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List of Abbreviations

Abbreviation	Full name
BAMF	<i>Bundesamt für Migration und Flüchtlinge</i> , Federal Office for Migration and Refugees (Germany)
DiD	Difference-in-Differences (method)
EIL	Enforcement of Immigration Legislation (dataset)
EU	European Union
EUAA	European Union Agency for Asylum
GWP	Gallup World Poll
IRCA	Immigration Reform and Control Act (United States)
MAFE	Migration between Africa and Europe (survey)
ML	Machine Learning
OTL	Order-to-Leave
OECD	Organisation for Economic Co-operation and Development
SOEP	Socio-Economic Panel (survey)
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
US	United States

Abstract

This working paper investigates the dynamics of various migration and migration-related policies, emphasizing the mixed effects of return and regularization policies on migration patterns. We examine the expected impacts of these policies and consider the political discourse and symbolic politics associated with them. Our discussion covers potential outcomes such as deterrence, deflection, pull effects, return, and retention, providing a comprehensive overview of how these policies influence migrants' decisions.

In analysing the impact on migration decision-making, the working paper explores both in-migration and onward migration, assessing how these policies affect individuals' choices regarding migration destinations and further movement. Methodological approaches for studying these effects include surveys, policy analysis, economic modelling, and qualitative case studies. We review empirical evidence and case studies from various regions, highlighting key findings, methodologies, and limitations. The paper discusses variations in outcomes based on different contexts and policy implementations, providing a nuanced understanding of “pull effects,” which in political discourse is often associated with the non-enforcement of return policies and regularisation.

The introduction outlines the significance of this topic in contemporary debates on migration and presents the review's objectives: to explore how these policies shape migratory behaviours. The conceptual framework defines mixed migration policies, focusing on enforced and non-enforced return policies and alternatives like regularization policies, establishing a foundation for understanding their interplay. Theoretical frameworks, such as neoclassical economics and social network theory, are identified to analyse these policies' impacts on migratory behaviour, referred to as “pull effects.”

The discussion and conclusion section addresses policy implications, ethical considerations, and potential improvements in migration policies. Future research directions are proposed, identifying gaps in the literature, and considering the impact of emerging policy changes. We conclude by summarizing key insights, reiterating the importance of understanding these migration policy effects, and offering implications for policymakers and scholars.

1. Introduction

In an October 2019 interview with the far-right outlet *Valeurs actuelles*, France's President Emmanuel Macron emphasized his aim to “*get all the people who have nothing to do here out*” when asked about the enforcement of orders to leave the French territory. Pressed for specifics, he responded, “100%” (as cited in Pascual, 2022). Similarly, in October 2023, Germany's chancellor Olaf Scholz expressed the need to deport individuals without the right to stay in Germany “*more often and faster*” during his interview with *Der Spiegel* (Hickmann & Kurbjuweit, 2023). Despite these statements, France issued 137,730 orders to leave (OTLs) in 2023, but only 10,625 returns followed, an enforcement rate of less than 8% (Eurostat, 2024a, 2024b). Germany's enforcement rate was about 23% (44,620 orders to leave and 10,290 returns), similar to EU-wide average (Eurostat, 2024a, 2024b). In contrast, Greece's parliament passed a regularization bill in December 2023, providing 30,000 irregular migrants with residence and work permits. This legislation was praised by UN agencies as “*a positive example of political will to lift the barriers that render people invisible and marginalized*” (Wallis, 2023).

The guiding question of this paper is whether such policies incentivize (or, ‘pull’) migration flows towards Europe and, more broadly, how different types of migration policies shape regular and irregular migration flows. Migration is a complex and multifaceted phenomenon that continues to shape societies in Europe. As most countries in Europe grapple with the challenges presented by irregular migration, European migration policy-making aimed at managing and influencing migratory flows have become increasingly significant and fine-tuned (Czaika et al., 2023a). Among these policies, return and regularisation measures stand out for their potentially profound impact on the migration patterns of both regular and irregular migrants. This working paper delves into the mixed migratory effects, including the so-called ‘pull effects’ of these policies, providing a comprehensive review of the state of knowledge on this critical topic.

In 2023, EU countries reported receiving 1,048,800 first-time asylum applications of non-EU citizens for international protection, an increase of about 20% compared to 2022 (873,700). In addition, EU border guards detected about 380,000 instances of irregular border crossings, the highest level since 2016 (EUAA, 2024; Frontex, 2024). To manage migration flows, governments adopt a “migration policy mix” (Czaika et al., 2023b). This term refers to the combination of various admission and return channels that interact to influence the direction, volume, composition, duration and timing of migration and return (Schultz et al., 2021; Czaika and de Haas, 2013). Among the policy instruments, return and regularisation policies are specifically directed towards irregular migrants. This working paper seeks to explore the extent to which return and regularisation policies influence migration flows.

Mixed migration policies encompass a range of strategies designed to manage both regular and irregular migration flows. These policy packages often include enforced return measures, which can be strategically non-enforced or effectively ‘non-enforceable’, alongside alternatives such as regularisation programs that offer pathways to legal status for undocumented migrants. Understanding how these diverse policy approaches interact and influence migratory behaviours is essential for policymakers aiming to craft effective and humane migration management strategies.

In 2023, 430,560 (422,255 in 2022) orders to leave were issued to non-EU citizens without regular residence status, with France (137,730), Germany (44,625), and Greece (29,915) issuing the largest number of OTLs. In the same year, 110,960 (90,940 in 2022) third-country nationals were returned by the EU-27 member states following an order to leave, with Germany (15,440), France (12,165), and Sweden (10,330) enforcing the largest numbers of returns in 2023¹ (Eurostat 2024). The highest

¹ The data aggregates deportation, assisted voluntary return, and sometimes, voluntary return.

numbers of third-country nationals returned to a country outside the EU were citizens of Georgia, Türkiye, and Albania.

In addition to forcefully returned persons, many individuals with an order to leave return voluntarily or as part of an assisted return programme. These programmes, funded by national or EU bodies, provide reintegration support for returnees, including administrative, logistical, and financial assistance to help migrants returning and reintegrating into their country of origin.

These figures highlight that irregular entry and stay in the EU is a significant migratory phenomenon, reflecting a policy area of substantial political and public interest. The ability to control entry and residence of non-citizens is fundamental to state sovereignty, and the high numbers of irregular migrants challenge this capacity. As such, crafting effective policies to manage these migration flows is crucial for maintaining the integrity of state borders while ensuring humane treatment of migrants.

The interaction between forced, voluntary and suspended returns, as well as regularisation, illustrates the complexity of migration management. Policymakers aim to balance enforcement of residence laws with humanitarian considerations, striving to create strategies that deter future irregular migration while providing viable options for those seeking to legally migrate or regularize their status.

This review aims to explore the various impacts of return and regularisation policies, focusing on their potential deterrent, deflection, pull, and retention effects. By examining the current political discourse and symbolical politics, the paper seeks to contextualize these policies within broader migration debates. It will analyse how these policies affect migrants' decisions to stay put, leave, change routes, or remain within host countries, providing a look into the available empirical literature to identify and understand the scope of the resultant migratory patterns.

2. Migration policies and their effects: some conceptual reflections

Migration policy objectives in the global North are inherently mixed: they aim to facilitate certain desired types of mobility while preventing unwanted flows (FitzGerald, 2020; Spijkerboer, 2018). Rather than broadly preventing migration, these policies function as a filter. Spijkerboer (2018) notes that the expansion of exclusionary 'non-entrée' policies, along with deterrence and enforcement policies, by Northern countries of immigration is only one part of the narrative. An equally important aspect is that access for migrants from the global South to the global North has significantly increased over the past decades, often facilitated by a general trend toward the liberalization of migrant admission policies (Czaika et al., 2024). Simultaneously, border and return policies have become more restrictive (Czaika et al., 2024). This tension between openness and closure arguably is a fundamental feature of migration policies in liberal democratic states, often described as the 'liberal paradox' (Hollifield et al., 2020).

While this tension is part of migration policy in general, this paper focuses on the more specific constellation of policies addressing both regular (legal) and irregular (undocumented) migration. We term these policies, which explicitly address the co-occurrence of regular and irregular migration, as 'mixed migration policies'. These policies aim to balance the enforcement of legal frameworks with humanitarian considerations and socio-economic imperatives. Within this context, return policies emerge as a pivotal element. Return policies mandate the compulsory removal of irregular migrants from a host country, often involving deportation procedures. Conversely, non-enforcement of return policies allows irregular migrants to remain under certain conditions and for varying periods of time. Non-enforcement can arise from legal obstacles (such as prohibitions on returning seriously ill persons or other reasons grounded in binding human rights principles), practical obstacles (such as non-

cooperation from third countries to which returnees should be removed), or resource and capacity constraints limiting states' ability to enforce return. Non-enforcement of return can also be strategic, such as when return is not enforced for foreign policy reasons, domestic political reasons (e.g., protests against deportation), or because enforcement conflicts with certain economic and social interests. While non-enforcement may be temporary and leaves returnees liable to removal, it can lead to regularisation, whether through explicit regularisation policies or other alternative pathways out of irregularity (Hendow & Qaisrani, 2024; Kraler & Ahrens, 2023). Regularisation can also be adopted as a genuine alternative to return before migrants in an irregular situation are identified as deportable, sometimes with the explicit objective of establishing the number and identity of irregular migrants unknown to authorities.

Understanding the effects of mixed migration policies requires a nuanced perspective that considers both individual decision-making and aggregate migration patterns. At the individual level, policies influence migrants' choices and strategies, shaping their migration trajectories. Meanwhile, at the macro level, policies determine the scale, composition, and dynamics of migration flows, impacting broader socio-economic and demographic trends. This section provides the conceptual framework guiding our review of empirical and methodological literature, examining the diverse impacts of migration policies on migration processes. This exploration encompasses analyses at both the individual level, focusing on migration decision-making, and the broader assessment of migration flows at an aggregate level.

2.1. Mixed migration policies and migration pathways

Figure 1 presents the conceptual framework of this paper, visualising the spatial and legal pathways of potential and actual migrants considering and engaging in either regular or irregular migration from a non-European country of origin to a European destination. It maps various types of policy interventions aimed at potential migrants and those already on the move, and differentiates between the expected effects of these interventions.

Geographically, our conceptual framework starts from the (primary) European country of destination. This approach does not imply that migrants necessarily begin with the aspiration to migrate to a European country – often, the opposite is true. Instead, our schematic visualization of migration policies and migration pathways points at different locations for policy interventions from the perspective of a primary EU destination country. In addition to primary European destinations, we consider countries of origin, countries of transit, and secondary European destinations, to which migrants may move from their first European country of residence. This approach combines both a geographical and (schematic) temporal logic.

Importantly, we do not assume that the role of countries – as countries of origin, transit, or destination – are fixed. Indeed, countries of origin may also be countries of transit (and vice versa) or may be destination countries in their own right. From the perspective of a European country of destination, these countries are relevant primarily as potential sources of irregular migrants. Thus, the designation as origin or transit are primarily political rather than analytical descriptions of migrants' actual migration trajectories (see Düvell, 2012, for a critique of the notion of transit migration).

In a second step, we map different types of policy interventions implemented in or directed towards countries of origin and transit as well as primary and secondary destination countries. We distinguish between migration-specific policies, focusing on migration control policies, and migration-relevant policies, which may include development, humanitarian aid, agricultural, and trade policies (Czaika et al., 2021; Kuschminder & Koser, 2017). Additionally, we differentiate between internal and external migration control policies, borrowing the distinction introduced by Brochmann and Hammar (2020). External migration policies govern migrants' access to the territory and seek to influence mobility in

countries of origin and transit. While European countries engage in such 'externalisation' through cooperation with third countries, transit countries also develop their own external migration policies, either independently or in response to incentives or pressure from European countries or the European Union. Internal migration policies address and regulate the presence of migrants on a country's own territory, including law enforcement and access to rights.

In a third step, we specify the types of intended and unintended effects that internal and external migration policies aim at, distinguishing between deterrence, deflection, return, retention and 'pull' effects.

Finally, the figure links the positions of countries in the migration processes, the types of policies enacted, and the intended and unintended effects of policies to migrants' migration trajectories, including a schematic representation of migrants' regular and irregular pathways and possible points of return. The following subsection delves deeper into how migration policies and migration decision making processes are linked and detailing the specific intended and unintended effects of migration policies.

2.2. Linkages between migration policies and migration trajectories

A migratory journey encompasses a myriad of cognitive and behavioural steps, starting from the initial consideration of migration to its eventual realization through either regular or irregular means.

Initially, potential migrants assess their aspirations and capabilities (Carling 2002, De Haas 2021), influenced by various so-called push and pull factors (Lee 1966), including economic opportunities, safety concerns, and social networks. This assessment leads to the formation of migration intentions, where individuals weigh the costs, benefits, and feasibility of migrating. The next phase involves planning the migration journey, where migrants gather information about possible routes, legal requirements, and the risks associated with both regular and irregular pathways. This stage is crucial as it determines the strategy and preparations needed for the journey.

