for repatriated migrants. It is therefore very difficult to ascertain what happens to these people once they arrive back in their country of origin, if not through the stories of individual migrants. In the next two paragraphs, we will analyse the main difficulties that returnees come up against in the process of reintegration in their community of origin. Particular emphasis will be placed on two factors which are generally taken into little consideration, but which in our opinion have a strong influence on the dynamics of reintegration in the local community: the individual willingness to reintegrate, and the reaction of the community of origin, in particular, of relatives and family and friendship networks.

#### 3.3.1. INDIVIDUAL WILLINGNESS TO REINTEGRATE

The impossibility of returning to Europe, as well as participation in assisted return programmes, can influence the orientation and the prospects of expelled migrants, but it is very difficult to stop them re-migrating if they do not want to stay in the country of origin.

K, interviewed in prison, tells of his brother’s experience of being expelled from Italy:

*“When he returned to Morocco he stayed three months, he drove my mother mad, he couldn’t get used to living there again, until my mother found the money to buy him false documents, he paid 5 million (lira) to come back through Spain. He couldn’t stay there, the life, alcohol, entertainment ...”* [K., Moroccan].

The case of the two Albanian ex-prisoners interviewed in Scutari is also interesting. They claim that, whether they have jobs or not, they will leave again as soon as they have paid off the debts they incurred the first time they migrated. They cannot accept surviving in conditions of structural poverty where basic utilities such as electricity and water are still lacking. According to F., not only do you earn more abroad, but life is more comfortable – for this reason he will use half his wages to live on, and the other half to pay off the debt he incurred. When he has finished paying off his debt, he will leave again. M. also says he will leave again as soon as he has paid off his debts. It will take him longer because he has already emigrated twice and the amount he has to repay is therefore double: 6,000 euros.

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<sup>73</sup> In Nigeria, one of the jobs of the new NAPTIP agency is to take on, supervise and co-ordinate the rehabilitation of trafficked people. However, given the fact that the agency has only just been set up and is short of funds, it does not yet carry out this task.

As already discovered from the interviews carried out in prison, for those who are really determined to re-emigrate, the borders of Europe do not seem so very impenetrable. Of course, what is desired can in some cases be belied by reality. Not a few of the Albanian and Moroccan citizens interviewed in these two countries claimed they had more than once tried to emigrate illegally, but they were regularly turned back by the border authorities.

The willingness of the individual emigrant to reintegrate in the community of origin is therefore the first condition of sustainability of return. The declaration of G., repatriated for the second time from Italy to Albania and now an engineering student at the university of Tirana, thanks to a contribution from the Kape association (which we will speak about in more detail later), is very interesting with reference to this point:

*“...Assistance programmes, like that of Kape<sup>74</sup>, are very important but aren't a real alternative to leaving. If I had known about the Kape programme before my second attempt at emigrating I wouldn't have changed my plans: I need a lot of money, not a little”. [G. Albanian].*

Now G. intends to stay, and only in this new situation can he appreciate the help that Kape has given him.

If sustainability is taken to mean not only the duration of the effective presence in the country of origin, but also the wider concept of “(re)integration”, it is possible that return is effectively *unsustainable* when it is applied to those who, even if they give up the idea of leaving, fall into a state of apathy and resignation which stops them reintegrating into the socio-economic fabric of their home country.

The stories recounted by interviewees show how the prevailing feelings in the months following return are bewilderment, feeling out of place, depression, suffering for having wasted their time and for coming back to their families as a burden and not as a help: they feel “lost”, “in despair”, and they hardly ever start looking for work before a certain period of time elapses: generally from two to six months.

N, an Albanian ex-prisoner, tells of feeling “out of place” on return. She seemed not to recognise people and buildings. Her friends were still there, but they were working, they had their own lives. A lot of things had changed.

It could be that this period of transition is necessary in order to settle back into old relationships (even time spent “doing nothing” at the bar is often important from this point of view), and regain self-confidence, but it can also lead to a kind of paralysis and lack of motivation to look for small jobs, which would however be very badly-paid. So in many cases there emerges a refusal to start again and try to live as an active member of society in a situation of structural poverty and, especially, where they feel “controlled”.

N., an Albanian ex-prisoner, tells the meaningful story of one of her friends, who she thinks was paralysed by her depression. Thinking about her friend, she comments that there is effectively little chance for her because “she's from Berat and it's very difficult to find work there”. To this objective difficulty is added, however, the resistance of her friend, who often refuses to look for small jobs because the pay is much too low.

D. and U., Albanians, report a similar feeling:

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<sup>74</sup> Kape is an organisation involved in return assistance run by a team of Albanian workers. Set up thanks to funds from Swiss co-operation, it has recently started to work with other international bodies. At the beginning it was essentially involved in assisting the repatriation of ex-prisoners, but now it has extended its activities to other categories of migrants (irregular and internal migrants). Among other things, Kape gives a subsistence grant of 80€ a month for nine months to the people in its care.

*“For a person coming from abroad who knows that you can earn a decent amount, it’s very difficult to start doing jobs paying 100 euros again, and you’re also working for someone”.* [D. Albanian]

Resistance to working as an employee also emerges from an interview with a Moroccan prisoner. The man, 46 years old, comments:

*“Of course, if it isn’t possible to stay here, I could go back to Morocco, my family is there, I could go back and be a farmer, better to be a farmer than work for someone else in Morocco, and then, who would take me on at my age. But I’d also like to open a little carpentry workshop, I like this kind of work, it’s nice”* (in prison he has done the carpentry course) [M., Moroccan]

Finally, it is interesting to note how paralysis is often connected not only to the refusal to do poorly-paid work, but also to the feeling among returnees of having nothing to offer because they have had no specific training. The testimony of A., recently repatriated to Albania without any assistance after several years in prison in Italy, is notable from this point of view. A. gets up as late as possible in the morning and spends his afternoons in the bar. He does not really look for work because he feels he has no particular knowledge or skill:

*“...if you haven’t got a trade nobody will take you on”.* [A., Albanian].

A. would not know where to go and look for work either:

*“To find work you have to have the right contacts, and I haven’t got any”.* [A. Albanian].

His friends cannot help him because they have their own families to think about and a lot of them are also unemployed. Then he insists on the fact that *“if you don’t know a trade, you’re only a burden”*. If he asked his friends for work, he fears that, not having any particular contribution to offer, it would ruin their relationship. But *“going out to look for work in the town squares, where they take you on for the day... it’s unthinkable...that isn’t a wage”*. [A. Albanian].

V., Albanian, also confirms that he was hindered by a feeling of uselessness on his return:

*“My bad luck was that being in prison I couldn’t learn any skill and when I came back I felt useless, the others had some training. I felt bad about not having done anything”.* [V., Albanian]

In Morocco, the feeling of shame and paralysis of migrants forced to return appears, if possible, even stronger. H. arrived back in his home country and went straight home, where his wife was waiting for him with a daughter. At first, his wife helped him readapt and supported the family financially, but now he works as a self-employed builder, with tools and materials bought with the help of his wife. H. says that he never went out of the house in the first few months after coming back for the shame he felt, and because he had a very strong feeling of failure. He still feels like this when other emigrants come back during the summer. He knows very well that their financial well-being often derives from illegal activities, but emphasises that people only see this aspect of things, so compared to them he is seen as a *“poor fellow”*. H. says he would like to return to Italy but is stopped by the fear of crossing the sea in an old boat, and the fact that he does not have the money for other means of getting out (forging/buying documents or work contract).

Professor Mehdi Lahlou, who interviewed part of the sample used as a basis for the research on behalf of CeSPI, reports that:

*“Our interviews usually start after eleven o’clock in the morning. Nearly all of the emigrants wake up very late, in order to reduce the feeling of complete emptiness in their lives, they see very few people and leave their houses and neighbourhoods very little, especially if they don’t have the money to “go out”.* [The migrants] find themselves in a situation of waiting, not knowing what to do. They don’t know if their expulsion is definitive or if it will be an obstacle

when they try to find work in Morocco, not yet being able to measure the effect that the news of their expulsion could have on a potential employer” [Lahlou, ]

Such “paralysis” can be overcome after a certain period of time in some cases, but in other cases it leads to a profound sense of resignation (they neither keep hoping to leave again nor reintegrate in their community of origin), or a firm determination to leave again at all costs. It is surprising to note how the majority of interviewees in Morocco have this attitude, whilst among Albanians, a larger number of people are inclined to at least try to reintegrate socially and economically.

