# Between Humanitarian Assistance and Migration Management: On Civil Society's Role in Voluntary Return From Belgium.

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Abstract

While European governments have increasingly externalised restrictive migration policies to civil actors, the latter's main interests lie in improving or defending immigrants' well-being. This raises the crucial question as to how civil actors deal with the puzzling position they find themselves in: to what extent do they execute or transform their funders' policy objectives? And which mechanisms enable them to do so?

This article contributes to answering these puzzles by detailing the historical shifts in the roles played by civil actors in the Assisted Voluntary Return (AVR) programme in Belgium. Most importantly, the article argues that the considerable autonomy these civil actors achieved, resulted in two seemingly opposite effects. On the one hand, they developed a wealth of expertise in ensuring the quality of return, thereby transforming the national government's goals of managing migration into humanitarian ones. On the other hand, in recent developments their autonomy paradoxically became instrumental to migration management, not so much by changing their practices or values, but by changing their functioning within the wider field of migration policies. The article concludes by proposing the metaphor of 'immunisation' as an apt way of describing civil actors' practical and functionally role in migration management.

Key words: voluntary return; migration management; externalisation; civil society; migration policy

Word Count: 8,179

## Introduction

Throughout the last few decades, European governments have increasingly outsourced the implementation of their migration and integration policies to a wide range of external actors including national and transnational NGOs (Koch 2014), intergovernmental agencies (Guiraudon and Lahav 2000), private corporations (Scholten 2015), medical staff (Ambrosini 2015) and local welfare organisations (Van der Leun 2006). By doing so, nation-states seek to circumvent the limits of their sovereign power in regulating the principally transnational phenomenon of migration. For civil organisations such as NGOs, however, participating in these state policies means putting themselves into a fundamentally ambivalent situation, pronged between their own imperative to improve immigrants' well-being and their funders' attempts to restrict migration more effectively (Ambrosini 2015; Landy 2015; Van der Leun 2006). A crucial question is therefore how civil organisations deal with the puzzling position they find themselves in. And to what extent do they merely execute or actually transform their funders' policy objectives? And what are the mechanisms enabling them to do so?

One of these externalised components of European migration policies are the programmes for Assisted Voluntary Return (AVR), in which material and social support is provided for mainly undocumented immigrants and rejected asylum seekers. Across Europe, civil actors' involvement has been crucial to the development of these programmes, due to their expertise on supporting immigrants and refugees (e.g. Refugee Action), as well as their transnational networks of partner organisations (e.g. IOM, Caritas International) (Collyer 2012; Lietaert 2016; Koch 2014). For these organisations, AVR promises a durable solution to immigrants having little prospects for local integration or acquiring full legal citizenship (Lietaert et al 2013). Their involvement is nonetheless puzzling, in two respects at the very least. First, policy makers financing these programmes explicitly operate in terms of migration management (moving people out of the territory) and cost-efficiency (as AVR is cheaper than forced deportation). In this sense, AVR quite clearly functions as a softer form of 'state-induced deportation' (Koch 2014; Collyer 2012), complementing physically forced deportations (Bloch & Schuster 2006; Coutin 2015). Second, the available academic evidence on the sustainable character of different types of AVR in terms of improving subjects' livelihoods, is mixed at best (Black et al 2004; Lietaert et al 2013) and simply negative at worst (Schuster and Majdi 2013; Van Houte et al 2014). As a result, civil actors' main imperative to participate in AVR is troubled both by the objectives set up by the states funding the programmes, and by returnees' actual conditions in their 'home' countries.

In exploring the mechanisms underlying civil organisations' participation in these programmes, this article details the case of the Belgian AVR programme. In a first section, the case of AVR is situated within wider debates on civil actors' role in migration management. After describing the methodological approach, the particular case of civil actors in the Belgian AVR programme is analysed by concentrating on the changing historical and organisational contexts in which they operate. By doing so, I identify three such (national) mechanisms impacting civil actors' functioning within the programme as a whole: political, institutional and cultural factors. More substantially, the main finding is that the considerable autonomy these civil actors acquired over time, both enabled them to transform the main goals of the national government funding their activities, as well as becoming increasingly instrumentalised. To capture the ambivalent effects of this relative autonomy, this article therefore concludes by reflecting on the conceptual relevance of 'immunisation' for understanding civil actors' role in contemporary European migration policies.