Migrants then proceed to the decision-making stage, where they choose between regular and irregular pathways based on the information available, perceived risks, and their personal circumstances. Regular pathways may involve securing visas, work permits, or asylum applications, while irregular pathways might include using smugglers or unauthorized border crossings. Finally, the implementation phase sees migrants embarking on their chosen pathway. Those on regular pathways navigate legal processes and official channels, while those on irregular pathways face the challenges of evading detection and dealing with the uncertainties and dangers of unauthorized travel.

Throughout this journey, migrants continuously evaluate and adapt their strategies in response to changing conditions, such as policy shifts, border controls, and the availability of support from social networks. Migrants may not be fully aware of the nature of different pathways or the implications of choosing an irregular route versus a regular route. Information may be incomplete or inaccurate, and factors such as trust, beliefs, and personal circumstances impact migrants' evaluation and use of information. Additionally, migrants' trajectories may be mixed, involving regular travel during some segments of their journey and irregularly during others. This dynamic process underscores the complexity of migration decisions and highlights the interplay between individual agency and external policy and non-policy factors.

Our conceptual framework represents migrants' trajectories schematically, considering the multifaceted and dynamic nature of migration journeys. It emphasizes the critical stages from initial consideration to eventual realization through either regular or irregular means.

Our framework further highlights the possible effects of various external and internal migration policies on different stages of the migration decision-making and realization process. Policies implemented outside the EU (external migration control policies) by the EU or its member states aim to shape the formation of aspirations and target migrant capabilities through measures such as information campaigns, visa policies, police cooperation, and aid and reintegration assistance. Conversely, internal migration control policies are implemented within EU territory and include border enforcement, admission and stay policies, return policies, and regularisation policies (cf. Czaika et al. 2023). These internal policies influence migrants' choices and capabilities during their journey and upon arrival, affecting their ability to enter, remain, or be returned from the EU.

The framework also illustrates how different stages of the migration process are potentially impacted, from the initial consideration of migration to the final steps of regular or irregular migration pathways. We broadly categorize these effects into deterrence, deflection, displacement, pull, retention, and self-removal due to limited access to rights or a hostile environment. Each influences migrants' decisions and aggregate movements (including onward and return) in distinct ways.

Deterrence Policies: These aim to influence potential and undocumented migrants' decisions to either stay in their country of origin or seek alternatives to migration. Examples include:

- *Visa restrictions:* Stricter visa policies may deter individuals from attempting to migrate by legal means.
- *Information campaigns:* Disseminating information about the risks and realities of irregular migration can discourage potential migrants from embarking on perilous journeys.
- *Increased border controls:* Enhanced security and surveillance at borders can deter undocumented migrants by making crossings more difficult and dangerous.

Deflection and Displacement Policies: These result in changes to migration routes or destinations as migrants seek alternative paths in response to obstacles or opportunities created by these policies. Examples include:

- *Border enforcement:* Strengthening border controls in one region may lead migrants to seek less monitored and potentially more hazardous routes elsewhere.
- *Regional agreements:* Bilateral or multilateral agreements between countries to manage migration can shift migration flows to other areas not covered by such agreements.
- *Transit country policies:* Policies in transit countries, such as temporary protection or pushbacks, can redirect migration flows to different routes or destinations.

Pull effects: These occur when policies attract migrants to a specific destination. These can affect both migrants already residing in the host country ('retention') and new arrivals. Key pull factors include:

- *Labour market opportunities:* Policies that facilitate employment for migrants can attract individuals seeking better economic prospects.
- *Social welfare benefits:* Generous social welfare programs may draw migrants looking for improved living standards.
- *Family reunification policies:* Policies that allow for family reunification can encourage migrants to move to or stay in a country where their family members reside.
- *Integration initiatives:* Programs aimed at integrating migrants into the host society, such as language courses, employment support, and cultural orientation, can enhance retention by improving migrants' quality of life and prospects.
- *Regularisation policies:* Offering pathways to legal status for undocumented migrants can incentivize them to stay and integrate into the host country. The prospect of possible future

regularisation may also encourage irregular migration that might not occur to the same extent without such programmes.

- *(Non-enforced) Return policies:* Effective return policies, including voluntary return and reintegration assistance, can encourage migrants to return to their home countries or dissuade them from irregular migration by demonstrating the possibility of eventual return. Conversely, non-enforcement may encourage irregular migration.

Self-removal policies: These are designed to encourage undocumented migrants to leave a country voluntarily without government intervention by creating conditions that make it difficult for undocumented migrants to live and work in the host country, thereby incentivizing them to return to their country of origin on their own. Key elements include:

- *Limited access to public services:* Restricting access to healthcare, education, and other public services for undocumented migrants.
- *Employment restrictions:* Imposing strict penalties on employers who hire undocumented workers, making it difficult for these migrants to find work.
- *Financial incentives:* Offering financial assistance or other incentives to migrants who voluntarily return to their home countries.
- *Legal assistance:* Providing legal and other information and support to help undocumented migrants navigate the return and reintegration process.

Hostile environment policies: These aim to create an environment so difficult for undocumented migrants that they are compelled to leave the country voluntarily. These policies are often controversial due to their harsh nature and potential for, and in extreme cases, reliance on human rights abuses. They can include a range of measures designed to make daily life challenging for undocumented migrants, such as:

- *Identity checks:* Increasing the frequency and scope of identity checks to identify undocumented migrants.
- *Housing restrictions:* Enforcing rules that prevent undocumented migrants from renting property, often by requiring landlords to check tenants' immigration status.
- *Banking restrictions:* Prohibiting undocumented migrants from opening bank accounts or accessing financial services.
- *Legal penalties:* Imposing fines, detention, or other penalties on undocumented migrants and those who assist them, such as employers or landlords.

Both self-removal and hostile environment policies are aimed at reducing the number of undocumented migrants in a country, but they differ in approach and implementation. While self-removal policies focus on encouraging voluntary departure by making living conditions challenging but manageable, often with some form of assistance or incentive. In contrast, hostile environment policies are more coercive, aiming to force undocumented migrants to leave by making their day-to-day lives intolerable.

All these different types of policies can backfire, leading to unintended effects. Deterrence policies can prolong undocumented migrants' duration of stay and turn their circular migration into permanent settlement (Massey, 2020). Stricter border enforcement, for example, can make undocumented migrants less likely to return voluntarily due to the high costs and risks of re-entry (Flahaux, 2017; Massey, 2020). Self-removal and hostile environment policies may undermine the legitimacy of immigration law and authorities perceived by migrants and third-country governments, leading to non-compliance with return (Leerkes & van Houte, 2020; Kuschminder & Dubrow 2023).

2.3. Mixed migration policies and migration decision-making

Migration decisions are complex processes influenced by numerous factors across origin, transit, and destination countries. Understanding these decisions requires considering individual and structural factors alongside policy incentives and disincentives (Koser & Kuschminder, 2016). Therefore, decisions regarding destination countries must be viewed through a “temporal lens,” considering factors like age and life stage (de Jong et al., 2020; Ramos, 2018).² Studies consistently demonstrate that migration-relevant and migrant-specific policies are just one of many components influencing migration decision-making and the choice of the country of destination (e.g., Blumenstock et al., 2022; Di lasio & Wahba, 2024; Klabunde et al., 2017; Neumayer, 2004). However, research findings on the specific impact of these factors are often inconsistent and sometimes contradictory, necessitating consideration of specific temporal and local contexts.

Building on Figure 1, which illustrates different types of policy effects, this section examines the interplay between different levels (micro, meso, macro) with a focus on migrants’ aspirations and capabilities.

To assess the intended and unintended effects of migration policies, it is crucial to understand how structural changes at macro and meso levels influence individual aspirations, capabilities, and migration decision-making. The aspirations-capabilities framework by de Haas (2021) offers a perspective on migration as part of broader social change and development processes. De Haas conceptualizes migration within this theoretical meta-conceptual framework as a function of aspirations and capabilities to migrate within perceived geographical opportunity structures, where:

- **Migration aspirations** are a function of people’s general life aspirations and perceived geographical opportunity structures.
- **Migration capabilities** are contingent on positive (‘freedom to’) and negative (‘freedom from’) liberties (p. 17).

Aiming to capture all forms of human mobility, the aspirations–capabilities framework draws on the work of Sen (1999), understanding migration as people’s capability to choose where to live, whether to migrate or stay. It incorporates Berlin’s (1969) concepts of positive and negative liberty to theorize the different ways structural changes affect migration aspirations and capabilities. Differentiating between the inherent and instrumental dimensions of migration allows us to move beyond functionalist and utilitarian perspectives. The instrumental dimension of migration refers to achieving individual or familial objectives, such as higher income, education, improved living standards, or safety. While migration typically requires a certain level of capabilities, it can also enhance these capabilities (de Haas, 2021).

Structurally determined positive and negative liberties significantly influence aspirations and capabilities, thereby shaping people’s migration decisions. Negative liberty, which includes the absence of barriers and constraints in the exercise of one’s right (such as those imposed by authoritarian states), affects both aspirations and capabilities, resulting in complex migration outcomes. The integration of negative and positive liberties into migration theories allows for a nuanced understanding of the role of states and policy in international migration processes. Mobility deprivation can occur through negative liberty deprivation (e.g., mobility restrictions) or positive liberty deprivation (e.g., lacking necessary resources to migrate). Positive liberty, primarily affecting

² It also needs to be taken into account that migration towards Europe and intra-European migration are regulated by different migration policies (Razin & Wahba, 2011).

capabilities through access to social, economic, and cultural resources, indirectly influences aspirations by making individuals aware of alternative opportunities and lifestyles, fostering belief in their ability to migrate (de Haas 2021).

Structures, encompassing patterns in social relations and behaviour, simultaneously constrain certain social groups' migration while facilitating others' movement. Government policies and macro-structural factors shape socially differentiated migration corridors. The complex opportunity structures created by these conditions endow individuals and groups with varying sets of liberties, influencing their migration decisions based on their capabilities, aspirations, and perceptions. Conversely, migratory agency can impact these structural conditions through feedback effects, stimulating further migration along established pathways (de Haas, 2021).³

But how do migration policies aim to shape individuals' migration behaviour? And why do policy interventions often fail? In their analysis of the effectiveness of migration policies, Hagen-Zanker and Mallett (2020) highlight the importance of the microlevel and the role of aspirations, behaviour, and decision making processes. Building on three types of 'policy gaps' identified Czaika and de Haas (2013)⁴ and focusing on migrants' decision-making, they identify a communication and a perception gap that contribute to deviations from the written content of policy documents and expected outcomes (Hagen-Zanker & Mallett, 2020).⁵

- The **communication gap** refers to migrants receiving incomplete and altered information about policy objectives and content, as confirmed by other studies (e.g. Blumenstock et al., 2022; Kuschminder & Koser, 2017; Neumayer, 2004). The source of information, such as social networks or information campaigns, may significantly influence migrant decision-making (e.g. Blumenstock et al., 2022; Elrick & Ciobanu, 2009; Haug, 2008; Manchin & Orazbayev, 2018; Browne, 2015; Oeppen, 2016; Tjaden et al., 2018).
- The **perception gap** addresses the blurring of policies content due to individual interpretation and (mis-)perception. This results in subjective factors in the decision-making process that are difficult to measure objectively (Hagen-Zanker & Mallett, 2020) and underscores the complexity of cognitive information processing (Czaika et al., 2021).

Migrants' aspirations influence the interpretation and selective inclusion of policies in destination decision-making, explaining their risk tolerance and re-migration (Hagen-Zanker & Mallett (2020). This approach reflects that migration decision making is a dynamic process interlinked with multiple internal (such as subjective information processing and perception) and external factors (e.g., migration policies, economic and living conditions, changes in residence status). As Czaika et al. (2021) highlight, migration decisions are taken within varying time horizons – they may build up over protracted periods or be taken within a short time frame, influencing the receptiveness to policy signals. Another dimension Czaika et al. (2021) point to is the level of perceived and actual control migrants have over their own decision-making processes, conceptualised as "locus of control". A high internal locus of control means individuals feel they have the power and resources to influence their migration journey and outcomes, while a high external locus of control indicates that individuals

³ The explanations of the aspirations–capabilities framework are summarized, with a focus on the impact of structurally determined positive and negative liberties on life aspirations and capabilities, and considerations how these factors may influence mobility freedoms and migration decision-making. For a more in-depth exploration, we refer you to the author's detailed elaborations in '*A theory of migration: the aspirations-capabilities framework* (de Haas, 2021).

⁴ These are the discursive gap, i.e. the gap between public discourses and policies on paper; the implementation gap, i.e. the gap between policies on paper and policies in practice; and the efficacy gap, i.e. the extent to which implemented policies actually affect migration.

⁵ See Figure 2, in the ANNEX

perceive their decisions and outcomes as being heavily influenced by external forces beyond their control. While migration policies may shape migration decisions in both scenarios, the way migrants deal with policies and the outcomes may differ (see also Klabunde et al., 2017).

