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Immigration detention and its impact on integration - A European approach -

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The KING project's objective is to elaborate a report on the **state of play** of migrant integration in Europe through an interdisciplinary approach and to provide decision- and policy-makers with **evidence-based recommendations** on the design of migrant integration-related policies and on the way they should be articulated between different policy-making levels of governance.

Migrant integration is a truly multi-faceted process. The contribution of the insights offered by different disciplines is thus essential in order better to grasp the various aspects of the presence of migrants in European societies. This is why **multidisciplinarity** is at the core of the KING research project, whose Advisory Board comprises experts of seven different disciplines:

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The project consists in the conduct of a preliminary desk research to be followed by an empirical in-depth analysis of specific key topics identified within the desk research. To carry out these two tasks, each Advisory Board member chose and coordinated a team of two to five researchers, who have been assigned a range of topics to cover.

The present paper belongs to the series of contributions produced by the researchers of the “EU Policy” team directed by Doctor Yves Pascouau:

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The project is coordinated by the **ISMU Foundation**, based in Milan (Italy).

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1. INTRODUCTION

Integration and migration policies such as detention seem at first sight to be very distinct policy areas. While migration policies intend to “influence the volume, origin and internal composition of immigration flows” (Czaika and de Haas, 2011), and therefore target migrants before reaching Europe and being granted a legal status, integration aims to prepare and facilitate the full participation of those who are in the territory and have already obtained a legal status.

In practice, however, this division does not reflect the complexity and non-linearity of most migration trajectories. It ignores the significant number of people living irregularly on the territory, but yet participating socially and economically, as well as the fact that many migrants who will be granted a status entered Europe in an irregular way. Furthermore, it does not reflect the fact that individuals may be subject to immigration and integration policies once they are admitted into the territory of the receiving state. This interlink is obvious when considering the EU family reunification Directive. While it defines the conditions under which family members are entitled to join the sponsor in the Member States, it also seeks to improve the integration of third country nationals (TCNs) into the receiving society. The long term residence Directive follows the same logic. It is an immigration rule aiming at defining the conditions under which TCNs may ask for a specific status granting additional rights and therefore securing their integration. This issue has been heavily discussed in literature. More precisely, academics have identified a shift within the EU’s approach to integration. Originally founded upon a rights-based approach of the respect of the principles of fair and equal treatment of TCNs, policies are now increasingly determined by the migration objectives of Member States, which have come to prevail over social inclusion objectives and EU principles on integration (Barwig and Davy, 2004; Groenendijk, 2004). This shift is commonly illustrated by the Member States’ growing use of integration “conditions” in procedures for family reunification and long term residence (Carrera, 2008; Pascouau, 2011).

The debate has been restricted to one side of the migration policy field, i.e. the link between legal immigration rules and integration policies. Another field of EU migration policy linked to border management and removal has not led to such a discussion. More precisely, detention has rarely been investigated in relation to the integration process. The analysis so far has been put into a legal perspective (compliance with human rights and EU law) or in research looking at the criminal aspect of migration law and policy, as well as the increasing securitisation of migration in Western countries (Parkin, 2013). This phenomenon is often called ‘cimmigration’ (Majcher, 2013 Aliverti, 2012; Chacon, 2012; Sklanksy, 2012). Connecting these two areas is rather challenging. From a legal point of view, irregular and regular migrants fall under very distinct legal frameworks. From a State perspective, admitting that detention may impact the integration process would first mean acknowledging the inefficiency of such a policy in achieving its intended effect, namely the removal of unauthorised migrants; secondly it would mean officially admitting that detention has a cost for individuals and societies, whether human, financial, economic or social.

This paper argues however that disregarding the link between detention for immigration purposes and

integration of TCNs can no longer be sustainable for three main reasons. First, and despite a notorious lack of statistics on immigration detention in the EU, there is a broad consensus in academic literature that the last decade has seen a dramatic increase in the use and in the capacity of immigration detention across the EU, as well as in neighbouring countries with which the EU has developed a number of agreements (Welch and Schuster, 2005, Leerkes and Broeders, 2010, Flynn 2013). Secondly, some evidence shows that a significant number of people detained are not removed and therefore remain in the Member States. Irrespective of whether they are granted a legal status, while waiting for a regularisation procedure, a large proportion of these TNCs may sooner or later fall under the scope of integration policies. This questions not only the “efficiency” of detention as an instrument to enforce return policies, but also the political coherence of the EU and national policy agenda. Finally, deprivation of liberty is in Europe the most serious sanction that a state can impose on an individual. Existing evidence on the negative impact detention has on people therefore questions the lack of connection between detention and integration, particularly within the framework of EU migration policy.

This paper seeks to explore the possible long-term impact immigration detention has on the integration of migrants and refugees, and its consequences on societies. There is evidence that detention has serious negative impact on people’s mental and physical health. Although, its consequences on the integration process have been rarely researched, this article reviews a number of pieces of evidence which allows that link to be made. A few methodological notes should be made about the scope and the limitations of this paper. First, no longitudinal study that follows the integration of ex-detainees over a period of years was found in Europe. In general, research on detention is problematic for a number of practical and methodological reasons, the first one being the difficulty of accessing detention centers and detainees. The only research available was carried out in Australia and the US, as well as in the UK, countries with different legislations as regard to immigration detention. Although similarities were found with other studies, further research should be done to examine the hypothesis suggested in this paper. Secondly, given the lack of data it is very difficult to precisely define the target group this paper intends to cover. Our general focus is all migrants that have been detained, released, and finally remain on EU territory, whether they are granted a legal status (temporary, permanent, humanitarian, refugee, subsidiary protection) or live in legal uncertainty.

The first section will look at the EU frameworks for integration and detention. The second part will look at the impact of detention, the existing literature that provides information about the influencing factors and the key findings. This part will already assess the evidence of the long-term impact of detention. It draws on a variety of disciplines that engage with detention and integration. These fields include: medical research, criminology, law, political and social sciences. A number of qualitative studies carried out by NGOs are also included.

The third section will draw up some hypotheses about possible social and economic consequences of immigration detention, therefore questioning the consistency of EU policies regarding migration and integration. For the purposes of this study, this review is looking at five areas prioritised in the EU’s common approach on integration: employment, education, active citizenship, social inclusion, welcoming society). The impact here is primarily understood as the impact on the individuals subject to detention, but also the impact on the host society and its ability to accept newcomers and immigrants. This multidisciplinary approach will reflect the heterogeneous effect that detention can have on society and the holistic approach that is needed to adequately address both social integration and the nature of immigration detention.

