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Motivations, experiences and consequences of returns and readmissions policy: revealing and developing effective alternatives

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Experiences, expectations, and views of migrants and third sector professionals in the field around RR and alternative policies from seven EU Member States and the UK

Key findings



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Disclaimer

This document provides a concise summary of the key findings from field research across Europe that was conducted in the framework of MORE project. For detailed analysis, evidence, and comprehensive insights, please refer to the full report. The information in this summary should not be considered complete or fully representative of the entire study.

Introduction

Despite significant policy efforts across the EU and the UK to enhance the return of irregularised migrants, Return and Readmission (RR) policies have not achieved their intended outcomes. Return rates have remained below the European Commission and member states' expectations, leading the EC to further tighten its approach, most recently through the proposed Return Regulation. This proposal has been strongly criticised by civil society actors, migrant rights defenders, and scholars for the risks it poses to fundamental rights and procedural safeguards. Meanwhile, increasingly restrictive RR and migration policies have contributed to a sharp rise in the number of irregularised migrants across Member States and the UK, underscoring the urgent need for viable alternatives.

Migrants at risk of return endure severe hardships in their daily lives, living under the constant threat of removal. Their precarious administrative, social, and living conditions are, contrary to their legal status, not temporary. They may fluctuate or soften over time, but—according to this research—they rarely stabilise. The conditions of insecurity and irregularity affect not only their legal situation but also every dimension of their existence, shaping access to housing, work, education, health, and social life.

WP5 investigated the perceptions of migrants at risk of return and of supporting actors regarding the consequences of RR policies. It explored how such policies are experienced and negotiated by those on the receiving end of implementation, focusing on the social, psychological, and material effects of deportability on everyday life.

Rather than viewing return and readmission as simple administrative procedures, this report conceptualises them as ongoing processes that continuously influence migrants' lives and their access to rights. By examining these processes ethnographically, the study demonstrates how deportability functions not only as an administrative condition but also as a pervasive daily experience that shapes social relations and opportunities.

Importantly, the study found that, despite differences between states in legal frameworks, policies, and practices, the precarious situation of migrants at risk of return is likely to be similar.

Evidence and Analysis

Mental health of migrants at risk of return is profoundly affected by prolonged uncertainty and hardship stemming from unstable legal status. Such conditions frequently manifest as stress, trauma, depression, and post-traumatic stress disorder (PTSD), yet these symptoms often go unrecognised or are inadequately addressed within healthcare systems. This liminality undermines migrants' ability to plan their housing, employment, or personal lives, disrupting daily routines and worsening mental well-being. Often paired with mental health issues is the widespread **abuse of drugs** and other substances, frequently used as coping strategies to manage uncertainty or to have relief from pain when health care is not available.

Migrants at risk of return face significant barriers in accessing legal rental **housing** or night shelters, forcing many to rely on subletting rooms or beds. This exposes them to

scams, abusive landlords, overcrowded and unsanitary environments, infestations, and constant threats of eviction, leaving them at the mercy of landlords' discretion. Informal squats and homelessness are frequent, further eroding material and psychological well-being. Housing conditions within administrative detention centres are defined as critical across many countries. The conditions are essentially inhumane, including a lack of hygiene, overcrowding, isolation, poor nutrition, and a lack of privacy, among others.

Migrants at risk of return encounter **systemic barriers to formal employment**. As a result, they frequently depend on informal networks to secure work, which often leads to exploitative, low-paid, and unsafe jobs within underground markets. The constant fear of deportation discourages workers from reporting abuses, therefore reinforcing the **disproportionate power of employers**. In fact, migrants' chances of regularisation depend on their willingness to formalise contracts. By promising and postponing formalisation, they perpetuate poor working conditions and discipline workers according to their needs.

Racism and discrimination are widely reported across all countries, manifesting in housing, employment, and law enforcement. Racial profiling and systemic discrimination reinforce migrants' marginalisation. **Gender** plays a decisive role as well: women are often rendered invisible or stereotyped as vulnerable and dependent, while men tend to be hyper-visible and subject to criminalisation.

Family serves both as a resource and as a potential source of oppression, depending on the prevailing circumstances faced by migrants at risk of return. While families in the host country are reported to act as catalysts for resilience, resistance, and pathways towards social inclusion and regularisation, those residing in the migrants' home countries are often kept in the dark about their circumstances to avoid preoccupation. Whether in the host or home country, the consequences of RR policies frequently disrupt families and affect parental roles as well. Family disruption also happens on an economic aspect, whenever a member of the family is returned or detained and cannot care and work for the family anymore, leaving it to rely on humanitarian organisations or, whenever possible, on public subsidies.

