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Zijlstra, Elianne ; Bonhage - Talsma, Grytsje; Post, Wendy; Kalverboer, Margrite

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# Forced Return of Embedded Asylum-Seeking Families with Children to Armenia from a Children's Rights Perspective

*A Qualitative Study of Their Developmental Needs and Best Interests*

*A. Elianne Zijlstra* | ORCID 0000-0002-9845-614X

PhD, Assistant Professor, Study Centre for Children Migration and Law,  
Department of Child and Family Welfare, University of Groningen,  
Groningen, The Netherlands

Corresponding author

*a.e.zijlstra@rug.nl*

*Grytsje T. Bonhage-Talsma* | ORCID 0000-0002-2837-9740

MSc, Researcher, Study Centre for Children Migration and Law,  
Department of Child and Family Welfare, University of Groningen,  
Groningen, The Netherlands

*grytsje\_tineke@hotmail.com*

*Wendy J. Post* | ORCID 0000-0002-4290-6287

PhD, Associate Professor, Department of Child and Family  
Welfare, University of Groningen, Groningen, The Netherlands

*w.j.post@rug.nl*

*Margrite E. Kalverboer*

Phd, LLM, Professor by Special Appointment, Department of Child and  
Family Welfare, University of Groningen, Groningen, The Netherlands

*m.e.kalverboer@rug.nl*

## Abstract

Asylum-seeking families with children can be forced to return to their country of origin after staying several years in the Netherlands. The best interests of the child should play a role in return decisions. It is unclear whether the development of these children is threatened after forced return. This study aims to gain insight from a children's

rights perspective into the situation of children who were forced to return to Armenia. Data were collected by semi-structured interviews with 17 children and their parents. Results show that children are negative about their lives in Armenia after forced return. They experience psychosocial, identity and physical problems. Access to basic needs, care and education is limited. The parents' emotional availability decreases. From a children's rights perspective, it can be concluded that the decision to return children in this study did not meet their developmental needs, their best interests and children's rights are contravened.

### Keywords

asylum-seeking children – forced return – best interests of the child – children's rights – Armenia

## 1 Introduction

A reduction in the influx of asylum seekers and the restriction of their rights are prominent features of migration policies (Angeloni and Spano, 2018), which emphasise their return to their countries of origin (Latek, 2017). It is in the interests of the authorities to garner sustained public support and control the influx of asylum seekers (Kalverboer *et al.*, 2017), whose arrival in high numbers in the last decade has prompted a negative attitude in European countries towards migrants amongst citizens (Geddes, 2018), leading to the tightening of already restrictive legislation regarding asylum seekers (Angeloni and Spano, 2018). This situation has amplified prevailing tensions between public opinion and the best interests of asylum-seeking children laid out in the UN Convention on the Rights of the Child (CRC) (United Nations, 1989), which seeks to safeguard their rights and healthy development (CRC, 2013a, General Comment [GC] No. 14, para. 4). In the Netherlands, numbers of asylum seekers, categorized by age, who return voluntarily to their countries of origin or are forced to do so, are not recorded. Consequently, actual numbers of returned asylum-seeking children are unavailable. UNICEF and Defence for Children (2018) reported that in 2017, a total of 80 children within 40 families were living in family reception centres prior to their forced departure from the Netherlands.

Asylum-seeking children are in a vulnerable position before and during their flight to the host country and during their stay there. Studies have shown that post-traumatic stress disorder, depression, mood disorders, anxiety and somatic complaints are common among these children (De Haene and

Grietens, 2005; Montgomery and Foldspang, 2005; Ehntholt and Yule, 2006; Kalverboer *et al.*, 2009; Bronstein and Montgomery, 2011; Fazel *et al.*, 2012; Hodes and Vostanis, 2019). Cumulative stressors experienced by the children before their flight (e.g. the disappearance and loss of family members and exposure to violence), during their flight (e.g. maltreatment and malnutrition), and post-return (e.g. ongoing uncertainty and acculturation stress) increase their vulnerability and the risk of developmental problems (Rutter, 1985; De Haene and Grietens, 2005; Montgomery, 2010). Under prevailing Dutch policy, children remain in the Netherlands for several years before a final decision is reached on their applications for residence. Consequently, they start to feel at home, become embedded in their environment, develop (social) identities in the host country, and adapt to its norms and values. The language of the host country also becomes their native language (Kalverboer *et al.*, 2009). At the same time, their perspectives regarding the future are limited by their circumstances because asylum applications and the associated procedures can be lengthy, with the decision-making process sometimes lasting years. These children feel rejected by the host society and face uncertainty; they are unable to make plans and shape their futures in the host country, as they could be forced to return to their countries of origin (De Haene and Grietens, 2005; Kalverboer *et al.*, 2009).