2. EU FRAMEWORK ON DETENTION AND INTEGRATION

Integration and detention are at the two ends of a same spectrum. Both are considered by the EU as crucial areas for a “well-managed migration system” (EC COM, 2014, 154 final: 5). While integration is crucial to “maximise” the economic and social benefits of immigration, (EC COM, 2011, 455 final), detention, as part of measures to enforce the return policy and controlling migration flows, implements States’ sovereign prerogative to determine which non-nationals enter and remain on its territory. These two policy areas are therefore not meant to be connected and measures used to fight against irregular migration are not supposed to be applied to legal TCNs. On the other hand, undocumented migrants, who are the only explicit group excluded from the scope of integration policy, are not supposed to be regularised one day. Reality shows a slightly different picture though. EU law allows Member States to detain asylum seekers. People may live for years after detention under immigration control although they cannot be removed, and a great number of irregular migrants live and participate in EU societies. The line between legal and irregular migrants is often blurred by the complexity of migration trajectories.

This section shows how both policy areas have been developed in a non-intersectional manner, differing in both their scope and objectives. Based on the two EU policy frameworks, it also provides some evidence as regards why connecting detention and integration should be considered as a legitimate issue

2.1. The EU common approach on integration

The definition of the EU understanding of integration is still under debate. Through a mix of EU law, and a set of non binding documents and tools produced through a quasi open method of coordination (OMC), the EU has come up with a definition of integration which combines a set of rights and principles that encompass several policy fields (Acosta Arcarazo, 2014). Integration is understood as the end product of a dynamic and multilayered two-way process. It depends both on the development of certain policies, and on the active participation of newcomers. Key areas for successful integration are to be found in the Common Basic Principles of Integration (CBPs), the Zaragoza indicators, as well as in all EU policy documents and tools related to integration. These include a number of pillars: employment, education, social inclusion and active citizenship. The EU CBPs add some dimensions such as the respect for EU values, the knowledge of the receiving society’s language, history, institutions, and the need for interaction between migrants and citizen. The EU family reunification Directive introduces the importance of family life for the integration process.

2.1.1. Integration, the process

While constantly insisting on the importance of integration for individuals, societies, the EU economy and migration policies (EC COM, 2014, 154 final; EC COM, 2011, 455 final), the EU framework on integration gives a rather unclear picture of the understanding of the process itself. The attempt to capture the realities of integration in order to develop efficient policies, implying the inclusion of the views on integration of different stakeholders at both national and EU level , placed the EU beyond the sole right based approach. Furthermore, the pressing migration objectives imposed by Member States blurred the line between a social agenda and the willingness to reduce migration channels, particularly family reunification and access to citizenship. As a result, the EU approach to integration struggles to clarify its views on what integration is, its scope and its obstacles. Recent discussions about the target groups for integration measures revealed this difficulty to combine EU law, migration objectives, and the importance of addressing integration realities that go beyond the initial scope. Initially designed for “legally residing TCNs”, discussions address the issues for EU citizen, second generation migrants coping with

intergenerational transmission of disadvantage, as well as the need to prepare migrants and family members in their countries of origin through pre-entry integration measures.

In the frame of this paper, it is interesting to see that a broader view of the integration process emerges from these discussions. First, the importance of the reception phase for successful integration is acknowledged, although limited to asylum seekers and family members. As regards asylum seekers, the Commission working paper accompanying the second agenda of integration refers to the period of asylum claim as having a certain impact on the future integration: “The provisions of the directive (RCD) have an impact on the integration of beneficiaries of international protection as they cover the first period of their residence in the Member State” (EC COM, 2010, 957 final: 10). Secondly, the recognition of transgenerational issues generated by the lack of early integration measures implies that the EU recognises the long-term impact that inconsistent integration policies may have on people and societies. Finally, developing approaches that cut across all policy domains emphasises the crucial role of a number of policy areas outside the traditional remit of social inclusion and the methodology of social protection policies. All these aspects could appear in the EU framework on integration and open the debate towards the possible impact of migration policies, such as detention, on integration. However, this remains limited to specific issues and groups.

2.1.2. Integration indicators

Another domain that could identify the obstacles generated by certain policies is the development of indicators. In June 2010, EU Member States approved a number of European indicators of migrant integration called the Zaragoza indicators, based on the EU2020 indicators and the EU’s Common Basic Principles, focusing on the core areas of employment, social inclusion, education, and active citizenship. In this regard, indicators have been an important step in clarifying the goals Member States should target in order to develop efficient integration policies. They are a useful monitoring tool to observe and evaluate progress in Member States. It also potentially constitutes an incentive for Member States to develop statistics and gather evidence on the population of migrants remaining on their territory. Scholars have stressed the limits of current benchmarking techniques and raised issues such as the underlying ideology behind indicators, or the inherent limitations of quantitatively understanding subjective conditions (Entzinger and Biezeveld, 2003, Carrera, 2008).

Two elements are worthy of consideration in this paper. First, indicators measure outcomes. ‘Outcome’ in the context of migrant integration means a statistical result of a certain indicator, usually measured in rates. If benchmarking provides information on what influences migrants’ integration outcomes, and the interconnectedness of the integration areas (Huddleston and al, 2013), it reveals little about the possible obstacles or the implementation and achievement of the norm. Carrera stresses this limitation by saying that “what might initially look favorable, good or best from a purely legal standpoint could prove inadequate when analyzing how the norm is implemented and its effectiveness in practice.” (Carrera, 2008). Zaragoza indicators are therefore not the tool to measure social exclusion or to determine how to improve the provision of public services that foster inclusion, along with legal certainty and access to rights by TCNs and other vulnerable groups.

Secondly, if indicators include migration policies as an influencing factor, then this incorporation is limited to policies which “regulate the inflow of immigrants and are concerned with the question of how many immigrants come into the country and through which channel (e.g. labour migrants, family migrants, influence)” (Huddleston et al, 2013: 22). Migration policies such as immigration detention are obviously not considered. Huddleston et al argue that the lack of rigorous evaluations in the EU prevent better understanding of the effects of migration policy on integration, and the practices that limit or undermine social inclusion.

The EU integration framework shows a tension between a right based approach, Member States' migration objectives, and the attempt to address local integration realities that challenges the EU legal framework and the initial scope. Although the EU recognises the importance of a vision that goes beyond traditional domains of social protection, this approach struggles to develop an in-depth understanding of the integration process and its obstacles, while at the same time remaining in a social inclusion agenda. The next two sections will explore how the conditions for migrants settling in Europe and who have been through detention illustrate the consequences of this issue.

