FAiR
Finding Agreement in Return

FAiR Policy Handbook

Return policy at a crossroads: 10 takeaways for return policymakers and practitioners

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Contents

Executive summary 04

Introduction 06

Takeaways 09

1. Return policy implementation faces a gap between ambition and reality 10

2. Return diplomacy is an uncertain balancing exercise 12

3. In return cooperation, day-to-day working practices often matter more than the agreements themselves 15

4. Human rights compliance is a core condition for effective return and readmission cooperation 18

5. Human rights monitoring is paramount but currently faces structural challenges 21

6. Post-return human rights monitoring is a critical blind spot that needs to be addressed 24

7. Returnees' perspectives matter for legitimate and responsive return policies 26

8. For reintegration to be sustainable, fragmentation needs to be addressed 29

9. Alternatives to return policies are structural components of return governance, not ad-hoc responses to policy failures 31

10. Deterrence-focused return policies overlook primary migration decisions factors 34

References 36

Executive summary

The implementation of the EU Pact on Migration and Asylum and the new Return Regulation mark a turning point for EU return policy. Yet structural gaps persist between enforcement-driven ambitions and operational realities. The outcomes of the Finding Agreement in Return (FAiR) project, distilled into ten key takeaways in this handbook, show that return governance cannot be reduced solely to **enforcement measures compelling migrants** who do not fulfil the conditions for legal stay to leave destination countries. Instead, it requires an **integrated framework** that balances departure with the reality of persistent non-return, embeds human rights safeguards at every stage, and meaningfully includes the lived experiences of those affected. Ultimately, the project's findings rest on a simple proposition: **human-rights-based, evidence-informed return policies are not only principled but can also deliver measurably better operational results**.

1 Return rates, often cited as the primary indicator of success, are **misleading when considered in isolation**. They do not account for unreliable data or structural barriers such as non-returnability. Nor do they capture broader objectives like sustainable reintegration and human rights compliance. A more holistic set of indicators is essential for meaningful assessment.

2 **Return diplomacy is an uncertain balancing exercise.** The existence of an agreement alone is not a good predictor of practical cooperation between countries. Outcomes also depend on **relational and procedural factors,** including internal coordination, issue linkages, negotiation formats, and diplomatic presence.

3 At the operational level, day-to-day working practices often matter more than the agreements themselves. **Trust, human rights protections, and administrative cooperation** between operational and technical implementers are key drivers of viable return cooperation. Unless these practicalities are addressed, any agreement risks remaining theoretical.

4 **Human rights compliance is a core condition for effective cooperation.** FAiR demonstrates that the cooperation of countries of origin is contingent on **legitimacy, fairness, and respect for returnees' dignity,** rather than exclusively on material incentives. Incorporating and reinforcing these components in return agreements would improve their implementation.

5 **However, human rights monitoring (HRM) faces structural challenges**, including limited access to removal locations, case files, and people involved in these processes, inadequate resources, insufficient independence, and fragmented coordination across EU+ countries. These weaknesses undermine trust and allow violations to go unreported and unaddressed.

6 A **critical blind spot** is the lack of systematic **post-return monitoring**. Current mechanisms tend to stop at the point of arrival, leaving returnees vulnerable to potential violations and undermining the credibility of return frameworks.

7 **Returnees' perspectives are indispensable yet often overlooked in return policies.** FAiR's research shows that participatory approaches, like co-designing programmes with returnees, local actors, and civil society, in addition to national-level partners in origin countries, produce more credible, context-sensitive, and implementable policies.

8 **Sustainable reintegration requires more than return assistance.** It demands **multi-dimensional, long-term support** across employment, housing, education, and social inclusion, tailored to local conditions. Pre-departure preparation must also be linked to post-return services to prevent cycles of precarity and ensure durable outcomes.

9 **Alternatives to return should be understood as structural components of return governance** and not ad-hoc responses to enforcement failures. Governments already deploy an array of strategies to accommodate non-return situations. FAiR shows that regularisation programmes, in particular, offer mutual benefits for all stakeholders involved. Despite political sensitivities, **public support does exist** for such policies.

10 Decades of policy emphasis on coercive measures have failed to close the gap between political objectives and actual return rates. The evidence discussed in this handbook challenges the common assumption that **restrictive policies reliably deter migration**. Migration decisions are rather shaped by a larger range of intertwined factors, such as labour demand, social ties, and humanitarian needs.

FAiR's findings point to a paradigm shift: return governance must move beyond a sole focus on inducing or coercing departure from national or EU territory and adopt a **comprehensive, evidence-based approach** that:

- **Adequately articulates return and sustainable non-return policies to prevent migrants from being left in limbo**;
- **Integrates human rights** as a practical prerequisite, not just an ethical imperative;
- **Centres on operational realities**, from frontline cooperation to the situation after return;
- **Includes returnees' voices** in policy design and evaluation;
- **Invests in sustainable reintegration** as a core component of international cooperation on return.

This handbook provides the empirical evidence, policy insights, and actionable recommendations to support this transition toward more legitimate, accountable, and fair return policies.

Introduction

The **Finding Agreement in Return (FAiR) project** was a multidisciplinary research initiative funded under the European Union's Horizon Europe programme and the Swiss State Secretariat for Education, Research and Innovation. Its objective was to contribute to a more robust, effective, and human-rights based framework for return governance by exploring the complexities of return, readmission, and reintegration policies, and examining **how EU+ countries can administer return migration more effectively and legitimately**. By analysing the legal, political, and social dimensions of return governance, FAiR aimed to foster evidence-based, legitimate, and fair approaches to one of the most contentious areas of migration policy.

The FAiR consortium

Led by Erasmus University Rotterdam, FAiR brought together a diverse consortium of 11 partners. The other ten partners included:

- Foundation for Access to Rights
- International Centre for Migration Policy Development
- Institute of Law Studies of the Polish Academy of Sciences
- Koç University
- Migration Policy Group
- Platform for International Cooperation on Undocumented Migrants
- Samuel Hall
- University for Continuing Education Krems
- University of Milan
- University of Geneva

Purpose and audience of the handbook

This handbook is intended primarily for European policymakers (at both EU and national levels). It will also be of interest to migration practitioners, researchers, and civil society actors involved in the design, implementation, and evaluation of return and reintegration policies in and outside Europe. It brings together research insights generated over 3.5 years, offering **empirical evidence, policy implications of academic findings, and actionable recommendations.**

FAiR in a nutshell

Over the course of **3.5 years** (May 2023 - October 2026), the FAiR project generated a **comprehensive body of knowledge** on return, readmission, and reintegration. The project's work included:

Engagement with relevant actors from 30 countries

including both EU+ and non-EU countries, with a particular emphasis on Georgia, Iraq, Nigeria, and Türkiye, ensuring a global perspective on return policies and their impact.