With reference to Morocco, Professor Lahlou notes that:

“After having found, at the beginning of our research, that few of the migrants had cultivated a plan/hope to go back to Europe to live and work there, and that many seemed not to be in a situation to formulate any plans, as if they had lost all hope for the future, and also perhaps they were still shocked by return, and the way in which this had happened, later it appeared clear that nearly all of them hoped to leave again” [Lahlou]

Among the public officials and workers in organisations involved in co-operation for development interviewed in Morocco, the widespread opinion is that everyone, especially those who have not managed to save enough money, sooner or later plan a new attempt to reach Italy or another European country. In effect, among the 11 returnees directly interviewed by CeSPI, it seemed that everything was projected into re-emigration, and that the interval of time which separated the interviewees from return to Europe (hypothetical or real) was lived as transitory, momentary. As already underlined, this feeling was confirmed in the interviews carried out by Lahlou: of the thirty-two migrants who replied to the question about the possibility of re-emigration, twenty-nine claimed they still hoped or planned to leave again, and ten declared they had already tried to re-emigrate at least once.<sup>75</sup>

Differently from Moroccans, the majority of the Albanians interviewed said they were ready to resettle permanently in their country of origin: some of them (including some ex-prisoners) have started studying again with the aim of building a future in Albania, while others are finishing (or have finished) periods of work experience and now want to continue doing the job they have started, or set up on their own. Still others have found jobs. They know that they could earn more abroad, but they no longer want to live the life of illegal or irregular immigrants. Out of 27 people who replied to the question “would you leave for Europe again?”, 14 answered no, 4 declared that they thought they would stay in Albania with their families, even if they were unemployed, (but two of these said that if they did not find a job they would think again about leaving), 2 said they would leave again only if they could obtain a regular residence/work permit, because they no longer wanted to live as illegal immigrants (which would also be impossible, given that citizens expelled from Italy are banned from returning for 5 to 10 years), and only seven, (5 from Scutari and two from Tirana), claimed they would try to leave again. It is interesting to note that three of them are working and one has a pension.

This difference can probably be explained by the fact that many of those interviewed in Albania (about 20 out of 30) – differently from the Moroccans interviewed – were taking part in assistance programmes, or were thinking of applying for one. These programmes, as will be seen in more detail later on, offer benefits for those who independently try to reintegrate in the local job market, and therefore only those who have managed to overcome the state of initial paralysis can have access to them.

Some of the repatriated women interviewed in Nigeria declared that they felt shame for the failure of their migratory experience and for the work they did in Italy, and they felt reluctant to meet neighbours and relatives. Others, on the contrary, insisted that their experience was not voluntary,

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<sup>75</sup> One has tried four times, another three, and a third twice.

that they had been trafficked and thus forced to do something they would never have done in Nigeria, and for this reason they did not feel embarrassed about the work they did in Italy.

The experience they were forced to undergo, however, has in itself a very damaging effect, which can also be destructive. The experience they lived through has left many of them extremely fragile psychologically, and a reintegration programme should also take into account psychological support and counselling.

Independently of the personal feelings of the women at the moment of arrival, there is a great difference in the plans of the women involved in assisted return programmes run directly by NGOs (local or not), and those who are excluded. As professor Hope Obianwu (who organised the interviews on behalf of CeSPI in Nigeria), underlines, while the former have had the possibility to reintegrate in the job market,

*“The victims who have not received help find it difficult to reintegrate because they have had little education, they have no possibility of finding a job, and they are generally very frustrated. They are not sure of their own futures” [Obianwu,].*

Recent research carried out by UNICRI<sup>76</sup> among female trafficking victims from the same geographical area where the ALNIMA project operates, estimates that for women who are not immediately involved in reception and resettlement programmes, almost half of returnees find their own way back to Italy or Europe after two to six months.

The number of women re-trafficked at the moment of arrival or during the period immediately after<sup>77</sup> obviously contributes to this high percentage. This figure alone makes clear the need to reinforce reception and resettlement projects for repatriated women right from the time they arrive at Lagos airport.

The same research emphasises that even among the women involved in resettlement projects, only those who decided to return voluntarily with the help of the Italian charity “*Caritas*” claim they have found some help and support from a Roman Catholic NGO in Benin City. In particular, for women without employment, even among those who receive assistance there is a widespread desire to return to Italy or Europe.

### 3.3.2. THE RESPONSE OF THE COMMUNITY OF ORIGIN: PARENTS, FAMILY AND FRIENDSHIP NETWORKS

The present research has dealt with several central questions: What impact does the kind of reception given by the family and the community of origin have on the individual? How is the migrant who has been forced to interrupt his or her migratory plans judged by the community? Is the migrant looked down on with contempt for having wasted an opportunity that not everyone has access to, and become a socio-economic burden instead of being a source of wealth for the family? If it is known that the migrant has spent time in prison, does this mean that the returnee is stigmatised? Finally, from the opposing point of view, what impact does the return of people with experience of crime have on the community of return?

Differently from what we expected, the general impression is that there is a low level of prejudice against returnees both in Morocco and in Albania. In contexts where there is strong migratory pressure and in a historical period when emigration at all costs is seen as the only way to achieve financial and social success, the possibility of forced return is included in the risks to be taken into consideration. To this can be added the exasperation felt at the policies of closure operated by rich countries, which gives a common feeling in the community in emigrant countries and contributes to

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<sup>76</sup> UNICRI (United Nations Interregional Crime and Justice Research Institute), *Report of field survey in Edo state, Nigeria*, Programme of Action against trafficking in minors and young women from Nigeria into Italy for the purpose of sexual exploitation, July 2003, p.69.

<sup>77</sup> Among the women interviewed by professor H. Obianwu, seven out of twenty-four claimed to have been re-contacted by the traffickers who had organised their first journey.

a feeling of solidarity with those who have attempted the migratory experience, whatever the outcome. Even a prison sentence, especially in Albania, seems to be largely tolerated and accepted as it is, up to a certain point, the logical consequence of a migratory journey which is condemned to be illegal right from the outset. In a certain sense, it is as if there is a kind of suspension of judgement for actions carried out outside their own social sphere. Of course, the returnee is seen as someone who has not been successful, but at the same time others recognise in him or her the ability to have dared and defied coercive laws and regulations which are more and more felt to be unfair. Even for those who commit crimes, the judgement that “for refugees there are no other possibilities” is applied. The methods used to leave have changed, and so has, at least partly, the way return is perceived. When E., an Albanian student, tells us about the possibility of stigmatisation for those who are forced to return, he jokes:

*“They would think you were mad if you came back of your own free will after you’d emigrated illegally!” [E., Albanian].*

Others maintain:

*“The important thing is that those who come back have made money and they’re not interested in getting involved in crime in their country of origin...all the rest is less important” [T., Albanian].*

If one passes from general opinion to individual life stories, it is evident that there are substantial differences in the degree of welcome given and prejudice expressed towards the repatriated migrant in Albania and Morocco. In Albania, there is less stigmatisation of returnees, even if they are sent back after the experience of prison abroad. The family, and in some cases also the community, almost always appears as a source of support, and only rarely of revendication. This in its turn means that none of the interviewees referred to experiencing shame in relationships with relatives, friends or neighbours. In Morocco, the situation is slightly different: the feeling of defeat associated with return appears stronger and, as we have already seen in the paragraph dedicated to preparation for return, to this is associated the fear and shame of being judged by one’s own community.

