

RETURN COUNSELLING TOOLKIT

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RETURN COUNSELLING TOOLKIT

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INTRODUCTION

An essential component of the return process is counselling, which aims to support counselling beneficiaries to make an informed decision on their future migration pathways. Counselling provides the space for migrants to exert their agency, supports them to prepare for return and positively contributes to their reintegration in countries of origin. The question of how to prepare and provide return counselling is of significant concern for all actors involved in the return process itself, but until now very little has been done to offer a standardized approach to return counselling. The *Return Counselling Toolkit* intends to address this question and proposes a rights-based and migrant-centred approach to return counselling, which builds upon IOM standards and the Organization's long-standing experience in providing return and reintegration counselling to thousands of migrants every year, in a multiplicity of countries and contexts.

Stemming from the 2030 Agenda for Sustainable Development and the Global Compact for Migration, this *Toolkit* aspires to contribute to the global discourse on assisted return migration, also by consolidating the approach presented in IOM's Policy on the Full Spectrum of Return, Readmission and Reintegration. The Policy was launched to guide IOM's work in return migration through a holistic, rights-based and sustainable development-oriented approach, and to better enable the Organization to support its partners through the provision of capacity development and advice on return, readmission and sustainable reintegration. In addition, the Policy advocates the implementation of international legal and other internationally agreed standards and effective practices relevant to return, readmission and sustainable reintegration. The progressive operationalization of the Policy will inform the practical application of the approaches presented in this *Toolkit*, which in turn will aim to offer return actors and especially counsellors guidance on all segments of the return counselling process.

The *Return Counselling Toolkit* has been developed with the generous support of the Danish Ministry of Foreign Affairs under the project Support to Assisted Voluntary Return and Reintegration from the Western Balkans through the Provision of Two Key Interventions: (1) The Development of a Return Counselling Toolkit and (2) Provision of AVRR from the Western Balkans. In the Western Balkans, the assisted voluntary return and reintegration (AVRR) has been central to IOM's work since the 1990s, through the provision of direct assistance to migrants returning to the region. One of the cornerstones of the work in AVRR in the Western Balkans has been the progressive development of national AVRR frameworks, based on existing overarching AVRR frameworks and standards developed by IOM. IOM has been working closely with government and non-governmental partners on strengthening the systems and

capacity for migration management and, since the migration crisis in 2015 and 2016, has been directly supporting the reception and provision of humanitarian assistance and protection to migrants transiting the Western Balkans. Being both a transit and a subregion of origin for migrants accessing AVRR schemes, the Western Balkans has progressively acquired expertise in the provision of counselling and assistance to migrants departing from as well as returning to the Western Balkans throughout the pre-departure, return and reintegration stages. This *Toolkit* reflects this expertise and aims to further consolidate it.

Scope of the Toolkit

The *Return Counselling Toolkit* is designed to provide a harmonized, rights-based and migrant-centred approach to return counselling, which will serve primarily the learning and operational needs of return counsellors globally while responding to the specific needs of return counsellors in the Western Balkans. Additionally, this *Toolkit* is an agile learning tool that helps consolidate the return counselling understanding of a wider range of actors, including national central and local authorities, civil society and other service providers involved in return processes, policies and mechanisms.

This *Toolkit* offers in-depth guidance on how to provide return counselling to adults, while specialized and tailored information on how to deliver this task when counselling migrant children¹ and their families is provided in a separate module² on providing return counselling to children and their families. This another module complements the *Return Counselling Toolkit* and contains important information on how to uphold child rights during the return counselling process and fulfil everyone's duty to assure the protection and well-being of children.

The *Toolkit* complements and further consolidates the existing IOM knowledge on return and reintegration counselling and assistance provision, as outlined in key resources such as *Reintegration Handbook*,³ as well as *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*⁴ and other key IOM publications.

¹ A child is "every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier" (Convention on the Rights of the Child, 1989).

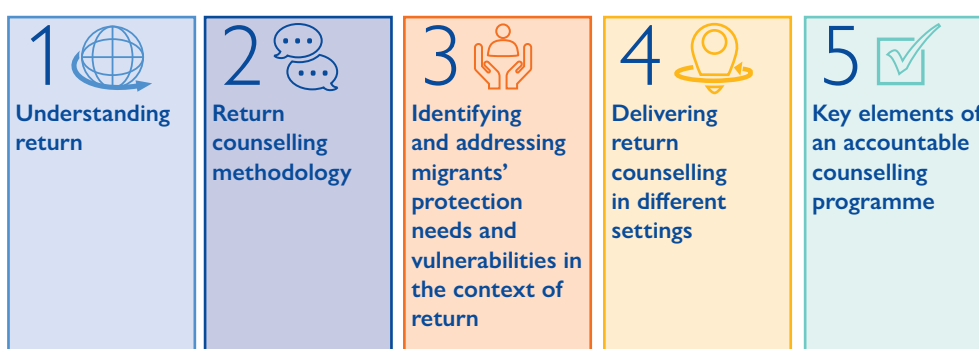
² This module is upcoming.

³ See <https://publications.iom.int/books/reintegration-handbook-practical-guidance-design-implementation-and-monitoring-reintegration>.

⁴ See <https://publications.iom.int/books/iom-handbook-migrants-vulnerable-violence-exploitation-and-abuse>.

Contents of the Toolkit

The *Return Counselling Toolkit* is structured around five complementary and interconnected modules that walk the reader through the essential elements at the core of a comprehensive and solid understanding of what return counselling is and how it is to be delivered based on IOM's approach and expertise. As mentioned previously, an additional module on counselling children and their families, drafted in coordination with UNICEF and Save the Children, integrates the structure below.



In particular:

- **Module 1: Understanding Return** provides an overview of what return is and its impact on the life of migrants at the individual, community and structural levels. Additionally, Module 1 outlines the importance of return counselling and introduces key principles at the basis of any return-related activity.
- **Module 2: Return Counselling Methodology** explains the key counselling features, namely return counselling objectives, principles and methodology. Module 2 also acknowledges that return counselling is a multicultural process and provides key considerations for the joint work of return counsellors, translators and cultural mediators.
- **Module 3: Identifying and Addressing Migrants' Protection Needs and Vulnerabilities in the Context of Return** focuses on counsellors' duty to identify and contribute to address migrants' vulnerabilities in the context of return by adopting a rights-based and vulnerability-sensitive approach.
- **Module 4: Delivering Return Counselling in Different Settings** provides operational guidance on how to adapt the return counselling methodology to different environments, including border and transit areas, immigration detention and emergency context. Module 4 also describes the work of return counsellors within mobile teams, or for the provision of remote counselling. For every setting presented, Module 4 includes a context description, outlines specific challenges and related proposed solutions, provides practical examples and states redlines that should be respected by return counsellors and return stakeholders at large.

- **Module 5: Key Elements of an Accountable Counselling Programme** highlights the importance of accountability and details some key aspects that should be at the foundation of return counselling programmes, including partnership and cooperation, results-based management approaches, measures to ensure inclusion within return counselling programmes, as well as ways to safeguard the well-being of return counsellors in the context of their work.

How to use the Toolkit

Each of the five modules is introduced by the following elements:



A short overview of the module's contents, to prepare the reader for learning



Learning objectives, to set module-specific targets for learning



Key messages, to outline the *Toolkit's* approach to particularly important aspects; additional key messages are also embedded in the body of the *Toolkit* and are easily identifiable by the text in italics

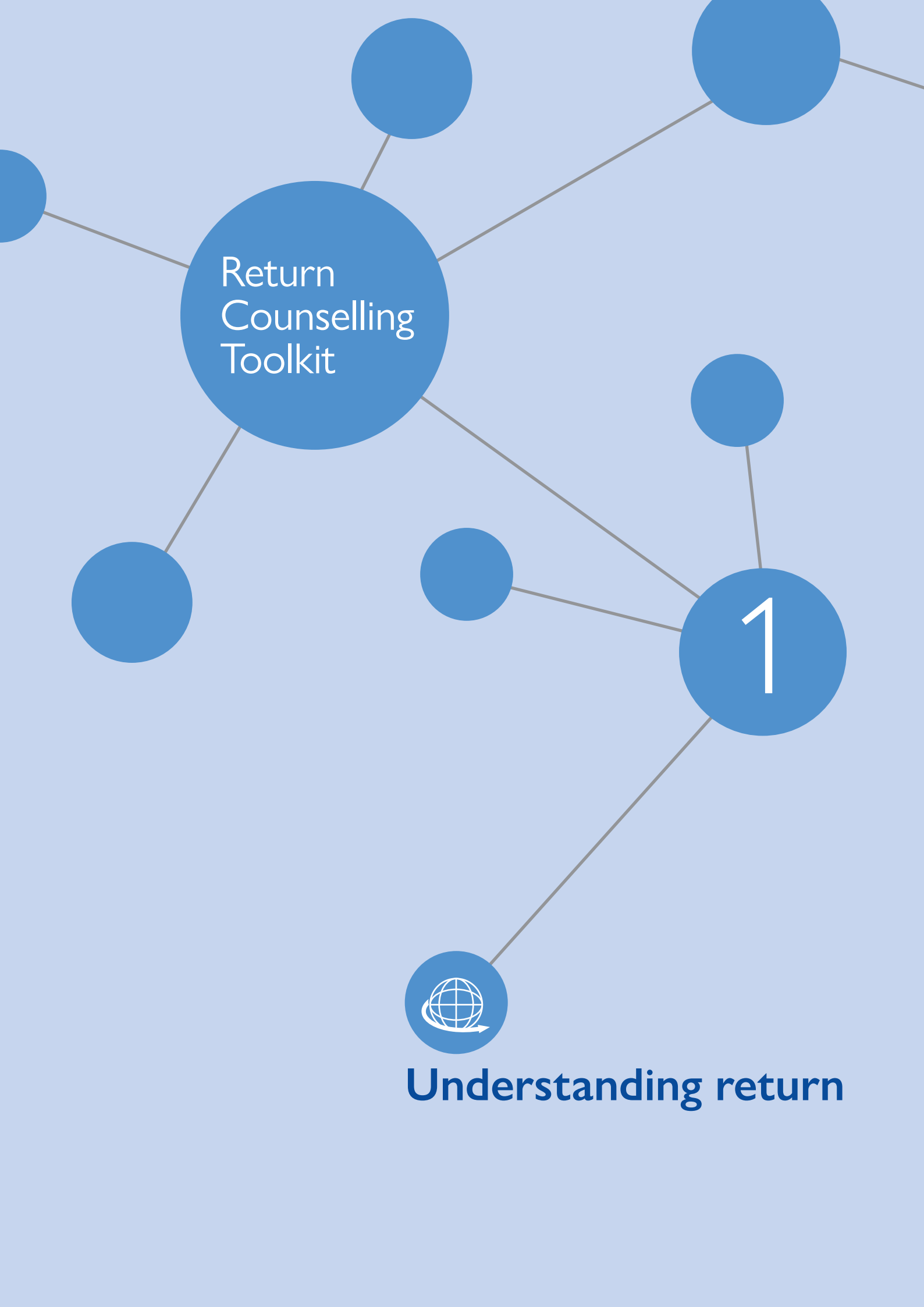


Target groups of the module based on its contents



A list of tools developed to further operationalize the contents of the *Toolkit*, tailor it to specific settings and provide in-depth knowledge about specific issues

It is important to highlight that the approach and practices proposed by this *Toolkit* refer to return processes and should be read in complementarity with the approaches proposed by the IOM *Reintegration Handbook*, which focuses on the assistance delivery and programmatic responses that enable the reintegration of returnees in their countries of origin upon return. While responding to different specific objectives and deploying specific tools and methodologies, return counselling and reintegration counselling are closely interconnected and feed into one another. In fact, well-prepared reintegration starts already during the pre-departure phase and relies on the early and accurate coordination among service providers in countries of origin and destination. On the other hand, sustainable reintegration largely benefits from the provision of principled and migrant-centred return counselling, which enables migrants to exert their agency while respecting their rights and applying a vulnerability-oriented approach. The links between return and reintegration counselling are, in some cases, further consolidated by the fact that the same actors could be involved in the provision of both services, as it often happens in the case of IOM return and reintegration programmes.



Return
Counselling
Toolkit

1



Understanding return

Module 1: Understanding return

Contents

Module 1 introduces the concept of “return” and familiarizes the reader with the principles guiding return-related activities. It also introduces the concept of return counselling as an evolving practice that has proven to be essential in the context of migration management and that can also enhance approaches to migrants’ protection.

Learning objectives

- Understand the concept of return and the key principles guiding return-related activities;
- Understand counselling and its importance within the return and reintegration process.

Key messages

- Return migration takes place for different reasons and under different circumstances, which can create challenges and opportunities for the counselling process.
- Return counselling is an essential element within the return and reintegration process, and adequate resources should be allocated to it.
- The integrity of return counselling is instrumental to sustainable reintegration outcomes and for the protection of migrants’ rights and well-being.

Target groups

- Return and migration management actors and stakeholders, including policymakers and practitioners
- Return counselling services coordinators
- Return counsellors

Tools for Module 1

- Tool 1.1. Understanding the psychosocial implications of return

1.1. Defining return

Useful resources for this section:

- ▶ IOM, *Reintegration Handbook* (section 1.1: Understanding return migration)
- ▶ IOM, Essentials of Migration Management 2.0 platform (return and reintegration of migrants)

In the context of this *Toolkit*, return is intended as “the act or process of going back or being taken back to the point of departure. This could be within the territorial boundaries of a country, as in the case of returning internally displaced persons (IDPs) and demobilized combatants; or between a country of destination or transit and a country of origin, as in the case of migrant workers, refugees or asylum seekers”.⁵

From an international legal framework standpoint, return to one’s own country is a right of which individuals can avail themselves and which the State has an obligation to respect by allowing individuals to return. When it comes to migrants, States have a sovereign prerogative to determine who can enter and stay in their territory and under which circumstances. While States have a wide margin of discretion in designing their migration policies, they have to do so in line with their international commitments. These include the protection of human rights, which are universally applicable to all people regardless of their migration status, in line with the nine core international human rights treaties, as well as customary international law. Additionally, specific international law provisions apply in the context of return and reintegration, such as in the case of the return/repatriation of migrants who are victims of trafficking in human beings, as outlined in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and the Council of Europe Convention on Action against Trafficking in Human Beings. The rights relevant to all migrants include but are not limited to: the right to return to one’s own country; the right



When talking about return, it is important to keep in mind that legal and regulatory framework might adopt different definitions across different countries or administrative units. This might result in unclarities on the general understanding around the migration landscape and return patterns and policies in a specific area. For this reason, it is important that return stakeholders approach matters related to return having in mind the international taxonomy and glossary (such as that proposed in the IOM *Glossary on Migration*) and also the specific legislation applicable to the environment they work in.

⁵ IOM, *Glossary on Migration* (Geneva, 2019).

to leave any country; the right to seek asylum; the right not to be returned to a country where the life or freedom of the person would be threatened on account of their race, religion, nationality, membership of a particular social group or political opinion or where there is a real risk for the person to be subjected to torture or other cruel, inhumane and degrading treatments or to other irreparable harms (non-refoulement⁶); the right to respect for private and family life; the right to health and access to social and health-care services; and the rights of the child, including the full respect for the principle of the best interests of the child, applying to the return of all migrant children and in particular unaccompanied and separated children.⁷ In line with this, migrants' rights shall be protected throughout the return and reintegration process, in order to preserve their safety, physical integrity, well-being and dignity.

Return migration is an essential component of human mobility. Recognizing that return counselling benefits any migrant who is preparing to return, the Return Counselling Toolkit focuses on migrants who are unwilling or unable to remain in host countries and wish to receive counselling services before departure.

Migrants return to their countries of origin for a multitude of reasons and under different circumstances, which is reflected in the range of existing subcategories or types of return, describing the various ways in which the return is implemented. For instance, returns can be spontaneous (when they take place without the support of States or other international or national assistance⁸) or assisted (when they happen with the financial or logistical assistance offered to migrants by States or third parties⁹).

Another important distinction regards the voluntariness of the return process. Returns can be in fact “voluntary”, when based on the voluntary decision of the returnees. Conversely, “forced returns” or “removals” are the act of returning individuals, against their will, to the country of origin, to a place of transit or to a third country that agrees to receive them, generally carried out on the basis of an administrative or judicial act or decision.¹⁰ It is important to recognize that, even when migrants decide to return in absence of coercion or legal enforcement, return might not be their preferred option but rather an acceptable choice within a very

⁶ In line with the IOM *Glossary on Migration*, the principle of non-refoulement can be defined as “The prohibition for States to extradite, deport, expel or otherwise return a person to a country where his or her life or freedom would be threatened, or where there are substantial grounds for believing that he or she would risk being subjected to torture or other cruel, inhuman and degrading treatment or punishment, or would be in danger of being subjected to enforced disappearance, or of suffering another irreparable harm”.

⁷ Nicola Graviano and Noëlle Darbellay, A framework for assisted voluntary return and reintegration, *Migration Policy Practice*, 9(1):9–14 (January–March 2019). Available at https://publications.iom.int/system/files/pdf/mpp_37.pdf.

⁸ IOM, *Glossary on Migration*.

⁹ IOM, *Reintegration Handbook: Practical Guidance on the Design, Implementation and Monitoring of Reintegration Assistance* (Geneva, 2020). Available at <https://publications.iom.int/books/reintegration-handbook-practical-guidance-design-implementation-and-monitoring-reintegration>.

¹⁰ IOM, *Glossary on Migration*.

limited range of available options. This is the case, for instance, of migrants facing economic hardship in the country of destination, or who are destitute, or lack regularization opportunities or find themselves in an uncertain legal status.

Even “within what may be a limited range of available options, [return counsellors should seek] to empower migrants to make informed decisions and exercise their agency by offering ... support to enable a safe and dignified return to those who are unwilling or unable to remain, including from situations of crisis, as a life-saving humanitarian measure. Respect for migrants’ free, prior and informed consent to the specific return modality or option available [should be] an underlying prerequisite for any operational support related to return and reintegration ... This requires, among other things: the absence of physical or psychological coercion, intimidation or manipulation; the provision of timely, unbiased and reliable information communicated in a language and format that is accessible and understood; sufficient time to consider other available options and to ready oneself for the return; and the possibility of withdrawing or reconsidering one’s consent if the proposed activities, circumstances, or available information change. In some cases, an assessment may be needed by qualified professionals to determine the extent to which a person is capable to take such a free and informed decision, and, should the person lack such capacity, to identify who could legally take the decision on his/her behalf”.¹¹

IOM strongly advocates that migrants be empowered to exercise their agency and that returns are voluntary whenever possible while recognizing the sovereign prerogative of States to forcibly return migrants who no longer have a right to remain, in full compliance with their obligations under international human rights law and refugee law. Voluntary returns are always preferable because they take into account the migrant’s agency to make informed decisions, leading to consent; allow returnees to prepare for their return as owners of the process; and contribute to reducing the stigma and potential negative repercussions of forced returns, which can hinder successful reintegration and thereby their opportunities for human development. When it comes to migrants in vulnerable situations, all potential protection pathways available to them should be identified and explored, along with return options.

Following a best interest determination procedure, voluntary returns should always be the preferred option in the case of migrant children who can no longer stay in the host country, since forced returns can hardly ever be in the best interests of the child. Similarly, voluntary return options should always be offered to victims of trafficking who are willing to return to their countries of origin and should be always preferred to forced return options.

¹¹ IOM, IOM’s Policy on the Full Spectrum of Return, Readmission and Reintegration (2021). Available at www.iom.int/sites/g/files/tmzbd486/files/documents/ioms-policy-full-spectrum-of-return-readmission-and-reintegration.pdf.

1.2. Return, readmission¹² and reintegration

Return migration is not a stand-alone segment within migration processes and experiences, nor shall it be seen as the end of a migration cycle. Human mobility is, in fact, a complex phenomenon that often entails multiple interrelated movements, such as temporary return to the country of origin and subsequent re-migration, prolonged stay in countries of transit before moving to the country of destination or relocation to a different country.

The increasing complexity of migration experiences is also the result of recent important shifts in the migration patterns and corridors, with traditional countries of origin for migrants travelling abroad progressively becoming countries of transit and/or destination.

In the realms of migration management and migration governance, policies that regulate the return, readmission and reintegration of irregular migrants and failed asylum seekers are among the key aspects to support the integrity and credibility of migration and asylum systems,¹⁴ along with the establishment of legal pathways for migration and

adequate protection mechanisms. Policies on safe and dignified return, readmission and reintegration also contribute to the advancement of the Sustainable Development



In the current context of the Western Balkans, the size of return migration is not only relevant with reference to migrants returning to the region but also to those returning from the region. Since 2015 and 2016, in fact, the Western Balkans has been a region of transit for mixed migration flows directed to Europe, with an increasing number of migrants and refugees transiting through these territories. Following these changes in the migration landscape, all Western Balkans countries and territories have worked towards the further development of their migration management systems, adopting additional measures to regulate the entry and stay of foreign nationals, to control and manage the borders, and to combat migrant smuggling and human trafficking. These measures include the adoption of new migration strategies and national action plans, as well as the adoption/modification of laws on foreigners and on asylum, that set forth national priorities and legal standards and aim to harmonize the migration management systems in the Western Balkans with the European Union acquis.¹³

¹² Readmission can be defined as the “act by a State accepting the re-entry of an individual (own national, national of another State – most commonly a person who had previously transited through the country or a permanent resident – or a stateless person)”. Readmission can take place on the basis of readmission agreements, which are “bilateral or multilateral agreements between States that establish, in a reciprocal manner, the basis and procedures, for one State to promptly and orderly return non-nationals, who do not or no longer fulfil the conditions for entry or stay on its territory, to their home State or a third State, most commonly a State through which they have transited or a State in which they had permanent residence”. See IOM, *Glossary on Migration*.

¹³ Among other areas, the European Union acquis includes also migration, in Chapter 24: Justice, Freedom and Security.

¹⁴ To learn more about how return, readmission and reintegration policies contribute to the integrity of the asylum system in the Western Balkans, see also United Nations High Commissioner for Refugees (UNHCR), Outcome 4, Strategy for UNHCR engagement in mixed migration movements in the Western Balkans (2021).

Goals (SDGs) (in particular SDG 10.7) as well as to the Global Compact for Migration (in particular Objective 21).¹⁵

IOM's Policy on the Full Spectrum of Return, Readmission and Reintegration (2021) outlines some guiding principles that underpin the Organization's approach to the full spectrum of return, readmission and sustainable reintegration, which shall not only guide the work of IOM in this field but also aspire to provide guidance to other actors, including governments, international organizations and civil society (see also [section 2.2: Key principles for migrant-centred counselling provision](#)). Very importantly, the principles that follow are interdependent and all equally important, since they complete one another and should never be read or applied separately.

Ten guiding principles of the IOM return, readmission and reintegration policy

1

Rights-based approaches through active protection and upholding of migrant rights

Migrants should be empowered to understand and claim their rights as enshrined in international and national laws, while at the same time the capacity of duty bearers should be enhanced with regard to their obligations to respect, protect and fulfil those rights. Under this principle, each migrant must have the opportunity to have their cases assessed by competent authorities to have any identified protection needs considered and addressed and receive timely and transparent information on migration and protection pathways available to them.

2

Gender-, child- and vulnerability-sensitive perspective

Existing discriminatory social and cultural norms and policies continue to contribute to the specific situations of vulnerability that migrant women and girls face throughout all stages of the migration process.¹⁶ Similarly, marginalized and vulnerable groups, including those discriminated against because of their sexual orientation, gender identity, gender expression or sex characteristics (SOGIESC), or migrants with disabilities, or again migrants being discriminated based on race, religion, political views as well as other factors are particularly exposed to rights violations throughout the migration path (see also [Module 3: Identifying and Addressing Migrants' Protection Needs and Vulnerabilities in the Context of Return](#)). Activities undertaken in the context of return should refrain from perpetuating discriminatory practices and should promote gender equality and the empowerment of all migrants, including and in particular those marginalized and more vulnerable groups.

¹⁵ To know more about the contribution of return policies to the advancement of international commitments under SDGs and the Global Compact for Migration, please consult EMM 2.0, available at <https://emm.iom.int/handbooks/return-and-reintegration-migrants#introduction>.

¹⁶ United Nations General Assembly, Human rights of migrants: good practices and initiatives on gender-responsive migration legislation and policies, Note by the Secretary-General (A/74/191 of 18 July 2019).

3

Do no harm

The provision of return assistance must not contribute to exacerbating the cultural, psychological, social and economic hardships already faced by migrants. To the extent possible, the provision of return assistance should not lead to an increased use by governments of measures that harm migrants or negatively impact their physical or mental health, such as detention. In crisis, transition and fragile contexts, the “do no harm” approach also provides the basis for conflict-sensitive programming, requiring that interventions are undertaken based on an assessment of potential risks, as well as the elaboration of mitigating measures to ensure that assistance does not have a direct or an indirect negative impact on the individuals or does not adversely impact their reintegration.

4

Migrant agency

Migrants should be empowered to make informed decisions and exercise their agency, even within a limited range of available options, such as when removal orders or return decisions have been already issued. Respect for migrants’ free, prior and informed consent to the specific return modality or option available is an underlying prerequisite for any operational support related to return.

5

Accountability

In the context of humanitarian aid, accountability (to affected population) is defined as “an active commitment by humanitarian actors to use power responsibly by taking account of, giving account to, and being held to account by the people they seek to assist”.¹⁷ This principle is to be applied in the context of return assistance too, where accountability should be enhanced particularly by promoting rights-based monitoring and by providing access to internal feedback and complaint mechanisms (see also section 5.4: Complaint and feedback mechanisms).

6

Confidentiality

Safeguards for handling and preserving the confidentiality of personal data of returnees constitute an indispensable element within return procedures. All personal data must be collected, used, transferred, disposed, stored or otherwise processed in accordance with international data protection standards. This includes, among others, the principle of lawful and fair collection of data, having a specified and legitimate purpose, the principles of consent, confidentiality, access and transparency, and data security. The collection of personal data should be limited to the strict minimum required for the implementation of the given activity.¹⁸

¹⁷ See also IOM, *Accountability to affected populations*. Available at www.iom.int/sites/g/files/tmzbd1486/files/our_work/DOE/humanitarian_emergencies/AAP/two-pagebriefonaap.pdf.

¹⁸ See also IOM, *IOM Data Protection Manual* (Geneva, 2010).

7

Safe environment for return

Environments in countries of origin need to be conducive to a returnee's personal safety. An informed and rights-based decision to return is to be taken by the migrants, based on the information they possess, and also based on the information collected during the return counselling process on the situation in the country and community of origin.

8

Sustainability of reintegration

Reintegration is deemed sustainable when migrants have achieved levels of economic self-sufficiency, as well as social stability and psychosocial well-being that allow them to cope with (re)migration drivers. Achieving sustainable reintegration requires an integrated approach to reintegration that addresses the economic, social and psychosocial dimensions of reintegration at the individual, community and structural levels. The assistance provided for the return and reintegration of migrants can contribute to the sustainable development of their communities while also addressing adverse drivers that compel individuals to migrate.

9

Whole-of-government approach and government ownership

Return is a complex issue that cannot be addressed by one ministry or a single government policy sector alone. It is therefore necessary to promote synergies between the different programmatic interventions and funding instruments used to address return management and those that promote humanitarian assistance, community stabilization and development cooperation.

10

Partnership and cooperation

Not only return requires the engagement of a wealth of government actors, but it also needs the combined efforts of other actors, such as government and non-governmental, at the international, regional, national and subnational levels. This is needed to ensure the integrity of the return process, ensure effectiveness and avoid duplication of efforts, and foster the sustainability of reintegration processes.

1.3. Factors influencing the decision to return

The understanding of factors that can influence migrants' decision to return to the country of origin proves to be crucial for the provision of quality counselling that can respond to migrants' needs, uphold their rights and prepare them for return and reintegration.

While every migrant's situation is different and shall be considered in its unicity, it is important to have a general understanding of the factors that come into play in the moment when migrants are considering if to return or not. Even if facing constrained options in fact, it is essential that counselling empowers migrants to make informed decisions, which are necessary preconditions to safe and dignified returns.

There are a variety of factors that influence migrants' decision to return, which are reciprocally entwined and that can be pondered differently by every individual. An exhaustive mapping of such factors is not available in literature, due to the complexity and variety of human experiences, values and emotions; however, there have been attempts to systematize at least some of these factors, which include individual factors, such as individual attributes (for instance, age, gender, physical and psychological situation) and social relations (such as the presence or absence of family members and the relation with the host community and the community of origin), structural factors including conditions in the country of origin and the host country, and policy interventions in host countries or countries of return, which can be considered incentives or disincentives to return.¹⁹ Different studies²⁰ have highlighted that there are recurring elements that are common to different migration and return contexts and that contribute to the decision to return, or not to return. It has to be noted that the same factors can motivate or dissuade a migrant from returning to the country of origin, depending on his/her personal history and situation, situation in the country of origin, social networks and personal values, among other things.²¹ Some of the key factors are listed below:

- **Perceived sense of failure regarding the migration experience and limited options available**, triggered by unmet expectations regarding the migration outcomes and the living conditions in the country of destination, as well as the anxiety of living irregularly and/or not being able or being offered the opportunity to integrate into communities and societies.
- **Threat of deportation or detention** generally plays a major role in the decision to return to the country of origin, including by taking up voluntary return programmes. Similarly, voluntary return can represent the only option

¹⁹ Richard Black, Khalid Koser, Karen Munk, Gaby Atfield, Lisa D'Onofrio and Richmond Tiemoko, *Understanding Voluntary Return*, Home Office Online Report 50/04 (London, United Kingdom, Home Office, 2004).

²⁰ Ibid. See also Khalid Koser and Katie Kuschminder, *Comparative Research on the Assisted Voluntary Return and Reintegration of Migrants* (Geneva, IOM, 2015); Black et al., *Understanding Voluntary Return*.

²¹ IOM, *Reaching Out to the Unknown: Native Counselling and the Decision Making Process of Irregular Migrants and Rejected Asylum Seekers on Voluntary Return* (The Hague, 2008).

to exit or avoid (prolonged) immigration detention in a safe and dignified manner.

- **Security** is largely cited by migrants as one of the crucial factors for consideration, with reference to the perceived security of migrants in both countries of destination and countries of origin. However, even if security is practically always taken into consideration by migrants, it is not yet clear how it impacts the decision to return. In fact, in different studies migrants reported that they would not return, even in conditions of relative security in the country of origin, while others reported that they planned or expected to return, even in the presence of security risks in the countries of origin. This is particularly important to be considered during the return counselling process, especially when assessing the safety of the return environment and migrants' agency to return, as it will be discussed further on (see [section 2.2: Key principles for migrant-centred counselling provision](#)).
- **Social networks and family situation** may play the role of incentives or disincentives to return. Strong and reliable social and family networks in the country of origin can facilitate migrants' psychosocial, social and economic reintegration upon return. On the contrary, when social and family ties in the country of origin have negative connotations (for instance, in the case of violent communities, or abusive family members), they can function as a deterrent to return and/or pose obstacles to the sustainable reintegration of returning migrants.
- **Debt to smugglers** seems to function as deterrent to return, with migrants being generally more reluctant to return if they are still in debt to smugglers, likely for fear of retaliation on themselves and their families, or for fear of not being able to repay the debt upon return, due to the uncertainty surrounding their employment and the possibility to earn a living in the country of origin. It should be noted that the issue of debt and how it impacts the migration path has not yet been extensively researched.
- **Life projects** and the ambitions, expectations and values attributed by migrants to their own future are also likely to play an important role. For instance, migrants with severe health conditions might be inclined to return to their own countries even if this means access to lower-quality health care, if they assign a high value to being able live in their own countries, surrounded by their families and friends. This is especially relevant in the case of migrants who decide to return and spend their last days in their communities of origin.
- **Availability of assisted return and reintegration programmes** does not seem to be a decisive factor for return, but it is often cited in literature as an element that increases the acceptance of return and the perceived chances of a sustainable reintegration in the country of origin, depending also on the scope and value of the reintegration assistance offered. In general, the

assistance provided to migrants during the return and reintegration phase has the potential to increase migrants' readiness and preparedness for return and can contribute to their sustainable reintegration.

When considering these listed factors, it is important to be reminded that migration is a gendered phenomenon, and that the migration cycle and experiences attached to it are profoundly influenced by gender-specific norms, expectations, as well as protective and vulnerability factors²² (see also [section 5.2: Gender, diversity and inclusion](#)). More than this, a person's sexual orientation, gender identity, gender expression and sex characteristics play a key role in the decision to migrate, the modalities of migration, the destination and the purpose of migration, as well as the relations with the family and the community in the country of origin and the decision to return or not to return.



In the Western Balkans region, migrants' decision to return to their countries of origin is often connected to the awareness of the challenges associated with the continuation of the journey, which range from the absence of legal pathways for onward migration to the risks connected to unsafe journeys where migrants are exposed to violence, exploitation and abuse (VEA) in the attempt to cross the borders²³ – attempts that often fail. Additionally, stranded migrants might not have any clear legal status nor possess any documents that would regulate their entry or stay. The lack of access to key services, such as accommodation, livelihood, education and health, experienced by some migrants can also contribute to feed the sense of failure of their migration experience. The threat of deportation does not seem to be a prominent factor in the decision to voluntarily return to countries of origin in the current context of the Western Balkans, where a relatively low number of returns is enforced due to limited capacities in terms of available resources and functioning readmission agreements with countries of origin. However, the European Union and its Member States have flagged the “need for further support to step up voluntary returns and cooperation on readmission with countries of origin”²⁴ in relation to the European Union enlargement policy in the Western Balkans and the progressive alignment with the European Union acquis, so it can be expected that the situation will likely evolve in the future. Moreover, the impact of the threat of deportation might be considerably important with reference to migrants returning to the Western Balkans from countries of destination, and especially the European Union, since in such context readmission agreements are efficiently functioning and the threat of deportation of irregular migrants is real and present.

²² See also United Nations, Human Rights Council, The impact of migration on migrant women and girls: a gender perspective, Report of the Special Rapporteur on the human rights of migrants (A/HRC/41/38 of 15 April 2019).

²³ Eliza Galos, Laura Bartolini, Harry Cook and Naomi Grant, *Migrant Vulnerability to Human Trafficking and Exploitation: Evidence from the Central and Eastern Mediterranean Migration Routes* (Geneva, IOM, 2017). Available at <https://publications.iom.int/books/migrant-vulnerability-human-trafficking-and-exploitation-evidence-central-and-eastern>.

²⁴ European Commission, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: 2020 Communication on EU enlargement policy (COM(2020) 660, 6 October 2020).

1.4. The psychosocial implications of return

As in the case of migration from the home country, from a psychosocial perspective, return migration is by no means a straightforward process. It has in fact several psychosocial implications on the individual, community and structural levels, and no type of return is exempt from these implications (being it forced return, AVRR or return organized by the migrants themselves).

Understanding the psychosocial implications of return will allow counsellors to better understand the returnees and provide a better service to them throughout the return process, in line with the migrant-centred approach to return counselling (see [section 2.1](#)).

Recent systematic reviews show that results on prevalence and incidence of psychological and psychiatric disorders among migrant populations are inconclusive. Based on systematic reviews of the most reliable studies, it appears that apart from post-traumatic stress disorder (PTSD), there are no major differences in prevalence and incidence of psychological and/or psychiatric disorders between migrant and non-migrant populations. It should also be noted that the difference in PTSD incidence is not high in absolute numbers even though it is statistically significant.²⁵ The studies also show that even migrants who do not suffer from mental illness may experience different ranges of negative psychological reactions due to multiple stressors.²⁶ Human rights violations, torture, gender-based violence (GBV), discrimination, human trafficking and exploitation, migration detention, forced return and/or removal can be named among many stressors that affect migrants' psychological well-being.

While research is inconclusive on the difference of prevalence and incidence of mental disorders between migrant and non-migrant populations, it is important to keep in mind that return migration to the home country might be an unexpected, sudden or unwanted event, which would trigger *normal negative psychosocial reactions to abnormal situations*. Even in case of a return that is extensively prepared, some normal negative psychological reactions might emerge since return will represent a profound change in the returnee's life that may go beyond his or her own "normality". *Normal negative psychosocial reactions to abnormal situations* can be psychological, biophysical, social and cultural, and can have an impact on different levels (please see [Tool 1.1](#)). It should be noted that although implications of return are usually understood as being exclusively negative, this is not always the case. There may be also positive implications, which are referred to as adversity-activated development (AAD).²⁷ For more information and for an in-depth look at the psychosocial implication of return, including their gender and age dimension, please see [Tool 1.1](#).

²⁵ IOM, *Reintegration Handbook*, Annex 1.

²⁶ Lineth H.U. Bustamante, Raphael O. Cerqueira, Emilie Leclerc and Elisa Brietzke, Stress, trauma, and posttraumatic stress disorder in migrants: a comprehensive review, *Brazilian Journal of Psychiatry*, 40(2):220–225 (2017).

²⁷ Renos K. Papadopoulos, Refugees, trauma and adversity-activated development, *European Journal of Psychotherapy and Counselling*, 9(3):301–312 (September 2007).

1.5. Return counselling: An evolving practice

*Counselling can be generally defined as “a process, organized in a series of steps, which aims to help people cope (deal with or adapt to) better with situations they are facing. This involves helping the individual to understand their emotions and feelings and to help them make positive choices and decisions. Counselling is an approach for assisting people to reduce initial distress resulting from a difficult situation, and to encourage short and long-term adaptive functioning (positive coping)”.*²⁸

The practice of providing counselling in the context of return to migrants who are unable or unwilling to remain in the host country or transit country and who decide to return to their countries of origin has been largely applied in the context of the IOM AVRR programming. Since 1979, IOM has been implementing AVRR programmes, assisting over 1.7 million migrants to return to their countries of origin in a safe and dignified manner while also contributing to their sustainable reintegration. Initially implemented in Europe, AVRR programmes have progressively extended their geographical coverage, with IOM implementing now large AVRR programmes in areas such as the Western Balkans, and also the Middle East, Africa, Asia-Pacific and Central America.

This increased complexity and geographical shift of AVRR programmes, which have occurred as a consequence of changes in the dimension, patterns and complexity of migratory flows, have also resulted in the development of new approaches to return and reintegration, with increased attention to safeguards and protection considerations, as well as to the sustainability of reintegration.²⁹ In fact, over the years, IOM has enhanced its return counselling practice by strengthening vulnerability screening and enhancing mechanisms to address vulnerabilities throughout the return and reintegration process. Additionally, comprehensive counselling guidelines have been developed towards supporting the sustainable reintegration of migrants,³⁰ including by adopting a psychosocial approach.³¹

The IOM approach to return counselling has progressively moved away from the sole provision of AVRR pre-departure information to embrace a more comprehensive approach that can effectively support the safe and dignified return of migrants and their sustainable reintegration.