3. Assessing the migratory effects of migration policies: methodological considerations

3.1 Data

Understanding the migratory effects of mixed migration policies requires examining relevant data sources. This section is divided into three parts: enforcement of return policies, measuring irregular migration flow, and surveys on migrants' decision-making processes. We assess the availability and quality of data, paying attention to data gaps and inconsistencies. These gaps manifest in data on return enforcement, particularly in Eurostat's Enforcement of Immigration Legislation (EIL) database. Variations in national practices and reporting standards complicate cross-country comparisons. Meanwhile, measuring irregular migration is inherently difficult due to its hidden nature, necessitating the use of indirect indicators to triangulate such migration flows. Similarly, surveys exploring migrants' decision-making processes often face limitations in coverage and response rates. Table 1 in the annex lists all data sources mentioned in this section.

3.1.1 Data on Return Enforcement

To model the relationship between return enforcement and future migration flow, it is essential to examine relevant data and indicators. Eurostat's Enforcement of Immigration Legislation (EIL) provides longitudinal records of the number of orders to leave (OTL) issued and the subsequent returns. EIL data, updated annually from 2008 to 2020 and quarterly from 2021 onwards, includes information on sex, age group, and nationality of individuals.

However, Maliepaard et al. (2022) pointed out notable gaps and inconsistencies in the EIL data. Before 2014, most member states only provided aggregate data without breakdowns of the administrative mode (forced return, assisted voluntary return, and unassisted voluntary return) and the destination country of enforced return (country of origin or a transit country). Since 2014, ten countries have provided the destination country and mode of return. Starting in 2021, all member states report quarterly data with "mandatory breakdowns by type of return, type of assistance received, and destination country" in accord with amended EU Regulation (Eurostat, 2024). The data from all years also lack details on whether returns occurred in the same year as the OTL issuance. Additionally, the issuance and enforceability of OTLs vary across countries due to national practices and legal safeguards. All these factors complicate cross-country comparisons.

Belmonte et al. (2021) and Maliepaard et al. (2022) caution against simple comparisons based on aggregate return rates, which fail to capture the intricacies of return effectiveness. Factors like bilateral agreements, political relations, and geographic proximity can facilitate or hinder returns. Therefore, calculating return rates by country pairs is recommended for more accurate assessments.

3.1.2 Data on Migration Flow

Assessing the stock and flow of irregular migrants to a destination country is inherently challenging. Available data can only provide indirect indicators to estimate the scale and characteristics of irregular migration (Kraler & Reichel, 2011; Vespe et al., 2017). These data sources include asylum applications and decisions, enforcement actions such as apprehensions, and the issuance of Schengen short-stay visas. Each has limitations. For instance, asylum applications do not directly correspond to border crossings: some migrants never apply for asylum, while others may apply much later after entry, re-apply multiple times, or do so in different countries. First-instance asylum decisions, particularly negative ones, can indicate the proportion of applicants without the right to remain and who are

obliged to leave (Siruno et al., 2024). However, the extent to which irregular migrants engage with the asylum system varies by nationality and country of application, reflecting differences in opportunity structures. Border apprehension data only capture detected cases, missing undetected entries and risking double counting if individuals are apprehended multiple times. Measuring visa overstays will become feasible with the implementation of the European Entry-Exit System, but until then, the number of Schengen short-stay visas issued provides an upper limit of potential visa overstayers (Vespe et al., 2017). For a comprehensive overview, refer to the MIrreM project (see Siruno et al., 2024).

Existing studies use various data sources to track migration flows. Some rely on the number of asylum applications lodged in EU+ countries, as provided by Eurostat and the European Union Agency for Asylum (Bertoli et al., 2022; Di lasio & Wahba, 2024), updated monthly since January 2008. Others use data from the UN High Commissioner for Refugees (UNHCR) Population Statistics Database (Fransen & de Haas, 2022), updated annually. Additionally, Frontex, the EU's Border and Coast Guard Agency, compiles data on irregular border crossings (Cottier & Salehyan, 2021; Jaulin et al., 2022). Since 2009, Frontex has recorded monthly detections of third-country nationals crossing the EU's external borders without authorization. By combining irregular border crossing numbers and negative asylum decisions, Savatic et al. (2024) estimate the proportion of "likely refugee" and "likely irregular migrants" based on irregular border crossing data adjusted by the asylum recognition rate of applicants' nationalities.

3.1.3 Data and Indicator on Migration Decision-Making

Several surveys explore decision-making processes related to irregular migration. For example, Kuschminder & Waidler (2020) surveyed migrants in Athens and Istanbul, while Beber & Scacco (2022) conducted a survey in Benin City, Nigeria. Beber et al. (2024) performed a similar survey with Senegalese men to examine how restrictive changes in Germany's asylum policy influence migration decision-making. Tjaden (2023) studied the relationship between risk perception and migration intention based on a 2019 survey of potential migrants in Guinea and Senegal. Auer & Schaub (2023) investigated the impacts of return migration on migration intentions at a local level, distinguishing between returnees from Europe and those from other African countries through geolocated representative surveys. For a more comprehensive overview of relevant surveys, refer to the QuantMig project (see Mjelva & Carling, 2023).

The Migration between Africa and Europe (MAFE) survey (Beauchemin, 2015) and the IAB-BAMF-SOEP Survey of Refugees (Jacobsen & Siegert, 2023; Kühne et al., 2019) provide comprehensive data on migration journeys and experiences. The MAFE survey includes over 4,000 household interviews in Africa and more than 5,400 individual life history questionnaires in Europe. The IAB-BAMF-SOEP survey covers various aspects of refugees' lives in Germany from 2013 to 2022. The Gallup World Poll (GWP) also offers data on migration intentions and population characteristics in countries of origin. Findings based on these surveys are discussed in section 4.

3.2 Methodologies and Methods

After reviewing relevant data sources, we turn to methodologies for studying the effects of mixed migration policies. These include the gravity model in econometrics, lab and field experiments, natural experiments, surveys, interviews, participant observations, and machine learning.

3.2.1 Gravity Model in Econometrics

Inspired by Newton's law of gravity, economists and social scientists apply its key pull factors of population size and inverse distance to socioeconomic phenomena like international migration (Angenendt et al., 2023). The micro foundation of the augmented gravity model of migration is based

on random utility maximization, where migrants choose their destination by weighing maximal benefits against minimal costs for each alternative (Beine et al., 2016). Bilateral migration flows can be modelled based on the costs of moving and the economic and political factors in both origin and destination countries. Recent examples include studies by Bertoli et al. (2022) and Di lasio & Wahba (2024), who used gravity models to analyse how various factors in different European destination countries influence asylum seekers' location choices, including the risk of repatriation for rejected applicants.

In their study, Di lasio and Wahba (2024) examine the pull factors affecting the choice of destination within the EU for non-EU asylum seekers (2008 – 2020). Their gravity model incorporates a wide range of drivers for destinations choice, such as economic factors (income and unemployment), geography (proximity and distance), and cultural ties (language and colonial links). Additionally, they consider the asylum application procedure by examining measures like the processing time of first asylum applications, the recognition rate, and the return risk rate⁶. Their analysis also considers the role of the welfare system, changes in policies regarding access to social security, employment rights of asylum seekers, and the relevance of social networks, using data on the number of previous asylum seekers from the country of origin in the destination and former migrant stock.

3.2.2 Lab-based and Natural Experiments

In lab experiments, researchers uncover causal relationships by assigning participants to treatment and control groups and examining their reactions to different conditions (Baláz & Williams, 2017). Beber et al. (2024) conducted a conjoint experiment in urban Senegal to investigate how hypothetical changes in Germany's immigration policies affect migration intentions. Participants were presented with varied immigration policy scenarios, including the stringency of asylum evaluations, the waiting period for full state benefits, and the processing locations of asylum applications – either in Europe or third countries like Tunisia or Rwanda.

Bah Batista (2022) conducted an incentivized lab-in-the-field experiment in rural Gambia to study motives behind irregular migration. In this experiment, participants decided whether to migrate based on scenarios with varying risks of dying *en route* and chances of obtaining regular status upon reaching Europe. Participants also indicated how much they would spend on the migration journey (from an endowed amount) and how much they would accept to stay in the Gambia.

Natural experiments utilize external changes or events beyond the control or anticipation of migrants and researchers. Techniques like the difference-in-differences method compare outcomes before and after a policy change between affected and unaffected groups. Regression discontinuity designs utilise policy thresholds to examine behavioural changes among individuals near these cutoffs (McKenzie & Yang, 2022). Tjaden and Heidland (2024) adopted difference-in-differences (DiD) model TO examine the effect of Chancellor Angela Merkel's 2015 decision to allow asylum seekers to apply in Germany regardless of their first country of entry. The treatment group includes asylum applicants from all possible origin countries to Germany, while the control group comprises asylum seekers to other European countries. The DiD approach compares asylum applications before and after September 2015, the time of the policy shift. The main variable of interest is the interaction term between the time dummy (indicating the period post-September 2015) and the treatment group dummy (indicating asylum seekers to Germany).

3.2.3 Survey, Interview and Participant Observation

Surveys help us understand various stages of irregular migration, including intention, motivation, and decision-making processes before departure (Mbaye, 2014; Tjaden, 2023; Wong & Kosnac, 2017);

⁶ The authors define repatriation risk⁶ “[...] as the ratio of the number of citizens from country of who received an order to leave from destination *d* over the total number of negative final decisions in destination *d* for citizens of country *o* in the previous year.” (ibid., p. 5)

migrants' life history and legal status changes (Beauchemin, 2015; Vickstrom, 2014); labour conditions during migration (Agadjanian et al., 2017; Agadjanian & Zotova, 2012; Suyanto et al., 2020); and return and reintegration (Kuschminder, 2017; Nanquette, 2020). For instance, Deole and Rieger (2023) use waves of the Socio-Economic Panel (SOEP) dataset to analyse the immigrant-native gap in risk preferences during the 2015 European Refugee Crisis. Beauchemin et al. (2023) employ data from the Trajectories and Origins 2 Survey (2019-2020) to study the legal status trajectories of migrants residing in France. Wong and Kosnac (2017) analyze the 2007 Mexican Migration Field Research Program (MMFRP) survey data to study whether migration intention is associated with awareness of a potential regularisation programs. Surveys targeting migrant populations often face biases in coverage, sampling, and response, which are challenging to eliminate.

While quantitative survey can identify patterns, trends, and demographic aspects of migration and return, qualitative interviews provide deep insights into individual experiences of migrants and returnees, as well as policy implementation by bureaucrats. Qualitative methods can also shed light on how migration categories, such as "irregular migrants," are constructed and perceived by individuals, communities, and institutions in daily life. For example, Sunagic (2024) conducted narrative interviews with Syrian refugees settled in Europe to understand the decision-making processes during migration. Kalir (2017) conducted fieldwork from January 2012 to October 2014, interviewing Dutch state officials, civil servants, and rejected asylum seekers caught in legal limbo.

A mixed-method design is also useful for migration research. Carling (2023) reflects that his publications vary in the balance between qualitative and quantitative methods, with only a few combining both equally. This uneven mixing is acceptable depending on research goals. Mixed methods may be unnecessary for theoretical exploration, but beneficial for understanding empirical mechanisms. For example, Kuschminder and Koser (2017) employed a mixed-methods approach, collecting both quantitative and qualitative data⁷. Their study included 1,056 survey responses and 60 follow-up interviews with migrants from Afghanistan, Iraq, Iran, Pakistan, and Syria⁸ in Athens and Istanbul in mid-2015, analysing how migrants' perception of policy incentives and disincentives affected their decision-making regarding onward migration.

3.2.4 Machine Learning

With advancements in artificial intelligence, machine learning (ML) techniques are increasingly applied in migration studies. For example, Carammia et al. (2022) developed an ML model to forecast asylum-related migration to Europe, integrating diverse data sources, including events and internet searches in countries of origin, irregular border crossings into the EU, and asylum applications and recognition rates.

Angenendt et al. (2023) outlined steps for constructing ML algorithms to model migration patterns. Initially, researchers input historical migration data and relevant variables into the algorithm, constituting the training data. Subsequently, they seek the optimal replication of past migration patterns across various algorithms. The most effective model is then deployed to analyse migration movements not covered in the training data.

However, ML models pose limitations due to being trained on context-specific datasets, limiting their generalizability. Additionally, Angenendt et al. (2023) noted that many ML algorithms are "agnostic," meaning researchers focus solely on optimising performance without making *prior* assumptions about the primary drivers and mechanisms underlying the data patterns (Grimmer et al., 2021). Consequently, the decision-making process of ML remains opaque, posing challenges in interpreting its output.

⁷ Data was collected in the *Understanding Irregular Migrants' Decision-making Factors in Transit* study.

⁸ only included in Greece

To summarise, this section has evaluated the data sources and methodologies for studying migratory effects related to mixed migration policies. A range of data sources helps measure return enforcement, irregular migration flow, and migration decision-making, despite gaps and inconsistencies. Methodologies include quantitative approaches like surveys, econometrics modelling, and natural and lab experiments; qualitative approaches like interviews and participant observations; and computational techniques like machine learning. These data and methods form the basis for the next section, which reviews empirical findings.