Once they reach their country of origin, this dichotomy seems to be reconfirmed. Both in Morocco and Albania, the family is the first, indispensable nucleus of reception. All repatriated migrants go back to their family of origin, unless they are married men living with their wives - it would be impossible to pay rent for most of the returnees interviewed<sup>78</sup>. The family provides food and shelter and, depending on how much they have to spare, a little money for essential expenses. Albanian migrants often describe their families as a source of practical and psychological support.

*“When you get out of prison you feel disorientated and you find support in your own family” [M., Albanian].*

G., ex-prisoner returned from Switzerland, also claims that he has never been blamed or reproached by his family.

*“Going back wasn’t my choice, but a decision of the Swiss authorities” [G., Albanian].*

The reaction of parents was not therefore a feeling of disillusionment, but rather one of joy for the return of their son and sympathy for his state of depression.

N., ex-prisoner, remembers feeling “a stranger in my own country” on her return, and her family was the only source of reciprocal acceptance (also because she had had frequent contact, especially by letter, with her parents and cousins during the time she spent in prison). The reaction of N.’s mother to her return was without doubt one of welcome, but her mother still thinks that her daughter’s original decision to migrate was wrong, and that if she had continued her studies at university she would have found a well-paid job by now (earning 300-400 euros a month).

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<sup>78</sup> In Albania, to rent somewhere costs about 150€ a month and wages are about 100-200€.

In the majority of cases in Albania, the community is also seen as not being very prejudiced against those forced to return, and seems not to pass particularly negative judgements on people expelled after a period spent in prison abroad. Naturally, many migrants who have served prison sentences would rather, when possible, keep this information from their family, neighbours, or workplace, but where the news has got out it has not caused those in question to be rejected by society. Both the study carried out by the ICMC and the analysis made directly by the CeSPI show that none of the returnees has experienced discrimination in employment because of what they did abroad. The opinion of L., repatriated to Albania after some years in prison in Switzerland, is representative on this point.

L., thanks to micro-credit received as part of an assistance programme, has been able to open a small carpentry workshop which now works full time. The fact that the migrant has chosen to name his business after the name of the programme (widely-known to give assistance particularly to ex-prisoners), indicates without doubt that he feels there is no need to cover up his past life. After all, remarks A., in a small district of Tirana like the one where he lives and works, word spreads rapidly, but his impression is that customers were wary of him and his partners at the beginning mainly because they were so young, rather than because they had been in prison.

As emerges from the ICMC report, the reception that returnees receive in their country of origin can vary from region to region.

“At Scutari, the migrants all come from the same region, so ties are stronger. For this reason – and also because the town is small – the community will be more easily informed about the migratory experience of the returnee. However, in the opinion of the families interviewed, the migratory experience is never in any way a reason for prejudice towards the family of the returnee, but is instead considered to be inevitable” [ICMC].

A tradition which is kept alive in Scutari but not in Tirana confirms what is referred to above. Some interviewees, all of them ex-prisoners, say that they were the object of a kind of ceremony in their honour on their return: their families invite their neighbours to have a coffee with them, and the latter (at least in some cases) leave voluntary donations. The number of people invited varies, in the cases reported there were between 20 and 80. It is interesting to note that even people whose prison experience abroad was known about in the community of origin benefited from this ceremony.

The situation appears different in Tirana: although there is a more dynamic employment market, the relationship with the community appears weaker (but not prejudicial). We should note that migration abroad is often one stage of a journey which begins inside the country. In these cases the migrants who return to their families find themselves in a situation of partial uprooting, deprived of community ties and strong points of reference. This situation is very common: out of the 20 people interviewed by the ICMC in the capital, 13 had previously been internal migrants.

In Morocco, the relationship between repatriated migrants and their families and communities of origin seems to be more difficult. The fact that parents of migrants, unlike those in Albania, rarely go to meet their children at the airport could be because of the lack of means to get to Casablanca, but could also be because they do not know about the arrival of their family member or they feel a kind of disillusionment. Furthermore, compared to research findings in Albania, friends and family in Morocco are less likely to have been informed about the reasons for the expulsion of an ex-prisoner migrant. During the field research in Morocco, some of the people who introduced us to friends and families of returnees asked us at the end of the interviews why they had been repatriated. Even the immediate family sometimes seems to prefer to remain in the dark, being content with the answers and vague explanations given by the family member. Lahlou makes clear that:

“The real reasons for the return of the emigrant are rarely divulged (and it is not certain that they correspond to those declared to us during the interviews) except to their own immediate family. In

this way, 6 of the migrants interviewed claimed they had said nothing to no-one, not even their own families. 26 migrants declared they had made the reasons for repatriation public, but out of these 24 had only told their immediate families. This confession can be justified by the fact that, having to stay for a long time in Morocco – without resources and often without work – the migrant is at least obliged to reveal the reasons why he cannot go back to Italy to his own family (in cases where the family has not been informed of the prison sentence before repatriation)” [Lahlou].

And with reference to the reception given by the families of returnees, he expresses the following opinion:

“The reception given by the family varies. It is not the same, and depends on the people and the moment in time. The immediate reaction at the time of return is that of relief at seeing their son alive, as there are a lot of stories going around about the disappearance of migrants<sup>79</sup>. From this point of view, the reaction of mothers is more marked compared to that of fathers, even more when, if the parents are separated, the migrant chooses to go back to the mother first. After a generally short period of time (one or two days), recriminations and reproach towards the migrant for having failed (because it is his own fault) to continue his migratory project begin, and for having wasted the precious economic resources his family invested in his leaving, and for having brought shame on the family because of his being put in prison and expelled” [Lahlou].

The difference in how return is seen in Morocco and Albania can be ascribed to a number of different factors. Above all, it is possible that Albanians have a more disenchanted attitude to towards emigration and return because of a history of migration which has led to about a quarter of the population leaving the country over a period of a few years. This is a more rapid and massive exodus than that of Morocco, and it has resulted in a counter-exodus – this too has been of exceptionally large proportions – of expelled migrants. Migratory flows from Albania to Italy, the main destination after Greece, is much higher not only with respect to Morocco but also compared to other foreign communities present in Italy. A second reason, which should be investigated more carefully, can be ascribed to the fact that in Albania, the choice to emigrate is more often than in Morocco the result of a private decision which is sometimes shared with the family but more frequently kept secret. While Lahlou remarks that “the family very often knows about the migratory project, and is at its origin” [Lahlou], the situation that emerges from the interviews carried out by CeSPI with Albanian returnees is quite different. Out of 14 people who replied to the question “was the decision to leave taken individually?” 11 replied yes, and three no. One interviewee said jokingly:

*“It’s not as if you make a speech before you go!”* [T., Albanian].

Irena Dono, the Albanian director of the Kape programme, also confirms the impression that migration in Albania is more a question of individual choice, a decision taken at the height of a moment of desperation, than a planned collective decision. It is natural that where the plan to migrate is the result of an investment made by the family, the sense of collective frustration is more acute and can lead to recriminations.

Finally, it is possible to hypothesise that in Albania there is still a tendency to accept illegal acts as part of everyday life, and which in many cases allow people to survive in the country. N., an Albanian ex-prisoner, comments: “in Albania we say that good and bad are separated by a fine dividing line”, and A., ex-prisoner, uses a local saying to joke that: “We say that in every family in Albania there is someone who has been in prison and this is fully understandable and justifiable because there is no other possibility for refugees”. According to Andrea Lako, researcher at the *Institute for Policy and Legal Studies (IPLS)*, Albania is not a puritanical society – to be “outside the law” is a condition which is found – in a multitude of different shades – in daily life, and it has

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<sup>79</sup> This refers to the growing number of deaths among migrants who attempt to emigrate illegally [N.d.A.].

no particularly negative connotations. You only have to think of how the building boom is mainly financed by recycled money, and that the majority of companies work without licences and use a “double balance sheet”. Both of these activities, even if they are illegal, provide a widespread economic input which has beneficial effects on society in general. The observation of Nicola Mai, researcher at the London School of Economics who for years has been a shrewd observer of Albanian society, is also interesting regarding this aspect of the problem: in his opinion, the fight against illegal trafficking has not always been looked on favourably by public opinion, as it has led to the drying up of an economic input which extended well beyond the confines of Durazzo.

