



**Statement from
the MORE project
on the inter-institutional
agreement on the
Return Regulation Proposal**

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Following the [political agreement](#) reached by the co-legislators on the [Return Regulation](#) on 1 June 2026, the [MORE](#) Horizon Europe project recalls key findings from its ongoing research on return and readmission.

MORE's evidence shows that EU return policy cannot be assessed through removal rates, deterrence or enforcement capacity. It must account for the documented harms of detention and deportation, the limits of coercive approaches, the risks linked to the externalisation of return procedures, and the availability of less harmful, more proportionate and rights-compliant alternatives.

MORE's research draws on extensive fieldwork, including interviews with:

71

with lawmakers and legal experts across the EU, UK and third countries;

124

enforcement agents (*police officers, border guards, judges, prosecutors and detention personnel*);

150

supporting agents (*civil society actors, frontline service providers and stakeholders engaged in return and readmission, some of whom also were or had been people at risk of deportation*) and

129 people at risk of deportation.

347 people subjected to return procedures and their communities.

The findings point in a consistent direction: detention and deportation often fail to deliver the outcomes attributed to them, including deterrence, but generate serious harms for the people subjected to them and concerns among those responsible for implementation. **'Effective' legislative and policy choices should be grounded in the experience of people implementing return policy on the ground.**

These findings are consistent with the conclusions of the closed policy roundtable convened by the UN OHCHR, Amnesty International, PICUM, CEPS and the MORE project on 3 March 2026 in Brussels.

Key findings from MORE on return and readmission:

1. Expanded detention and punitive deportation are not proportionate or evidence-based solutions

The Return Regulation expands the enforcement logic of return through broader detention powers and a wider set of quasi-custodial control measures. It allows detention on several grounds, including a broadly defined risk of absconding, non-cooperation, security risks and identity verification, and permits detention for up to 24 months, with a possible further extension of up to six months in certain circumstances (Articles 29 and 32). It also provides for measures to ensure availability for return – including reporting obligations, geographical restrictions and designated residence – and turns “alternatives to detention” from a tool to avoid custodial measures to one that would expand them in terms of applicability and duration, while proposing restrictive models such as financial guarantees and electronic monitoring in their definition (Articles 23 and 23c).

The Regulation also expands the use of forced removal by removing the minimum voluntary departure period and making coercive removal the default consequence once a return decision is enforceable (Articles 7 and 12).

- 1.1. Detention has become normalised as part of return enforcement, even though its necessity and proportionality have not always been properly assessed. Previous research supported by MORE’s ethnographic findings shows that detention can cause serious harm to the people subjected to it.
- 1.2. Detention causes severe and lasting harm to the physical and mental health of those detained, with effects that extend beyond the detention period. This harm is inherent to detention itself (stemming from the deprivation of liberty, its association with imprisonment, prolonged uncertainty, stress, and social isolation) and cannot be remedied through improved detention conditions.
- 1.3. Deportation is often used as a form of punishment to sanction non-criminal acts, which may carry little judicial weight, such as cases of recidivism, or instances of non-normative behaviour. This risks normalising deportation as a tool for addressing such behaviours, even when they do not constitute criminal offences, enabling forms of punishment without due legal process or safeguards.
- 1.4. For most frontline agents, deportation should be implemented only as an exceptional measure, not a standard tool for migration governance.
- 1.5. Implementing agents argue that deportation may be a disproportionate response even in cases involving criminal offences, particularly where adequate criminal justice procedures already exist to address criminality.

“My phone would ring at 3:00 AM to authorise lifting the barrier, letting in a doctor; [...] in urgent cases, he’d show up at 3:00 AM, sign the papers, and the detainee would be released. Then, the next day, of course, came the reprimands: ‘How dare you? That’s one less. He could have stayed. They’re all just putting on a show.’ Well, no, not exactly. These were people who had sewn their lips shut, stitched their own eyes, broken their own legs.”