Future Research Directions

Methodology and interdisciplinarity

A growing movement among scholars aim to transcend methodological biases rooted in nationalism and to challenge the 'exceptionalization' of transnational displacement. Instead, these scholars are investigating how expulsions have historically and presently been utilized to construct categories of citizens and 'others'. This research agenda offers tools to avoid the methodological reproduction of state classifications and allows for the interlinking of struggles against enforced and restricted mobility fought by various marginalized groups in the pursuit of a freedom to migrate, reside, and exist (Lindberg, 2022b).

A further key element is interdisciplinary collaboration and the inclusion of diverse theoretical strands. Haug (2008) highlights the added value for economics in considering social networks and non-economic decision factors, as well as the potential of economic models in rational choice theory and the social embeddedness of migration decisions for sociological research. *The social network concept may improve and complement rational choice theory, contributing to the explanation of family reunification and chain migration processes* (Haug, 2008, p. 599f.).

Data

Micro-level data captures the nuanced interplay of individual decisions and broader policy landscapes. Wehinger (2014) discussed that micro data can help distinguish intertwined motivators like legalization prospects, family reunification, or economic opportunities. Manchin and Orazbayev (2018) point to the need for more detailed data on migrant social network structures and their impact, to investigate how these networks influence migration intentions and subsequent behaviours.

Longitudinal data can track migration patterns and policy impacts over time, distinguishing whether a variable is a *determinant or an effect of migration policies* (Solano et al., 2022, p. 34). Wong and Kosnac (2017) advocate for longitudinal surveys that follow migrants throughout their migratory journey, incorporating questions about their political knowledge and perceptions of immigration policies. Klabunde et al. (2017) also call for longitudinal data collection on migrants' opinions, resources, and networks.

Research on return migration can benefit from recent improvement in EU data on apprehension and return enforcement. Following updates to EU Regulations, enforcement of immigration legislation (EIL) statistics has incorporated new categories (Eurostat, 2024). These categories now cover statistics of third-country nationals identified as being "illegally present," detailed by the location and reasons for their apprehension. Statistics on returns are now updated quarterly instead of annually, with breakdowns regarding the type of return, assistance received, and the destination country. The data also covers unaccompanied minors who have been ordered to leave, as well as those who have actually departed following such orders.

4. Migratory effects of regularisation and return policies: a review of empirical evidence

An ongoing conflict in migration policy centers on the tension between the liberal protection paradigm, which advocates for freedom of movement, individual interests, and voluntary decisions, and the control paradigm, which emphasizes population control and collective interests and their enforcement (Noll, 1999). While various studies indicate that migration policies influence migration flows (Brekke et al., 2017; Czaika & Hobolth, 2014; Helbling & Leblang, 2019), the extent of this influence remains unclear. Kuschminder and Koser (2017) caution against overestimating policy effects, noting that these are often limited and interact with other variables (ibid., 2017). Similarly, Di Iasio and Wahba (2024) argue that restrictive policies on labour market access and welfare have little impact on the number of asylum seekers and recommend lifting employment bans to reduce state dependency, exploitation risks, and integration difficulties. Indeed, as Fasani et al. (2021) show, the economic costs of employment bans are significant, estimating the output loss in the EU and Schengen associated states due to restrictions on employment of refugees who arrived during the 2015 crisis at €37.6 billion.

When destination countries deploy strict migration policies, such as detention and deportation, they mainly aim to deter irregular migration (Rosina, 2022). Policymakers believe that by increasing the difficulties of the migration journey or making penalties for unauthorised migration more severe, they can dissuade potential migrants from entering or staying irregularly (Leerkes & Kox, 2017). This assumption is rooted in the neoclassical theory of migration, where individuals weigh the costs and benefits of migration (Riosmena, 2024); stricter enforcement is presumed to lower the benefits and increase the risks, thereby deterring migration (Leerkes & Kox, 2017; Rosina, 2022).

However, this assumption is highly questionable, with various studies highlighting the unintended effects of restrictive migration policies (Brekke et al., 2017; Czaika & Hobolth, 2016; Gammeltoft-Hansen & Tan, 2017), such as deflection and displacement effects, redirecting migrants to different routes and destinations (De Haas et al., 2019). Migrants may resort to smuggling services and longer, more dangerous routes. Czaika and Hobolth (2016) analysed the deterrence and deflections effects of restrictive asylum and visa policies on immigration to 29 European countries from about 180 origin countries over the period from 2001 to 2011. Their findings confirm the deterrence effect of restrictive policies but also demonstrate *that this effect is counter-balanced by the unintended displacement of asylum seekers into irregularity (ibid., p. 19)*. Brekke et al. (2017)⁹ support these findings, concluding that more rigorous asylum policies reduce asylum applications by deflecting flows to other countries and reducing outflows from sending countries. State-induced return through deportation may alter risk perceptions and deter future irregular migration, yet it also prompts returnees to consider re-migration due to unchanged push factors and economic hardships in their home countries. Additionally, the use of immigration detention as a deterrent lacks empirical support for its effectiveness and raises significant ethical concerns.

⁹ Brekke et al. (2017) examined the relation of restrictive asylum policies with asylum outflows and analysed the effects of changes in asylum policies in Austria, Belgium, The Netherlands, Switzerland, Germany, Denmark, Sweden, Norway, and the UK (northern part of Western Europe) from 1985 to 2010, based on UNHCR's numbers of registered asylum seekers. They therefore draw on two dependent, interlinked variables: the dyadic, yearly flows of asylum seekers from country of origin⁹ to one of the nine destination countries; the yearly total outflow of asylum seekers from every sending country to all OECD host countries. In order to assess changes in laws, rules, and practices of asylum policies Brekke et al. (2017) include sub-indexes: The asylum policy index access (APIA), the asylum policy index process (APIP), the asylum policy index welfare (APIW) and the asylum policy index (API), which aggregates the three indexes' changes.

Conversely, policymakers fear that more open policies and inclusionary measures, such as regularisation, could incentivize future migration. Concerns about the effects of a more liberal migration policy are often echoed in media and political reactions to mass regularisations, such as those in Spain and Italy. For example, the 2005 mass regularisation in Spain was criticised by Germany and the Netherlands, partly because EU member states wanted earlier notification and partly due to fears that regularised migrants could migrate onwards to countries with more favourable welfare systems (Finotelli, 2011). Although a ban on regularisation processes in European countries was discussed, the European Council agreed in the European Pact on Immigration and Asylum (2008) to resort to case-by-case regularisations instead of general regularisations, in accordance with national law for humanitarian and economic reasons (ibid.).

Economic and welfare state factors are often cited as possible “pull factors” in the context of regularisation and return policies. Matsui and Raymer (2020) highlight the significant impact of immigration policies on asylum seekers’ decision-making, particularly regarding access to the labour market, with some preferring to enter a country as labour migrants (ibid.). These findings align with other studies confirming the importance of economic factors, such as labour market access, in selecting a destination country (e.g., Di Iasio & Wahba, 2024; Kuschminder & Waidler, 2020).

Neumayer (2004) examines various costs and benefits¹⁰, including economic attractiveness and opportunities, welfare provisions, deterrent policy measures, hostility towards foreigners and asylum seekers, existing asylum communities, colonial and language links, and geographical proximity (ibid., 155), to explain migrants’ decision-making on destinations. He conceptualizes the migrants’ decision to apply for asylum as a result of utility-maximizing behaviour, subject to exogenous circumstances that destination countries can influence (Neumayer, 2004, p. 164). In weighing the net benefit of an asylum application, the country with the greatest perceived benefit is chosen, possibly drawing on traffickers’ knowledge in the decision-making process. Neumayer’s results confirm the relationship between migration and the economic attractiveness of a country. However, contrary to others studies (e.g., Di Iasio & Wahba, 2024; Dritsaki & Dritsaki, 2024), this relationship is not dependent on unemployment and economic growth. This discrepancy can be explained by the incomplete picture and reference points that asylum seekers have about the economic situation in a destination country (Neumayer, 2004).

Regarding the challenges for policymakers in balancing liberal and restrictive migration policies, an additional factor is the diversity and sometimes contradictory nature of scientific studies and their conclusions. Researchers emphasise the need for knowledge and scientific approaches to provide policymakers with research-based facts, considering various influencing factors in policy development and implementation. They also stress the need to further develop theories, test new methodological approaches, and apply them in depth, while addressing the lack of data. Future research demand and policy recommendations are closely interwoven in this context. Researchers must be aware of ethical sensitivities in collecting information from and about irregular migrants, use consistent in their use of terminology and concepts, and be transparent about the type of information collected and its purpose. They also bear a responsibility to counter the hysteria surrounding irregular migration by providing objective analysis of this emotive topic (Koser, 2010, p. 191).

4.1. Return policies

Return policies for migrants encompass a spectrum from assisted voluntary return programmes, which facilitate and encourage migrants to return under supportive conditions, to more stringent deportations. These policies often integrate pre-departure and reintegration support to ease the transition but can also include punitive measures like detention to ensure compliance. When an EU+ country issues orders to leave to irregular migrants, they may depart in three ways: voluntary

¹⁰ This study draws on UNHCR data as well, covering the period 1980 to 1999.

departure, assisted return (through the assisted voluntary return and reintegration programs), or forced return (deportation). The latter two are known as enforced return, coerced return, or state-induced returns (Maliepaard et al., 2022; Sahin Mencutek et al., 2023). Most EU+ countries face an enforcement gap, meaning a significant portion of third-country nationals ordered to leave cannot be effectively returned. In cases where the destination country cannot return irregular migrants, these individuals may end up in 'limbo' situations, where they are either *de facto* or officially tolerated, or even receive residence permits (Strban et al., 2018).

Despite the variety of return policies, empirical evidence on their specific effects on migration decisions is limited. Studies have instead explored related factors, such as the impact of (asylum) recognition rates on migrant destination choices (Di Iasio & Wahba, 2024; Matsui & Raymer, 2020; Neumayer, 2004; Toshkov, 2014), and the role of social networks in conveying information about conditions and policies in potential destination countries (Blumenstock et al., 2022; Di Iasio & Wahba, 2024; Elrick & Ciobanu, 2009; Haug, 2008; Manchin & Orazbayev, 2018a). Additionally, information campaigns have been analysed as external deterrence instruments to influence migrants' decision-making (Morgenstern, 2023; Oeppen, 2016; Tjaden, 2023; Tjaden et al., 2018).

4.1.1 Return Enforcement

Several studies have found that stricter migration policies correlate with lower immigration flows (Czaika et al., 2023; Helbling & Leblang, 2019; Schultz et al., 2021). However, irregular migration is difficult to predict and hard to measure, complicating the modelling of the relationship between irregular migrant flows and return enforcement in destination countries. Recent studies on how asylum applications respond to destination country factors, such as return enforcement, offer some insights (Bertoli et al., 2022; Di Iasio & Wahba, 2024; Diop-Christensen & Diop, 2022). These studies measure asylum flow by the number of first-time asylum applications to EU member states and return enforcement by the return rate¹¹, where a high return rate indicates a high risk of repatriation for rejected asylum seekers.

Evidence suggests that return enforcement alone does not directly affect subsequent asylum inflows. Bertoli et al. (2022) and Di Iasio and Wahba (2024) report no statistically significant relationship between repatriation risk and asylum flows across EU member states, indicating that repatriation risk play a limited role in influencing asylum destination choices. Di Iasio & Wahba (2024) find that social networks, including previous asylum applicants and migrants, are the strongest pull factors for asylum seekers, suggesting that asylum flows are more influenced by migrant networks than by the fear of repatriation.

Bertoli et al. (2022) further show that the risk of repatriation interacts with other policy factors, such as the recognition rate and processing times for asylum requests, affecting asylum flows. In high-return risk corridors, faster processing times are linked to fewer applications, while in low-return-risk corridors, longer processing times are associated with more applications. Bertoli et al. (2022) suggest that the combination of long processing times and moderate return enforcement creates a temporary, legal migration channel, attracting migrants with low chances of receiving refugee status. This situation impacts not only the volume of applications but also the origin composition of asylum seekers.

For deportees, intentions of re-migration can arise due to interplay between the experience of deportation and unimproved conditions in the country of origin. Unlike voluntary returnees, deportation often leaves little time for individuals to prepare for return, leading to immediate economic hardship (Monti & Serrano, 2022). This abrupt return exacerbates challenges in mobilizing

¹¹ Section 3 discusses the limitations of using return rates and asylum application data.

resources and reintegrating into their home communities. The conditions after deportation can create difficulties for returnees. For instance, deportees may face stigma within their communities, which view them as failures or as carriers of foreign influence that threatens local sociocultural norms (Schuster & Majidi, 2015). This stigmatisation, resulting from their forced return, can motivate deportees to consider re-migration to shed negative labels and regain status. Additionally, deportation fails to resolve the factors that prompted migration in the first place. Deportees often return to find little or no improvement in their homelands' economy, politics, or security (Schuster & Majidi, 2013). Their status as deportees may further limit their access to economic opportunities compared to those who never left or returned voluntarily. This combination of pre-existing push factors and deportation-specific challenges can hinder deportees from fulfilling financial responsibilities, such as repaying debts or supporting families (Johnson & Woodhouse, 2018; Menjívar et al., 2018; Schultz, 2022).