2.2. Immigration detention

In a short period of time, immigration detention has attracted great attention from NGOs, academics and governmental agencies. While States develop control systems to fight against irregular migration, scholars explore the legal framework of detention, and try to understand its nature and its purpose. NGOs contest its harshness, conditions, and its use by Member States. Literature about detention includes a variety of fields, including political science (Ceccorulli and Labanca, 2014), criminology (Bosworth, 2012), law (Wilsher, 2012), sociology (Schuster and Majidi, 2013) or anthropology (Griffiths, 2013), medicine and psychology (Médecins Sans Frontière, 2014). Moreover, many NGOs and government agencies produce regularly reports about detention practices around the world (Amnesty international, 2013, BID, 2013). Discussions about detention are shaped in broader debates on border controls or the criminalisation of migration. It raises the tension between, on one hand, liberty and security as a fundamental right and, on the other hand, the power of States to control entry and stay of foreigners.

However, apart from research done about the detention's negative impact on health, very little is known about its long-term consequences both on people and on societies. This is partially due to the general difficulty in researching detention, the recognised lack of data about the population detained in the EU, as well as the variety of migrants who are going through detention. As a result, life after detention either in the EU or in countries of origin, as well as the impact this policy may have on the whole society remain uncovered.

2.2.1. Definition and scope

Immigration detention is a policy term, rather than a legal one. Given the complexity of delineating its parameters (Flynn, 2012) and its exact nature, its definition remains under discussion. This paper uses the approach of Silverman and Massa who define immigration detention "as the holding of foreign nationals, or non-citizens, for the purposes of realizing an immigration-related goal. This definition is characterised by three central elements: first, detention represents a deprivation of liberty; second, it takes place in a designated facility in the custody of an immigration official; and third, it is being carried out in the service of an immigration-related goal." (Silverman and Massa, 2012: 679).

In the EU, the use of immigration detention is regulated by different Directives which apply to either asylum seekers or irregular migrants: the Returns Directive , the Dublin III Regulation , and the Reception Conditions Directive (RCD). Furthermore, European Member States must comply with Articles 3 and 5 of the European Convention of Human Rights (ECHR). Article 3 stipulates that conditions of detention must not constitute torture, inhuman or degrading treatment while Article 5 recognises immigration-related detention is only allowed to prevent unauthorised entry or to ensure deportation or extradition. Finally, the Directives establish an explicit obligation for Member States to examine less coercive measures before resorting to detention.

2.2.2. *Scope, grounds, duration*

Under EU law, States can detain a wide group of people including migrants in an irregular situation, people in need of international protection, unaccompanied children “in exceptional circumstances” (recast RCD, Article 11(3)), families, children, stateless persons, victims of human trafficking, and rejected asylum seekers. Migrants or asylum seekers can be detained in different situations for different reasons. In practice, people can be detained upon arrival, during an asylum procedure, in the course of a transfer to the States responsible for their asylum claim, and for the purpose of expulsion/deportation.

The EU legal framework includes a list of detention grounds, as well as guarantees for detainees and detention conditions. The risk of absconding is one of the first reasons given by States to detain people. In addition, Member States can detain migrants under the Return Directive if the individual hampers the return procedure. Under the recast RCD, that introduces additional grounds for detention, migrants can be detained on arrival for the purpose of establishing elements of the asylum application which might otherwise be lost (such as through the risk of absconding); for reasons of public policy; or, for the purpose of verifying nationality.

The time limit for detention is fixed by the Returns Directive to a period of up to 18 months. No maximum time limit is laid down in the law in the UK, Ireland and Denmark, as they opted out of the Directive. As regards the detention duration, the evaluation of the implementation of the Returns Directive by the European Commission (EC COM, 2014, 199 final) provides a mixed picture, with 12 countries reducing detention periods and 8 increasing it.

2.2.2. *Detention in practice*

While the EU framework considers immigration detention as a measure of last resort, a large number of authors acknowledge the increase in the use of and the detention capacity in EU Member States. Some authors like Cornelisse consider that “the institutionalised practice of immigrant detention has become an inherent part of a policy package that has as its main aim to deter future migrants and to remove those already on national territory as rapidly and effectively as possible.” (Cornelisse, 2010: 2). Despite the difficulty of gathering data in this area, the network Migreurop estimated in 2012 the number of places in detention centers for migrants in both the EU and neighboring countries at 37,000. Leerkes and Broeders (2010) show that the annual number of administratively detained immigrants in the Netherlands more than tripled between 1994 and 2006, from 3,925 to 12,480. In France, the number of people in detention has risen from 28,220 in 2003 to 51,385 in 2013 (Basilien et al, 2013), and in the UK from 250 people in 1993, 2,260 in 2003 (Weber and Bowling, 2008) to 28,909 in 2012 (Cooke, 2013).

Broadly speaking, detention is in practice characterised by a general opacity partially due to the locations where people are apprehended and confined (specialized administrative facilities, borders, prison, airport transit zone or remand facilities), as well as the limited access to detainees. Numerous concerns are raised among civil society, academics, and governmental agencies. These are sometimes covered by the media or raised through detainees’ actions (hunger strike, riots, etc.). These alarms concern appalling detention conditions, the impact on people’s lives, lack of access to fundamental rights (especially access to information and justice, health and education) and to asylum procedures; lack of safeguards for the detention of vulnerable people including children; duration of detention; limited access to information for civil society and journalists; costs and lack of efficiency as regards return policy goals; externalisation of detention in neighbouring countries.

The opacity of detention also relates to its cost, which is an issue generally raised in the debate regarding the impact and efficiency of such a policy. Despite the difficulty of obtaining reliable data from authorities,

some scholars and NGOs have tried to gather some evidence (Jesuit Refugee Service, Silverman and Hajela, 2013). In the UK, independent research by Matrix Evidence (Marsh et al, 2012) shows that detention of one person costs the tax-payer over 59,802 Euros a year. The Home Office paid out more than 3 million Euros in 2008-09 and more than 12 million Euros in 2009-10 in compensation and legal costs arising from unlawful detention actions. The research concludes that 95,450,000 million Euros per year could be saved if the UK Border Agency identified and released migrants in a timely manner. This is equivalent to the running costs of between three and four Immigration Removal Centres.