(Detention worker, EU member state)

- 1.6. Frontline implementing agents consider that detention and deportation fail to achieve their intended purposes due to contradictions with fundamental rights and overarching regulations that restrict the scope of enforcement. In their view, expanding investment in these measures would be counterproductive.
- 1.7. The escalation of restrictive practices in return policies, including lengthened detention periods and the externalisation of migration control, has not increased return effectiveness. Instead, these measures produce additional irregularity, entail high administrative and financial costs, and deepen violations of fundamental rights.
- 1.8. MORE shows that eliminating detention is both feasible and beneficial. Viable, yet underutilised alternatives, such as passport withdrawal, case management and community-based approaches, are currently available in most legal frameworks in the EU: they are less punitive, more proportionate and able to achieve compliance without deprivation of liberty. However, we must take into account that some of these approaches still operate within a broader punitive logic and, while less severe, can continue to have harmful effects on the lives of migrants.

2. Detention and deportation do not operate as effective deterrents

The Regulation frames forced return as the default option through the mandatory issuance of return decisions and the absence of a minimum voluntary departure period. It delegates the option between granting a departure period or ordering immediate departure to the individual Member States (Article 7(1a)).

"We know we can die. We prefer dying than the difficult conditions of life [here]"



(Female community youth, non-European country).

2.1. Limited awareness of European detention and deportation regimes in countries of origin, combined with the weak acknowledgement of detention, means that detention and deportation are often perceived as events that happen to others rather than as definitive outcomes.

- 2.2. Ample testimonies from young people who were deported and other people in their communities show that deportation does not function as a deterrent.
- 2.3. The lack of deterrence must not be interpreted as evidence that detention or deportation are acceptable or tolerable responses, particularly given their documented harms.

"Personally, I still have problems with social reintegration. If I go out, it's for personal needs, otherwise I lock myself in my room all the time. I no longer feel at home with the way society looks at me, the judgements, the comparisons with other migrants who have had successful returns. It's difficult. If tomorrow I had the opportunity to migrate again, I would do so, and that is my only wish at the moment."

(Young man, non-EU member state)

3. Coercion does not produce genuine cooperation

The Regulation imposes extensive cooperation obligations on third-country nationals throughout the return process, including providing documents, biometric data and identity information, appearing before authorities, and complying with reporting and residence requirements (Article 21). Non-compliance triggers a range of consequences, from withdrawal of benefits and reintegration assistance to financial penalties, criminal sanctions and detention (Articles 23b, 29).

- 3.1. Cooperation obtained through detention is fundamentally based on coercion. Where detention is used to intensify suffering in order to secure cooperation, it raises serious fundamental rights concerns and may, in particularly severe cases, engage the prohibition of inhuman or degrading treatment under Article 3 ECHR and Article 4 of the EU Charter.

"The greatest stress was when they would break in at night. That's why we decided to leave voluntarily."

(Family member, non-EU member state)

- 3.2. Access to basic rights should not be conditional on cooperation with return procedures. Access to essential services and social support, including healthcare, education, housing, and other measures necessary to ensure a dignified standard of living, should be understood as a matter of fundamental rights rather than as incentives for compliance. Conditioning access to such rights on cooperation with enforcement authorities risks undermining human dignity and the effective enjoyment of fundamental rights.

4. Externalising return procedures would amplify existing harms and accountability gaps

The Regulation creates a legal basis for returning people to a third country under an agreement or arrangement, including where that country is not the person's country of origin. Independent monitoring is only required where the agreement itself provides for onward return to the country of origin (Article 17).

"I'd dare to say that in the world there are countries that are more respectful with human rights than others or not, so you shouldn't be able to expel anyone to a country that is not respectful towards those rights, you see?"

(Police officer, EU Member State)

- 4.1. Externalised return procedures, including situations involving deprivation of liberty or restricted movement, would further exacerbate these harmful effects. It would weaken accountability mechanisms, intensify social isolation, and reduce protections of fundamental rights. It would also increase dependency on third countries. These risks are explicitly recognised by frontline enforcement agents themselves.

5. Regularisation and mobility can facilitate return more effectively than detention and other coercive measures

The Regulation frames irregular stay mainly through enforcement, removal, prevention of onward movement and EU-wide entry bans, without creating stable regularisation pathways as part of the return framework (Articles 7, 9, 10 and 12).

"Irregularity should not be managed through the judicial system, but through regularisation policies and comprehensive migration policies, not by politicising immigration".

(Judge, EU Member State)

- 5.1. Many interviewees expressed a desire to return to their country of origin, provided they could also come back to their country of settlement if they choose to do so. This is reflected in what happens after regularisation: once people obtain secure status, one of the first things many do is travel back home, usually temporarily but sometimes permanently. The ability to move freely between the host country and the country of origin makes return a more realistic option, including during periods of unemployment.