Relationships with **co-ethnic and peer networks** exhibit ambivalence. On the one hand, migrants facing return risks establish connections with people in similar situations or with people belonging to their diaspora, relying on these networks for assistance in the host country. However, on the other hand, sometimes these networks have also been reported to exercise control, reproduce labour and sexual exploitation, or spread misinformation.

Strategies of **invisibilisation** are documented as survival mechanisms adopted by migrants at risk of return. These include avoiding public spaces, official institutions, and social interactions to minimise the likelihood of detection and subsequent enforcement actions, such as return orders. Migrants tend to prefer residing in rural areas rather than in the bustling city centres, avoid utilising healthcare services, and steer clear of establishing social relationships. The institutional invisibilisation is countered by actions

and initiatives at the local level, such as local municipalities actively facilitating access to housing and social services; local councils establishing safety nets through collaboration with non-governmental organisations; “church asylum” providing partial alternatives; supporting actors employing ‘trespassing practices’ to extend normative boundaries and secure access to rights and services; municipalities implementing measures to simplify registration, even in cases of informal housing.

On a temporal dimension, migrants at risk of return experience prolonged periods of limbo and uncertainty. They find themselves in a ‘multi-dimensional’ limbo characterised by administrative, juridical, bureaucratic, existential, and psychological dimensions. The threat of return impacts not only an individual’s legal status but also permeates all aspects of life, effectively placing various facets of their existence “on hold”. Findings highlight the stark contrast between the rapidity and immediacy of Return and Readmission policies and the lived realities of migrants. RR policies aim to progressively reduce the duration required for the return of irregularised migrants, shorten the period for appeals against adverse decisions related to asylum claims and expulsion orders, and reinforce relations with countries of origin to facilitate migrant identification. Conversely, the length of time spent in a state of prolonged limbo—potentially spanning years or even decades—illustrates the protracted nature of migrants’ experiences.

Administrative detention is frequently described as more severe than imprisonment in jail. Reports from various countries consistently highlight issues such as overcrowding, unsanitary environments, lack of privacy, and degrading treatment. The detrimental effects on mental health are substantial; detention can induce trauma, depression, anxiety, and suicidal ideation. Consequently, administrative detention is pathogenic. While individuals entering detention centres are typically in good health, prolonged exposure to such conditions can precipitate significant psychological deterioration, compounded by inadequate medical care within these centres. A lack of information about rights and legal remedies, as well as difficulties in accessing legal representation and interpreters, are reported in numerous countries. Furthermore, fieldwork suggests a trend towards more readily detaining migrants, often for minor infractions, and viewing them as “socially dangerous”.

Migrants at risk of return experience a process of **status transitions and rights’ stratification**. Their administrative status may change rapidly, thereby altering their rights and entitlements, which are granted based on these statuses. These transitions are rarely linear, often multiple, and reversible. While they hardly lead to a stable regularisation, they foster a cycle of irregularisation and precarity. It becomes apparent that being ‘in limbo’ involves a continual need to maintain a fragile equilibrium, oscillating between different statuses over an indefinite period under the influence of uncontrollable external forces and pressures, leaving limited scope for personal agency. According to a strict categorisation of migrants, the precarious administrative statuses reflect many possible situations of precarious regularisation that enact the stratification of migrants’ rights. In some countries, this categorisation is so fragmented that it fails to accurately reflect the reality of the diverse situations, hindering the regularisation process. Moreover, access to these categorised administrative statuses is described in

many countries as complicated and uphill due to the frequent lack of available information, continuous changes in the law, shifting requirements, delayed procedures, and bureaucratic racism, which impact the **discretion of policy implementers** with negative consequences for migrants at risk of return.

Across all countries, **administrative detention** has been identified as a crucial mechanism of RR policies, serving as an institutional space where deportability is substantively enforced and used as a tangible threat, and the rule of law is neglected. In practice, detention functions less as a temporally limited measure prior to return and more as a means of coercing migrants, suspending their rights, and dehumanising them. Furthermore, even migrants who cannot be forcibly returned are detained in order to exert pressure on them to cooperate with authorities; in some cases, this cooperation may lead to a reduced detention period or improved conditions, although it often causes psychological stress among detainees. Additionally, detention acts as a deterrent for other migrants experiencing administrative irregularity, with such measures potentially extending over months or even years.