38 publications

including policy briefs, working papers, and comparative case studies.

235+ expert interviews

with policymakers, practitioners, returnees, and civil society representatives from EU and non-EU countries, providing first-hand insights into the diverse realities of return governance.

12 events

including workshops, roundtables, and conferences, fostering dialogue between researchers, policymakers, and practitioners across Europe and partner countries.

Unseen Lives

a photo and story book featuring real people, both migrants and those working in Europe's migration system.

14 videos

which explain various key findings and recommendations.

50+ media interviews and experiences to

opinion pieces, and blogs communicating the project's evidence, knowledge and experience to the wider public.

Operationalising legitimacy, accountability, and fairness

Three interconnected concepts have lied at the heart of FAiR's work: **legitimacy**, **accountability, and fairness**. As the handbook's ten takeaways highlight, these are not only abstract ideals but operational principles that shape the design, implementation, evaluation, and perception of return policies.

Legitimacy refers to the lawfulness of policies and processes and to their perceived rightfulness among different audiences. For return governance, it means ensuring that policies are not only legally compliant but also better accepted by **relevant stakeholders:** by EU+ countries and countries of origin, but also by a broader range of actors, including returnees themselves and the wider public. Legitimacy is built through transparency and accountability, so that return policies are seen as just and necessary rather than punitive or arbitrary. The FAiR findings suggest that **increasing return policies' legitimacy has a positive impact on their implementation.**

Accountability means that policies are grounded in evidence and **answerable to countries of origin, to returnees themselves, and to EU citizens and taxpayers**. It requires mechanisms for oversight, evaluation, and redress, so that policies are not merely implemented but also regularly reviewed and monitored against their stated goals and values, employing human rights standards and other measurable indicators of public policy monitoring and evaluation. Accountability aims to bridge the gap between policy and practice, ensuring that decisions are transparent, justified, and open to scrutiny and redress.

Fairness implies that return policies **respect human rights, address structural inequalities, and take account of the lived experiences** of those involved. It requires providing protection even when inducing compliance with return decisions, ensuring that the rights and dignity of returnees are upheld at every stage of the return process, from the return decision to reintegration in the country of origin. Fairness also means recognising the asymmetries of power in return diplomacy and striving for mutually beneficial cooperation.

By operationalising these concepts, FAiR has moved beyond a solely enforcement-focused approach to return and advocated for policies and implementation that are **evidence-based, context-sensitive, and human-centred**, recognising that rights and effectiveness are not mutually exclusive.

This handbook synthesises insights from the project's extensive research into **ten key takeaways** on the most pressing issues in current return governance. These cover return diplomacy, implementation of returns, alternatives to return, human rights monitoring, reintegration policy design, and voices of returnees, together with a broader reflection on the future of EU return policies and their implementation. Each takeaway is grounded in **empirical evidence** and designed to inform policy and practice for more **legitimate, accountable, and fair return policies**.

Takeaways

Takeaway 1
Return policy implementation faces a gap between ambition and reality

Return has become an increasingly prominent priority in European policymaking in recent years. The EU Pact on Migration and Asylum entered into full application in June 2026 and the EU Return Regulation[1] was adopted in October 2026, signalling concerted efforts to step up the return of migrants staying irregularly, in line with most national governments' priorities. However, questions on implementation remain. Across Europe, attempts to facilitate the return of migrants not fulfilling the conditions for legal stay have run up against a persistent gap between **enforcement-focused policy rhetoric and operational realities**. Despite the ambitious political objectives set by the EU and its Member States, return rates remain structurally below expectations, exposing a certain disconnect between enforcement-driven narratives that dominate public and political discussions and the complex dynamics of return implementation. FAiR's research underscores that this disconnect is not merely technical but structural, rooted in the difficulty of reconciling competing expectations, including the demand for **policies that are both effective and legitimate.**

The return rate itself is a strongly contested indicator of policy effectiveness despite often being referenced in political discussions. When used in isolation, it may be misleading and incomplete. Return data has notably been criticised for being unreliable because of unrecorded departures, spontaneous returns, and unrecorded spontaneous returns, and double counting, among other issues. More importantly, its use in policymaking neglects the existence of structural barriers which make return unfeasible for many categories of migrants subject to return decisions, including those whose return collide with the principle of non-refoulement, or whose country of nationality fail to confirm nationality or provide travel documents.[2] Framing "low" return rates as a sign of policy failure also risks oversimplifying a complex system, undermining broader objectives such as **sustainable reintegration and human rights compliance, as well as European countries' reliance on multilateral cooperation frameworks to tackle key economic and security challenges**. Return policies should therefore be assessed through **a broader set of indicators**, including post-return monitoring, fundamental rights safeguards, and the alignment of return decisions with legal and humanitarian standards.

1 The Regulation "establishing a common system for the return of third-country nationals staying illegally in the Union" was formally adopted by the European Council on 1 October 2026.

2 Irregular migrants can be non-returnable due to a number of different factors, which can include: long-term residence in an EU+ country, demonstrated social and/or family ties within an EU+ country, humanitarian risk of return, the non-refoulement principle, or a lack of cooperation from countries of origin (on recognition of nationality or on travel documents to implement the return).

FAiR's findings suggest that **investing exclusively in measures aimed at inducing departure from national or EU territory cannot deliver the outcomes sought by return policies**. Return policies must also be grounded in evidence and data, answerable to partners in countries of origin, to the returnees themselves, and to EU citizens and taxpayers. Without attention to these dimensions, return policies risk perpetuating a cycle of unmet expectations and policy ineffectiveness.

FAiR's research suggests that a shift is needed, away from a narrow focus on individual compliance with return decisions and towards a more **complete and evidence-based approach that accounts for different perspectives, practical realities, and inherent limitations**. This means designing policies that are fair, transparent, and answerable to all those they affect. FAiR's evidence also shows that these ethical principles often reinforce the effectiveness, practical feasibility, and implementation of return policies.

Based on all FAiR outputs.