²⁸ IOM, Introduction to Basic Counselling and Communication Skills: IOM Training Manual for Migrant Community Leaders and Community Workers (Geneva, 2009). Available at <https://publications.iom.int/books/introduction-basic-counselling-and-communication-skills-iom-training-manual-migrant-community>.

²⁹ To know more on the evolution of AVRR, see also Graviano and Darbellay, A framework for assisted voluntary return and reintegration.

³⁰ IOM, *Reintegration Handbook*.

³¹ IOM, *Reintegration Counselling: A Psychosocial Approach* (Dakar, 2020). Available at <https://publications.iom.int/books/reintegration-counselling-psychosocial-approach#:~:text=It%20does%20not%20cover%20counselling,specific%20training%2C%20attitudes%20and%20precautions>.



Outreach is a working modality that allows information and counselling services to get closer to beneficiaries, compared to services that are provided in a specific location that needs to be reached by migrants. In fact, outreach allows personnel to actively reach out to potential beneficiaries who might not otherwise have access to information and services in the location where they find themselves.³² Outreach activities typically foresee the deployment of mobile teams to areas where migrants gather, or the engagement and partnership with stakeholders such as diaspora organizations and religious communities, which can support and facilitate outreach activities in the respective communities. In this sense, outreach activities are also key elements to engage return and reintegration stakeholders, support a whole-of-government approach and enhance stakeholders' understanding of return and reintegration (see also [section 4.4: Return counselling provided by mobile counsellors/teams](#)).

Acknowledging the complexity of the pre-departure phase, IOM AVRR programming tends to break down different pre-departure activities, which have interrelated objectives within the overarching return and reintegration process. Some of these distinct and interrelated pre-departure activities include:

- **Information provision:** This includes activities that aim to deliver to migrants information programmes on return and on alternative migration options or related services and protection services and pathways that might be available to them, through communication channels such as distribution of printed or online information materials, organization of info events and functioning of migrants' info points or desks, among others. As per IOM practice, return information provision has the objective to ensure that migrants at large have wide access to information related to return programmes. At the same time, return information provision can facilitate the early referral of migrants to IOM or other actors who provide different types of services, including protection. Information provision is a preliminary step before return counselling takes place.
- **Return counselling:** Return counselling builds upon information provision and takes a more tailored approach, being delivered through individual or household/group sessions that are designed based on the specific situation of migrants. The provision of information is just one component of the counselling process, which additionally focuses on enabling migrants to take ownership of their migration paths, make informed decisions and prepare their return (if such is the case). Return counselling shall also have a protection function, where the assessment of migrants' vulnerabilities informs the

³² IOM, *Strengthening Information and Outreach for Assisted Voluntary Return in Ireland* (Dublin, 2015). Available at www.iom.int/sites/default/files/country/docs/StrengtheningInformationandOutreachforVoluntaryReturninIreland.pdf.

steps to be taken so that migrants' rights, safety and dignity are upheld and protection and assistance services and pathways that may be available to them are identified and considered. Return counselling can also be offered within case management, especially for migrants in vulnerable situations. Unlike information provision, return counselling must be confidential and individual counselling session(s) must always be offered, even when counselling groups of migrants such as families.

The distinction between information provision and counselling is not always clear cut, since both are underpinned by activities that are closely interrelated, and share the common objective to ultimately support migrants' ownership of their migration paths. It is interesting to note that while some return and reintegration stakeholders, like IOM, tend to make a distinction between those two areas of intervention while keeping them connected to each other, other stakeholders tend to make those two areas coincide, or avoid clear distinctions.³³



In the context of the Western Balkans, IOM has been relying on a strong outreach practice, based on the deployment of mobile teams and the provision of information in several most common languages among migrants, also through online solutions. IOM has in fact created a dedicated app, a website and a YouTube channel, and has relied on social media for outreach purposes. Such tools have the potential to improve and scale up the scope of outreach activities and allow data analysis on access to information and engagement of the users. Within the online outreach campaign, the Support for Migrants app (<https://supportformigrants.com>) is a key and innovative tool that has consolidated the AVRR online strategy in the region. Created as an app for sensitizing migrants along the Eastern Mediterranean route on the dangers related to trafficking in persons and providing them with reliable contacts and useful information, the Support for Migrants app has been further developed to embrace a broader spectrum of information, messages and services, easily accessible on the same platform. In fact, key messages related to AVRR, personal safety and security, GBV awareness and health hazards were translated in six languages (Arabic, Albanian, Urdu, Pashto, Bengali, Farsi, French and English) and progressively embedded in the app. The online materials match with corresponding offline materials for users who are not digitally connected, and use highly recognizable graphic and colors, which are used also to characterize the physical presence of AVRR counsellors on the ground. The combination of offline and online materials within the same outreach and communication campaign has made it possible to exponentially broaden the scope and coverage of the campaign, and to triangulate and analyse the data collected on the online access and usage, to adjust the campaign, and consolidate the overall outreach and communication strategy in the Western Balkans.

³³ Ibid.

1.6. The importance of return counselling

Return counselling is widely recognized as one essential component of voluntary return programmes by a vast number of return and reintegration stakeholders. In the context of IOM AVRR programming, the provision of individualized return counselling represents one of the key activities that enables migrants to make an informed decision and to take ownership of their voluntary return process.³⁶ For this reason, return counselling is included in all IOM AVRR programmes, whether through



The EU Return Directive mentions return counselling as one of the key activities to promote voluntary return, which is confirmed also in the European Commission's proposal for a recast of the Return Directive. Even in the absence of legal obligations in the European or national legal framework, a number of Member States have allocated resources and have strengthened cooperation with return counselling providers in order to ensure that migrants have access to this important service. More than this, the EU strategy on voluntary return and reintegration³⁴ mentions return counselling as a key element that can contribute to the success of the overall return process and elaborates the EU framework on return counselling and the Reintegration Assistance Tool.³⁵

IOM direct provision of this service to migrants or through partnerships with national agencies, service providers and civil society organizations (CSOs) that are designed as counselling providers' agents within the specific AVRR set-up in the country, and/or can ensure more capillary presence on the ground.

The increasing attention to return counselling from many different actors – ranging from government actors to civil society and international organizations – is grounded on a number of different factors. In particular, IOM acknowledges the following:

- Return counselling and information provision are essential to increase migrants' awareness of the existence of voluntary return and reintegration programmes and inform them about the existing options they have in terms of return to the country of origin, stay in the destination country or continuation of their migration paths. Increased awareness of migration options and procedures contributes to **increased migrants' agency and ownership of their decisions to pick up one of the existing migration options.**

³⁴ The EU strategy on voluntary return and reintegration is available at https://ec.europa.eu/commission/presscorner/detail/en/ip_21_1931.

³⁵ The Framework is available at <https://eur-lex.europa.eu/legal-content/EN/TEXT/?uri=CELEX%3A52021SC0121&qid=1632401848695>.

³⁶ Gravano and Darbellay, A framework for assisted voluntary return and reintegration.

- The individual return counselling process plays a key role towards the **assessment of migrants' vulnerabilities and needs**. Through vulnerability assessments run in the context of return counselling, it is possible to assess whether return is a viable, safe and dignified option for the migrant, and, if this is the case, under which conditions the return and reintegration shall take place in order to address migrants' vulnerabilities and needs. This is applicable to the situation of any migrant, but it is particularly important in the case of migrants who have been subject to or are vulnerable to VEA; have been trafficked; have health-related needs and have a diverse SOGIESC; and/or to unaccompanied and separated children. **Migrant-centred return counselling ultimately contributes to ensure that migrants' rights are upheld, in line with international and national legal frameworks.**
- To some extent, the propensity of migrants to become actors of change and contribute to the development of their communities of origin depends also on the extent to which they have provided for the preparation of their return.³⁷ Migrants who have been able to mobilize their tangible and intangible resources, as well as social capital and networking, have better chances to become actors of development and sustainably reintegrate into their countries of origin. **Return counselling aims at increasing the preparedness to return and resource mobilization and helps increase chances to reintegrate in a sustainable manner.** Return counselling can do so by helping migrants to access key pre-departure services (such as documentation, health examinations, family tracing and assessments) and providing them with important information on the situation in their countries of origin, including coordinating with service providers and actors who can support their reintegration. In this sense, return counselling is closely connected to reintegration counselling.³⁸

The above considerations are largely applicable to voluntary return programmes, where migrants' decision-making with regard to their return plays a major role in the return counselling process. However, considerations related to the importance of return counselling towards the assessment and response to migrants' vulnerabilities and needs, as well as towards increasing their preparedness for return and reintegration, can be applicable also to contexts that go beyond voluntary return programmes, such as in the case of forced returns.³⁹

³⁷ Jean-Pierre Cassarino, Theorising return migration: The conceptual approach to return migrants revisited, *International Journal on Multicultural Societies (IJMS)*, 6(2):253–279 (2004).

³⁸ IOM, *Reintegration Handbook*.

³⁹ While IOM cannot carry out forced returns of migrants for or on behalf of governments, this does not prohibit the Organization from providing non-movement services prior to or after a forced return movement, such as pre-departure counselling or post-arrival assistance, as long as they are provided with the informed consent of the migrants and contribute to protecting their rights and well-being. See IOM's Policy on the Full Spectrum of Return, Readmission and Reintegration.

The importance of comprehensive return counselling programmes shall correspond to the allocation of sufficient resources for their implementation, including financial and human resources, as well as sufficient time for the counselling cycle to take place (see [section 2.5: The return counselling cycle](#)). The pivotal role played by counsellors should also be recognized through sufficient efforts towards building the capacity of the return counselling providers. Not only should return counselling activities be well resourced, but they should also build upon standardized approaches that enable the provision of reliable information and coherent messages across different actors cooperating within the same migration management system.



The lack of a coherent approach to return and reintegration options across different geographical areas is a challenge identified by a number of stakeholders. Not only does it complicate inter-agency and transnational cooperation and communication, but it also creates tensions and misunderstandings among migrants benefiting of return and reintegration options or among stakeholders participating in the delivery of return and reintegration assistance. The EU Strategy on Voluntary Return and Reintegration highlights the threats posed by the fragmentation of return and reintegration options and paves the way for the creation of ad hoc coordination bodies to harmonize the European approach and interventions in the field of return and reintegration policy and operational work.

In the Western Balkans, due to the common regional migration outlook, IOM has been supporting the adoption of a subregional approach to return, readmission and reintegration, in order to foster the coherence, credibility and integrity of all interventions implemented in the subregion. In practice, this means that in the Western Balkans IOM has been implementing regional AVRR programmes and has applied similar standards for what concerns the provision of return and reintegration assistance to migrants, including in the return counselling phase. Also, in other regions, IOM has contributed to developing common understanding and standards around return, readmission and reintegration, such as in the case of the development and adoption of a policy guide on return and reintegration for Bali Process member States.⁴⁰

Tool 1.1: Understanding the psychosocial implications of return

As mentioned in section 1.2, a distinction needs to be made between psychological and psychiatric disorders and *normal negative psychological reactions to abnormal situations*, which might be triggered in the context of return. In this Tool, the psychosocial implications of return on the individual, community and structural levels will be examined in more detail.

⁴⁰ See www.baliprocess.net/UserFiles/baliprocess/File/BP%20Policy%20Guide%20on%20Returns%20and%20Reintegration.pdf.

1.1.1. Implications at individual, community and structural levels

On the individual level, that is when providing counselling and support to a single returnee, adopting a psychosocially informed approach will allow counsellors to provide a more effective service. Adopting a psychosocially informed approach means that the counsellor will consider the psychological, social and cultural dimension of return in an integrated manner. This means that the counselling will be:

- Considerate of the emotions, feelings and thoughts of the returnee, especially those negative psychological reactions that can be expected in return migration;
- Considerate of the sociorelational implications of return, such as the relations of the returnee with family and loved ones, both in the return and the host countries, and the wider communities, and how they affect both the feelings of the returnee and the perspectives of return;
- Considerate of the cultural impact of migration and return, such as changes in value systems, habits and interests, that may concern the migrant considering going back to the origin country.

As explained in [section 1.3 \(Factors influencing the decision to return\)](#), due to complexity and richness of human experiences, values and emotions, the psychosocial implications of return would be subject to each migrant's unique experience depending on the elements such as age, SOGIESC,⁴¹ pre-existing physical and mental health situations, time spent in the host country and social support available. The type of return would also have implications on the migrant. The return might be spontaneous or assisted, forced or based on the migrant's agency/willingness to return (including in situations where very limited migration options are available, apart from return). On a psychological level, the returnee might feel shame, guilt, anxiety, frustration, sadness, disorientation, sense of inferiority, self-perception of being a failure, sense of loss, feelings of hopelessness and helplessness, fear, anger, loneliness, low-self-esteem and self-confidence (see also the following table⁴²).

Table 1. Psychological implications of return

Shame	Mostly determined by the perceived failure of the migration project. The returnee is persuaded that they will come back "empty-handed" and have lost face. In other cases, shame might be due to traumatic events within the migration process, like violence, abuse, torture, detention.
Guilt	The returnee might feel guilty because of the failure of the migration plan, for having left significant others behind or for things that may have happened during the migration. If the reason for migration was financial, they might feel that they could not meet the expectation of their family or pay back debts.

⁴¹ For further information on SOGIESC, please refer to the IOM-SOGIESC Full Glossary of Terms.

⁴² Adapted from IOM, Annex 1, *Reintegration Handbook*.

Anxiety	The return migration itself might be a source of anxiety with the high level of unpredictability about the future, the expectation of others and the reactions of the community, even in case of long preparation before return.
Frustration	It could be the consequence of the perception of having been rejected in the host country, having difficulties in finding a job, creating a livelihood, being accepted by the community or returning “empty-handed”.
Sadness	Sadness comes from the perceived failure of the migration project, the rejection in the host country and the possible rejection in the community of origin, and having to detach once again from significant others.
Disorientation	The returnee has changed during the time spent abroad and the country of origin has changed as well. This makes them feel disoriented and not knowing what to expect.
Sense of inferiority	The returnee may feel inferior to those left behind who did not migrate or other migrants they met during their migration period who are not returning.
Self-perception of being a failure	The returnees perceive they have failed the migration projects and can blame themselves for this failure.
Sense of loss	This is connected with identity crisis. Before return, the migrants feel that the personal, social identity they have developed while abroad may not be acknowledged in the country of origin, while the old self may be lost to a certain extent. It has also to do with the loss of social network, loss of friends and ways of life.
Feelings of hopelessness and helplessness	These feelings are connected with a loss of confidence in one's capacity to manage events and with the belief that no event will be positive. As a result, returning migrants might not be able to mobilize energy and be proactive.
Fear	Returning migrants can permanently feel in danger, whether the threat is real or not. This can be the result of debt bondage, discrimination and/or past traumatic events, such as violence, torture or detention.
Anger	Angry feelings can be directed towards oneself, the country of migration, the return actors and agents, and relatives and friends as a reaction to stress and due to the feeling of having been rejected or being the victim of injustice.
Loneliness	It is a common feeling mostly connected to the perception of not being understood by the family, friends, the community and institutions. Loneliness has probably also accompanied the returnee during the time spent abroad.
Low self-esteem and self-confidence	The returnees may have a negative opinion of themselves because many of their expectations have not been fulfilled. They may feel that they cannot succeed in any new life project.
Focus on the past or the future rather than on the present	The present represents a challenge and sometimes a threat for the returnee. They may be more focused on the past, both because negative past experiences and events keep them stuck or because the past is in a way more manageable in comparison with the ongoing dynamic present. The returnee may focus on the future as a sort of escape from a challenging present.

Connected to the psychological implications, the returnee might feel fatigue and exhaustion and experience change in appetite, change in sleep patterns, and addiction (see also Table 2⁴³).

Table 2. Biophysical implications of return

Fatigue/Exhaustion	Migrants can be exposed to different forms of violence, torture, detention and exploitative work conditions that can bring different negative psychological reactions and to a general state of exhaustion, exacerbated by the stress reactions.
Change in appetite	Anxiety can cause change in appetite; the returnee might eat more or less than the usual.
Change in sleep patterns	Anxiety can cause change in sleep patterns. The returnee might find it difficult to fall asleep, continue to sleep or feel sleepy all the time.
Substance use	As a coping mechanism to the hardships of migration, some migrant might start to use substances.

Lastly, on a social level, the returnee might face social stigmatization, perceive themselves or be perceived as a failure, or perceive to be perceived as a failure, or have financial difficulties (including debts). Also, migrants who decide to return could also feel anxious and worried because they expect difficulties to reintegrate with the family and society in the country of return (including due to adaptation to the host country and the changes in the returnee's behaviour and habits according to the host culture, lack of trust, feelings of not being understood by others) (see also Table 3⁴⁴).

Table 3. Social implications of return

Social stigmatization	The decision to return can be stigmatized by the family and the community in the country of origin or in the host country.
Perceive themselves or be perceived as a failure	Returnees are perceived or can feel they are being perceived as a failure, as they have not fulfilled the expectations of family, friends, and community members who have invested money, hope, admiration, and other tangible and intangible resources in their time abroad, in the country of origin and in the host country, as well as inferior to their peers whose migration plans succeeded in the host country.

⁴³ Ibid.

⁴⁴ Ibid.

Difficulties with family and society	The family, friends or networks may have invested tangible and intangible resources in the migration project of their relative. The returnees might be motivated to return to reunite with family members, friends and loved ones but, at the same time, fear to disappoint them by returning. The returnees might have adjusted to the host country's values and might fear they will not be any more compatible with their origin culture like before.
Financial difficulties	Returnees may fear the fact of coming back "empty-handed" from a financial point of view. This can be even worse for those who have debts to repay and a family to support in both the origin and host countries.
Lack of trust	Returnees may lack trust towards peers as well as the authorities. The lack of trust might be directed to IOM and its staff, including the return counsellors.
Isolation from others and feelings of not being understood by others	Social withdrawal is a common reaction of returnees who think that their present situation (and maybe even the initial decision to leave) is not or will not be understood. This is even more true for migrants who are forced to return. Additionally, it is important to note that some returnees do not want to get in touch with or even inform their communities of origin of their return. Isolation is a leading factor for depression and can trigger a vicious cycle where returnees do not receive any support because they remain distant from help of any kind.

For migrants, communities multiply, as they are part of at least three different communities – the one in the origin country, the migrant community in the host country and the host community, with different levels of sense of belonging. The return affects the relations with all three communities. If forced or induced by a failure of the migration plan, the return may be perceived as the result of a rejection from the host community, which may provoke anger, frustration, and mistrust towards members of this community and the institutions therein, including those involved in the return. Having to separate from the migrant community in the host country can create ambiguous feelings about the return, a sense of loss, isolation and a sense of inferiority towards those peers who are not returning. Finally, in relation to the community back home, the returnees might think that they would be perceived as burden and they might be held responsible for the negative socioeconomic situation of the family. In case of returning to the family, either immediate or extended, the returnee might feel ashamed and perceived as a failure if he or she returned. All these implications would be heavily related to the time spent outside of the home country, as during this time the returnee might acquire a new language and customs and get used to the host country's culture. All these factors would cause distress and would have direct effects on the migrant's decision regarding the return. Therefore, it would be important to talk about these factors during the counselling sessions. It should be noted that these might be the returnee's own projections rather than the reality itself. One possible solution to make that distinction would be creating a space for the returnee to talk about these ideas with his or her significant other. The counsellor can also help the migrant reflect on and prepare for these challenges, for

instance by adapting the contents of the self-help booklet “Preparing for Return”⁴⁵ to include some activities within the counselling sessions, or teach the migrant how to use the booklet.

Additionally, on a structural level, depending on the situation of the returnees, they might be perceived as a burden in the country of origin, especially when migrants return with no additional skills, are unable to (re)enter the labour market in the country of origin or are in a vulnerable situation, for instance returning with disabilities. Additionally, depending on the specific situation, returning migrants might be perceived as a threat as they might bring “foreign values”. Some countries provide reintegration grant for returnees, and this might create further tension between returnees and the host community, as the latter might not benefit from similar socioeconomic opportunities as the former. All these implications on a structural level would affect the returnees while preparing for return. Therefore, it will be important for the return counsellors to talk about these implications and their effect on the returnees individually.

1.1.2. Positive or negative implications of return

As mentioned in the beginning of this section, return does not necessarily always have negative implications. It also includes positive effects on the individual, community and structural levels. The lack of research in this area limits our knowledge of what these positive implications might be. However, from the experience and the limited research, it is possible to name some positive effects of migration in general and return in particular. At the individual level, the migrants might have learned new language(s), skills and cultures. After the mere exposure to adversities and being able to strive might enhance self-esteem and sense of strength. In the case of women, they might have enjoyed a wider range of rights (for instance, the right to education) in transit or host countries. The returnees might contribute to their communities with their newly acquired skills. As in the case of negative implications, the positive implications would depend on each individual’s unique situation, and they should be explored through return counselling. While thinking about return, the returnee might only focus on the negatives. It would be the return counsellor’s responsibility to help the returnee to be aware of possible positive implications.

Being exposed to adversities creates both negative and positive reactions. However, a lot of functions, abilities, characteristics, relationships, qualities and habits of returnees remain unchanged. It is important that these are also identified, so that returnees understand themselves better in a holistic way. These unchanged characteristics in returnees include both positive and negative ones. Positive ones

⁴⁵ See <https://returnandreintegration.iom.int/en/resources/guideline/preparing-return>.

may include their ability to care for their families, their creativity or perdurance. The negative characteristics may include being judgemental of people and a tendency to procrastinate, among others. It is important for returnees to know that these characteristics are not a result of their exposure to adversity, but they have always tended to have such characteristics and to understand how these are impacting their decision to return and even how these may impact their return process.

Focusing on the positive changes brought about by migration and the unchanged positive qualities people have carried with them throughout migration would help the returnees to not consider their migration as a failure. By acknowledging the positive changes, they could feel empowered and, instead of dwelling on the past, they can focus on how to use these positive changes in their present and future. Considering the implication of return on the individual, community and structural levels, it might not be easy for the migrant to see these positive changes at first. In such cases, the return counsellor can try to help the migrant see the positives. For example, if the returnee is able to speak the host/transit country's language, the counsellor could point out that.

1.1.3. Gender and age dimensions of the psychosocial implications of return

The implications described above also have a gender dimension that should not be overlooked. While thinking about return, the returnee would be affected by these ideas and projections. Because of these ideas, they might be reluctant to return and/or the return might create stress. The idea of return might remind them their experiences prior to and during the migration period from their countries of origin. Therefore, it is important for return counsellors to be aware of all these complications and create a safe space for returnees to talk about them during return counselling. Migrant women are generally more exposed to gender-based and/or domestic violence compared with men, and such risk factor can directly impact their mental well-being, among other things. In the case of single women returning with a child, they might fear that they would face stigmatization and/or alienation from society if being a single mother is frowned upon in their society. Additionally, migrant women returning to their countries of origin might be seen as returning with values and attitudes that are not in line with the "traditional values" in their home countries. Having lived in another country, migrant women might have become more independent and might have acquired new roles that are not compatible with the traditional gendered roles in their origin countries. They might have started to work either in transit or host countries and, upon return, if there were no opportunities for them to work in the country of origin, they would suffer from economical dependency. Similarly, migrant men also might have acquired some new roles which might not be compatible with the values and traditions in their countries of origin. They might think that these changes would affect how the community and

society treat them upon return, and it would have an impact on returnees. They might be afraid that they will feel like an outsider and isolated and have difficulty in reintegrating with society. Furthermore, they might be thinking that they would need to leave their “new self”, which is shaped by the migration experience. This would lead to a feeling of incompleteness and refrainment. “Weakness” and “powerlessness” are common characteristics attributed to women.⁴⁶ Women could think that upon return, they might be perceived as even more “weak” and “powerless”. If the migrant women got empowered while they were away from the country of origin, on the other hand, they might be afraid that it would create a clash between them and society once they are back in the country of origin. One way to overcome these difficulties would be creating a space for returnees to talk with their families or peers or counsellors in the country of origin. This can be done by prompting them to contact the family with own means of communication and the counsellor could provide the booklet “Preparing for Return” that gives suggestions on what items to tackle in the conversations and issues to touch upon. If the migrants cannot, the return counsellor could contact the IOM office in the returnee’s country of origin to set up a meeting with the returnee and his or her family or peers or a counselor. During these meetings, the returnee would have a chance to reconnect and have some fresh information about the situation, which would help him or her to prepare better and know what he or she will be facing. Before arranging such a meeting, the implication of connecting the returnee with family or peers should be well analysed. It should be discussed with the returnees in detail and such action should never take place without their consent. The idea of return counselling should be empowering the returnee. Arranging such a meeting without the consent might be perceived as an interference and would negatively affect the relationship between the counsellor and the returnee.

It is important to remember that men can be equally exposed to psychosocial implications that can pose an obstacle to their well-being. In many cultures, men are expected to be strong and not show their emotions. Both during return counselling sessions and in their daily lives, they might try to hide their emotions and the implication of migration and return, which would affect their well-being. Another common role given to men by society is the role of breadwinners. Their initial idea behind migrating from their countries of origin might be financial difficulties. Failing the migration plan and returning “empty-handed” might affect their social role and how they are perceived by their communities. They might feel as a failure themselves as well. If their families needed to support their journey financially and were hoping that they would get the return on their investment, the implication would be even more severe. This situation would negatively affect their self-esteem and self-worth.

⁴⁶ Mihail Peleah, The impact of migration on gender roles in Moldova, *Development and Transition*, 8:14–17 (2007).

Studies show that men can be also exposed to sexual violence on their migration journey.⁴⁷ As mentioned previously, in many cultures men are expected not to show their emotions and, when it comes to sexual violence, it is even harder to seek for help and disclose what happened to them. Not disclosing what happened and refraining from asking for professional help would make them more prone to blame themselves and isolate from society, being unaware of the fact that similar experiences have happened to other men and that victims are not guilty.

As for women, gender roles can also have an impact on the return of migrant men. For instance, it can happen that during the absence of the man/husband, his household responsibilities in the country of origin have shifted to other family members. Upon return, the redistribution of these responsibilities might not be a straightforward process. The feeling of weakness due to failed migration plans might get worse if men are not able to meet the assigned gender roles due to various reasons upon their return.

In the case of migrants with diverse SOGIESC, there might be some further implications. Depending on the situation in their countries of origin, they might not have the same rights/opportunities that they had in the host country. The rejection from the family and the community of origin because of their diverse SOGIESC could also lead to lack of psychosocial support and further isolation when they return. All these factors might come into play when participating in return counselling and considering return as an option. In these circumstances, it could be particularly difficult for migrants to disclose their diverse SOGIESC to return counsellors and/or to their family members or communities of origin. The hardship of disclosing their SOGIESC might be related to lack of trust towards institutions and return counsellors. As their SOGIESC will be an important factor for them to decide on return, it is important for return counsellors to provide a safe space for the returnees during the counselling sessions. Apart from the counselling techniques that are explained in Tool 2.1, using some posters and banners where possible, and instead of assuming their SOGIESC, asking them how they define their SOGIESC would be beneficial.

In case people with medical conditions or physical or mental health problems might create further anxiety. In such situations, it is important to have enough information on services in the country of origin to be sure that the returnee would get appropriate treatment when they are back in his or her country. This should be the case for anybody who is returning with a condition. For further information on

⁴⁷ Rea A. Belanteri, Sven Gudmund Hinderaker, Ewan Wilkinson, Maria Episkopou, Collins Timire, Eva De Plecker, Mzwamdile Mabhala, Kudakwashe C. Takarinda and Rafael Van den Bergh, Sexual violence against migrants and asylum seekers: The experience of the MSF clinic on Lesbos Island, Greece, *PLoS one*, 15(9) (17 September 2020).

the subject, please refer to *Returning with a Health Condition: A Toolkit for Counselling Migrants with Health Concerns*.⁴⁸

Often elderly are among those with medical conditions. Another common issue with regard to elderly returnees might be related to literacy, including when it comes to IT skills. They might not have reading and writing skills, they might not be familiar with the use of the internet and mobile phones, and they might have difficulties understanding complicated processes. In such situations, it is important to adapt the return counselling with regard to the returnee's needs.

⁴⁸ See <https://publications.iom.int/books/returning-health-condition-toolkit-counselling-migrants-health-concerns>.



Return
Counselling
Toolkit

2



**Return counselling
methodology**

Module 2: Return counselling methodology

Contents

This module focuses on describing in detail the return counselling methodology, stemming from counselling principles and objectives, and analysing how these can be practically applied and achieved in the counsellors' daily work. This module also provides useful guidance regarding the preparation and delivery of return counselling sessions and includes key case management elements (such as record keeping, coordination and case closure) and references that are relevant for return counsellors.

Learning objectives

- Understand the migrant-centred counselling approach, principles, objectives and methodology;
- Understand how to adapt the return counselling methodology, according to the different stages of the migration path, as well as the physical, emotional and mental needs of the migrant;
- Apply the notions and tools related to the counselling methodology;
- Analyse the return counselling methodology and be able to relate and organize all its components within the counselling cycle.

Key messages

- Return counselling methodology provides the tools to ensure the integrity of the counselling process, based on high-level principles and standards.
- Return counselling responds to three different but interrelated objectives. Counsellors and other professionals cooperating for return counselling should have access to capacity-building, resources and tools that can help them achieve such objectives.

Target groups

- Return counsellors
- Return counselling services coordinators

Tools for Module 2

- Tool 2.1: Psychosocial approach to return counselling

2.1. Migrant-centred approach to return counselling

Over the years, the number of actors delivering return assistance has multiplied, in parallel with the launch of return initiatives and programmes in geographical regions previously not involved in such activities. Different actors have interpreted the task of delivering return counselling in different ways, depending on their specific mandates, strategic objectives and roles within the migration management system. Some of the differences among return counselling approaches consider the objective of the return counselling and consequently the way it is delivered.⁵¹



The EU Return Directive mentions that Member States should provide enhanced return assistance and counselling, in order to promote voluntary return, even without creating an obligation for Member States to set up voluntary return programmes.⁴⁹ Based on this, Member States have progressively introduced return counselling in their practice, either through specific legal or regulatory provisions, or by other means, with a wide range of actors involved in the delivery of return counselling, including migration authorities, national and local government institutions and agencies, as well as international organizations and CSOs.⁵⁰

Among the different existing counselling approaches, IOM advocates a migrant-centred approach to counselling to be applied in all instances when return counselling is offered along the migration path, including in situations when options for legal stay in the host country are limited to non-existing, as well as in the case when removal is being enforced. Also, in such contexts in fact, migrant-centred return counselling can be functional to the safety and dignity of return. (See also [Tool 2.1: Psychosocial Approach to Return Counselling](#).)

The application of a migrant-centred approach to return counselling implies that return counselling is delivered only if migrants (or their legal representatives) give their informed consent, and should never constitute an obligation on the part of the migrant. One of the main objectives of migrant-centred counselling is to facilitate migrants' informed decision and agency with regard to their lives. Counsellors therefore provide timely, unbiased and reliable information on existing options to remain in the host country, return to the country of origin or continue with onward migration, as well as inform migrants on their rights and/or facilitate access to legal counselling. Return counsellors build a trustful relationship with migrants, directed at helping them to explore their personal situation and their perception and feelings regarding return as an option.⁵² Following a migrant-centred approach,

⁴⁹ Directive 2008/115/EC of the European Parliament and of the Council.

⁵⁰ See also European Migration Network (EMN), Policies and practices on return counselling for migrants in EU Member States and Norway, EMN Informs series (2019). Available at <https://emnbelgium.be/publication/return-counselling-emn-informs>.

⁵¹ European Commission, The EU framework on return counselling and the Reintegration Assistance Tool (2021). Available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021SC0121&qid=1632401848695>.

⁵² IOM, *Coping with Return: An Overview of Methodology Development and Exchange of Best Practices on Voluntary Return Assistance in the Enlarged European Union with Particular Emphasis on Vulnerable Asylum Seekers* (Geneva, 2006). Available at <https://returnandreintegration.iom.int/en/resources/manual/coping-return-methodology-development-and-exchange-best-practices-voluntary-return>.

return counsellors carefully manage migrants' expectations on return to the country of origin, as well as their stay in the host country or the continuation of the journey towards the intended country of destination, and assess the risks attached to any of the options considered. In this sense, migrant-centred return counselling does not have the aim to convince migrants to make one specific decision nor to influence their course of action.⁵³

2.2. Key principles for migrant-centred counselling provision

The provision of migrant-centred counselling rests on a set of key principles. Some of them are related in general to the assistance provided within the return and reintegration continuum, and were introduced in Module 1 (see [section 1.2: Return, readmission and reintegration](#)). The guidance that follows provides recommendations on how to operationalize these principles in the context of return counselling. It is important to be reminded that the principles are all equally important and interdependent and should never be read or applied separately. These principles should also be read in conjunction with and complemented by the principles for the protection of migrants vulnerable to VEA⁵⁴ (see also [Module 3: Identifying and Addressing Migrants' Protection Needs and Vulnerabilities in the Context of Return](#)).

General principles on the provision of assistance in the context of return and reintegration



Rights-based approaches through active protection and upholding of migrants' rights

This principle in practice:

- The counselling process shall be driven by the **primacy of migrants' rights over any other consideration**, including political, financial or logistical ones. Rule of law and due process must prevail on political pressure and stakeholders' or migrants' expectations.
- **Migrants must be screened before departure, in order to have their protection needs and vulnerabilities assessed and addressed.** Specific tools and procedures should be established, and used by counsellors, to ensure that vulnerabilities are identified, assessed and addressed. No return should take place unless the standards related to the protection of migrants in vulnerable situations are met, and alternatives to return shall be sought in case return is not deemed safe for the migrant or reintegration is not sustainable (see also [Module 3: Identifying and Addressing Migrants' Protection Needs and Vulnerabilities in the Context of Return](#)). Migrants must be referred to appropriate protection actors, which could include national or local authorities, United Nations agencies and CSOs such as the Office of the High Commissioner for Human Rights (OHCHR), the United Nations High

⁵³ Danish Refugee Council (DRC), *Return counselling: Supporting informed decision-making through impartial, independent and non-directive counselling – a policy brief on best practices for return counselling based on the Danish Refugee Council's experiences* (February 2019); IOM and the Swiss Red Cross, *Ideas on How to Facilitate Departure, Return and Reintegration Assistance* (Bern, IOM, 2015), available at <https://publications.iom.int/books/ideas-how-facilitate-departure-return-and-reintegration-assistance>.

⁵⁴ See IOM, *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*, subsection "Principles of assistance" (Geneva, 2019). Available at <https://publications.iom.int/books/iom-handbook-migrants-vulnerable-to-violence-exploitation-and-abuse>.

Commissioner for Refugees (UNHCR), UNICEF, Red Cross and others. Partnership with such actors shall be established and harvested in time, so that referral mechanisms work smoothly and can promptly address situations where serious violation of migrants' rights might be at stake.

- Return counsellors have the responsibility to **identify potential instances when potential returnees have been subjected to rights violations. In such cases, return counsellors have the duty to refer the case to responsible authorities and actors, in agreement with the beneficiary.** Depending on the situations and in coordination with their supervisors, counsellors shall refer such cases to complaint mechanisms (such as the ombudsman's office, the countertrafficking rapporteur), as well as to national or local authorities, including law enforcement agencies and the justice system, in the case of migrants being victims or witnesses of criminal offences. In situations of grave human rights violations or repeated infringements of human rights, rights violations should be reported to the United Nations Country Team, which can help refer the situation to human rights bodies (United Nations supervisory mechanisms or regional courts).



Gender-, child- and vulnerability-sensitive perspective

This principle in practice:

- **Return counselling should aim to improve understanding of and response to the needs and risks faced by all migrants,** regardless of their sexual orientation, gender identity or expression, sex characteristics, age, ethnicity, indigenous status, disability or any other criteria. Tools and procedures used in the context of return counselling must be gender sensitive and include: specific questions to assess VEA, including trafficking in human beings; referral pathways that are protection oriented and do not expose migrants to additional harm; venues for migrants belonging to marginalized and vulnerable groups to express their opinion and their needs in a safe environment (see also [Module 3: Identifying and Addressing Migrants' Protection Needs and Vulnerabilities in the Context of Return](#)).
- **Tools and procedures used in the context of return counselling must be age sensitive, consider the rights of the child, and respect the existing safeguards for the return and reintegration of children,** including unaccompanied and separated children. This means ensuring that children participate in the return process according to their age and evolving capacities, and that they are supported and represented by their parents or legal guardians; and ensuring that return procedures are based on the principle of the best interests of the child and the right of children to express their views and opinions.



Do no harm

This principle in practice:

- **Return counselling should assess whether the provision of return assistance could be detrimental to migrants' safety, dignity and well-being.** This is particularly relevant for migrants with health-related needs who need to be guaranteed access to health care upon return, or for victims of VEA, including trafficking and sexual and gender-based violence (SGBV), who might face stigmatization, re-trafficking or retaliation from their aggressors upon return. Risk assessments and mitigation plans must be included in the return counselling process (see also [Module 3: Identifying and Addressing Migrants' Protection Needs and Vulnerabilities in the Context of Return](#)).
- In the case of unaccompanied and separated children, the **best interest determination** must be undertaken to avoid any harm attached to the return and reintegration process. Best interest determination should also be conducted in relation to accompanied children who are subjected to forced returns, in order to ensure that their rights are respected.

- In cooperation with cultural mediators, translators and counsellors from countries of origin, **return counsellors must assess if return exposes migrants to stigma, discrimination and marginalization.** This would include considering how the community will react to the return of a single parent coming back with a child but without a partner, of a migrant who has been a victim of SGBV, or of a migrant with diverse SOGIESC. Mitigating measures or alternatives to return should be found in order to avoid causing harm to migrants, their communities or to the staff providing assistance.