As can be expected, apart from these differences the migrants who have been successful and have managed to make money are more easily accepted and respected both in Morocco and Albania, in whatever way their economic success has been achieved.

The service station where many Moroccans were interviewed<sup>80</sup> was built with money from illegal trafficking (in particular, from the international drugs trade). It is run by the family but the creator of the “project” is currently in prison in Italy, and is serving a 25-year sentence. A lot of people go to the bar, and the customers are aware of the conditions which brought about this economic miracle for a family which before did not have “*neither a house to sleep in nor a piece of land*”. Although they joke about the owner, “*who went too far*”, a certain respect seems to prevail (and also perhaps a certain fear) for the ability shown by this person.

What has been said seems applicable to the majority of migrants repatriated following an illegal or irregular migratory experience. Narrowing still further the focus of the analysis, it can be seen however that the specific story of emigration abroad can influence the image the returnee creates of himself in the community of origin.

In Albania, a fixed hierarchy of stigmatisation seems to exist: victims of trafficking are less well accepted than ex-prisoners and, (though this is a hypothesis yet to be verified), those who are arrested for theft are seen as worse than those arrested for trafficking or dealing in drugs. The way in which different kinds of traffickers are seen also seems to vary: boat-runners and people traffickers, for example, are defined by 5 ex-prisoners interviewed in Scutari as people “for whom there is a need”, who should be “looked on with respect because they risk their lives”...they are “very brave”<sup>81</sup>; while those who organise trafficking in women are generally judged to be worse. The stigma attached to women victims of trafficking emerges from several interviews.

I., a young man interviewed in Leja, near Tirana, tells the story of a girl who was kidnapped in Leja and sold abroad as a prostitute: when her parents found out what had happened they disowned their daughter in front of their neighbours, saying that even if she did come back, they would not accept her. Her two brothers say that things did not actually happen like this when the girl came back. After a few years the girl, having got out of prostitution and married to an Italian, came back to visit her parents and was welcomed by the family.

Out of 4 sets of parents of trafficking victims interviewed by ICMC, only one said their daughter lived with them. This was not an easy choice, however, as the mother’s story illustrates:

The girl was kidnapped when she was 15 years old, in April 2001. She was found and deported by the police, and she immediately showed signs of serious psychological and emotional shock. At the beginning, her mother refused to have her in the house, and the teenager was under the care of the IOM for three weeks. The mother tells how, when she finally decided to take her daughter back, the girl stayed locked in her room for two months and did not speak to anyone. She still has psychological problems and cannot work. Since their daughter came back, relations between the

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<sup>80</sup> Field trip carried out by the authors at Khouribga, Morocco, November 2003.

<sup>81</sup> It is interesting to note that there is no strong moral condemnation of traffickers and their middle-men in many places with high (illegal) emigration. This attitude was found not only in Albania, but also in Morocco and, for example, Egypt.

family and their neighbourhood have changed. The mother claims that nobody speaks to them, and she herself rarely tries to communicate with her neighbours. Friends hardly ever come to see them. The woman then concludes: “*her leaving has brought shame on our family, we have become a general laughing-stock!*” [T2., Albanian].

The parents of the other three victims contacted by the ICMC in Tirana refused to speak. We only know that one is helped by the IOM in Tirana, another is living with a man, also in the capital, and the third has returned to Italy. The women who are trafficked are very badly treated, as research studies carried out in 2001 and 2002 by the ICMC on behalf of the IOM and the ILO show<sup>82</sup>. It is stated in the reports that “a lot still has to be done to change the perception of the phenomenon of trafficking, and the attitude to victims, by the police”. The women who are forced into prostitution are still strongly criminalised, despite the fact that the law no longer considers them criminally responsible, while traffickers can still operate with a wide margin of impunity (thanks also to the widespread complaisance of judges and the forces of law and order). With reference to this point, it is interesting to note that the number of cases reported by the police generally increases after special training activities have been organised by the IOM for officials in the police force. Another example which significantly reflects the cultural resistance to accepting the victims of trafficking is the absence of a witness-protection law: the women and girls involved very often withdraw their statements against traffickers because they are afraid of being accused of giving false witness, or of being arrested for prostitution<sup>83</sup>.

With regard to the final problem relating to the impact on the community of origin of the return of migrants with experience of prison, it was not possible to obtain complete results, also because of the complexity of the issue. The only information on this comes from the AFVIC association (*amici dei familiari e vittime immigrazione clandestina* – friends of illegal immigration victims and their families), interviewed in Kouribga. Those interviewed confirm an opinion, shared by others, that dealings in stolen cars<sup>84</sup> and trafficking in human beings have increased because of the involvement of returnees.

A balanced evaluation of the impact of the forced repatriation of Nigerian women on their families and community of reference is extremely complex, and the research carried out in Nigeria has allowed only an outline of the general picture, which still appears confused, to be drawn. The field interviews carried out by the research team with the families of the women involved did not provide enough information, offering at most ideas for interpretation. However, here we can suggest several hypotheses which could form the basis of a possible future research project. Some of the replies given by the women and their families during the interviews can be considered valid indicators for an attempt at an initial evaluation of the impact of forced repatriation on the families and communities of reference. Of the 24 women interviewed, half changed their place of residence when they returned to Nigeria. 7 girls who lived alone chose to return to their families, while 4 moved because they got married after they returned. Obviously, recourse to the family can be instrumental and be used to satisfy a practical need (lack of money to pay rent), but at the same time it can reveal a positive predisposition of the family to take in the returned girl. Furthermore, in 9 cases out of 11, families say they are happy that their daughter/relative has returned. However, what was openly declared in only 2 cases seems to be a widespread feeling among others: that is, a certain dissatisfaction that the expectations created at the moment of the girl’s leaving have been betrayed. Although all the girls interviewed were victims of trafficking<sup>85</sup>, the family’s participation

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<sup>82</sup>IOM – ICMC, “II Research on third country national trafficking victims in Albania”, January 2001 – December 2001.

<sup>83</sup>ICMC, *op.cit.*, p.6.

<sup>84</sup>One of the interviewees in Kouribga told us that as soon as he had been expelled he was approached by an Italian in Kouribga, who offered him a job in the car business as a driver.

<sup>85</sup>Additional Protocol at the conference on transnational crime relating to trafficking in human beings, adopted the 6<sup>th</sup> October 2000 by the Special Committee of the United Nations. Trafficking is defined as the recruitment, transport,

in their departure was a constant factor in many of the interviews. Both the girls and the family members interviewed declared that the first reason for the girls' departure is the need to lift themselves and their families out of poverty, and a strong pressure on the girl to leave was often recorded. Even if 8 family members interviewed claimed they were against the departure of their daughter/relative, in 2 cases the girls were able to count on financial help from the family to prepare for the journey, and all of them were disappointed by and worried about the return of the girls. To summarise, it seems that once departure has occurred, even if there was opposition to it before, there is still room for hope that this departure will improve the economic condition of the nuclear family. The research carried out by professor H. Obianwu indeed shows that:

“The approval of the journey to Italy does not necessarily influence the behaviour of the victims' families. The fact that the victims haven't managed to earn enough before returning has much more influence on the families' behaviour” [Obianwu].

A second aspect to be considered is the degree of stigmatisation arising from the fact of having been involved in prostitution. Besides being severely punished, prostitution is the object of moral and social censure in the areas where the trafficked girls come from. Although the Nigerian government and several international and local organisations have been fully involved in having the difference between prostitution and trafficking recognised and made known, many continue to see prostitution as the personal choice of the girls or their families. In a recent research study of the trafficking of women in Nigeria, Carchedi reports the opinion of several local people regarding the reasons why women become involved in prostitution. It is interesting to note here that many of the explanations offered to the author insist on the responsibility of the women and their families. Some of those interviewed point to the avarice of the women of Benin city, and their natural inclination for business, as being the first reason for their entering prostitution. These same people also express a severe judgement on the male members of the family in this geographical area, who they say are ready to exploit the women of their own families just to make money quickly. Others suggest, however, that their entry into prostitution circles depends on a personal decision made by the women, consciously and in collusion with their own families, because for both of them the exercise of prostitution abroad is considered the only way out of the condition of material poverty in which they find themselves.