In the frame of this paper, it is worth mentioning that the same individual may be detained several times once reaching the EU, both in the country of entry or in different Member States during Dublin transfers (ECRE, 2013). As regards asylum seekers, and given the great discrepancies of asylum systems among Member States, secondary movement in the EU is a common phenomenon for migrants trying to reach countries that provide better conditions or where their family live. Vanderbruggen et al (2014) look at the situation of another group called “unreturnables”, who cannot be returned, but are not regularised yet. As a consequence, they are usually released with no status, and nothing preventing them from being re-detained. The impact of immigration detention therefore goes beyond the national level. When looking at the consequences it may have on integration and societies in general, a European approach is therefore required.

2.2.3. The deportation gap

There is no figure on the percentage of people that have been through detention, and then granted a status after release. However, the increased use of detention, its human and financial costs, as well as the improved controls at the external borders contrast with low rates of return, which is usually considered as the main objective of detention. A number of authors have explored what Gibney (2008) calls the “deportation gap”, namely the gap between the number of migrants detained in order to be deported, and the number of those who are actually eventually deported. Leerkes and Broeders (2010) identify the very low rate of expulsions as a paradox at the heart of the detention apparatus

The European Commission reported that in 2013 less than 50 percent of the irregularly staying third country nationals that were apprehended were returned (EC COM, 2014, 199 final). In 2012, 484,000 persons were under a return decision, and approximately 178,000 left the EU. Even though statistics on removal rates vary across Europe, the deportation gap appears to be a general trend and constant over the years. While 25% of expulsions are carried out in Spain (Brandariz and Bessa, 2011), in France less than 1% of migrants in return procedures are removed (Basilien-Gainche and Slama, 2011). Van Kalmthout and Van der Meulen (2007) estimate the rate is below 40% in the Netherlands.

The reasons for low levels of removals reflect the multiple obstacles Member States encounter in implementing expulsions (Vanderbruggen et al, 2013). An individual might be ‘unremovable’ for administrative reasons (lack of documents or refusals from authorities to issue documents to permit forced returns, non-cooperation), or because of statelessness or for reasons related to human rights conditions (conflict in the country, medical reasons, family ties, etc.).

The gap between the official objective, the costs of detention, and the low levels of removals questions the rationale behind the detention regime. As Leerkes and Broeders conclude, “given the persistence and widening of the gap between the large investments in immigration detention and the declining ‘proceeds’ thereof in terms of expulsions, the policy does seem to lack rationality. Therefore other explanations for the practice of the administrative detention should be considered” (Leerkes and Broeders, 2010: 836). According to the authors, detention practices might serve more implicit or informal social functions. First, detention intends to deter irregular migration. Second, detaining migrants can relieve public order of

disturbances associated with migrant poverty and, more broadly, serve as a measure for managing and controlling specific ‘marginalised’ populations in society. Third, this increase in detention capacity can be considered an attempt by governments to address the public’s perceived anxieties about ‘unwanted’ migration, allowing states to demonstrate to their citizens that they are still able to control their geographic and social borders.

If the functions of detention are still discussed among academics, it is certain that the detention policy and its widespread use in Europe have engendered a specific situation for a large group of migrants who have experienced detention and are, for most part, settling in Europe. Some will participate in society in a very precarious situation, while others will be granted a status and will therefore become eligible for integration policies. In both cases however, their detention experience will remain out of sight of integration policies, and unlike criminal offenders, released migrants will benefit from no rehabilitation services that could prepare them for life after detention. Given the negative impact detention has on people, this situation raises the issue of life after detention. The next part reviews the existing evidence on the long-term impact detention has on individuals.

3. UNDERSTANDING THE IMPACT OF IMMIGRATION DETENTION

“Detention dehumanizes the human being. The detainee is reduced to the state of an animal. One wakes up, eats, sleeps, wakes up ... as in a stable. What is the difference between cows in a stable and an inmate at Safi Barracks? The cow sleeps, the inmate sleeps, the cow is fed, the inmate is fed, the cow goes out for a few minutes under the supervision of its master, the detainee also goes out into the courtyard for a few minutes, under the surveillance of the soldiers” (DeBono, 2013:71).

There is significant evidence from scholars and practitioners that proves the harmful effect immigration detention has on people’s mental and physical health, as well as its persistent long-term effect. While the medical literature provides us with information on how immigration detention has an independent impact on a person’s physical and mental health, social sciences and criminology inform of the specific nature of the detention regime.

These findings suggest that the experience of detention is both the experience of confinement and the experience of a policy whose implementation governs bodies and shape subjectivities (Bosworth, 2012). Starting from the evidence collected by medical research, this section will first examine how this field assesses the impact of detention, then the findings about the long-term consequences on health, as well as the influencing factors explaining why detention may impact people so badly. Finally, the last part will provide some elements regarding life after release.

3.1. Assessing the impact of detention

One key issue for assessing the impact of detention on people is to distinguish this experience from previous trauma that migrants may suffer from (Sultan and O’Sullivan, 2001). This distinction is not only crucial for measuring a possible independent negative impact of detention, but also to understand how the post-release experience relates to the one in detention, and the long-term consequences on people’s lives. As migration routes have become more dangerous, people face numerous difficulties and violence on their way to Europe, and migrants detained at arrival often arrive with health problems. Furthermore, it is not

uncommon for people to have been detained either in their country of origin or in transit countries (Physicians for Human Rights, 2003). However, research into post-migration stress suggests that a number of factors specifically linked to the experience of arrival in a receiving country can contribute to higher levels of stress and psychiatric symptoms that are distinct from previous ones. McColl et al (2008) identifies seven common post-migration adversities: discrimination, detention, dispersal, destitution, denial of the right to work, denial of healthcare, and delayed decisions on asylum applications.

Despite considerable pre-migration trauma, studies show that detention both worsens previous health issues and creates new ones (Carswell et al, 2011). “In fact, the levels of anxiety, depression and Post Traumatic Stress Disorder (PTSD) observed in this sample of detained asylum seekers were substantially higher than those reported in several previous studies of refugees living in refugee camps and asylum seekers /refugees living in the community, further suggesting the detrimental effects of detention” (Physicians for Human Rights, 2003: 64). Steel et al (2006) found further evidence for a relationship between detention and mental health problems. While comparing groups of refugees who had come from the same conflict zone, some of whom had been detained and others who had not, they found that a higher proportion of those who had been detained in excess of 6 months met diagnostic criteria for PTSD, depression and moderate to severe mental health-related disability than those who had been detained for shorter periods or who had not been detained. This study thus revealed that, despite all people coming from the same conflict zone, those who were placed in a community setting had considerably less significant mental health issues than those who had spent time in detention.