Takeaway 2
Return diplomacy is an uncertain balancing exercise

Introduction

Return cooperation between EU+ and non-EU countries has **expanded significantly** in recent years, particularly with the growing number of **intergovernmental return frameworks (IRFs)** concluded worldwide. Yet return diplomacy remains **structurally asymmetric and politically uncertain**. The priorities of countries of destination and origin often diverge. For destination countries, return is typically framed as a key migration management tool, whereas for countries of origin it is frequently a sensitive and politically contentious issue. These divergent perspectives are further complicated by **competing narratives** (security and migration control on one side, development and mobility on the other) and by asymmetries not only between negotiating states but also within their negotiating delegations.

Negotiation outcomes are often not made public, leaving intergovernmental return frameworks subject to questions about transparency, legitimacy, and effective implementation. In this context, return diplomacy cannot rely solely on formal agreements or bargaining power. It must also account for the **human, political, and operational realities** that shape cooperation on the ground.

FAiR's empirical evidence

FAiR's research has consistently found that the existence of a formal framework is a weak predictor of how intergovernmental cooperation works in practice, and that outcomes are rather shaped by a **more complex set of relational and procedural factors**.

The negotiation and conclusion of international return frameworks often mobilise considerable diplomatic, political, or financial capital in countries of destination. While incentives such as development aid, trade concessions or technical assistance may help advance negotiations in some contexts, they do not guarantee that agreements will be forged or that signed frameworks fulfil implementation expectations. In this respect, the existence – or absence - of frameworks regulating returns between countries imperfectly reflects the extent of cooperation and return implementation. Part of the explanation lies in vastly different perceptions of returns, particularly their unpopularity and the lack of domestic support for intergovernmental cooperation mechanisms in countries of origin. Given this structural asymmetry, political, economic and diplomatic capital alone is not enough to tip negotiation scales or to ensure stable

implementation over the longer run. Success in negotiations and viability in implementation depend instead on a more complex range of factors.

FAiR identifies **four key factors** shaping viable intergovernmental return frameworks:

- **Internal coordination within negotiating delegations affects a framework's legitimacy and stability.** Strong, coherent internal coordination among state ministries, agencies, and departments during the negotiation process and later during implementation strengthens both.

- **Issue linkages shape how balanced and durable cooperation turns out to be.** Negotiations need to leverage a broad range of policy areas like trade, energy, development aid, or visa arrangements to balance interests and increase visible "wins" for countries of origin. Often, combining return frameworks with visa facilitation mechanisms or labour mobility programmes can be decisive in partly reconciling domestic interests with the principle of return cooperation, thereby fostering the conditions for viable and durable frameworks. In contrast, conditionality-based mechanisms, as sometimes employed by European countries, are seen as unnecessarily punitive and tend to produce only marginal effects on return numbers.

- **Negotiation formats and settings shape both the negotiation process and the relationship between parties.** Bilateral negotiations generally offer greater flexibility, facilitate policy co-design, and allow states to capitalise on pre-existing intergovernmental relations. Bilateral negotiations also have the advantage to provide non-European countries the possibility to negotiate on a more equal footing and directly with national authorities responsible for implementing returns.

- **Diplomatic presence, interpersonal contacts,** and (in some contexts) historical ties between countries tend to facilitate both negotiations and implementation, producing better and more durable agreements and working arrangements. Illustrating this, FAiR research has established that European countries' return rates are higher by approximately 20 to 30% in countries where they have established consular presence.

FAiR's research suggests that the outcomes of return diplomacy and their level of implementation are driven not only by bargaining power and the shape of the framework itself but also by a number of other factors including **the role of norms, the quality of relationships, the inclusivity of the process, and the alignment of interests** among all parties involved.

Policy recommendations

The following recommendations aim to make return frameworks more **realistic, durable, and legitimate**:

1. **Leverage diplomatic entry points**, including embassy networks and interpersonal contacts, to strengthen trust and cooperation. Both negotiating partners stand to benefit from investing in these channels.

2. **Increase the overall transparency** of return negotiation processes by publishing the final outcomes of negotiations and allowing public scrutiny over concluded frameworks.

3. **Factor in asymmetric and divergent interests** during negotiations, ensuring that agreements reflect the political and operational realities of all parties involved. To achieve this, negotiating parties should prioritise co-design and refrain from imposing pre-set templates.

4. **Zero in on mutual and visible wins:** achieving true reciprocity in negotiations involves extending discussions beyond return-specific arrangements to integrate issues that command broad domestic support in countries of origin. In this respect, meaningful concessions on regular migration pathways, either through visa facilitation mechanisms or regularisation programmes, are more convincing bargaining chips than development aid packages or technical capacity-building programs.

5. **Adopt a whole-of-government approach** to return negotiations, involving not only ministries of interior but also those responsible for foreign affairs, labour, and trade, as well as development agencies and other relevant actors, so that delegations represent the full spectrum of national interests.

Lastly, as also recommended in subsequent takeaways, **consider the voices of non-governmental actors**, such as civil society organisations and returnees themselves, in return framework negotiations. This helps ensure that agreements are more **inclusive, transparent, and accountable** to all stakeholders.

Based on the following FAiR outputs

- Conte, C., Yavçan, B., Gorgerino, M. & Khezri, S. (2025), Working paper: Mapping bilateral return agreements: Towards a comprehensive inventory
- Gu, J. & Czaika, M. (2025), Non-policy Drivers of Enforced Return
- Rausis, F. & Lavenex, S. (2025), FAiR Working Paper: Extra-European return diplomacy: A conceptual and empirical investigation
- Rausis, F. & Lavenex, S. (2025), Policy Brief: Return Diplomacy in Practice
- Torres Chedraui, A. M. et al (2025), 'Nothing Works'? A Quantitative Assessment of the Effects of Different Types of Return and Readmission Frameworks on EU Member States' Enforced Return Rates
- Perchinig, B., McLean, A. From Theory to Game: How research shaped the design of the FAiR simulation and how expectations were met

Takeaway 3

In return cooperation, day-to-day working practices often matter more than the agreements themselves

Introduction

Reaching a return agreement is only a first step, with **implementation** often exposing a disconnect between formal commitments and practice. Even the most robust frameworks can falter without the **right operational conditions**. Although destination countries retain the right under customary international law to enforce the return of individuals without regular migratory status, such returns cannot proceed without the cooperation of countries of origin, which in practice hold a de facto prerogative to decide whether to readmit their citizens. This dependency underscores that cooperation on return hinges not only on legal obligations but also on continuous **procedural legitimacy, trust, and the visibility of mutual benefits**.

FAiR's empirical evidence

FAiR's research shows that a **signed return agreement or framework** is not, on its own, a reliable predictor of whether or how **return cooperation will materialise over time**.