**From self-limited to externalised sovereignty**

Even though discourses on restricting immigration became increasingly popular throughout the last few decades, European nation-states' actual policies have done comparably little to either prevent immigration or to realise deportation as systematically as their discourses suggest, or as other nation-states have done (e.g. Australia and Canada). Scholars provided several accounts for this 'policy gap' (Cornelius et al 2004), ranging from *external* explanations linking the gap to nation-states' reduced sovereignty in an era of economic, social and cultural globalisation (Boswell et al 2011; Soysal 1994) to *internal* explanations emphasising liberal nation-states' legal and moral reluctance (Joppke 1998) or the role of elite policy-makers' preferences (Freeman 1995) in preventing these restrictive discourses to be put into practice. From the late 1990s onwards however, European migration policies began to rely more extensively on external actors to help 'manage' or 'control' migration (Geiger & Pécoud 2013; Haddad 2008; Hyndman & Mountz 2008). By shifting policy implementation 'up, down and out' (Guiraudon & Lahav 2000; Lavenex 2006) or by governing through 'networks' (Hajer & Versteeg 2005; Lavenex et al 2009), European nation-states thus sought to restore part of the sovereign power they appeared to have lost. In doing so, they relied upon external actors' specific expertise (Ellerman 2006), their ability to reach particular groups of (undocumented) immigrants (Scholten 2015), and the moral legitimacy or credibility to act on more ambivalent terrains such as physically enforced deportation (Bakir & Wissink 2015). Amongst the plethora of these externalised policy measures, the following are perhaps most salient:

a) establishing inter-governmental initiatives and agencies to guard Europe's external borders (e.g. Frontex), and to develop a series of biometric tools to identify undocumented immigrants (Guild & Bigo 2010; Hyndman & Mountz 2008);

b) fining private actors transporting undocumented immigrants (e.g. airplane companies, taxi drivers, sea transport) (Guiradon 2000; Scholten 2015; Scholten & Minderhoud 2008);

c) stimulating the effective return of undocumented immigrants and rejected asylum seekers by developing the European Return Fund, and by investing in bilateral and

multilateral readmission agreements with countries of transit and origin (Cassarino 2007);

d) financially stimulating social, educational and medical services to exclude undocumented immigrants to discourage them to stay without residence permits (Devillé 2008; Van der Leun 2006).

Over the last few years, this externalisation process fed into the topical question of how and under which conditions these external actors are able to *transform* these migration policies through their own practices and actions, rather than simply executing the policies of their funders (Lahav & Guiraudon 2006; Landy 2015; Statham and Geddes 2006). This article concentrates more precisely on 'civil actors', which are understood as the variety of 'nonstate or nongovernmental and non-market actors', including NGOs, 'social movements, religious institutions and trade unions' (Ambrosini & Van der Leun 2015).

These civil actors have at least two strategies at their disposal for doing so. First, they can be allowed to develop a degree of professionalism and expertise which in turns requires practical autonomy much like specialised bureaucratic agencies (Ellerman 2006; Paquet 2015; Van der Leun 2006). And second, particularly in corporatist-democratic governing structures, they can be allowed to engage in a more pertinent dialogue on preferable practices and norm-formation (Hajer & Versteeg 2005). By engaging in strategies like these, civil actors may thus transform both the objectives and the means of the policies they are deemed to execute (Lahav & Guiraudon 2006; Ellerman 2006). The crucial question for our purposes then, is whether and under which conditions civil actors within AVR programmes have been able to transform nation-states' objectives to regulate migration by stimulating undocumented immigrants and rejected asylum seekers to return to their countries of origin.

In the remainder of this article, these broader questions on the role of civil actors will be addressed by concentrating on the specific case of the Belgian programme for assisted voluntary return. The main relevance of this particular case is threefold. First, AVR programmes are a particularly rich locus for examining civil actors' role in migration policies, given the latter's intense reliance upon civil actors to execute and engage with these programmes (Lietaert et al 2013). In addition, these programmes potentially bring to the fore a tension that is crucial for civil actors' engagement in migration policies more generally: on the one hand, it allows actors to provide humanitarian assistance (oriented towards

immigrants' well-being), whereas on the other, it is used as a (state-oriented) tool to manage migration (Chimni 2004; Lietaert 2016). Second, Belgium in particular, hosts one of the longest running AVR programme in Europe, which allows us to analyse changes in the organisational setup of the programme throughout time, as well as the mechanisms that led to these changes. Third, the Belgian AVR programme has been governed through a democratic-corporatist decision-making structure, in which civil actors are structurally engaged in a mutual dialogue from early stages in the policy-making process, rather than simply asked to implement or execute top-down policy-measures. This institutional set-up distinguishes Belgian migration policies from their more centralist or state-directed counterparts in other European countries, such as Ireland (Landy 2015), the U.K. (Statham & Geddes 2006) and the Netherlands (Van der Leun 2006).