Migrant agency

This principle in practice:

- The adoption of an informed decision is possible when: there is no physical nor psychological coercion, intimidation or manipulation; timely, unbiased and reliable information is provided in a language and format that is accessible and understood; there is sufficient time to consider other available options and to ready oneself for the return; and migrants have the possibility of withdrawing or reconsidering one's consent if the proposed activities, circumstances or available information change. **Unless these requirements are respected, migrants are not enabled to exercise their agency in the context of return procedure.** While within forced return procedures migrants cannot exert their agency when it comes to the decision to return, they should always be in the position to decide if they would access return counselling and how, and they should always be granted access to protection systems.
- Return counsellors are responsible to provide migrants with **information in a form or language they understand**, in cooperation with interpreters, cultural mediators and counsellors from countries of origin. Information handouts and documentation shall be translated in migrants' languages, while verbal and non-verbal communication shall be adapted to the age, culture, needs and intellectual abilities of the person. Moreover, exhaustive information on return options shall be provided already at the onset of the counselling cycle, to allow sufficient time for reflection and decision-making.
- In some contexts, migrants might not be in the condition to make an informed decision. This is the case, for instance, of migrants incapable of discernment at the moment of return. **Return counsellors are not required to assess the capacity of migrants to make an informed decision (since this is the task of medical staff), but they should be able to detect any factor that hinders migrants' agency** and refer them to any institution in charge of in-depth assessment on migrants' capacity of discernment. Should the migrant lack the capacity to make an informed the decision, a legal representative needs to be identified and appointed to represent the migrant and make decisions on his or her behalf.
- Return counsellors might face situations where migrants exert their agency and decide or accept to return, even when the return environment is not considered to be safe (for instance, migrants willing to return to conflict areas or areas in transition, or migrants with health-related needs who express their will to return even if continuity of care and provision of life-saving therapies cannot be ensued in the area of return). **Notwithstanding the wish of migrants to return, counsellors should have the right to withhold the provision of return assistance, inter alia, when the environment in the country of return is too dangerous for an individual or a group of individuals to return to and/or if this poses a threat to the actors involved in the provision of return and reintegration assistance.** In these situations, return counsellors have the duty to refer the migrants to alternative services (see also [section 2.5.3: Case handover and case closure](#)).



Accountability

This principle in practice:

- Return counsellors play a key role within the return process, possessing and delivering key return-related information to migrants, being experts of the migration management system in the host country and being among those that migrants trust. **Counsellors need to use their expertise towards the benefit of the population they serve.** Counsellors shall be trustworthy, impartial and follow through on their words with appropriate deeds and avoid making promises that they cannot keep.
- **Complaint and feedback mechanisms should be always included as part of return assistance provision** (see also [section 5.4: Complaint and feedback mechanisms](#)) and potential rights violations shall be reported through appropriate channels, which are to be fully embedded in the return procedure. Based on feedback and complaints collected, mitigating measures need to be adopted.
- Accountability is also upheld through monitoring and evaluation (M&E) activities (see also [section 5.3: Results-based management in the context of return counselling](#) and [Tool 5.2: Monitoring and Evaluation](#)), which include the collection of quantitative and qualitative data on return counselling activities and population served. Such **monitoring activities shall be implemented throughout the return and reintegration continuum and serve to improve accountability and transparency of return counsellors towards the migrant communities, public authorities, civil society, donors and the general public.**



Confidentiality

This principle in practice:

- **Return counsellors have the duty to secure migrants' informed consent before collecting, storing, processing and transferring their personal data.** It is important to take time and discuss with migrants how and for which purposes their data is being collected, stored, transferred or otherwise processed, being mindful of the fact that adequate firewalls and safeguards⁵⁵ should be in place to ensure confidentiality. **Migrants should also be in the position to withdraw this consent at any time, to review and rectify the data they provided, and to lodge complaints about mishandling of their personal data.**
- **Data-sharing procedures and firewalls** need to be in place to prevent migrants from being exposed to any harm, and they need to be clearly outlined including through data-sharing agreements between the entity providing return counselling and other partners, to make sure that all parties have a clear understanding of standards and procedures. Partners might include entities providing return counselling, consulates and embassies, migration authorities, law enforcement agencies, social protection authorities and health-care providers.
- In some situations, **the high-level sensitivity of personal data requires enhanced safeguards, and access to such data shall be restricted to the smallest number of actors.** This is applicable to the cases of migrants who are victims of trafficking and VEA, whose security and safety can be endangered if traffickers or abusers come into possession of their personal information, or who can be stigmatized or discriminated because of their status and past victimization. Enhanced data protection standards are to be applied also in the case of children, as well as to medical information, to information related to disability status, to information related to diverse SOGIESC, and to any other highly sensitive data, which, if disseminated beyond a need-to-know basis, can expose migrants to severe harm.

⁵⁵ Generally, the term "safeguard" is intended as "a law, rule, or something that is done to protect someone or something from harm or damage" (Cambridge University Press, *Cambridge Dictionary* (n.d.)). In the context of migration, the term "firewall" indicates a separation between immigration enforcement activities and public service provision (see also François Crépeau and Bethany Hastie, The case for 'firewall' protections for irregular migrants: safeguarding fundamental rights, *European Journal of Migration and Law*, 17:157–183 (2015)).

- Because of the sensitivity of the information that might be shared during the counselling session, and in order to enhance trust and facilitate disclosure, it is important **to ensure confidentiality of the physical and virtual spaces where the counselling takes place.** This might include: selecting a venue that is safe and private, ensuring that migrants willing to access return counselling can do so without fear of stigmatization; and maintaining a professional and non-judgemental behaviour, sticking to data protection standards and avoiding unnecessary disclosure. This is especially important in environments where migrants are in detention and close presence of authorities is a threat to sway their informed consent or information-sharing.
- **Media access to personal information needs to respect data protection principles.** In the eventuality of media coverage request, return actors and counsellors need to always prioritize the confidentiality and protection of migrants' data and migrants' agency and ownership of their own personal data. Media exposure needs to be discussed with migrants, who should give their informed consent to share their data, for instance for the publication of information campaigns that are based on migrants' real-life stories. Requests for media coverage should be assessed by return actors and migrants should be informed of any risks and possible consequences in sharing their personal information with the media.



Safe environment for return

This principle in practice:

- The safety of the return environment is to be assessed during the pre-departure phase, including during the return counselling process, also relying on information provided by international partners, such as OHCHR and UNHCR, CSOs, as well as counsellors in the country of origin and cultural mediators. Such **assessment should provide an overview of the general situation in the country of return**, with reference to key considerations, such as ongoing conflicts and security situation, state of emergency, widespread human rights violations including towards a discriminated or persecuted group based on political beliefs, ethnicity, religion, diverse SOGIESC and other factors. Additionally, **the assessment shall also duly consider the individual situation and vulnerabilities of the migrant** and how these will be impacted by the return. This relates, for instance, to any personal factor or characteristic that can expose the person to VEA. The safety of return environment shall also be assessed against the **availability and accessibility of medical care for migrants with health-related needs**, and to the existence of conditions to uphold the **best interests of the child** upon return.
- Return counsellors shall empower migrants to make informed decisions and exert their agency and cannot deny any migrant the right to return. However, they shall have the possibility to **withhold or suspend the provision of return assistance owing either to a firm idea of the specific risk of irreparable harm or other grave human rights violations to an individual, or an adverse general situation in the country of origin**, in particular if a United Nations entity recommends against return to a specific country or an area thereof. In such cases, return counsellors have the duty to look for alternatives to return, including access to asylum and other international protection systems, integration in the host country or onward migration.



Sustainability of reintegration

This principle in practice:

- The **preparation for reintegration should start already at the pre-departure stage, in order to increase the readiness and preparedness of migrants to start a new life in their countries of origin**, including through the creation of a reintegration plan that contributes to address the vulnerabilities identified, and builds upon the resilience factors that can facilitate migrants' reintegration. In this context, liaising with reintegration counsellors in countries of origin already before departure, via remote counselling, is considered best practice. While this *Toolkit* focuses on return counselling rather than reintegration counselling, it can happen that the same personnel deliver both types of counselling to migrants, or that they are, to some extent, involved in both areas of work. To get a more in-depth knowledge about reintegration, including reintegration counselling, please refer to the IOM *Reintegration Handbook*.



Whole-of-government approach and government ownership

This principle in practice:

- **Establishing cooperation at the policy and technical levels is essential to ensure that return counselling programmes are functioning well and are able to respond to migrants' and stakeholders' expectations.** Formal and informal working arrangements with different government actors playing a role in the return migration, as well as periodic capacity-building efforts, should always be integrated into return counselling programmes, along with direct provision of counselling services to migrants.



Partnership and cooperation

This principle in practice:

- **Key multilevel partnerships shall include** bilateral cooperation between countries of origin and destination, aiming at establishing common rules and standards to be applied along the return, readmission and reintegration continuum; and regional cooperation to consolidate coherent approaches to return, readmission, and reintegration in one geographical area and to avoid fragmentation of approaches. Cooperation at the local level can also be established to foster the involvement and participation of community actors.
- Similarly, **interdisciplinary joint work in the field of return counselling is to be harvested**, since return counselling involves the participation of a plethora of actors from different areas of expertise. Activities such as mapping, assessment and establishment of common referral pathways or operating procedures can facilitate cooperation with key actors, such as those working in the areas of migration management, protection, integration and reintegration, among others.

In addition to these principles, return counsellors should also refer to specific principles that pertain to the provision of counselling services,⁵⁶ and which shall reinforce the role and mandate of return counsellors.

⁵⁶ To know more about the principles guiding the provision of counselling, please see IOM, *Introduction to Basic Counselling and Communication Skills*, p. 36 and IOM, *Reintegration Counselling: A Psychosocial Approach*, p. 48.

Counselling-specific principles



Empowering

Especially if stranded in a transit country and unable to reach the desired destination, or when faced with limited migration options, migrants can feel hopeless and powerless. While recognizing that, particularly in these situations, migrants might indeed have limited options available to them, it is important to make them aware of the existing options and facilitate their access to services that can multiply such options (for instance, legal counselling, access to asylum and other protection procedures). As one of their main duties, **return counsellors should aim at enabling migrants to make informed decisions about their lives, helping them also to recognize and build on their strengths, and providing them with support to overcome their vulnerabilities.**

Counsellors should **avoid creating a relation of dependency with the migrants, or encourage them to adopt a passive attitude** towards the return process. On the contrary, migrants should be aware that they have a central role to play when it comes to considering migration options or preparing for return, which includes not only rights but also responsibilities towards the service providers, the return counselling process and the return preparation.



Non-judgemental

To different extents, every single person has conscious or unconscious biases and prejudices. **Because of their profession, return counsellors should be especially aware of their own biases and prejudices and find their own coping mechanisms, not to be influenced or to let biases compromise their job.**⁵⁷ Counsellors should avoid judging, blaming, lecturing or patronizing migrants. On the contrary, they should show empathy and be receptive to migrants' situation and feelings while also giving them the liberty to express themselves without feeling judged. Similarly, lecturing or arguing, preaching or interrogating should also be avoided, since return counsellors do not represent a moral entity, nor are they entitled to enforce rules or laws.

Good ways to reflect on one's biases and prejudices and to avoid adopting a judgemental attitude start with discussing with trusted peers or colleagues and informing oneself of the reality migrants are living in, as well as their culture and countries/communities of origin, since often prejudices come from ignorance or fear. Getting in touch and discussing with cultural mediators and interpreters, accessing reliable information on migrants' countries of origin or listening to migrants' stories can help build a realistic picture of migrants' lives and cultural backgrounds (see also [section 2.6: Intercultural competence and communication](#)).



Trustworthy relationship

Establishing a relation of trust is a fundamental step within the counselling process, since this stands at the basis of a transparent and reliable communication between the parties. Trust can be built in a number of ways: being professional and prepared for delivering counselling sessions, showing empathy and helping migrants tell their story in a way that makes them feel comfortable, listening actively and making sure to explain all information in a way that can be understood by the information recipient.

It is also very important to be clear on counsellors' mandate, duties and powers, so that migrants have a clear understanding of what they should expect as an outcome of the return counselling process. This would include outlining the benefits of the counselling process, the procedure upon arrival, and the challenges and obstacles migrants might face along the process, including measures that might be applied by authorities in case of absconding while in transit. This is very important to avoid mismatching expectations or frustration, and it is also essential to protect the reputation and credibility of the return counselling process.

⁵⁷ To read more on stereotyping and prejudice in the intercultural context, see also *Cultural Mediation Competencies Curriculum*, developed by IOM Serbia. The document is available upon request.

2.3. Return counselling at different stages of the migration path

Return counselling should be offered at different stages of the migration path. However, in some countries, legal and regulatory frameworks limit the access to return counselling to certain categories of migrants (for instance, migrants registered in the asylum system, irregular migrants, migrants coming from countries with visa requirements), or define specific physical settings where return counselling can or cannot be provided (such as in transit areas or at a border, in reception centres, in detention).

IOM advocates that return counselling be available to all migrants, regardless of their status within the migration path (see also section 1.6: The importance of return counselling).

Beyond country-specific requirements and limitations, which return counsellors should be familiar with, in general return counselling can be provided at different stages of the migration path:



At the border/Shortly after arrival: Border procedures or procedures at the arrival point usually include first contact with authorities, identification and personal data registration, assessment of conditions of entry and vulnerability screening. In border areas, migrants should also be given the possibility to apply for asylum or to express intention to apply for asylum. Return counselling shall be provided in coordination with the aforementioned procedures and in compliance with specific safeguards for the protection of migrants' rights, including their human rights.⁵⁸ Migrants often arrive after harrowing journeys; hence, priority should be given to information provision on and referral to services that can address immediate needs, including protection, shelter and food, and medical care, while return counselling should be offered only once immediate needs are satisfied. At the same time, it is important to remember that the migration management procedures applied at the border are often accelerated, compared to standard procedure, especially for some groups of migrants,⁵⁹ and this can significantly reduce the time available for return counselling. More information on how to uphold an individualized approach to return counselling at borders and in transit areas can be found in [section 4.1: Return counselling at arrival points and reception \(transit\) facilities](#).

⁵⁸ United Nations Office of the High Commissioner for Human Rights (OHCHR), *Recommended Principles and Guidelines on Human Rights at International Borders*, especially guideline 9 (human rights-based return or removal) (Geneva, n.d.).

⁵⁹ See European Union Agency for Asylum, section 4.4 – Special procedures: admissibility border and accelerated procedures, in: *Annual Report on the Situation of Asylum in the European Union 2018* (Valletta, 2019). Available at <https://euaa.europa.eu/easo-annual-report-2018/44-special-procedures-admissibility-border-and-accelerated-procedures>.



During regular stay in the country: Migrants can have access to return counselling after being granted the right to enter or stay in the country. This can be the case also of return counselling offered to victims of trafficking who have already entered national referral mechanisms and are granted a temporary right to stay in the country of destination, or also of unaccompanied and separated children who are granted the right to stay. Regardless of status (i.e. regular or irregular), return counselling offered to victims of trafficking or unaccompanied migrant children should follow specific standards and respect specific safeguards. Additionally, for what concerns counselling provided to asylum seekers, return counselling and asylum procedures should be connected to one another, so that return counselling can be provided to migrants who have applied for asylum and are therefore granted a temporary stay until their request is examined but might also be interested to return. At the same time, return counselling provided to asylum seekers and refugees must also always include referral to national asylum agencies and/or UNHCR, so that migrants have the opportunity to clarify the effects of return upon their asylum request or refugee status.



During irregular stay in the country, including after receiving rejection of asylum request and/or being issued a return decision: Depending on the situation, migrants might be interested (or to some extent feel pressured) to take up assisted return options, due to their irregular status. It is important to be reminded that return might not be the only option migrants have; hence, return counsellors should refer migrants for or provide legal counselling to explore any opportunity to regularize their stay, or access protection mechanisms as needed, if such services are available. During irregular stay, the time factor might play a significant role in the provision of return counselling, because of the possibility that migrants receive a removal order or are subjected to forced return while receiving return counselling in preparation for voluntary return. In some legal frameworks, in fact, enrollment in return counselling and AVRR programmes does not have a suspensive effect on removal orders or on other transfer procedures.⁶⁰ In such situations, migrants and counsellors must have a clear understanding of the fact that external factors might affect the process and outcome of return counselling delivery. Even in such situations, the engagement in return counselling shall respect the principles outlined at the beginning of this module, and no safeguard shall be waived in favour of speedier voluntary return procedures.

⁶⁰ Examples are those included in the Dublin III Regulation, which describes the asylum procedures in the European Union and establishes the Member State responsible for the examination of the asylum application.



After receiving a removal order/Before removal is enforced: At this stage of the migration path, return counselling shall focus on delivering key information on the forced return process rather than return options, assess and address migrants' vulnerabilities and uphold their rights, as well as support their reintegration. Detention is often applied in view of the expulsion, and the delivery of return counselling shall be adapted consequently (see also [section 4.2: Return counselling in immigration detention facilities](#)). It is important that return counselling is connected but independent from removal procedures and actors. In practical words, this would mean that return counsellors need to have a clear understanding of their mandate and its boundaries, especially in relation to removal procedures per se, and that they communicate this to migrants from the very beginning of the counselling process. At the same time, counsellors need to coordinate their activities with return stakeholders, including those enforcing returns, so that return procedures happen in a safe and dignified manner. For this to happen, it is important that return counsellors are familiar with migrants' rights within the forced return process and are well connected with legal counselling providers who can provide specialized services as needed. The outcome of the pre-departure vulnerability screening procedures shall always inform return procedure, including in the case of forced returns.



In emergency context: As in border areas, in emergency contexts (such as armed conflict, environmental hazards, pandemics or any other humanitarian emergency), regardless of the migratory status, priority should be given to humanitarian assistance, with return counselling being offered only once immediate needs have been addressed. Because of threats to life and safety, counselling for emergency returns, or returns from crisis areas, is usually delivered under a certain time pressure and urgency; hence, information and counselling sessions might also be provided to large groups, in order to speed up the process, while noting that individual counselling sessions should be always offered (see also [section 4.5: Return counselling in emergency situations](#)).

For more information on return counselling, see [Module 2: Return Counselling Methodology](#).

All along the migration path, the lack of alternatives, the hardships faced in the country of destination/transit, and fear of detention or deportation are among the factors that might determine migrants to be under pressure to return as soon as possible. Counsellors should keep in due consideration the situation lived by migrants and their sense of urgency, and also be very clear in communicating that there are safeguards and procedures that cannot be ignored and that the length of the process is determined by several factors, part of which are outside the counsellor's control (for instance, the obtainment of travel/identity documents or medical clearances, coordination with return actors, logistics around the return).

2.4. Return counselling providers and their role within the case management approach

Useful resources for this section:

- ▶ IOM, *Reintegration Handbook* (section 2.1: Case management counselling; Annex 1: Counselling for Case Managers)
- ▶ *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse* (section 2.3: Individual assistance for migrants vulnerable to violence, exploitation and abuse)
- ▶ IOM Case Management Guidelines (forthcoming)
- ▶ *IOM Monitoring and Evaluation Guidelines*

Return counselling can constitute one of the elements included in the case management approach to the provision of assistance and protection to migrants who are unwilling or unable to remain in the country of destination or transit, especially in the case of migrants in vulnerable situations.

“A case management approach is a model of providing assistance to individuals with complex and multiple needs who may access services from a range of agencies and organizations. (...) Case management allows for collaboration between multidisciplinary stakeholders and is useful for the assessment, planning, implementation, coordination and monitoring required to effectively meet an individual’s multiple needs and to promote positive outcomes.”⁶¹

In this sense, return counselling is part of the range of services that should be available to migrants who are unwilling or unable to remain in the host country, and shall be provided in a coordinated and harmonized manner, together with other services that are offered to migrants in such situation (including accommodation, livelihood, access to asylum procedures, protection, education, etc.).

Depending on the context, return counsellors can act as case managers and be in charge of coordinating the work of other actors and service providers towards the safe and dignified return and sustainable reintegration of migrants assisted. This would include identifying goals and modalities of the return and reintegration process, developing a reintegration plan, organizing delivery of the plan, monitoring the entire process and following up. In other instances, return counsellors work together with other stakeholders under the coordination of a case manager. This is typically the case when return assistance is offered to unaccompanied and separated children or victims of trafficking, who are usually assigned a case manager outside the return procedures.

⁶¹ IOM, *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*.

Regardless of the specific role of the return counsellor within the case management approach, the counselling practice relies on the development of a rapport between the migrant and the counsellor, directed at helping migrants explore their personal situation, the perception and the feelings regarding return as an option, and upon getting the decision on return, to assist the returnee in preparing and planning the process of homecoming in the best possible way.⁶² Based on this, the role of the return counsellor should be to:

- **Engage:** Engagement with migrants starts when they agree to take part in the return counselling process. From that moment on, counsellors have the responsibility to be reachable and clear in their communication and willing to provide return counselling in its complexity, going beyond the sole provision of information on return procedures and opportunities. Engagement duties also include coordination with other actors and institutions that play a role in the return and reintegration continuum and in the case management system.
- **Inform:** Counsellors have the role to provide 360-degree information to migrants on their available migration options for return to the country of origin, stay in the destination country or continuation of their migration paths. When counsellors do not possess reliable and exhaustive information themselves, they should be in the position to seek this information from partners or refer migrants to actors that can provide such information.
- **Assess and address vulnerabilities, needs and resilience factors:** Assessing migrants' individual vulnerabilities, needs and resilience factors is also part of the role of the counsellor, which should be delivered by taking into consideration the individual, household, community, and structural vulnerability and resilience factors that characterize the situation of the migrant (see also [Module 3: Identifying and Addressing Migrants' Protection Needs and Vulnerabilities in the Context of Return](#)).
- **Support and empower:** The essence of counselling depends on the development of a trustworthy migrant–counsellor relationship where one person supports the other using a purposeful conversation as a tool.⁶³ Return counsellors should work with returnees to plan the return and reintegration, preparing them to work through the challenges they face and capitalize on resilience factor.
- **Monitor:** Monitoring of the return counselling process and its results (outputs and outcomes) contributes to the accountability of the return mechanisms and reinforces results-based management approaches (see also [section 5.4: Complaint and feedback mechanisms](#) and [section 5.3: Results-based management in the context of return counselling](#)). Depending on

⁶² IOM, *Coping with Return*.

⁶³ *Ibid.*

the set up of the programme, monitoring tasks might be performed by the case manager, the return counsellor or by specialized and/or independent monitoring staff.

In the case of return counsellors who are also case managers, their duties go beyond that described previously and largely focus on leadership of the case management process and referral to and coordination with other stakeholders and service providers.⁶⁴

2.4.1. Record-keeping

The provision of return counselling should start only once prior informed consent of the migrant to receive such service has been collected preferably in writing, using a standardized form. Further on, appropriate and standardized documentation shall be collected to keep track of the return counselling process until case closure. Record-keeping is in fact an important task that return counsellors should perform, since it allows documentation of the services provided to migrants in a standardized, accurate and safe manner. Record-keeping is also essential for the coordination of return counselling providers with other return stakeholders. Depending on the contexts in fact, the documented informed consent to receive return counselling and/or to access AVRR opportunities can have suspensive/withdrawing effect on measures such as forced returns, or it can grant the right to access additional services, such as accommodation in reception centres for the time necessary for the return to be organized. For this reason, communication among return stakeholders and service providers shall be responsive and well defined by specific protocols and standards (see also [section 5.1: Coordination and partnership](#)).

The information collected through record-keeping should also be organized in the form of an electronic database of beneficiaries, to facilitate beneficiary and return counselling programme monitoring (see also [section 5.3: Results-based management in the context of return counselling](#)), as well as to generate anonymized raw data for research purposes.⁶⁵ Appropriate data security and access control measures should be implemented to preserve the integrity of migrants' personal data and prevent any corruption, tampering, loss, damage, unauthorized access and improper disclosure. Activities related to record-keeping, including the collection and processing of personal data in the context of case monitoring, must abide by international data protection standards in order to protect migrants' privacy and safety (see also [section 2.2: Key principles for migrant-centred counselling provision](#)).

⁶⁴ IOM, *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*.

⁶⁵ IOM routinely collects data related to its beneficiaries, which is organized and secured within the Migrant Management Operational System Application (MiMOSA). Besides allowing for efficient and secure processing of data related to the assistance provided to each beneficiary by IOM offices in different countries and territories, MiMOSA collects data which, once anonymized, can serve research purposes.

2.5. The return counselling cycle

Useful resources for this section:

- ▶ IOM, *Reintegration Handbook* (Module 2 – p. 40; Annex 6: Stakeholder Mapping Matrix)
- ▶ IOM, *Reintegration Counselling: A Psychosocial Approach* (pp. 24, 31)
- ▶ *IOM Data Protection Manual*
- ▶ *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse* (pp. 27–28)

In line with migrant-centred return counselling approaches, return counselling should have the following objectives:

- Support migrants in making informed decisions upon and in taking ownership of their migration paths, including during the return process;
- Identify and address migrants' vulnerabilities;
- Assist migrants to reach their countries of origin in a safe and dignified manner, and to be prepared to reintegrate in the country of origin in a sustainable manner.

This section presents the general structure of initial and follow-up return counselling sessions, along with some key considerations and aspects that shall be taken into account during the process of return counselling. The proposed overarching methodology, which responds to the counselling objectives outlined above, shall be tailored in accordance with the local procedures that regulate return counselling activities in the country, the specific physical or virtual settings in which counselling takes place (see [Module 4: Delivering Return Counselling in Different Settings](#)), as well as the point along the migration path in which counselling is provided (see also [section 2.3: Return counselling at different stages of the migration path](#)). Considerations and actions required for counselling migrants in vulnerable situations are included in the following methodology, which shall be integrated by detailed guidance provided in [Module 3: Identifying and Addressing Migrants' Protection Needs and Vulnerabilities in the Context of Return](#).

Return counselling can be provided to single individuals, households or groups. When it comes to households, members can jointly participate in the return counselling process and the head of the household can lead the discussion on behalf of the other members, who should be anyway present during the discussion. However, it is strongly recommended that counsellors allocate time to interview also each household member individually. If, during a household interview, the counsellor has any concerns about an individual not being able to express his or her views because

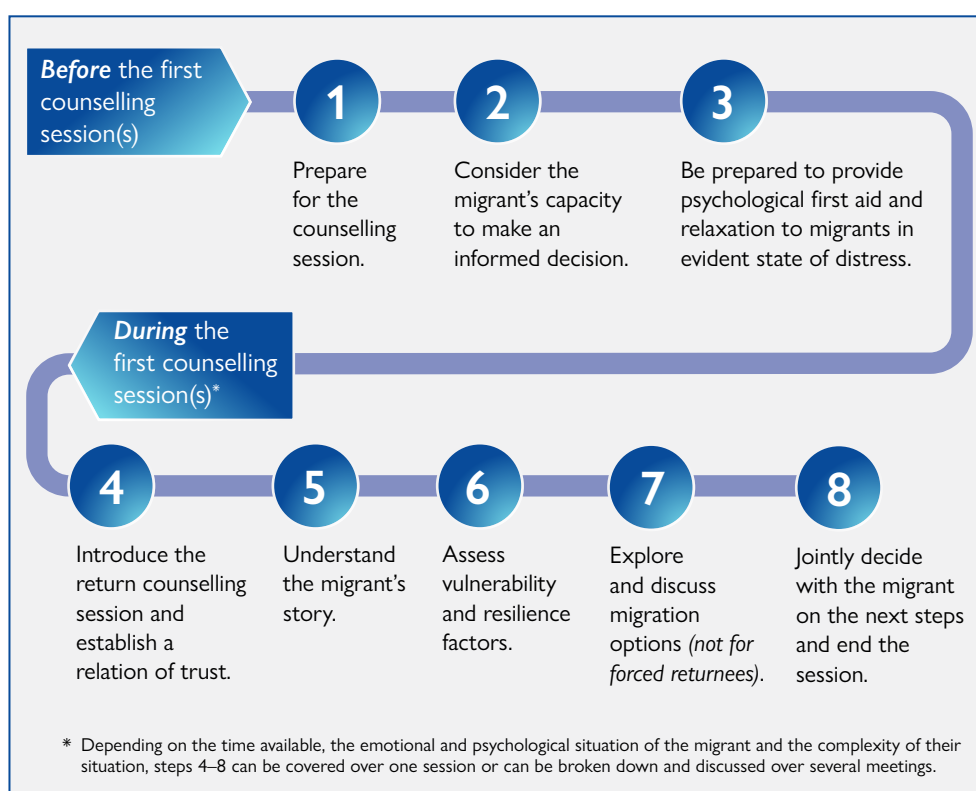
he or she is being interviewed alongside family members, then the person should be interviewed individually. It is important to be reminded that interviews of children should follow specific standards and safeguards.

Before starting to provide return counselling, counsellors must have a clear understanding of the migration management system of the country they operate in, including in relation to the migration options available to migrants (such as voluntary return, integration, onward migration). Also, counsellors should be fully aware of organizational and local rules and standards applicable to their work. The return counselling system should include the provision of legal counselling to migrants, so that they are able to discuss the migration options also with specialized staff who can assess their individual situations from a legal standpoint and advise.

2.5.1. The first return counselling session(s)

The first return counselling sessions serve to initiate a process of establishing a relationship of trust between the migrant and the counsellor, which needs to be nourished throughout the counselling process. The first return counselling sessions are also an opportunity to exchange and collect some key information on the basis of which the migrant will make a decision related to return, and which will also allow the counsellor to determine if and how the return shall be organized.

The scheme that follows provides an overview of the main steps that the counsellor shall take before and during the first counselling session(s).



Before the first counselling session(s)	
Step	Description
<p>1</p> <p>Prepare for the counselling session.</p>	<p>The first counselling session shall be planned, taking into account the information known with regard to the age, gender, disability status, or other characteristics or needs of the migrant. This might include: selecting a venue which is physically accessible to everyone, including persons with physical disabilities or that can ensure the safety of migrants who are victims of crimes or belong to vulnerable groups; identifying a child-friendly space; and requesting the assistance of an interpreter and/or cultural mediator and making sure to have necessary forms and information in the needed language. Holding the counselling session in a virtual environment shall also be considered as an option (see section 4.3: Remote return counselling).</p> <p>The selected venue should allow the migrant and the counsellor (as well as other actors as needed, including cultural mediators, interpreters, legal guardians, psychologists or medical staff) to exchange information free from the presence of and/or interference from other actors who are not part of the counselling process (i.e. other migrants, law enforcement agencies, migration authorities unless strictly required).</p> <p>Very importantly, the session should be planned in such a way to avoid any unintended harm to the migrant. This can include: coordinating the presence of professional and independent interpreters or cultural mediators, rather than relying on other migrants or on unverified professionals to avoid the risk of misinterpretation or illegitimate influence; or avoiding asking migrants to meet in venues they consider unsafe, where they would not feel comfortable or where confidentiality cannot be ensured. This is especially important for migrants in vulnerable situations or who could be discriminated because of their status or characteristics, and also for migrants with an irregular migratory status who might be especially afraid of getting into contact with officials.</p> <p>To keep in mind:</p> <ul style="list-style-type: none"> ● Get familiar with the information available on the migrant and his or her story. Take note of anything that needs to be clarified with the migrant, of any potential red flag related to the migrant's vulnerabilities and needs, as well as potential challenges or points to explore in relation to the available migration options. ● Look for reliable resources to familiarize yourself with the migrant's culture and country of origin. ● Make sure the migrant and any other actor who should participate in the session (i.e. cultural mediators, interpreters, legal guardians, psychologists or medical staff as needed) have a clear understanding of the place and time of the session and have their contacts at hand in case of need. ● Make sure to have information material and necessary forms at hand, in the needed languages or format. ● For counselling sessions taking place in informal settings or through the deployment of mobile teams/counsellors, inform teammates and seek approval from your supervisor beforehand. Make sure to have emergency contacts with you in case of need and avoid going alone. <p>Useful tools and resources:</p> <ul style="list-style-type: none"> ● Section 2.6: Intercultural competence and communication ● IOM safe space guidance: Creating safe spaces⁶⁶

⁶⁶ See www.iom.int/resources/iom-safe-spaces-guidance.

<p style="text-align: center;">2</p> <p>Consider the migrant's capacity to make an informed decision.</p>	<p>Migrants' agency and informed decision-making are at the basis of the counselling process. It is therefore important to take time, before the counselling session, to consider the capacity of migrants to make an informed decision on their lives. In fact, the reduced capacity to make informed decisions determines different specific courses of actions that counsellors should adopt depending on the situation:</p> <ul style="list-style-type: none"> • Some mental disorders or the abuse of substances might hinder the capacity of people to understand what they are consenting to, choose decisively against/for a certain course of action, communicate their consent or accept the need for a medical intervention. If there are doubts about the mental capacity of the migrant, the individual situation shall be assessed by a mental health specialist and by a legal expert before any action is taken. <p>To keep in mind:</p> <ul style="list-style-type: none"> • Always take time to consider migrants' capacity to make an informed decision, based on the information already possessed and also direct observation. • Return counsellors are not in charge of diagnosing mental health issues or substance abuse, but they should be aware of signs, they should know how to facilitate the interaction with a person having a mental health or substance abuse issue, and they should be able to refer them to medical professionals. • Migrants might share some highly sensitive personal data related to their mental health situation, substance abuse, past traumatic experiences including being victims or witnesses of serious crimes. Remember to respect confidentiality, and apply data protection safeguards, including obtaining migrants' consent to share their personal information for a specified purpose with relevant third parties, and under the guarantee that the third party affords appropriate protection for the migrants' personal data. • Keep a professional and non-judgemental attitude, show empathy and respect to the counselling beneficiary regardless of their capacity to discern, or their present and past experiences. <p>Useful tools and resources:</p> <ul style="list-style-type: none"> • Tool 2.1: Psychosocial Approach to Counselling
<p style="text-align: center;">3</p> <p>Be prepared to provide psychological first aid and relaxation to migrants in evident state of distress.</p>	<p>Migrants accessing return counselling can be in a situation of distress, might become upset or have strong emotional reactions during the counselling session. In some cases, this might be a normal reaction to hardships they faced along the journey or are still facing in the current moment, while in other cases severe distress could be a sign of a mental disorder. Return counsellors might not be psychosocial experts or professionals; hence, their responsibility is to provide psychological first aid when needed and to provide accurate information on and refer to pre-identified services if they exist and are available. Return counsellors should also know when a person is in need of immediate and urgent referral.</p> <p>To keep in mind:</p> <ul style="list-style-type: none"> • The psychosocial needs of migrants shall never be overlooked: take time to observe, listen to and speak with counselling beneficiaries because this will help them overcome their tension. It will also help in identifying those in need for urgent referral to specialized service providers.

- During the return counselling session, make sure the migrant is calm, able to focus on the conversation, and that the counselling session is not causing or aggravating any psychosocial distress. If needed, take time to administer psychological first aid and reassess the situation, propose a break or adjourn the session.
- If feeling threatened or uncomfortable at any point during the session, counsellors shall consider taking a break or cancelling/adjourning the session.

Useful tools and resources:

- [Tool 2.1: Psychosocial Approach to Counselling](#)
- World Health Organization, "Psychological first aid: Guide for field workers"⁶⁷
- IOM, *Reintegration Handbook*, Annex 1⁶⁸

During the first counselling session(s)*

4

Introduce the return counselling session and establish a relation of trust.

The session should start with participants introducing themselves. Migrants should feel free to provide as much detail as they wish – this moment serves to establish a first connection and there will be an additional counselling step further on for discussing details and collecting specific information. On the contrary, counsellors and other actors participating in the counselling session should clearly state from the beginning their names, roles and mandates.

The first session serves to introduce return counselling to the migrants. It is possible that migrants have already accessed return counselling in other (transit) countries, or that they already possess some information about this service. Nonetheless, counsellors should not assume that the information is accurate or reliable and should instead take the time to explain to migrants in detail the objectives of return counselling, who delivers such service, how and why.

It is very important to state from the beginning that the outcome and time required for return counselling process, and the return process itself, are subject to many variables. While return counsellors do their best to contribute to smooth procedures, migrants' expectations around return counselling and return in general shall be carefully managed from the very beginning.

Counsellors should take the time to explain that this is a confidential meeting and that only specific information necessary for the return and reintegration process might be shared with other professionals, always with the returnee's consent, for a specified purpose, and under the guarantee that the third party affords appropriate protection for the migrant's personal data. Also, migrants should be informed about the existence and functioning of complaint and feedback mechanisms they can access if they wish to share their feedback on the return counselling provision or complain about any wrongdoing.

⁶⁷ See www.who.int/publications/i/item/9789241548205.

⁶⁸ See <https://publications.iom.int/books/reintegration-handbook-practical-guidance-design-implementation-and-monitoring-reintegration>.

	<p>An informed decision is based on the provision of accurate, timely and reliable information, and migrants should be able to pose questions and ask for clarifications on all aspects related to the return counselling and the return and reintegration process. From their side, counsellors should encourage this attitude and, through active listening techniques, make sure that the conversation is indeed flowing both ways, with the counsellors communicating with the migrants and vice versa. When replying to migrants' questions, counsellors shall do so based on the best of their knowledge and check information with trusted sources before answering, in case of need.</p> <p>To keep in mind:</p> <ul style="list-style-type: none"> • Always explain counsellors' role and mandate, as well as the objectives and modalities of return counselling, including the duration and frequency of counseling sessions, without assuming that migrants know or that the information they possess is updated and reliable. • Remember to adhere to the principles of a migrant-centred approach to counselling. Prioritize migrants' access to rights and protection and facilitate their decision-making process from the onset. Do not promote return options as the only available or the most desirable ones. • Be clear and honest; do not promise what cannot be delivered. Take apart any unrealistic or wrong information already possessed by migrants on return and reintegration. • Reassure migrants on the possibility to ask questions in any moment or to interrupt or adjourn the meeting if needed, as well as on the possibility to access complaint and feedback mechanisms. <p>Useful tools and resources:</p> <ul style="list-style-type: none"> • Tool 2.1: Psychosocial Approach to Counselling • Section 5.4: Complaint and feedback mechanisms
<p>5</p> <p>Understand the migrant's story and situation.</p>	<p>There are some key points that the return counselling session(s) should touch upon in order to understand migrants' situation and immediate needs:</p> <ul style="list-style-type: none"> • Current situation in the host country: By generally describing their situation in the host country, migrants can offer counsellors the necessary information to identify some basic needs to be addressed, for instance migrants being destitute, having no accommodation, or having no or limited access to food, water, medical care or education for children. • Current migratory status: Some information related to the current migratory status might have been already shared with the counsellor by other actors, especially if the migrant was referred for counselling rather than approaching it directly. In any case, it is best to go through the existing information (if any) and clarify together with the migrant what is his or her current migratory status, checking the availability of valid or expired identity documents or travel documents, as well as other documents granting the right to stay in the host country or in other country(ies) (including valid or expired residence permits, working or studying visas, among others), verifying if the migrant applied for asylum or other international protection mechanism, for which reasons and what was the outcome of this application. It is also important to verify to what extent the migrants are aware of their legal status in the host country, and if they have any question related to it. • Migration story: The counselling session should discuss underlying reasons behind the decision to leave one country or community and to reach another country. Understandably, such migration drivers are intertwined and might range from systemic situations or individual

episodes of conflict, violence, abuse, oppression or discrimination, or other situations of danger, including climate and environmental hazards; limited to no opportunity to earn a living and provide for oneself and one's family; aspiration to access life-saving services, like medical care, or education opportunities; willingness to join family members or friends in another country. It is important to keep in mind that in some situations people have limited to no influence on the decision to leave their countries, especially when migration is or is perceived as the only life-saving option. During the conversation, counsellors and migrants should go through migrants' story step by step, understanding how it unfolded in time and space, and getting an understanding of the experiences migrants lived along the way.