EU+ governments are increasingly turning to **informal, non-binding arrangements**, such as memoranda of understanding, joint declarations, or administrative arrangements between agencies, to secure cooperation from countries of origin on the return of migrants in an irregular situation. While these are legitimate diplomatic tools, they are not subject to the parliamentary ratification and public consultation processes that binding agreements require. They often lack clear procedural guidelines and raise concerns about **democratic accountability, human rights, and transparency**, especially when they are not available for public scrutiny. In this regard, FAiR's research has spotlighted how a **strong formal legal basis** is crucial for implementing return cooperation.

In terms of readmission, cooperation outcomes at the bilateral level are primarily influenced by patterns of practice and interpersonal ties between officers**.** Immigration authorities involved in readmission cooperation respond to fluctuating political contexts, readmission requirements, timelines, and

administrative hurdles, revealing a complicated picture of how cooperation on the readmission of irregular migrants is negotiated, resisted, or shaped in practice. FAiR's research underlines that **cooperation between frontline implementers in destination and origin countries is generally constructive.** In many contexts, direct and regular interpersonal relationships between public officials, as well as credible commitments on human rights and reintegration assistance, can go a long way in facilitating intergovernmental exchange and securing administrative clearance for returns.

Four dynamics stand out as critical to sustaining viable cooperation at the technical and implementation levels:

1. **Human rights and credibility of safeguards:** countries of origin are more likely to cooperate on returns when they are assured that returnees will be **protected from mistreatment** and that **procedural guarantees are in place,** for instance through a clear emphasis on voluntary return[3].

2. **Complexity of bilateral relationships:** each country of origin has its own protocols for readmission, from the types of travel documents accepted to the timelines for processing. Navigating these intricacies requires **experienced frontline implementers** who can draw on interpersonal relationships with consular officers and counterparts in countries of origin and who can adapt to evolving demands.

3. **Practical administrative cooperation:** jointly establishing, through dedicated working groups, **standards and conditions** for the identification of third-country nationals and issuance of travel documents for return fosters trust and streamlines processes at the operational level, helping prevent delays and disputes that can otherwise derail cooperation.

4. **Structural assistance as a sustaining factor: long-term, multi-dimensional reintegration support** such as targeted assistance for housing, psychosocial support, employment, or social reintegration can offset the economic and social costs of return for origin countries, making cooperation more sustainable.

FAiR research shows that **agreements vary vastly** in how they are structured and enforced. While geopolitical relations between countries determine their overall dynamics of cooperation, it is the **day-to-day operational interactions between frontline implementers** which tend to set the tone. A signed framework says little about how, or whether, it functions in practice until the operational practice that follows is examined. Without understanding and addressing these **operational realities**, formal agreements risk remaining theoretical.

3 The Special Rapporteur on the Human Rights of migrants under the Human Rights Council of the United Nation's General Assembly specifies returns may be qualified as "voluntary" only if they fulfil the requirements of a "fully informed decision, free of coercion and backed by the availability of sufficient valid alternatives, such as temporary (residence) permits." In addition, returns cannot be considered voluntary if the migrant's decision to return is motivated by fear of deportation or detention.

Policy recommendations

The following policy recommendations are geared towards ensuring that return agreements translate into **more legitimate, and balanced** outcomes for the parties involved:

1. **IRFs and other existing arrangements should systematically embed monitoring and evaluation, human rights safeguards, transparency, and accountability** throughout the return continuum to strengthen implementation. Accountability requires that recorded human rights violations are thoroughly investigated and, where warranted, prosecuted.

2. **Invest in trust-based cooperation** that offers durable, structural value to the partner country. Short-term transactional incentives alone tend to produce fragile cooperation, whereas sustained, structural investment, notably through dialogue and face-to-face interaction, is more likely to build cooperation that holds up over time.

3. **Establish joint technical working groups** with countries of origin to harmonise administrative standards and procedural safeguards to foster administrative coherence and mutual trust. This will facilitate the implementation of IRFs and create a sense of collaboration and trust between public servants.

Based on the following FAiR outputs

- Cleton, L. & Leerkes, A. (2024), EU Return Policy Since 2000
- Cleton, L. et al (2025), Report on empirically derived quality criteria for processes of identification and travel documents and for measuring collaborativeness with return policies
- Cleton, L., McLean, A. (2026), Working Paper on Critical Conceptualisation of Effective and Legitimate Return and Non-Return, Finding Agreement in Return.
- Conte, C., Yavçan, B., Gorgerino, M. & Khezri, S. (2025), Working paper: Mapping bilateral return agreements: Towards a comprehensive inventory
- McLean, A., Cleton, L. (2026), Policy Brief on practitioners' view on the revised visa code, Finding Agreement in Return.
- Rausis, F. & Lavenex, S. (2025), Policy Brief: Return Diplomacy in Practice

Takeaway 4

Human rights and dignity are core conditions for effective return and readmission cooperation

Introduction

European return diplomacy rests on the assumption that material benefits effectively contribute to securing the cooperation of countries of origin. Governments may offer a range of incentives, including trade concessions, financial or development assistance, and capacity building support, in exchange for countries of origin facilitating the return of their nationals. While the scale and nature of these incentives vary considerably and may produce short-term gains, these instruments predominantly fail to deliver tangible, durable results in terms of implemented returns. This is because **perceptions of legitimacy, fairness, and rights compliance** ultimately determine whether the concluded frameworks translate into lasting cooperation. Cooperation on return cannot be reduced to a transactional exchange; it requires a **shared commitment to upholding dignity and justice** for the parties involved, with countries of origin seeing this as a central expectation.

FAiR's empirical evidence

FAiR's research shows that **cooperation on return and readmission is more effective when migrant wellbeing and key human rights standards are safeguarded throughout the implementation of returns**. Returns, particularly when conducted under coercive conditions or against migrants' will, impose significant costs on countries of origin: at the individual level, returnees tend to experience profound emotional instability and economic precarity, while communities are adversely impacted by income loss and stretched service provision. This creates the basis for discontent and broad-based opposition to international cooperation, especially when expectations of reciprocal engagement on legal mobility are not fulfilled. These conditions make it difficult for non-EU+ governments to reconcile domestic constituencies with the need to cooperate with European countries on this sensitive issue.