## Methodology

The article makes use of the qualitative method of 'process tracing' (Collier 2011) in order to reconstruct the historical changes in the programme's organisational set-up, as well as the emerging policy objectives. Following Lietaert (2016), I distinguish an earlier period in which policy-makers emphasised the humanitarian component of the programme, from a more recent period emphasising its use for managing migration. In addition, this article distinguishes these two periods from an even earlier one, in which Belgian migration policies were more permissive or 'self-limited' (Joppke 1998) in forcing or stimulating undocumented immigrants to leave the national territory (Devillé 2008). More crucially, rather than detailing political objectives and discourses (Lietaert 2016), this study's main focal point is civil actors' changing role within these periods, and the factors leading to these changes. In other words, this article concentrates more on the underlying mechanisms enabling the AVR programme to become more assistance-oriented at first, before becoming oriented more towards migration management.

More precisely, I draw upon two types of qualitative analysis (cf. Koch 2014). On the one hand, three types of policy documents were analysed. These included, first, policy reports produced by the civil partners that are structurally engaged in the Belgian AVR programme. This included annuals reports, evaluations of pilot programmes, and general policy recommendations. In Belgium, these structural partners included the national branches of Caritas International, the International Organization for Migration (IOM) and local well-being services (CAWs). While most scholars conceive of the latter as local state institutions rather than civil actors (Ambrosini 2015; Van der Leun 2006), they are nonetheless understood here as part of civil society due to two reasons. First, in Belgium, they are commonly conceived of as part of the 'societal middle field' between state and citizens, rather than being part of the state as such. Second, and relatedly, even though these organisations are state-sponsored, they are given more practical autonomy than, for instance, local social services providing social benefits. This is evident both in the lack of local political control on their work (as compared to local social services providing benefits, which are governed by elected municipal councils) and in the establishment of long-term nation-wide contracts ('convenants') securing their autonomy from direct state intervention.

Second, this research analysed the policy reports produced by the governmental agencies involved in the AVR programme. This included first and foremost the formal policy notes produced by the elected Ministers or State Secretaries responsible for AVR. Second, it

comprised the year reports by Fedasil, the agency responsible for the integration and reception of asylum seekers, as well as the coordination of the AVR civil partner network. And third, the analysis took into account the reports produced by the Immigration Office, which is responsible for, among other things, ensuring that undocumented immigrants effectively leave the country.

After analysing these policy documents, semi-structured elite interviews (Collier 2011; Koch 2014) were conducted with senior policy coordinators involved in the AVR programme (including both the two civil actors Caritas and IOM, and the governmental agencies Fedasil and the Immigration Office), so as to deepen the analysis of civil actors' roles within the AVR programme. These 7 interviews (2 from each organisation apart from the Immigration Office) lasted for approximately one hour, with questions being asked on a) historical changes in the programme; b) policy objectives and strategies to achieve them; and c) the emergence of potential tensions between providing humanitarian assistance and managing migration.

## Historical shifts in the Belgian AVR programme

### *1984-1998: Permissive, self-limited sovereignty*

The Belgian AVR programme was launched in 1984, five years after Germany launched the first such programme in Europe (IOM 2012). From the very beginning AVR was installed within the Ministry of Social Affairs (responsible for poverty and integration) rather than the Home Office (responsible for immigration and border control), as is usually the case in other European member states (EMN 2009). In addition, AVR was continuously governed by a Minister of either social-democratic or christen-democratic signature. The implication of this institutional set-up was twofold. First, AVR's main objectives were set in humanitarian, rather than restrictive or bio-political terms. The programme, that is, seemed structurally designed to facilitate rather than force return migration. Throughout this early period the support it provided was relatively modest: it covered transportation costs and a small additional lump sum of approximately 250 euros (EMN 2009). The AVR programme was thus designed not so much to convince people to return by providing actual incentives, but rather to support the return of those who already wanted to return but lacked the means to do so. And from a different perspective, the programme did not attempt to *force* people either, as no follow-up system had been established making deportation a real threat to those not returning voluntarily. This facilitating, comparably liberal approach reflected itself in the small number of people actually making use of the programme up until the mid to late 1990s, rising steadily from 100 to 900 over a period of 14 years (EMN 2009). In the words of a senior IOM officer the AVR programme was considered 'not only as a migration management project, but as a *humanitarian* project as well.'

A second implication of the institutional setup is that the programme was pertinently embedded within a corporatist-democratic decision-making structure, which entails a close and intense involvement of civil organisations from the early stages of policy-making to the actual implementation. On the one hand, the programme relied upon transnational organisations' *international* network of partner organisations and local branches to organise and execute the logistical support for those who wanted to return but lacked the most basic means of doing so (cf. Koch 2014). In both the Belgian and German AVR programmes, the International Organisation for Migration (IOM) was called upon to undertake this mainly logistical endeavour, which was fully in line with IOM's focus on facilitating and naturalising the process of international migration.