- **Current family situation:** The family situation of migrants is an important aspect to be discussed within the counselling process in order to protect the rights of all family members and to understand if the family situation might constitute a vulnerability or a resilience factor during return and reintegration.

Migrants might participate in the return counselling process with their family members, or they might express an interest in returning together with other family members. It could also happen that families decide to split and consider the return of only part of the family. In any case, when migrants who are receiving return counselling have their own families in the host country, counsellors should include each family member in the return counselling process in order to assess the situation and migration intentions individually, both in the case the entire family is considering to return or even if only part of it is doing so. This is particularly important in order to determine key legal aspects related, for instance, to the legal guardianship of children. The discussion should also touch upon the presence of family members in countries other than the host country or the country of origin. This is particularly important in order to verify venues for family reunification or other onward migration options.

- **Migration plans and aspirations, including but not limited to existing intention to return:** When they access return counselling, migrants are likely to have already some interest in return and might have already examined their own reasons to return or not to return. At this point, counsellors should discuss with migrants what are their migration plans and aspirations, as well as what they perceive as being their existing options.

To keep in mind:

- Return counsellors should have the duty to identify and follow up on any unaddressed basic needs identified during the counselling session. Even if they cannot provide direct assistance, they should be able to refer migrants to other services or actors, based on a preliminary service mapping conducted in the country or in the community. Step 6 should contain measures to address basic needs, if this is the case.
- Counsellors should give migrants the benefit of the doubt regarding any information they share during the sessions. It is not counsellors' role to investigate on the veracity of information, but they should do their best to provide reliable counselling, protection and assistance to migrants as needed, and let competent authorities verify the accuracy of the information, if necessary.

Useful tools and resources:

- [Tool 2.1: Psychosocial Approach to Counselling](#)

6

Assess
vulnerability and
resilience factors.

In addition to the points described previously, counsellors should allocate time to assess **migrants' vulnerabilities through a vulnerability screening procedure** which aims to identify factors that can expose migrants to violence, abuse and exploitation. Some information might have already emerged during the conversation; however, it is recommended to go through a standardized and comprehensive vulnerability screening process, to significantly reduce the risk of overlooking some aspects. The vulnerability screening plays a central role in the determination of the process and outcome of return counselling. Due to the complexity of the vulnerability screening process, this *Toolkit* includes a dedicated module where detailed information is provided. See [Module 3: Identifying and Addressing Migrants' Protection Needs and Vulnerabilities in the Context of Return](#).

To keep in mind:

- Migrants' openness and willingness to share personal information and experiences, including traumatizing and painful ones, largely depends on the quality and outcome of the previous steps of the counselling process. In other words, how clear the return counselling process is on the level of trust that migrants have in the counsellors and the counselling process, as well as on migrants' readiness to consider options related to their migratory situation.
- It is particularly important to be mindful of potential indicators of violent crimes, including exploitation and trafficking in human beings, which can include: false promises related to the travel or its purposes, confiscation of personal and travel documents, abduction or kidnapping, being subjected to someone else's control when it comes to movements and communication with other people, among others. For a more comprehensive description, see also [section 3.3.1.1: Migrants who are \(potential\) victims of trafficking in human beings](#).

Useful tools and resources:

- [Module 3: Identifying and Addressing Migrants' Protection Needs and Vulnerabilities in the Context of Return](#)
- *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*⁶⁹
- IOM, *Coping with Return: An Overview of Methodology Development and Exchange of Best Practices on Voluntary Return Assistance in the Enlarged European Union with Particular Emphasis on Vulnerable Asylum Seekers*⁷⁰
- IOM, *Retour et réintégration de personnes vulnérables*⁷¹

⁶⁹ See <https://publications.iom.int/books/iom-handbook-migrants-vulnerable-violence-exploitation-and-abuse>.

⁷⁰ See <https://returnandreintegration.iom.int/en/resources/manual/coping-return-methodology-development-and-exchange-best-practices-voluntary-return>.

⁷¹ See <https://publications.iom.int/books/retour-et-reintegration-de-personnes-vulnerables>.

7

Explore and discuss migration options (not for forced returnees).

Once all previous steps are completed, the counsellor should already have a quite comprehensive picture of the overall situation and history of the migrant and shall be able to outline the options that can be explored.

Depending on the legal set-up of each country and territory, typically such options might include:

- **Applying for asylum in the host country, or being referred to other specialized protection systems** including child protection, and national referral mechanisms for victims of trafficking: Based on the discussion with the migrant about the migratory experience and on the outcome of the vulnerability assessment, the counsellor might identify the need to refer the migrant to specialized instances for protection, including the asylum system, the child protection system or the national referral mechanism for the protection of victims of trafficking. These options are strictly connected to the process and outcome of vulnerability assessment conducted in step 6 of the return counselling cycle. It is important to note that while asylum seekers should not receive a return decision or a deportation order while they are within the asylum process, the access to protection systems for migrant children or victims of trafficking (not seeking asylum) might not protect them from such measures, since this depends on the specific legal set-up of each country.
- **Remaining in the host country, without accessing any specialized protection mechanism** (either because migrants do not want to or because such protection systems were already accessed but applications were rejected, with no further possibility of appeal): The host country might offer opportunities for regular stay or for regularizing one's stay, for instance through the obtainment of working visas or through family reunification with other family members who are regularly present in the host country. Should regular stay not be an option, migrants should also be informed about the consequences of their irregular stay in the host country, including being detained and/or forcibly removed.
- **Migrating to a third country:** Options for legal onward migration should be explored. This would include reunification with family members regularly residing in another country. Additionally, migrants and counsellors should discuss also the risks connected to irregular migration options, which could range from being detained, deported, or being subjected to violence, abuse and exploitation especially along routes that are known to be particularly dangerous.⁷²
- **Returning to the country of origin:** Options for assisted or independent voluntary return to the country of origin should be explored and, in this context, counsellors have the chance to explain in more detail what AVRR is, how it is carried out, and what type of return and reintegration assistance it can offer. Very importantly, through this step in the counselling process, counsellors should be able to assess the eligibility of migrants (and their families) to existing AVRR programmes. If multiple AVRR options are available, counsellors should be in the position to provide their professional opinion on the most suitable AVRR programme for the specific case. Different programmes have different eligibility criteria; therefore, counsellors should be familiar with underlying policies, legislation, standard operating procedure (SOP) and/or regulations that govern access to AVRR. Additionally, based on step 6 and the outcome of the vulnerability assessment, return counsellors should be in the position to explain to the migrant the specific procedures that will be followed to process the case in a safe and dignified manner, taking into account migrants' vulnerabilities.

⁷² See also Galos, Bartolini, Cook and Grant, *Migrant Vulnerability to Human Trafficking and Exploitation*.

	<p>If migrants participating in the counselling are in the process of being forcibly removed, counsellors should skip step 7 and, after having discussed the migration experience and having assessed migrants' vulnerabilities, they should directly proceed with step 8 and jointly discuss the next steps.</p> <p>To keep in mind:</p> <ul style="list-style-type: none"> • Migrant-centred return counselling should not aim at promoting return options as such, but return shall be explored as one of the options. The return counselling process should aim at primarily providing protection and uphold migrants' rights. • Migration options can largely vary from country to country, depending on the migration management system and functioning. They also vary from migrant to migrant and are strictly linked to the conduction and outcome of individual vulnerability assessments, which can give a precise indication of what could or should be the migration options upholding the principles of protection of migrants' rights, migrant agency, safe environment for return, do no harm and sustainability of reintegration. • It is important that counsellors have knowledge of the migration options existing in the host country and how to access them. Additionally, return counselling should be linked to the possibility of referring migrants for specialized counselling depending on the needs, including legal counselling, referral to the national asylum system and UNHCR, and referral to the child protection system and national referral systems for victims of trafficking. <p>Useful tools and resources:</p> <ul style="list-style-type: none"> • Module 3: Identifying and Addressing Migrants' Vulnerabilities in the Context of Return
<p>8</p> <p>Jointly decide with the migrant on the next steps and end the session.</p>	<p>Based on the discussions in the previous steps, counsellors and migrants should be able to draw a common road map of the next steps to be conducted by both parties.</p> <p>Depending on the outcome of step 7, the next steps might include the following:</p> <ul style="list-style-type: none"> • Agreement on the next return counselling session(s) in order to proceed with the preparation for return, or on the start of preparations for returns if no follow-up session is possible; • Referral to services and procedures that can support the migrants in pursuing migration options other than return; • Case closure (see section 2.5.3: Case handover and case closure) <p>Bearing in mind that one of the objectives of return counselling is that migrants' vulnerabilities are identified and addressed, some immediate actions might include:</p> <ul style="list-style-type: none"> • Provision of direct assistance and/or referral to other service providers for the satisfaction of basic needs, including access to food, water, shelter, education, medical care and psychosocial support; • Referral to protection mechanisms, such as an asylum system, based on the outcome of the vulnerability screening and on the preferences expressed by migrants; • Referral to or provision of legal counselling to receive specialized advice on existing migration options, as well as applicable legal standards and implications; this is particularly important for migrants who are in the process of being forcibly removed, in order to clarify their current legal situation, their rights and the procedures to uphold them within the forced removal process.

To keep in mind:

- Migrants and counsellors should be both engaged in the discussion around the next steps to be taken, with an active attitude towards what is being planned. Especially in step 8, counselling should be empowering and should foresee tasks to be completed by both parties in a coordinated manner. Direct assistance to overcome immediate needs and referral to specialized protection are to be provided to all migrants in need, regardless of existing or preferred migration options. The principle of the application of the rights-based approach through active protection and upholding of migrant rights determines that counsellors have the obligation to facilitate access to such services or protection systems for all migrants who are entitled to them.
- It could also happen that migrants decide that no further action needs to be taken as a result of the first counselling session. This could happen, for instance, if migrants need more time to decide what to do next, or if they decide that in that moment they are not interested in receiving return counselling or pursuing return options. In this case, counsellors need to make sure migrants have their contact details and are aware that they can resume the return counselling process in the future, if they wish to do so.

Useful tools and resources:

- [Module 3: Identifying and Addressing Migrants' Vulnerabilities in the Context of Return](#)
- [Section 5.3: Results-based management in the context of return counselling](#)
- [Tool 5.2: Monitoring and Evaluation](#)

Psychological first aid and immediate referrals to mental health and psychosocial support specialists



Whenever they identify that the migrants they are counselling are stressed or emotionally suffering, return counsellors should provide psychological first aid and some breathing and/or relaxation exercises for immediate support. Further information on psychological first aid and other counselling techniques is provided in [Tool 2.1: Psychosocial Approach to Return Counselling](#). When available, referring the migrant to mental health and psychosocial support (MHPSS) services can also contribute to support them during the return process. It is important to be reminded that MHPSS specialists should be contacted for further support and needs assessment when urgent and specialized support is needed. During the process of counselling, standard screening forms can also be used to identify MHPSS needs and initiate referrals. In any case, any concerns on the mental health and psychosocial well-being of the returnee should be shared with reintegration services in the country of origin – having received migrants' consent – so that the psychosocial dimension of reintegration can be planned. Migrants who need immediate referral to specialized services are people:

- Who have suicidal ideations and/or plans or mention they would like to or have thought about taking their own life (It is not up to the counselor to assess the likeability of the threat but referral should be immediately organized. This includes also migrants who are self-harming or with evident signs of self-harm.);

- Who exhibit unmotivated violent behaviors against others;
- Who have pre-existing mental health conditions, especially if they have not been following up on treatment for a period of time;
- Who are using substances or are under the influence during the interview;
- Who suffer from psychosis – that is, they hear or see things that are not in the real world, or report unlikely life circumstances like being constantly followed by someone, among other examples);
- Whose psychological distress make them disabled in the present moment – that is, unable to state simple facts of life or to attend to simple routines.

It is important to emphasize that it is not the return counsellor's responsibility to try to identify mental disorders in beneficiaries. This would constitute as bad practice because mental disorders are determined by a constellation of symptoms, their scale and duration, and their interactions and require accredited clinicians to diagnose them. Understanding the difference between a series of symptoms and a mental disorder without a clinical interview is a bad practice that can lead to stigmatization and over-referral and overall would change the relations between the case manager and the returnee during counselling.⁷³

2.5.2. Follow-up sessions

The return counselling process unfolds across a number of return counselling sessions, and its duration depends on several different factors, such as the time migrants need to make an informed decision, the complexity of migrants' situation and the presence of vulnerabilities that require the adoption of adequate safeguards and coordination among several stakeholders, or the time needed to complete operational tasks including the obtainment of personal documentation and arrangement of the trip. The structure and contents of follow-up sessions therefore is very much dependent on each specific case. As a general rule, the follow-up counseling sessions would focus on:

1. **Providing updates, making follow-ups on logistical aspects as needed, and answering migrants' questions and concerns:** A follow-up session is a good opportunity for return counsellors to provide any update on the next steps decided during the previous session, for instance regarding the result of the coordination with other stakeholders, the verification of certain information or the level of advancement of return preparations. As already stated, it is paramount that information is transparent, clear and accurate, and that return counsellors avoid making promises that they cannot keep, but try instead to manage expectations in a realistic manner. On the other hand, migrants can also share updates from their side. By actively listening to and discussing migrants' doubts and concerns in every counselling session and creating a trustful environment, during follow-up sessions migrants can

⁷³ Adapted from IOM, Annex 1, *Reintegration Handbook*, p. 270.

be encouraged to share additional information that was not previously raised either because they did not consider it to be relevant or because they did not feel comfortable doing so.

During the session, counsellors and migrants should go through the current status and progress regarding administrative aspects and pre-departure arrangements such as: updates on the availability of personal documentation/travel documents of migrants and family members; collection of all necessary documentation from the host country (including school certificates for children, certificates of birth or of family status, etc.); procedure for settling any open claim in the host country, such as for wages; medical assistance before, during and after the return; and arrangement of the return trip, as well as escorts if needed. Connecting the migrants with reintegration counsellors in countries of origin can also be an important step, in order to collect information on the environment of return, as well as discuss return and reintegration options (see also [section 4.3: Remote return counselling](#)).

- 2. Reassessing vulnerabilities if needed:** Reassessing migrants' vulnerabilities at different points of the return counselling process might be necessary not only because counsellors possess additional information on migrants and their experiences and can better identify vulnerability factors but also because vulnerabilities might appear along the way and those who were not exposed to specific vulnerabilities at the beginning of the return counselling might become so at a later stage. The repeated assessment of migrants' vulnerabilities can generate stress and discomfort; for this reason, it shall be conducted only if new indicators of vulnerabilities are identified along the return counselling process.
- 3. Coordinating on pre-departure medical checks:** Some return programmes might include the provision of pre-departure health assessments and pre-embarkation fitness-to-travel checks for all returnees, regardless of their pre-existing medical conditions. Counsellors should coordinate access to such assessments, in line with the forecasted travelling schedule and the availability of medical services. Pre-departure medical checks for all returnees are an excellent practice that allows for mainstreaming health into the return process and enhances the safety of return by minimizing the risk of adverse health outcomes during or as a result of the travel. To know how to provide counselling and prepare the return of migrants with health-related needs, please see [section 3.3.2: Migrants with health-related needs](#).

- 4. Jointly deciding on the next steps:** It is useful to review the steps taken so far, identify the issues that require further follow-up and add new steps agreed upon during the current session, along with an estimated timeline of their completion.

Preparing for reintegration



The methodology presented in Module 2 largely focuses on counselling in the context of return and does not touch upon aspects related to the reintegration of migrants into their countries of origin. Such aspects are thoroughly explained in the *IOM Reintegration Handbook*, which contains exhaustive guide on how to prepare migrants' reintegration and includes several sections focusing specifically on individual reintegration counselling, which are also referenced repeatedly throughout this *Toolkit*. Return counsellors and other actions with responsibilities within return and reintegration processes should be mindful of the fact that while the distinction between return and reintegration counselling is conceptually clear, in practice the two are very much interconnected and, in some cases, are also delivered by the same actors.

When delivering counselling, return counsellors should also have reintegration in mind and should be exposed to reintegration approaches and methodologies. This would allow them to better assess the safety of the return environment, the vulnerabilities and risks that might be faced by migrants and the possible ways to mitigate those, and to prepare the return. Well-prepared reintegration starts already during the pre-departure phase and relies on the early and accurate coordination among service providers in countries of origin and destination. On the other hand, sustainable reintegration largely benefits from the provision of principled and migrant-centred return counselling, which enables migrants to exert their agency while respecting their rights and applying a vulnerability-oriented approach.

2.5.3. Case handover and case closure

Useful resources for this section:

- ▶ *IOM, Reintegration Handbook* (section 2.7: Case closure)
- ▶ *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse* (p. 85, section on case closure)
- ▶ *IOM Data Protection Manual*

The preparations for handing over the case of migrants completing sessions and returning to the country of origin shall start in advance, in line with the return schedule. If migrants access reintegration assistance, it is of utmost importance that reintegration counsellors are actively involved in the handover process, so that continuity of care is ensured, especially for migrants in vulnerable situations. This would imply coordinating case handover with counsellors in the country of origin/reintegration counsellors,

sharing with them necessary documentation and information, and remaining available in case additional information is needed. Contextually, return counsellors should facilitate migrants' exclusion from services they (or their families) are accessing in the country of destination, including organizing exclusion from medical services, collecting all necessary medical reports and coordinating future therapies in the country of origin (see also [section 3.3.2: Migrants with health-related needs](#)), and collecting certificates from educational and vocational institutes, social services and the justice system, among others, and having them translated, as needed.

A case can be closed for different reasons, which might depend or not on the will of the migrant or the return counsellor. It is always important for the counsellor to collect information and record the reasons why the case has to be closed, for instance through an exit interview if possible, as there are some specific considerations and action points, according to the different scenarios and reasons for case closure:

- **The migrant decides not to return and/or takes up different migration options:** Return counsellors should make sure migrants have the information they need to proceed with the preferred migration option and should facilitate referral to any existing service that migrants might find useful. It is important to be reminded that referrals should happen only with migrants' informed consent.
- **The migrant considers the service not relevant or not desirable anymore:** Besides providing information about any other available service, information should be collected on the specific reasons why return counselling service is not considered as relevant or desirable anymore, and see if and how corrective measures can be applied. Return counsellors might not be the ones best placed to collect such information, because migrants might feel intimidated or uncomfortable; hence, complaint and feedback mechanisms are especially important (see [section 5.4: Complaint and feedback mechanisms](#)).
- **The return cannot take place in spite of the migrant's willingness to return:** This is the case if, for instance, the migrant does not meet the eligibility criteria anymore, the return is considered unsafe, or unforeseen budget considerations determine the sudden closure of the counselling service or limit return options, among other examples. In all these situations return counsellors need to communicate in a fair and transparent manner to migrants why they cannot provide counselling and return services anymore and what other services might be available. It is very important that counsellors have the knowledge and are in the position to further refer migrants to alternative solutions and options and do not simply interrupt the

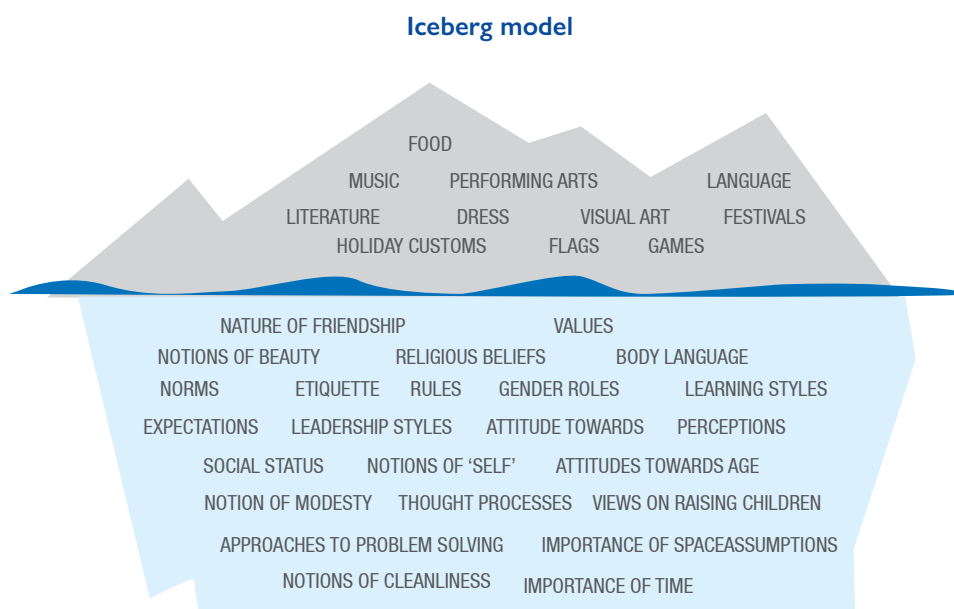
counselling service. Case closure when return is not practicable in spite of migrants' willingness to return can be a very demanding and distressing task, since this might result in migrants living in irregular situations, embarking on irregular and unsafe journeys, or being deported or detained. For this reason, psychosocial support should be available to counsellors and migrants who need it.

- **The migrant dies:** Counsellors should inform competent authorities, as well as family members and other actors participating in the case management both in the country of origin and of destination. Depending on the situation, the transportation of the body to the country of origin might be financially and/or logistically supported, based on humanitarian considerations. Also, in this case, because of the traumatic nature of the event, counsellors should be provided psychosocial specialized support.

2.6. Intercultural competence and communication

Useful resources for this section:

- ▶ IOM, ADMIN4ALL: Supporting Social Inclusion of Vulnerable Migrants in Europe⁷⁴
- ▶ IOM Curriculum on Cultural Competences⁷⁵



Source: IOM, *Building the Capacity of Municipalities in Socio-economic Inclusion of Vulnerable Migrants: Training Curriculum* (Rome, IOM Coordination Office for the Mediterranean, 2017).

⁷⁴ See <https://admin4all.eu/>.

⁷⁵ This is available upon request. Send an email to iombeograd@iom.int.

The counselling cycle and the interaction between the migrant and the return counsellor can be seen as an interaction between different cultures.⁷⁶ The iceberg model⁷⁷ is one of the most common tools to describe the concept of culture: the image on the previous page shows how culture is made of evident and manifest elements, and also largely of items that are not easily identifiable, since they are often invisible and unconscious, such as values and rules. Looking at the interaction between the counsellor and the migrant only as an interaction between the visible elements of culture would obviously result in the inability to fully understand the cultural dynamics at stake and how the different cultures represented by the counsellor and the migrant relate to each other. In practice, this is likely to result in misunderstandings, frustration and unmet expectations, or even conflicts. For this reason, it is important that return counsellors possess a basic knowledge of intercultural competence, which can be defined as “the ability to mobilize and deploy relevant values, attitudes, skills, knowledge and critical understanding in order to respond appropriately and effectively to the demands, challenges and opportunities that are presented by intercultural encounters”.⁷⁸

Capacity-building on intercultural competence should always be part of return counsellors’ professional development and should ideally focus on migration cultural aspects, groups and practices that are most frequently encountered among the target migrant population. Speaking the same language as the migrants and having a deep understanding of migrants’ culture can also be a key asset. Generally, big return counselling services benefit from an intercultural team of counsellors with a migratory background who can more easily establish a relationship of trust with the migrants and who can bypass challenges posed by intercultural communication. Involving return and reintegration counsellors from countries of origin – either having them visit host countries physically or through remote solutions, such as online or phone counselling – can also help fill the cultural distance between migrants and counsellors. More than this, this practice has also proven to be particularly successful in bridging the informational gap that migrants could face with regard to what to expect in the country of origin in case of return, and in reinforcing the continuum between return and reintegration, by facilitating the early connection of migrants with reintegration counsellors who will assist them upon return.

Another element that can help fill the cultural, communication and language gaps is the cooperation and involvement of professionals such as cultural mediators and interpreters during the counselling provision. The engagement of cultural mediators


⁷⁶ There are multiple definitions of the concept of culture: UNESCO defines culture as “the set of distinctive spiritual, material, intellectual and emotional features of society or a social group, that encompasses, not only art and literature, but lifestyles, ways of living together, value systems, traditions and beliefs” (UNESCO, *Universal Declaration on Cultural Diversity* (2001)).

⁷⁷ IOM, *Building the Capacity of Municipalities in Socio-economic Inclusion of Vulnerable Migrants: Training Curriculum* (Rome, IOM Coordination Office for the Mediterranean, 2017).

⁷⁸ IOM, ADMIn4ALL: Supporting Social Inclusion of Vulnerable Migrants in Europe (2020). Available at <https://admin4all.eu/>.

and interpreters in the counselling process is a well-established practice in many contexts, which should be based on joint capacity-building with return counsellors, and also on clear understanding of the return counselling process, as well as of the mandates and rules of engagement of all actors involved. Some return counselling services can rely on their own pool of cultural mediators and interpreters who are affiliated with the same organization or who are institutionally embedded into the return counselling services, while in other cases they need to rely on other resources. It is important to note that in this case there are a number of important factors that shall be carefully considered. Relying on other migrants within the same group as counselling beneficiaries for cultural mediation and interpretation tasks is to be avoided, as these groups may easily be infiltrated by traffickers or smugglers, or other individuals with an interest in distorting the words of the return counsellor. Similarly, the use of cultural mediators or interpreters offered by the authorities both from the country of destination as well as the country of origin shall be carefully considered, because of the risk of intentional or unintentional pressure that this might pose on migrants who are being counselled. When this is the only option available, it is important that return counselling providers engage these actors in a systematized way through capacity-building and by making sure they have a clear understanding of what return counselling is and what principles are at its basis, for instance through periodic info sessions. Additionally, risks related to the engagement of cultural mediators and interpreters who are not directly affiliated with the return counselling providers can be mitigated through: the use of multilingual information materials on return counselling, which can be handed over directly to the migrants; the engagement of reintegration counsellors from the country of origin to deliver part of the counselling remotely; or the use of information technology and translation apps, such as the IOM app MiTA (Migration Translation Application).⁷⁹ The involvement of cultural mediators and interpreters should always happen in agreement with the migrants who are being counselled. Interpreters and cultural mediators should also be required to sign a confidentiality undertaking to hold strictly confidential information known by the interpreter by reason of his or her engagement. This obligation shall remain in force even after the completion of the interpreter's engagement.

⁷⁹ The app is available at <https://play.google.com/store/apps/details?id=com.iom.mita&hl=it&gl=US>. It is important to note that the utilization of translation apps can contribute to bridging language gaps in conjunction with other tools and approaches, but these apps cannot constitute the only tool used for such purposes, due to risks of misinterpretation or mistranslation.



In 2018, IOM in the Western Balkans developed and launched the Curriculum on Cultural Competences, whose objective is to enhance cultural mediation competencies for staff providing various services and working with beneficiaries with migration experience and diverse sociocultural backgrounds. The aim is to respond to the need for increasing the capacities of service providers working with migrants in the context of the current migration situation in systematic, institutional and sustainable ways. The Curriculum has been extensively rolled out in the Western Balkans region, for return counsellors as well as other service providers, such as staff working in migrant reception centres or providing protection services, including through joint multidisciplinary training programmes.

Moreover, the return counselling services provided by IOM in the Western Balkans can often rely on the same cultural mediators who are present also in transit centres and/or work to support the provision of other services to migrants. This has proven to be beneficial, since it builds on the already existing relation of trust between the migrant and the cultural mediator to convey information on return in a migrant-centred manner.

Tool 2.1: Psychosocial approach to return counselling

The “do no harm” principle is at the basis of return counselling, as outlined in the IOM policy on the continuum of return, readmission and reintegration.⁸⁰ This principle tries to limit the negative effects that the aid provided can have, even unintentionally. The ways in which counsellors can provoke harm from psychological, social and cultural points of view are many, including being judgemental, interrogating the migrant, creating dependency, worsening the symptoms if there are any, disrespecting the cultural norms, violating confidentiality, providing false or inaccurate information, and forcing the migrant to do something. Another way in which counsellors can provoke harm is to consider the returning migrants as passive victims, or only through the lenses of their vulnerabilities, overlooking their strengths, capabilities and sense of agency. This happens whenever the return counsellor takes on the role of a “saviour”, “therapist” and “guide” rather than that of a person who supports, empowers, frames and advises.

Return counselling is not psychological counselling. However, to be effective, return counselling should be psychosocially informed. This means, inter alia, that return counsellors should:

- Understand the counselled migrants within their unique psychosocial and legal contexts instead of stereotyping them. For instance, for some migrants, return might be the only option available, whereas some other migrants might want to return based on a cost/benefit analysis, for instance as a result

⁸⁰ See www.iom.int/sites/g/files/tmzbd1486/files/documents/ioms-policy-full-spectrum-of-return-readmission-and-reintegration.pdf.

of changes in their countries of origin. Some migrants who are victims of trafficking might want to return but they might be afraid of their traffickers, whereas some migrants might want to return due to their affiliations with criminal activities in host/transit countries. Some migrants might be afraid to return due to their SOGIESC; others might have started a family in host/transit countries, and they might not want to leave them behind. Again, migrants with health conditions might be afraid that they would not receive the necessary treatment in their countries of origin, among other reasons. The return counsellor should listen carefully to each migrant and try to understand the migrants within their psychosocial and legal contexts.

- Establish a trustful relationship with the migrants, respecting them, granting confidentiality, providing accurate information about the return process, helping them to recognize their resilience and strength, and maintaining a professional relationship. For instance, the counsellor should not make any decision for the migrant; should not judge, interrogate, blame or lecture the migrant; must not make promises that cannot be kept but rather provide information about possible choices and allow the migrant to choose; should listen to the migrant in a non-judgemental way; should empathize; should respect the boundaries; should speak clearly; should recognize and help the migrant recognize his or her strength and resilience; and should see the migrant as an individual rather than a “case” that should be resolved.
- Understand the psychosocial implications, that is, psychological (i.e. fear), sociorelational (i.e. relations with peers in the host country) and cultural (i.e. changes in attitudes and values) effects of return, and be able to have open conversations with migrants about those, since it is crucial for them to have knowledge and awareness of those implications. Return counselling should serve to educate migrants on understanding those implications and what they mean for them. This can, in turn, allow migrants to understand that many of the negative psychological reactions they are experiencing are normal reactions to the stressors provoked by returning or by the facts that lead to the decision or obligation to return. In practical terms, providing psychoeducation as part of return counselling would allow migrants to understand and “normalize” their negative feelings without minimizing or judging them. This psychoeducation will consist of the description of the normal psychological challenges faced by migrants in the pre-departure and return phases.
- Use active listening. Everybody is unique as individual sufferings, preoccupations, regrets and concerns are. Each individual migrant should be attentively listened to and should not be hurried, and their stories should be respected, adopting an active listening⁸¹ methodology (see the Table 4).

⁸¹ Ibid.

Table 4. Active listening

Use gestures and body language to show you are listening	Nodding head
Use verbal affirmation	“Yes”, “OK”, “I see”
Ask questions about what the returnee has told you for clarifying	“When you said ... what did you mean?”
Paraphrase what the returnee has told you	“So, in other words...”
Summarize key points	“So far, we have talked about...”

- Be non-judgemental. Work on three attitudes: acceptance, genuineness and empathy.

Acceptance	The returnees might have ideas that are very different than the counsellors'. The counsellors should not judge or criticize the returnees because of these differences.
Genuineness	The counsellors should show that they accept the returnees and their values. The counsellors should not present a different version of themselves.
Empathy	The counsellors should try to understand the returnees by putting themselves in the returnees' shoes.

This does not mean that the return counsellor shall intrinsically and always agree with the migrant. Moreover, due to differences in ideas and experiences, the return counsellor might find it very difficult to empathize with the returnee. Whenever the counsellor tries to hide the disagreement, this affects the counsellor's genuineness, and lack of empathy may lead to involuntary judgement and lack of trust. Professional psychosocial counsellors are trained to manage this dynamic. However, not all return counsellors have this background. In these cases, the counsellors should be supervised, and they should discuss these issues and difficulties openly during supervision and team meetings.

The chart that follows summarizes what should be done and not done at the minimum to achieve a psychosocially informed approach to the return counselling sessions.

Table 5. Dos and don'ts of psychosocial approach to return counselling

Dos	Don'ts
Respect	Make any decision on behalf of the returnee
Listen actively, carefully and without judgment	Judge
Provide confidentiality	Interrogate
Provide correct information about return process	Blame
Help them to recognize their resilience and strength	Lecture
Maintain a professional relationship	Patronize
Speak clearly, kindly and simply	Argue
Acknowledge the migrant's experience	Make promises that cannot be kept
Use a positive language	Make simplified suggestion
Maintain a low-stress environment	Say "I know how you are feeling"
Try to understand the situation from the migrant's perspective	Create a situation that causes pressure

As explained in [Tool 1.1: Understanding the Psychosocial Implications of Return](#), implications of return are not exclusively negative; they are also neutral and positive. Using the Adversity Grid as a framework, return counsellors could be able to identify the negative effects of returning; in addition, they should help returnees become aware of what did not change in them and is of relevance to their returning. Finally, what they should not forget is to also identify all the positive changes that each individual gained from his or her whole ordeal of leaving and returning home. The Adversity Grid⁸² is an effective framework to understand whole range of changes at the individual, community and structural levels.

Adversity Grid

	Suffering	Resilience	Adversity-activated development
Individual			
Family			
Relevant groups and communities			

Source: Renos K. Papadopoulos (ed.), *Moral Injury and Beyond: Understanding Human Anguish and Healing Traumatic Wounds* (Routledge, 2002).⁸³

⁸² Renos K. Papadopoulos (ed.), *Moral Injury and Beyond: Understanding Human Anguish and Healing Traumatic Wounds* (Routledge, 2020).

⁸³ A newer version of the Adversity Grid is presented in Papadopoulos, *Moral Injury and Beyond*.

The Adversity Grid can be used to understand the implications on three dimensions (suffering, resilience and adversity-activated development) on three levels (individual, family, significant groups and communities). Using the Adversity Grid would allow return counsellors to help migrants understand better their own situation. Filling the suffering column, migrants will be able to identify their own negative psychological reactions, the negative effects return can have on their families and on their significant groups and communities both in the host and in the origin country, and how these later affect their own individual well-being in exchange. In the resilience column, they will be able to identify which qualities and skills and coping mechanisms they have maintained throughout their experiences of migration; the support they have received from their relations with families, groups and communities; and how they may support them in the return process. Finally, the adversity-activated development column allows migrants to identify what new skills, qualities and attitudes they have gained from their migratory experience, personally and in relation to their families, groups and communities, and how they can use these to make a decision about return or how to return.

In this way, they will be better equipped to know their own strengths and weaknesses and be more prepared psychologically to address whatever will confront them on their return. The Adversity Grid could be printed prior to the session and used as a means of joint exploration with the migrants. If the migrants prefer, they can take it with themselves so that they have a tangible output that allows them to see the big picture, not only the negative aspect.

In case of lack of sufficient time or a safe space, distrust and other reasons, and it is not possible to provide return counselling to the returnees, the self-help booklet “Preparing for Return”⁸⁴ can be given to the returnees. Returnees could read the booklet to prepare themselves for the return, following the above-mentioned logic and including practical actions and exercises. Even in situations where there is sufficient time, a safe space and other things needed to start the process, return counsellors could use the same booklet as a guide to inform the discussions.

2.1.1. Practical exercises and relaxation techniques

Return counselling sessions might not be easy for some migrants and they might find it hard to stay here and now. The following exercises would help the migrants to reduce stress during the session. These exercises can be done by migrants on their own as well; therefore, it is important to explain these exercises to the migrants and encourage them to practice them if they find them useful.

⁸⁴ IOM, Preparing for return (2015).

Breathing exercise

Breathing exercises will help migrants relax in a short while and reconnect with the here and now. Before starting the breathing exercise, the return counsellor should ask the migrant if he or she is willing to do it. If the migrant said yes, these steps should be followed. It is recommended that the return counsellor do the exercise with the migrant to help understand the migrant better.

Ask the migrant to sit back on the chair in a comfortable position. Say:

“Put one of your hands on your belly and the other one on the upper chest as I am doing. Now, we will slowly breathe from the nose for 4 seconds. It is important that your hand on the chest should remain still, while your hand on your belly should rise as you breath in.

After breathing in, we will hold our breath for 4 seconds and then we will slowly breathe out from the mouth for 6 seconds. If you are not used to it, it might be a bit difficult in the beginning, but don't worry. As we exercise it, it will get easier. Now let's try again.”

This technique can be used by migrants even at home. However, they should be informed that they should not do it more than three or four times, as they can get dizzy, and it might exacerbate their anxiety.

Grounding exercise

There are numerous grounding exercises to reduce the stress and anxiety levels. Among these is progressive muscle relaxation (PMR), which has various advantages when working with migrants. Firstly, adverse experiences can have effects on the body. Secondly, physical health and mental health are interconnected and relaxing the body will help to relax mentally.⁸⁵ PMR involves going through different muscle groups, tensing and relaxing them. By doing so, the person notices the difference between the tense and relaxed muscles. As in the case of breathing exercise, it is important to explain the process to the migrant and have his or her permission before starting the exercise.

Ask the migrant to sit back on the chair in a comfortable position. Say:

In this exercise, we will tighten and relax different muscle groups in our body. Starting from the feet to all the way up to the head. I will ask you to tighten your muscle as much as you can for 15 seconds and then relax them for 30 seconds. We will repeat it three times for each muscle group.

⁸⁵ Bessel A. van der Kolk, The body keeps the score: Memory and the evolving psychobiology of posttraumatic stress, *Harvard Review of Psychiatry*, 1(5):253–265 (1994).

Let's start with the feet. Tense your feet and toes as much as you can. (Do this for 15 seconds.) Now, let them relax. (Relax for 30 seconds and repeat it two more times.)

Now, the legs. Squeeze your thighs and calf muscles as much as you can. (The routine is the same as with the feet.)

Now with the arms...

We move to shoulders...

Let's continue with the jaw...

And lastly, the forehead...