Qualitative research shed light on another aspect of why detention in a Member State may particularly impact migrants. This specificity is related to what Western countries represent for most migrants. Interviews (Amaral, 2010, Physicians for Human Rights, 2003) highlight the level of expectation migrants have when reaching what they thought was their final destination, and the shock of being detained in a democratic country. “When you escape from your country from persecution, then you come to America and the same things happen to you again, you become depressed. Many (detainees) are really depressed” (Physicians for Human Rights, 2003: 92). The dismay expressed by people relates to the inconsistency in the expectation of democracy, human rights and justice, in contrast to the reality of confinement and isolation. Detention at arrival damages not only ideas of justice and democracy, but also the hope for security.

3.2. The long-term impact on mental and physical health

3.2.1. Impact on detention

The impact of immigration detention on the mental and physical health of individuals has been the main focus in the existing international literature. The medical field has developed a variety of research methods and standardized psychological instruments (The Harvard Trauma Questionnaire, the Hopkins Symptom Checklist and the Medical Outcomes Study, Detention Symptom Checklist) to measure this impact.

Findings are largely consistent, and demonstrate extremely negative effects of detention on the health of migrants. In the longitudinal study that was carried out by Keller et al (2003), 70% of detainees reported deterioration in their mental health while in detention. The majority of participants are found with major depression, PTSD (symptoms of PTSD include flashbacks, nightmares, severe anxiety, uncontrollable thoughts, panic attacks), suicidal thoughts, self-harm, suicide attempts and psychiatric illness requiring hospitalization. Poor physical conditions include respiratory, gastrointestinal, dermatological, and musculoskeletal diseases. This is understood as a combination of different factors, such as previous health problems aggravated by detention; the high level of psychological distress they endure in detention; poor conditions and hygiene (lack of sanitation, poor heating and ventilation); as well as the lack of access to

adequate health services (MSF, 2014). The most frequent illnesses are linked to the lack of systematic and/or preventive medical care. Patients already under treatment for a medical condition often had to interrupt the treatment upon being detained due to lack of access to their medication and/or inadequate medical care in detention (Kotsioni et al, 2011).

Most research carried out on immigration detention focuses on certain groups of migrants that are categorized as being vulnerable, and therefore requiring special attention: asylum seekers and victims of torture, women, children, as well as persons with a mental or physical disability (Amaral, 2010).

For asylum seekers, the experience of detention may reactivate and exacerbate previous trauma, leading to a psychological 'demolition' of the person. "In many ways, the nature of detention recreates persecution asylum seekers suffered in their countries of origin: being trapped and helpless in the hands of authorities" (Physicians for Human Rights, 2003: 73). Among the different groups looked at, children attract specific attention (Corlett et al, 2012 , Enlow et al, 2011, Lorek et al, 2009). Amaral (2010) reports that younger detainees aged 10 to 24 are more exposed compared to older detainees as they possess less information. Despite low levels of mental illness before detention, rates of mental illness among children in detention are exceedingly high. The common consequences are language delays, behavioural problems, emotional numbing, depression, sleep problems, and weight loss. Finally, it has been found that women have a higher prevalence rate of PTSD (Filges et al, 2013: 22), and frequently describe negative physical health impacts than when compared to others (Amaral, 2010).

3.2.2. Long-term impact on health

Although the issue of the long-term impact of immigration detention is under-researched, its persistent effect is implicit in the medical literature. The fact that immigration detention is identified as being a traumatic experience implies that it is a source of persistent chronic suffering. As such, detention has multiple psychological effects long after release (Physicians for Human Rights, 2003). "These mechanisms are recognised in the wider psychological literature, especially in the trauma field, as ways in which negative psychological effects are maintained following experiences which threaten the self" (Coffey et al, 2010: 2077). Existing evidence reveals that if symptoms decrease after release, the relief soon gives way to disillusionment and depression.

This phenomenon has been confirmed by several studies. Research undertaken in the Coffey et al (2010) study examines the experience of detention from the perspective of the detained asylum seekers, and identifies the consequences of these experiences for their life, on average three years and eight months after their release. Their findings are consistent with other studies (Steel et al, 2006, Keller et al, 2003, Steel and Silove, 2001, Sultan and O'Sullivan, 2001), and show that the damaging effects of detention persist following release, and include ongoing PTSD, depression and mental health-related disability. Most studies highlight that the duration and the conditions of detention are aggravating factors. The longer individuals are held in detention the worse their distress is both during detention and after release (Amaral, 2010, Physicians for Human Rights, 2003, Keller et al, 2003, Sultan & O'Sullivan, 2001). Amaral reports that, whereas 25 percent of people detained for one month describe their physical health as being poor, 72 percent of people detained for four to five months reported very poor physical health. In addition, Amaral reports that very few released migrants say that detention has not had any impact whatsoever, and that their situation has subsequently improved. However, most authors also suggest that the experience of detention may be traumatic regardless of the length and the conditions. This is particularly true for people that are already vulnerable when detention occurs (IDC, 2012, Amaral, 2010).

3.3. Impact of the detention regime

“If they make all the walls or fence with gold, there is nothing different, there is nothing changed, prison is prison. Still this system keeps me in detention for no reason.” (Coffey et al, 2010: 2073)

In order to understand the long term consequences of detention, and how this experience may undermine certain aspect of the integration process, it is important to understand the factors that contribute to this traumatic experience. Researchers from various fields, social workers, and NGO staff have collected numerous testimonies that show great similarities (Bosworth, 2014, Lietaert *et al*, 2014, Coffey *et al*, Amaral, 2010, Fazel & Silove, 2006, Steel *et al*, 2006, Physicians for Human Rights, 2003, Keller *et al*, 2003, Pourgourides, 1997). The DEVAS project (Amaral, 2010) is particularly interesting in that regard. It collects 685 one-on-one interviews carried out in 23 EU Member States. Despite the variety of national contexts, the differences in detention conditions, as well as the diversity of personal circumstances of the detainees, results clearly show similar experiences and a common negative effect upon the persons who experience detention.

The table below, based on Coffey *et al* study, summarises the key concerns reported by migrants in detention.

