



Opinion of the Advisory Council on Policy Coherence for Development “Development and Migration”

Executive summary

Through this opinion, the Advisory Council on policy coherence for development is responding to a question from Minister for Development Cooperation, Digital Agenda, Telecom and the Postal Sector, Mr. Alexander De Croo. This opinion is designed to support the work of the ‘Development and Migration’ working group in the Interdepartmental Commission for policy coherence for development. This opinion contains recommendations regarding: 1. the strategic and political framework for migration and development; 2. remittances; 3. labour migration; 4. collaboration with the diaspora; 5. voluntary return; 6. return agreements and 7. The EU Emergency Trust Fund for Africa.

The main recommendations are as follows:

- 1) The Advisory Council welcomes the setting up of the ‘Development and Migration’ working group. It is vital for the Advisory Council that the work of the ‘Development and Migration’ working group be based on a global and shared view of migration, which acknowledges the potential of migration for development. This view must give direction to all of the policy departments involved and strengthen the development impact of the migration policy.
- 2) The Advisory Council asks the ‘Development and Migration’ working group to develop measures for limiting the transfer cost of remittances to a maximum of 3%, as stated in the United Nations’ Agenda for Sustainable Development.
- 3) The Advisory Council asks the ‘Development and Migration’ working group to develop paths for a broader policy regarding labour migration, with more secure and legal access pathways, as set out in the 2030 Agenda for Sustainable Development. The Advisory Council asks for proposals to be developed that facilitate Belgian employers in recruiting labour from outside the EU. This is both for low or medium-qualified labour as well as for highly qualified work. A development perspective must be incorporated into the system of labour migration.
- 4) The Advisory Council asks for the potential of diaspora organisations to be acknowledged in the area of development cooperation. The Advisory Council asks the ‘Development and Migration’ working group to develop specific projects whereby professionals with a migration background are involved in projects that are run (mainly but not exclusively) in their country of origin. In addition, more must be invested in growth opportunities for ‘4de Pijler’ organisations created by migration.
- 5) Although the Belgian policy on voluntary return is framed very much as part of a general policy of deportation, the Advisory Council also provides a number of guidelines for voluntary return. The Advisory Council asks that preference be given to voluntary rather than forced returns, based on full, truthful and clear information, and to invest in it with tailored guidance and more resources for reintegration after returning. Where possible, there must be an examination as to how reintegration can be better embedded into existing service provision in the country of origin and/or based on the needs of the person returning, so that a link can be established with



projects by (Belgian) development cooperation, NGOs or companies.

- 6) The Advisory Council acknowledges that Belgian development cooperation can use its expertise to support countries in the form of a quality policy on asylum. However, whether or not to grant development assistance and humanitarian aid should be linked to taking back unprocessed asylum-seekers. Greater transparency is needed in the negotiations regarding returns.
- 7) The Advisory Council argues for more transparency about the resources, criteria and selection process for the projects in the EU Emergency Trust Fund for Africa. The Advisory Council argues that all of the projects proposed in the 'Development and Migration' working group should strive for the sustainable development and resilience Trust Fund in the country of origin and not try and fight migration. Belgium must also propagate this view to the other partners operating in the Trust Fund.



“Development and Migration”

1. Introduction

01. The Advisory Council regarding policy coherence FOR development is responding with this opinion to a question from federal Minister for Development Cooperation, Digital Agenda, Telecom and the Postal Sector, Alexander De Croo.
02. This opinion is designed to aid the work of the ‘Development and Migration’ working group. The ‘Development and Migration’ working group is set up by the Interdepartmental Commission for Policy Coherence in order to deal with various aspects regarding migration and development.
03. The Advisory Council regarding policy coherence for development states that there are a great many opportunities in the Belgian policy on migration and development. In this opinion, the Advisory Council puts forward ways of including migration in Belgium’s development strategy. This opinion contains recommendations regarding 1. The strategic and political framework for migration and development, 2. Remittances, 3. Labour migration, 4. Cooperation with the diaspora, 5. Voluntary return, 6. Return agreements, and 7. The EU Emergency Trust Fund for Africa.