These considerations allow us to integrate and understand some of the information contained in professor Obianwu's research report. The families of women who have been repatriated declare that they undergo the contempt and rejection of the community of reference basically because they are themselves considered responsible. 6 of those interviewed say that their experience in Italy has had a negative impact of their community of reference.

“The neighbours make coarse remarks about the women and their families [...]. Some of the victims still take care to avoid meeting neighbours during the day”[Obianwu].

However, the resistance of the community tends to abate quickly. Indeed, Obianwu continues:

“This behaviour occurs at the beginning, after the return of the victims, but does not persist”.

Also, although many family members say that their daughters/relatives have to lie about their experience abroad in order to be able to reintegrate into the community and find a job, some

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transfer, housing or reception, through the threat of or recourse to violence or other forms of coercion; through kidnapping, fraud, deception, abuse of authority or a situation of vulnerability, or through the offer or acceptance of payments or advantages to obtain the consent of one person who exercises authority over another for purposes of exploitation. Exploitation includes, at least, that of using others for prostitution or other forms of sexual exploitation, forced labour or services, slavery or similar practices, servitude or traffic in organs. The consent of the victim of trafficking is of no importance when there is recourse to one of the above means, and the recruitment, transport, transfer, housing or reception of a minor for exploitation is considered people trafficking even if there is recourse to none of these means.

indicators, such as marriages taking place after return, seem to reveal that at least in some cases there is a certain degree of tolerance with respect to the experience of the women in Italy. While one of the women interviewed, who was separated before being trafficked, had to accept the request for divorce presented by her husband when she returned, two girls have since got married, and in at least one of these cases her husband knew about the girl's experience in Italy.

Stigmatisation connected to prostitution inside the family does not emerge from the interviews carried out by professor Obianwu. This applies both in cases where the family knew about the kind of work the girl had to do even before she left Nigeria, and where they found out only when she was repatriated. It is necessary, however, to emphasise that the actual reaction of the family is measurable only over the long term, and with periods of observation much longer than those available. As underlined by several people interviewed for the research carried out in Nigeria, processes and dynamics are often set in motion in the families with the aim of driving the girls away: it is difficult to identify these mechanisms, however, without having a sufficiently long period of observation available.

#### **4 Repatriation assistance: towards a greater sustainability of return?**

Over the last few years, several European countries have demonstrated an increasing interest in assisted return policies, which are often considered to be a potentially more humane, economical and sustainable alternative to forced repatriation<sup>86</sup>. K. Koser identifies four main forms of assistance for return: payments to cover the costs of the journey, one-off grants, grants/loans or micro-credit to help employment opportunities, and training courses to be followed before and/or after departure. It is extremely difficult to assess the actual effectiveness of these kinds of programmes, also because in most cases there is a lack of *ex-post* evaluation. However, countries such as France and Holland, which have been involved in this field for a period of time, claim to have achieved a fair amount of success, especially with respect to the possibility of being able to guarantee the dignity and security of return, and the effective socio-economic reintegration of repatriated migrants<sup>87</sup>.

Italy, even if it has become more and more actively involved in policies to ensure the efficiency, rapidity and the reduction in costs of expulsions, has not up to now paid any specific, concrete attention to measures aimed at helping the reintegration of migrants in their communities of origin.

In our opinion, this is a serious limitation which should be overcome through the adoption of specific measures which are carefully assessed for each different category of migrants. In this context, we consider it useful to provide some recommendations on possible return assistance procedures, taking inspiration from the analysis of several projects which are underway in Albania and Nigeria at the moment, and from indications given to us by the citizens who have been repatriated (with or without assistance). No assistance programme was found to exist in Morocco, so it was only possible to use the information given by the people interviewed for the research project.

##### ***4.1. Some assistance programmes in Albania and Nigeria***

###### **Albania**

In Albania, the organisations most actively involved in the field of repatriation assistance are the IOM and the Kape association, whose activity in this field, in our opinion, represents an example of a successful experiment.

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<sup>86</sup> Koser, "The return and reintegration of rejected asylum seekers and irregular migrants", in *Migration Research Series*, IOM n.4, 2001, p. 7.

<sup>87</sup> Koser, *op.cit.*, p.34.

Among the programmes carried out by the IOM, the first, VARRP - *Voluntary Assisted Return and Reintegration Programme*, was started up in 2002 and is aimed at immigrants resident in the United Kingdom whose request for asylum has been turned down. The second programme, started up in 2003, is “Fostering Sustainable Reintegration in Albania, the Kosovo province and FYROM, by Reinforcing Local NGO Capacity for Service Provision to Returnees”, financed by the European Commission under the B7-667 provisions. It is aimed at three categories of migrants (asylum seekers, illegal and irregular migrants) from several European countries. Assistance to returnees should be guaranteed through a network of support for reintegration made up of NGOs, government bodies and other local agents. In both cases, assistance packages include the refund of travel expenses and help with employment through the financing of private and public training courses and work experience in companies. In the sphere of the second programme, thanks to the agreement with UNOPS and financing by PASARP (Programme of Activities in Support of Albanian Regions and Prefectures), some migrants will be assisted in the setting up of small and medium-sized businesses in the country of origin.

Since 2001, again in Albania, other programmes have been started up for the reintegration of victims of trafficking; the Genesis programme, also run by the IOM mission in Albania, opened a temporary shelter to offer medical and psychological assistance, and support for resettlement. Up to now, the centre has looked after 171 victims, of whom 150 were unable to rejoin their own nuclear families. Under the same project, social co-operatives have also been set up which have given work not only to victims of trafficking, but also to other members of the community of origin. The initial investment was provided by the IOM together with other public and private bodies, and given to the same beneficiaries.

Among the people interviewed in Albania, the majority of assisted repatriated migrants benefited from assistance offered by the Albanian association called “Kape”. The organisation, run by Dr. Irena Dono, was originally set up with funds from Swiss co-operation, but now works with other associations, among which is the IOM. Many of the migrants assisted by Kape are ex-prisoners, a similar target therefore as that of the ALNIMA project. The beneficiaries receive a grant of about 80 € a month for 9 months, which can be in the form of a student grant, integration of wages, or income which can be used for work experience. In a few cases, micro-credit has been granted to finance initiatives for individual or collective business ventures. The organisation’s “clients” are offered vocational guidance, but they themselves must find an employment opportunity before they can obtain a grant. Kape keeps in touch with the beneficiaries, often even after the project ends. It also organises meetings, debates and outings, and publishes a monthly bulletin with contributions written by returnees. The figures confirm the successful outcome of the programme: between 1998 and 2003, Kape helped about 500 Albanian citizens who had been forcibly repatriated, an average of 100 beneficiaries a year. In 2002, out of 125 young people given a grant for a period of apprenticeship or work experience in their country of origin, 111 fulfilled their contracts with the association, and only 14 re-emigrated. Besides this, in the same year, Kape calculated that 84% of its beneficiaries were employed in the work they had begun with the help of the association or worked in a similar job, or they had started up their own businesses.

## Nigeria

In Nigeria, there are several assistance programmes for victims of trafficking. In the area around Benin city, a coalition of NGOs<sup>88</sup> covers three different kinds of activity: 1) initial reception and protection, 2) psychological and motivational support, plus re-education, 3) support for reintegration in the employment market by increasing their skills and giving financial help, usually in the form of micro-credit. This coalition of NGOs, co-ordinated by the UNODC/UNICRI

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<sup>88</sup> Idia Renaissance, National Council of Women Societies (NCWS), Committee for the Support of the Dignity of Women (COSUDOW), International Reproductive Rights Research Action Group (IRRRAG), African Women empowerment Group (AWEG).

programme<sup>89</sup>, grants sums of money which vary from 72€ to a maximum of 720€, and at the time of the interview<sup>90</sup> had reached 69 beneficiaries. The IOM also operates in Nigeria through HIV prevention programmes and assistance for women infected by the virus, and runs a shelter in Benin City where 8 women had been housed up to the time of the interview. It also gives grants of about 1,180€ per person, but it was not possible to find out the exact number of beneficiaries.