Confinement and deprivation	Injustice and inhumanity	Isolation and fractured relationships
Loss of liberty	Feeling of criminalisation and punishment through humiliating practices and behaviours (being handcuffed in detention and while transported, being strip-searched, witnessing or being the victim of beatings by detention officials)	Separation from families
Lack of privacy (overcrowded conditions)	Fears of forced repatriation	Little communication with outside world –use of cell phone forbidden)
Harsh conditions: prison-like atmosphere, extensive security, omnipresent surveillance features (handcuffed, room and body searches)	To be left to the whims of detention and immigration officials regarding case processing	Difficulty of communication with staff and co-detainees (language difficulties)
Inadequacy of health care	Belief that arbitrariness, rather than any principles of justice, govern the process	Isolation: fear of being outside the public consciousness.
Meaningless environment: lack or absence of activities	Arbitrariness of rules (being denied access to reading material and to items such as pens and paper for no comprehensible reason, rules with	Distrust of others, and self-doubt. A majority spoke of a greater tendency to be solitary,

	visitors or cell phones, inhumanity (solitary confinement, being called by number rather than by name, verbal abuse) and senselessness of rule-making in detention (believing that detention officers had complete power over them.)	
Unsafe environment: riots, fights, abuses, witness acts of self-harm, suicide, attempts, hunger strikes, mental illness	Uncertainty regarding the length of detention	

Most authors describe the detention environment as governed by uncertainty and arbitrariness. The table above describes how uncertainty and arbitrariness exists on many registers such as: the lack of self-determination; the internal rules of the detention centre and the procedure and the lack of information associated with it; the duration of detention or its outcome; as well as the unpredictable behaviour of staff and authorities. The differential treatment meted out to migrants in detention and convicted criminals also reinforces the impression of arbitrariness, which leads to feelings of injustice and punishment.

Uncertainty shapes relationships and power positions, exposing people to vulnerability as defined by Amaral: *“a loss of control of oneself to someone, or something, with more power, thus making oneself susceptible to some type of harm”* (Amaral, 2010: 94). For some authors, uncertainty relates to the objective or the lack of a clear objective behind detention. Bosworth (2014) shows how staff and detainees express confusion and uncertainty about the exact nature of detention centres, and their purpose. Coutin (2010) explores the concept of ‘deportability’, arguing that *“immigration law enforcement is designed less to produce deportations than deportability”* (Coutin, 2010: 204). For her, detention centres represent a spatial ambiguity and conveys a sense of being *“removed”* to people before they are actually deported. Griffiths (2013) argues that insecurity and uncertainty are not accidental aspects of the immigration detention system, but are critical to its functioning, entirely part of the deterrence objective.

Uncertainty and arbitrariness affect not only the relationships in detention, but also how people perceived themselves. Bostworth (2014) uses the notion of *“estrangement”* to explain how detention constitutes a fracture in identity and belonging. People are *“foreign, bound for and belonging elsewhere. Their foreignness cannot be changed, no matter how long they have lived in Britain. They are always, already, different and unknowable, potentially a threat”* (Bosworth, 2014:101). As a result, many people express a feeling of being *‘dehumanised’*.

These results show that people in detention suffer not only from factors linked to the experience of confinement itself (deprivation of liberty, length of time in detention, and conditions of detention), but also from factors that are more specific to the immigration detention regime. The comparison between the experience of detention as reported by migrants, and the analysis of the detention regime in the field of criminology correlate, strongly suggesting that the experience of detention is shaped by the migration/detention policy, and its broader objective (deterrence, fight against fraud, punishment, etc.).

3.4. The aftermath of detention

Existing longitudinal studies (Coffey *et al*, Steel *et al*, 2006) list a number of persistent difficulties people report having in their life. People interviewed on an average of three years after their release report:

- loss of values; feeling of gross injustice and punishment mixed with the fear of being punished again;
- high anxiety due to family separation;
- dismay about the government not taking any responsibility post-release; distrust of others in relation to professionals and services due to ill-treatment in detention (particularly health services);
- Isolation: difficulties to create bonds in the outside world; stigmatisation on one hand, and self-exclusion relating to the fear of being perceived as a criminal;
- Disempowerment: feeling of having wasted the most productive time in detention; general loss of agency.
-

These findings suggest that these are a direct transposition of the kinds of harm experienced while being detained. The persistence of symptoms confirms that detention is a traumatic experience, but it also highlights the lack of an integration perspective as an aggravating factor for people once released. Some authors stress the fact that the severity of the adverse effects and their duration depend on the specific situation the migrants find themselves in when released. As Klein and Williams say “*immigration detention, in contrast to the incarceration of criminal offenders, does not serve any ostensible purpose of rehabilitation. There are none of the theoretical benefits of ‘closure’ upon completing a sentence, and there is no possibility of a new beginning after ‘doing their time’*” (Williams and Klein, 2012: 4)”. This is particularly true when released migrants do not have any certainty about their legal status. Hence, studies (Steel *et al*, 2006, Momartin and al 2006, Silove *et al*, 2000) suggest that the combination of the detention experience and continued uncertainty of immigration status following release is particularly harmful to mental health. The study by Steel *et al* (2006) reveals that people with a temporary protection status were found to have higher rates of PTSD compared to those who were granted permanent status. Klein and Williams explore the life after release for people left in a legal limbo, and who constantly fear the risk of being detained again (Klein and Williams, 2012).

Discriminatory treatments towards ex-detainees may also reinforce these difficulties. Some scholars explore exclusionary practices that continue after detention through spatial confinement of reception centres, and the social exclusion perpetuated through limited access to rights and services that keep people excluded, even when they have been physically released and/or legally accepted by the receiving societies (De Bono, 2013, Gerard and Pickering, 2012 Mainwaring, 2012, Coutin 2010). Studies on Dublin suggest that some Member States penalise asylum seekers sent back under the Dublin Regulation by way of providing less monetary allowances or placing them in reception centres with more limited support services (ECRE, 2013). Mainwaring studying the situation in Malta demonstrates that the “ghettoization” and criminalisation of the migrant population in Malta hinders their mobility around the island, making it difficult for them to search for employment and to integrate Maltese society more generally (Mainwaring, 2012: 690).

Evidence reviewed in this section strongly suggests that the long-term impact of detention does not only relate to the traumatic experience of confinement, but also to the specificity of the immigration detention regime. Furthermore, certain elements show that the lack of perspectives for integration after release, which is linked to the fact that detention policy intends to remove people, affects people’s ability to rebuild their life. The following section builds upon these results in order to draw hypotheses on the impact on integration.