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2. Context

04. The causes of this migration are various and in most cases are linked to one another. They have to do with broad-based globalisation processes, such as the development of international demand and the supply of labour, and access to international transport and communication capabilities. But they also have to do with the social and economic inequalities in the form of employment and access to assistance, education, healthcare and human rights. These inequalities are exacerbated by climate-related factors.¹The number of people who are forced to leave their homes due to war, persecution and breaches of human rights is increasing. At the end of 2015, this number was more than 60 million people. The majority stay in their own country.²International migration (between different countries) takes place mainly within the same region. The international debate on migration usually focusses on South-North migration (35% of international migrations), however ,South-South migration is at least as extensive (36%) and is also increasing in size.³
05. Increasing migration creates challenges, but also generates opportunities. According to the International Organisation for Migration (IOM), migration is ‘unavoidable, necessary and desirable’. Migrants make a major contribution to both the countries of origin and destination. The contribution of migration to development in the countries of origin is increasingly considered in the international debate as the important link between migration and development. For this reason, the international community acknowledges that migration will play an important role in

¹UNSG, Insafetyanddignity: addressinglargemovementssofrefugeesandmigrants-ReportoftheSecretary-General (A/70/59), 9thMay2016.

²UNHCR, GlobalAppeal2016-2017.

³UN, International Migration Report, 2013.



Achieving development objectives, such as the *Sustainable Development Goals*.⁴The Addis Ababa Action Agenda *Financing for Development* acknowledges the positive contribution of migrants to inclusive growth and sustainable in countries of origin, transit and destination.⁵The European Commission also acknowledges this positive contribution and the need for a coherent policy on migration and development.⁶Facilitating structured, safe and regular migration and the mobility of people is central to this. Not only economic migrants, but also refugees and people seeking international protection, are gaining ground within this development agenda.⁷

06. Migration does not automatically lead to development. It is about development potential. Targeted policy, both in countries of origin and receiving countries and international cooperation is necessary in this regard in order to enhance this potential.⁸Although the development potential of migration can be increased with specific policies within the policy area of development cooperation, such as by supporting the diaspora, the key for an effective migration development policy lies in the coherence between different areas of policy (development cooperation, foreign affairs, security policy, trade policy, asylum and migration, integration, finance, employment/labour market, social protection, climate and agriculture) and overarching cooperation between various departments.⁹A coherent policy perpetuates the link between migration and development. It removes structural factors that stand in the way of the potential for development and is designed for the sometimes disruptive impact that developments in other areas of policy may have, such as trade.
07. The Lisbon Treaty states that the European migration policy must be consistent with development. The conclusions of the European Council of 18th November 2009 include 'Making Migration Work for Development' as one of the five priority challenges for PCD.¹⁰
08. A focus on development in order to reduce long-term 'migration as a necessity' is required. In so doing, migration becomes a choice in addition to the opportunities that are present locally. The cause of large-scale, difficult-to-manage migration is a lack of development and opportunities in people's own areas. A focus on development to reduce short-term migration is a measure for nothing; indeed, in the initial phase, development leads to more migration, which only decreases again in the longer term once the level of development of a country rises and when the progress achieved and increased local opportunities are such that they make migration less attractive.¹¹

⁴UN, Transforming our world: the 2030 Agenda for Sustainable Development, 2015. <https://sustainabledevelopment.un.org/post2015/transformingourworld>

⁵UN, Addis Ababa Action Agenda on Financing for Development, 07/2015. http://www.un.org/esa/ffd/wp-content/uploads/2015/08/AAAA_Outcome.pdf

⁶ European Commission, Communication from the Commission to the European Parliament and the Council Towards a reform of the common European asylum system and enhancing legal avenues to Europe, COM (2016)197 final of 6th April 2016. http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160406/towards_a_reform_of_the_common_european_asylum_system_and_enhancing_legal_avenues_to_europe_-_20160406_en.pdf

⁷UNSG, *ibid.*

⁸EC-UN Joint Migration and Development Initiative, Handbook Migration for Development: A Bottom-up Approach, 2011.

⁹De Haas, H., Migration and Development, 2004.

¹⁰European Council, Council Conclusions on Policy Coherence for Development, 18th November 2009. <http://www.consilium.europa.eu/uedocs/cmsUpload/st16079.en09.pdf>.

¹¹Wets. Meersman. & De Bruyn T. Migrant communities. Partners in the development policy? 2004.