On the other hand, IOM coordinates a network of *local* civil partner organisations which slowly expanded throughout the years. This network consists mostly of local governmental and non-governmental well-being services, the latter often with either a Christian or socialist background. Their task entailed not so much assisting people to return after they had decided to do so (as IOM did) but rather to reach out to potential returnees and inform them on the modalities of the programme. For these organisations, the key rationale behind participating in the programme was – and still is – that AVR is one of the few potentially durable solutions for subjects having little prospects of acquiring permanent legal residence. Informing their clients on the logistical support for return migration, that is, potentially works to the benefit of their well-being.

### *1998-2008: Growth, Development and Professionalisation*

The late 1990s saw a growing interest in voluntary repatriation, which was at least partly due to the increasingly violent conflicts in former Yugoslavia, which led several hundred thousand people to seek refuge in North and West-Europe. After a while most of these refugees received a humanitarian statute granting them residence and protection for as long as the unrests would last. When the worst part of the storm had passed, however, only a small share actually returned, leading several governments to set up a range of ad hoc measures (Walsh et al 1999). In this sense, European governments distributed rather large amounts of money for returnees to rebuild their houses and their lives. Similarly, the Belgian government cooperated with IOM to provide assistance and support in re-building refugees' lives in their country of origin.[i] These initiatives thus embodied a substantial turn in the rationale of the AVR programme, as it shifted from *facilitating* return to pro-actively *convincing* or *inducing* people to return through providing financial incentives. Consequently, these ad hoc projects fed into rising numbers of people effectively making use of the AVR programme: between 1998 and 2001 the total amount of returnees more than tripled, from 1,166 in 1998 to 3,546 in 2001 (EMN 2009).

Subsequently, some additional ad hoc projects were launched by both IOM and Belgium's Immigration Office, endowed with the task of regulating migration to and from Belgian territory. These projects were designed to target particular groups representing a high share of undocumented immigrants, such as Moroccan and Angolan immigrants. These ad hoc projects' main goal was thereby to identify the precise obstacles for these persons to return,

and to develop projects to help overcome these constraints, e.g. by providing support for local job-placement.[ii]

In a different vein, the early 2000s saw the launch of the European Refugee Funds, which emerged through a series of treaties and Joint Actions (Thielemann 2005). This fund took 'asylum' and 'refugees' rights at the heart of its attention, instead of, for instance, immigration or border control. More precisely, the initial proposal for the fund explicitly referred to voluntary return as a programme to the advantage of returnees, rather than an instrument for managing migration (European Commission 1999). More relevant to our purposes, however, is how this fund impacted the Belgian AVR programme. In practice, the fund provided budgets to experiment through a number of pilot projects drawing on the expertise developed by the ad hoc initiatives to induce former-Yugoslavian refugees to return. Several civil actors participated in these actions between 2002 and 2008, the most important being IOM, Caritas (whose local services had been part of the AVR civil network from the very beginning), Refugee Action Flanders (Vluchtelingenwerk Vlaanderen) and Ciré. As intended by the European Refugee Fund, these pilot projects effectively worked to improve organisations' overall capacities in improving the sustainability or durability of return migration for particular groups of immigrants.

More precisely, these civil actors developed a general expertise and know-how in pre- and post-departure counselling by monitoring re-integration processes (this is done formally on 1, 3 and 12 months after arrival), continuously receiving feedback from local partner organisations in return countries, and by organising 'return missions' during which NGO staff would visit returnees (e.g. Lietaert et al 2013). More specific skills were developed by concentrating on particular countries and regions (e.g. local labour markets; political, religious and ethnic contexts), as well as by specialising in programmes designed to improve returnees' social and economic livelihoods (e.g. job placement, micro-businesses, social support through relatives and other networks). And lastly, these civil actors broadened and deepened their international networks with local partner organisations (e.g. by engaging with partners in different cities, rather than merely the capitals) both on a daily basis and through setting-up a series of international conferences, workshops and seminars.

The net result of these EU-funded pilot projects, thus seemed to be the development and professionalisation of the *humanitarian* dimension of the Belgian AVR programme. Arguably, this humanitarian expertise led the programme to gain legitimacy and credibility in the eyes of street-level bureaucrats and their organisations (e.g. local well-being services).

According to both the professional civil actors working for IOM and Caritas and the street-level bureaucrats that were interviewed for this research, the initial 'resistance' to AVR was gradually overcome precisely because of these reasons. The credibility of the AVR programme as a whole, was thus dependent upon civil actors' capabilities of ensuring the durable character of return.