In this light, public officials in countries of origin advocate for better protection of their nationals' safety and dignity. This includes the expectation that European authorities refrain from forcibly returning undocumented migrants, opt instead for less coercive return practices, and, where conditions are met,

allow status regularisation based on employment criteria. Countries of origin further call for a more proportionate use of custody measures, less use of restraints during operations, and stronger mechanisms for safeguarding returnees' property and belongings.

Furthermore, countries of origin identify gaps in terms of procedural safeguards for returnees. Respondents describe obstacles to accessing legal remedies or benefiting from individualised assessment procedures. The separation of households resulting from the removal of individual family members is viewed very negatively. In addition, contributions to reintegration assistance are broadly seen as inadequate given the considerable needs of returnees and local communities.

The implications of these findings are two-fold. First, authorities in countries of origin are attentive to how their citizens are treated abroad, since this aligns with domestic political expectations. Second, the moral and ethical dimensions of return are particularly influential in shaping the readiness of countries of origin to cooperate. These consequences, in turn, call into question the European policy paradigm based solely on the provision of economic or political incentives.

For European countries, these dynamics suggest that consolidating human rights safeguards into return should be treated as a priority, not only to fulfil international human rights obligations but also to elicit the engagement of country-of-origin authorities in return mechanisms, notably through a more equitable distribution of the costs associated with returns.

Alongside reasserting national legal protections, states may also clarify their mutual obligations in intergovernmental instruments. Joint readmission committees, for example, provide a monitoring mechanism for state parties in intergovernmental agreements to review concerns related to returnees' treatment. However, the evidence collected shows that the potential of these mechanisms is underexploited: only a fraction of return frameworks concluded by EU+ countries include provisions related to joint committees, and most bilateral agreements make no reference to human rights protection. In contrast, EU readmission agreements include a committee clause by default, indicating a clear direction for EU+ countries seeking to reinforce rights safeguards.

Policy recommendations

To increase **trust, legitimacy, and effectiveness** in return and readmission cooperation, European national authorities are advised to:

1. **Integrate and strengthen human rights safeguards** at all stages of return negotiations and processes, from the design of the agreement to implementation, monitoring, and evaluation. This involves systematically guaranteeing migrants' safety and protection from rights violations, including by enhancing access to legal remedies and minimising interferences in family life. National authorities should in parallel clearly emphasise voluntary return, rule out detention and other liberty-restricting measures except where strictly necessary, ban the detention of children, and strengthen independent fundamental rights monitoring.

2. **Systematically embed joint oversight committees in intergovernmental return frameworks,** providing for independent external participation alongside governments. These committees should be explicitly dedicated to reviewing the frameworks' human rights dimension.

Based on the following FAiR outputs

- Conte, C., Yavçan, B., Gorgerino, M. & Khezri, S. (2025), Working paper: Mapping bilateral return agreements: Towards a comprehensive inventory
- Leerkes, A. et al (2025), Migration Discourses and Enforced Return Policies: Perspectives from the Global South and Diaspora Communities
- Petkov, V. et al (2024), Working paper to Deliverable D.9.5. on legal review of fundamental rights in return processes
- Rausis, F. & Lavenex, S. (2025), Policy Brief: Return Diplomacy in Practice
- McLean, A. (2026) Policy Brief: Return diplomacy at risk? Weighing the diplomatic implications of weakened human rights safeguards in return, Finding Agreement in Return.

Takeaway 5
Human rights monitoring is paramount but currently faces structural challenges

Introduction

Effective **human rights monitoring** is essential to ensure that return processes, particularly forced return, comply with international standards and safeguard the dignity and rights of returnees at every stage. Monitoring is not a marginal concern; it is a fundamental aspect of **legitimacy, fairness, and trust** in return governance among all parties involved. HRM has been shown to improve compliance with human rights standards, notably in preventing ill-treatment and protecting vulnerable individuals. Its effectiveness hinges on four key elements: **access, resources, independence, and coordination**. Despite its importance, current monitoring mechanisms face structural challenges that undermine their ability to detect and address violations.

FAiR's empirical evidence

Access is the first condition for effective monitoring, yet human rights monitors frequently face bureaucratic, legal, financial, or logistical barriers that prevent them from observing all return operations first-hand, including reviewing relevant return documentation and decisions. Even where access is formally granted, national monitoring efforts are frequently **under-resourced**, lacking the capacity, training, or mandate to conduct thorough and independent assessments. At the EU level, the pool of forced return monitors coordinated by the Fundamental Rights Office (FRO) of the European Border and Coast Guard Agency (Frontex) ensures that monitors are trained and available for monitoring returns from across Europe. However, comprehensive monitoring also requires this to be matched by functioning monitoring mechanisms at the national level to cover aspects not observed by monitors from the pool.

Independence from immigration and border management authorities is what gives monitoring findings their credibility, yet it is inconsistent across national monitoring mechanisms. When human rights monitors are perceived as aligned with authorities or political agendas, their ability to hold actors accountable is limited. FAiR found that **national monitoring mechanisms vary widely in institutional set-up and prerogatives across EU+ countries**: some are housed in ombudsperson institutions, others within government bodies or NGOs. This produces different internal procedures, monitoring methodologies, and reporting practices.

Access is also uneven, both to locations and operations, like detention centres or flights, **and to information**, such as returnees' full files and return decisions. This fragmentation not only weakens oversight but also creates loopholes through which violations can go undetected or unaddressed.

The scope of human rights monitoring is limited: current mechanisms cover mainly forced return operations, leaving assisted voluntary return, pre-departure administrative detention, external border operations, and post return realities relatively unchecked, or at least under-monitored, despite documented human rights violations.

Strengthening human rights monitoring is a **practical necessity** for enhancing the legitimacy, fairness, and sustainability of return policies.

Policy recommendations

To address the structural challenges facing HRM and ensure **effective, credible oversight**, policymakers at both EU and national levels should strengthen the processes and mandates of monitoring bodies:

1. **Guarantee unrestricted access for independent human rights monitors** at all stages, types, and places of the return process, including forced returns and assisted voluntary returns, pre-return detention, borders, and post-return.

2. **Allocate stable and dedicated resources to monitoring bodies** for conducting thorough and impartial assessments, ensuring they have the necessary expertise and capacities, including through continuous training.

3. **Protect the independence of national monitoring mechanisms,** recognising that freedom from political interference and from influence by immigration authorities are essential to maintain credibility and trust.

4. **Build on the EU-level coordination** provided by FRO to harmonise national-level monitoring standards, methodologies, and reporting, creating a more unified and transparent system across EU+ countries.