There is limited knowledge regarding the development and living environments of asylum-seeking children who experience forced return. The few existing studies (Cornish *et al.*, 1999; Zevulun *et al.*, 2015, 2018, 2021; Vathi *et al.*, 2016; Bowerman, 2017; Kienzler *et al.*, 2019) do, however, indicate that returned asylum-seeking children are in a vulnerable situation. They are separated from their friends in the host country and face mental health problems, a lower-quality child-rearing environment, social isolation and difficulties accessing adequate health care and education. Additionally, forced return is a risk factor for psychosocial problems and is associated with increased health problems in adolescents and the loss of a sense of security and of the place where they felt at home (Kienzler *et al.*, 2019; Zevulun *et al.*, 2018). Furthermore, returned children who are unfamiliar with the country of origin are at risk for developmental problems (Zevulun *et al.*, 2018); having adapted to local ways and the prevailing mentality in their host countries, they feel like strangers upon their return (Cornish *et al.*, 1999; Kienzler *et al.*, 2019). Kalverboer *et al.* (2009) argued that the experience of forced return for children who are embedded in the host society is traumatic. Although children who have spent several years in the host country may be more vulnerable after their forced return to their country of origin, there is a lack of studies focusing on this specific group. In light of

available knowledge, the question that arises is whether the return of a child is in their best interests.

In the context of the Netherlands, it is not known how the forced return of these children affects their development and whether the return decision is in their best interests. The Dutch government does not monitor the return of asylum seekers and their children to their countries of origin. This gap in monitoring is remarkable. The CRC stipulates that the best interests of the child should be a primary consideration in all actions concerning children (CRC, Article 3), which also applies to return decisions relating to migration procedures (UNHCR, 2021). The Council of Europe (2019) clearly stipulates that the return decision should balance the best interests of the child against other considerations and that considerations like general regulation of migration cannot overrule those relating to children's best interests.

There is a consensus that the best interests of the child should be considered as foundational for other key principles of the Convention: no discrimination (CRC, Article 2), the right to develop (CRC, Article 6), and the right to be heard (CRC, Article 12) (United Nations, 1989). The concept of "best interests" was previously criticised because of its subjective interpretation and the lack of concrete criteria for determining best interests (Detrick, 1999; Eekelaar, 2015). However, in General Comment No. 14, the Committee on the Rights of the Child (CRC Committee) clarifies the interpretation of the best interests of the child (CRC Committee, 2013a, General Comment No. 14) that has been operationalised in guidelines for assessing and determining a child's best interests (see also Sanz-Caballero, 2021). Fulfilment of the CRC should lead to a child's optimal development (CRC, Article 6) in all areas of life, that is, to their "holistic development", which encompasses physical, mental, spiritual, moral, psychological and social development (CRC Committee, 2003, General Comment No. 5, para. 12). Hence, the best interests of each child should be assessed, and the child's particular characteristics and their sociocultural context should be mapped out. Therefore, the following elements should be considered in the assessments (CRC Committee 2013a, General Comment No. 14, paras. 59–72):

- a) *The child's views*: The child should participate in the decision-making process, regardless of their age and vulnerability.
- b) *The child's identity*: The child's characteristics should be considered to enable them to preserve their identity.
- c) *Preservation of the family environment and maintaining relations*: The child should not be separated from their family, conceived in a broad sense, and from their wider environment, unless separation is in the best interests of the child, in which case the child's linkages and relations should be ensured.