4. FROM DETENTION TO INTEGRATION

I was happy but not so much. Because our life had been broken there, and my mind had been damaged, and I didn't think I could make a new life when getting out of there. (Coffey et al, 2010)

According to the findings summarised in the previous section, the experience of immigration detention mainly damages people's view of themselves and of others, as well as their ability to interact and engage with the society. These persistent difficulties create a general loss of agency.

Using the key areas of integration identified at EU level (social inclusion, health, employment, education, family life, a two-way process), as well as the CBPs, which provide the framework for policy development in this area, this section seeks to illustrate the legacy of detention and the way it impacts not only the daily life and the integration process of those who have had to endure it, but also society. We argue that the long-term impact of detention undermines the integration objectives identified at EU and national level.

4.1. Social inclusion

CB2 Integration implies respect for the basic values of the European Union.

The appropriation of EU values by migrants represents a prerequisite for successful integration. As defined in the Treaties, these values “include respect for the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law. Furthermore they include respect for the provisions of the Charter of fundamental rights of the Union, which enshrine the concepts of dignity, freedom, equality and non-discrimination, solidarity, citizen's rights, and justice” (Council of the European Union, 2004, PRES/04/321). According to testimonies and studies, detention deeply challenges the idea of justice and democracy:

We don't feel [we can] completely cope with this society because of the past. [In detention] they hurt us, they humiliated us, and they punished us. They made us very small and worse than anyone. All this sad feeling [from the past] shows us anyone could be an enemy; anyone could hurt you in the same way. We lived in fear [in detention], and still it is same thing, still I feel the same thing. (Coffey et al, 2010: 2075)

As Bosworth (2014) shows, the objectives of detention remain incomprehensible for people, as well as for the staff working in detention. In the long term, the experience leaves people with a persistent feeling of illegitimate punishment, which in turn generates mistrust and/or anger toward the society that allowed such ill-treatment. Combined with the expectations people have when arriving in Europe, studies strongly suggest that the experience of detention destroys the ideas people had about democracy and its values (Coffey et al, 2010). A UNHCR report in Bulgaria reveals that immigration detention “predetermines to a large extent the subsequent fate of asylum-seekers and influences the decisions they make about staying in Bulgaria and integrating” (UNHCR, 2013: 6). As such, the experience of detention seems to seriously undermine the ability for people to embed the core European values, which may also impact their ability and willingness to belong to our societies.

4.2. Health as a transversal issue

CBP 6: *Access for immigrants to institutions, as well as to public and private goods and services, on a basis equal to national citizens and in a non-discriminatory way is a critical foundation for better integration*

The European Common approach on integration acknowledges the multifaceted aspect of integration, as well as the interconnection of different policy areas. Among cross-cutting issues, health is considered as a determinant factor that influences the level of social inclusion (Huddleston *et al*, 2013, Zaragoza indicators). This issue is recognised at EU level as a key priority whose consequence, if not addressed, can impact the whole of society. *“Social inclusion measures targeted at migrants and ethnic minorities generally aim to remove the barriers blocking effective access to social and health services, e.g. by developing the intercultural competences of service providers and through information campaigns”* (EC COM, 2011, 957 final:17).

Despite the lack of data on former detainees, existing evidence found in the broader literature strongly suggests that poor health of people after their release will have an overall impact on their integration, as well as on the receiving society. Poor mental and physical health is associated with increased difficulties in finding and/or sustaining employment, housing, acquiring new skills, accessing services and being generally self-reliant. Broader research in Europe related to migrants’ health indicates that health problems are strongly linked to the fact that migrants generally tend to occupy a less-favourable social position (World Health Organization, 2010). Apart from the poor health people are found to have after detention, several barriers may prevent them from accessing adequate health care, in particular the perception of the health system: *“The most basic prerequisite of access is trust. Users must be confident that they will be treated with respect and receive appropriate and relevant treatment”* (WHO, 2010: 19).

Evidence shows that trust towards authorities and services, in particular health services, is exactly what immigration detention damages. The mistrust may therefore prevent people from looking for support from different services, which could increase their vulnerability. Coffey *et al* suggest that people’s reluctance to seek health services is the consequence of the ill-treatment they receive in detention. In the broader literature, mistrust is generally associated with increasing reluctance to go to health services. Along the same lines, Dow and Woolley (2011) on immigrants from the Republic of Albania show that the lack of trust towards health professionals was identified as an obstacle for seeking mental health services. Furthermore, the lack of official recognition of immigration detention as a factor that increases vulnerability may have an impact on health services unaware of the specific difficulties former detainees face, and therefore lacking the understanding needed to address their needs.

EU policies have aimed to address mental health and well-being in terms of public health and social inclusion. The European Pact for Mental Health and Well-being in 2008 prioritised mental well-being as a major issue by acknowledging its benefits for the EU, Member States and citizens. However, as highlighted by Ward (2011), while discussing the overall cost of detention, one should not ignore the potential financial cost of healthcare for migrants who require treatment after release for health issues created by detention.

4.3. Employment, education

CBP3 Employment is a key part of the integration process and is central to the participation of immigrants, to the contributions immigrants make to the host society, and to making such contributions visible.

Very little is known about the impact that difficulties caused by immigration detention can have on inclusion in the labour market and access to education. Apart from the connection between poor health and low employment occupation, the specific barriers people encounter remain unknown. However, some possibilities have already been explored.

The combination of a period of inactivity, disempowerment and self-exclusion can be considered in itself as a major barrier to the successful inclusion within the labour market. Coffey *et al* longitudinal study (2010)

contends that the loss of productive years while detained is a source of social exclusion for people. On the average of three years after release, only six (out of seventeen) participants in the study were employed or studying full-time. In addition, almost all participants expressed a sense of failure in re-establishing their lives. All participants felt aggrieved and commented in different ways that nothing could make up for the lost time. Furthermore, many studies stress the importance of the social capital for integration, particularly for vulnerable groups (UNHCR, 2013). In that regard, the isolation in which people remain after detention constitutes an obstacle to expanding a social network, and therefore benefiting from economic opportunities.

CBP5: Efforts in education are critical to preparing immigrants, and particularly their descendants, to be more successful and more active participants in society.

CBP 4 'Basic knowledge of the host society's language, history, and institutions is indispensable to integration; enabling immigrants to acquire this basic knowledge is essential to successful integration'

As regards education, studies show similar findings about the link between poor mental health and problems in language acquisition and other educational opportunities (Silove *et al*, 2000, Steel and al, 2006, Coffey *et al*, 2010, Keller *et al*, 2003). Furthermore, the medical literature establishes a correlation between the severity of PTSD and depressive symptoms, and impaired cognitive and memory functioning that, in turn, may interfere with the process of learning the host country language and the acquisition of new skills. Social isolation reported by most people interviewed in these studies could also be a factor that can delay language acquisition.