3. Recommendations

3.1. Strategic, political and institutional framework

a. Description of the issues

9. The Belgian government wants to pay more attention to migration in its development policy. The government agreement states that a long-term policy is important to be included in the development strategy. For the first time it refers on various occasions to migration in the section on development cooperation.¹² Migration is one of the major areas on which Belgian development cooperation aims to work in the years ahead.¹³
10. In 2015, a vision and strategy was developed by the Directorate-General Development Cooperation and Humanitarian Aid (DGD) for Belgian development cooperation. Therein, it states that 'Belgian development cooperation must continue to work on tackling the fundamental causes, which can reduce the need to migrate in the long term. Not from the perspective of preventing irregular flows of migration, but with the aim of achieving a situation in which migration becomes a choice and not a necessity.' The wording of this vision states that it is the responsibility of Belgian development cooperation to increase the potential of migration for development by boosting the positive effects and minimising the negative effects.¹⁴
11. The Advisory Council welcomes the increased attention paid by Belgian development cooperation to migration and development and the DG Division wording on migration. The wording goes in the right direction and strikes the correct emphases. However, the Advisory Council deplors the limited status of the 'internal working document'.¹⁵
12. The Advisory Council wishes to focus attention on a possible inconsistency, on the one hand between the vision and strategy of DGD and the government agreement, on the other. DGD's strategy memo justifiably stresses that development cooperation does not start from the perspective of reducing flows of migration'. In the context of concentrating the number of partner countries, the government agreement states: 'With this concentration in mind, the government will focus its efforts mainly on a number of geographically homogeneous regions where poverty and instability levels are high, so that it can have an impact on the migration streams to our country, such as the regions of the Great Lakes and North Africa.'
13. It is vital for the Advisory Council that the aims of development cooperation not be confused with managing migration streams. Migration may indeed be an element within a broader development strategy, in consultation with the partner country.

b. Recommendations

14. The Advisory Council welcomes the setting up of the 'Development and Migration' working group. However, according to the Advisory Council, this working group also needs political direction. The Advisory Council argues for Interministerial consultation on Migration and Development, based on a clear vision (see 15.)

¹²Government agreement, October 2014.

¹³Policy memo on Development Cooperation 2015.

¹⁴DGD, Vision and strategy of Belgian development cooperation regarding migration, 2015.

¹⁵Report of DGD consultation with civil society, March 2016.



15. For the Advisory Council, it is crucial that the work of the ‘Development and Migration’ working group be based on a global and shared view of migration that acknowledges and reinforces the potential of migration. This vision must give direction to all of the policy departments involved (see 17) The Advisory Council argues for an all-encompassing approach that brings forward these practical objectives and actions for every relevant policy area. In the Advisory Council’s opinion, the vision and strategy wording of DGD constitutes a good base for developing this global vision.
16. In the view of the Advisory Council, limiting migration flows to Belgium should not be a criterion when it comes to selecting the partner countries for Belgian development cooperation. A focus on these countries with the greatest flows of migration to Belgium with the aim of reducing them also goes against focussing on the least developed countries, as set out in the government agreement.
17. All of the policy departments involved on a federal level (whether development cooperation, foreign affairs, asylum and migration, integration, employment and labour, finance, social protection) should be part of the Migration and Development working group. But the federated states should also be involved, given their important powers in relation to work and integration. The Advisory Council argues for a flexible working group, the composition of which may vary depending on the policy areas to be dealt with and which would also be open to external experts.
18. All of the parties with an interest must be involved in the work carried out by the ‘Development and Migration’ working group and be kept up to date with the areas that are being dealt with. This can be done via the Advisory Council for policy coherence for development.

3.2. Remittances (migrant transfers)

a. Description of the issues

19. The World Bank estimates that in 2016, a total of \$441 billion dollars in remittances will be transferred to developing countries. This contribution is more than three times as high as official development aid. Remittances will play an important role in achieving international development objectives.¹⁶The Belgian government also acknowledges this. The Minister for Development Cooperation emphasises the importance of remittances as a source of finance for development, in addition to conventional development aid. In the 2014 Policy Memo from the Minister for Development Cooperation, the government announced it would be holding an in-depth reflection on how remittances can be used as leverage to achieve development objectives.¹⁷The Advisory Council notes that no steps have yet been taken here.
20. Remittances help millions of people to climb above the poverty threshold and can also contribute to the economic development of a country. Studies show a ‘trickledown’ effect on a larger scale.¹⁸Yet private resources continue to provide the majority of consumption and a certain form of social protection. Remittances cannot be a substitute for a coherent, economic development policy, although they are a very valuable supplement that have significant local impact.

¹⁶World Bank, Migration and Remittances Factbook2016.

<http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1199807908806/4549025-1450455807487/Factbookpart1.pdf>

¹⁷Development Cooperation Policy Memo,2014.