5. **Systematically integrate monitoring findings into policy and practice**, using them to address violations, improve compliance with human rights standards, inform reforms, and improve future return policies.

Based on the following FAiR outputs

- Lepşa-Rogoz, M., Makarenko, A., McLean, A. & Ferraro, M. (2024), Improved Return Monitoring Guidelines
- McLean, A. (2026), Policy Brief: Breaking New Ground: Perspectives for fundamental rights monitoring in return
- Patteri, A. (2024), Policy Brief: Best practices of implementing a human rights approach in assisted voluntary return (and reintegration): introducing human rights monitoring
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- Patteri, A. & Klaus, W. (eds) (2026), Report on Post-Return Realities and Human Rights Monitoring

Takeaway 6

Post-return human rights monitoring is a critical blind spot that needs to be addressed

Introduction

A **critical gap** in return governance is the lack of continuity between pre- and post-return phases. While HRM during the return process is increasingly recognised as essential, the **post-return phase remains largely overlooked.**

Returnees, including people in vulnerable situations and rejected asylum seekers, may face serious human rights violations upon return. Gaps in post-return oversight leaves them exposed to significant risks and undermines the **credibility and effectiveness of the entire return framework**. While post-return monitoring initiatives exist, namely under Frontex's European Reintegration Programme's (EURP) evaluation and monitoring framework, they primarily currently function to audit and review interventions rather than comprehensively conduct post-return oversight.

FAiR's empirical evidence

HRM of forced returns stops at the point of arrival, by design. Under EU law, human rights monitoring obligations end once a returnee is "handed over" to authorities in the country of origin, even though the post-return period is directly relevant to sustainable reintegration. Most national monitoring mechanisms do not follow migrants' situations after return, weakening compliance with the principle of non-refoulement and accountability as well as depriving authorities of valuable country-of-origin information.

Returnees currently lack a comprehensive channel through which they can report human rights violations upon return and seek remedies. Complaint mechanisms remain largely underdeveloped and, where they exist, are not used by **returnees to report** post-return human rights violations. Reintegration monitoring and evaluation tools also do not serve this function.

Policy recommendations

The post-return human rights monitoring blind spot can be addressed through the following practical measures:

1. **Establish joint EU+ and non-EU independent oversight mechanisms** involving human rights institutions, ombudspersons, and civil society stakeholders from destination and origin countries. These mechanisms would help address gaps by providing a **comprehensive, cross-border approach** to documentation and redress. They would also reinforce trust and cooperation between human rights monitors from all participating countries and should grant monitors **access** to post-return spaces.

2. **Create accessible complaint mechanisms** specifically for post-return human rights violations, allowing returnees to report abuses and seek redress. Such mechanisms would complement reintegration monitoring and evaluation tools and prescribe periodic evaluation.

Based on the following FAiR outputs

- Lepşa-Rogoz, M., Makarenko, A., McLean, A. & Ferraro, M. (2024), Improved Return Monitoring Guidelines
- McLean, A. (2026), Policy Brief: Breaking New Ground: Perspectives for fundamental rights monitoring in return
- Patteri, A. (2024), Policy Brief: Best practices of implementing a human rights approach in assisted voluntary return (and reintegration): introducing human rights monitoring
- Petkov, V. et al (2024), Working paper to Deliverable D.9.5. on legal review of fundamental rights in return processes
- Patteri, A. & Klaus, W. (eds) (2026), Report on Post-Return Realities and Human Rights Monitoring

Takeaway 7
Returnees' perspectives matter for legitimate and responsive return policies

Introduction

Migration and return policies often tend to prioritise metrics focused on departures and procedural efficiency, leaving one critical dimension frequently overlooked: the **lived experiences of migrants and returnees**. Initiatives and programmes that follow up with returnees and gather feedback on reintegration service delivery and post-return reality do exist. While meaningful, they are scattered and remain primarily oriented towards programme monitoring and evaluation rather than systematically capturing returnees' experiences and feeding them back into policy design. The lack of systematic post-return follow-up leaves gaps in accountability and squanders an opportunity to build **more effective, credible, and legitimate return policies**.

Incorporating the voices of returnees is not only an ethical imperative but also a **practical necessity and a precondition for effective return policies**. FAiR's evidence shows that disconnects between policies and returnees' lived experiences can undermine policy relevance and legitimacy. Systematically integrating returnees' perspectives can help close this gap and support more credible, context-sensitive, and implementable policies.

Returnees' insights reveal the on-the-ground realities of return and reintegration. By moving beyond enforcement-focused narratives, policymakers can adopt a more **context-sensitive and inclusive framework** that acknowledges the complexities of migration and the diverse needs of those concerned. This shift is essential for designing return and reintegration policies that are **both humane and operationally sound**.

FAiR's empirical evidence

FAiR's research finds that migration and return policies are shaped by **two distinct types of narrative**, those **narratives *by* migrants**, meaning first-hand accounts of their motivations, challenges, and experiences, and **narratives *about* migrants**, which are more prevalent and are produced by media, policymakers,

and other third parties. Return policies are mostly shaped by narratives about returnees rather than by returnees themselves and tend to overlook returnees' agency and perspectives.

Shifting away from such narratives and toward alternative framings creates space for **more participatory policymaking.** FAiR's research identifies alternative discourses which propose more humane and sustainable approaches to return policymaking. Realising this shift will require policies to be developed with returnees themselves, through participatory rather than merely consultative approaches.

The **short-term focus of return policies** neglects the longer-term social and economic challenges that returnees face after return. FAiR's research demonstrates that **return policies also gain credibility and effectiveness** when they are grounded in the real-life experiences of returnees and the local communities they return to.

Reintegration programmes are also far more sustainable and effective when co-designed with returnees and tailored to local needs. Programmes that address concrete concerns such as housing, employment, or social stigma in countries of origin are more likely to succeed in the long term. Joint programme design, comprising public authorities from countries of destination and origin, is not, on its own, sufficient to make services contextually relevant; civil society organisations, grassroots organisations, local leaders, and returnees themselves are best placed to know first-hand what works best.

Return policy credibility improves when returnees see their own experiences reflected in policy design. Fieldwork conducted by FAiR in Georgia, Iraq, Nigeria, and Türkiye shows that this holds true for both the design and implementation of return measures. Where policies are built around returnees' own accounts of their needs and circumstances, they are more likely to be perceived as legitimate and to achieve their intended outcomes.

Policy recommendations

To be **legitimate, effective, and grounded in reality**, return and reintegration policies should:

1. **Systematically integrate returnees** into the design, monitoring, and evaluation of return and reintegration policies and programmes, ensuring their perspectives shape policy measures at every stage.