The LAPO organisation (*Lift Above Poverty Organization*)<sup>91</sup> is an interesting example of what is currently being done in Nigeria. It generally grants young women an initial micro-credit payment of about 10,000 naira (72 €), with an interest rate of 36%; if the loan is paid back regularly, the following payment can be larger, and in theory there is no limit to the progressive increase in the size of the loan. Activities for which the majority of women ask for help from LAPO are activities connected with agriculture or the sale of food or clothes in the market. In Benin City, the work done by the NCWS organisation (*National Council of Women Society*), which helps women set up their own businesses, is notable. The machinery and/or goods that they need to start up a business is bought together with the women. Once they have paid off their debts, the machinery and goods bought by the association becomes the women's property.

#### **4.2. Good practices in the field of return assistance**

In the last few years, several analysts and policy makers have given their recommendations for the policies which, more than others, appear suitable for guaranteeing the success of returns.

The factors identified by the European Commission as central for guaranteeing the sustainability of return include: the concession of an integrated assistance package (which offers help from counselling to starting work), better compatibility between the kind of beneficiary and the type of assistance given, and the involvement of local organisations in assistance to beneficiaries.

The European Commission's Green Paper<sup>92</sup> declares that:

“The following factors present in the projects which have allowed sustainable returns should be emphasised:

- Sufficient knowledge of the country of origin on the part of the organisation offering assistance;
- Realisation of relations between the organisation and the country of origin through an office, a contact person, or the use of the infrastructure of another organisation in the country under consideration, and co-operation with local organisations in civil society;
- Selection of potential returnees on the basis of their respective needs and on the basis of what the project offers (projects for professionally run small businesses, for example, evaluating the profitability of the company, the skills of potential entrepreneurs etc.);
- Higher success rates among projects with a global character, that is, those that include counselling and professional/skills training, as well as assistance and follow-up after return;
- Measurability of the impact of assistance and (at least) of counselling after return on the sustainability of this return;
- Greater hope of success, within certain limits, of projects which help the community into which the repatriation occurs. When local communities obtain advantages from repatriation, hostility towards returnees is reduced or completely eliminated;
- Improvement in the percentage of success of projects which, even if they originate in member states of the EU, are able to manage the resources available through other projects and

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<sup>89</sup> United Nations office on drugs and crime (UNODC)/United Nations Interregional Crime and Justice Research Institute (UNICRI).

<sup>90</sup> July 2004.

<sup>91</sup> LAPO was involved in the concession and managing of micro-credit loans for the ALNIMA project.

<sup>92</sup> COM(2002) 175.

programmes based in the country of origin (construction, infrastructure, creation of schools, job creation etc. )<sup>93</sup>

In a recent publication on return migration, the IOM emphasises recommendations which are partly analogous, showing how they are important for guaranteeing a more humane alternative to forced return, and a better relationship with the countries of emigration<sup>94</sup>. The IOM's recommendations include the following measures:

- Early information/counselling prior to return; and as an aid to the return decision
- Close co-operation and teamwork among ministries, NGOs, IOs, and migrants
- Co-operative approaches between country of origin and country of destination
- profiling of irregular migrant populations in the country of destination (in order to plan and tailor voluntary returns in a more sustainable way)
- Incentives to return
- Longer term reintegration assistance at the return end
- Voluntary return (...) offered to a larger beneficiary group than just rejected asylum seekers<sup>95</sup>

There is, therefore, a certain theoretical consensus among the few international organisations and other bodies involved in the issue of support for the reintegration of returned migrants regarding the most suitable methodological and operational measures which will guarantee the success of such programmes. Starting from this general consensus, our field research leads us to believe that several further measures could be useful in contributing to this debate, however. In particular, the importance of more humane return procedures, a greater differentiation in types of assistance depending on the needs of individuals and the different countries of origin, and a greater attention to the impact of policies – not only those of repatriation, but also assistance – on the societies of return, should be defined.

#### 4.2.1. HUMANISATION OF RETURN PROCEDURES

Notwithstanding the repeated stands taken by the European Commission in favour of standard measures to guarantee a greater respect for human rights in the field of procedures for forced repatriation, government practices have not effectively undergone modification, and many interviewees continued to complain about the brutality of these practices. The majority of those interviewed claimed that they were subject to insults and maltreatment, that they were not able to collect their belongings, and even that they were not given adequate information about what was happening.

Such a situation is in urgent need of change. All the returnees – whether they take part in voluntary return programmes or not – should have the right to a dignified return.

Above all, also through greater recourse to cultural mediation, a more careful evaluation of applications for asylum presented by candidates for return is necessary. For example, many ex-prisoners had valid residence permits at the time they were arrested, but were unable to renew them due to the circumstances in which they found themselves. They therefore risk what several analysts have defined as a “double punishment” (prison sentence plus expulsion).

All those who find themselves in the situation of having to abandon the host country should also be guaranteed the possibility of recovering not only their own belongings but also – we believe (differently from what existing Italian law permits) – pension and other contributions which they have duly made. This is what, among others, the European Council on refugees and Exiles (ECRE), maintains, and it emphasises that:

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<sup>93</sup> Commission of the European Communities, *op.cit.*, COM(2002) 175 definitive, p. 23.

<sup>94</sup> IOM, *op.cit.*, pp. 14-17.

<sup>95</sup> IOM, *op.cit.*, pp. 14-19.

“The transfer of savings, return on taxes or pensions should be guaranteed upon return in the country of origin”<sup>96</sup>.

This point is confirmed by the migrants who were interviewed, one of whom controversially affirms that:

“...if Italy allowed the people who are expelled the possibility to get back their belongings and the return on pension and tax contributions they have regularly made, there would be no need for external help” [Lahlou].

Finally, greater emphasis needs to be placed on preparation for repatriation and psychological help for those who return. This is a measure which has often been singled out for priority in assistance to refugees and asylum seekers, as it would permit the early “mobilisation” of resources, including financial resources, necessary for the deportee’s return to the country of origin, and to define more clearly his or her migratory strategy. For example, this would be useful for paying off a debt or starting up a business<sup>97</sup>. The ECRE – with specific reference, however, to the condition of particular categories of migrants, that is, persons whose claim for asylum has been rejected, refugees, and persons whose protection status has ceased, – summarises the measures generally recommended to favour a better preparation of candidates for return as follows:

- Assistance in acquiring relevant documentation;
- Opportunities to go and see the conditions in the country of origin;
- Training courses;
- Family tracing.<sup>98</sup>

It is obvious that such measures would be difficult to apply in the case of irregular or illegal migrants who have been ordered to leave. However, where it is possible, for example in the case of foreign prisoners, preparation for return should also be offered to this category of migrants. In the sphere of assistance programmes, returnees should be given in-depth interviews by means of which they would receive legal and psychological assistance, information about the situation in the country of destination, and advice on jobs, which they could use as a basis for choosing possible training courses offered in these programmes.

#### 4.2.2. HELP IN ENTERING THE JOB MARKET

Many assisted return programmes promote the reintegration of migrants in their country of origin through study grants, integration of wages, or micro-credit. The analysis of the situation in Albania, Nigeria and Morocco, which revealed a direct relationship between the receipt of this form of assistance and employment, seems to demonstrate its at least potential efficacy<sup>99</sup>. Such policies should, however, be more carefully tailored to the particular needs of the different categories of migrants and the different contexts of return.