¹⁸ILO,OECD, World Bank group,[TheContributionofLabourMobilitytoEconomicGrowth](#),09/2015



The success of ‘remittances’ can also have a flipside. Remittances can be disruptive locally, as well as reinforce inequality, increase dependence and lead to additional emigration.¹⁹

21. Two-thirds of all transactions to Africa are made via Moneygram and Western Union. The oligopoly position of Moneygram and Western Union enables them to charge transaction fees of up to 12% of the amount being transferred. As a result, developing countries miss out on billions of dollars of resources each year. Reducing the transfer charge to 1% can help raise \$30 billion for developing countries annually. In the SDG Agenda for Sustainable Development, the member states pledged to reduce the transaction charges to 3%.²⁰ Belgium must therefore also take steps to bring down charges.

b. Recommendations

22. The Advisory Council asks the Migration and Development working group to develop measures to restrict the transfer charge of remittances to a maximum of 3%, as set out in the Agenda for Sustainable Development. The activities of Western Union and Moneygram must be investigated. The government must act in a regulatory manner and examine how more competition and alternatives can be brought to this sector and, in line with the digitisation agenda of Belgian development cooperation, to see how innovation can be introduced (via mobile telephony and online payment services). It is important to involve the Federal Public Service Finance in this.
23. The Advisory Council argues for research into innovative pathways for increasing the development impact of remittances, as set out in the policy memo. However, in doing so, development aid should not be instrumentalised. These pathways can draw inspiration from foreign examples (such as the Mexican 3x1 programme) in which the government itself multiplies financial remittances and input for public purposes. A structural view must also be taken of the investment climate in the countries of migration origin, which is often not encouraging for financial transfers or transnational entrepreneurship by migrants.
24. Development of the financial infrastructure that provides services for remittances, both for sending (e.g. online and mobile telephony) and for using the funds (e.g. specific accounts, links to accounts fed by remittance for education funds, healthcare, entrepreneurship, etc.) must be supported. This includes not only banks, but also microfinancing institutions, cooperatives and health funds.
25. The Advisory Council requests access to financial services for migrants in Belgium and to increase that access in the partner countries of Belgian development countries, as set out in the Addis Ababa Agenda. This can be achieved by strengthening access to banks or via specific projects in collaboration with local players, such as the postal services (see the IOM project in conjunction with the post office in Burundi).

3.3. Labour migration and other legal migration channels

a. Description of the issues

¹⁹DeHaas, H., Remittances, Migration and Development: Policy Options and Policy Illusions, 2010. <http://www.heindehaas.com/Publications/De%20Haas,%20Hein%20-%20Remittances,%20Migration%20and%20Development.pdf>

²⁰ ILO, OECD, World Bank group, [The Contribution of Labour Mobility to Economic Growth](#), 09/2015



26. The European Union and Belgium are faced with major demographic challenges. The population is ageing, whereas the economy needs a higher level of activity. Without migration, the European population of working age will fall by 17.5 million in the next ten years. Migration will play an increasingly important role in maintaining social wellbeing and economic growth. For this reason, the European Union wants to introduce a more proactive policy in labour migration.²¹ Labour migration means a possible win-win situation for all of the parties involved (the migrant, his/her family and the countries of origin and destination). This is also acknowledged by the Belgian Minister for Development Cooperation.²² However, in the countries of origin the emigration of well-educated people may lead to a *brain drain* and shortages of qualified staff, such as health workers, teachers and engineers. This could undermine development in those countries. Similarly, the emigration of highly qualified staff may result in a *brain gain*, because training courses are seen as a gateway to foreign countries and will become popular over time resulting in a surplus of qualified people in this area. In addition, migrants often fulfil the role of intermediaries in their social networks, providing a transfer of new technical, technological, economic or cultural knowledge and skills. Migrants and those who receive their knowledge in the countries of origin are given a greater role in decision-making. In so doing, they contribute to beneficial social and economic change.²³
27. On the other hand, the opening of legal migration channels is an important step in removing the costs of migration. Irregular channels see large amounts of money flowing through to people-smugglers. In 2015, irregular migrants paid 4.4 billion EUR to people-smugglers.²⁴ The introduction of restrictions and extra costs when applying for residency permits (such as the reimbursement tax introduced in January 2015²⁵) can have a negative impact from this point of view. The Development Cooperation Act says that all preliminary draft bills and the drafts of Royal or ministerial decrees must be subjected to a prior impact analysis in order to ensure the coherence of the Belgian policy in favour of development.²⁶
28. Employment conditions and the social protection of migrants are defining for the development role that they can play. Migrants with an irregular residency status are vulnerable to abuse,

²¹European Commission, European Agenda on Migration, 2015. http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf

²²Minister Alexander De Croo, Opening address to the "Migration in the 21st century: thoughts and prospects 2050" conference, 17/5/2016. http://diplomatie.belgium.be/nl/newsroom/nieuws/2016/conferentie_migration_21st_century_thoughts_and_prospects_2050

²³Oltmer J., Connections between Migration and Development, 2014.