These efforts to render AVR more sustainable for returnees were ultimately reliant on the EU's financial support. While the first European Refugee fund (2000-2004) financed a great deal of pilot projects, the second (2005-2010) rendered this support more structural. Most importantly, 2006 saw an EU-driven expansion of the support programme itself: from then on, subjects belonging to vulnerable categories such as medical patients or pregnant women would receive up to 1400 euros – later raised to 1500 - per person, in addition to the maximum of 700 euros provided through national funds (EMN 2009). On the whole, these programmes were continued later on through the European Return Fund (2008-2013) and the Asylum and Migration Fund (2014-2020).

The governmental agency responsible for coordinating and selecting these projects has always been Fedasil. Ever since its establishment in May 2002, Fedasil's main responsibility consisted of organising and coordinating the reception facilities for asylum seekers (e.g. 'open' reception centres). In contrast to most European ministries, as we noted earlier, these tasks were originally subsumed under a Ministry of Social Affairs, instead of an Immigration Office. In addition, during the first two legislatures since Fedasil's establishment, these ministries were ruled by social-democratic Ministers or State Secretaries. This *institutional* and *political* setup allowed Fedasil to develop an organisational *culture* distinguishing them from governmental agencies endowed with comparable tasks in other liberal nation-states (e.g. the NASS in the U.K.). That is, rather than seeing themselves as regulating a population through guarding its entry points (Guild & Bigo 2010) or spatially dispersing asylum seekers (Darling 2011), Fedasil traditionally pledges to take the interests of the latter into the heart of their concerns: 'Our main goal is always the well-being of people, that's it, there's nothing more to it.'[iii]

Fedasil's institutional and cultural autonomy was crucial for the development and nature of the Belgian AVR programme, as it took up a central role within the latter. Most importantly, Fedasil set up a dialogue-centred working structure, allowing NGOs to develop their work in the direction of humanitarian or social support. To this purpose, Fedasil, IOM and Caritas

engage in structural meetings every 3 months, and perhaps more importantly, IOM and Caritas are engaged in long-term 'convenants' (cooperation contracts) designating them as the two sole partners responsible for organising pre-departure counselling and (through their international networks) post-departure re-integration assistance. Perhaps hardly surprising, these pertinent efforts and engagements made by Fedasil were particularly applauded by Caritas's and IOM's staff members, who repeatedly expressed their satisfaction with Fedasil's open attitude to discussion and debate on all sorts of matters. Even though the power asymmetries in this funder-recipient relationship are obvious, this cooperation-based construction distinguishes the Belgian situation from similar programmes in the U.K. and the Netherlands (EMN 2009). The latter that is, operate much more through a centralist logic, outsourcing part of their policies to civil partners that are selected and rejected over time, through short or medium term contracts. In this sense, it bears repeating that the Belgian AVR programme was rooted in the corporatist-democratic decision-making structure characteristic to the Belgian political system as a whole.

To conclude, in this period of humanitarian professionalisation, civil actors were able to develop their own values, practices and objectives, which were centred around the humanitarian goal of improving subjects' well-being, rather than forcing or convincing them to leave the territory. This nurturing of the humanitarian dimension of the programme can be metaphorically described as a form of 'immunisation' from the values, practices and subject definitions through which nation-states operate (Vandevoordt 2018). By developing a humanitarian professionalism or expertise, civil actors were thus able to shift the AVR programme's outlook and the techniques it relied upon from serving the goal of maintaining the state's sovereignty to improving the sustainability or durability of return. This was possible due to a combination of *political factors* (the programme being placed either under Social-democratic or Christian-democratic policy-makers), *institutional factors* (Fedasil rather than the Immigration Office was designated as the responsible government agency, and coordinated the civil partner network in a corporate-democratic dialogue, rather than operating through state-centred top-down implementation) and *cultural factors* (with civil actors redirecting the objectives and practices to bring them in line with their own organisational values).

Consequently, in this period AVR was tied up primarily with improving the quality of return, rather than raising the number of actual returnees. This seems to be reflected in the figures: the number of returnees stabilised between 2,500 and 3,500 between 2002 and 2008, except

for a single outlier in 2005, a year when Brazilian labour migrants began using the programme to support circular migration (EMN 2009). In this sense it is worth mentioning that there exists little or no cooperation between these humanitarian actors and the Immigration Office – except for IOM, whose orientation remains tied more closely to logistically facilitating migration rather than serving individual well-being. Similarly, on a cultural level, Fedasil, IOM and Caritas employees continuously drew symbolic boundaries between themselves on the one hand, and the Immigration Office and police agents on the other.