- d) *Care, protection, and safety of the child*: The child's well-being and development, including the emotional care provided by parents, must be ensured.
- e) *Situation of vulnerability*: Circumstances contributing to the vulnerability of a child, such as a disability, belonging to a minority group, being a refugee or asylum seeker, being a victim of abuse, or living on the street should be assessed.
- f) *The child's right to health*: The advantages of treatment options should be weighed, taking the child's views into account and providing them with health-related information to enable them to make appropriate behavioural choices.
- g) *The child's right to education*: The child should be given access to quality education imparted by well-trained professionals, using appropriate methods, within a child-friendly environment, and there should be scope for the child to engage in enjoyable activities. The child should be treated with respect, encouraged to participate and have opportunities to fulfil their educational aspirations.

This list is not exhaustive, and other relevant elements could be added to an assessment of a child's best interests. As the importance of each of these elements may vary from child to child and from procedure to procedure, they should be weighed for each individual case (CRC Committee, 2013a, General Comment No. 14, paras. 47, 48). The elements are interrelated, and although they can conflict with each other, the overall goal should be to 'ensure the full and effective enjoyment of the rights recognised in the Convention and its Optional Protocols, and the holistic development of the child' (CRC Committee, 2013a, General Comment No. 14, para. 82).

It remains unknown whether asylum-seeking children are raised in an environment that provides them with safety, stability and continuity after their forced return and whether their developmental needs are met. Therefore, we sought to acquire insights from a children's rights perspective into the holistic development and socio-cultural context of children forced to return to their countries of origin after a stay of several years in the host country. Our aim was to add to the existing knowledge base on asylum-seeking children who are forced to return to their original countries and to contribute to discussions about the best interests of the child in decision-making relating to migration procedures from a children's rights perspective. Insights into the development and living circumstances of children after their return is required to evaluate the best interests of the child in migration-related decisions. In this study we focused on children forced to return to Armenia because, at the time of this study, Armenia was one of two countries to which most of the rejected

asylum-seeking families with children were forced to return after staying in the Netherlands for a couple of years (UNICEF and Defence for Children, 2018). We aimed to address the following research questions: What are the children's experiences, and those of their parents, regarding their development, and what was the social-cultural context of embedded children and their families who were forced to leave the Netherlands and return to Armenia?

## 2 Method

### 2.1 Study Design

We developed a qualitative research design to explore the experiences of asylum-seeking families with children who returned to Armenia, their country of origin. The data collection was conducted with the cooperation of Defence for Children, an international organisation that advises children, parents and professionals on children's rights. The department in the Netherlands runs a helpdesk for answering questions about children's rights and produces reports, *inter alia*, on children's rights relating to migration procedures. Therefore, several children who were forced to leave the Netherlands are there known.

### 2.2 Participants' Characteristics

The sample comprised 6 girls and 11 boys aged between one and 18 years ( $N = 17$ ) within seven families. At the time of the interviews, three children were aged 0–6 years, eight children were aged 7–11 years, and six children were aged 12–18 years. The duration of the children's stay in the Netherlands ranged between four and seven years. In some cases, family members travelled separately to the Netherlands. Consequently, some children had shorter or longer stays in the Netherlands compared with those of their siblings or parents. At the time of data collection, the children had been living in Armenia for periods ranging between two and 13 months. Five children were born in the Netherlands, two in another European country, and ten in Armenia. Four families were single-parent families, and three were two-parent families. After returning to Armenia, one family lived in an urbanised area (50,000 or more inhabitants), two families lived in an urban cluster (2,500–50,000 inhabitants), and three families lived in a rural area (fewer than 2,500 inhabitants) (United States Census Bureau, 2019).

### 2.3 Procedure

#### 2.3.1 Sampling Procedure

The study's inclusion criterion was families of Armenian descent who had stayed in the Netherlands for several years and were forced to return to

Armenia with one or more children below the age of 18 years at the time of return. Defence for Children-the Netherlands (DCI-NL) reported on the fulfilment of children's rights in individual cases, and their legal experts selected families that met the inclusion criterion from among these cases. Ten families met the criterion. A legal expert from DCI-NL called or emailed these families. Out of the ten families, two families had moved to Russia after returning to Armenia, and two other families were untraceable in Armenia. The remaining six families were asked to take part in a study to explore the experiences of returned children. They all agreed to participate. Additionally, after the selection of the families, another family was forced to return to Armenia and was therefore also included in the study shortly before the data collection process commenced.