2.1.2. Returning with a condition

Migrants who return may have pre-existing mental health conditions. The return of people with severe mental disorders should be subject to particular attention, as for other medical conditions (see [section 3.3.2: Migrants with health-related needs](#)). First, the capacity of discernment of the migrant should be ascertained (refer to [page 94](#)). In addition, the return should be subject to the possibility to provide continuity of care (refer to [page 95](#)). Migrants with mental disorders should not be excluded from accessing return programmes, including receiving return counselling. Therefore, return counsellors are likely to provide counselling to migrants with mental disorders. In some cases, the counsellor will not know about the migrant's condition prior to the session. In these cases, it is not in the return counsellor's capacity or responsibility to identify mental disorders, apart from those who need easily identifiable urgent referral (refer to [page 93](#)). More often, however, the return counsellor is informed beforehand by the migrant's files, partners or referral actors about the migrant's condition. In these cases, it is good for the counsellor to know some basic do-not-harm rules in communicating with migrants with mental disorders. Following is a list of relevant tips that can be adopted in communicating with people experiencing the three conditions most commonly identified among returning migrants.

Post-traumatic stress disorder

Post-traumatic stress disorder (PTSD) is a condition present among a small minority of returning migrants, especially but not solely rejected asylum seekers and migrants in detention. PTSD is a mental health condition which is triggered by an adversity either directly experienced or witnessed. Flashbacks, nightmares, severe anxiety, and uncontrollable thoughts about the event protracted over time and over a certain intensity can be named among symptoms of PTSD. The term "trauma" refers to the effect of an event, rather than the event itself. It is important to know the difference because each person experiences the same event in a different way. As people

experience the events differently, their coping mechanisms vary as well. Furthermore, experiencing or witnessing an adversity does not necessarily mean that the person would be traumatized and suffer from PTSD. In other words, not all migrants who have been through traumatic events would have PTSD. The return counsellor should understand both the effect and ways of coping from the returnee's point of view in a non-judgemental way. Asking what would make the returnee feel comfortable will be beneficial. Firstly, it will allow the returnee to feel the sense of agency, which is usually damaged after traumatic experiences. Also, as each person is different, it will allow the counsellor to know what to do with that specific client rather than relying on the "one size fits all" approach. PTSD is a serious mental health condition and requires specialization to treat. Return counsellors should never intend to treat PTSD, and when they suspect, the necessary referrals should be made immediately. Asking unnecessary questions about the traumatic event might cause re-experiencing of the event on the migrants and therefore it should be avoided. Pressure and stress might also cause re-experiencing of the traumatic event and while providing return counselling to a migrant who is suffering from PTSD, it is important to avoid any pressure as it might trigger stress in the returnee.

Depression

Depression is another common mental health problem among migrants. Depression is a state of low mood that lasts for months. It can affect a person's thoughts, behaviour, feelings and sense of well-being. Depressed people can feel helpless, guilty, sad, anxious and hopeless, and they might not enjoy doing things that they were enjoying before.⁸⁶ It is important to be aware that not all people with a state of low mood are depressed. Migrants who are preparing for return might experience sadness among other emotions due to the situation they are in. Feeling sad about leaving the host country would be a normal reaction rather than a symptom of depression. Depressed people might be withdrawn during return counselling. The return counsellor should not take that personally, as withdrawal is expected in a state of depression. The return counsellor should acknowledge the emotions of the migrant without trivializing or sympathizing. Migrants with depression might have suicidal thoughts. In such cases, the return counsellor should openly talk about it and make necessary referrals.

Substance use

Substance use is an important condition that should be screened, as it might prevent the migrant from travelling. Strange odors, poor appetite, weight loss, excessive fatigue, congested eyes, incoordination and needle marks might be signs of substance

⁸⁶ IOM, *Returning with a Health Condition: A Toolkit for Counselling Migrants with Health Concerns* (The Hague, 2015). Available at <https://publications.iom.int/books/returning-health-condition-toolkit-counselling-migrants-health-concerns>.

use. Migrant with substance use problem might be emotionally unstable, anxious, irritable and angry, and might hallucinate. While providing return counselling to migrants with substance use problems, the counsellor should establish a trusting relationship, believe that the migrant can recover and show genuine concern. People with substance use problem experience withdrawal symptoms when they stop using the substance. They might become violent, anxious and agitated. They might have problems with concentration, and it might be hard to follow any conversation. The return counsellor should be aware of these factors, take precautions during counselling sessions for any possible violent behaviour and make necessary referrals for migrants suffering from substance use.⁸⁷

Psychotic disorder

Another condition that can be encountered, although not often and actually quite rarely among migrants, is psychosis. People with psychosis might have a damaged sense of reality. They might hear voices that others cannot hear, hallucinate, interpret experiences completely different from others, have false beliefs that are not based on reality, and have disorganized thinking and speech. Return counsellors should not question migrants' sense of reality. They should try to see things from the migrants' perspective without supporting their delusions, if there are any. Counsellors should speak clearly and slowly. They should avoid complicated and long sentences and give migrants some time to understand. Long, direct eye contacts should be avoided, as they could be perceived as a threat.

Further information about returning with a health condition can be found in *Returning with a Health Condition: A Toolkit for Counselling Migrants with Health Concerns*.

The return counsellor should also be aware of the emotions they are experiencing throughout the session and discuss them during case meetings and supervision sessions in order to prevent conditions such as compassion fatigue and vicarious traumatization. For further information on these conditions, please refer to [section 5.5: Staff well-being and self-care](#).

⁸⁷ IOM, AVRR for migrants with mental health needs and substance-related conditions: recognition and management, webinar.

Return
Counselling
Toolkit

3



Identifying and addressing migrants' protection needs and vulnerabilities in the context of return

Module 3: Identifying and addressing migrants' protection needs and vulnerabilities in the context of return

Contents

Migrants who access return counselling services might be in a vulnerable situation and might have protection needs, which might be known or not to return counsellors at the start of the return counselling process. Module 3 provides guidance on how to assess migrants' vulnerabilities and protection needs in the context of return, in order to ensure that they are not overlooked and that the return process does not cause any harm to migrants or to the staff providing support during the counselling and return process. Additionally, this module contains recommendations on how return counselling should be delivered to specific groups, including victims of trafficking and migrants with health-related needs, who enjoy specifically dedicated protection standards.

Learning objectives

- Understand the nexus between return counselling and protection and assistance to migrants in vulnerable situations;
- Apply counselling methodologies and tools that are functional to the assessment of and response to migrants' vulnerabilities and protection needs.

Key messages

- Each individual migrant must have the opportunity to have any identified protection needs considered and addressed, and to receive timely and transparent information on the migration and protection pathways available to them.
- One of the objectives of return counselling is to assess migrants' vulnerabilities and respond to them, including by referring migrants to available services.

Target groups

- Return counsellors
- Return counselling services coordinators

3.1. Migrants' protection needs and vulnerabilities⁸⁷

Useful resources for this section:

- ▶ *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse* (section 1.1)



Since its launch, the IOM Displacement Tracking Matrix (DTM) has been a useful tool not only to track and monitor displacement and population mobility as such but also to collect and examine migrants' vulnerabilities to human trafficking and abuse while en route. Data is obtained from interviews conducted with migrants in different locations and explores the risk and protective factors associated with unsafe migration. Typically, interviews collect data on migrants' experiences that could be seen as proxy indicators of trafficking or exploitative practices, such as having worked or performed activities without getting the expected pay and having been kept at a certain location during against their will, among other examples. While conducting these interviews, in case the DTM enumerators encounter a person in need of specialized protection assistance, they are instructed to make referrals to the protection teams. The DTM is used to collect information and data on migrants' propensity to access AVRR services while en route. Targeted questions on this topic are included in the interviews, and DTM enumerators are trained to provide basic AVRR information and initiate referrals to return counselling when migrants request them. To access the latest DTM reports, please see <https://migration.iom.int/europe/arrivals?type=arrivals#content-tab-anchor>.

Migrants are not inherently vulnerable, but they might find themselves in vulnerable situations, exposed to rights violations or to a reduced ability to enjoy their rights as a result of discrimination, inequality as well as structural or social dynamics and norms.⁸⁸ Migrants' vulnerabilities might be rooted in their personal characteristics or in their situation before leaving their home countries, might be triggered while en route or upon arrival in the destination country, and can generally include "poverty, discrimination, lack of access to education, health, food and water, and decent work, as well as xenophobia, violence, gender inequality, the wide-ranging consequences of natural disaster, climate change and environmental degradation, and separation from family".⁸⁹ Besides that, migrants in transit might be particularly exposed to the risk of "the arbitrary closure of borders, denial of access to asylum procedures, arbitrary push-backs, violence at borders committed by State authorities and other actors (including criminals and civilian militias), inhumane reception conditions, a lack of firewalls, and denial of humanitarian assistance".⁹⁰

⁸⁷ "There is no universally accepted definition of "protection", but the term is often used to describe all actions intended to maintain individual safety and well-being in accordance with the letter and spirit of relevant bodies of law. Within the migration context, vulnerability is defined as a limited capability to avoid, resist, cope with or recover from violence, exploitation, and abuse." (IOM, *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse* (Geneva, 2019), available at <https://publications.iom.int/books/iom-handbook-migrants-vulnerable-violence-exploitation-and-abuse>).

⁸⁸ OHCHR and Global Migration Group on Migration, Human Rights and Gender, *Principles and Guidelines, Supported by Practical Guidance on the Human Rights Protection of Migrants in Vulnerable Situations* (Geneva, OHCHR, 2018).

⁸⁹ Ibid.

⁹⁰ Ibid.

In this context, the determinants of migrant vulnerability model was crafted by IOM to identify, protect, and assist migrants who have experienced or are vulnerable to VEA before, during or after migrating, and to inform the development and implementation of a protection response. Importantly, the determinants of migrant vulnerability model adopts a broader understanding of migrants' vulnerabilities, moving away from vulnerability conceptualizations that rely solely on being a member of a specific category (such as being a child, a woman) but looks into the interplay of factors that determine the vulnerability status of a person. According to this model, migrants' vulnerability factors can be clustered around four levels (individual, household, community and structural), which correspond to different methodologies for the assessment of migrants' vulnerabilities, as well as different sets of interventions aiming at addressing such vulnerabilities and increasing migrants' protection.⁹¹

3.2. Pre-departure assessment of migrants' protection needs and vulnerabilities

Useful resources for this section:

- ▶ *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse* (section 2.2)
- ▶ IOM, *Coping with Return: An Overview of Methodology Development and Exchange of Best Practices on Voluntary Return Assistance in the Enlarged European Union with Particular Emphasis on Vulnerable Asylum Seekers*
- ▶ IOM, *Retour et réintégration de personnes vulnérables*

Return counselling providers, as well as any other actors involved in migration management and migrants' protection, are bound to the duty to respect, protect and fulfil human rights and migrants' rights overall, in line with the applicable international and national laws. "[T]aking a rights-based approach means placing the concerned individual(s) and their well-being at the centre of every decision or process related to their return, readmission and reintegration, and seeking to uphold the protection of their rights. Each individual migrant must have the opportunity to have his/her case assessed by competent entities to have any identified protection needs considered and addressed, and to receive timely and transparent information on the migration pathways available to them. This is particularly important for migrants in situations of vulnerability who may have been subject to VEA or who may require specialized assistance through institutional safeguards due to specific health, psychosocial or protection needs."⁹²

⁹¹ To know more about the determinants of migrant vulnerability model, please consult *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*.

⁹² IOM, IOM's Policy on the Full Spectrum of Return, Readmission and Reintegration.

While some categories of migrants can be inherently defined as vulnerable (such as victims of trafficking, migrant children or migrants with health-related needs), an individual assessment of migrants' vulnerability should always be performed before departure, in order to identify and address any vulnerability or protection concern that might otherwise be overlooked.

These assessments should not focus solely on specific categories of migrants. Instead, they should be based on the overall understanding of the factors that contributed to the vulnerabilities of an individual migrant or a group of migrants and the resources and capacities they themselves can mobilize to resist or recover from their vulnerabilities.⁹³ In line with the rights-based and migrant-centred approach to counselling, one of the objectives of the return counselling methodology presented in this *Toolkit* is therefore to identify and address migrants' vulnerabilities (see also [section 2.2: Key principles for migrant-centred counselling provision](#)), while the assessment of migrants' vulnerabilities is presented as being one of the mandatory steps of the counselling methodology⁹⁴ (see [section 2.5: The return counselling cycle](#) and [section 3.3: Addressing migrants' vulnerabilities in the context of return](#)).

A standard vulnerability screening form is a key tool that shall be used during return counselling to collect personal information on the migrants' situation and assess potential individual vulnerability factors. Standard vulnerability screening forms can be shaped according to the context in which they are to be used, so as to include a more or less extensive set of questions, or to focus on the identification of specific vulnerability factors or protection needs to which migrants are particularly prone in a certain context, or that pose a particularly serious threat, or again that are particularly difficult to assess otherwise. IOM has developed individual standard vulnerability screening forms, some of which are used specifically in the context of return.⁹⁵ Such screening forms have been largely inspired by the approach developed through *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*, and the related Individual Factors Assessment Toolkit.⁹⁶

As indicated in [section 2.5 \(The return counselling cycle\)](#), vulnerability screening is not a one-off, but it should be a process that is updated when necessary and that applies the necessary safeguards. In addition to the information collected through

⁹³ See the IOM Global Compact thematic paper "Protection of the human rights and fundamental freedoms of migrants and the specific needs of migrants in vulnerable situations". Available at www.iom.int/sites/g/files/tmzbd486/files/our_work/ODG/GCM/IOM-Thematic-Paper-Protection-of-Human-Rights-and-Vulnerable-Migrants.pdf.

⁹⁴ For specific indications on how the individual vulnerability assessment should be performed and the communication style to be adopted, please consult the *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*, page 34.

⁹⁵ These are internal documents.

⁹⁶ The Individual Factors Assessment Toolkit comprises of a user guide and a set of questionnaires that can be used in different operational environments and at different stages of the migration path. The Individual Factors Assessment Toolkit is to be used for programmatic and assessment purposes, and it is not meant to be an instrument for individual vulnerability assessment and in-take. The Toolkit can be accessed at www.iom.int/individual-factors-assessment-toolkit.

the standard vulnerability screening forms, counsellors should always take into consideration any other information they possess and how it might relate to the possible situation of vulnerability of migrants they are screening. This might include information emerged during medical checks for the preparation of return and additional information that becomes available during the return counselling process, among others. It is important once again to underline that return counsellors and actors shall abide by the data protection principles, including the principle of confidentiality (see [section 2.2: Key principles for migrant-centred counselling provision](#)), which are particularly important when assisting migrants in vulnerable situations.

Return counsellors have a key role in performing the (initial) assessment of vulnerabilities in the context of return. At the same time, the role they play within the case management process at large might be more or less extensive depending on the case, as already anticipated in [section 2.4 \(Return counselling providers and their role within the case management approach\)](#). In the case of migrants in vulnerable situations, such role, at a minimum, includes the task to assess and identify (or pre-identify) migrants' vulnerabilities and refer migrants in vulnerable situations to the actors in charge of their protection and assistance. To do so, return counsellors should not only be highly familiar with standard screening forms and procedures, but a mapping of existing services and referral pathways must be prepared and periodically updated to allow them to promptly initiate the appropriate procedures for protection when needed. According to their professional skills and specializations, return counsellors might also have additional responsibilities within case management, which might include identifying specific protection needs (such as for the identification of victims of trafficking) and preparing and implementing an assistance plan, among other examples.⁹⁷ Moreover, it is important to underline that the operational environment also has an impact on the way case management is performed and on the way protection and assistance are offered to migrants in vulnerable situations: this might be the case, for instance, of case management in detention, or where protection and assistance services are not available, or again in transit situation, where migrants might be willing to access only temporary services and avoid full-fledged case management approaches.⁹⁸

⁹⁷ For a complete overview of the case management approach and related responsibility, please consult *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*, page 32.

⁹⁸ For more on this, please consult *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*, page 39.

3.3. Addressing migrants' vulnerabilities in the context of return

Useful resources for this section:

- ▶ *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse* (principles of assistance, p. 29; return and reintegration, p. 87)
- ▶ *IOM Case Management Guidelines* (chapter on trauma-informed care) (forthcoming)

Through migrants' vulnerability screening, return counsellors might identify or pre-identify a wide range of vulnerabilities and protection concerns, which will open up different workflows, activate referral pathways and initiate responses. Importantly, the vulnerabilities identified during the counselling process must be read in light of the principles⁹⁹ outlined in [section 2.2 \(Key principles for migrant-centred counselling provision\)](#), and will therefore have a direct impact on the considerations around the safety of return per se and of the environments of return and the way return is prepared and performed. It is important to stress that whenever possible, vulnerable migrants should return to their countries of origin on a voluntary basis.

Described in this section are some of migrants' vulnerabilities that can be most frequently identified during return counselling, along with recommended procedures to be applied and workflows to be activated. It is important to keep in mind that the categorization presented here is functional to learning purposes but cannot mirror the real complexity of migrants' vulnerabilities. In many cases, in fact, migrants present several vulnerability factors at once, in which case they are eligible to access multiple specialized services and protection and the protection standards related to more than one category presented here are applicable. This would be the case, for instance, of victims of trafficking or migrants vulnerable to VEA who also have health-related needs, or, again, of victims of trafficking who also have international protection needs.¹⁰⁰

Beyond the specificities of migrants' vulnerabilities described in the succeeding subsections, there are some common standards that must be adhered to when providing return counselling to migrants in vulnerable situations:

- **Return counsellors should adopt trauma-informed and victim-centred approaches** when assisting migrants in vulnerable situations, especially if they are victims of crimes or if they have specific protection and

⁹⁹ Especially the principle of rights-based approach through active protection and upholding of migrant rights; gender-responsive, child- and vulnerability-sensitive perspectives; do no harm; and safe environments of return.

¹⁰⁰ On this, see also IOM and UNHCR, *Framework Document on Developing Standard Operating Procedures to Facilitate the Identification and Protection of Victims of Trafficking* (Geneva, 2020). Available at <https://migrationnetwork.un.org/resources/iom-unhcr-framework-document-developing-standard-operating-procedures-facilitate>.

assistance needs.¹⁰¹ When migrants are children (defined as persons under the age of 18), return counsellors should adopt child- or adolescent-centred approaches (refer to the toolkit on counselling children and their families for more information).

- **Return counsellors should always seek to refer migrants in vulnerable situations to key services, according to their individual needs and agency**, including shelter and accommodation, water and sanitation, food and nutrition, health, protection or child protection when the person is less than 18 years old), MHPSS, access to justice, education and training, livelihoods, employment and income generation. Access to legal counselling and representation in the country of destination is also a key service that should be offered to migrants in vulnerable situations in order to ensure that they have the opportunity to initiate procedures to restore their rights. It is important to keep in mind that initiating and participating in legal proceedings can be a very demanding and challenging process, and migrants' expectations should be carefully managed in accordance with the environments in the countries of destination and origin and the maturity of justice systems. Additionally, MHPSS services play a major role and should always be included in the referral scheme initiated for migrants in vulnerable situations identified in the context of return in order to provide them with the necessary medical and psychosocial support.
- **Besides sharing general information on the environment of return, counsellors must also share information on services available in the country and the community of origin/return, and where possible, referrals should be made before return** so as to ensure continuity of protection and assistance, always securing previous and informed migrants' consent to data sharing with third parties. Counsellors should also share information on the guarantee that the third party affords appropriate protection for the migrants' personal data.
- **Reintegration assistance should always be provided to returning migrants in vulnerable situations** through the support of government agencies, international organizations, CSOs, or communities and families. Such reintegration assistance should be adapted to the unique needs of the migrants, and a reintegration plan should be developed in consultation with them. The reintegration plan might include services such as shelter and accommodation, water and sanitation, food and nutrition, safety and security, child protection, health and well-being, mental health and psychosocial support, education and training, livelihoods, employment and income generation, family tracing, assessment and reunification as well as access to justice.

¹⁰¹ For more information on trauma-informed care, please see IOM, Case Management Guidelines (upcoming).

It is important to underline that, besides the protection needs and vulnerabilities described in the subsections that follow, the pre-departure vulnerability screening process might reveal indicators of international protection needs. Migrants who hold a refugee status, or who are seeking asylum or are interested to do so, should be referred to UNHCR or to the relevant national agency in charge of asylum and refugees, so that they can clarify to the migrants what happens if they decide to continue with their return request, and what are the international protection pathways available to them. Only once this is done can the return be reassessed as a migration option. For this reason, it is important that return counselling programmes and asylum procedures are connected to one another, in order to enable cross-referrals.

3.3.1. Migrants vulnerable to violence, exploitation and abuse

Useful resources for this section:

- ▶ *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*
- ▶ Global Protection Cluster, GBV guidelines for reporting cases for non-GBV specialized actors
- ▶ GBV Guidelines, How to support survivors of GBV when a GBV actor is not available in your area: A step-by-step Pocket Guide for humanitarian practitioners, version 2.0¹⁰²

VEA defined: In line with the approach proposed in *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*, violence is defined as “the intentional use of physical force or power, threatened or actual, that either results in, or has a high likelihood of resulting in, injury, death or psychological harm”; abuse is defined as “an improper act by a person in a position of relative power, causing harm to a person of lesser power (including physical abuse, sexual abuse, abuse of a position of vulnerability, psychological abuse, etc.)”; while exploitation is defined “as the unfair treatment of a person for someone else’s benefit”.

Beyond these general and overarching definitions, VEA can take specific forms, some of which might be particularly relevant or common among people on the move:

- **Torture and other cruel, inhuman or degrading treatment or punishment, in the context of migration:** The prohibition of torture and ill treatment is recognized as being part of customary international law, which is binding and cannot be compressed, regardless of exceptional circumstances

¹⁰² See <https://gbvguidelines.org/en/pocketguide/>.

such as war, public emergencies, including when triggered by the large movement of migrants.¹⁰³ Nonetheless, there is evidence that migrants, especially those in irregular situations, continue to experience violence and abuse, sometimes amounting to torture and ill treatment, perpetrated by both State and non-State actors. Migrants may have experienced violence and abuse before, as well as during migration, including when being intercepted at borders or even in rescue setting, suffering therefore from trauma and fearing the contact with authorities and officials in general. Apart from serious violations of human rights and humanitarian law, such experiences are likely to endanger migrants' physical integrity and also to trigger PTSD, anxiety, depression, disassociation, disorientation and self-isolation, with grave long-term consequences.¹⁰⁴ The United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment has reaffirmed that “[w]ith regard to the context of migration, it should be specifically recalled that States must respect and ensure the right to be free from torture and ill-treatment without any discrimination, and that the intentional infliction of severe pain or suffering “for any reason based on discrimination of any kind”, including based on migration status, [invariably] amounts to torture, regardless of whether it is inflicted by or at the instigation of State officials themselves, or merely with their consent or acquiescence”.¹⁰⁵ Not only do States have the obligation to protect every individual under their jurisdiction from torture and ill treatment, but they also have the obligation to not return a person to a country where they would face torture, cruel, inhuman or degrading treatment or punishment, and other irreparable harm. This principle applies to all migrants at all times, irrespective of migration status.

¹⁰³ United Nations, Human Rights Council, Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/HRC/37/50 of 23 November 2018).

¹⁰⁴ Ibid.

¹⁰⁵ Ibid.

Collective expulsions and pushbacks



Collective expulsion indicates “any measure compelling non-nationals, as a group, to leave a country, except where such a measure is taken on the basis of a reasonable and objective examination of the particular case of each individual of the group”.¹⁰⁶

As explained by OHCHR, “the prohibition of collective expulsion (...) is also a rule of general international law. It is distinguishable from the principle of non-refoulement in that it is inherently a due process right that entitles every non-national to an individualized examination of all arguments militating against his or her expulsion in the first place”.¹⁰⁷ All non-nationals enjoy protection from collective expulsion (including those with irregular status), while such prohibition applies to the whole territory of a State, including its waters.¹⁰⁸

Like in the case of collective expulsions, in the case of pushbacks, authorities fail to individually screen the non-nationals. In the absence of an internationally agreed definition of “pushbacks”, the United Nations Special Rapporteur on the human rights of migrants defines them as “various measures taken by States, sometimes involving third countries or non-State actors, which result in migrants, including asylum seekers, being summarily forced back, without an individual assessment of their human rights protection needs, to the country or territory, or to sea, whether it be territorial waters or international waters, from where they attempted to cross or crossed an international border”.¹⁰⁹ Pushbacks generally involve practices relating to the removal of non-nationals from the territory of a State, such as “arbitrary expulsion” or “collective expulsion”, which are established legal notions under international law.¹¹⁰

Push-/Pullbacks can also imply (excessive) use of force, with migrants being threatened, beaten, deprived of their belongings and losing their lives.¹¹¹ When carried out violently or when effectively resulting in dire conditions for migrants, pushbacks may amount to torture or ill treatment and violations of migrants’ right to life. It is important to be reminded that States must prevent and redress unjustifiable and excessive use of force.¹¹²

¹⁰⁶ IOM, *Glossary on Migration*.

¹⁰⁷ European Court of Human Rights (ECHR), Intervener Brief Filed on Behalf of the United Nations High Commissioner for Human Rights, Case of Hirsi Jamaa and others v. Italy (5 May 2011). See www.ohchr.org/sites/default/files/Documents/Issues/Migration/AmicusBriefInHirsi.doc.

¹⁰⁸ Ibid.

¹⁰⁹ United Nations, Human Rights Council, Report on means to address the human rights impact of pushbacks of migrants on land and at sea: Report of the Special Rapporteur on the human rights of migrants, Felipe González Morales (A/HRC/47/30 of 12 May 2021). Available at <https://undocs.org/en/A/HRC/47/30>.

¹¹⁰ Ibid.

¹¹¹ See, for instance, European Union Agency for Fundamental Rights (FRA), *Migration: Fundamental Rights Issues at Land Borders* (Luxembourg, 2020); DRC, Bosnia and Herzegovina (n.d.), available at <https://drc.ngo/our-work/where-we-work/europe/bosnia-and-herzegovina/>.

¹¹² United Nations, Human Rights Council, Report on means to address the human rights impact of pushbacks of migrants on land and at sea: Report of the Special Rapporteur on the human rights of migrants, Felipe González Morales; Anja Radjenovic/European Parliamentary Research Service, Pushbacks at the EU’s external borders, Briefing paper to the European Union Parliament (March 2021), available at [www.europarl.europa.eu/RegData/etudes/BRIE/2021/689368/EPRS_BRI\(2021\)689368_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2021/689368/EPRS_BRI(2021)689368_EN.pdf).

With the aim to put an end to pushbacks, the United Nations Special Rapporteur on the human rights of migrants calls upon States to develop a human rights-based, gender-responsive, and age- and child-sensitive approach to migration and border governance (in line also with the approach and principles presented in this *Toolkit*) that ensures that the human rights of migrants, including those in an irregular situation, are always the first consideration.

For return counsellors, it is particularly important to be aware that migrants who have been subjected to (the risk of) collective expulsions and/or pushbacks are likely to have suffered physical and mental injuries and harm, and are also likely to fear and mistrust any person who might represent the authority, or who might be seen as close to State officials.

- **GBV:** The Inter-Agency Standing Committee defines GBV as “any harmful act that is perpetrated against a person’s will and that is based on socially ascribed (i.e. gender) differences between [people of different genders]. It includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty”.¹¹³ GBV can take different forms, such as physical, sexual, economic and psychological violence.¹¹⁴ While it is largely recognized that women and girls are especially vulnerable to GBV, it is important to be reminded that migrants of all genders and ages can be survivors of GBV, including those who identify as men and boys. Migrants can also be targeted by GBV based on their perceived diverse SOGIESC (see also section 3.3.1.2: [Migrants with diverse sexual orientation, gender identity, gender expression and sex characteristics](#)).
- **Harmful practices:** “Harmful practices are ... grounded in discrimination based on sex, gender and age, among other things, and have often been justified by invoking sociocultural and religious customs and values, in addition to misconceptions relating to some disadvantaged groups of women and children. Overall, harmful practices are often associated with serious forms of violence or are themselves a form of violence against women and children. While the nature and prevalence of the practices vary by region and culture, the most prevalent and well documented are female genital mutilation, child and/or forced marriage, polygamy, crimes committed in the

¹¹³ Inter-Agency Standing Committee, *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action: Reducing Risk, Promoting Resilience and Aiding Recovery* (2015).

¹¹⁴ As defined by the European Institute for Gender Equality (EIGE): (a) Physical violence is “[a]ny act which causes physical harm as a result of unlawful physical force. Physical violence can take the form of, among others, serious and minor assault, deprivation of liberty and manslaughter.” (b) Sexual violence is “[a]ny sexual act performed on an individual without their consent. Sexual violence can take the form of rape or sexual assault.” (c) Economic violence refers to “[a]ny act or behaviour which causes economic harm to an individual. Economic violence can take the form of, for example, property damage, restricting access to financial resources, education or the labour market, or not complying with economic responsibilities, such as alimony.” (d) Psychological violence refers to “[a]ny act which causes psychological harm to an individual. Psychological violence can take the form of, for example, coercion, defamation, verbal insult or harassment.” See EIGE, *Forms of violence* (n.d.), available at <https://eige.europa.eu/gender-based-violence/forms-of-violence>.

name of so-called honour and dowry-related violence.¹¹⁵ The harm that such practices cause to the victims surpasses the immediate physical and mental consequences and often has the purpose or effect to hamper the recognition, enjoyment and exercise of the human rights and fundamental freedoms of women and children. There is also a negative impact on their dignity; physical, psychosocial and moral integrity and development; participation; health; education; and economic and social status.

- **Violence against children:** Violence against children is defined by the Convention on the Rights of the Child as “all forms of physical or mental violence, injury and abuse, neglect or children negligent treatment, maltreatment or exploitation, including sexual abuse” whether perpetrated by parents or other caregivers, teachers, peers, romantic partners or strangers. For more information on how to ensure the protection of children during the return counselling process, please refer to the module on counselling children and their families.

How victims of VEA can be identified: As explained in the previous paragraphs, VEA can include an extremely wide range of offences and practices, some of which might pose threats particularly to migrants and people on the move. Because of such diversity, it is very important that migrants’ vulnerability screening forms are developed in such a way to capture the complexity of VEA and are adjusted to the context in which they are applied, taking into account the most common, most dangerous and most hidden forms of VEA to which migrants can be exposed. The IOM Individual Factors Assessment Toolkit¹¹⁶ is a useful tool to collect information on migrants’ vulnerabilities in a determined context. Such data can then offer the basis to shape programmatic and assistance response, as well as to come up with tailored standard screening forms to identify individual vulnerabilities to VEA. Depending on the caseload of beneficiaries served by the return counselling programme, building capacity on how to recognize different forms of VEA and safely interact with victims of VEA can be greatly useful to return counsellors as well as interpreters and cultural mediators, especially considering that VEA have a very serious impact on the physical and mental well-being of migrants and pose especially serious threats to the safety of migrants and counsellors. Because of the specificities of some forms of VEA, ad hoc protocols should be in place to guide the interaction with victims of VEA and their referral to services. An example is the case of GBV victims, where there are ethical and safety considerations on GBV disclosure and provision of assistance.¹¹⁷

¹¹⁵ United Nations Committee on the Elimination of Discrimination against Women (CEDAW) and the United Nations Committee on the Rights of the Child, Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices (CEDAW/C/GC/31-CRC/C/GC/18 of 4 November 2014). (The definitions of these harmful practices are included in the joint general recommendation/general comment No. 31 and No. 18.)

¹¹⁶ See www.iom.int/individual-factors-assessment-toolkit.

¹¹⁷ For specific guidelines on this, please see Global Protection Cluster, GBV guidelines for reporting cases for non-GBV specialized actors (n.d.).

Implications on return counselling and procedures: When assessing and preparing the return of migrants vulnerable to VEA, the assessment of the safety of return environments is of paramount importance in order to avoid any unintended harm to migrants as well as return and reintegration actors. Such assessment should be thoroughly undertaken through joint efforts between counsellors in countries of origin and countries of destination. The assessment should be individualized and should take into account the personal history and characteristic of each migrant. Additionally, the principle of continuity of care should inform decisions made around the return and reintegration of migrants vulnerable to VEA and would include making sure that key services are accessible in the country/community of return and providing information on referral to services available.

Cooperation and referral pathways: When identifying migrants vulnerable to VEA, it is the return counsellors' duty to activate the appropriate referral pathways available in the country of destination and inform migrants about the services available in the country of origin, with migrants' prior and informed consent. Because of the sensitive nature of VEA and the risks they pose to migrants' and counsellors' safety, it is important that migrants are referred to specialized services whenever possible. These might include shelters or centres for GBV survivors and services for victims of torture, among others. When specialized services are not available, alternatives must be sought in order to ensure continuity of care¹¹⁸ while at the same time ensuring to the extent possible that detention is not applied. Counsellors should work closely with authorities and civil society to identify non-custodial solutions suitable to migrants, in order also to avoid retraumatization. Any transfer of information to other service providers on behalf of the migrants should only be made with their explicit consent and through secure communication channels. Where possible, referrals should be made before return so as to ensure continuity of protection and assistance.¹¹⁹

¹¹⁸ See, for instance, GBV Guidelines, How to support survivors of gender-based violence when a GBV actor is not available in your area: A step-by-step Pocket Guide for humanitarian practitioners, version 2.0 (2015). Available at <https://gbvguidelines.org/en/>.

¹¹⁹ IOM, *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*.

3.3.1.1. Migrants who are (potential) victims of trafficking in human beings

Useful resources for this section:

- ▶ United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Palermo Protocol)
- ▶ *IOM Handbook on Direct Assistance for Victims of Trafficking*¹²⁰
- ▶ *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*
- ▶ Organization for Security and Co-operation in Europe (OSCE), *Guiding Principles on Human Rights in the Return of Trafficked Persons*¹²¹
- ▶ IOM, *Retour et réintégration de personnes vulnérables* (p. 70)
- ▶ IOM, *Coping with Return: An Overview of Methodology Development and Exchange of Best Practices on Voluntary Return Assistance in the Enlarged European Union with Particular Emphasis on Vulnerable Asylum Seekers* (p. 30)

What trafficking in human beings is: In Article 3, the Palermo Protocol defines “trafficking in persons” as “(a) the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.¹²² Additionally, the Palermo Protocol specifies that “The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used. The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article”.

How victims of trafficking can be identified: Migrants can be especially vulnerable to the risk of becoming victims of trafficking, due to a number of interrelated factors, which include, among others: poverty and lack of legal employment; lack of regular status in the country of destination/transit; limited protection provided by State

¹²⁰ See <https://publications.iom.int/books/iom-handbook-direct-assistance-victims-trafficking-0>. The handbook has also been translated into Albanian, Arabic, Chinese, Japanese, Macedonian, Mongolian, Polish, Portuguese, Russian, Turkish and Ukrainian.

¹²¹ See www.osce.org/odihr/124268.

¹²² OHCHR, Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

authorities; lack of access to social protection.¹²³ The identification of victims of trafficking is the responsibility of specialized agencies/staff, and it is usually regulated by the counter-trafficking national legal or regulatory framework.¹²⁴ In this context, return counsellors might have the role to identify vulnerability factors that can expose migrants to the risk of being trafficked or pre-identify potential victims of trafficking, while the full-fledged identification of victims remains the responsibility of specialized entities (unless otherwise agreed in the specific set-up of the return counselling programme). Along the years, the counter-trafficking community has developed different sets of trafficking indicators, which can be taken as a reference to build pre-departure vulnerability standard screening forms that can capture risk factors connected to trafficking in human beings and related offences.¹²⁵

Implications on return counselling and procedures: Trafficking in human beings is a very serious crime, and victims of trafficking shall enjoy enhanced protection, including in the context of return.¹²⁶ When counselling migrants who are (potential) victims of trafficking, it is crucial that counsellors abide by data protection and confidentiality principles, since their infringement could expose the migrants and the counselling staff to serious threats and danger. Moreover, managing the expectations of migrants through transparent communication and adopting a victim-centred and trauma-informed¹²⁷ approach is of vital importance: victims of trafficking should be enabled as much as possible to make informed decisions on their lives, including on their return to the country of origin, and on the impact of return on their safety, private life, access to justice and other things.

While return counsellors usually do not have direct responsibilities for the formal identification of victims nor do they act as the (primary) case managers, they are likely to lead or participate in the process of assessing the safety of return and sustainability of reintegration of victims of trafficking in their countries of origin. This process at a minimum should include conducting a general¹²⁸ and specific

¹²³ Fiona David, Katharine Bryant and Jacqueline Joudo Larsen, *Migrants and Their Vulnerability to Human Trafficking, Modern Slavery and Forced Labour* (Geneva, IOM, 2019). Available at <https://publications.iom.int/books/migrants-and-their-vulnerability-human-trafficking-modern-slavery-and-forced-labour>.

¹²⁴ According to United Nations Office on Drugs and Crime (UNODC), as of August 2020, 169 countries among the 181 assessed have legislation in place that criminalizes trafficking in persons broadly in line with the United Nations Trafficking in Persons Protocol (UNODC, *Global Report on Trafficking in Persons 2020* (New York, United Nations, 2021)).

¹²⁵ Such sets of indicators include the UNODC human trafficking indicators (n.d.) (available at www.unodc.org/pdf/HT_indicators_E_LOWRES.pdf) and the International Labour Organization operational indicators of trafficking in human beings (2009) (available at www.ilo.org/global/topics/forced-labour/publications/WCMS_105023/lang--en/index.htm#:~:text=This%20paper%20presents%20four%20lists,of%20trafficking%20in%20human%20beings%2C).

¹²⁶ See also OHCHR, Articles 6, 7 and 8, Palermo Protocol (2000); Council of Europe, Chapter III, Convention on Actions against Trafficking in Human Beings (2005); OSCE, *Guiding Principles on Human Rights in the Return of Trafficked Persons* (Warsaw, OSCE Office for Democratic Institutions and Human Rights, 2014).

¹²⁷ To know more about victim-centred approach, please consult United States, Department of State, Office to Monitor and Combat Trafficking in Persons, Implementing a trauma-informed approach, available at www.state.gov/wp-content/uploads/2019/02/283795.pdf.

¹²⁸ A general risk assessment is the first step in determining threats to the security and safety of an individual trafficked person and to his or her rehabilitation. This assessment is to be updated periodically.

risk assessment,¹²⁹ as well as developing a risk management and monitoring plan. Moreover, a reintegration plan should always be developed, so that victims of trafficking have the necessary resources and support to recover from trauma and rebuild a life, therefore decreasing risks of re-trafficking.

Returning to the country or community of origin is not always the best solution for a trafficked migrant. For this reason and based on the output of the risk assessments, the return of a trafficked migrant to the country of origin should not require that they return to the community of origin and, where possible, options for relocation in a different and agreed locality should be available. Additionally, the return should not take place in cases where the return would not be safe or the reintegration would not be sustainable. In such cases, it is the return counsellors' duty to discuss with the migrants the existing options and refer them to other specific protection measures that may be available, including the asylum procedure.