2. **Strengthen collaboration with local actors in countries of origin**, particularly municipalities, civil society organisations, community leaders, returnee-led organisations, and returnee networks, so that return policies and reintegration support reflect local conditions and lived realities.

3. **Establish regular feedback loops** through which returnees can see how their input has informed policy or programme changes, including through accessible feedback and complaints mechanisms.

*For further insights, see the **Unseen Lives** booklet, which documents the personal stories of migrants and returnees, illustrating the lived realities of millions who "live, wait and return" thereby strengthening the case for including their voices in return governance.*

Based on the following FAiR outputs

- Leerkes, A. et al (2025), Migration Discourses and Enforced Return Policies: Perspectives from the Global South and Diaspora Communities
- Majidi, N. et al (2024), Working Paper on Policy Stances and Legitimacy of Returns. Discourse and Policies: Silencing Returnees and the Need for More Inclusive Return Policies
- Nozarian, N. et al (2025), Policy Brief: Returnee Voices Matter: Towards More Inclusive Return Policies
- *Forthcoming*: Majidi, N., Samman, J. et al., Policy Brief on non-EU and diasporic (counter) discourses and return policy: Beyond listening: Aligning Return Policy with Reintegration Realities

Takeaway 8
For reintegration to be sustainable, fragmentation needs to be addressed

Introduction

Attention to reintegration has grown in recent years, but substantial gaps remain in addressing the complex and long-term challenges returnees face. Sustainable reintegration is not achieved by return alone; it is a **multi-dimensional process** requiring coordinated efforts, individualised support before and after return, and attention to host communities' needs. Its multi-sectoral nature, spanning **employment, housing, education, health and social inclusion**, demands a comprehensive approach that extends beyond short-term assistance. Without adequate support and viable local conditions, returnees risk falling into cycles of precarity and facing discrimination and stigma. These circumstances, in turn, undermine reintegration and can contribute to renewed migration as a coping mechanism.

FAiR's empirical evidence

FAiR's research points to **recurring gaps** between how reintegration support is currently designed and what sustainable reintegration requires in practice.

FAiR's inventory of **bilateral readmission agreements** finds that only a small minority establish any linkage to reintegration at all, leaving reintegration dependent on separate, parallel programmes rather than obligations built into the return agreements themselves. **Embedding reintegration as a core component of intergovernmental return frameworks** would ensure that clear commitments to support returnees are formalised and put into practice more consistently.

A major obstacle to sustainable reintegration is the **fragmentation of support systems**. Addressing it requires stronger coordination between development partners, on the one hand, and among national agencies, regional and municipal authorities, civil society organisations, and other local service providers in countries of origin, on the other. As previously outlined, partnerships with national authorities in countries of origin are not sufficient on their own. **Local and municipal actors** are rather central to reintegration, since returnees often rely first on local rather than national services.

Lastly, returnees risk **social marginalisation and stigma** and can be excluded from family and host community networks. The quality of pre-departure assistance, as well as the systematic inclusion of community-led reintegration mechanisms, can help reduce this risk and alleviate stigmatisation.

Policy recommendations

The following recommendations aim to support policymakers in designing reintegration programmes that are more **sustainable, inclusive, and rooted in local realities**:

1. **Systematically embed clear reintegration commitments in intergovernmental return frameworks**, including responsibilities, resources, and mechanisms for implementation and follow-up.

2. **Co-design and implement reintegration programmes with national and local authorities, civil society, local service providers, and returnees themselves**. Support should respond to local conditions and combine economic, social, and psychosocial reintegration support measures.

3. **Systematically link pre-departure counselling to post-return support**. Counselling should help returnees develop realistic expectations, assess their likely needs and resources, and connect in advance with relevant services and referral pathways in the country of return.

4. **Base reintegration support on assessed needs and capacities** rather than on the category or mode of return. Assessments should consider factors such as age, health, education, professional experience, family circumstances, and preparedness and should inform tailored pre- and post-return support.

5. **Design reintegration programmes which take into account EU, international, and national-led approaches**, to address fragmentation and achieve a more cohesive and coherent approach.

Based on the following FAiR outputs

- Conte, C., Yavçan, B., Gorgerino, M. & Khezri, S. (2025), Working paper: Mapping bilateral return agreements: Towards a comprehensive inventory
- Majidi, N. et al (2024), Working Paper on Policy Stances and Legitimacy of Returns. Discourse and Policies: Silencing Returnees and the Need for More Inclusive Return Policies
- Nozarian, N. et al (2025), Policy Brief: Returnee Voices Matter: Towards More Inclusive Return Policies
- Torres Chedraui, A. M., et al (2024), Working Paper: Factors explaining the outcomes of enforced return and post-return
- *Forthcoming*: Majidi, N., Samman, J. et al., Working Paper on Imaginaries of Returns, Readmissions and Reintegration: From Imaginaries to Realities: Returnees' Preparedness for Reintegration

Takeaway 9

Alternatives to return policies are structural components of return governance, not ad-hoc responses to policy failures

Introduction

Alternatives to return, or non-return, policies capture the range of discernible state interventions, or non-interventions, aiming to **accommodate the presence of people in an irregular situation whose return is either difficult or impossible to implement**. Alternatives to return are characterised by varying degrees of explicitness and fluidity with each other, which can make them difficult to identify. While **regularisation programmes** are perhaps the most readily recognisable, alternatives to return encompass a range of situations including **detention or other forms of liberty-restricting measures**, **shelter programmes**, **temporary suspension of deportations, and tolerated stay, or consist in a 'do-nothing'** approach that leaves non-returnable migrants in legal limbo.

Although political narratives often frame return as the primary response to irregular migration and irregular stay, non-return policies complement and are implemented alongside return policies. Some, like regularisation programmes, can **reduce pressure on enforcement systems**, **lower the costs of detention and return**, and **address the labour market needs** of ageing European countries more effectively.

FAiR's empirical evidence

FAiR has found that regularisation programmes increase fiscal revenues and labour supply and generate operational savings. Yet regularisation is frequently **overlooked or politically dismissed**, as EU+ countries' governments and EU institutions tend to prioritise the **securitisation of migration,** at least in public discourse, often out of concern that regularisation will be seen by voters as rewarding irregular entry. In practice, many countries already allow for status regularisation amongst irregular migrants, either through sector-specific schemes or case-by-case mechanisms on humanitarian or other "exceptional" grounds, or tacitly accept irregular stay through a non-enforcement policy.