²⁴Europol Interpol, Migrant smuggling networks, 05/2015. https://www.europol.europa.eu/sites/default/files/publications/ep-ip_report_executive_summary.pdf

²⁵Migration-Integration Cross road, Contribution to administrative fees for residency applications from 2nd March 2015,

<http://www.kruispuntmi.be/nieuws/bijdrage-in-administratieve-kost-voor-verblijfsaanvragen-vanaf-2-maart-2015>; Royal Decree to amend the Royal Decree of 8th October 1981 regarding access to the territory, residency, the establishment and removal of foreigners, February 2015. http://www.ejustice.just.fgov.be/cgi/article_body.pl?language=nl&pub_date=2015-02-20&numac=2015000100&caller=summary

²⁶Development Cooperation Act 2013, http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=2013031906&table_name=wet



such as underpayment, late or even non-payment of wages and a lack of compensation in the event of illness or accident. Problems such as these impede their potential as actors working for development. They require specific attention from the policy makers in the countries of origin and destination.²⁷

29. In the event of a lack of legal access channels for poorly qualified labour migration, the ‘aupair’ status, which is a subject for cultural exchange and language enrichment, is used today as a labour migration channel. Abuses of the status are widespread. Irregularities were recorded in more than half of the inspections carried out in Flanders in 2014 and 2015.²⁸The Flemish labour inspectorate is also asking for the system to be abolished.²⁹

b. Recommendations

30. The Advisory Council asks the ‘Development and Migration’ working group to develop pathways for a broader policy on labour migration, with more safe and legal access pathways, as set out in the 2030 Agenda for Sustainable Development. Reducing the obstacles to migration means giving opportunities to development.
31. The Advisory Council asks for proposals to be developed that facilitate Belgian employers in recruiting workers from outside the EU. This should be for both low and medium-qualified staff, as well as for highly qualified workers. Coordination between various areas and levels of policy is important in order to develop a coherent labour migration policy with the emphasis on ambitious decrees in the federated states. Within the system of labour migration a development perspective needs to be incorporated that enables migrants to maintain easy contact with their country of origin. The policy could remove obstacles immobility back and forth. The Swedish approach offers some interesting elements: the flexible granting of labour permits and residency permits, without complex procedures and with the possibility for migrants, after working for a certain number of years, to obtain a permanent residency permit.³⁰ Recruiting labour is best done via employment services (VDAB, FOREM, Actiris) or through agencies controlled by them. Recruitment fees should not be charged to the employer. Within this system of labour migration, migrants should also be given the opportunity to change employer. For this to be the case, a mechanism needs to be found that makes it possible to counter the brain drain in the countries of origin. Thought could be given to a code of conduct such as the one developed by WHO for recruiting medical staff. This code takes account of the interests for the countries of origin, the destination countries, the individual migrants and the role of governments, employers and intermediaries such as recruitment agencies.³¹
32. Within the system of labour migration it must be possible for migrants to take their accrued social security and pension rights back with them to their country of origin. If migrants can only benefit from these rights in Belgium, they will stay here as well.

²⁷ILO, OECD, World Bank group, idem.

²⁸Flemish Parliament, written

question⁹339,24/2/2016.<http://docs.vlaamsparlament.be/pfile?id=1171309>²⁹Department of Labour and Social Economy, Annual Report

2014.http://www.werk.be/sites/default/files/online_diensten/migratie/jaarrapport/jaarverslagarbeidsmigratie_2014.pdf

³⁰European Migration Network, Sweden National Report Circular Migration,

2010.[http://ec.europa.eu/dgs/home-affairs/what-we-](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/emn-studies/circular-migration/26a_sweden_national_report_circular_migration_final_version_9dec2010_en.pdf)

[do/networks/european_migration_network/reports/docs/emn-studies/circular-migration/26a_sweden_national_report_circular_migration_final_version_9dec2010_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/emn-studies/circular-migration/26a_sweden_national_report_circular_migration_final_version_9dec2010_en.pdf)

³¹ Wets J., De Bruyn T., Migration: the solution for staff shortages in the care and healthsector?2011.