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<sup>96</sup> ECRE-European Council on Refugees and Exiles, “Position on return”, October 2003, p.12, [www.ecre.org/positions/returns.shtml](http://www.ecre.org/positions/returns.shtml)

<sup>97</sup> Koser, *op. cit.*, p. 41

<sup>98</sup> ECRE, *op.cit.*, p. 4

<sup>99</sup> Interviews carried out in the field show a directly proportional relationship between employment and resettlement assistance. Out of thirty returnees interviewed by CeSPI in Albania, 14 people were working, 9 were unemployed and 7 were following training courses or were at university. It is interesting that 71% of those in work, compared to 33% of those unemployed, had received assistance. Results of the research in Nigeria, like in Albania, confirm the importance of assistance programmes for those who show interest in reintegrating in their societies of origin. Out of a total of 24 women who had been repatriated, 12 had received micro-credit and technical and training assistance from the Catholic Mission and the coalition of ONGs (between 360\$ and 1,179 \$) and had started up private businesses in the service sector (retailing, hairdressing, dressmaking, etc.). All the others had experienced great difficulty in finding work, and at the time of the interviews seemed very frustrated. Finally, out of the 32 migrants interviewed in Morocco, none of whom was taking part in assisted return programmes, 18 were unemployed.

Financing returnees who themselves find a job opportunity or apprenticeship, through integrative wages, has shown to be an interesting measure in that it stimulates the beneficiaries to reactivate their relationship networks autonomously, and to develop a more active and responsible attitude to the search for work and doing a job, and to “take a liking to” their own way of doing things. Thanks to this income, it becomes possible for many migrants to accept jobs with low pay but which will in some cases be an excellent way to acquire experience, and later find a better job or set up on their own.

Unfortunately, the problem with these measures is that they do not reach the most vulnerable categories which, not being able to readapt in the community of origin, do not have the means to find job opportunities on their own. In these cases it is necessary to adopt different practices. The measures tried out by the IOM for the resettlement of trafficking victims show interesting results in this field, and could also be extended to other vulnerable groups of migrants. In particular, there are interesting policies – like the Genesis programme – that aim at creating employment rather than the settlement of beneficiaries into the existing job market, involving other members of the community of origin in these projects in order to avoid further forms of ghettoisation.

Furthermore, it is important to adapt the forms of assistance indicated above to the particular situation existing in the context of arrival.

Whilst in Morocco there are quite widespread and institutionalised training opportunities (like OFPPT, ANAPEC), in Albania, apart from individual cases such as the Don Bosko centre, for example, training courses are generally too theoretical and of little practical application in the workplace, and are concentrated on a limited number of skills (such as foreign languages, computer skills and hairdressing). As a consequence, they do not provide a useful channel for access to the job market.

The two Albanian interviewees who at that time were following training courses thanks to the help of the IOM (both were doing hairdressing courses), were quite pessimistic about future job opportunities.

*“After the course I’ll be in the same position as before. You need to look for vacancies in hairdressing but there’s too much competition”* [P., Albanian].

The case of I. is also interesting. He does not think he will find a job as a barber when he finishes his course because there are a lot of them already where he lives and the people are often too poor to pay for this service. Competition and problems relating to security mean that he excludes the possibility of opening up his own business in this market sector. It is also difficult to find a job as an employee at an existing barber’s shop because they are not taking on new personnel.

Micro-credit also represents a potentially interesting means of assistance, but it cannot be used in the same way in the different emigration contexts. In Benin City, where integrating into the employment market occurs mostly through the setting up of one’s own business, this is the main form of assistance given under assisted return programmes, and up to now it has proved to be particularly efficacious in the resettlement of beneficiaries (mostly victims of trafficking).

In Albania, a programme including the provision of micro-credit has only recently been set up. Up to the time of writing, this measure has been rarely used, and with more or less disappointing results: out of 5 micro-credit loans granted under the programmes run by Kape, 4 were used to set up businesses which have since failed. During interviews with migrants who received micro-credit and the manager of the assistance programme, several obstacles which generally contribute to the decline of the business were indicated, which include: the inexperience of the beneficiary, excessive state taxes, strong competition, and the difficulty of obtaining property or land to start up a business.

These are only some first impressions, but where micro-credit programmes are considered they show the need to carry out a careful analysis of the local job market. Only on the basis of this kind of survey can it be possible to evaluate the practicability of this kind of assistance, the right amount of credit to give to different countries, and the most suitable target audience of beneficiaries.

#### 4.2.3. THE SOCIAL SUSTAINABILITY OF ASSISTANCE

Assisted return programmes should not be aimed exclusively at direct beneficiaries of the project, but instead should widen their range to the whole context where the migrants are to be resettled. Above all, it is important to pay greater attention to the impact of return on the migrants' families. As the research shows, the family, besides seeing the flow of remittances from abroad more or less suddenly stopped, have themselves to suffer the consequences of the difficult resettlement of their expelled family members. In the poorest situations, where there is a greater concentration of internal migrants, and the relationships within the community are consequently weaker and more fragmented (like on the outskirts of Tirana), this problem is more keenly felt. In the case of Morocco, it has been seen how these difficulties feed an atmosphere of recrimination inside the family that, in some cases, causes returnees to become even more closed in themselves. In other cases, the family members of categories of migrants who are particularly stigmatised, such as victims of trafficking, themselves become the object of stigmatisation. Aid programmes should therefore also be addressed to families of returnees, for example, by extending micro-credit loans for enlarging small family businesses. Furthermore, in order to reduce the strong stigmatisation which accompanies the return of some categories of migrants, and which often involves their families, there is a need to act on the context of origin with a widespread campaign to inform and raise awareness among people. These measures, which have been tried out in several countries of emigration – such as for example in Nigeria by the UNICRI, and in Albania by the IOM – have proved to be quite efficacious.

Greater attention should also be paid to the impact of assisted return on the returnee's community of origin. Especially in situations of extreme poverty, those who receive assistance could appear to be holders of undeserved privilege and attract feelings of resentment and jealousy, which could have a destabilising effect on the whole fabric of the community. The return of migrants receiving assistance packages could also cause the relative impoverishment of other members of the community in situations of greatest hardship. On this theme, Black says that:

“Where returnees go or are sent to a desperately poor country or region with return assistance, whether this is cash, support to rebuild their house, or a job, their relative wealth could - at least in principle - contribute to a process of further impoverishment of the population already living in the home country”<sup>100</sup>.

In order to reduce the possibility of such contradictions, programmes aimed at giving assistance to repatriated migrants should at the same time be addressed to those who, even if they have not yet migrated, could be prompted to do so because they find themselves having to face particularly difficult conditions in the country of origin, or they follow the example of friends or relatives who are already living abroad. Aid to citizens who are potential illegal emigrants – as planned and carried out under the ALNIMA project – has proved to be good practice in this context.

Some analysts also suggest that assistance programmes should be integrated into situations where development programmes are already in operation. On this subject, the ECRE underlines that:

“ECRE considers that policies that benefit the community as a whole rather than only those returning are more conducive to achieving the acceptance of returnees by other groups. It recommends that assistance should be integrated in development aid programmes already

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<sup>100</sup> Black, Gent, *op.cit.*, p. 15.

provided to the communities receiving returnees, which may help to address tension between returnees and the rest of the population receiving support”<sup>101</sup>.

In this perspective, it would be interesting, for example, to involve the beneficiaries of projects in training programmes which have already been started up by development co-operation programmes and by local bodies in the country of origin, simultaneously contributing to making them more effective (for example, by investment in new machinery), and making them available to more beneficiaries.

#### 4.2.4. GUARANTEEING CONTINUOUS ASSISTANCE

In a bilateral perspective, that is, one which pays attention to linking the needs of the countries of arrival and the countries of origin of migrants, the way returns are handled should be carried out with attention to all the stages of the return journey, and should continually integrate the actions carried out at both ends of the migratory journey. The continuity of actions is useful not only for achieving better internal co-ordination of the programme, but also to alleviate the trauma connected with the sudden and involuntary interruption of the migrant’s own plans. It is therefore advisable for workers in both countries to be placed in close contact with each other, and beneficiaries of these projects should benefit both from orientation *in loco* and also, whenever they feel the need, from a relationship with the workers in the field in the country they have had to leave. The importance of maintaining contact with specialist workers in the host country – for example, through making the Internet freely available – has been emphasised by an official of the IOM, who notes that return sometimes corresponds to a sudden and unexpected change in a person’s reference points relating to the world of feeling, values and culture.