Legal safeguards are lacking inside the administrative detention centres: often detention is imposed without clear indication, length, or justification, revealing a systematic arbitrariness that in some cases goes beyond legal limits. Legal assistance is often described as the most failing: detained migrants are often unaware of the reason why they are detained, they do not know what their legal remedies are, they are incapable of communicating due to the language barriers and the absence of interpreters and cultural mediators. Legal remedies are also hindered by the difficulties in communicating between inside and outside the centres, the bureaucratic procedures to follow to access them, and the explicit obstacles created by the centres. Additionally, the judicial control and formalisation over detention are considered weak or formalistic, since the judge (often a small-claim judge, or the administrative institution) approve and follow migration offices' indication without a real revision.

To cope with the deportability threat, migrants at risk of return adopt “secondary adjustments”, “adaptive practices” along with acts of resistance. **“Strategic compliance”** was observed as a way to survive, implemented by migrants at risk of return in their everyday lives, reducing their vulnerability. Observing rules and collaborating with the authorities can help reduce the risk of return, avoid punishment, and minimise police checks. Migrants at risk of return utilise social camouflage, they “dress well”, “behave in a good way”, “do not drink too much” to prove and show that they are “good migrants”. The RR policies impose a form of “self-discipline” that, at the same time, becomes an interiorised self-compression of social rights and an act of resistance against the return regime.

However, there is a price to pay: according to the fieldwork, these strategies worsen isolation, stress, and mental health degradation, which can sometimes lead to self-harm behaviour. Furthermore, acting as a “good migrant” can create a sense of entitlement towards regularisation and a lack of understanding of why it is not granted, especially when they have made every effort to be recognised as “good citizens”.

This compliance coexists with **everyday forms of resistance**, often subtle and invisible: avoiding detection, using false or borrowed documents, refusing to disclose information, or mobilising informal networks for housing, work, and health care. Across all countries, a recurrent **moral tension** emerged between the aspiration to act as a “good migrant” and the feeling of being treated unjustly. Many participants expressed frustration at being blamed for their irregular condition, describing experiences of racism, arbitrary treatment, and structural exclusion.

Eventually, resistance and compliance are often a continuum: migrants at risk of return choose the way to act according to the situation and the moment where they are, thereby exercising their limited agency for what is possible.

In some cases, there are also forms of **collective resistance**. These protests against the RR policies are led by social movements, including undocumented migrants, who fight for their rights by campaigning and organising public mobilisation for regularisation and occupying public spaces to dissent. In other countries, legal strategic litigation is a tool to combat RR policies, often promoted by NGOs and humanitarian organisations.

Policy Recommendations

The findings of this study showed that the current RR policies produce precarity, exclusion, violation of fundamental rights and damages for the entire society. EU policymaking and policy implementation should be right-centred, supporting regularisation, prevention of irregularity instead of deterrent measures and punishments.

Therefore, the short-term and structural policy recommendations stemming from the research are the following:

1- Effectively enforce the protective elements of the RR policies and uphold the fundamental rights framework by reducing at a minimum their harmful consequences.

Community-based and case-management approaches should be encouraged and supported by RR policies to promote evidence-based policy.

Administrative detention should be used only as a last resort, not as a preferred option. When needed, it should guarantee effective legal support, efficient health care, and fair judicial control and formalisation. The pathogenic effect of this detention should be institutionally recognised and taken charge of by the relevant authorities.

2- Access to dignified living conditions should be provided to irregularised migrants.

The study’s findings revealed that irregularised migrants who fall into a downward spiral of limited access to services and rights rarely recover. Negative consequences impact society as a whole. Systems to access healthcare, education, housing, and legal services should be established. Language barriers need to be addressed, and cultural-linguistic mediators should be integrated into services and offices to ensure access to information and procedures.

Local authorities, CSOs, and other local actors who promote and implement social inclusion activities should be recognised and supported, including financially. They encompass municipal registrations, access to social services, church asylum, and case management.

3- Transparent and realistic regularisation paths, leaving behind the strict categorisations of migrants and the consequent rights' stratification. The fragmentation of precarious legal categories produces vicious cycles of irregularity. Regularisation should be promoted and encouraged by national and EU policies based on clear criteria (such as length of residence in the host country, family ties, social inclusion, and work experience).

Regularisation procedures should be accessible and straightforward to understand.

4- Support to CSO and promotion of alternatives. The implementation of the case management approach should be strengthened and supported at the institutional level as a model of personalised paths towards regularisation and inclusion. We encourage strengthening networks and relationships among state actors and CSOs, recognising the effective role of CSOs in policy-making and implementation, rather than relying on them solely as emergency providers.

These recommendations are grounded in the comparative data gathered from eight European countries and the UK as part of the MORE Project (WP5).



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