### 2.3.2 Interview Procedure

Data collection was conducted in Armenia in November 2016 and comprised semi-structured interviews held with the children and their parents. The families chose the interview locations and decided whether a translator was needed. All of the families chose to be interviewed at home. Translators were not involved because the family members spoke sufficient Dutch or English and because some parents were distrustful of Armenian translators. Data collection during one conversation was constrained by the limited Dutch proficiency of one of the parents. Two young children had forgotten their Dutch, so their mother translated during the conversation.

A legal expert and a behavioural scientist conducted the interviews. They began by interviewing the parents separately or the whole family together. They subsequently conducted separate interviews; the legal expert continued interviewing the parents, while the behavioural scientist interviewed the children together. There were two exceptions: when a teenager wanted to share something in the absence of her siblings, and when another teenager arrived home before his sibling did. The interviews took approximately three to four hours per family.

### 2.3.3 Interview Protocol

The interview protocol covered the following topics: psychosocial well-being, the child-rearing environment, feeling at home, and the return process, but other experiences that the participants wanted to share were accommodated. Demographic information and observations were also noted.

The interview protocol was based on that developed by Zevulun *et al* (2021) and was adapted to address the aims of our study. The conversation on the child-rearing environment was guided by a list of topics drawn from the



Best Interests of the Child (BIC)-Model (Kalverboer and Zijlstra, 2006). The BIC-Model is derived from the CRC Committee's General Comment No. 14 (2013) and was developed to enable the determination of the child's best interests in the decision-making process. The BIC-Model covers seven family conditions: (1) adequate physical care, (2) a safe direct physical environment, (3) the affective atmosphere, (4) a supportive, flexible, child-rearing structure, (5) adequate parental examples, (6) interests and (7) continuity in upbringing and conditions and perspectives on the future. Seven societal conditions were also covered: (1) a safe wider physical environment, (2) respect, (3) social networks, (4) education, (5) contact with peers, (6) adequate examples in society, and (7) stability in relation to life circumstances and perspectives on the future. The interviews were transcribed literally, and a researcher verified the transcripts. For one family, only notes of the conversation with the children were included, as the children did not consent to the recording of the interview.

#### 2.3.4 Ethical Considerations

The participants gave their informed consent before data collection commenced, and their privacy was guaranteed by anonymising names and places in the transcripts and removing any identifiable data from the article. The participants were informed of the aim of the study and told that their participation was voluntary and that they could withdraw from the study at any time. They were also informed that the results of the study would be published. Furthermore, it was clarified that the researchers could not help the family move back to the Netherlands. The interview protocol was handled flexibly and participants retained control over the stories they wanted to share, given their vulnerable circumstances and the sensitivity of the interview topics. The Ethics Committee for Pedagogical and Educational Sciences at the University of Groningen evaluated the study's research design positively.

#### 2.4 Data Analysis

We conducted a qualitative analysis from a constructionist viewpoint (Flick, 2004), using elements for assessing a child's best interests extracted from General Comment No. 14 (paras. 52–79) as an analytical framework. The codebook that we developed contained elements from General Comment No. 14: (a) the child's views and influence over the return decision, (b) the child's identity, (c) the family environment and relations, (d) care, protection, and safety, (e) vulnerability, (f) the child's health, and (g) education. The themes were operationalised according to the clarifications provided in General Comment No. 14. Using this deductive codebook, two researchers separately coded the transcript, notes and observations of the first family. They compared and discussed

their codes until consensus was reached on the operationalisation of the themes from General Comment No. 14.

One researcher coded the data of the seven families and re-read the data during the writing process. Because the topic of returned asylum-seeking children is understudied, the analysis was aimed at providing a rich description of the entire data set (Braun and Clarke, 2006), and citations of parents and children in all seven families were selected to acquire more detailed insights into the children's experiences and views. The citations were selected according to their compatibility with the subject of the relevant paragraph. The interviews were conducted in Dutch, and the quotes were translated into English. However, one parent sometimes spoke English, and her quotes are therefore marked "verbatim".