- 5.2. By contrast, when people lack this freedom, they are less likely to return, even when voluntary return programmes are available and their living conditions are difficult. Regularisation can therefore facilitate return, while irregular status often prolongs stay and deepens precariousness.

"We trust pirogues more than visa services. At least you leave or you get your money back."

(Female, community youth, non-EU member state)

6. Access to basic services and information are essential for effective and rights-compliant case resolution

The Regulation recognises minimum safeguards where removal is postponed, including basic needs, emergency healthcare, children's access to education and the needs of people in vulnerable situations. It requires information on rights, obligations and remedies, but allows reliance on languages people are presumed to understand and on standardised or machine-assisted translations, which risks reducing information rights to a formal requirement rather than ensuring genuine understanding (Articles 7, 14, 24 and 46).

- 6.1. MORE shows that people who cannot be returned are left in prolonged legal and social limbo, with limited or ineffective access to healthcare, housing, education, employment, justice and clear information about their rights. This does not make return policy more effective. Instead, it deepens precarity, increases exclusion, and makes it harder for people to move towards regularisation or other durable solutions.
- 6.2. MORE's research identifies promising practices that may facilitate access to basic services, including housing, healthcare, education and local services. Many of these initiatives are developed by civil society organisations and local authorities, showing their practical importance in supporting people without regular status. However, these initiatives should not substitute for structural public policies.
- 6.3. Effective alternatives require clear firewalls between service providers and immigration enforcement, so people can access healthcare, housing and education without fear that doing so will trigger removal. Without it, formal rights to services remain inaccessible in practice.
- 6.4. Clear, accessible and carefully reviewed information is essential to effective case resolution. People must be able to understand the return procedure they are subject to, the possible consequences of non-compliance, and their rights and obligations throughout the process.

7. Policy effectiveness requires alternatives beyond forced return

The Regulation prioritises procedural acceleration, mutual recognition, removal, readmission, third-country cooperation and data exchange as the main routes to return effectiveness (Articles 6, 7, 9, 10, 12 and 36–39).

- 7.1. Most frontline enforcement agents consider that deportation is not the solution for the vast majority of people currently living in Europe without regular status. Instead, they consider regularisation as a more durable solution.
- 7.2. Research participants also noted the lack of pathways to migrate into the EU regularly. This was highlighted as the most important driver of irregular migration.
- 7.3. In addition to regularisation and regular pathways, several other options have been put forward by enforcement agents, supporting agents and migrants

"In my view, from the perspective of a human rights-based legal framework and, in particular, considering the right to migrate, in my opinion, there is no substantial or material legal justification for deportation as an administrative sanction for a mere irregularity."

(Judge, EU Member State)

to guarantee the protection of fundamental rights and effective solutions for those currently living in Europe without status, including:

" We're talking about a problem that has no solution from us. They need to be regularized. That's the key! [...] The solution is not a police matter; it's a political one "

(Police Officer, EU Member State)

a) Temporary work and residence permits linked to a job offer.

b) Temporary residence and work permits for those that are non-deportable to avoid limbo situations (such as *duldung* in Germany).

c) Ensuring access to existing partial rights' guaranteeing mechanisms (such as *padrón* in Spain).

However, according to our findings, regularisation programmes and mechanisms that are stable and long-term, ensure procedural safeguards, access to services, justice and employment, and are independently accessible to all people would ensure effective solutions to irregularity.

About MORE

The MORE Project stems out of the need to critically examine the logics that make legally acceptable the Returns and Readmission policy approach to migration governance and, its consequences.

To do so, it takes a multidisciplinary approach analysing the pathways that have led the European Union (and other countries in the Global North) to make legally acceptable the removal of ‘undesired’ populations. It does so by examining how these policies are presented and justified in the political and normative discourses: what’s not said, what’s implied, and how this links to the policy’ purposes. To this end, MORE analysed policy and legal documents and public opinion surveys, gaining crucial insights into how policies and public opinion influence each other.

The findings offered critical evidence into the purposes behind the legal, political, and macrosocial dimensions of the return policy. However, to grasp its full scope and repercussions the project pursued a ‘thicker’ understanding of how this policy is ‘made-real’ on the ground, accounting for the diverse significances of all actors involved.





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