***2008-present: 'Voluntary if possible, forced if necessary'***

From 2008 onwards, a number of political and institutional changes took place, which did less to change the substance of the AVR programme, as it did to alter its effective functioning within the nation-state's overall policy goals. On a *political* level, AVR increasingly rose to prominence on the political agenda, with AVR becoming the chief responsibility of liberal, rather than social-democratic or Christian politicians. On an *institutional* level, migration and asylum (including the AVR programme) were for the first time merged under a single Ministry and a single State Secretary. In practice, this double shift meant that voluntary return became more fully inscribed in a migration management discourse, rather than a humanitarian one: the AVR programme's usefulness was framed primarily as serving a 'humane warning' before proceeding to more forcible deportation measures. The key emphasis thereby came to lie upon the inevitability of return, crystallised in the central slogan 'voluntary if possible, forced if necessary' (Turtelboom 20.11.08). The programme was framed more and more within the 'battle against illegal migration', to which 'an effective return and deportation policy' was deemed a necessary breech to a consistent stance on asylum (Turtelboom 20.11.08).

Subsequently, these asylum and migration policies were developed further under Melchior Wathelet's (2009-2010) and especially Maggie De Block's (2011-2013) brief assignments as State Secretaries, although it was only under the latter's rule that (voluntary) return really became a corner stone of the asylum and migration policy as a whole. De Block took office during one of the fiercest reception crises Belgium had ever seen, in which thousands of registered asylum seekers were left without a place to sleep, a development breaching Belgian law. Most of her policy measures were accordingly designed to counter this reception crisis (De Block 20.12.11a and 20.12.11b). Besides ad hoc measures to increase emergency places for reception, this resulted in a more structurally attempt to limit incoming flows of applicants

and to maximise the numbers of rejected asylum seekers leaving the territory, as these were perceived to put a strain on local social services and the housing market. Building on the direction taken by her predecessors Turtelboom and Wathelet, De Block's policy notes thus devoted considerable attention to measures that were 'stimulating return' (De Block 20.12.11b).

Most importantly for the functioning of the AVR programme, was the establishment of Sefor in the late spring of 2011, an Immigration Office service endowed with the double task of informing immigrants on the support offered by the AVR programme, and of 'following-up' and effectively expelling those who received an 'Order to Leave the Territory' (OLT). When asylum seekers, for instance, receive a negative decision on their application, they are invited into the local Immigration Office where they are informed of the OLT and the modalities of the AVR programme. If they do not sign up for AVR – which, up until now, only a handful of immigrants have effectively done immediately after being informed on their OLT – they are contacted again and possibly arrested by the police on command of Sefor. The launch of this 'service' proved to be a landmark in Belgian migration policy, as it meant that for the first time, OLTs were actually followed up and executed – in contrast to the country's earlier passive tolerance towards undocumented immigrants (Devillé 2008). In the interviews, Immigration Officers claimed that the sudden rise in voluntary return was a direct consequence of Sefor's launch, as it increased people's fear of forced deportation. At least at first sight, the figures do seem evident enough (Fedasil 2015): in 2010 only 2,957 people returned, which rose to 3,358 in 2011 and to 5,656 in 2012, before diminishing again to 4585 in 2013 and 3587 in 2014 (which was due to the exclusion of Brazilian and former Yugoslavian nationals, who increasingly used the programme for going back and forth in search of work).[iv]

In addition to following up OLTs, the Immigration Office began to cooperate more intensively with urban governments to target their actions on particular 'trouble groups' such as undocumented Moroccans with criminal records. This 'shifting down' (Guiraudon and Lahav 2000) of return policies also meant that Immigration Officers increasingly turned towards small-scale self-organisations to reach the targeted groups – a strategy they copied from the Dutch city of Utrecht.[v] In this vein, they cooperated with Moroccan and Polish self-organisations in order to make return more worthwhile – whether voluntary or forced - for instance by investing in strategic job placement in these return countries. In this sense, the Immigration Office increasingly focused on pro-actively stimulating (voluntary) return, in line with top-down policy preferences. In addition, it should be noted that while official policy

documents are explicitly rooted in a discourse of restoring the 'national order' (Malkki 1995) by relocating individuals to the state in which they originally 'belong', some of these targeting measures do seem to hint at popular discourses with more substantial ethnic, sometimes even racial undertones. In Belgium, as in other West-European nation-states, North-African, for instance, are often associated with all kinds of behaviour that is deemed problematic (criminality, welfare abuse, absence of residence documents). In practice, explicitly targeting these specific groups for voluntary return therefore potentially feeds into popular discourses on belonging and otherness.

Fedasil, in turn, increasingly concentrated on what is called the 'return trajectory'. This means that asylum applicants are informed on the modalities of the AVR programme at fixed stages throughout their procedure: the registration at the Immigration Office, the intake conversation at the reception centre, 5 and 20 days after their first day of residence in the asylum centre, and possibly again when they are informed on a negative decision. These elaborate talks were accompanied by ubiquitous posters hanging around the asylum centres ('Thinking of Home?' writ above a packed bag) and brochures being handed out at intake conversations. The aim of this trajectory was to make people aware of the possibility of returning voluntarily even before their application was effectively denied. By informing them in the early phases of the programme, applicants would be expected to come to a decision of their own when their claim would be turned down.