33. The Advisory Council asks that the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* be ratified. Research indicates that ratification for Belgium requires little in the way of modifications.³²
34. Decent employment conditions for labour migrants must be guaranteed. This reinforces their capabilities as actors working for development. In so doing, more effort needs to be made for the problem-free recognition or equivalence of diplomas.
35. The Advisory Council asks for the *aupair* status to be abolished. A new system needs to be developed that makes labour migration possible for domestic staff. Separate from this, a system of cultural exchange for young people in youth work can also be developed.
36. There is also a need for more legal access pathways for (scholarship) students from developing countries, refugees and migration in the context of family reunion.

a. Cooperation and support for the diaspora

a. Descriptions of the issues

37. Migrants fulfil a vital role in connecting countries and communities in a context that is becoming increasingly transnational. They promote trade, investments and cultural links with countries of origin and are important players in development. The development policy can facilitate this role. People with a migration background often take the initiative themselves for international development cooperation projects. For this purpose, they establish organisations that are usually considered as ‘4de Pijler’ (4th pillar) organisations. Because cooperation is embedded in personal links, projects act on real needs, identified in the field and the projects and cooperation are potentially particularly long-term. In addition, diaspora organisations often work with partners in regions that are difficult to reach or “forgotten”.³³
38. In view of the fact that no diaspora organisations are recognised as NGOs and because integration is a community issue, at the present time there is little specific policy or support for development initiatives that have their roots in migration. There are no specific measures for diaspora organisations in the federal development policy. At the same time, only a few recognised NGOs work with organisations of people with a migration background.
39. In 2001, Belgium set up the MIDA project to offer an opportunity to the many well-educated Congolese, Burundian and Rwandan people living in our country to return home for a short period and apply their knowledge and experience to the development of their country of origin. Support for the MIDA project was ended in 2013. Although in some areas MIDA recorded good results, its evaluation is not only positive. The impact of the project remained limited and was not very long-term because the activities involved were not sufficiently geared to the institutional, strategic context of the partner countries. What did emerge from the evaluation is that ownership by the governments in the countries of origin is crucial so that they can take on the activities started once the project has finished. In order to achieve a long-term impact, longer periods would be needed for the visits than the three months that were provided.³⁴ Today, there is still the MEDMA programme in the context of cooperation with diaspora. There is a programme with a limited budget (1.2million EUR) focussed on investments from the Moroccan diaspora.

³²Foblets M.-Cl., Vanheule D., Loones S., The International UN Convention of 1990—Legal consequences of Belgian ratification: an exploratory study, 2003.

³³Domaid, Working together with refugee diasporas in development, Discussion Paper January 2015, p9.

³⁴Global Migration Group, Mainstreaming migration into development planning, 2010.

<https://publications.iom.int/system/files/pdf/gmg2010.pdf>



40. Wallonie Bruxelles Internationale (WBI) provides funding for projects by organisations from the diaspora in their countries of origin. There are promising and positively assessed projects running in a number of cities and provinces to increase the involvement and support of diaspora. East Flanders, West Flanders (since 2015) and Flemish Brabant (autumn 2016), working in conjunction with the '4de Pijler' organisation's support point, offer training syllabii about development projects. Antwerp (city) manages and co-funds projects run by a number of large Antwerp communities of people with a migration background. The Moroccan-Antwerp community is closely involved in these projects and funds an appreciable part of them itself. A major success factor is the administrative supervision by city officials of the development of the projects. This form of cooperation with diaspora is viewed positively and will be expanded to include new communities.

b. Recommendations

41. The Advisory Council asks for the potential of diaspora organisations to be recognised in the area of development cooperation. Federated states and municipalities can also play a role in this. Diaspora organisations with North-South projects must be involved where possible with the development policy in relation to the countries where they are active (often, but not exclusively, their country of origin).
42. The Advisory Council asks the 'Development and Migration' working group to develop specific projects that facilitate and supervise the involvement of high-skilled professionals with a migration background in projects (in particular, but not exclusively) in the country of origin. Attention needs to be paid to better institutional embedding and *ownership* with the government in the country of origin. In doing so, lessons can be drawn from the MIDA evaluation.
43. '4de Pijler' organisations created from migration must be given opportunities to grow. There is a need to support the initiatives of diaspora organisations. The Advisory Council argues for accessible training and supervision of diaspora organisations, for example by BTC or NGOs. Cooperation with recognised NGOs or NGO umbrella organisations (such as the '4dePijler' support point on 11.11.11) and diaspora organisations and between diaspora organisations themselves must be encouraged.