Cooperation and referral pathways: The counter-trafficking community in a certain locality can comprise public authorities and civil society, as well as national and local actors that work together for the prevention, protection and prosecution of trafficking in human beings. In many countries, national referral mechanisms (NRMs) have been created to serve as a cooperation platform that can synergize the efforts of all counter-trafficking actors. Return counselling programmes should seek ways to participate and/or closely cooperate with NRMs (when they exist) or with counter-trafficking actors in the countries of destination, in order to ensure that victims are offered all available services – including return counselling – and that return counselling and operations align with the counter-trafficking legislation and standards in place. Return counsellors should also have an overall understanding of the counter-trafficking set-up of a country and be able to reach out to counter-trafficking entities that are in charge of formal identification of victims of trafficking and of providing rehabilitation assistance to them.

Cooperation with counter-trafficking and reintegration actors in the country of origin is also essential to ensure proper risk assessment, monitoring and management, as well as to make sure that return is safe and reintegration is sustainable. Also, in this case, remote counselling can be a useful option to facilitate coordination and information-sharing. Additionally, in some contexts, transnational referral mechanisms are active to support the cooperation of authorities and civil society in the field of protection and assistance with a specific focus on return and reintegration assistance for victims of trafficking.¹³⁰

¹²⁹ An individual assessment focuses on factors directly related to the migrant and should include the beneficiary's reintegration needs and interests, as well as the environment to which the migrant will return, such as an assessment of the socioeconomic situation in this environment, and the availability of reintegration and protection services.

¹³⁰ See, for instance, the TACT Project, available at www.iomfrance.org/tact/the-tact-project.html.

3.3.1.2. Migrants with diverse sexual orientation, gender identity, gender expression and sex characteristics

Useful resources for this section:

- ▶ IOM, Full glossary of terms¹³¹
- ▶ IOM, International standards on the protection of people with diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC) in the context of migration¹³²
- ▶ IOM guidance on inclusive facilities for migrants with diverse SOGIEESC¹³³
- ▶ IOM guidance on gender-inclusive communication¹³⁴

Who are people with diverse SOGIEESC: SOGIEESC is an acronym for sexual orientation, gender identity, gender expression and sex characteristics. “People with diverse SOGIEESC” is an umbrella term for all people whose sexual orientations, gender identities, gender expressions and/or sex characteristics place them outside culturally mainstream categories.¹³⁵ Migrants with diverse SOGIEESC are considered vulnerable because of the negative impact of structural and social norms that result in their discrimination and exposure to VEA because of their SOGIEESC. People with diverse SOGIEESC might leave their countries for reasons specifically linked to their SOGIEESC (such as to escape persecution, criminalization, discrimination), or for reasons that are not directly related to their SOGIEESC. However, in all cases, their diverse SOGIEESC will often have an impact on their experiences during the migration journey and in the country of destination, acting often as a vulnerability factor.¹³⁶

Migrants with diverse SOGIEESC might encounter specific obstacles to access to services and protection. This might be grounded on the fact that such services may be designed and constructed without the needs of people of diverse SOGIEESC in mind, or because they exclude migrants who do not align with expectations of what men and women will act and look like, or again because the official scrutiny of bodies, documents, families and behaviours can be problematic for people of diverse SOGIEESC.

¹³¹ See www.iom.int/sites/g/files/tmzbdl486/files/documents/IOM-SOGIEESC-Glossary-of-Terms.pdf.

¹³² See www.iom.int/sites/g/files/tmzbdl486/files/documents/InfoNote-International-Standards-Protection-of-People-with-Diverse-SOGIEESC.pdf.

¹³³ See www.iom.int/sites/g/files/tmzbdl486/files/documents/IOM-Guidance-Note-LGBTIQ-Inclusive-Facilities.pdf.

¹³⁴ See www.iom.int/sites/g/files/tmzbdl486/files/documents/IOM-Gender-Inclusive-Communication-Guidance-June2021.pdf.

¹³⁵ For detailed explanations of the meanings of sexual orientation, gender identity, gender expression and gender characteristic, please see IOM, Full glossary of terms, available at www.iom.int/sites/g/files/tmzbdl486/files/documents/IOM-SOGIEESC-Glossary-of-Terms.pdf.

¹³⁶ United Nations, Human Rights Council, Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

Gender-sensitive communication, disclosure and safe spaces: Disclosure is the act of making new information known, and in the context of diverse SOGIESC, disclosure happens when an individual shares his or her diverse sexual orientation, gender identity, gender expression or intersex status. This can happen at any time during the return counselling cycle: sharing one's diverse SOGIESC can be difficult and, in many cases, dangerous, and it might take time before trust between the migrant and the counsellor is strong enough to allow for disclosure. Disclosure should be a spontaneous process initiated by the migrant and facilitated by the creation of safe and supportive environments that encourage people to share the information. For this reason, counsellors should never ask invasive personal questions about relationships or sex, or ask someone to prove their diverse SOGIESC, while a late disclosure or non-disclosure should never affect the provision of return counselling and related services and referrals.

In many cases, migrants will not share the information until they have specific needs associated with their diverse SOGIESC, such as the need to have their partners accompany them during travel or access to particular resources. Return counsellors should also keep in mind that the majority of migrants with diverse SOGIESC will never share this information, because they do not feel safe doing so, want to keep the information confidential or because they do not feel it is relevant to their situation.

Implications on return counselling and procedures: Migrants accessing return counselling should be given clear information on the general circumstances related to diverse SOGIESC in their countries of origin, and such information – along with the information regarding the individual case of the migrant being counselled – shall also be part of the assessment of the safety of the environments of return. This might include legal and social norms related to people with diverse SOGIESC in the country of origin, including possible criminalization of non-mainstream sexual orientation or gender expression, stigmatization and discrimination. Based on this, during the counselling cycle, a risk assessment should be conducted, in order to identify the risks associated with the individual returning to the country of origin. Counsellors or other return actors should never ask the individuals whether they could conceal their diverse SOGIESC after they return home as a risk mitigation factor in order to avoid persecution, but alternative migration and protection pathways should be sought.

Cooperation and referral pathways: A migrant willing to return might not feel comfortable disclosing their SOGIESC to third parties in the countries of origin, including reintegration counsellors, authorities, as well as family or community members. In such circumstances, return counsellors have the duty to provide migrants with only all the necessary and useful information they might need once the return

has been completed. If informed and prior consent on disclosure of information with third parties has been obtained from migrants, return counsellors can refer and/or connect migrants with existing services or non-governmental organizations (NGOs) in countries of origin and destination, where tailored services are provided. Moreover, in case return is not considered safe, return counsellors should make sure migrants are referred to other instances of protection, including the asylum system.

Key challenges to successful interpretation for migrants with diverse sexual orientation, gender identity, gender expression and sex characteristics¹³⁷



There are a number of challenges that can arise in the provision of interpretation services for the counselling of migrants with diverse SOGIESC, which include the discomfort of a migrant during counselling due to the attitude of the interpreter, or discomfort of the interpreter due to the diverse SOGIESC of the person being interviewed. An interpreter may, in fact, demonstrate that he or she is not comfortable working with the individual through non-verbal cues or words. The migrant might be reluctant to share information based on factors like the gender, nationality or attitude of the interpreter, or assumptions the migrant makes about the interpreter. This is especially common when the interpreter is from the same cultural community as the migrant, who could therefore assume that the interpreter will be prejudiced or not maintain confidentiality due to previous experiences with that community.

There is also the risk that discriminatory or abusive language is used on the part of the interpreter, especially if he or she is not trained. A return counsellor who does not speak the language of the migrant being counselled may not realize that the interpreter is using words or phrases that are disrespectful, hence compromising the counselling outcomes and the relation of trust with the migrant. The misuse of terminology by interpreters might also arise because of misunderstandings or ignorance: even if an interpreter is not using abusive or derogatory language, he or she may lack an understanding of terminology related to sexual orientation, gender identity, gender expression or sex characteristics, and may lack training in the subject in general. Finally, risks of breaches of confidentiality might be a real concern if the interpreter is not committed to the organization and its code of conduct in a sustained manner, or if the interpreter is prejudiced.

There are a number of actions that can be taken to mitigate the aforementioned risks. One could be to make sure that migrants feel comfortable with the interpreter by offering, for instance, interpreters of different genders, when possible, or of different nationalities or ethnicities. Interpreters as well should feel comfortable in providing interpretation for migrants with diverse SOGIESC and they should be properly trained, briefed on the subject, given related handouts, familiarized with the terminology on diverse SOGIESC (especially when local languages do not foresee equivalents) and asked to complete existing training packages on working with people with diverse SOGIESC.

¹³⁷ IOM, Part III: Protection and Movements, IOM Training Package on Working with People with Diverse SOGIESC (n.d.).

3.3.2. Migrants with health-related needs¹³⁸

Useful resources for this section:

- ▶ IOM, *Returning with a Health Condition: A Toolkit for Counselling Migrants with Health Concerns*
- ▶ IOM, *Retour et réintégration de personnes vulnérables* (p. 19)
- ▶ IOM *Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse* (p. 55, section on intercultural competence)

What health-related needs are: Health is defined as “a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity. The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition”.¹³⁹ Based on this extensive and holistic definition, health-related needs might range from physical to mental ones and can have more or less severe impact on the quality of life of the patients and their families. The nature and severity of the medical condition, along with the accessibility of treatment, adherence to the treatment and quality of care are among the key medical considerations that come into play when discussing the return of migrants with health-related needs.¹⁴⁰

How health-related needs can be identified: Health needs are not always obvious or well recognized by both migrants and return counsellors; consequently, the proper and timely identification of their health needs is of paramount importance, and can be done only by health professionals. Ideally, all migrants enrolling in return programmes should undergo a pre-departure health assessment that is functional to the identification of health-related needs (see also [section 2.5.2: Follow-up sessions](#)). Should this not be possible, at a minimum return counsellors should prompt migrants to share information regarding any medical condition that may affect their health during the return and reintegration process. Based on the information collected, counsellors should consult and/or refer migrants with health-related needs to health professionals within the national health system for consultations and further assessments, provided that the migrant consents.

Implications on return counselling and procedures: It is important to communicate clearly to the migrants and to return stakeholders that the return of migrants with health-related needs is a complex and time-consuming process, and that the safety and feasibility of return, as well as its modalities, are the result

¹³⁸ The return of migrants with health-related needs is a very complex topic. A number of publications dedicated extensively and specifically to this issue are already available to return counsellors and stakeholders. For a comprehensive analysis of this topic, please refer to the publications included in the “Useful resources for this section” box.

¹³⁹ World Health Organization, preamble, Constitution of the World Health Organization (1946). Available at www.who.int/about/governance/constitution#:~:text=The%20Constitution%20was%20adopted%20by,are%20incorporated%20into%20this%20text.

¹⁴⁰ IOM, Chapter 2: A methodology for return, *Returning with a Health Condition*.

of a holistic assessment jointly undertaken by return, reintegration and health-care professionals, which involves intense cooperation and communication. In fact, there are a number of considerations that should be taken into account when offering return assistance to migrants with health-related needs, which include:

- The nature of the pre-existing health conditions of the migrant;
- The ability of the migrant to make a competent decision on the return;
- The safety of return, that is, whether the return travel would exacerbate the migrant's health condition and/or whether the migrant's health condition would deteriorate upon arrival as a direct result of the return;
- Any measures that would need to be put in place to ensure adequate travel assistance (e.g. wheelchairs, medication, medical escorts) from the point of departure to the final destination in the country of origin;
- The availability and accessibility of appropriate post-arrival health assistance for the migrant in the country of origin.

Medical and operational escorts¹⁴¹



Migrants with significant medical conditions might need the assistance of a physician or a nurse (defined as medical escort), in order to safely go through embarkation, travel and on-arrival procedures. The nature and duration of travel as well as the health and assistance needs of the migrant determine the specifics of the health escort activity. In general, medical escorts need to be familiar with the migrants' health conditions, have expertise in the management of those conditions, understand aviation medicine and experience in emergency medicine.

As a rule, a medical escort would be usually necessary for: migrants with significant medical conditions that are likely to require treatment or that are at risk of clinical deterioration during the travel; migrants who require medical devices during travel; migrants with recent history of trauma, surgery or seizures; migrants with behavioural, cognitive or intellectual impairment that requires supervision; migrants with significant stabilized psychiatric illnesses; and frail older persons. Additionally, the International Air Transport Association guidelines on medical conditions and air travel should be taken as reference, along with the regulations of the airline.

Besides medical escorts, operational escorts (composed of trained staff who might not possess a specific medical background) might be needed for migrants who are unaccompanied children, those who require assistance with mobility in absence of health conditions, persons with physical impairment who require travel assistance and migrants with identified risks related to travels such as, in some cases, victims of trafficking, as well as large groups of migrants.

The deployment of escorts should be prepared well in advance and should rely on professionally sound staff and SOP that can guide the process starting with preparations and following the process of deployment and provision of travel assistance until handover to the final destination. It is important to stress that the handover procedure in the country of origin should always be mandatory and well documented.

¹⁴¹ IOM, IN/236: IOM SOP Guidelines for Medical Escort Services, first edition (2013). This is an internal document, available only to IOM users.

In order to clarify all these issues, return counsellors need to closely cooperate and coordinate with the health staff in the countries of origin and destination. A comprehensive medical report needs to be produced in the country of destination to include key information such as fitness to travel by a specific modality and duration of the journey; indication of the mobility of the migrant; and specific travel arrangements as well as interventions needed during the trip and – in case of mental disorder – confirmation of the migrant’s ability to take an independent decision. Moreover, for migrants with significant health conditions, enhanced procedure needs to be applied in order to assess the uninterrupted continuation of treatment and/or care in the country of origin. In this context, return counselling should include information on the availability and accessibility of necessary treatment (including medication), based on a realistic assessment of the prospects of reintegration health assistance; this serves to avoid encouraging unrealistic expectations.

It is also important to keep in mind that if the medical staff attest that the lack of or the inaccessibility of needed health care in the country of return is likely to result in the rapid and significant deterioration of the migrant’s health, the return should not take place and the migrant should be referred to appropriate services where available (see also section [2.5.3: Case handover and case closure](#)).

Cooperation and referral pathways: Due to the complexity around the return of migrants with health-related needs, it is essential that the return is prepared in cooperation and coordination with key stakeholders, especially medical staff. In order to be efficient and sustainable, cooperation with local physicians, as well as with medical staff and social workers in hospitals or in migrants’ reception centres, or in other locations where migrants are accommodated, should go beyond the cooperation on specific cases and should include periodic informative sessions and coordination meetings and a joint development of standard templates/documents for the assistance of migrants with health-related needs,¹⁴² among other things. Such practices enable medical staff and return counsellors and stakeholders to have a common and clear understanding of the return procedure and of their respective roles, and are useful both in countries of origin and destination.

Additionally, medical staff and return counsellors in countries of destination should seek to communicate with their counterparts in countries of origin in order to receive reliable information on the medical services available and the uninterrupted continuation of treatment and/or care. Families of migrants in the country of origin are also important actors to be involved in the return preparation (pending migrants’

¹⁴² These templates and documents could include standard forms for providing medical reports, fitness-to-travel forms and shared SOPs. Such documents can also be translated in the local language(s) to facilitate communication between health and return practitioners from different countries/speaking different languages.

agreement to do so), since they can greatly contribute to collect key information and support sustainable reintegration. Remote counselling with countries of origin serves as an essential tool in this context, which can also contribute to solve communication gaps and translation issues (see [section 4.3: Remote return counselling](#)).



Return
Counselling
Toolkit

4



**Delivering return
counselling in
different settings**

Module 4: Delivering return counselling in different settings

Contents

This module builds upon Module 2 and 3 and provides additional information on how return counselling can be adapted to different physical and virtual settings. While the return counselling methodology presented in Module 2 aims to set standards for quality return counselling, it is also necessary to acknowledge that the work of return counsellors is often challenged by external factors that prevent them from unfolding the counselling methodology at its best. Such challenges include the lack of proper facilities to conduct counselling, time pressure and the migrant population being difficult to reach either because dispersed in a vast territory or because (partially) deprived of their freedom of movement. Based on these considerations, Module 4 focuses on five different scenarios where return counselling can take place, which are introduced by a brief description of the context, followed by challenges and proposed solutions, as well as counselling red lines, based on IOM's expertise and direct observation. Finally, each setting is also complemented by examples of IOM practices from the field and a list of useful resources.

Learning objectives

- Understand the peculiarities of specific return counselling settings;
- Apply counselling solutions and practices based on the knowledge provided by the *Toolkit*;
- Develop counselling solutions and practices based on the knowledge provided by the *Toolkit* and on the peculiarities of specific operational contexts.

Key messages

- Return counselling is deeply influenced by the context and settings in which it is delivered; hence, tailored solutions are needed to ensure that standards and safeguards are respected.

Target groups

- Return counsellors
- Return counselling services coordinators

4.1. Return counselling at arrival points and reception (transit) facilities

4.1.1. The context

Especially in the context of mixed migration flows, migrants' first contact with the authorities for the purpose of identification, personal data registration and assessment of conditions of entry happens at arrival or disembarkation points, often near international borders. If providing return counselling in the proximity of border areas, it is important to keep in mind that at borders migrants might be particularly vulnerable and exposed to violations of their rights because of legislative loopholes, limited capacities or xenophobic attitudes of personnel at borders, lack of border monitoring mechanisms, and limited presence of civil society or humanitarian actors. In such context, migrants might be especially exposed to collective expulsions, unlawful and arbitrary detention, torture or inhuman and degrading treatments, returns that violate non-refoulement principle and pushbacks.¹⁴³ It is important to recall that human rights cannot be excluded at international borders, and this "means that the human rights of all persons at international borders must be respected in the pursuit of border control, law enforcement and other State objectives, regardless of which authorities perform border governance measures and where such measures take place".¹⁴⁴ In this regard, all migrants should have the right to have their individual vulnerabilities and needs assessed.¹⁴⁵ Migrants should also have the right to lodge an asylum request at borders. Some countries apply specific asylum border procedures, which sometimes imply shorter time for examination of (some) asylum requests at the border.¹⁴⁶ The shortened time frame for asylum procedures implies also shorter time available to lodge appeals and provide information to migrants on the asylum process as well as on other migration options available. IOM advocates that border procedures be compliant with human rights and always include the individualized assessment of migrants' protection needs and vulnerabilities.

Reception or transit facilities might be functioning in the vicinity of arrival and disembarkation points, or in a variety of other locations especially in the case of transit countries. Such facilities are used for the housing of applicants for international protection and other categories of migrants, including refugees, while individuals are being identified or await decisions on applications for admission or on international

¹⁴³ See, for instance, FRA, *Migration: Fundamental Rights Issues at Land Borders*.

¹⁴⁴ OHCHR, *Recommended Principles and Guidelines on Human Rights at International Borders*.

¹⁴⁵ See, for instance, European Asylum Support Office (EASO), Tool for the identification of persons with special needs; IOM, Rapid Screening Form.

¹⁴⁶ For more information on the European Union procedures for asylum applications in border areas, please see EASO, *Border Procedures for Asylum Applications in EU+ Countries (2020)*. Available at www.easo.europa.eu/sites/default/files/publications/Border-procedures-asylum-applications-2020.pdf. Also, Article 41 of Serbia's Law on Asylum and Temporary Protection (www.ecoi.net/en/file/local/2047259/6050d9c24.pdf) introduces the possibility for the entire asylum procedure to be conducted at a border crossing or in the transit area of airports and inland ports, complying with the main principles defined in the Law itself.

protection. The names and functions of such facilities vary among States; they are called accommodation centres, identification centres, processing centres, hotspots and holding or detention centres.¹⁴⁷ The degree of openness of reception facilities may also vary, as well as the rules that regulate the eligibility and stay of migrants.¹⁴⁸ Return counsellors might have a fixed presence in such facilities, through the functioning of a counselling desk, or might visit the facilities upon necessity, according to the local set-up and agreements with competent authorities.

Challenge	Proposed solution
<p>Due to overlapping/unclear procedures for migrants' registration and identification, as well as for vulnerability screening and provision of humanitarian assistance, it might be difficult to find appropriate venues for the provision of return counselling, as well as to connect the counselling process to the other procedures that take place at arrival or transit points.</p>	<p>A mapping of the different procedures and available services needs to be performed, and related exhaustive, accurate and coherent information needs to be provided to migrants. The creation of unified/inter-agency info points/info sessions that can provide such information and capacity-building for all staff working at arrival points and transit facilities on existing services available can facilitate coordination and referral procedures. It is especially important to coordinate with actors providing humanitarian aid and protection, MHPSS, and legal and asylum counselling.</p>
<p>Return counsellors, as well as cultural mediators, interpreters, medical and protection staff, might have limited access to arrival areas, which challenges the provision of humanitarian assistance as well as return counselling. Moreover, physical premises at arrival and transit areas might not be suitable for delivering return counselling in line with migrant-centred counselling approach. This can be the case especially when migrants are detained (see also section 3.2: Pre-departure assessment of migrants' protection needs and vulnerabilities).</p>	<p>Ongoing advocacy and communication with national authorities, especially those in charge of border and migration management, play a crucial role to ensure that appropriate venues for return counselling are available to migrants at arrival and transit areas, including ensuring sufficient time for counselling to take place in a satisfactory manner and availability of suitable facilities.¹⁴⁹ Moreover, capacity-building on return counselling and AVRR for actors who have access to arrival/transit areas is crucial, for them to be able to understand return, readmission and reintegration principles and refer migrants to return counselling services if needed.</p>

¹⁴⁷ Adapted from IOM, *Glossary on Migration*. In the Western Balkans, such centres are also called transit centres and asylum centres.

¹⁴⁸ As specified also in the IOM *Glossary on Migration*, "the jurisprudence of human rights bodies clarified that, irrespective of the name which is given to it, whenever people are deprived of their liberty in a given facility, they are considered to be detained and the safeguards applicable to detention apply including the prohibition on penalizing asylum seekers and refugees, under certain conditions, for irregular entry or stay".

¹⁴⁹ Key messages included in this *Toolkit* – especially in Module 1 – might be particularly useful.

Challenge	Proposed solution
It might be particularly difficult to provide return counselling due to tight timing imposed by accelerated border procedures and limited time available until migrants are forcibly removed or transferred to other reception facilities.	Due to the limited time available, the distinction between information provision and return counselling might be less sharp than in other contexts, and they can take place partially during the same sessions. Individual and group information provision and counselling can be offered through a blended (group and individual sessions) approach to expedite the process. However, it must be noted that certain return counselling procedures, including those related to protection and individual vulnerability assessments, cannot be skipped or compressed in favour of speedy returns.
Limited time available makes it particularly difficult to manage expectations in relation to return counselling and assisted voluntary return procedures.	While migrants and authorities might expect return counselling and/or AVRR procedures to be expedited, there are a number of safeguards that cannot be overlooked in order for return counselling and AVRR to take place in a safe and dignified manner. Return counselling programmes need to craft clear and coherent messages when communicating to migrants and stakeholders in order to ensure that minimum standards are respected.
At arrival/disembarkation points, migrants might have increased mental and physical health needs as a consequence of harrowing and long journeys.	First medical aid and psychosocial support provision must be available and accessible. When delivering return counselling, it is particularly important to be aware of the distress migrants are enduring. Skills related to psychological first aid, as well as to psychosocial support approach to counselling , are particularly important.

COUNSELLING RED LINES

- Always **prioritize access to humanitarian assistance, registration and information provision** over return counselling and return procedures. A minimum time span between arrival/disembarkation and provision of return counselling can be established to ensure that migrants are not rushed or pressured into any decision about their return.¹⁵⁰
- At arrival points, migrants might not be highly interested in AVRR, since they have just arrived in the country and they have expectations of their journey to continue until the desired destination. It is imperative that **information on return, as well as return counselling, are presented as one of the existing services available, and messages around AVRR are crafted in a way that is respectful of migrants' situation.**
- The provision of **humanitarian assistance can never be conditional** to the acceptance of counselling or voluntary return options.

¹⁵⁰ See also, for instance, EASO, Standard 30, *EASO Guidance on Reception Conditions: Operational Standards and Indicators* (n.p., 2016). Available at www.easo.europa.eu/sites/default/files/EASO%20Guidance%20on%20reception%20conditions%20-%20operational%20standards%20and%20indicators%5B3%5D.pdf.

Practices from the field



Because of its geographical location, the Niger has become a key migration hub for migrants along the West and Central African migration route, who attempt to cross the Sahel region to reach the global North, or who take the same route in the opposite direction, being it impossible for them to proceed any further. Migrants who are moving along such routes are highly vulnerable: they may lack personal documents, run out of economic resources and become unable to provide for their basic needs, or sometimes find themselves in an irregular situation in the country. This often happens in correlation with exploitative and abusive behaviours often perpetrated by smugglers, traffickers or other agents who seek to take advantage of migrants' vulnerabilities. In the Niger, IOM operates AVRR in urban settings as well as in transit centres, and provides a package of services that include protection, direct assistance, health and MHPSS support, assistance to distressed migrants in the desert, AVRR and sensitization of migrants on irregular migration and risks.

Because of the extremely dire situation that migrants may face in the country and the recognition of their complex needs, the IOM Niger AVRR programme is strongly protection-oriented. Migrants are screened for vulnerabilities and health needs, and tailored services are offered by IOM to support migrants with health-related needs, victims of trafficking, and accompanied and separated children. In the Niger, IOM, through its AVRR programme, assists vulnerable migrants willing to return to their countries of origin. This assistance guarantees that migrants return to their home countries in a safe and dignified way. IOM, under a humanitarian perspective, also provides basic assistance to those migrants who decide to not return to their countries of origin but that due to their vulnerable conditions (especially if related to health) need first aid assistance. This assistance includes water, food and health check. Migrants willing to request asylum are referred to UNHCR. Some basic assistance, such as health and mental health, can also be provided by other IOM partners whenever the Organization's capacity is reached.

For migrants who have expressed their interest in returning to their countries of origin, assistance is provided in one of its six transit centres, where migrants can be accommodated safely while AVRR-related procedures, including in-depth return and reintegration counselling, are completed. The transit centres count on permanent doctors, nurses, psychologists and protection workers that guarantee comprehensive assistance to migrants while present in the centres. Community mobilizers are also present in the transit centres to facilitate communication and sensitization done to migrants on various issues, such as irregular migration and risks, IOM assistance and health protection measures, among others.

4.1.2. Useful resources

- ▶ OHCHR, *Recommended Principles and Guidelines on Human Rights at International Borders*, especially guideline 9 (human rights-based return or removal) (n.d.)
- ▶ European Union Agency for Fundamental Rights (FRA), *Migration: Fundamental Rights Issues at Land Borders* (2020)
- ▶ European Asylum Support Office (EASO), *Tool for Identification of Persons with Special Needs*¹⁵¹

4.2. Return counselling in immigration detention facilities

4.2.1. The context

Immigration detention can be defined as the deprivation of liberty for immigration-related reasons, and it can be ordered by either administrative or judicial authorities, for reasons such as to establish identity, pending the processing of an immigration or asylum claim or for the purpose of enforcing an expulsion order.¹⁵² Migration detention centres are specialized facilities used for the detention of migrants with the primary purpose of facilitating administrative measures such as identification and processing of a claim or enforcing a removal order. Such physical contexts can include: designated immigration detention facilities; unofficial immigration detention centres; removal or transit centres; closed reception or processing centres; semi-open reception or processing centres; closed refugee camps; criminal prisons, police lockups or police stations; and private security company compounds, airports, ships, among others.¹⁵³

According to international human rights standards, detention of migrants should be a measure of last resort, only permissible for the shortest period of time and when no less restrictive measure is available to achieve the legitimate aim of the State. It should be motivated by exceptional grounds, such as the risk of absconding or when the person represents a danger to his or her own or public security, and it should be prescribed by law, necessary, reasonable and proportionate to the objectives it seeks to achieve.¹⁵⁴ As called upon by several international human rights mechanisms, States should consider progressively abolishing the administrative detention of migrants in

¹⁵¹ See <https://ipsn.easo.europa.eu/ipsn-tool>.

¹⁵² IOM, *Glossary on Migration*. It is also important to note that, according to the ECHR, the difference between deprivation of liberty, which is relevant to detention, and a restriction of movement characterizing non-custodial measures, is in the intensity of the limitation of the freedom of movement, rather than on the nature or essence of it. See also IOM, *International Migration Law informational note on international standards on immigration detention and non-custodial measures* (Geneva, 2016).

¹⁵³ Ibid.

¹⁵⁴ United Nations, Human Rights Council, Report of the Special Rapporteur on the human rights of migrants, François Crépeau (A/HRC/20/24 of 2 April 2012).

favour of alternatives to detention, that is, “any legislation, policy or practice, formal or informal, aimed at preventing the unnecessary detention of persons for reasons relating to their migration status”.¹⁵⁵

Detention is likely to aggravate pre-existing vulnerabilities while also triggering additional ones. The detention environment usually feeds feelings of isolation, marginalization and helplessness, including by limiting the access to reliable and accurate information, social and family networks, key services such as medical care, psychosocial support, interpretation, legal counselling and assistance. For such reasons, detention can have a severe impact on the physical and mental health of migrants, who are more exposed to the risk of depression, anxiety, self-harm and suicide. Some groups of migrants might be especially exposed to such risks, including migrant women, children, migrants with diverse SOGIESC, migrants with health-related needs, and migrants who have been victims of trafficking, exploitation or GBV.

Challenge	Proposed solution
<p>Detention authorities, law enforcement, consular staff or any other actor might try to influence migrants’ agency and return counsellors towards voluntary return options or towards compliance with return decisions, regardless of migrants’ rights. Similarly, detention authorities or other stakeholders might exert a certain pressure to speed up the counselling process and expedite the return of migrants to their countries of origin, especially when the capacity of immigration detention facilities is stretched.</p>	<p>Return counselling procedures, including those related to protection and individual vulnerability assessments, cannot be skipped or compressed in favour of speedy returns. Stakeholders’ and partners’ correct understanding of what return counselling is and how it is to be delivered in the context of immigration detention is crucial to ensure the integrity of the process, including what concerns the respect of key principles such as respect for and protection of migrants’ rights, the “do no harm” principle, vulnerability-sensitive perspectives, confidentiality and migrant agency. Advocacy activities and capacity-building of stakeholders working in immigration detention should always match the provision of counselling services in immigration detention facilities.</p>
<p>State and non-State actors that might be active in detention centres might perpetrate harassment, violence and abuse against migrants as a consequence of their acceptance or refusal to access return counselling. Such episodes might happen when return counsellors are not present in the detention facility and might be very difficult to detect.</p>	<p>Return counselling programmes should work in coordination with independent bodies responsible for monitoring the conditions in detention facilities, such as ombudspersons or independent committees for the rights of detained people. Exchange of information as well as joint capacity-building can contribute to mutually enhance monitoring and accountability mechanisms. When this is not possible, return counsellors should be mindful of the risks to safety to which detained persons are exposed and carefully evaluate each individual case in order to do no harm.</p>

¹⁵⁵ IOM, *Glossary on Migration*.


Challenge	Proposed solution
<p>Return counsellors, especially those from international organizations and civil society, might have limited access to immigration detention facilities, and counselling sessions might be limited in number and duration. Limitations can also be imposed to the presence of independent translators or cultural mediators.</p>	<p>When return counsellors are faced with limitations on the number/duration of counselling sessions they can provide, it is imperative that they are able to prioritize the key information to be conveyed and collected. Counsellors should always be transparent to migrants and establish common rules for meaningful communication within the time limited available. Moreover, teamwork between counselling providers and international organizations and/or CSOs having access to the detention facility is essential, in order to ensure that return counselling is provided in coordination with humanitarian assistance and respects humanitarian principles. Such teamwork can also support joint trouble-shooting when it comes to negotiating the access to detention facilities or the availability of safe spaces. In this context, partnership with the International Committee of the Red Cross and UNHCR, among others, is particularly important.</p>
<p>A safe space for delivering return counselling might not be available or accessible in all detention facilities.</p>	<p>A safe space constitutes one of the key elements of a counselling programme and should always be advocated. When this is not possible, synergizing return counselling with the work of medical teams active in the detention facilities can help counsellors and migrants in vulnerable situations access safe spaces in the context of medical services, when there are no other safe spaces available. This might serve also the purpose of screening migrants who might be victims of human trafficking, GBV or other forms of VEA.</p> <p>One counselling session at the airport before return must always be requested. This is crucial to confirm the information collected in previous session(s), especially with reference to migrant agency on return and migrants' vulnerabilities. Airports could also provide counselling safe spaces, which can conversely be denied in detention facilities.</p>
<p>Voluntary and forced return procedures usually coexist in the context of immigration detention, which might result in grey areas.</p>	<p>Specific protocols for the provision of return counselling for AVRR and for migrants who have entered the forced return process can help overcoming this challenge by outlining the differences among the two procedures, as well as providing for protection measures and safeguards for all migrants assisted, regardless of the return process they are part of.</p>

Challenge	Proposed solution
<p>Migrants in detention might not be fully aware of the reason why they are deprived of liberty, of their rights while in detention, or of the legal framework and procedures at the basis of the deprivation of liberty they are subjected to.</p>	<p>In some cases, return counsellors are the only contact migrants have with the external world, besides medical staff. It is therefore very important that counsellors verify to what extent migrants are aware of their legal status and rights in detention, provide or refer to legal counselling, and flag potential serious violations of migrants' rights to their supervisors.</p>
<p>Detention facilities might be a fertile ground for the spread of rumors or inaccurate information, including around return counselling and return options, because of the limited access to reliable sources of information.</p>	<p>Repeating key information and deconstructing myths must always be part of the counselling sessions and/or information provision, and counsellors should never assume that migrants have a clear understanding of return processes. Additionally, informational materials in different languages, including posters and leaflets, can be placed in different locations within the detention facilities, being mindful of possible exposure to risks triggered by accessing such information.</p>

COUNSELLING RED LINES

- The provision of **humanitarian assistance can never be conditional** to the acceptance of counselling or voluntary return options.
- The **enforcement of coercive measures, such as handcuffing, within AVRR procedures can never be accepted**, not even when AVRR is provided within detention facilities. Similarly, once the returnee gets out of the detention facility, the detention facility personnel or other staff that is not part of the return counselling team should not be involved in AVRR procedures, such as transportation to the airport and embarkation.
- **Return counsellors must be able to identify and handle instances where migrants are denied due process**, such as when they are subjected to detention or removal without an individual assessment of their situation, or when they are automatically detained for not fulfilling conditions of stay or entry without due process. In cases of serious violations, escalation mechanisms must be activated, which can include referral to senior staff and legal experts, and work in cooperation with other humanitarian actors having access to detention facilities. When there is evidence that migrants have been denied due process, return counselling assistance should be put on hold until migrants' rights are duly protected.

Practices from the field

 In Mauritania, IOM offers AVRR services for migrants who are unwilling or unable to remain in the country and decide to return to their countries of origin. These would also include migrants who are in detention facilities because of their migration status. For this group of migrants, IOM has established a working methodology that allows for the provision of return counselling outside the detention premises, in cooperation with national authorities and local partners. Migrants who express the intention to return to their countries of origin are allowed to participate in return counselling outside the detention facilities, in places like shelters, hospitals, and community or civil society premises, depending on the situation and the resources available. Moreover, humanitarian assistance is provided by IOM when needed, and migrants receive food and accommodation. While being grounded on their interest to choose AVRR options, migrants' temporary release from detention does not result in their obligation to return under the AVRR programme, nor does it result in IOM's engagement in activities that would be outside the AVRR mandate (such as surveillance or obligation to provide return and reintegration services to migrants who are not willing to receive those). This work practice is based on a mutual agreement on AVRR implementation among IOM, national and local authorities, as well as service providers and civil society, and implies a clear understanding of the nature of AVRR, as well as the related benefits and standards. This practice is also especially important because it contributes to providing alternatives to detention to migrants who are particularly vulnerable or for whom detention would be particularly detrimental or long, such as migrants with health-related needs, migrants who are rescued at sea and need to recover, migrant children under 15 and women (based on the fact that the detention premises are not adapted to these profiles and the detention will put them at risk), and migrants who come from countries to which national authorities alone would not be in the position to organize returns, resulting in indefinite detention.

4.2.2. Useful resources

- ▶ United Nations, Human Rights Council, Report of the Special Rapporteur on the human rights of migrants, François Crépeau (A/HRC/20/24 of 2 April 2012)
- ▶ Platform for International Cooperation on Undocumented Migrants, *Preventing and Addressing Vulnerabilities in Immigration Enforcement Policies* (2021)
- ▶ Jesuit Refugee Service, *Becoming Vulnerable in Detention* (2010)
- ▶ IOM, Administrative detention in the Netherlands, *Focus on Migration*, (19)2 (Summer 2013)¹⁵⁶
- ▶ IOM, International Migration Law informational note on international standards on immigration detention and non-custodial measures (2016)
- ▶ IOM, *Road Map on Alternatives to Migration Detention: Tools Series N°1* (2020)
- ▶ IOM, *Advocating for Alternatives to Migration Detention: Tools Series N°2* (2021)

¹⁵⁶ See <https://publications.iom.int/books/focus-migration-voluntary-return-and-reintegration-0>.

4.3. Remote return counselling

4.3.1. The context

Remote counselling indicates all modalities of counselling delivery that do not imply the physical presence of counsellor and client in the same place. Remote counselling can be delivered through audio only (via phone or online audio calls), via audio and video (using different online platforms for video calls), or without video or audio (such as via texting or email). The use of remote return counselling has progressively increased over the years, since such practice has proven to be particularly useful to fill in some drawbacks of physical counselling, including lengthy/costly commuting to reach the counselling venue, the difficulty to find a counselling venue that can be suitable for migrants and counsellors, and the impossibility to facilitate migrants' contact with return and reintegration counsellors in countries of origin without making use of technology. It has been observed that remote counselling is especially appreciated by migrants who feel more comfortable in not disclosing their identity at the initial stage of counselling; migrants who live in settings where in-person counselling would be difficult to arrange, because of safety reasons or geographical distances; those who live in settings where confidentiality cannot be (fully) ensured or there is fear of being seen seeking return counselling; and migrants who are not or are only partially mobile, including elderly migrants, migrants with disabilities or parents who need to reconcile family life and caring duties with counselling sessions. The COVID-19 pandemic has further triggered the compelling need to find alternatives to physical counselling in a relatively short time, in order to preserve health and safety and comply with restrictions imposed to contain the pandemic.

The delivery of remote return counselling has proven particularly beneficial to bridge the gap between the country of origin and the country of transit/destination during the return decision-making process, as well as return and reintegration phases. Thanks to technology, migrants can be offered the opportunity to speak with counsellors in the country of origin, who can give them an overview of the current situation in the country, explain in detail the assistance that can be provided upon return and modalities to access that, and also give information about other local service providers who can provide additional counselling or services in the area where the migrant is returning to. Importantly, remote counselling with counsellors in countries of origin often allows for culturally sensitive approaches and contributes to neutralize linguistic barriers.