### 3 Results

#### 3.1 *The Children's Views on the Return Decision and Post-Return Life*

According to the children, the return decision had a negative impact on their lives. Although some children mentioned positive aspects of their post-return lives, they generally held negative views. For example, a teenage boy said: 'Here you can't work and you can't live' (Child 1).

##### 3.1.1 The Return Decision

All of the children had wanted to remain in the Netherlands prior to their return, and most of them still did. When reflecting on the return decision, the children described it as 'no good' (Children 6 and 11), 'stupid' (Child 8), and 'bad' (Children 14 and 15). Some said that they did not want to return to Armenia because of their school and their Dutch friends or because they liked the Netherlands. Two teenagers held negative feelings towards the Netherlands following their return, because the forced return made them feel rejected. One girl noted: 'I thought it was a bit sad because I could speak Dutch very well but not anymore. Actually, I lived there for nothing' (Child 16).

##### 3.1.2 Qualifying Post-Return Life

The children viewed their post-return lives as 'bad' (Child 8), 'difficult' (Child 9), or 'not so good' (Child 16), and talked of not wanting to live in Armenia. A teenage boy found his life boring and explained that he only slept, ate, played chess with his grandfather, or took driving lessons. Another teenage boy said that he did not like being back and that he had wanted to remain in the Netherlands. However, having returned to Armenia, he liked being able to do whatever he

wanted. When asked about the positive aspects of life in Armenia, some children stayed silent for a while. Some answered by saying ‘nothing’ (Children 8, 9, 11, 12), and one teenage boy said, ‘I am often sad to be here’ (Child 5). Some children were more positive and mentioned the warmer climate. One said that it was good to live in Armenia, and another explained that he could play soccer better here than in the Netherlands.

### 3.2 *The Child’s Identity*

The children were ambivalent about their identity, and although Armenia played a role in their identity formation some appeared to have constructed aspects of a Dutch identity as well: ‘When we came to Armenia I was a bit afraid ... I did not know how that country was’ (Child 15).

#### 3.2.1 Sense of Belonging

The children talked about how everything in the Netherlands was “normal” to them, whereas Armenia was unfamiliar, making them afraid at the moment of forced return. They said that they did not know anyone in Armenia. They also did not know the language and the country and felt different from Armenians. Some children felt at home in Armenia because of their Armenian relatives, whereas others did not. These children provided explanations such as not knowing the Armenian alphabet, finding contact with Dutch people easier, and preferring their schools in the Netherlands to their Armenian schools. Some children said that they felt that they belonged neither in the Netherlands nor in Armenia. They felt rejected by the Netherlands. One teenager mentioned that he had to empty his pockets in a Dutch supermarket because his skin tone was a little darker than that of Dutch people. At that moment, he felt he was different from his Dutch peers. A teenage boy (Child 5) made the following statement about Armenia: ‘I don’t feel at home here’.

#### 3.2.2 Cultural Identity

Some children felt different from their Armenian peers and talked about differences between the Dutch and Armenians. They made statements such as Dutch people tend to be more open than Armenians, children grow up faster in Armenia than in the Netherlands, and boys and girls are not treated equally in Armenia. The children made positive remarks about Armenians as well as negative remarks and were ambivalent about identifying with Dutch or Armenian people. For example, one teenage girl noted that Armenians are both ‘hospitable’ and ‘tedious people’ (Child 8). Some only identified as Dutch, others identified only as Armenian or in between, and still others identified as neither Dutch nor Armenian. Being born in Armenia or in the Netherlands did not

seem to affect how they felt. One boy explained why he felt more Dutch than Armenian: 'We lived there ... six years and there it was very good, everything was normal, but here it is ... eh ... a bit ... how do you say ... not everything is solved' (Child 11).

### 3.2.3 Language

The children found it difficult to read and write the Armenian language because of their unfamiliarity with the Armenian alphabet. Some read Dutch books or watched Dutch YouTube videos to practise their language skills. However, two young children said they had forgotten Dutch. One girl stated: 'I actually forgot the Dutch language a little bit' (Child 16). A boy said: 'I constantly mix all the words. I don't know which ... I don't even know how to spell my name in Armenian. I still can in Dutch, I know all the words. I can write my name' (Child 10).