Enforced return can influence factors such as the size of the migrant network, which potential migrants consider important. In Senegal, Beber et al. (2024) surveyed 989 men aged 18–40 in four cities in late 2023. For this mobile population, *“international migration to Europe is a concretely discussed possibility for many”* (Beber et al., 2024, p. 7). The respondents demonstrate varied levels of awareness about the asylum process and the chances of a successful asylum application in Europe. The median estimate of the asylum recognition rate largely matches the actual figures, but significant variance exists in the estimation. Regarding the reasons for choosing the migration destination, respondents report top consideration like existing migrant networks and opportunities for earning a living. Spain emerges as a widely preferred destination as respondents “know people there” and “there are many other migrants from Senegal,” in addition to “good income generation opportunities” (Beber et al., 2024, p. 12). The authors caution that their findings are not generalizable to other population groups. The influence of migrant network relates to the scale and frequency of return enforcement. If only a handful of individuals are returned occasionally, the migrant network would diminish only slightly. Potential migrants at the country of origin can still find support among extended social circles at the intended destination.

Beber and Scacco (2022) uncovered the optimism bias among potential migrants. In late 2018, the researchers conducted a representative survey in Benin City, Nigeria, a major departure point for migrants aiming to reach Europe. Respondents broadly agree that if they try, they can make it to Europe and stay there, receiving approval for asylum. The optimism bias was even more pronounced when individuals considered their personal chances rather than the general odds for Nigerians attempting the journey. When respondents were asked about whether they could “go all the way to Europe,” about 80 percent of them chose “somewhat likely” or “very likely” (Beber & Scacco, 2022, p. 24). The distribution of answer was similar for another question on whether respondents believe they can be granted asylum (ibid.). This is despite respondents showing a realistic understanding of livelihoods in Europe, such as per capita income and unemployment benefits. In certain scenarios, they underestimate the advantages of life in Europe. Again, this survey's findings may not be generalizable to potential migrants in other places. Optimism bias renders risk perception inaccurate, and these migrants may be less likely to consider the degree of return enforcement.

Deportation may discourage further migration by altering potential migrants' risk-benefit perceptions. Auer and Schaub (2023) conducted a geolocated representative survey in Senegal and The Gambia, with a census unit being a settlement area or village. In a census unit, an extra returnee from Europe is linked to one percent decrease in respondents expressing migration intentions. The presence of returnees from nearby African countries, however, does not alter migration intention. The researchers argued that potential migrants witness or hear about “unsuccessful” stories of returnees back from Europe, thereby perceiving irregular migration to be more risky and less rewarding. Schultz (2021) conducted ethnography in Mali and found that young men recognize that irregular migration involves

“the increasing chance of death and difficulties abroad” (p. 880). This perception is one of the factors that motivate them to stay.

Detention can be a risk and a decisive experience abroad. Although immigration detention is formally an administrative measure designed to prevent migrants from absconding before deportation, and thus not intended as a punishment (Leerkes & Broeders, 2010; Leerkes & Kox, 2017), governments often use it as a deterrent to discourage unwanted migrants from staying (Hasselberg, 2014; Leerkes & Broeders, 2010). It aims to wear down migrants' resistance to deportation (Campesi, 2015) and deter future arrivals (Leerkes & Broeders, 2010; Mainwaring, 2012; Martin, 2012; Silverman, 2012). Criticism of migrant detention centers on human rights violations, including inadequate medical care, restricted access to legal counsel, poor hygiene conditions, and the detention of vulnerable groups such as children. These conditions can lead to significant economic, psychological, and physical harm (DeBono, 2013; Kalhan, 2010) and contribute to the criminalization of migrants (Kalhan, 2010; Mainwaring, 2012; Martin, 2012).

National implementations of detention often conflict with the EU Return Directive, which mandates the provision of residence status or regularisation for non-removable migrants, thus preventing repeated detention (Hinterberger, 2019). This contrast highlights the legal grey areas that many migrants face. DeBono (2013) emphasizes the crucial role of human rights organizations in detention practices, noting their efforts to maintain the concept of human dignity at the core of their activities, which inform public debates with a human rights perspective (ibid.). Deterrent information campaigns also raise ethical concerns, particularly regarding the symbolic transfer of responsibility for injury and death to smugglers and migrants (Oeppen, 2016).

The level of individual control over migration decisions is heavily influenced by general conditions. In cases of forced migration, where abrupt and significant changes in living conditions occur, individual control is drastically reduced and extends beyond rational decision-making (Czaika et al., 2021; Kent, 2021). This challenges the dichotomy of voluntary and forced migration, as well as the effectiveness of deterrent measures. As Kent (2021) argues: *"If mixed migration involves a high degree of voluntariness, then shaping the preferences of migrants and refugees through deterrence may succeed. But if, as research reveals, refugees and migrants end up in destination countries for reasons beyond rational control, then policymakers should rethink deterrence."* (Kent, 2021, p. 93).

4.1.2 Non-Enforcement of Return

The Dublin Regulation restricts asylum claims to the first EU member state entered, and the suspension of this Regulation influenced migration patterns during the refugee crisis. Merkel's 2015 decision to allow asylum seekers into Germany did not induce new migration patterns but occurred at the culmination of an existing trend (Pries, 2020; Tjaden & Heidland, 2024). Data from the German Office for Migration and Refugees (BAMF) demonstrate stable increases in refugee arrivals before Merkel's announcement, peaking afterward and then declining (Pries, 2020). Tjaden and Heidland (2024) found no significant increase in migration to Germany following Merkel's 2015 decision. Brekke and Brochmann (2015) show that non-enforcement of the Dublin Regulation shaped migrants' strategies for secondary movements within Europe, allowing asylum seekers arriving in Greece to travel to other European countries without a risk of being returned to Greece.

Jørgensen and Fischer (2022) studied migrants' agency in resisting deportation and found that around 2019, Belgium was receptive to reconsidering asylum claims from Palestinians instead of enforcing the Dublin Regulations. At that time, Belgium had relatively high acceptance rates for Palestinian asylum seekers, motivating some Palestinian irregular migrants in the EU to relocate to Belgium. They would stay there without authorization for six months – until the Eurodac database no longer stored their fingerprints – before submitting a new asylum application. Lindberg (2022) examined how rejected asylum seekers challenge deportability through onward migration. Around 2017, some Afghans

attempted to reach France after Sweden rejected their asylum applications, based on the information that France was willing to reevaluate asylum requests from Afghanistan.

4.2. Regularisation policies

Regularisation policies aim to integrate migrants who have established lives within a destination country but lack formal status. These policies include both large-scale amnesties and targeted, case-by-case mechanisms addressing specific scenarios such as non-returnability, social and family ties, vulnerability, or labour market needs. Baldwin-Edwards and Kraler (2009) categorize these mechanisms as either one-off, large-scale programs or individual, case-by-case processes. Hinterberger (2023) identifies six main purposes for regularisation: non-returnability, social ties, family unity, vulnerability, employment and training, and other national interests.

Regularisation primarily serves two purposes: regularizing “fait accompli” cases - migrants who have established a life in the country without regular status – and protecting migrants from harm due to sudden removal or adverse conditions in their country of origin¹². The anticipated effect of regularisation is that migrants can formally participate in civic life and the labour market. However, an unintended consequence may be that it signals to potential migrants that eventual acceptance and integration are possible despite unauthorized entry and stay (Baldwin-Edwards & Kraler, 2009). This can lead to temporal and spatial shifts in migration patterns, with migrants altering the timing and destination of their journey in anticipation of possible regularisation (De Haas et al., 2019; cf. Figure 1). Additionally, social network theories suggest that migrants often learn from networks and previous migrants’ experiences (Blumenstock et al., 2022; Manchin & Orazbayev, 2018), encouraging potential migrants to follow their lead, hoping for eventual regularisation.

Legal scholars identify two categories of regularisation processes (Apap et al., 2000; Della Torre, 2017). The first category includes one-off, large-scale actions such as amnesty programmes, which aim to address the status of many individuals simultaneously. The second category involves ongoing, individualized assessments. The one-off programmes are typically associated with “fait accompli” measures, which acknowledge the unauthorized stay of individuals based on factors like temporal presence, geographic location, and economic contributions. These programmes rely on clear-cut, objective criteria for regularisation. The individual assessments, or “protection” measures, prioritize the probable dangers individuals might face if deported, including conditions in their home country and the hardship of uprooting them from their current lives. Family connections, social bonds, and health considerations often play a crucial role in these assessments.

Regularisation policies, whether large-scale or individual, have complex and varied effects on migration patterns. While some evidence suggests that these programmes do not create a significant “pull effect”, Wehinger (2014) demonstrated that in the EU15 member states between 1997 and 2006, countries that implemented amnesties experienced a slight increase in per capita apprehensions of unauthorized aliens in the subsequent years. Other studies indicate secondary movements of irregular migrants seeking regularisation opportunities. The socioeconomic context, labour market dynamics, and structural characteristics of the host country play crucial roles in shaping the outcomes of these policies.

¹² Leibbrandt (2024) discusses the example of Germany’s *Duldung* status, which suspends deportation for irregular migrants “as long as deportation is impossible on factual or legal grounds” (p. 25). Its variant *Ausbildungsduldung* allows rejected asylum seekers take vocational training to fill labour market shortages; this status “has the same legal basis as the regular *Duldung*” with slightly different “rights and obligations attached” (p. 26).

Next, we focus on the case examples of Spain, the United States, and Italy to illustrate the different regularization mechanisms and their varied effects. Spain demonstrates substantive initiatives like the 2005 amnesty program and ongoing case-by-case processes such as *arraigo* (Perna & Puig Batalla, 2024). The United States' Immigration Reform and Control Act (IRCA) of 1986 represents a landmark policy combining border enforcement, employer sanctions, and amnesty programs (Inda, 2013). Italy's numerous regularisation programs showcase the interplay between immigration and the labour market (Perna & Puig Batalla, 2024).

4.3. Case examples

Spain

Spain serves as an instructive case study illustrating both large-scale and individual regularisation mechanisms for immigrants. Notable one-off regularisation initiatives have conferred legal status upon approximately one million immigrants, with significant programmes occurring in 1991 (108,000), 2000 (200,000), 2001 (230,000), and 2005 (561,000) (Sabater & Domingo 2012). Subsequent to the 2006 legislation, Spain introduced case-by-case regularisation mechanisms centred around various forms of “*arraigo*” (rootedness): employment, family ties, social integration, and more recently, educational training (Hinterberger, 2023). These mechanisms follow two distinct pathways: the Labour Settlement, which pertains to irregular migrants who have resided in Spain for a minimum of two years and, with support from a trade union, can demonstrate a year-long employment history with an employer; and the Social Settlement, targeting individuals who have been in the country for three years and can provide evidence of a year-long work contract upon application. Additional criteria include family ties in Spain or demonstrable social integration within the local community (Della Torre, 2017; Hinterberger, 2023; Sabater & Domingo, 2012).

Evidence is mixed on whether these regularisations attracted more migrants. Two studies found no “magnet effect” from Spain's 2005 amnesty program. Larramona and Sanso-Navarro (2016) noted that while the foreign population increased between 2001 and 2008, the trend was comparable to countries without such regularisation measures. Elias et al. (2024) found no substantial increase in non-EU immigrant populations following the amnesty, and the growth rate remained consistent with countries not affected by the amnesty program. However, there is evidence of secondary movements of irregular migrants from other EU countries to Spain seeking regularisation. In their study on migrants' agency in resisting deportability, Jørgensen & Fischer (2022) mention that Spain was a destination for migrants trying to avoid return enforcement by other EU member states. In Van Meeteren's (2014) study on irregular migrants' aspirations, a Moroccan migrant noted a significant migration flow from the Netherlands to Spain due to the opportunity for residence and employment: “*They get resident papers there, work; many people have gone ... many Moroccan people I know have gone to Spain*” (ibid., p. 122). Boland et al. (2024) also found that some Moroccan-origin individuals would come from other countries like Belgium to register in Spain for future regularization, according to a Moroccan migrant they interview (p. 11).

United States

In contrast to Spain, the IRCA of 1986 in the United States combined amnesty programs for certain undocumented immigrants with stricter border enforcement and employer sanctions. Orrenius and Zavodny (2003) studied IRCA's impact on future irregular migration. The researchers used government expenditures on defence as an instrumental variable for border enforcement efforts (p. 444). They analysed border apprehension data between 1969 and 1996 from the Immigration and Naturalization Service as a proxy for irregular migration flows. The regression models showed a decline in border apprehensions right after the law's passage. However, this effect did not sustain during the amnesty application period or in the long-term. Apprehensions were on par with pre-IRCA levels during the

filing period for amnesty applications and remained at such levels in subsequent years. Orrenius & Zavodny (2003) concluded that IRCA did not significantly alter the undocumented migration pattern.