b. Voluntary return and reintegration

a. Description of the issues

44. Each year, almost 11,000 individuals are removed from Belgian territory (voluntary or enforced return). At the end of 2015 the total number of people returning voluntarily rose as the result of a sharp rise in voluntary returns to Iraq. Via the voluntary return programme, the person returning, depending on his or her status, can receive reintegration support in their country of origin. The person returning can use their integration support to start a business, lease or renovate a home, pay for medical costs, etc.³⁵
45. The humane reintegration of people into their country of origin is only possible when the 'sustainability' of the voluntary return and their integration support and guidance after returning are a priority within the return policy. Before and after the return by NGOs and social organisations working in that area is crucially important: they make it possible to understand the needs of the individuals and, in the longer term, to support the reintegration process. The 'voluntary' aspect in this is essential. Guidance on returning and the subsequent reintegration

³⁵Fedasil, Voluntary -

returnin2015. http://fedasil.be/sites/5042.fedimbo.belgium.be/files/vrijwillige_terugkeer_2015_1.pdf



are based on respect for the choices and needs of the person returning. It is very important that the local partner in the country of origin is able to build up a relationship of trust with the person returning.³⁶

46. Any return policy must take the sustainability aspect into consideration. That can only be done from the perspective of the migrant himself or herself, using methods of open forward-looking orientation and taking the country of origin into consideration. Forward-looking orientation is a method used for the (individual or group) guidance of undocumented migrants (MZWV), asylum-seekers or people with a precarious residency status. The aim is to create a conscious and well-informed perspective for the future that can be viewed as being meaningful by the migrant. The experiences with the various group-sized initiatives completed in Brussels, Ghent and Antwerp by organisations from the sectors for Community Development, General Welfare and integration sector are collected in a brochure published at the end of 2014 by Crossroad for Migration Integration.³⁷
47. Fedasil drew up a number of criteria in which the amount for reintegration support – minimum 700 EUR and maximum 2200 EUR – depends on the administrative status of the person applying to return and the time at which the person decides to return to his or her country of origin.³⁸ The current period of 30 days to be able to claim the maximum reintegration support is particularly short in order to make what is a difficult choice.³⁹

7.2. Recommendations

48. Although the Belgian policy on voluntary return is very much part of a general deportation policy, the Advisory Council provides a number of guidelines for people returning voluntarily. The Advisory Council asks that constant priority be given to voluntary return above enforced return, based on complete, truthful and clear information and to continue investing in it with more resources for reintegration after returning.
49. With tailored guidance and using methods of open forward-looking orientation, the chance of a successful and long-term reintegration is more achievable. For that reason, ongoing effort must be put into preparing well for the return so that the person wishing to return can be informed as fully and accurately as possible about the possibilities and options. In this way, the person can return with greater confidence and know what support he/she can be offered.
50. The Advisory Council asks for the essential role of the local partners in the country of origin to be recognised and to offer the possibility of supporting them structurally. Also to recognise the role of Caritas International and the International Organisation for Migration (IOM) as fellow players in the process of returning and also of reintegrating after the return. The Advisory Council asks for Caritas International and IOM to be involved in the work carried out by the Migration and Development working group on voluntary returns.
51. At the moment, the voluntary return and reintegration into the country of origin remains an individual story that is poorly embedded in the broader social context in countries of origin. The

³⁶Lietaert, I, Return migration: A longitudinal research into the return processes, experiences and the welfare of migrants returning via a Voluntary Return programme, 2011.