Challenge	Proposed solution
<p>The digital divide, which is grounded on factors such as low (technology) literacy, lack of access to performing technological devices, and poor/limited connectivity can affect migrants' and counsellors' ability to receive and provide remote counselling.</p>	<p>Return counselling programmes need to enhance the capacity of counsellors to use technology for the purposes of counselling. Moreover, activities of capacity-building and advocacy with donors and authorities should be included, so that necessary technological equipment is provided to counsellors and migrants, for instance by setting up equipped rooms in counselling centres, transit or detention centres, and other facilities. When setting up remote counselling services, it is also important to identify and use platforms, apps and in general the technology that is most popular and accessible by the migrant population. Counselling programmes could also include the offer of top-ups to mobile phones for migrants who cannot access counselling due to limited financial resources.</p>
<p>Because of the remote nature of the counselling sessions, it might be difficult to convey empathy and establish meaningful information exchange between the migrant and the counsellor.</p>	<p>The communication style needs to be adapted to the remote environment.¹⁵⁷ This varies according to the remote set-up; the communication style may include, among others, speaking at a slower pace, applying active listening skills, and possessing troubleshooting skills to tackle technical problems and interruptions, both from a technical and from a communication point of view. The duration and frequency of counselling sessions shall also be adapted to the remote environment, with sessions being typically shorter and more frequent.</p> <p>Using both online and in-person modes of counselling, when possible, has advantages and counterbalances the drawbacks associated with them. Adopting in-person meetings to integrate remote counselling (especially at the beginning and/or the end of the counselling process) can be particularly useful to reinforce trust and mutual understanding, which proves particularly challenging when relying solely on remote counselling.</p>

¹⁵⁷ For exhaustive information on this, please refer to IOM, *Internal Guidelines for Remote MHPSS Working Modalities* (Baghdad, 2020). Available at <https://returnandreintegration.iom.int/en/resources/guideline/internal-guidelines-remote-mhpss-working-modalities>.

Challenge	Proposed solution
<p>The delivery of remote counselling to migrants who do not speak the same language as the counsellor might require particular attention, especially when it comes to organizational aspects connected to booking or contracting interpreters or cultural mediators at short notice, considering that remote counselling sessions might take place in a more spontaneous manner compared with physical counselling, since they require less logistical preparation.</p>	<p>For programmes offering remote counselling, the involvement of counsellors from countries of origin can be particularly beneficial and advantageous, also to overcome logistical obstacles posed by interpretation.</p> <p>If this is not possible, the skills necessary to provide interpretation during a remote counselling session must be part of the joint capacity-building activities between counsellors and interpreters/cultural mediators.</p>
<p>The high degree of flexibility that remote counselling allows (in terms of timing, duration and length of the counselling sessions) can result in loss of control on the process and can trigger a certain level of distress and frustration in the migrant and the counsellor.</p>	<p>It is important to establish clear rules of engagement between the migrant and the counsellor when it comes to remote counselling, with reference, for instance, to timeslots when communication can take place, as well as the frequency and nature of communication and channels that can be used. Counsellors and migrants shall shape such rules of engagement in line with return counselling principles and according to their preferences in order to ensure that the communication is respectful of private space and time and does not generate unnecessary stress.</p>
<p>Even if remote counselling might be particularly suitable for migrants with physical disabilities, since it helps overcoming physical barriers, it can pose challenges to migrants or counsellors with disabilities to effectively participate in the counselling session.</p>	<p>Different apps and platforms offer different features that can facilitate easy access to online counselling, including accessibility for blind participants using screen readers, possibility to generate live captions and subtitles, and enabled keyboard-only navigation, among others.</p>
<p>During remote counselling (especially when delivered without the support of a webcam), the counsellor might not be fully sure about the identity of the person he or she is talking to. In other words, counsellors might not be sure that the persons they are communicating with are indeed the migrants they intended to counsel.</p>	<p>In order to avoid this risk, at the beginning of the session, counsellors should establish the identity of the migrants. In case the migrants fail to confirm their identity, or in case they are suspected to be pretending to be someone else, the counsellors should inform them that they will not proceed with the session and, if needed, end the call.</p>

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- Data protection aspects need to be settled with the help of ICT and legal experts in order to ensure that remote counselling respects data protection standards, especially when it comes to the data that is shared through and with online platforms and apps.
- Specific SOP for remote counselling needs to be created, to ensure that the return counselling programme has procedures and standards in place for key aspects, such as the collection of migrants' informed consent and the assessment of migrant agency and capacity to make an informed decision.

Practices from the field



In 2019, IOM Germany launched a project focusing on virtual counselling, which allows migrants living in Germany to contact IOM staff via social media and online messaging services in countries of origin for AVRR counselling. Through this innovative and culturally sensitive approach, native speakers at IOM offices in 20 participating countries provide comprehensible information on the situation in the countries of origin, and the variety and technical details of return assistance programmes provided by the Government of Germany. Through the virtual counselling project, migrants also receive an overview of the reintegration opportunities in their countries of origin, which can include, among others, financial assistance for a business start-up, support for housing or medical needs, psychosocial counselling or job counselling.

Through virtual counselling, IOM has been able to reach migrant communities and important multipliers that were not previously reached through the traditional counselling structure and information channels on AVRR in Germany. Importantly, IOM staff in the countries of origin are trained in the existing return programmes funded by the Government of Germany, the counselling structure in Germany and the administrative processes for migrants residing in Germany who wish to apply for AVRR. Training materials, including a frequently-asked-questions document, country-specific presentations and guiding questions for counselling, has been developed and distributed for this purpose.

The experience of IOM Germany reconfirms that the added value of remote counselling with countries of origin rests on the fact that information is conveyed to migrants in a comprehensible and culturally sensitive way from professionals residing and working in the country of origin who are well familiar with the different reintegration opportunities available. Moreover, in case of return, migrants will be provided with reintegration counselling offered by the same professional(s) who assisted them in the pre-departure stage. This greatly contributes to the continuity of services provided, since the case is smoothly handed over without services abruption and risks of disconnection in the circulation of key information for return and reintegration is greatly reduced. This practice also increases migrants' trust in the return and reintegration process, since they are assigned a reintegration focal point to whom they can get familiar already before return and to whom they can then rely on during the reintegration process.

4.3.2. Useful resources

- ▶ IOM, *Internal Guidelines for Remote MHPSS Working Modalities* (2020)¹⁵⁸
- ▶ Virtual return and reintegration counselling: an online tool supporting informed decisions (webinar, 28 October 2020)¹⁵⁹

¹⁵⁸ See <https://returnandreintegration.iom.int/en/resources/guideline/internal-guidelines-remote-mhpss-working-modalities>.

¹⁵⁹ This webinar can be accessed at <https://returnandreintegration.iom.int/en/learning/webinars/virtual-return-and-reintegration-counselling-online-tool-supporting-informed>.

4.4. Return counselling provided by mobile counsellors/teams

4.4.1. The context

Among outreach activities, the deployment of mobile teams (also called “mobile units”) is one of the service delivery modalities that allows service providers to move where potential beneficiaries are located, therefore being able to reach out to those groups or individuals who cannot be easily reached by other services.¹⁶⁰ Mobile teams are largely used for the provision of life-saving services, such as medical care, and for the identification and protection of victims of trafficking and GBV. A well-balanced mobile team would include members belonging to different gender groups and with different levels of experience. Mobile teams are considered a service delivery modality that should integrate – rather than substitute – other services and are particularly useful when the target population is dispersed, located in remote localities, highly mobile, or otherwise not accessible. Only in exceptional cases can mobile teams be substituted for traditional (non-mobile) services, such as in the context of humanitarian crisis or emergencies, or in any other situation when other services do not exist, cannot be created or cannot function.

In the context of return counselling and assistance, mobile teams/counsellors can be deployed in several geographical areas, with the aim to increase awareness of availability of return counselling services and to make sure that the location of migrants does not prevent them to access such services should they be willing to.

Challenge	Proposed solution
<p>Mobile teams might not be suitable for certain settings, such as those where minimum security standards cannot be guaranteed, in areas that are already sufficiently served by other services, or where conditions are suitable for setting up non-mobile services rather than mobile ones.</p>	<p>The creation and deployment of mobile teams entails a certain logistic and financial effort, and it should be based on a feasibility assessment and a mapping of the presence of potential beneficiaries,¹⁶¹ which inform the organization of mobile teams’ work.</p>

¹⁶⁰ International Rescue Committee, *Guidelines for Mobile and Remote Gender-Based Violence (GBV) Service Delivery* (New York, 2018).

¹⁶¹ In the Western Balkans, as in other regions in the world, the IOM Data Tracking Matrix (DTM) has been tracking migrant presence outside of temporary reception facilities to estimate the size of such population. This information is very useful in mobilizing resources to respond to the humanitarian needs of the migrant population and also in informing the activity of mobile teams providing different types of services. For more information on DTM reports on migrant population, please visit <https://dtm.iom.int/reports>.

Challenge	Proposed solution
<p>Mobile teams require solid organization and coordination mechanisms including for remote management, the lack of which can result in chaotic and unsatisfactory service delivery, reputational risks as well as safety hazards.</p>	<p>Management structure and reporting need to be clearly outlined, and protocols for periodic reporting shall be established. These can rely, for instance, on the use of ICT to periodically report to supervisors on the mobile team's position and area covered, services delivered, security situation and other details. Additionally, access to online case management systems and databases shall be possible also for mobile teams, so that information collected during deployment can be safely stored and used, bypassing the shortfalls connected to the use, collection and transmission of paperwork.</p>
<p>The deployment of mobile teams can expose the staff to risk of rejection or hostility from community members.</p>	<p>Depending on the geographical areas and the interested communities, it might be necessary to prepare the deployment of mobile teams by securing entry points, for instance by organizing preliminary meetings with community leaders (both from host and migrant communities) as well as local authorities. The mobile team's acceptance from host and migrant communities also depends on the team's behaviour and dress code, which must be respectful and culturally sensitive. Additionally, mobile team members should always be identifiable, carrying with them documents or other equipment that will identify them and define their affiliation.</p> <p>The inclusion of activities of social cohesion, in parallel with services provided to the migrant community, can also help overcome hostility. It is also always important to have security protocol in place should hostilities escalate.</p>
<p>Being dispersed on the territory and often having only limited access to primary services, the migrant population is likely to have a wide range of needs that go beyond return counselling and that are often to be prioritized because of their life-saving nature. These might include health-related needs and protection needs, among others.</p>	<p>A good solution can be matching the work of return counselling mobile teams/counsellors with mobile units providing different services, such as interpreters or cultural mediators, protection experts (depending on the forecasted caseload; these can include child protection, GBV or other protection experts), health professionals, psychosocial support providers, humanitarian actors and others. This helps prioritize addressing the urgent needs of the migrant population and can also facilitate resource optimization by relying on the shared transportation, equipment, as well as interpretation and cultural mediation services. It is important to stress that the different services offered within the same mobile unit must share the same or compatible principles of assistance. Another crucial aspect of such approach is the need for joint capacity-building of return counsellors and other mobile unit members, in order to make sure that the mobile unit members are aware of all services offered and respective working modalities.</p>

COUNSELLING RED LINES

- **Standard safety protocols must be created and applied** in order to protect the life and well-being of team members and counselling beneficiaries, and shall include mechanisms for communication with security wardens, supervisors and authorities, as well as actions to be undertaken in case of danger. The capacity of staff needs to be built through training and provision of necessary equipment.
- **Mobile teams must work towards ensuring continuity of care and accountability**, even when the migrant population is mobile or difficult to reach. This can be possible by providing all migrants accessing counselling services with multiple channels to reach out to counsellors (for instance, telephone number, social media or web contacts, address of physical desks) in the region or country, or even in the neighbouring countries, depending on the situation and on the level of mobility of the population.
- The provision of **humanitarian assistance can never be conditional** to the acceptance of counselling or voluntary return options.

Practices from the field



The IOM regional Western Balkans AVRR programme encompasses a standard approach across the countries and territories in the region while acknowledging the specificities of each of them, including for what concerns the AVRR outreach response. In Bosnia and Herzegovina, for instance, despite all the efforts to provide satisfactory accommodation in reception facilities, a significant number of migrants remain outside the reception system and very often end up staying in remote areas. For this reason, since 2020 IOM has been deploying mobile teams that have allowed wide access to information, as well as services and referrals to service providers to all migrants who might not otherwise have access to the information and/or services needed. To date, 10 mobile teams are operative in Bosnia and Herzegovina covering four country zones where migrants reside. The IOM experience with mobile teams in Bosnia and Herzegovina has shown that synergy between different services and cooperation with different actors are essential elements for efficient and effective mobile teams. In Bosnia and Herzegovina, in fact, IOM outreach mobile teams are connected to medical services, protection, MHPSS, food and NFI providers, and every mobile team comprises staff with different profiles and roles.

When it comes to AVRR, the activity of mobile teams is focused on direct approach to migrants, providing information and counselling on AVRR and referring interested migrants to the nearest AVRR office for further counselling, registration and assistance. All AVRR staff are recognizable, thanks to orange outfits and signs, which enable interested migrants to spot and approach them easily. Apart from information booklets in different languages, mobile teams also offer the possibility to learn about existing online tools and apps developed to facilitate access to AVRR. The app Support for Migrants provides migrants the latest advice on government, United Nations and NGO services wherever they are in the Western Balkans and also provides key info on AVRR. Moreover, the app Migrant Registration Application (MIRA) provides an opportunity for migrants to anonymously request information on return and reintegration programmes for a specific country or leave their contact information so they could be referred to a local return counselling centre and be registered for voluntary return (see also [section 1.5](#)).

4.4.2. Useful resources

- ▶ Different and Equal, *Mobile Units Service Standards for the Identification and Referral of Victims/Potential Victims of Trafficking* (2019)
- ▶ International Rescue Committee, *Guidelines for Mobile and Remote Gender-Based Violence (GBV) Service Delivery* (2018)

4.5. Return counselling in emergency situations

4.5.1. The context

In countries experiencing natural hazards, conflicts or other types of emergency situations, the general population, as well as migrants who are temporarily present, are likely to be exposed to threats to their lives and safety, including VEA, as well as experience lack of food and shelter and have problems with accessing medical services and education. Emergency situations are also likely to lead to mass displacement of both local population and foreign nationals, who might try to move to safer areas within and outside the country.

In such situations, the provision of voluntary return services¹⁶² can be integrated into the humanitarian response within the range of durable solutions,¹⁶³ with the aim to provide safe options for return to migrants who are willing to travel back to their countries of origin. In fact, in humanitarian contexts, voluntary return options can respond to the imperative of saving lives, by returning migrants to safer countries. Due to the specificities of the humanitarian setting, voluntary return programmes and return counselling programmes are adapted to respond to the humanitarian needs of the population they serve. This would include, among others, the implementation of strong cross-referral pathways with other humanitarian actors, especially those working in protection, for the assistance of extremely vulnerable migrants and faster procedures for referral/case management.

Challenge	Proposed solution
Imminent dangers to life and security that characterize humanitarian settings determine limited time available for counselling, as well as limited resources to address the needs and vulnerabilities of a large portion of the migrant population.	Return counselling can be adapted in order to respond to the challenges posed by the emergency context and contribute to save lives. For instance, it might not be possible to apply an extensive case management methodology, which shall be reserved to the most vulnerable population. The reduced support provided at return stage shall be duly balanced by stronger case management approaches and resources made available in the reintegration phase.

¹⁶² In the context of humanitarian crisis, IOM uses "voluntary humanitarian return" (VHR).

¹⁶³ IOM, *The Progressive Resolution of Displacement Situations* (Geneva, 2016). Available at www.iom.int/sites/g/files/tmzbdl486/files/our_work/DOE/humanitarian_emergencies/Progressive-Resolution-of-Displacement-Situations.pdf.


Challenge	Proposed solution
Due to immediate danger and tight timing, counsellors might often provide their services to large groups of migrants at once. This can pose challenges to the quality of counselling and can also expose counsellors to risks to their security.	It is important that counsellors have basic knowledge of crowd management and try to avoid/prevent getting dangerously encircled or overwhelmed. This would include, among others, breaking down the crowd into more or less homogenous groups (for instance, according to nationality, or profile), so that groups are smaller and they all share common interests with reference to the information they are going to receive. When timing is at stake, the information delivered shall be prioritized according to the relevance and migrants shall be informed of the limitations of counselling delivered in such context.
It can be extremely difficult to be able to identify and address the vulnerability and needs of all migrants willing to return , since such vulnerabilities are exacerbated by the humanitarian crisis both in terms of size of population affected as well as the seriousness of the dangers they are exposed to.	Staff can be prepared and deployed to perform rapid screening and vulnerability assessment , which are less extensive than traditional assessments. Based on the rapid screening, an in-depth vulnerability assessment can be conducted with migrants that present higher risks to be exposed to VEA and rights violations.
Emergency settings are characterized by extreme fluidity , with levels of security changing swiftly and threats suddenly appearing.	Return counselling programmes must take into account the volatility of the setting in which they operate and maintain constant communication with key stakeholders, including national authorities and humanitarian actors , in order to prepare and react to any sudden change.

COUNSELLING RED LINES

- In emergency situations State and non-State actors might attempt to pressure, influence or intimidate return counselling providers, for instance by posing heavy restrictions to access to beneficiaries and red tape, among other things. Return assistance is to be provided based on humanitarian imperative and in **full compliance with humanitarian principles** of humanity, impartiality, neutrality and independence,¹⁶⁴ as well as with principles at the basis of the provision of return counselling.
- Even if in emergency contexts return counselling is likely to be adapted to respond to the situation of urgency and imminent danger, standards surrounding reintegration assistance must be upheld, and proper vulnerability screening for provision of or referral to protection services upon return must be conducted.

¹⁶⁴ See also IOM, IOM's humanitarian policy: Principles for Humanitarian Action (12 October 2015). Available at www.iom.int/resources/ioms-humanitarian-policy-principles-humanitarian-action.

Practices from the field

 In Libya, it is particularly difficult for stranded or vulnerable migrants to access safe, dignified and sustainable solutions. The IOM Voluntary Humanitarian Return and Reintegration (VHR) programme was launched to offer migrants an opportunity to return voluntarily to their countries of origin, when protection services can no longer be provided. VHR is offered to migrants who were displaced or found themselves in vulnerable situations including arrest, arbitrary detention and exploitation due to the deteriorating security situation linked to ongoing conflict and instability.

The VHR¹⁶⁵ programme provides outreach services, an information hotline, individual return counselling and vulnerability screening, immediate direct assistance, assistance to obtain travel documents, nationality screenings and other consular services, pre-departure health checks, and departure and transportation assistance. Additionally, it offers joint counselling and cross-referrals with other United Nations agencies and local and international organizations including UNHCR, coordination with countries of origin and IOM receiving missions for continuum of care of migrants with specific needs such as victims of trafficking, and also coordination for arrival and reintegration assistance.

Ad hoc coordination instruments and mechanisms have been created to counsel potential returnees in coordination with UNHCR in order to assess the risks that migrants might face in Libya, and to inform them of the available protection services in the country including their specific rights falling within the remit of the UNHCR mandate.

The VHR process follows an integrated humanitarian protection approach when providing voluntary return assistance. VHR personnel work closely with specialized Protection, Health Assistance and Mental Health and Psychosocial Support teams to identify needs and provide assistance that helps to safeguard the safety and well-being of migrants, particularly those with vulnerabilities (including unaccompanied and migrant children, the elderly, and persons with medical and special needs) during their stay and transport out of Libya.

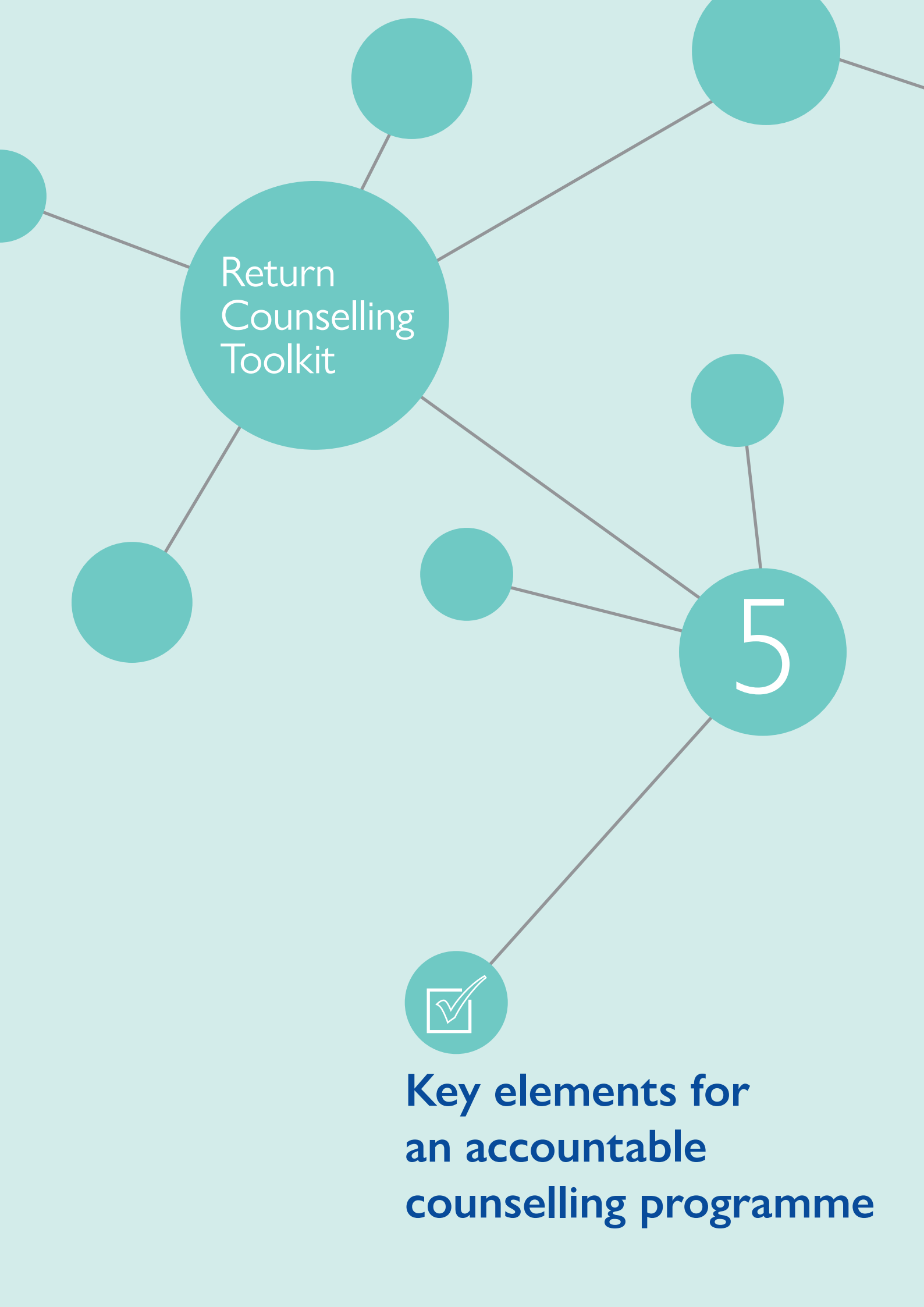
The reintegration component under the VHR programme provides support to address psychosocial needs, as well as the socioeconomic needs of all migrants who voluntarily return to their countries of origin.

4.5.2. Useful resources

► IOM, *The Progressive Resolution of Displacement Situations (2016)*¹⁶⁶

¹⁶⁵ "VHR is based on the AVRR approach but applied in humanitarian settings. VHR often represents a life-saving measure for migrants who are stranded or in detention. Similar to AVRR principles and objectives, the IOM approach to VHR is based on the respect of migrants' rights, including the right to return, and the provision of timely, unbiased and reliable information on the return and reintegration process to ensure migrants can make an informed decision on whether to return or not. It is also accompanied by vulnerability and medical screenings to ensure appropriate safeguards are put in place throughout the whole return and reintegration process." See IOM, *Return and Reintegration Key Highlights 2020* (Geneva, 2021), available at <https://publications.iom.int/books/return-and-reintegration-key-highlights-2020>.

¹⁶⁶ See www.iom.int/sites/g/files/tmzbd1486/files/our_work/DOE/humanitarian_emergencies/Progressive-Resolution-of-Displacement-Situations.pdf.



**Key elements for
an accountable
counselling programme**

Module 5: Key elements for an accountable¹⁶⁷ counselling programme

Contents

This module presents some key elements that shall be considered when running a return counselling programme, since they contribute to the accountability of the programme to the migrant population, the authorities and stakeholders involved in the return process, and the donors in the local, national and international communities. Such elements enable the counselling programme to effectively communicate and engage with partners, stakeholders and migrants adopting an inclusive approach; monitor and evaluate its performance and facilitate learning processes; and make sure that return counsellors are in the condition to deliver counselling at best.

Learning objectives

- Understand some of the key overarching aspects that are essential when running an accountable return counselling programme
- Understand that partnership and cooperation are indispensable for the functioning of return counselling services and analyse the cooperation landscape in which the counselling programme is running
- Apply tools and techniques to foster the programme's accountability, which include M&E tools, feedback and complaint mechanisms, as well as specific measures to foster inclusion

Key messages

- Accountability to migrants, as well as to partners, stakeholders, donors and organizations providing counselling services, is a key principle in the provision of return counselling and accountability shall be ensured through multiple instruments and approaches.

Target groups

- Return counselling services coordinators

Tools

- Tool 5.1: Stakeholder Overview
- Tool 5.2: Monitoring and Evaluation

¹⁶⁷ For an explanation of the principle of accountability, please see sections 1.2 and 2.2.

5.1. Coordination and partnership

Useful resources for this section:

- ▶ IOM, *Reintegration Handbook* (p. 21, section on stakeholder mapping; p. 136, section on stakeholder engagement, capacity-building and ownership)
- ▶ United Nations Personal Data Protection and Privacy Principles on Transfers
- ▶ *IOM Data Protection Manual*

Return counselling should never be a stand-alone service provided in isolation from other existing services targeting migrants who are unwilling or unable to remain in the host/transit country, but it should find a place within the case management approach especially for vulnerable migrants (see also [section 2.4: Return counselling providers and their role within the case management approach](#)), as well as within the broader migration management set-up of the country. A whole-of-government approach and government ownership, as well as partnership and cooperation, are among the key principles at the basis of return and reintegration activities, since they enable coherent and harmonized migration management and protection approaches.

In the context of return-related services, coordination and partnership should always strive to involve actors in countries of origin and destination/transit in the effort to promote practices for the safe and dignified return and sustainable reintegration of migrants. Additionally, the roles and responsibilities of the different agencies involved, as well as of the different segments of civil society, should be acknowledged and capitalized on, in recognition of the complementarity of the actions performed by each actor (see also [Tool 5.1: Stakeholder Overview](#)).

The existence of formal and informal procedures for the interaction of different agencies and services can facilitate inter-agency cooperation and provides the basis for return counsellors to perform their work in a harmonized manner with other actors. It is, in general, a good practice to negotiate and adopt inter-agency cooperation instruments among return and migration stakeholders (such as memorandums of agreement, SOP, common frameworks of cooperation) to outline specific coordination practices and procedures in the context of return, based on international and national legal frameworks. Would this not be possible, return stakeholders are encouraged to enhance their working relationships and coordinate their work through ad hoc platforms and networking.

Joint informative sessions and capacity-building events bringing together return counselling providers and other return and migration stakeholders are also very important and should be organized periodically. High-level meetings can facilitate inter-agency coordination and support the negotiation of migration management and migrants' protection roles and responsibilities, while operational sessions can foster mutual understanding of return and counselling procedures and standards, define roles within the case management mechanisms and consolidate the referral pathways to which return counselling might plug in, as well as harvest personal relationships and networking.

Data protection and data sharing considerations



Partnership and joint work performed by different actors might entail also sharing information, including about migrants participating in return counselling activities, or benefiting from AVR options. As a general rule, return counselling providers should not share migrants' personal data with any third party without the informed consent of the migrants for a specified purpose and under the guarantee that the third party affords appropriate protection for the personal data. Such personal data can include any information disclosed by migrants during counselling or any information disclosed by third parties in connection with the return counselling process, as well as the outcome of the counselling process and the next steps decided by migrants in regard to their migration paths. This measure responds to the principle of upholding migrants' rights to privacy and protection of their data, as well as to prevent any harm. Whenever requested to share personal data related to one or more migrants assisted, return counsellors should always discuss this matter with their supervisors, as well as with the migrants, who are the owners of their own personal information and who need to be enabled to exercise their agency when it comes to how such information is shared and used. Referring to legal departments or experts to seek additional advice is also a good practice.

It is important to keep in mind that even aggregated data can include information that might indirectly allow the identification by third parties of one or more migrants as individuals. For this reason, even when disseminating statistics and aggregated data, it is important to verify that such data is duly anonymized, especially in the case of migrants in vulnerable situations.

Since data protection and data sharing issues are particularly complex, it is important that return counsellors are familiar with the data protection principles that regulate their activity.¹⁶⁸ Moreover, data sharing agreements and mechanisms between return counselling entities and other key actors within the return process usually represent a good practice that brings clarity to such matters.

¹⁶⁸ IOM has been one of the first international organizations to adopt data protection standards, which are outlined in detail in *IOM Data Protection Manual*, available at <https://publications.iom.int/books/iom-data-protection-manual>.

5.2. Gender, diversity and inclusion

Useful resources for this section:

- ▶ United Nations, Human Rights Council, The impact of migration on migrant women and girls: a gender perspective, Report of the Special Rapporteur on the human rights of migrants (A/HRC/41/38 of 15 April 2019)
- ▶ United Nations General Assembly, Human rights of migrants: good practices and initiatives of gender-responsive migration legislation and policies, Note by the Secretary-General (A/74/191 of 18 July 2019)
- ▶ IOM, Social inclusion in IOM programming¹⁶⁹
- ▶ IOM, “Gender and Migration” section¹⁷⁰
- ▶ CBM, Digital accessibility toolkit

Due to discriminatory social and cultural norms and policies along the migration path, migrants continue to suffer from discrimination based on their ages, gender identities, gender expressions, ancestries, ethnicities, socioeconomic backgrounds, sexual orientations, sex characteristics, family structures, marital statuses, and physical and mental abilities. As outlined in [section 1.2](#) (Return, readmission and reintegration), one of the principles guiding the interventions in the context of return refers indeed to the need for applying gender-responsive, child- and vulnerability-sensitive perspectives, so that discriminatory and abusive practices in the context of migration are prevented and addressed. In this context, it can be particularly useful to look at discriminatory patterns and migrants’ vulnerabilities related especially to gender, disability and age, and to discuss some pointers that can help guide the work of return counsellors and stakeholders towards ensuring better inclusion of all groups of migrants into return counselling programmes, as well as prompt identification and response to their vulnerabilities.

Gender: Migrants of different genders go through deeply different migration experiences throughout the entire migration cycle(s), and their different needs and vulnerability factors must be acknowledged, identified and addressed, including in the process of return. During their journey and/or stay in the transit/destination country, migrants are likely to be exposed to gender-specific threats, risks and forms of VEA. For instance, women, girls and individuals with diverse genders of all ages might be particularly exposed to the risk of becoming victims of GBV (see [section 3.3.1: Migrants vulnerable to violence, exploitation and abuse](#)), or might be subjected to gender norms that limit their equal enjoyment of human rights, such as freedom

¹⁶⁹ See www.iom.int/social-inclusion-iom-programming.

¹⁷⁰ See www.iom.int/node/102774.

of movement or expression. Migrants with diverse SOGIESC might be particularly exposed to discrimination, violence and abuse because of their SOGIESC. It is also important to be reminded that migrants might experience different degrees of access to services, or different degrees of appropriateness of the services provided, depending on their gender or gender expression. In this regard, the main challenges might include limited access to specialized medical care especially for women or migrants with diverse SOGIESC, inappropriateness of reception conditions that do not take into account different gendered needs, or the gender-blindness of staff of migration management and protection agencies (see [section 3.3.1.2: Migrants with diverse sexual orientation, gender identity, gender expression and sex characteristics](#)).

Gender-responsive pointers:

- One way to ensure that people of all genders are visible and voiced is to **collect and research gender-disaggregated data** with reference to migrants accessing counselling services or who are interested in doing so. Quantitative data should be integrated by qualitative data that can provide additional information on the specific experience and needs of different gender groups in a certain context or community and that can provide for a basis to adjust counselling accordingly.
- The return counselling cycle should enable the **identification of gender-specific vulnerability factors and protection needs** through the inclusion of specific questions within the vulnerability assessment process and also through the **consolidation of the capacity of return counsellors to recognize the gendered dimension of migration** and the impact of return and reintegration on migrants of different genders. The involvement of return counselling actors belonging to different genders may help facilitate a higher level of inclusion and understanding of gender-related issues.
- The **referral pathways and partnerships established with key stakeholders should also be gender-responsive** and inclusive of people with diverse SOGIESC and ensure the engagement of actors providing gender-specific services or providing services that seek to address gender inequality.

Disability: Migrants with disabilities are likely to experience discrimination and stigmatization during their migration, and it can be especially hard for them to reach out to service providers or protection actors, because of existing barriers that impede their equal access to resources. The venues of services offered to migrants in transit and host countries might in fact not be reachable by migrants with disabilities on an equal basis with others, while channels and modalities for information-sharing and communication might not be always equally accessible. As in the case of migrants with gender-specific vulnerabilities and protection needs, migrants with disabilities

might have limited access to specialized medical care; they might be accommodated in reception facilities that are not suitable for them, or might enter into contact with staff of migration management and protection agencies who have limited disability sensitiveness.

Disability-responsive pointers:

- Migrants with **disabilities should not be hindered equal access to return counselling services, and the counselling methodology and messaging needs therefore to be necessarily tailored also to them.** This might include making sure that offline and online informational materials are accessible to migrants with disabilities and that counselling modalities are respectful of the diverse needs that migrants with disabilities might have, in terms of, for instance, offline or online venues of the session and their length, language, and communication tools and style, among other things.
- **Disability must be acknowledged as one factor that can influence the return and reintegration experiences of migrants, and necessary steps need to be taken so that migrants suffer no harm as a result of their disabilities.** This means that return counsellors need to take into account how the return counselling and the return itself shall be prepared and undertaken, in order to be disability-responsive. In practice, this means that specific services that might be required in order to ensure that migrants with disabilities are treated equally and can access safe and dignified return should be engaged in the case management process. Additionally, it is important that return counsellors are aware of and discuss with the migrants potential risks of stigmatization and discrimination in the countries of origin, related to disability status that might be pre-existing the migration experience, or that might also be the result of it, and ways to mitigate/address them.
- Whenever possible, **return counselling services should strive towards the empowerment of migrants and return counsellors with disabilities.** This should be necessarily integrated with the capacity-building of return counselling stakeholders, as well as migration management and protection actors, towards disability-sensitive approaches, as well as the respect, protection and fulfillment of the rights of persons with disabilities, including migrants.

Age: It is useful to be reminded that age-responsive counselling services should respond not only to the needs of children but should also take into account the specificities of other age groups, such as older migrants and the youth.

Age-responsive pointers:

- One way to ensure that the needs of people of all ages are considered is to **collect and research age-disaggregated data** with reference to migrants accessing counselling services or who are interested in doing so. While migration research often distinguishes children from adult migrants, it is less common for age among children and among adults.
- When delivering return counselling to older migrants, **counsellors should be mindful of specific vulnerability factors that are more likely to affect older migrants** compared with migrants in other age groups, such as poverty due to limited access to the labour market or to social support, poor health and disabilities triggered by ageing, among others. Additionally, **while youth migrants are frequently perceived as less vulnerable than other age groups, this is not necessarily the case.** Young women may be especially vulnerable to GBV, young men are exposed to high rates of physical violence, and single (often young) men and women may be given lower priority for services and assistance than families.
- **Psychosocial needs might be particularly acute in older migrants** who are considering to return to their countries of origin, due, for instance, to the difficulty to cope with the disruption of social and cultural ties created in the countries of destination, or to the reduced social network in the country of origin after a long period spent abroad. On the other hand, it is important to keep in mind that the global age of onset of mental health disorders peaks at 14.5 years with the median age of onset being 18 years,¹⁷¹ which shows how **mental health-related needs are crucial also for younger population.**

5.3. Results-based management in the context of return counselling

Useful resources for this section:

- ▶ *IOM Reintegration Handbook* (Module 5: Monitoring and Evaluation for Reintegration Assistance (especially the definition of monitoring and evaluation, ethical considerations for M&E; Annex 4A, data collection methods)
- ▶ *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse* (p. 32, section on case management approach)
- ▶ *IOM Case Management Guidelines* (forthcoming)
- ▶ *IOM Monitoring and Evaluation Guidelines*

¹⁷¹ Marco Solmi, Joaquim Radua, Miriam Olivola, Enrico Croce, Livia Soardo, Gonzalo Salazar de Pablo, Jae Il Shin, James B. Kirkbride, Peter Jones, Jae Han Kim, Jong Yeob Kim, André F. Carvalho, Mary V. Seeman, Christoph U. Correll and Paolo Fusar-Poli, Age at onset of mental disorders worldwide: Large-scale meta-analysis of 192 epidemiological studies, *Molecular Psychiatry*, 27:281–295 (2021). Available at <https://doi.org/10.1038/s41380-021-01161-7>.

The IOM results-based management (RBM) approach is “a management strategy that sets out clear objectives and outcomes to define the way forward, and uses specific indicators to verify the progress made. RBM encompasses the whole project cycle: planning, managing implementation, monitoring, reporting and evaluation.

Among other aspects, an RBM approach requires strong M&E, as well as knowledge management”.¹⁷²

The RBM approach should inform return counselling programmes; since this reinforces transparency and accountability, it allows an efficient and effective use of resources, and it can also facilitate learning towards the adjustment of programme components or processes that are not delivering as expected. RBM should be embedded already when planning the return counselling programme, in order to clearly define the results to be achieved, the activities and inputs that will lead to such results, as well as how and when data is collected and analysed in order to assess if expected results have been attained. A results matrix is one of the tools that can reinforce the RBM approach and can be used to plan, monitor and evaluate an intervention or a programme, since it allows the user to formulate the objective of the intervention, its expected results (outcomes and the related outputs), as well as the assumptions that would enable a successful intervention (please see [Tool 5.2: Monitoring and Evaluation and Evaluation](#) for a sample list of indicators that may be used to formulate a results matrix).