Wong and Kosnac (2017) explored the impact of potential US regularisation programmes on migration intentions in Mexico. Using data from the 2007 Mexican Migration Field Research Program survey, they found that awareness of a potential regularisation program does not significantly influence migration intentions among respondents from Tlacuitapa, Jalisco. The study concluded that knowledge of a possible regularisation programme did not correlate with increased intentions to migrate.

Italy

Italy's regularisation programmes interact with socioeconomic factors like the labour market. Since the first programme in 1985, Italy has implemented multiple rounds of regularisations, including one-off programmes and the annual flow decrees since 1990. These measures aim to address the mismatch between labour demand and the migration regime, exacerbated by structural characteristics such as lax internal controls and a large informal economy (Finotelli & Arango, 2011; Finotelli & Sciortino, 2009).

The 2002 amnesty programme in Italy required applicants to have arrived before a specified date and to have employment at the time of application. Devillanova et al. (2018) noted that migrants meeting these criteria were more likely to be employed, indicating that potential regularisation can influence job status even before legalisation occurs. Di Porto et al. (2018) assessed the impacts of mass amnesty using longitudinal microdata and found no significant long-term benefits for firms or notable effects on wages or native worker displacement. However, 73.5% of regularized migrants remained in the formal labour market for at least four years, indicating high mobility across industries and regions.

In sum, while regularisation is widely assumed to act as a "pull factor" for further irregular migration (Gonzalez Beilfuss & Koopmans, 2021; Hinterberger, 2019), empirical research is insufficient to conclusively prove this effect (Finotelli & Arango, 2011; Larramona & Sanso-Navarro, 2016). Studies show that regularisation programmes' effects are complex and require considering various variables (Baldwin-Edwards & Kraler, 2009; Helbling & Leblang, 2019). Despite the lack of conclusive evidence, the presumed pull effect of regularisation programmes remains a controversial political issue at both EU and national levels (Papadopoulou, 2005).

Future Research Directions

Return

Empirical research on return motives and reasons, as well as the influence of return migrants on migration decisions within their social environment, is lacking. Understanding the extent to which returnees shape migratory behaviour is essential (Auer & Schaub, 2023).

Schuster and Majidi (2013) criticize that return policies and short-term reintegration programs for not adequately addressing the complexity of factors influencing re-migration decisions. They emphasize the need for further research to capture the outcomes of deportation for those affected and the influence of families and communities, thus critically examining deportation policies.

Another area for research is the cooperation with return, which has gained importance in many European countries. However, there is insufficient evidence on the actual significance of this policy tool for implementing returns and its possible side effects, such as whether it motivates migrants to abscond (Rosenberger & Koppes, 2018).

Deterrent measures

Ataç and Schütze (2020) highlight the need for further research on the dialectic of control and signalling, as well as the effectiveness of measures such as control, detention, and social dismantling in strengthening the deportation regime. They recommend comparative studies to capture the influence of national contexts, institutions, and political orientations.

Leerkes et al. (2017) draw attention to 'invisible' mechanisms of deterrence, such as the exclusion of unauthorized migrants from labor markets and social provisions, and notably, perceived legitimacy. They suggest that perceived legitimacy significantly constrains international migration. The authors propose that future research should better understand these mechanisms and examine whether cultural developments influenced by globalization, including the potential rise of an aspired "global citizenship" in countries outside of the Global North, attenuate such normative influences on migration patterns (Leerkes et al., 2017, p. 9).

4.4. Effects of migration policies on onward migration and return

Migration decision-making is dynamic and often involves a sequence of mobility decisions influenced by experiences, available opportunities, and state structures (Bijwaard & Wahba, 2023; Jeffery & Murison, 2011). Migration policies significantly impact migrants' decisions regarding remaining, onward, circular migration, or return, creating a tension between choice and constraint. Despite the increasing number of studies on out-migration, few address the determinants of onward migration (Ahrens, 2013; Ahrens et al., 2016; Bijwaard & Wahba, 2023; Constant, 2021). Even fewer examine the influence of migration-specific or migration-related policies on these decision-making processes.

Migrants with previous migration experience and extended knowledge tend to need less information for decision-making. Baláž et al. (2016) found experienced migrants prioritize life satisfaction and climate over those without migration experience. Migration experience also influences risk and time preferences. Gibson and McKenzie (2011) found that risk-takers are 6 to 8 percentage points more likely to emigrate, with 'patient' individuals exhibiting even higher probabilities (12 to 13 percentage points). Deole and Rieger (2023) noted an increasing immigrant-native gap in risk preferences, attributing it to reduced integration amid high cultural diversity in Germany. They also found that immigrants generally exhibit more patience than natives, with time horizons indicating their migration intentions: *"Like risk attitudes, patience is also inherent to individuals' migration decisions. Migrants generally face a trade-off between the short-term costs of migration and the long-term benefits of the relocation. The time horizon of their migration, i.e., their intention to stay in the host country permanently or to re-migrate, also indicates their attitudes towards time preference (patience)"* (Deole & Rieger, 2023, p. 750).

Kuschminder and Koser (2017) differentiate between migration-specific and migration-relevant policies, evaluating their adverse¹³ or favourable effects¹⁴ on onward migration decisions. They conclude that *"favourable migration-specific protection policies' significance for decision-making is offset by the adverse migration-specific policies of not being able to work or access health care (for the majority of migrants included in this study), and migration-relevant policies such as austerity measures in Greece in particular"* (Kuschminder & Koser, 2017, p. 19).

Favourable migration-specific policies in destination countries, such as asylum and naturalization policies, significantly influence onward migration decisions (ibid.). The findings show that even migrants who already have refugee status in Greece pursue onwards migration. The adverse effects of migration-relevant policies often outweigh favourable migration-specific policies, turning former intended destination countries into transit countries (ibid.). The idea that migration experience, deviations from expectations, and external factors shape decisions on onward migration is further supported by studies like Baláž et al. (2016).

¹³ Adverse effects of migration specific policies in transit countries are no protection status and no right to work for migrants. Adverse effects of migration relevant policies are austerity measures that cut social care subsidies, undemocratic policies, employer sanctions and employment raids. In countries of destination the list of adverse migration specific policies is a lot more comprehensive, including *"[...] border patrols to restrict entry, information campaigns to prevent movement, return provisions and readmission agreements, detention and incarceration of irregular migrants"* (p. 7). Adverse migration-relevant policies are the same as in countries of transit, but exclude undemocratic policies.

¹⁴ For transit countries favourable effects of migration-specific policies comprehend protection visas (asylum or temporary protection status), the right to work, opportunity for resettlement and regularisation. In the case of migration-relevant policies named favourable effects are the ability to work, democracy, social protection benefits, access to education, access to health care and language accessibility. In countries of destination favourable migration-specific policies are identical, but don't include opportunities for resettlement. Named favourable migration relevant policies in countries of destination are identical with those in countries of transit.

Life course aspects, integration, living conditions, economic considerations, and social communities also impact onward migration decisions (Ortensi & Barbiano di Belgiojoso, 2018; Ahrens, 2013; de Jong et al., 2020; Gemi, 2014; Klabunde et al., 2017; Ramos, 2018; Stewart & Shaffer, 2015). Van Meeteren (2012) identifies three types of aspirations among irregular migrants: investment aspirations aiming for capital accumulation, settlement aspirations with long-term residence goals, and legalisation aspirations seeking regular status for a better life.

Regularisation programmes in countries like Italy, Spain, and Greece influence onward migration decisions. For example, economic recessions and policy changes in Greece led to a decrease in the Albanian population due to return and onward migration (Gemi 2014). Ahrens (2013) found that in Spain, economic recession and bureaucracy caused irregular migrants to lose regular status and entitlements, leading to precarious situations and creative strategies for survival. Kubal (2013) documented a Ukrainian migrant's journey through various European countries, highlighting the challenges of semi-legal status and onward migration.

Migrants regularised in one country may move to another for better economic conditions, even at the risk of becoming irregular again, following the trend of onward migration of naturalized citizens (Ahrens et al., 2016; Della Puppa et al., 2021). Migration-decision making is constrained by external factors impacting (onward) mobility choices and possibilities (Bijwaard & Wahba, 2023; Kley, 2017). A negative decision on an asylum application and related measures (e.g., detention, area restrictions, departure deadlines) can create significant pressure, leading migrants to abscond, move on and risk becoming irregular, return to their country of origin or another third country, or take further legal steps. In the Schengen area, migrants ordered to leave, with precarious residence status or staying irregularly, can migrate undetected to other countries (Leerkes & Kox, 2017). Although the Dublin III Regulation (EC 604/2013) controls asylum applications across countries, only a small proportion of transnational mobility of irregular migrants can be traced (ibid.).

Within the EU, strict immigration enforcement by one member state may push migrants into legal limbo, triggering secondary movement to other member states. Jørgensen (2020) examined Denmark's response to the so-called refugee crisis, which involved tightening migration policies. This Nordic country, for instance, manages non-deportable migrants by confining them to remote "deportation centers" with minimal provisions. These measures reflect Denmark's incoherent return regime - a strong desire for return enforcement without the necessary policy frameworks to facilitate it (Leerkes & van Houte, 2020). As a result, an increasing number of people disappear from the authorities and move to other European countries, living as irregular migrants or attempting to apply for asylum through loopholes in the Dublin Regulation (Jørgensen, 2020).

Governments use immigration detention as a deterrent to discourage unwanted migrants from staying, 'coerce' migrants into agreeing to return and prevent their arrival. Leerkes and Kox (2017) identify three possible outcomes of immigration detention in the Netherlands: (1) deportation or (assisted) voluntary return (2) the migrant remains (irregularly) in the country, or (3) onwards migration. Their qualitative study¹⁵ shows that a frightening and discouraging detention experience can lead to a change in attitude from preferring to remain in the country to preferring return or onward migration to another European country (ibid.). Preferences to stay decreased (from 65% to 46%), while preferences for return (from 12% to 21%) and onward migration (from 15% to 20%), as well as the number of undecided persons (from 7% to 14%), increased. Migrants whose preference shifted more strongly towards onward migration perceived the legitimacy of the detention measure as lower (Leerkes & Kox, 2017).

¹⁵ Semi-structured interviews with 81 immigration detainees.

Referring to the previously mentioned types of aspirations by Van Meeteren (2012), further insights arise from the influence of restrictive migration policies on the return migration¹⁶ of Senegalese migrants in France, Italy, and Spain (Flahaux, 2017).¹⁷ Return decisions are made based on the best possible outcomes for migrants and their families. Restrictive access policies can be perceived as obstacles to return, making re-entry more difficult and potentially extending the stay. Policies controlling the stay of migrants have dual effects: they can hinder integration and foster a return decision or prevent migrants from accumulating the necessary resources to return (capabilities to return) (Flahaux, 2017).

For migrants with temporary ‘investment aspirations’, achieving objectives can be negatively influenced by strict stay-control policies, deterring them from leaving the country until their goals are met. This results in an extended stay. The risk of leaving and not being able to re-enter also impacts migration decision-making for those with settlement or legalisation aspirations. Difficulties in the integration process can further influence onward and return decisions. The complex interplay micro, meso, and macro levels regarding the effects of migration-specific and migration-relevant policies highlights the need for extensive data and methodological innovation in this field of research.

In sum, the complexity of migration determinants and the context-dependent effects of migrant-specific and migration-relevant policies pose significant challenges for policymaking (Bijwaard & Wahba, 2023; Di Iasio & Wahba, 2024; Kuschminder & Koser, 2017). Bijwaard and Wahba (2023) emphasize the importance of understanding who leaves and who stays, and whether out-migration is mostly return or onward migration. They argue that a better understanding of the out-migration determinants is crucial for devising effective migration policies.

¹⁶ Flahaux (2014) conceptualises return migration “[...] as a function of individual’s aspirations and capabilities to return, [...]” (p. 19)

¹⁷ The study by Flahaux (2014) is for several reasons interesting. It illustrates the comprehensive data requirements to capture the influence of migration policies on return migration of Senegalese migrants, considering individual (transnational and time-varying data) and contextual data that allows to assess changes of the level of restrictiveness of migration policies for different categories of migrants (irregular, high skilled, low skilled, asylum seekers and students) as well as by destination country. Furthermore, yearly data about the situation in the country of origin is considered to capture the possible impact on a return decision. The author has drawn on the MAFE survey (transnational and biographical data from the Migration between Africa and Europe) (individual data) and the DEMIG policy and travel visa databases (contextual data) to study and analyse (event history logistic regressions) the effectiveness of different types of migration policies and the effect of migration policies on the return of Senegalese migrants in France, Italy and Spain between 1960 and 2008 (ibid.).

Future Research Directions

Onward migration

Schapendonk (2012) highlights the challenges posed by the politization and simplification of transit migration. The Eurocentric perspective that assumes migrants move from the periphery via the semi-periphery to Europe fails to consider that so-called transit countries can also be desired destinations, resulting in no aspirations for onward migration. This analytical blurring makes it difficult to distinguish between actual transit situations and other forms of migration, neglecting the diversification of migration destinations and the effects of immobility. Therefore, it is necessary to consider the "logics of journeying" and the influence of migration experiences on further migration decisions (Schapendonk 2012; Düvell 2012).

