

## **2. Code of Conduct**

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The aim of formulating a code of conduct is to outline terms and conditions that should give direction to the conceptualization, implementation and control of the effects of programs and measures for the return and reintegration of members of minority groups. The intention will be the specification of principles, aims and priorities which are mandatory in such programs for actors on a national and EU level. Fields of activity will be defined, encompassing the role of the host countries as well as the countries of return.

### **2.1 Examination of Prerequisites**

Causes for migration lie as a rule in individually or collectively perceived conflicts, problems, threats, discrimination or persecution which makes it difficult to carry on living in the country of origin and/or is perceived as a danger by those affected. This is especially the case in civil war, as well as in circumstances which have an emphatic effect on the living situation, especially in political or economic transformation processes.

Where measures for return are recommended or implemented by host countries through the rule of law, responsibility for the affected persons or groups does not end at the national border. The extent to which return and reintegration can be carried out so as not to create new conflict potential in the country of return is to be examined in advance. This begins by ascertaining the current conditions in comparison to the original conditions that triggered migration.

A detailed and continual exchange of information is required between authorities and institutions in the host country and those in the country of return. The incorporation of knowledge from organizations that have direct contact to the target group on either side is emphatically recommended.

An examination should be carried out in the Country of Return with regard to security, conditions concerning cohabitation and possibilities of securing an income for returnees. In the case of minorities, this relationship is visible in comparison to the local majority population. The examination also includes questioning to what extent legal and actual foundations exist for equality in political and economical life in the COR.

Decisive here is not that an optimal system of interrelation involving all factors already exists, but that conditions exist which allow for constructive development, and that a willingness for change is clearly verifiable.

The examination of prerequisites for return and reintegration incorporates analysis of the target group within the host country. This includes ascertaining willingness to return and expectations as well as assessment of existing knowledge and capabilities in order to realise economic and social reintegration.

### **2.2 Development and Introduction of Customised Procedures**

On the basis of the results acquired from the examination of the prerequisites, procedures are to be developed by organisations and institutions which:

- a) ensure advice, information and preparation for the target group during the return and reintegration process and convert voluntariness.

- b) provide for the continual exchange of information between the host country (HC) and the country of return (COR).
- c) carry out monitoring, allowing and including flexibility and adaptability during program development and implementation.

In addition, the establishment of alliances for safe and integrated return is recommended. They are a body for both the Host Countries and the Countries of Return, which integrate the different institutional levels and guarantee continual communication and problem solving expertise between the parties taking part in the process. Depending on the concrete situation, the following should be involved:

- Representatives of the responsible ministries (e.g. Ministries for Refugees in the COR and in Germany the BMZ (German Federal Ministry for Economic Cooperation and Development), the BMI (German Federal Ministry of the Interior), the BMWA (German Federal Ministry of Economics and Labour), where appropriate.
- Governors or mayors
- Community councils
- Religious representatives
- Local and international organisations
- Police and military
- Representatives of the local resident population
- Departments for housing, education and health
- Employment Offices
- Representatives of the target group
- Local businesses

Additionally to be involved in Germany are:

- Aliens Department / BAMF (Government Department for Migration and Refugees)
- Aliens Councils
- Social Offices or Advice centres

A compilation of the interests, as well as a comparison of the interests, of the parties involved is essential and the basis for a successful installation of the program.

Before the introduction of such a program there should be agreements made at a state level between HC and COR setting out mutual commitments.

### **2.3 Main Elements in Implementing the Program**

Raising awareness among those involved, especially among the resident population, pertains to the program. They should be made aware that the reintegration of minority groups is a first step towards normalisation and understanding in post-conflict situations and that these measures will contribute towards the revitalisation of local infrastructure, thereby improving the living conditions of all residents. The population of the resettlement region will therefore be purposefully involved and prepared.

The program's measures will be designed so as not to leave or strengthen the returnees' position as victims but to activate self-help potential. It can be assumed that where this potential is scarcely developed or buried, or in cases of long-term marginalization of minorities, these demands on returnees may lead to aggression. For this reason, the rights as well as the duties of program participants are to be fixed and defined by agreement.

Important elements and program components are:

- Continuation of consultancy offers after return
- Comprehensive participation of returnees within the existing health and education systems. Only in the case of special problems, such as language barriers for school attendance, will special measures need to be developed. In the case of strong underdevelopment of infrastructure in these areas, measures of improvement should be brought into the scope of the program (e.g. equipment aid).
- Clarification of property issues and access to property.
- Offers of qualification and further educational measures for returnees according to labour market demand within deficit areas.
- Creation of job allocation opportunities within the area of local production and services.
- Identification and development of suitable self-employment potential. Economic self-employment is an especially suitable path towards integration for minorities in the COR and promotes the (re-) assimilation of stable exchange relationships with the majority population. Decisive for this offer to returnees remain however personal suitability and competence as well as appropriate legal and economic frameworks for business creation.

In order not to generate added social frictions, parts of the local population, especially unprivileged groups among women and the youth, are to be directly brought into the program's opportunities. The use of reintegration measures must be comprehensible to and available for all local powers.

To implement the measures, a local management team is to be established, which safeguards organisational and financial development.

Coordinational and governance functions are to be agreed upon between the agencies in the host countries and the countries of return.

## **2.4 Funding Instruments and Evaluation**

Safeguarding funding for the measures rests as a rule with the host countries. They must ensure that the funds are not solely concentrated in the process of return and accompanying measures, but that targeted measures towards reintegration can be facilitated.

For the implementation of a combination of infrastructure measures, return and reintegration, a combination of funds from different financial sources is required as no single institution within the host countries can cover all these tasks.

A quantifiable co-payment will be agreed with the participating communities within the countries of return that could consist of material resources.

The time horizon of financing is dependent upon the results of monitoring and impact analysis.

Internal success controls and – if required – a customisation of instruments to changes in the framework requirements will be conducted through the representatives of “Allianz für sichere und integrierte Rückkehr” (Alliance for safe and integrated return) and the management of the program.

Upon completion, this is followed by a valuation. The Terms of Reference of this valuation will be established by the alliance partners.

The policy towards return and reintegration, especially towards the return of minorities, should generally be coordinated through common procedure at an EU level.