Monitoring¹⁷³ is a key component of the RBM approach. In the context of return counselling programmes, it can be particularly useful to focus on:

- **Return counselling programme monitoring** to track the progress and performance of the entire return counselling intervention, covering four key areas (activities, results, budget and expenditure, and risk): Specific indicators can be developed to measure to what extent the return counselling programme is achieving its expected results, through appropriate data collection methods and sources.¹⁷⁴
- **Return counselling beneficiary monitoring** to track beneficiary perceptions of ongoing or already delivered return counselling services: Beneficiary monitoring is a means of including beneficiary participation, and assesses beneficiary satisfaction or complaints, the level of participation/inclusion, access to resources, how beneficiaries were treated and their overall experience throughout the counselling phase.¹⁷⁵

¹⁷² IOM, *IOM Monitoring and Evaluation Guidelines* (Geneva, 2021). Available at <https://publications.iom.int/books/iom-monitoring-and-evaluation-guidelines>.

¹⁷³ IOM defines monitoring as “an established practice of internal oversight that provides management with an early indication of progress, or lack thereof, in the achievement of results, in both operational and financial activities. (...) In an IOM intervention, there are four key areas for monitoring: activity monitoring, results monitoring, financial monitoring and risk monitoring” (IOM, *IOM Monitoring and Evaluation Guidelines*).

¹⁷⁴ See IOM, Annex 4, IOM Guidance Note on Monitoring and Evaluation for Return and Reintegration Programmes (upcoming).

¹⁷⁵ See IOM, Annex 5, *ibid*.

More on monitoring



In the realm of return, readmission and reintegration, there are additional and related monitoring activities that include the following:

- **Forced returns monitoring**, which refers to the monitoring of the activities towards the enforcement of a removal order. In the European Union context, for instance, based on Article 8(6) of the Return Directive 2008/115/EC, States shall provide an effective forced return monitoring system. According to the FRA, systems of forced return monitoring can be effective and operational if they cover all activities undertaken in respect of removal, before departure to arrival and reception in the destination country, and if they are carried out on an ongoing basis by an organization that is independent of the authorities enforcing return.¹⁷⁶
- **Border and asylum screening monitoring**, which refers to the monitoring of the respect of human rights and asylum law and non-refoulement principle, especially with reference to pushbacks at borders.¹⁷⁷
- **Reintegration monitoring**, to assess how a reintegration programme is performing and whether it is meeting its intended objectives. As for return monitoring, reintegration monitoring can also articulate around different levels, including beneficiary monitoring, programme monitoring and reintegration governance assessment.¹⁷⁸

Besides monitoring, evaluation¹⁷⁹ represents another key component to support the RBM approach, which should be embedded in all return counselling programmes and included in the planning and design from the onset. When conducting evaluations, IOM primarily uses the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC) criteria, which are relevance, coherence, effectiveness, efficiency, impact and sustainability.¹⁸⁰ Evaluation criteria can help define the scope of the evaluation and identify key questions that the evaluation is expected to contribute to answer (please refer to [Tool 5.2: Monitoring and Evaluation](#), which includes a sample of evaluation questions that can be used in the context of return counselling programmes).

Different types of evaluation can be applicable to return counselling programmes, depending on the timing when the evaluation takes place, its purpose, its scope, as well as who conducts it. All these elements are to be defined according to the specific needs and expectations of a programme. Regardless of the type of evaluation to be

¹⁷⁶ For more information on the current state of play of forced return monitoring systems in Europe, please visit <https://fra.europa.eu/en/publication/2020/forced-return-monitoring-systems-2020-update#TabPubOverview0>.

¹⁷⁷ Several CSOs and human rights independent bodies are active in the context of border and asylum monitoring, including the DRC (<https://drc.ngo/our-work/where-we-work/europe/bosnia-and-herzegovina/>) in Bosnia and Herzegovina, which performs ongoing monitoring and provides monthly snapshots.

¹⁷⁸ For more information on this, please see Module 5 of the IOM *Reintegration Handbook*.

¹⁷⁹ IOM defines evaluation as “the systematic and objective assessment of an ongoing or completed intervention, including a project, programme, strategy or policy, its design, implementation and results” (IOM, *IOM Monitoring and Evaluation Guidelines*).

¹⁸⁰ See www.oecd.org/dac/evaluation/revision-evaluation-criteria-dec-2019.pdf.

conducted, as a general rule it is important that the evaluator is familiar with the context of the return counselling programme and actors involved, that the timing of the evaluation is well considered to allow sufficient time for preparation, evaluation and delivery of the final report, and that the objectives and methodology of the evaluation are well specified (through evaluation TORs). Data collection methods should be selected to fit the evaluation purposes, also based on the availability and accessibility of data, the environment in which the evaluation takes place and the financial resources available. Financial resources are in fact a key element, and the return counselling programme should always allocate a certain share of the budget towards evaluation purposes.

5.4. Complaint and feedback mechanisms

Useful resources for this section:

- ▶ *IOM AAP Toolkit: Complaints and Feedback Mechanism*
- ▶ Francesca Bonino, Isabella Jean and Paul Knox Clarke, *Closing the Loop: Effective Feedback in Humanitarian Contexts*¹⁸¹

One way to operationalize accountability to beneficiaries (see also [section 2.2: Key principles for migrant-centred counselling provision](#)) is creating complaints and feedback mechanisms (CFMs), which aim to provide a space for migrants to express their view on the services they receive and collect, address beneficiaries' grievances and reports of staff misconduct, generate improvements in the services offered, and identify issues that could turn into future programming and action. When setting up a CFM, there are some key aspects that should be kept in mind:¹⁸²

- CFMs should be defined by written and standard protocols, which allow for transparent and confidential monitoring, action and follow-up. These would include, among others: clear designation of the entity/staff in charge of CFM; channels through which complaints and feedback are collected; prioritization system for complaints collected based on urgency and with indication of time frame for response to be activated.
- CFMs should cover the full cycle of communication, starting with the provision of feedback, acknowledgement, analysis, taking action and response.¹⁸³
- CFMs should be created taking into account the operational environment, the existing capacities and resources, as well as the inputs provided by beneficiaries and CFM users.

¹⁸¹ Francesca Bonino, Isabella Jean and Paul Knox Clarke, *Closing the Loop: Effective Feedback in Humanitarian Contexts – Practitioner Guidance, ANLAP-CDA Guidance* (London, ALNAP/ODI, 2014).

¹⁸² More information on how to set and run complaints and feedback mechanisms (CFMs) can be found in the resources indicated in the beginning of this subsection.

¹⁸³ Bonino, Jean and Clarke, *Closing the Loop: Effective Feedback in Humanitarian Contexts*.

When it comes specifically to return counselling, CFMs can be important instruments to assess to what extent the return counselling programme is meeting its objectives. Similarly, CFMs can indicate to what extent return counselling manages to abide by key principles, such as accountability, rights-based approach, do no harm, migrants' agency, confidentiality and safe environment for return. Together with tools to monitor return counselling beneficiaries and programmes, CFMs can also enable the collection of important information on the overall return counselling programme performance and inform corrective actions.

The information and counselling session can provide a suitable venue for informing beneficiaries about the existence and functioning of CFMs, and to familiarize them with the channels and procedures to submit feedback and complaints.¹⁸⁴ It is of utmost importance that CFMs are duly functioning and that complaints and feedback are acknowledged and responded to. Failing to do so can create an important reputational damage to the return counselling programme and even more importantly it can undermine the relation of trust created between the migrant and the counsellor/counselling service.

Because of the nature of return counselling, through CFM, migrants could submit complaints or notices of major violations of their rights, including refoulement, pushbacks, breaches of the duty of confidentiality during the return counselling process, episodes of violence, harassment and abuse, including of sexual nature. This must be kept in mind when setting up and running CFMs in the context of return counselling services, and measures must be taken to ensure that accountability is indeed maintained also in regard to such serious violations of rights. This would entail, for instance, making sure that the staff responsible for CFMs have the necessary skills and capacities to deal with such complaints, and that actions to be taken and responses are duly coordinated, not only with return counsellors but also with higher-level management, as well as with relevant authorities and independent monitoring bodies as needed. Finally, it is important to consider that migrants might submit complaints and feedback through CFMs embedded in the return counselling service (when they exist), and they could also do so by using CFMs embedded in other services run by the same actor offering return counselling, or even CFMs run by other actors. Hence, coordination and communication are crucial to make sure that complaints and feedback are channeled to the responsible party, following prompt and confidential procedures.

¹⁸⁴ On the different channels and types of CFMs, please see IOM, *IOM AAP Toolkit: Complaints and Feedback Mechanism* (Geneva, 2020).

5.5. Staff well-being and self-care

Useful resources for this section:

- ▶ IOM Case Management Guidelines (forthcoming)

Return migration is a complex process and it might have implications on return counsellors as it has on returnees. The return counselling sessions might evoke some past experiences for counsellors, and this might affect the sessions. Some returnees might have faced adverse situations and hearing these stories might affect the counsellor. Listening to people who experienced hardship and suffering might cause *compassion fatigue*. Compassion fatigue can be described as cost a caregiver experiences as a result of caring for others. In other words, compassion fatigue is the emotional effect of working with people who might have experienced severe adversities. Similar to compassion fatigue, *vicarious traumatization* is another possible situation that could arise after listening to people who had adverse experiences. Vicarious traumatization is described as “the impact ... of repeated emotionally intimate contact with trauma survivors. It results in a change in the therapist’s own worldview and sense of the justness and safety of the world. Also called secondary traumatization.”¹⁸⁵ In order to understand these effects and prevent them from being an obstacle to provide service and affect the counsellor in a negative way, there are several actions that can be taken:

- **Provide regular clinical supervisions.** Having regular clinical supervision would help to prevent compassion fatigue and vicarious traumatization. In clinical supervision, counsellors can talk about the cases that they are working on and seek help from more experienced counsellors. Apart from the cases, counsellors can talk about the effects of those cases on themselves, as well.
- **Teamwork and case conferencing.** Return counsellors should constantly be in touch with their teams to provide a better service. The teamwork would prevent potential burnout as the counsellors would not take all responsibility by themselves. Case conferencing methods should be available for especially complicated cases. Case conferencing means that all the parties involved in medical, legal and social work cases come together and discuss the cases, and this could include also staff having different levels of responsibilities, hence involving also supervisors and sharing responsibilities especially in particularly difficult situations. By having case conferencing, return counsellors and other team members will have a chance to see the cases in a holistic approach and

¹⁸⁵ American Psychological Association, APA Dictionary of Psychology (n.d.). Available at <https://dictionary.apa.org/vicarious-traumatization>.

ask for assistance if needed. Case conferences shall also involve reintegration counsellors from countries of origin, as needed, in order to not only better prepare return and reintegration but also reinforce a concerted approach to the assistance provided.

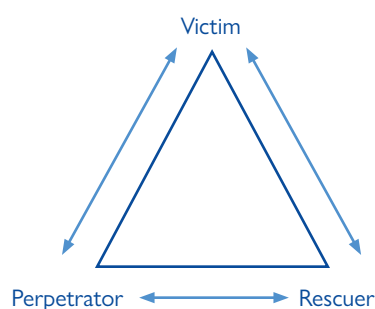
- **Team building and leisure.** Return counsellors, along with their colleagues, can organize group activities among themselves like coffee mornings where they gather and have a chat on daily matters, celebrating birthdays or having other spontaneous social moments. Doing so would create a positive environment for work and establish better relationships with colleagues. Furthermore, it would help to create positive memories in the work environment so that the office would not be associated with only emotionally difficult experiences. Apart from these self-organized events, having a regular “staff well-being day” organized by the managers would prevent potential compassion fatigue, vicarious traumatization and burnout.

What should not be forgotten is that the Adversity Grid is a very powerful protection tool against burnout.¹⁸⁶ Return counsellors should attempt to identify all the negative effects that they experience in themselves in their job, such as listening to all the painful stories, finding it difficult to help everyone and encountering objective obstacles of various kinds in their work, among others. In addition, guided by the Adversity Grid, they should also attempt to find out what positive qualities, characteristics, values and relationships, among other things, remained unchanged in themselves (i.e. what qualities remained resilient to the adversities experienced in their job) as well as all the positive changes in them, which were activated precisely because they were exposed to these adversities, such as all the inspiration they got from meeting resourceful people and from experiencing so many acts of kindness, and how much they were also enriched by all these encounters with the returnees. In this way, they do not experience themselves just as “damaged” by their work, but they have a more reliable, balanced and true understanding of the entire range of effects that they experienced.

The victim–perpetrator–rescuer triangle can be used as an effective tool to prevent burnout and vicarious traumatization. If the return counsellors see the migrants as victims, it would be natural to fall into the trap of trying to be the rescuer, which in turn would disempower the migrants and force the return counsellors to take more responsibility than they should. It is also important to note that these three positions are subject to change. In other words, if the return counsellors try to take the rescuer position, they might become perpetrator after they fail to rescue the migrant. They might also start to see migrants as perpetrators if the responsibilities

¹⁸⁶ Renos K. Papadopoulos, *Involuntary Dislocation: Home, Trauma, Resilience, and Adversity-Activated Development* (Routledge, 2021).

become unbearable. Therefore, to empower the migrants and prevent burnout and vicarious traumatization, the return counsellors should actively try to avoid falling into the victim–perpetrator–rescuer triangle. A practical way to do so is trying to see the migrants in a holistic approach with their strengths and resilience alongside the hardships that they are facing.



5.5.1. Dealing with migrants who are verbally aggressive or who have violent behaviour

One of the most prominent emotional reactions to return is frustration and lack of trust in authority figure. Return counsellors might be seen as an authority figure and they might face verbal and/or physical aggression. Apart from the normal reactions to abnormal situations, certain mental health conditions might cause the verbal and/or physical aggression. Psychotic illnesses and alcohol and substance-related disorders can be named among those. Return counsellors should refrain from making any diagnoses but should make necessary referrals to specialized services and staff.

In order to protect themselves from any physically violent behaviour, the return counsellor should have more than an arm-and-leg distance from the returnee. In case of any aggressive reaction, a panic button must be used, if there is any. The session should be terminated immediately, and help should be asked from security. Any violent behaviour or concerns should be shared with the sending and receiving team in order to protect the team members.

Trying to hold a logical conversation with a very angry and/or aggressive person is not possible. In order to have a conversation, the first step should be reducing the anger level. To do that, de-escalation techniques should be used. It is important to know that using de-escalation techniques requires training, as when facing an angry person, people tend to fight, flight or freeze. Therefore, the de-escalation techniques should be practised enough before being able to use it with migrants. For more information on de-escalation techniques, please see the upcoming IOM Case Management Guidelines.

Dos	Don'ts
<ul style="list-style-type: none"> • Attend the supervision. • Attend the case conferencing. • Have time for yourself to do things that you enjoy. • Ask for help when you need. • Be aware that the stories you hear might affect you. • Allow yourself some time after difficult sessions. 	<ul style="list-style-type: none"> • Try to do everything. • Try to do things on your own. • Work on holidays. • Hide your emotions. • Provide counselling without taking breaks in between.

Tool 5.1: Stakeholder overview

As outlined in Module 1, “partnership and cooperation” is one of the principles at the basis of IOM’s work in return, readmission and reintegration. A stakeholder analysis can be helpful to identify relevant actors that shall be engaged through partnership, as well as to determine what level of engagement is more appropriate for each of them, according to the specific context. There are a number of existing methodologies for stakeholder mapping that can be adopted also in the context of return counselling programmes.¹⁸⁷ The following overview of stakeholders aims to complement the standard methodologies for stakeholder mapping and to give return counselling actors important guidance on which stakeholders can be engaged, according to their roles within the migration management system and the counselling beneficiaries’ migration paths.

Partnerships in the country of destination/transit country

- **National and local authorities with a mandate on migration management**

The creation and functioning of return counselling services, being them inscribed within AVRR programmes or not, is always to be coordinated with national and local authorities in the host/transit country, having as main points of reference ministries and entities responsible for overarching migration management, as well as for specific segments of the migrant population, such as victims of trafficking or unaccompanied and separated children. It is important that such coordination is established through a written legal document, such as a memorandum of understanding, so that all parties are well aware of their roles and responsibilities, as well as their rights and obligations.

Migration management authorities should be aware of existing return counselling options and refer interested migrants to such services. In general, national and local authorities can function as important multipliers of information related to the

¹⁸⁷ IOM, *Reintegration Handbook*, p. 21 and Annex 6.

availability of return counselling services and AVRR options. On the other hand, when migrants register for AVRR, migration authorities should be notified, so that pending procedures (including forced removal, re-entry bans, detention measures, etc.) can be suspended/shortened/withdrawn, according to the legislation, pending the obtainment of informed consent of the migrants with regard to sharing of their personal data with third parties for such purposes.

In some countries, national authorities are also in charge of providing return counselling. In this case, it is important that any return counselling service provided by other actors coordinates with similar State services, in order to seek synergies and coherent approaches and avoid overlapping.

- **Social services, health-care providers, education system**

Depending on the country's migration management set-up, such services can function as return counselling referral entities. At the same time, social services, health-care providers and the education system very often represent key actors within the case management approach. These entities in fact provide key services to the general public, including the migrant population, and return counsellors should always explore the possibility for migrants to access such services, in order to uphold their rights. Additionally, during the return counselling process, counsellors need to discuss with migrants their previous and current interaction with such services, since this is essential for migrants' vulnerabilities assessment and preparation for return, if such is the case. Social services, health-care providers and the education system can in fact provide important information on vulnerability factors, such as: issues within the family, domestic violence or abuses; abuse of substances; disability status and health-related concerns (physical as well as psychological) and needs. In case migrants willing to return are receiving social services, or services from health-care providers and education system, return counsellors should discuss with returning migrants (and with service providers, if this is the case) how to support the smooth transition towards return and reintegration and closure of migrants' case in the country of destination. This could include coordinating the completion of the education cycle for children and the collection of education certificates; the collection and translation of medical documentation, diagnoses, prescriptions and treatment records; as well as the handover from one treating entity in the country of destination to another in the country of origin (for more details on how to assist migrants with health-related needs, please see [section 3.3.2: Migrants with health-related needs](#)).

- **Embassies and consular representations of countries of origin**

Embassies and consular representations are key partners for the return counselling providers, since they are mandated to represent the interests of their citizens abroad. Besides disseminating information on return counselling and AVRR options and refer

migrants to such services, embassies and consular representations play a crucial role in the identification and documentation of their citizens, including for the issuance of passports, travel documents, as well as birth and marriage certificates, or other documents needed for the return. Importantly, communication with and referral to embassies and consular representations should always happen with the prior informed consent of the migrant, especially in the case of migrants with protection needs, who might have escaped from threats in the country of origin. Return counsellors can facilitate the interaction between migrants and consular services for the obtainment of personal as well as travel documents by simply putting them into contact, and/or by certifying migrants' enrollment in return counselling and officially requesting consular assistance. This might be especially relevant in case there is no consular representation in the country, and consular assistance is to be coordinated with representations located in a third country. Consular assistance is also extremely important for migrants in immigration detention, and return counsellors should keep in mind that migrants should have the right to be assisted by their national authorities including in detention.

- **International organizations, NGOs and CSOs**

The connection and coordination of return counselling services with international organizations, such as the United Nations agencies (including UNHCR, UNICEF), and NGOs is of primary importance, since these entities can play a major role in the provision of services to the migrant population, especially in low-resources contexts. International organizations and NGOs might be present and active at different points along the migration path, starting from disembarkation points/points of entries, having access to immigration detention facilities, being present in transit centres and accommodation centres for refugees and asylum seekers, among others, where they often provide services addressing basic needs such as shelter, livelihood, protection, education and medical care. Return counselors shall map out the organizations that are present in the respective areas, along with their roles and target beneficiaries, so that migrants can be referred from one entity to the other in case of need. More than that, especially in the case of migrants facing vulnerabilities or when access to migrants is particularly difficult (such as in immigration detention), return counsellors and staff from international organizations and/or NGOs should work in a coordinated manner to ensure accessibility of key services to all migrants. They could work in joint teams and organize periodical meetings to exchange information or follow up on particularly difficult cases, among other things.

- **Diaspora and migrant communities, as well as cultural and religious communities**

Diaspora and migrant communities, as well as cultural and religious communities, in countries of destination can function as multipliers of information on availability of

return counselling services and AVRR options and can refer to return counselling migrants who might be interested in such services. Additionally, some communities might also function themselves as support networks and service providers, especially for migrants in vulnerable situations, offering, for instance, support to families and children. Hence, they represent an important entry point for return counsellors to disseminate information on existing services, and also to seek support in the assistance delivery process, relying on social networks within the communities. It is important to note though, that while such communities can often rely on high levels of social cohesion and solidarity, they might also willingly or unwillingly be the venues for conflictual internal dynamics, sometimes mirroring those existing in the countries of origin. For this reason, it is important that return counsellors reach out to diaspora, cultural and religious communities always in coordination with the migrants they are serving and with their consent, and that the information that is provided from these communities, for instance on countries of origin, is triangulated with information obtained from other sources.

- **Humanitarian system**

In humanitarian contexts, return counselling and voluntary return option can be important tools to ensure the safety of migrants who want to return to their countries of origin. In contexts characterized by threats to life and urgency, the provision of return counselling and voluntary return shall be integrated into the humanitarian protection approach, and return counselling providers should work closely with protection, health assistance and MHPSS teams to provide assistance that helps to safeguard the safety and well-being of migrants, particularly those in vulnerable situations.

Stakeholders in countries of origin

Cooperation with stakeholders from or in the country of origin is also very important, since it is an essential element to allow migrants to exert their agency in the context of return and provides key information for the return preparation. Moreover, partnership with entities in the countries of origin also reinforces the continuum between return and reintegration.

- **National and local authorities**

Any return and reintegration programme in countries of destination – which would include also a return counselling component – needs to coordinate its functioning with national authorities in countries of origin, especially in the presence of relevant migration flows connecting two or more countries in the same migration route. Experience shows that a silo approach to return and reintegration, based on a rigid

division of work and lack of communication between countries of origin and countries of destination, is detrimental to the achievement of objectives related to the safe and dignified return of migrants and their sustainable reintegration. Additionally, national and local authorities can provide information on the situation in the country of origin and on existing reintegration and protection services as needed, along with guidance on admissibility requirements and other details. Moreover, they can provide advice on the existing procedures to be fulfilled by returning migrants, for instance related to their readmission/entry in the country of origin, personal documentation and access to social protection schemes. Beyond programme-level coordination, national and local authorities in countries of origin can be engaged in the delivery of return counselling, with prior obtainment of the informed consent of migrants, when this is instrumental for the sustainable reintegration of migrants. This would be the case, for instance, of migrants in vulnerable situations.

- **International organizations and NGOs with a mandate on migration and reintegration**

These actors can be particularly helpful for the assessment of the safety of the return environment. Very often, in fact, they possess important information that can contribute to such assessments and that can be triangulated with the information collected from other sources, such as migrants themselves. When it comes to assessing the safety of the return environment, information about countries of origin might be available on the Internet, such as in the case of UNHCR Country Conditions Reports,¹⁸⁸ or country reports produced by UNICEF,¹⁸⁹ EASO,¹⁹⁰ Human Rights Watch¹⁹¹ and Amnesty International¹⁹². Additionally, ad hoc information can be sought from these actors – in this case, it is important to abide by data protection principles and seek prior informed consent from migrants in case personal data is shared.

- **Reintegration assistance providers**

Liaison and information-sharing with these actors (which might include international organizations, NGOs and civil society, as well as national and community-level public agencies), is also very important to facilitate migrants' decision on return as well as for planning reintegration assistance. In some cases, reintegration services produce and distribute fact sheets that contain general information about the availability and access to key services, such as medical care, education, shelter and social services, in local languages, which can be shared with returnees already at

¹⁸⁸ See www.unhcr.org/en-us/country-reports.html.

¹⁸⁹ See <https://data.unicef.org/resources/resource-type/country-profiles/>.

¹⁹⁰ See <https://easo.europa.eu/information-analysis/country-origin-information/country-reports>.

¹⁹¹ See www.hrw.org/countries.

¹⁹² See www.amnesty.org/en/countries/.

the pre-departure stage, so that they can get familiar with updated information and can further seek information. Moreover, reintegration counselling sessions with reintegration counsellors and services in the countries of origin, held remotely or in person already before departure, constitute a powerful means through which tailored and comprehensive information about the country of origin can be shared, including for what concerns detailed information on how to access reintegration service when available.

- **Specialized service providers and protection actors**

These actors are crucial for the provision of return (and reintegration) support to migrants in vulnerable situations. As outlined in [Module 3: Identifying and Addressing Migrants' Protection Needs and Vulnerabilities in the Context of Return](#), it is strongly advised to start coordinating the return and reintegration and refer vulnerable migrants to service providers in the country of origin already early on within the return counselling process. Specialized service providers and protection actors can also provide valuable inputs to the risk assessments to be conducted prior to the return of migrants in vulnerable situations, and can participate in the design and implementation of risks mitigation measures. It is also a good practice to ensure that protection actors in the country of origin can coordinate promptly with other actors in the country, including especially reintegration service providers, so as to ensure continuity of care.

- **Families and community members**

As outlined in section 1.3, family ties and relations with the communities of origin can motivate migrants to return to their countries of origin, for instance to reunite with their families, but can also have a dissuasive effect, especially if relations within the family and the community are tense or problematic. Similarly, in the case of migrants in vulnerable situations, family and community ties can work both as resilience and vulnerability factors, depending on their nature and on the value assigned to them by the migrants. Unless within the counselling process, the counsellor and the migrant establish that the engagement with families and communities of origin is detrimental to the safe and dignified return and reintegration, and once prior informed consent from the migrants has been obtained, the engagement of families in the countries of origin is to be explored. This can greatly help migrants to prepare for the return both psychologically as well as operationally, and can serve as an important support towards sustainable reintegration. This is even more important in the case of migrants in vulnerable situations, for whom family support can play a key role towards contributing to address their vulnerabilities and support sustainable reintegration.

Tool 5.2: Monitoring and evaluation

Battery of results framework indicators

The following list of results and indicators is based on the standard indicators developed by IOM to monitor its return and reintegration activities, including through the monitoring of AVRR beneficiaries and programmes, and provides for specific approaches that can be adopted when looking specifically at return counselling. The indicators that follow can be used to inform and develop results matrixes as a tool to ensure results-based management of return counselling programmes.

Result	Indicator
Outcome 1: Migrants are supported to make informed decisions and take ownership of their migration paths, including during the return process	1.1.0 Percentage of partners (government and non-governmental) declaring that they perceive the counselling programme as effectively reaching out to migrants who otherwise will not be able to access return counselling
	1.2.0 Percentage of beneficiaries who report that they have been provided with sufficient and useful information to take an informed decision about their migration options
Output 1.1: Migrants have access to relevant information about existing migration options including the voluntary return support	1.1.1 Percentage of beneficiaries declaring that they have heard about AVRR during return counselling
	1.1.2 Percentage of partners in contact with migrants (immigration workers, police, social workers, NGOs, etc.) who state that they are aware of and disseminate information about return counselling and AVRR
	1.1.3 Percentage of beneficiaries declaring it was easy to get in touch with the return counsellor
	1.1.4 Percentage of migrants declaring that the information they received during return counselling assistance was clear
Output 1.2: Migrants receive tailor-made, gender- and vulnerability-sensitive counselling to prepare for their return and reintegration	1.2.1 Percentage of beneficiaries declaring that they have been adequately informed about the details and modalities of their return travel
	1.2.2 Percentage of beneficiaries feeling that they are given sufficient time to plan for their return
	1.2.3 Percentage of beneficiaries reporting that they are satisfied with the return counselling and assistance provided to them
	1.2.4 Percentage of (eligible) beneficiaries who have received information about the procedure for receiving reintegration assistance
	1.2.5 Percentage of migrants who report they have felt they could leave the counselling programme at any time before return
	1.2.6 Percentage of migrants who access legal counselling provided by return counsellors or by external partners

Result	Indicator
Outcome 2: Migrants' vulnerabilities are identified and addressed in a gender-sensitive manner	2.1.0 Percentage of migrants identified as vulnerable according to pre-departure vulnerability screening and whose vulnerabilities are mitigated or addressed (either through referral to external services or through safe return to the country of origin)
	2.2.0 Percentage of return stakeholders who consider possessing a satisfactory understanding of how to (contribute to) identify and address migrants' vulnerabilities
	2.3.0 Procedures for identification and response to migrants' vulnerabilities are gender-sensitive
<i>Output 2.1:</i> Migrants in vulnerable situations are identified	2.1.1 Percentage of migrants who are pre-screened for vulnerabilities in a gender-sensitive manner
	2.1.2 Percentage of migrants who are identified as vulnerable
	2.1.3 Percentage of vulnerable migrants for whom protection-oriented case management procedures are activated
	2.1.4 Number of migrants pre-identified as vulnerable and referred to return counselling by return stakeholders
	2.1.5 Number of return stakeholders who receive capacity-building on how to contribute to identifying and addressing migrants' vulnerabilities in a gender-sensitive manner
Output 2.2: Migrants in vulnerable situations are referred to protection services	2.2.1 Number of migrants in vulnerable situations referred to specialized protection services (with breakdown of services activated)
	2.2.2 Number of formal or informal referral pathways active that connect the counselling programme with protection services in the country or origin and destination
Outcome 3: Migrants are assisted to reach their countries of origin in a safe and dignified manner and are ready and prepared to reintegrate in their countries of origin in a sustainable manner ¹⁹³	3.1.0 Number of migrants assisted to return voluntarily to their countries of origin, disaggregated by sex, age and vulnerability
	3.2.0 Percentage of migrants declaring that they have been able to return in an organized manner
<i>Output 3.1:</i> Migrants' travel is facilitated in a timely, individualized and effective manner	3.1.1 Percentage of migrants declaring that they have been able to return in a timely manner (from the initial counselling to the travel)
	3.1.2 Percentage of migrants satisfied with travel arrangements made for them
	3.1.3 Percentage of migrants who report that any special needs were considered in making travel arrangements

¹⁹³ This is applicable to voluntary returns only.

Result	Indicator
Output 3.2 Migrants' travel is facilitated in a gender- and vulnerability-sensitive manner	3.2.1 Percentage of migrants in vulnerable situations for whom specialized protection-oriented return procedures are activated (such as medical/ operational escorts, handover at arrival, tailored reintegration measures)
	3.2.2 Return SOP and procedures take into account gender diversity and inclusion

Evaluation questions

The OECD DAC Network on Development Evaluation defines six evaluation criteria – relevance, coherence, effectiveness, efficiency, impact and sustainability – which are commonly used in the evaluation community, including by IOM. These criteria “provide a normative framework used to determine the merit or worth of an intervention (policy, strategy, programme, project or activity) and they serve as the basis upon which evaluative judgements are made”.¹⁹⁴ The following table lists the six OECD DAC evaluation criteria, the explanations of these criteria as provided by the OECD DAC itself and some evaluation questions that can be addressed during evaluations, depending on the focus of each specific evaluation/programme. The last column in the table includes references to the outcome of reference for the respective evaluation question, as presented in the previous section.

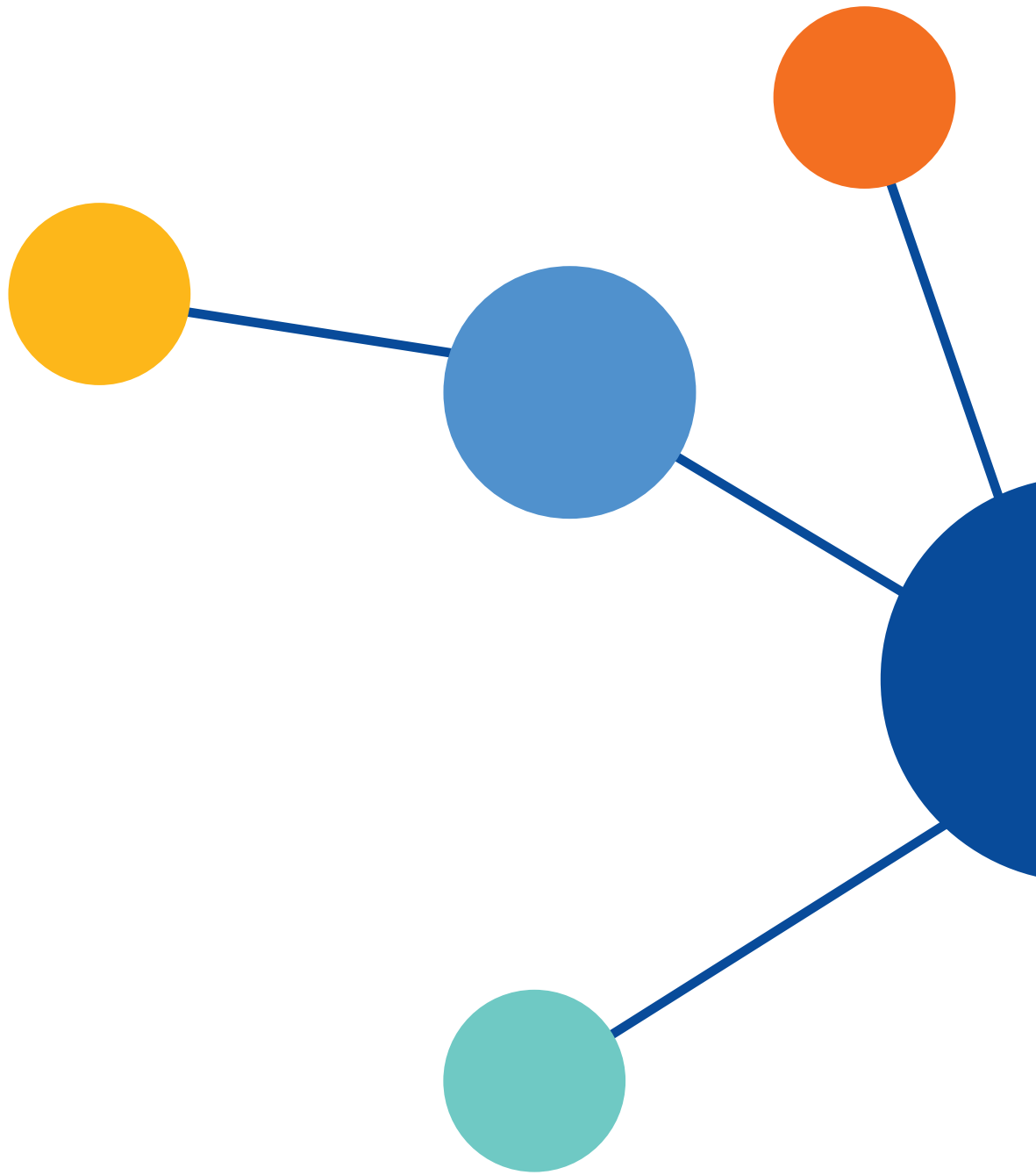
Criterion	Meaning ¹⁹⁵	Question	Related outcome
Relevance	Is the intervention doing the right things? The extent to which the intervention objectives and design respond to beneficiaries' global, country, and partner/ institution needs, policies, and priorities, and continue to do so if circumstances change	Is the return counselling programme responding to the needs of migrants (by ensuring, for instance, wide geographical coverage, easy access to services, availability of multiple channels for in-person and remote counselling, wide range of languages covered)? Is the return counselling programme contributing to respect, protect and fulfil migrants' rights as well as international law principles and rights including non-refoulement? Is the return counselling programme aligned with data protection principles and is it able to generate meaningful data while abiding by such principles?	Outcomes 1, 2 and 3

¹⁹⁴ See also www.oecd.org/dac/evaluation/daccriteriaforevaluatingdevelopmentassistance.htm.

¹⁹⁵ See www.oecd.org/dac/evaluation/revise-evaluation-criteria-dec-2019.pdf.

Criterion	Meaning	Question	Related outcome
Coherence	<p>How well does the intervention fit?</p> <p>The compatibility of the intervention with other interventions in a country, a sector or an institution</p>	<p>Is the return counselling programme aligned with relevant migration policies and legal frameworks?</p> <p>Is the return counselling programme well connected with other relevant stakeholders, including with existing programmes offering return and reintegration assistance, and is the programme able to operate cross-agency outreach and referrals when needed?</p> <p>Is the return counselling programme fulfilling an information and counselling gap in the migration management system, or is it duplicating existing interventions?</p>	Outcomes 1 and 2
Effectiveness	<p>Is the intervention achieving its objectives?</p> <p>The extent to which the intervention is achieved, or is expected to achieve, its objectives and results, including any differential results across groups</p>	<p>Does the return counselling programme deliver accurate, timely, relevant and updated information on existing return options, conditions in countries of origin, and the assistance that the programme can offer to support the return in a gender-, child- and vulnerability-sensitive manner?</p> <p>Is the return counselling programme identifying and contributing to respond to migrants' vulnerabilities in a gender- and child-sensitive manner?</p> <p>Are migrants satisfied with the return counselling received?</p>	Outcomes 1, 2 and 3
Efficiency	<p>How well are resources being used?</p> <p>The extent to which the intervention delivers, or is likely to deliver, results in an economic and timely way</p>	<p>Has the return counselling programme sought synergies with other services in order to optimize the utilization of resources?</p> <p>Has the return counselling programme relied on most efficient communication and counselling channels, according to the environment in which it operates?</p> <p>Is the return counselling programme relying on clear and efficient procedures of cooperation and coordination with return stakeholders, so that unnecessary delays and red tape are avoided?</p>	Outcomes 1 and 2

Criterion	Meaning	Question	Related outcome
Impact	<p>What difference does the intervention make?</p> <p>The extent to which the intervention has generated or is expected to generate significant positive or negative, intended or unintended, higher-level effects</p>	<p>Do migrants and stakeholders believe that return counselling was critical to support migrants to make informed decisions and take ownership of their migration paths, including during the return process?</p> <p>Do migrants and stakeholders believe that return counselling contributed to the safe and dignified return of migrants in a gender- and vulnerability-sensitive manner?</p> <p>Has the provision of return counselling led to identification of migrants in vulnerable situations?</p> <p>Do migrants in vulnerable situations believe that return counselling was critical for them to be able to access key services?</p>	
Sustainability	<p>Will the benefits last?</p> <p>The extent to which the net benefits of the intervention continue or are likely to continue</p>	<p>Does the return counselling programme strengthen national and local capacities to provide return counselling to migrants, as well as to identify and assist migrants in vulnerable situations?</p> <p>Does the return counselling programme include capacity-building for counsellors that improves the quality of the return counselling provided?</p> <p>Has the return counselling contributed to safe, dignified and sustainable reintegration of migrants in vulnerable situations in the country of origin?</p>	Outcomes 1, 2 and 3



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