Future research should link the various stages of the migration journey, examining the diverse actors and structures at each phase. A comparative approach is essential to understand structural influences. Tracing migrants' pathways and the changing environments in which they operate is crucial to derive conclusions about the effectiveness or ineffectiveness of policies (Schuster & Majidi, 2015).

Studies on onward migration drivers need to consider the complex dynamics of these processes, including differentiated typologies of families and their influences, a gender-sensitive approach, the role of citizenship, and time constraints and opportunities in the country of origin, the first settlement, and elsewhere (Ortensi & Barbiano di Belgiojoso, 2018).

Research into possible reversed causalities could provide deeper insights into the mechanisms underlying unexpected effects. For instance, Flauhaux (2014) explains that policies encouraging or forcing migrants to return have shown unexpected effects. During periods of high policy restrictiveness in France, the likelihood of Senegalese migrants returning decreased, potentially due to reversed causality: higher policy restrictiveness was implemented because irregular migrants had not returned (ibid.).

Additionally, the impact of migrants' experiences after settlement, such as welfare state arrangements, on locational choices remains under-researched (de Jong et al., 2020, p. 178). This is especially important in conjunction with life course aspects, integration, living conditions (which may deteriorate due to economic crises or policy changes), economic considerations, and social communities.

5. Social factors, perception, and information mediating policy effects

5.1. Social factors

Migration decision-making processes are often non-linear and unpredictable, influenced by changing circumstances (Erdal et al., 2023). The locus of control and level of self-determination in migration decisions vary, ranging from individual choices made by the migrant themselves to group-based decisions influenced by families, households, and external social and political forces (Czaika, Bijak, et al., 2021). Group-based decision-making can be deeply embedded in family and households dynamics, with economic considerations such as diversifying and securing household income playing a significant role (Massey et al., 1993; Tsegai, 2007). Moreover, a household's income and available resources to support migration impact the feasibility of migration decisions (Klabunde et al., 2017). The influence of social networks and social capital must also be considered in a broader context (Czaika, Bijak, et al., 2021).

Social networks can explain the gap between intended and actual outcomes of migration policies by *“facilitating irregular movement and employment, generating ‘chain’ migration, or encouraging people to switch from temporary to permanent settlement”* (Elrick and Ciobanu, 2009). Various studies demonstrate the influence of social networks and communities in destination countries on migration-decision making and the choice of destination (e.g., Blumenstock et al., 2022; Di Iasio & Wahba, 2024; Neumayer, 2004). Social networks function as information channels about conditions in potential destination countries and as social resources providing support and material assistance. This allows for capturing the role of social networks and network structures, as well as social capital, specifically information capital and cooperation capital, in economically motivated migration decisions (Blumenstock et al., 2022).¹⁸

Research by Blumenstock et al. (2022) shows that for certain types of migration, such as repeat migrations, short-distance migrations, and long-term migrations, there is a positive correlation between the number of friends of friends and migration rates. In contrast, for first-time, long-distance, and short-term migration, a statistically negative effect is observed. Therefore, most migrants tend to head for destinations where they have extensive networks, possibly due to limited information about unknown destinations. At the same time, migrants respond strongly to the interconnectedness of their networks of friends and relatives and are attracted to well-connected and embedded networks (ibid.).

Studies on regularisation programmes have shown their impact on migration flows and social networks (Ciafaloni, 2004; Pastore, 2004b; Semi, 2006, in the context of the Italian regularisation initiative 2002). Elrick and Ciobanu (2009) explore the mediating effect of social networks on policy changes using the example of two Romanian communities (in Feldru and Luncavița) and Romanian–Spanish migration based on multi-sited fieldwork. They state that Spanish regularisation programmes have impacted migration flows since 1996. The prospect of regularisation raises migrants' expectations of obtaining long-term residence permits and basic rights, reduces fears of expulsion, and increases the inflow of irregular migrants. Only the 1996 regularisation measure offered the prospect of applying for an unlimited residence permit.¹⁹ Existing Romanian communities supported new migrants in obtaining

¹⁸ The authors analysed mobile phone activities of about one million individuals in Rwanda including all mobile phone activities in Rwanda from January 2005 until June 2009. The Call Detail Records were provided by Rwanda's near-monopoly telecommunications company and entail about one billion mobile phone calls.

¹⁹ Preconditions were a proof of residence or work contract, as well as that a person entered before 1996 and the financial resources to manage their stay.

proof of residence or employment and sustained them until a new regularisation programme was introduced. Findings revealed a positive correlation between the history of migration, the development of the migration network, and knowledge about migration and legalisation strategies. In Feldru, the network resources (information and support) were more extensive than in Luncavița (ibid.).

However, not all resident migrants motivate others to migrate or support new arrivals. Snel et al. (2016) found in their study on Moroccan residents in the Netherlands that the willingness to support and feedback mechanisms are dependent on the political (migration policies), societal (reception of immigrants), and labour market context. A majority would not recommend migration to the Netherlands. Older migrants would even transform from “gatekeepers” to “gateclosers”, discouraging further migration to the Netherlands. Stricter migration policies can thus lead to the irregular status of new migrants and negatively influence potential benefactors’ willingness to offer support services. Therefore, “[...] social networks can also have negative migration-undermining effects. The refusal of settled migrants to support potential newcomers reinforces the effects of the macro-developments in the three ‘contexts of reception’ on migration.” (Snel et al., 2016, p. 152)

Access to and control over information and knowledge²⁰ can significantly contribute to a cost-benefit analysis of migration and the expected outcomes in terms of fulfilling aspirations (Czaika, Bijak, et al., 2021). The process of acquiring, evaluating, and applying information is a complex cognitive process, and outcomes might be closely related to the framing and perceived credibility of information (Czaika, Bijak, et al., 2021; Hagen-Zanker & Mallett, 2020; Oeppen, 2016).

5.2. Information and perception

Another source of information in the country of origin is information campaigns. These campaigns are an inexpensive and externalized tool of migration and aspiration management, perceived as instruments of remote migration control and an externalization strategy (Carling & Collins, 2018; Morgenstern, 2023; Oeppen, 2016; Tjaden et al., 2018; Vammen, 2023; Watkins, 2017). While not new, migration information campaigns in Europe and Australia have seen increased political interest, resources invested, and number of campaigns implemented over the last two decades (Tjaden & Dunsch, 2021; Van Dessel, 2023). However, there is a lack of comprehensive and methodologically high-quality evaluations of these campaigns (Tjaden et al., 2018), and their actual effects are questionable (Browne, 2015; Oeppen, 2016; Tjaden et al., 2018). The framing of information and its further cognitive processing or credibility are factors that influence its effect on migration decision-making. Uncertainties about information on policies and the associated loss of trust in the system can also contribute to a tendency to accept risks of irregular transit (Mallett et al., 2017). The framing of information, addressed in prospect theory, influences migration decisions and migration flows (Czaika, 2015). *“The way information is framed or presented does influence the evaluation of migration options and, consequently, migratory action and inaction”* (Czaika et al., 2021, p. 21). If potential migrants question the credibility of information campaigns, this information is also neglected in the migration-decision making process (Oeppen, 2016). Even if information campaigns with deterrent messages influence migration decisions, their use must be ethically scrutinized (Morgenstern, 2023).

²⁰ As previously stated and in relation to the information and perception gap of Hagen-Zanker and Mallett (2020), it has to be considered that the amount of information available on the various factors varies and information might be incorrect (Czaika, Bijak, et al., 2021; Hagen-Zanker & Mallett, 2020; Kuschminder & Koser, 2017), or it may not be considered in the migration decision due to perceived credibility (Hagen-Zanker & Mallett, 2020; Koser & Kuschminder, 2016; Kuschminder & Koser, 2017; Oeppen, 2016).

Tjaden et al. (2018) identified 65 campaign evaluations in 60 reports/articles²¹. The campaign messages addressed policy restrictions/situations at destination (3), irregular migration (18), smuggling (8), trafficking (39), risks of the journey (12), and alternatives to migration (8). Based on quality criteria by Jesson et al. (2012) and the Cochrane Quality Study Guide (2013)²², the authors ranked the evaluations (1 to 5, Rank 1 if all criteria have been met), finding that none met all criteria for providing a reliable and quantifiable evaluation of programme impact.²³ Efforts targeting behaviour change stated success in about half of the cases. Evaluations of campaigns focused on attitude alteration tended to demonstrate only a modest effect in the desired direction. Assessments of campaigns aiming to enhance knowledge or awareness typically yielded positive outcomes, at least in the short term. Although success claims must be seen in the context of the quality and reliability of the evidence (Tjaden et al., 2018).

Morgenstern (2023) found evidence that information campaigns reduce intentions to migrate irregularly, especially when campaigns use anxiety-triggering emotional messages. Morgenstern follows rational choice theory, assuming that the information mediated in the campaigns increases the costs of irregular migration and therefore reduces the probability of a decision for irregular migration. Still, she emphasizes the limited generalizability of results considering varying campaign messages, the information sender, and the audience. Oeppen (2016) argues, based on findings from ethnographic research in Afghanistan, that Afghans don't believe the information provided by the campaigns and therefore questions their possible impact. Furthermore, the symbolic power of information campaigns must be considered, meaning that not only potential migrants are the targeted audience but also European publics, governments of migrants' countries of origin, migrants, and diasporas.

²¹ Fifty-eight "grey literature," two peer-reviewed journal articles, about 50 percent publicly available.

²³ Approximately the same number of campaign assessments received Ranks 2, 3, and 4. These assessments encompassed non-randomized control-group designs (Rank 2), pre- and post-campaign measurements (Rank 3), and a straightforward large-N post-campaign survey (Rank 4). Two-thirds of the assessments were ranked lowest, suggesting limited generalizability and reliability of findings. The assessments in this category predominantly comprised qualitative, small-N, and/or pilot studies. (Tjaden et al., 2018) These results must also be taken into account when assessing the success of the campaigns: even if the majority claim positive success, an assessment of the defined objectives of the programs reveals a mixed picture.

Future Research Directions

Migration-decision making

Greater insights are needed into the decision-making processes of prospective or potential migrants when choosing one country over another or deciding whether to migrate at all. Conducting surveys with such individuals across a wide array of origin countries poses significant challenges, especially for those who have not yet finalized their decision to leave their homeland (Helbling & Leblang, 2019).

Potential migrants have highly diverse characteristics, risk preferences, and varying levels of knowledge about potential countries of destination. The extent to which uncertainty influences migration decisions warrants further investigation. Additionally, the impact of previous migration experiences on migration preferences is an area that could be addressed by future panel studies in countries of origin (Goldbach & Schlüter, 2018).

Baláž et al. (2016) highlight the potential of experimental research methods to capture the complexities of migration decision-making. Simulation of decision-making processes allows for control over specific factors and is replicable, making it a valuable tool for understanding these dynamics.

Social networks

Further research should examine how information about regularization and return policies is framed within social networks, in what contexts, and the role these networks play in determining which migration routes and destination countries are chosen. This is particularly important for first-time migrants who lack their own experience and knowledge to rely on. Another under-researched dimension is the "affectual ties" of deported individuals to the countries from which they were deported and their role in repeat migration, as well as how these ties can be measured (Martínez et al., 2018).

6. Policy implications

Despite the relatively limited and often mixed evidence on migration policies, policymakers are expected to address the underlying causes and drivers of irregular migration and non-return. Policy responses to perceived “pull effects” related to regularisation, non-enforced return, asylum systems, or welfare systems often reflect political and public discourse tensions, sometimes described as symbolic policies (Ataç & Schütze, 2020; Schiller & Jonitz, 2023; Slaven & Boswell, 2019).

Malheiros and Peixoto (2023) highlight the gap between political rhetoric and effective policies, noting criticism from politicians and officials in northern and central European EU countries regarding the extraordinary regularisations in southern European countries during the 1990s and 2000s. Visa facilitations for non-EU Eastern Europeans during this period increased irregular migration in countries like Italy or Portugal. However, these actions aligned with the economic and geopolitical interests of Northern and Central European EU countries, which also implemented general mass regularisations, albeit more limited and specific (e.g., France 1997 to 1998 or Germany 2007). This perspective underscores the importance of understanding the interdependencies of migration flows and their management within the European Union (ibid.).

Policymakers often respond to increased “asylum pressure” with tighter asylum policies, stricter border enforcement, and lower asylum application recognition rates (Hatton et al., 2004). While these measures can reduce migrant inflows, they also cause unintended effects by redirecting migrants and asylum seekers both spatially and categorically rather than reducing their actual numbers (Brekke et al., 2017; Czaika & Hobolth, 2014; De Haas, 2011; Neumayer, 2004). Narrow and ad hoc policy approaches fail to address the complex interplay of structural migration drivers and often neglect unintended effects, necessitating a long-term perspective (Czaika & Hobolth, 2016).