In addition, Fedasil began taking more and more control over parts of the AVR programme, which initially belonged to the civil partners – in spite of clearly respecting their reliance on these civil organisations for reaching potential returnees.[vi] This was done partly by establishing 'return offices' in Belgium's biggest cities, that were continuously available for quickly processing and registering immigrants who had decided to return voluntarily (after which they are referred to IOM or Caritas for considerable coaching). In addition, Fedasil began to work together more closely with local municipalities and their welfare services. In some cases, this was limited to organising a number of workshops or staff trainings on AVR, whilst in other cases, this resulted in integrating a Fedasil employee into the municipal welfare service. While the Immigration Office thus became more and more involved in voluntary return, Fedasil increasingly invested in pro-actively informing future undocumented immigrants (rejected asylum seekers) on the possibility of AVR. In other words, the *political* changes (the establishment of right-wing, liberal governments and State Secretaries instead of corporatist-democratic, leftist governments) were translated into a series of *institutional*

changes, as the Immigration Office increasingly concentrated on voluntary return as a whole and on cooperating with local governments in particular, whilst Fedasil increased its focus on a particular type of immigrants in the process of becoming undocumented.

In the meantime however, Caritas and IOM continued working as they did before, both through the everyday assistance they offered, as through engaging in new short-term projects to increase their expertise and expand their local-international networks. Asked what their aspirations were for the near future one Caritas employed responded, in tune with her IOM colleagues: 'If we can just continue doing and developing further what we have been doing up till now, that would already be a great accomplishment in itself.'[vii] In spite of the rising prevalence of migration management discourses in AVR, there was thus little change to be noticed of a shift in policy goals or means within these humanitarian organisations, as they kept a strong emphasis on improving the quality of voluntary return. Furthermore, their structural dialogue and cooperation with Fedasil continued on the same degree of cooperation in spite of the right-wing liberal government's more restrictive stance towards civil organisations. Fedasil's perceived reliability led several NGO employees to express their satisfaction on the vital role they played in AVR over the Immigration Office.[viii] Fedasil that is, was deemed able to enlarge the component of voluntary over forced return in the government's implemented policy practices, as opposed to the latter's twofold objective of minimising the number of immigrants and maximising the number of effective returnees. In spite of their asymmetrical power relation, these humanitarian organisations and Fedasil thus continued to perceive themselves as allies on either side of the border between civil society and government - rather than competitors or challengers.

Rather than changing the *substance* or *content* of how these organisations work, the Belgian government thus altered the policies *surrounding* AVR. As we saw in the previous paragraphs, the Immigration Office and Fedasil launched a series of measures intended for targeting 'trouble-making' groups, such as systematically following-up undocumented immigrants, and informing potential future returnees as early as possible on the merits and modalities of AVR. The ability of Caritas, IOM and the street-level AVR network to retain their emphasis on subjects' well-being amidst a changing political and institutional context was made possible only by their *institutional position* in the 'second line' of the AVR chain. That is, what changed were not so much their practices, values and discourses but the legal-political conditions in which these practices took place. These civil-humanitarian actors

continued their pragmatic, expertise-driven work in supporting returnees' re-integration, attempting to turn it into a durable solution as much as they could. At the same time however, more and more people were driven towards their assistance by the increased activities of the Immigration Office in following-up and convincing denizens to return, and Fedasil's more pro-active role in informing asylum seekers on AVR.

The humanitarian sphere through which these organisations operated was thus not changed from the inside but rather, its function shifted through changing the broader configuration of spheres in its external environment. These civil actors were, in other words, perfectly allowed to fulfil their job according to their own values, even though they began to function more and more within a wider strategy of expelling undocumented immigrants. In other words, the precise meaning and implication of civil partners' 'immunisation' from these legal-political structures changed quite substantively. While humanitarian practices and perspectives remained immunised from the objectives of migration management, their effective 'function' increasingly shifted towards facilitating and legitimating the effective return of rejected asylum seekers and undocumented immigrants (cf. Castaneda 2007). At first, this immunity allowed civil actors to maintain their values and objectives through developing professional expertise, whilst in the last period, this relative autonomy was increasingly utilised to strengthen a policy bent on managing migration.

