

Maintaining mobility rights to reside, work and study

Policy brief v.1

KEY MESSAGES

- Migrants' trajectories are becoming less linear.
- Free and personalised counselling services are needed to meet the demands and needs of returnees and those who wish to return.
- It is essential to establish one-stop-shop services to assist the administrative regularisation of returning migrants.
- The third sector has a crucial role to play in this process, and should work in coordination with the administrations.
- It would be highly advisable to work towards the adoption of bilateral agreements for free mobility, residence and work that would allow the status quo to be maintained prior to the UK's withdrawal.

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RETORNO study

Interventions on Social Determinants of Health
– A comparative study of returned migrants from the UK and Spain post-Brexit referendum



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Introduction

The principal purpose of the EU-funded RETORNO study is to develop an evidence-based, context-sensitive theory of how intra-EU returned migrants' health could be improved. Their objectives are addressed to investigate how Brexit is affecting social and health issues in returned migrants, especially between the United Kingdom and Spain, but also at a European level. Intra-EU migration policies interact with social determinants of health, which are the circumstances in which people are born, grow, live, work and age. These vary depending on how policies distribute money, power and resources, and have an impact on people's health.

The Welfare State at the European level is designed for a sedentary status (for nationals and permanent residents), and linked to labour (by having contributions), which does not allow citizens to come and go within a framework of guaranteed rights^{1,2}. Social citizenship has been dismantled because there is no access to justice or to free legal aid, both civil rights. Other social and political rights are then put at risk³. This whole situation has been aggravated by the UK's withdrawal from the EU⁴ and by the Covid-19 pandemic. Moreover, in these countries/regions there are no return plans or they are unclear; in addition, the different levels of government (state, local) generate territorial inequalities^{5,6}.

Our approach

We used an innovative literature review methodology (realist synthesis) with five co-productive workshops with stakeholders (returnees, NGOs, charities, diplomatic representations, policy makers, etc.).

- ✓ The first workshops were held in phase one of the realist synthesis, in order to map initial contextual differences between Spain and the UK, helping to refine initial knowledge and consolidate the scope and objectives of the study.
- ✓ The second round of workshops was carried out in the evidence analysis and synthesis phase, in order to refine and validate the identified recurring patterns of contexts and outcomes and then explain these through the mechanisms by which they were produced.
- ✓ In the final phase, a final co-productive stakeholder workshop was held to develop joint strategies from an inter-sectoral approach on Return Migration and Health.

What we found

Key findings from our study are:

The best of both worlds: Migrants' trajectories are often restless and non-linear. When emigrants are not integrated into the receiving country's society (e.g. language proficiency, legal residence), Brexit pushes them to settle in one country, which negatively affects their living conditions, quality of life and health, unless they have the resources to circumvent the 90/180-day Schengen rule.

- The **UK's withdrawal from the EU has diminished mobility and residency rights**, and has also led to a loss of trust in British society, disconfiguring feelings of European belonging, which is influencing migration trajectories.
- The **Spain-UK case:**

- British citizens living in Spain show a **low level of integration** in this country (language barriers, residence barriers, etc.), do not tend to perceive themselves as immigrants and think that everything remains the same after the UK's exit from the EU. Therefore, most of them believe that they do not have to do anything to enjoy the services and benefits, both in Spain and in the UK.
- Furthermore, given that their **social networks are fragile or non-existent**, the likelihood of loneliness, isolation, and negative impacts on health increases, truncating their active and healthy ageing project.
- When UK-nationals or EU-citizens realise that they are losing rights, they start to develop practices of "**geographical arbitrage**" (strategic mobilisation of economic capital and resources accumulated in one place for a better life elsewhere) which means maximising their resources and diminishing the negative impacts on their lives.
- Despite these geographical arbitrage tactics to continue enjoying the best of both worlds, many people remain in an **irregular administrative situation** and without guaranteed social and health services and benefits, which has a negative impact on their living conditions, quality of life and health.

Policy implications / Recommendations

- **Free and personalised counselling services** should be promoted to effectively channel the demands and needs of returnees, as well as those considering return.
- It is essential to establish **one-stop-shop services to assist the administrative regularisation** of return migrants, so that they are covered by the provisions of the UK's Withdrawal Agreement from the European Union. The third sector has a crucial role to play in this process, and it is essential that it works in coordination with administrations, including embassies and consulates.
- The adoption of **bilateral agreements, including the right to free mobility, residence and work** on equal terms with nationals, would allow maintaining the status quo prior to the UK's withdrawal (mobility to reside, work or study). It should be borne in mind that this type of agreement is commonplace worldwide, compatible with European legislation, and there are no legal impediments to moving in this direction.

References

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