Public support for regularisation exists, but it is conditional. FAiR's data, consistent with findings from other EU-funded projects like **MIRREM** and **PRIME**, shows that **European citizens support regularisation programmes that are conditional, time-bound, and tied to clear criteria**, such as employment, duration of stay, or humanitarian needs. This thus suggests that a lack of public support is not a barrier to regularisation.

Regularisation not only **improves the lives of migrants** who are in an irregular situation or legal limbo (through access to rights, protection from exploitation, and the ability to work regularly) but also **benefits destination countries** through increased tax revenues, smaller informal economies, and reduced labour shortages, while avoiding the costly processes of detention and deportation, especially in cases where return is very unlikely or impossible.

Despite these advantages, **regularisation policies remain inconsistent and politically sensitive**. Many European countries informally tolerate irregular migrants due to labour market demands, but their official stances vary widely. Some frame regularisation as an economic opportunity, while others reject it as an incentive for irregular migration. This gap between practice and policy also creates a **patchwork of disparate national approaches** across EU+ countries, with drastically different **eligibility criteria, procedural lengths, and protections**. The absence of **EU-wide minimum standards** further exacerbates this fragmentation, leaving migrants vulnerable to exploitation and uncertainty.

Regularisation offers a **mutually beneficial solution** for migrants who often already contribute to EU societies in meaningful ways, for destination countries and their societies, and for countries of origin. It should be seen as an essential component of migration policy.

Policy recommendations

The following policy recommendations would support the establishment, at a minimum, of a **more coherent, EU-level approach** on alternatives to return, with a focus on regularisation programmes:

1. **Integrate alternatives to return, or non-return policies, into the overall approach to return governance**, as necessary and complementary tools for managing non-return. Acknowledging the phenomenon of non-returnable migrants and recognising the need to shift from a sole focus on 'how to increase departures' to 'how to govern the continued presence of those who cannot leave' is central to effective and legitimate return policies.

2. **On regularisation:**
   - **Develop harmonised EU-wide criteria and standards** for regularisation to promote coherence, consistency, fairness, and transparency across EU countries, taking account of already established family ties and social integration in Europe and cross-cutting considerations like shelter, healthcare, legal aid, and procedural safeguards.

- **Simplify regularisation procedures**, reducing bureaucratic barriers and making processes more accessible to eligible migrants, while protecting applicants from detention and deportation during the procedure.
- **Meaningfully involve key stakeholders like municipalities, trade unions, private sector representatives, and, crucially, civil society organisations** in the design and implementation of regularisation programmes, ensuring that policies are inclusive, responsive, and grounded in the social conditions they are meant to address.

Based on the following FAiR outputs

- Conte, C. & Gorgerino, M. (2025), The Migrant Return Policy Index (MIREX): A Human Rights-Based Comparative Analysis
- Ince-Beqo, G. & Ambrosini, M. (2025), Policy Brief: Alternatives to return policies
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- Jonitz, E. et al (2026), Promising cases on alternatives to return
- Leerkes, A., Jonitz, E. & Yazici, I. (2026), Policy Brief: Promising non-return policies

Takeaway 10
Deterrence-focused return policies overlook primary migration decisions factors

Introduction

As discussed above, **decades of policies focused on preventing irregular migration** have failed to close the gap between political objectives and actual return rates. EU+ countries have increasingly adopted coercive measures, such as detention, forced returns, and stricter border controls, yet continue to fall short of their return targets. The result is a **costly and often counterproductive approach that prioritises deterrence over evidence**, while overlooking the complex, interdependent factors that truly shape migration decisions and return outcomes.

FAiR's empirical evidence

FAiR's research points to a **consistent gap** between the logic of deterrence and the range of factors influencing individuals' migration decisions, including return.

Deterrence-based strategies are usually presented as effective policy tools, even though the evidence for their effectiveness is contested. Restrictions on access to healthcare, education, or social services, sanctions on employers, extended detention, and limits on family reunification are justified on the grounds that they dissuade potential migrants from undertaking new migration journeys and encourage the departure of those residing irregularly. The framing used by EU+ countries and at the EU-level, which focuses on countering irregular migration and facilitating the removal of those irregularly present, also reinforces various elements of a **policy agenda that associates migrants with criminality**. Prevailing policy framings presenting return, coerced or induced, as the only response to irregular migration leave limited room for considering alternative policies, such as regularisation.

Yet there is no evidence that restrictive and coercive policies actually deter migrants from arriving, whether regularly or irregularly, or encourage those staying irregularly to leave. **Migration decisions are shaped by a complex interplay of factors,** such as perceptions of labour market opportunities in destination countries, established diaspora and social networks, and political (in)stability.

At the same time, the evidence does not establish that regularisation and inclusive policies are general pull factors either as they do not drive migration inflows in the way assumed by deterrence policy. Regularisation policies have sometimes been associated with higher subsequent migration flows, but this **effect is typically marginal.** Inclusive policies on health or education, for example, do not coincide with higher levels of incoming migration. Labour-market restrictions show the strongest negative association with migration, indicating that **access to employment and livelihood opportunities may shape decisions more than return-related and deterrence-based policies**.

Ultimately, EU+ countries remain **dependent on cooperation with countries of origin** for effective return. Without acknowledging the **underlying drivers of migration,** like labour demand, social ties, and humanitarian needs, evidence shows that deterrence measures taken by European countries do not alone significantly shift broader mobility indicators linked to arrivals, asylum requests and returns.

Policy recommendations

The following recommendations aim to support policymakers in moving return policy beyond its predominant focus on deterrence and towards more **effective, evidence-based approaches**:

1. **Invest in further data-driven research** to better understand the factors influencing migration decisions and explore the impact of a policy model largely focused on deterrence.

2. **Set return policy targets and expectations on the basis of the demonstrated gap between political objectives and enforcement capacity**, rather than on assumptions about deterrence effectiveness, to avoid the recurring mismatch between political goals and operational reality documented across FAiR's research.

Based on the following FAiR outputs

- Czaika, M. & Gu, J. (2025), Modelling Techniques of Return Enforcement Drivers and Outcomes
- Gu, J. & Czaika, M. (2025), Non-policy Drivers of Enforced Return
- Jiancheng, G., Czaika, M. (2026), Evaluation of the "pull effect" of non-enforcement mechanisms
- Torres Chedraui, A. M. et al (2025), Working paper on policy drivers of enforced return

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