4.4. Family life

Family life is one of the few integration principles anchored in the EU law. Recital 4 of the Family Reunification Directive insists on the fact that family reunification as a way to ensure family life “*helps to create socio-cultural stability facilitating the integration of third country nationals in the Member State, which also serves to promote economic and social cohesion, a fundamental Community objective.*” Some evidence shows that detention can severely impact family life both during detention and afterwards. Detention impacts families in different ways: it compromises the capacity of parents to care for their children (Corlett *et al*, 2012, Bosworth, 2014), and therefore creates a sense of failure; it changes the roles in the families when for instance children become responsible for the safety of their parents and siblings; or it simply enforces family separation (Steel *et al*, 2006). As a result, family life is difficult to rebuild after detention, which increases the lack of stability for ex-detainees (Coffey *et al*, 2010).

Coffey *et al* (2010) showed how inability to secure housing or poor health could impact on a refugee's ability to progress in other framework areas such as employment and education.

4.5. The two-way process

CBP7 Frequent interaction between immigrants and Member State citizens is a fundamental mechanism for integration.

Findings suggest that immigration detention undermines the capacity for active engagement with the outside world. Studies point out how isolation and fractured relationships are part of the detention experience (table 1). Bosworth (2014) explores how uncertainty contributes to making detention a low-trust environment where bonds between detainees and with the staff are difficult to forge. The feelings of

injustice and isolation while being detained are found to persist over time and may lead to behaviour of self-exclusion. Klein and Williams' (2012) qualitative work explores how the experience of immigration detention shapes the capacity and willingness of former detainees to participate as members of society once released. They argue that the stigma of detention creates boundaries that isolate former detainees from their communities. The reasons behind self-exclusion can be both the fear of being stigmatised or mistrust.

CBP 1 *'Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States.'*

The two-way process is at the core of the EU understanding of integration. It requires the involvement and the participation of both newcomers and nationals. It also implies the Member States' commitment to ensuring that their country is a welcoming environment (Zaragoza indicators). Anti-immigration attitudes are therefore seen as a major obstacle for social cohesion (EC COM, 2011, 455 final).

If findings reviewed in this paper strongly suggest that immigration detention deeply affect the ability of individuals to engage with the host society, further research would be needed in order to assess what is the impact such a measure has on the host society and its capacity to accept migrants. The interest of scholars has been focused on the growing criminalisation of migrants and migration, the negative perceptions spread in media and political discourses and their impact on public opinion (Badura *and al*, 2009, Allen and Blinder, 2013). Very few authors have examined how migration policies such as immigration detention fuel anti-migrants attitudes within the society and at local level.

Unsurprisingly, research done in this area suggests that immigration detention supports the establishment of migrants as a risk category (Leerkes and Broeders, Bosworth, 2008). Chacon (2009) contends that detention has a powerful effect in the representation of migrants as criminal offenders, security threats and welfare abusers. In the same vein, Pugliese (2008) and Hubbard (2005) document how the architecture of immigration detention centres fuels negative reactions in local populations against migrants and also works to reinforce the threat of constant deportability. In her paper "Constructing a Crisis: the Role of Immigration Detention in Malta", Mainwaring (2012) looked at the practices surrounding immigration detention in Malta. The author argues that the combination of systematic use of detention at arrival and practices such as handcuffing migrants while transporting people or the use of military and police facilities to incarcerate people send the message to the Maltese population that migrants are as a dangerous element in society. To strengthen this point, Mainwaring refers to a survey conducted in 2009 and reporting that 84 percent of respondents viewed immigration to the island as a 'national crisis' (Mainwaring, 2012: 695). According to the author, the use of immigration detention by the Maltese government transformed the Maltese people's initial sympathetic response to the plight of irregular migrants arriving on the island into hostile and increasingly xenophobic behaviour towards migrants.

The equation between immigration detention on one hand as a useful tool to both exclude "unwanted others" (Fassin, 2011: 7) and appease citizens (Leerkes and Broeders, 2010: 843), and the perception of migrants as "enemies" or aliens on the other hand deserves more attention in a context where a range of actors are directly suffering from rising xenophobia or trying to combat it.

While detention may contribute to fuel a hostile environment towards migrants, integration of TCNs after detention may be highly undermined by anti-migrants behaviour. Quoting Gerard and Pickering (2012), "for refugee women, surviving in Malta is shaped by a hostile political and social environment that militates against integration and participation in the formal economy and daily life in Malta" (Gerard and Pickering, 2012: 527). This questions the ability of people to enjoy rights and access services to which they are entitled when being released and formally accepted by the society.

Another dimension that would deserve attention is the impact immigration detention may have on ethnic communities, “immigrants” that are already settled or on so-called “second-third generation”. Some scholars have underlined the link between the intensification of racial profiling and excessive surveillance on one hand, and increased barriers to migrants accessing basic social rights such as housing, healthcare, and education on the other hand (FRA, 2011, Parkin, 2013, Chacon, 2012). This has shed light on possible unintended consequences resulting from criminalisation of migrants. How immigration detention fuels the mistrust and affects the belonging of ethnic minorities and second-third generation is however an issue that is totally unknown.

5. CONCLUSION

The findings collected in this paper, and ranging from various fields of knowledge strongly suggest that immigration detention has an immediate and long-term impact on people’s health, as well as on their sense of control and mastery over life in general. It impacts the way they will interact with their neighbours, with services and administrations, and therefore it affects their ability to enjoy their rights and benefit from integration policies should they exist. Additionally, the use of detention, which in our democracies represents the strongest tool to enforce criminal law, likely impacts public perceptions towards migrants and fuels spreading xenophobia in Europe. Obviously, research should be carried out to explore this phenomenon and its direct or unintended consequences on people and on societies. What this paper suggests is that detention impacts all areas that are considered at EU and national level as crucial for successful integration. Given the importance the EU places on integration, the efforts developed and resources allocated at EU, national and local level to conceive and implement integration measures that can reduce social exclusion, the failure to take into consideration the human, social, economic and financial impact of detention is highly questionable. As integration and detention are, in practice, linked to each other for most migrants who experience detention, the issue of the interconnection of these two policy areas has to be discussed.

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