Continuity should also be given to the actions carried out in the migrants’ countries of origin, giving returnees the possibility of maintaining a relationship with the organisation which has provided assistance even after the assistance programme has come to an end. This is the path chosen by Kape, which periodically opens the organisation to beneficiaries of projects, transforming it into a meeting place where returnees can meet and talk about their own experience. Contact with beneficiaries is also kept up through the publication of a newspaper and the periodic organisation of social functions.

The story of E. is significant on this point. He describes Kape’s director as “*a point of reference*” and is grateful to her for having pushed him to find a job. The meetings with other repatriated migrants who have had similar experiences have been important for him because, he claims, “*only people with similar experiences can understand you*”.

*“Some have positive experiences of resettlement, and this is very encouraging for the others. Others are looking for work and you can build up a feeling of solidarity with them, a feeling of trust which helps you to talk about and share problems...it helps you to carry on”* [E., Albanian].

Finally, it is interesting to note that it is actually thanks to the continuity of relationships built up with beneficiaries that the organisation has the possibility of carrying out a periodic and widespread monitoring of the results of its activity.

#### 4.2.5. FROM RESETTLEMENT TO CO-DEVELOPMENT

Publications over the last few years have clearly emphasised how migrants, constituting a bridge between different countries and cultures, can become agents of development as much for the country of destination as for the home country. Being by definition transnational actors, migrants are often agents of an internationalisation of the economy to the benefit of the host country, and bearers of human, social and financial capital to the benefit of their place of origin.

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<sup>101</sup> ECRE, *op.cit.*, p.12.

In the case of migrants who have not had access to remunerative work and complete settlement in the host country, and who have been induced or forced to return, the possibility of a positive contribution on their part to development in the home country is considerably reduced. As emphasised in the preceding paragraphs, the aim of assistance programmes is not, in fact, to increase the value of migrants for local development, but rather their reintegration in the community of origin.

It is possible, however, that in some cases even the migrants who are forced to return can bring knowledge and skills which are not very widespread to the labour market in their countries of origin, and at the same time contribute to a network of transnational relations. Black, for example – still referring exclusively to assisted repatriation of migrants forced to return (failed asylum seekers, refugees whose protection status has ceased, irregular migrants) underlines that:

“The emphasis on return as a ‘durable solution’ implies that return is, or should be, a permanent event, closing the door to further transnational links. Yet in reality, it appears that returnees are interested in maintaining links with countries that hosted them during conflict. Such links may be critical in maintaining the livelihoods of returnees and their families, whilst return may also provide new opportunities for the establishment of transnational ties in countries that were isolated during conflict”<sup>102</sup>.

Return programmes should therefore put more emphasis on the importance of the human and social capital that migrants have had the possibility to acquire abroad. This is a point which is often insisted on with reference to projects for voluntary return, but which is often left in the shade when discussing categories of migrants who are forced to return. One strategy of this kind appears much more important the more the country of emigration suffers from a shortage of qualified human resources (“brain/skill shortage”) that can be mitigated through the supply of external contributions.

This is what happens in Albania, for example, as shown by recent research carried out by CeSPI. Some of the findings which we consider relevant to the argument discussed here are briefly illustrated below. In Albania, immigrants play a central role in a society which is slow in adapting to the process of transition which it is undergoing at present. They are (recognised) importers of outside resources - not only financial but social and human – that Albanian society (even too excessively) feels it cannot produce internally. The lack of or inadequate training for certain professions or trades, which are also frequently not particularly widespread, like in the service sector, and the limited extent of a “culture of quality of the product”, increase the potential of the resource of migration, making even experience in sectors of the job market considered lowly in Italy but not in Albania advantageous. Former emigrants who worked as waiters, waitresses, factory-hands or building workers (not to mention superior qualifications such as plumbers, electricians and cooks) can be very sought-after in the Albanian job market<sup>103</sup>.

The approach proposed by ALNIMA, which suggests offering training courses in the host country based on the analysis of the brain/skill shortage in the country of origin, is oriented in precisely this direction.

In the case of foreign prisoners, such a policy could be enlarged by developing opportunities for work experience or periods spent working in Italian companies, preferably forming links with business people who have exported production to the countries of origin of the migrants, or are planning to expand abroad. It would be possible to implement this kind of policy exploiting the potential of Law 193/2000 which gives companies employing prisoners a tax credit of 516.46 euros for every contract for hired workers lasting not less than one month. The same bonus is also offered to those who carry out training for prisoners or detainees, on condition that the training leads to the

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<sup>102</sup> Black, Gent, *op.cit.*, p. 18.

<sup>103</sup> F.Piperno, “I capitali dei migranti nel mercato del lavoro albanese”, (The capital of migrants in the job market in Albania) *Working Papers n. 2*, CeSPI-Centro Studi di Politica Internazionale, Rome 2003, p. 28.

beneficiary being given a job or is employed in activities run by the prison service<sup>104</sup>. Once they return home, the beneficiaries could find it easier to get a job in one of the Italian companies operating in the countries of origin.

A further operational hypothesis is to take advantage of the linguistic competence acquired by returnees, offering incentives for their integration in co-operation programmes or in cultural and linguistic mediation as interpreters and translators for different people in their country of origin. With this in mind, preparation prior to return could focus on improving the migrant's knowledge of the official language of the host country, putting particular emphasis on administrative, technical and commercial language. This would be of value especially in those countries where the acquired language is not widely-known by the local population (such as, for example, Italian in Morocco and Nigeria).

**Table 8: Good practices for assistance for return**

European Commission/IOM/ECRE recommendations	Integration proposed by CeSPI	Specific notes for countries studied
<ul style="list-style-type: none"> <li>- promotion of voluntary return extended to a wider range of beneficiaries</li> <li>- counselling and preparation prior to return</li> <li>- possibility of collecting belongings and returns on taxes or pensions</li> <li>- greater co-operation between countries of origin and destination, and between different institutional levels</li> <li>- co-operation with local organisations involved in civic society</li> <li>- selection of potential returnees on the basis of respective needs and what the project offers</li> <li>- projects with a global profile: counselling, training, assistance after return</li> <li>- measurability of the impact of assistance</li> <li>- involvement of the local community</li> <li>- management of available resources through other projects or programmes based in the country of origin</li> <li>- agreement not to stamp passports in order not to compromise a possible return to Europe for certain periods of time.</li> </ul>	<ul style="list-style-type: none"> <li>- extension of present assistance measures for particular categories of migrants (asylum seekers and refugees) to include irregular and illegal migrants, even in cases where they have been served with an expulsion order.</li> <li>- initial screening of requests for residence/work permits made by illegal or irregular migrants</li> <li>- psychological assistance and individualised preparation for return (evaluation of skills, orientation for work, etc.)</li> <li>- intervention in the community and the family</li> <li>- additional continuity of assistance through the use of new technology and the creation of places to meet and share experiences</li> <li>- incentives for transnational relations in the sphere of co-development</li> </ul>	<ul style="list-style-type: none"> <li>- in the case of Morocco, intervention in the family is particularly important. Different professional centres can be used as means to access work for repatriated migrants. Language courses can be useful to meet local work requirements.</li> <li>- in Albania, particular attention should be paid to the choice of training <i>in loco</i> and a more careful evaluation of the sustainability of micro-credit programmes. Training and skills acquired abroad can be important instruments for local development.</li> <li>- in Nigeria, micro-credit programmes were found to be quite efficacious in the situation where a subsistence economy exists.</li> </ul>

<sup>104</sup> An alternative strategy aimed at giving importance to transnational relations, to which migrants are potential contributors, was revealed by one of the people interviewed: Dr Fornelli, consultant for social business in Albania. In his opinion, the returnee should be offered a one-off grant to use as a share to join a pre-existing business indicated by the project, with participation in proportion to the profit made (shares could also be very small). Albanian or Moroccan businesses which accepted returnees as partners could be put into contact with Italian businesses interested in transferring part of their production abroad, and beneficiaries of the programme could be given work on the products commissioned from Italy.

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