³⁷Crossroad for Migration Integration, Forward-looking orientation. Working with threatened stayers on a meaning forward-looking perspective, 2014. <http://www.kruispuntmi.be/toekomstoriëntering-met-precaire-verblijvers-werken-aan-een-zinvol-toekomstperspectief>

³⁸Fedasil, Return and reintegration programme, 2015. https://5042.fedimbo.belgium.be/sites/5042.fedimbo.belgium.be/files/explorer/Terugkeer-en-reintegratieprogramma_tabel_2015.pdf

³⁹Caritas, Exchange regarding reintegration practices in the Caucasus, Central Asia and Russia, 06/2013 http://www.caritas-int.be/files/re-integratiepraktijk_in_kaukasus_centraal-azie_en_rusland.pdf



social impact of reintegration is also limited. Where possible, we need to look at how reintegration can be better embedded within existing services in the country of origin and whether a link can be made with projects of (Belgian) development cooperation, NGOs or companies. Although the focus countries for development cooperation do not always overlap with the countries of return, we must examine, always based on the needs of the person returning, how links can be found with existing projects. Existing pilot projects, such as the granting of microcredits (Senegal) and guidance towards the jobs market before leaving (Morocco), may serve as inspiration.

3.6. Return agreements

a. Description of the issues

52. Belgium does not have any direct return or re-admission agreements with third countries, but is involved with the agreements binding the EU and the Benelux.⁴⁰ However, Belgium itself has signed what are known as technical agreements with non-EU countries, such as recently with Morocco. These agreements are designed to facilitate the return of individuals whose residence status is irregular. Given that these are technical agreements, they escape any parliamentary control.
53. Return agreements are part of a process that has been in effect since the 1990s in which the migration policy of the EU and its member states is partly outsourced to third countries. Since the European Council meeting in Seville in 2002, re-admission clauses have been included in all development agreements.
54. The re-admission agreements do not guarantee that the return of the individuals involved will take place in accordance with international standards regarding the protection of fundamental rights. Hence migrants who are sent back to Morocco and Algeria risk punishment in view of the fact that clandestine migration is considered as a crime within the legislation.⁴¹
55. The government agreement states that the government will make budgetary assistance to developing countries dependent on the result of 'a regular and proper evaluation of the efforts and achievements of the government in those countries in the areas of fighting corruption, honouring human rights and sound governance, as well as collaboration regarding migration and justice.'⁴²
56. This raises questions about the link between development aid and its conditions in managing flows of migrants and may lead to inconsistent decisions.

a. Recommendations

57. The Advisory Council acknowledges that Belgian development cooperation may use its expertise to support countries in shaping a migration policy (e.g. by developing a quality asylum system). It may or may not admit that development assistance and humanitarian aid should not be linked to the signing of return agreements.
58. The Advisory Council asks that negotiations in the context of returns be discussed in the 'Development and Migration' working group and that there be greater transparency to the parliaments and civil society about return agreements and with how they are dealt.

⁴⁰Foreign affairs, trade and development cooperation, Treaties for which Belgium acts as a depository, http://diplomatie.belgium.be/nl/Verdragen/Belgie_als_depositaris

⁴¹Migreurop, Notes from Migreurop, Readmission agreements, 12/2012, http://www.migreurop.org/IMG/pdf/Note_de_MIGREUROP_12122012_Accords_de_readmission_pour_mise_en_ligne.pdf

⁴²Government agreement, October 2014.



59. Return agreements cannot be signed with countries where the fundamental rights of migrants are in danger, as is currently the case in Eritrea and Libya.

3.7. EU Emergency Trust Fund for Africa

a. Description of the issues

60. The EU Trust Fund for Africa was set up after the Valletta summit of November 2015. This temporary fund (2016/2020) of 1.8 billion EUR is designed to respond to the ‘crises in the Sahel region, the region around Chad, the Horn of Africa and North Africa’ and the deeper-seated causes of destabilisation, forced displacement and irregular approaches to migration, resulting in the promotion of the economy, equal opportunities, security and development.⁴³ The projects that are financed by this fund must, where possible, demonstrate an impact on migration flows. This involves risks for the instrumentalisation of funds from the 11th European Development Fund to restrictive migration management. The temporary nature of the funds also raises questions about the sustainability of the programmes that are financed by the fund.

61. There is a lack of transparency in the process of allocating projects.

a. Recommendations

62. The Advisory Council argues for greater transparency about the amounts, the criteria and the process of selecting the projects financed by this fund.

63. The Advisory Council argues that all of the projects that are put forward within the ‘Development and Migration’ working group meet the OECD-DAC criteria. The projects must be aimed at economic development and resilience in the countries of origin and not contribute to fighting against migration. They may not work with governments that do not respect the rights of migrants. Belgium must also express this view to the other partners operating in the Trust Fund so that it is not limited to Belgium’s contribution to the Fund.

⁴³European Commission, Fact Sheet: A European Union Emergency Trust Fund for Africa, http://europa.eu/rapid/press-release_MEMO-15-6056_nl.htm.