Bratu et al. (2020) recommend considering the spillover effects of national migration policies when developing new ones. Policymakers who assume that liberal migration policies create a pull effect may compete to avoid being the most liberal, risking a race to the bottom. Recognizing spillover effects is central to the EU debate on whether immigration policy should be regulated at the European or national level. Brekke et al. (2017) argue “[...] *that a tightening of asylum policies in one receiving country reduces the number of new asylum seekers, both by deflecting the flow to other destinations and by reducing the registered outflow of applicants from the countries of origin. The deflection effect spurs tension and conflict between receiving countries and, at the same time, creates a strong urge for international coordination around asylum policy*” (p.22).

Neumayer (2004) suggests interpreting “fair burden sharing” (p. 176) as financial side payments rather than reallocating asylum seekers. Less popular countries are more likely to agree to accept payments than asylum seekers from other countries, as shown by the European Refugee Fund or more recent attempts of the EU relocation scheme. Financial payments do not interfere with the fundamental determinants of asylum destination choice and prevent potential reversals of physical reallocations (p. 176f.). Cooperation between developed countries, countries of origin, and international organisations is essential for developing effective migration policies and managing migration flows while ensuring compliance with human rights and the Refugee Convention (Constant, 2021; Matsui & Raymer, 2020, p. 224).

Hagen-Zanker and Mallett (2020) identify the influence of different interests and politicization on migration policymaking as causing discrepancies between objectives and achievements. They also stress the relevance of involving various actors, such as non-migration policymakers and the private sector.

Hinterberger (2019) advocates for an EU Regularisation Directive to complement the EU return policy, reducing irregular migration. He argues that the Return Directive implies a legalisation obligation in cases where a return decision would violate the principle of non-refoulement. Hinterberger proposes a two-phase harmonisation process for regularisations: the first covering those derived from international or EU law, and the second targeting relevant domestic law in the EU Member States. He also considers reforming the EU Return Directive to integrate regularisation provisions as an alternative, acknowledging the complexity and risks involved.

A narrow focus on return and regularisation policies overlooks the importance of combining different measures. Clemens and Gough (2018) found that enforcement measures effectively reduced irregular migration at the United States-Mexico border when combined with expanded regular migration options. Regularisation programmes should be part of broader policy reforms addressing the underlying drivers and 'root causes' of irregular migration. Effective labour immigration policies are crucial given the impact of economic factors on migration decisions (Finotelli & Arango, 2011). For example, regularising undeclared workers in Italy increased social security contributions and tax payments (Di Porto et al., 2018).

Effective communication of information is vital for migration-decision-making (Kuschminder & Koser, 2017). Tjaden et al. (2018) recommend promoting the exchange of involved actors, integrating campaign evaluations into funding schemes, and making them public to foster learning processes. The ethical dimensions of disseminating deterrent information must also be considered (Morgenstern, 2023).

7. Conclusion

This working paper has illuminated the complex interplay between return policies, regularisation policies, migration intentions, and migration flows towards and within the EU. Our analysis of the literature reveals varied effects of these policies – deterrence, deflection, displacement, pull, retention, and self-removal. The evidence suggests that while return policies and their enforcement have some impact on migration flows, the effects are modest, often failing to address the root causes of migration such as conflict and poverty. Non-enforcement of return can lead to secondary movements within EU+ countries, though these "pull effects" are minimal. Strict return policies, aimed at deterring irregular migration, can inadvertently redirect migratory flows towards more perilous routes without addressing fundamental migration drivers.

Regularisation policies, both one-off and permanent, may serve as pull factors by signalling broader acceptance and facilitating integration. The effectiveness and attractiveness of these policies are influenced by broader socio-economic contexts. Social networks, for example, emerge as stronger pull factors than specific policy measures.

Empirical evidence on return policy and migration patterns should be evaluated with caution, considering the limitations in data and methods. Different methodologies, ranging from econometric models to qualitative interviews, each carry inherent limitations that can affect the validity of findings. For this reason, triangulation in data and methods is important.

As migration dynamics evolve, so too must our perceptions and policies. Future research should focus on the (un)intended effects of migration policies, particularly the impact of return and regularisation policies on migration decision-making and flows. Researchers have a responsibility to provide objective analysis and to consider ethical sensitivities when collecting information from and about irregular migrants. They should also strive to develop and test new methodological approaches and theories.

Collaboration across disciplines and inclusion of various theoretical strands can enrich our understanding of migration. Insights into the decision-making processes of potential migrants, the influence of previous migration experiences, and the role of social networks are crucial. Research on onward migration and the complex dynamics of migration journeys can help distinguish between different forms of migration and their drivers. Studies should also explore the impact of migration policies on return motives and the influence of returnees on migration decisions in their social environments.

Enhanced micro-level and longitudinal data are essential for capturing the nuanced interplay of individual decisions and broader policy landscapes. Recent improvements in EU data on apprehension and return enforcement offer valuable opportunities for more detailed and timely analysis. By addressing these research gaps and incorporating diverse perspectives, we can develop more effective and humane migration policies that reflect the complexities of global migration dynamics.

8. References

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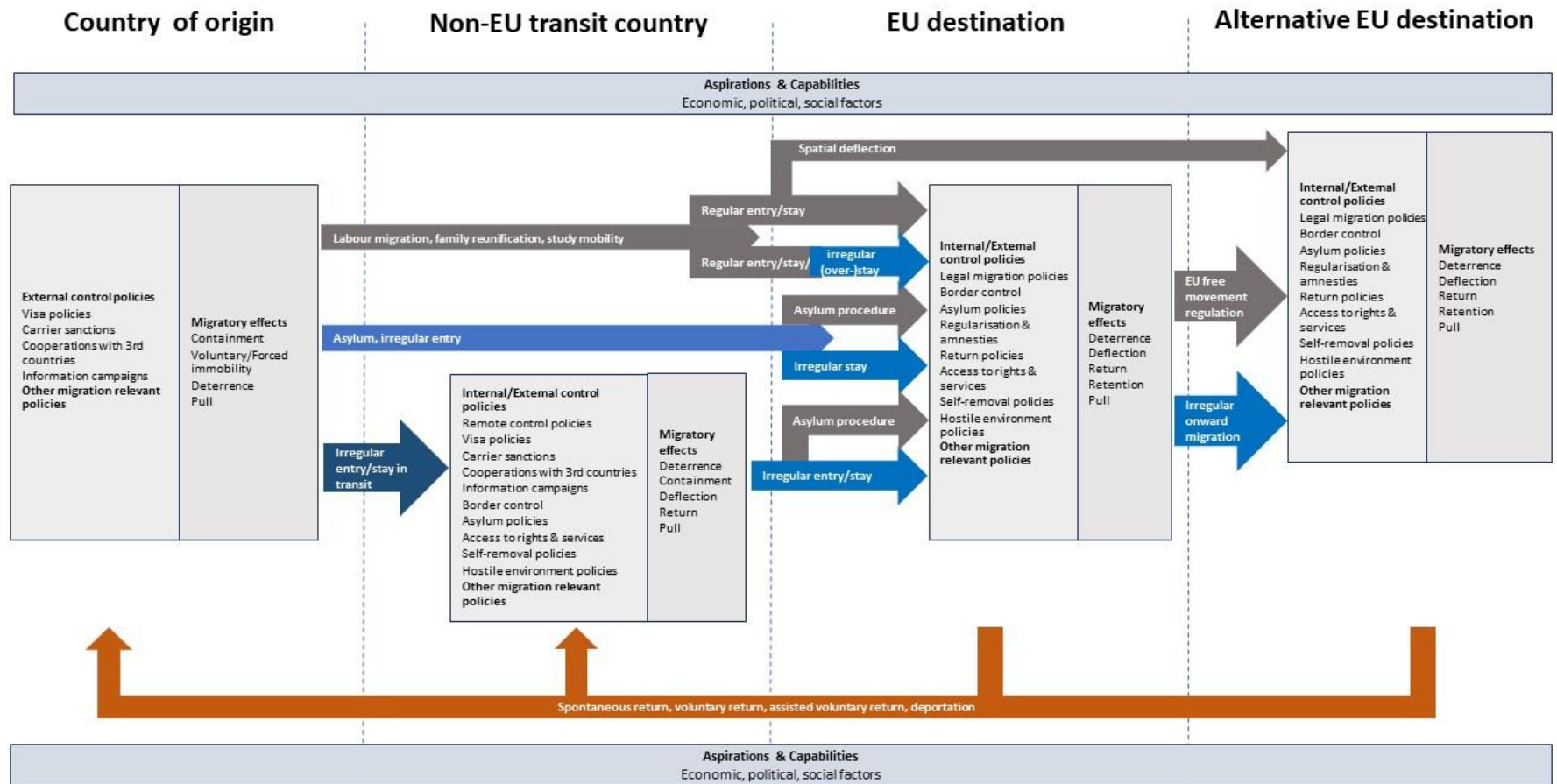
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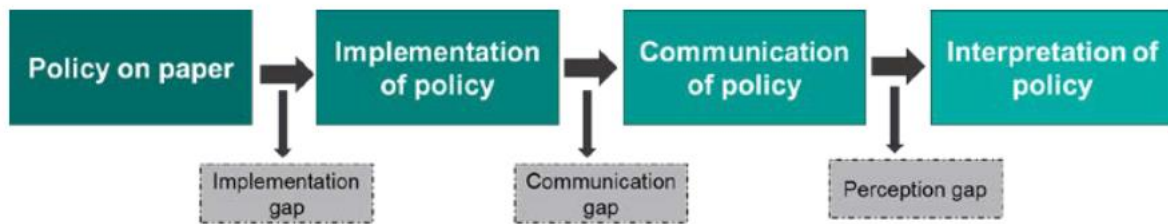
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Figure 1 Migration policy effects and migratory pathways



- Grey – regular migration pathways
- Blue – irregular migration pathways, incl. asylum seekers
- Dark blue – irregular entry / stay in transit incl. asylum seekers
- Orange – return incl. spontaneous return, voluntary return, assisted voluntary return, forced return

Figure 2 The policy transformation process



Source: Hagen-Zanker & Mallett (2020, p. 13) elaboration of Czaika and de Haas (2013)

Table 1: Data Sources

Name	Link	Description
Eurostat Enforcement of Immigration Legislation: Third country nationals ordered to leave, Third country nationals returned following an order to leave	https://doi.org/10.2908/MIGR_EIORD https://doi.org/10.2908/MIGR_EIRTN	Provides longitudinal records of the number of orders to leave issued and the subsequent returns. Updated annually in 2008-2020 and quarterly from 2021 onwards.
Eurostat Asylum Applications Data	https://doi.org/10.2908/MIGR_ASYAPPCT_ZM	Monthly updated data on the number of asylum applications lodged in EU+ countries since January 2008.
Eurostat Enforcement of Immigration Legislation: Third country nationals found to be illegally present	https://doi.org/10.2908/MIGR_EIPRE	Includes third country nationals who are discovered with unauthorized presence in EU+ territory. Updated annually in 2008-2020 and quarterly from 2021 onwards.
UNHCR Population Statistics Database	https://www.unhcr.org/refugee-statistics/	Annual data on refugees, asylum seekers, and other people in need of international protection dating back to 1951.
Frontex Irregular Border Crossings Data	https://www.frontex.europa.eu/what-we-do/monitoring-and-risk-analysis/migratory-map/	Monthly data on detections of third-country nationals crossing the EU external borders without prior authorization since 2009.
Kuschminder & Waidler Survey	Study: https://doi.org/10.1080/21632324.2019.1601829 Dataset Not Available Online	Survey of migrants in Athens and Istanbul exploring decision-making processes related to irregular migration.

Beber & Scacco Survey	Working paper: https://doi.org/10.4419/96973121 Dataset Not Available Online	Survey conducted in Benin City, Nigeria, focusing on migration decision-making.
Beber et al. Survey	Working paper: https://doi.org/10.4419/96973243 Dataset Not Available Online	Survey with Senegalese men on migration decision-making in response to changes in Germany's asylum policy.
Tjaden Survey	Study: https://doi.org/10.1111/imig.13003 Dataset Not Available Online	Survey in Guinea and Senegal to study the relationship between risk perception and migration intention
Auer & Schaub Survey	Study: https://doi.org/10.1016/j.worlddev.2023.106291 Data: https://doi.org/10.7910/DVN/AU5WDT	Study on the impacts of return migration on migration intentions at a local level through geolocated representative surveys.
Migration between Africa and Europe (MAFE) Survey	https://mafeproject.site.ined.fr/en/	Covers the "patterns, causes and consequences of African migration" to Europe. Includes over 4,000 household interviews in Africa and more than 5,400 individual life history questionnaires in Europe.
IAB-BAMF-SOEP Survey of Refugees	https://doi.org/10.5684/soep.iab-bamf-soep-mig.2021.1	Covers various aspects of refugees' lives in Germany from 2013 to 2022.
Gallup World Poll	https://www.gallup.com/analytics/318875/global-research.aspx	Offers data on migration intentions and population characteristics in countries of origin.