An exemplary instance of this logic became evident when both current State Secretary Theo Francken and Fedasil proudly announced the sudden rise of Iraqi participants in the AVR programme in October 2015 (Fedasil 2015). What preceded this proud expression of the AVR's apparent success, was a decision taken just a few weeks before. In response to the sudden rise in asylum applicants in August and September of 2015, Francken and the responsible government agency (the Commissariat-General for Refugees and the Stateless) decided to temporarily 'freeze' Iraqi applications, before substantially lowering their acceptance rates. In addition, an informal communication campaign was launched informing Iraqis not to come to Belgium. In anticipation of and response to this changing policy, many newly arrived Iraqi asylum seekers reclined from applying, with some disappearing into illegality, whilst others made use of the AVR programme to return. In this sense, what changed was not so much Fedasil's stance on the 'voluntariness' of AVR, nor was it IOM's or Caritas' focus on making return more sustainable as a whole, but rather the legal-political conditions producing the subjects revoking to their programmes.

**Concluding remarks: on 'immunisation'**

We began this article by noting that European nation-states have increasingly sought to externalise their migration policies to a wide range of actors. One of the more topical questions emerging from recent scholarship, is whether and how civil actors are able to transform the objectives and practices set by the government funding them.

As an empirical contribution to answer this puzzle, this article analysed the history of civil actors' role in the Belgian AVR programme. We noted that NGOs were initially able to transform migration policies' main objectives by prioritising the humanitarian rationale, before being instrumentalised to serve the government's objectives of maximising the number of actual returns. Their initial ability to develop the humanitarian aspect was made possible through three mechanisms. First, *politically* the AVR programme as a whole was embedded within departments ruled by social-democratic or Christian-democratic politicians, who granted these civil actors considerable autonomy in setting their own priorities and expressing their voices in internal dialogue. Second, the *institutional set-up*, which separated AVR from the Immigration Office, consolidated a civil partner-driven decision-making structure which partly outlived the political changes. In this sense, Fedasil's cooperative coordinating style and its emphasis on 'durable' return was retained even in the face of a political climate bent on using voluntary return as a precursor for forced deportation. Precisely this set-up is what distinguishes Belgian migration policies more generally from its counterparts in Ireland (Landy 2015), U.K. (Statham & Geddes 2006) and the Netherlands (Van der Leun 2006). Third, Caritas, IOM and the local social well-being services relied upon their *cultural-organisational values* to structure how they implemented these policies. In this sense, Caritas relied intensely upon prioritising individual well-being, whereas IOM revoked a facilitating attitude towards migration as a natural process.

One of the ways in which these factors can be captured more theoretically, I argue, is through the concept of 'immunisation'. The reason why external actors are expected to realise state policies more effectively than the state's own institutions, is precisely because the former rely on a distinct, relatively autonomous ensemble of practices, perspectives, knowledges, values and objectives. Making use of these external actors, that is, is dependent and conditional upon granting them at least a minimal degree of autonomy. Arguably, the same process would take place when outsourcing policies to G4S as much as to humanitarian actors.

The main effect of this organisational immunisation is thus twofold. On the one hand, immunisation allowed the transformation of the norms and values of the initially intended policy to shift from migration management to a distinct (humanitarian) sphere. That is, the

primary criterion used to assess whether AVR 'works' its effectiveness in improving the sustainability or durability of voluntary return, rather than raising the number of actual returnees. Developing their expertise thus led these external actors - at least for a particular period - to effectively push the programme's humanitarian component to the forefront. On the other hand, however, from 2008 onwards this process of 'immunisation' equally enabled these external actors to become instrumentalised within the government's primary objective of managing migration. This shift took place by *altering the external configuration in which these civil actors operate, rather than by substantially changing how they do so*. By developing a specific (in this case humanitarian) expertise or professionalism, civil actors were able to expand the operational modalities of the AVR programme. By investing in pilot projects led by humanitarian actors relying on local *expertise, international networks, and intense trust relationships* vis-à-vis immigrants, voluntary return was turned into an increasingly viable possibility for undocumented immigrants and rejected asylum seekers. Over time however, the effects of this 'space of autonomy' (Ambrosini & Van der Leun 2015) was janus-faced: while it allowed civil actors to change the government's main objectives and practices at first, it eventually helped to facilitate a change in their overall functioning within the management of migration.

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[i] Based on two separate Interviews with an IOM employee and an Immigration Officer.
[ii] Interview with an Immigration Officer.
[iii] Interview with a Fedasil employee.
[iv] However, these interpretations were contested by IOM and Fedasil employees, who noted that the sudden rise was largely due to the exceptionally large number of (rejected) asylum applications throughout the two preceding years. The programme’s contribution to these rising numbers, according to them, was its simple availability.
[v] Interview with an Immigration Officer.
[vi] Interview with a Fedasil employee.
[vii] Interview with a Caritas employee.
[viii] Interviews with Caritas and IOM employees.