### 3.3 *Preservation of the Family Environment and Maintaining Relations*

All of the children experienced separation from their parents before, during, and/or after the forced return. They felt bereaved, torn away from their lives in the Netherlands, and were ambivalent about developing ties within Armenian society. 'He is always at home, sitting, thinking, sometimes talking. Sometimes I tell him to play outside with other children, but he doesn't want to. For him everything is difficult' (Parent 6).

#### 3.3.1 Separation from Parents

All of the children experienced separation from a parent at least once. Some lived separately from their parents for over a year because their family members went to the Netherlands before they did. On return to the Netherlands, some children were separated from their parents who were admitted to a psychiatric hospital because they were stressed out by the threat of return. This separation also occurred during the detention period preceding their return, with reunification occurring only at the airport in the Netherlands. Some children were separated from a parent who was sent to Armenia a few days earlier. They were unable to say goodbye and were reunited in Armenia. After their return to Armenia, some children were separated from their parents who were held at the police station overnight or who left to work in Russia. Furthermore, some parents divorced. In case of a child's separation from one parent, the other parent took care of them. One mother explained: 'At the ... um, detention centre, a woman said, "it is better for you to be admitted [to a psychiatric hospital]. You really don't feel well and if you stay with the children, they will see how you feel"' (Parent 9).

During the interviews, the topic of separation was a painful one for both the parents and the children. They were emotional while talking about it, enraged by their separation as a family during the deportation process. In cases of divorce, the children said that they did not know why their parents were divorced or they did not feel free to speak about their parents' divorce.

### 3.3.2 Mourning the Loss of Lives Spent in Dutch Society

The children indicated that they missed their former Dutch environment, schools, friends, teachers, toys, sports and food. A teenage girl said that she missed an elderly Dutch woman with whom she had developed a close relationship; she was like a grandmother to her. Most of the children stayed connected to their former Dutch lives, for example through WhatsApp chats with friends, by looking up pictures of their old schools online, by reading Dutch books, and by watching Dutch videos on YouTube. One mother said: 'My daughter was crying and saying, "Mommy, I want to go to school. Mommy, I want to go back. Mommy, I want my friends"' (Parent 2).

### 3.3.3 Relations within Armenian Society

The children were ambivalent about building ties in Armenian society. Whereas some children had made new friends in Armenia, others had not, and some rarely went outside. Some children had friends at school or in the neighbourhood. However, the children who were not yet enrolled in school did not have any contact with their peers. Some children were enrolled in a class with younger children to learn the language and did not feel any connection with their classmates because of the age difference.

Some children had been reunited with relatives and mentioned being taught chess by a grandfather or playing games on a grandmother's computer. However, some had no contact at all with relatives. Some had a supportive network that offered odd jobs to their parents, helped them with homework, or let them use their bathrooms if they did not have one. Others had no social networks in Armenia. Some children encountered negative reactions from Armenians, who said that they no longer belonged in Armenia and should leave again soon. One mother gave an example:

Sometimes the people also say that they don't like people that are coming back. They think they know everything. So, we saw a lot of things in Nederland, good things. So, we would like to have these things here. "No", they say, "we don't like people that are coming back and teach us" (Parent 3).

### 3.4 *Care, Protection, and Safety of the Child*

Some children had limited access to basic necessities, and for some, the emotional availability of their parents was limited. Furthermore, some children mentioned feeling unsafe in Armenia. 'I ask all of them here: "Please, nothing, I have nothing for my children to eat, for hospital"' (Parent 8).

#### 3.4.1 Basic Necessities

The housing situation differed greatly among the children. Whereas some children lived in warm and spacious homes with indoor bathrooms, others lived in small, cold homes with toilets outside and no bathrooms or running water. Some children had to sleep together in one bed or on a couch, while others had a mattress or a bed for themselves. Some received financial support from their Dutch networks or were assisted by their Armenian networks. However, all of the parents mentioned worrying about their finances. One parent had a job, and a few others worked occasionally on the land during the summer. Two children worked: one supported his father on a daily basis for about 30 minutes and assumed charge of his father's handicraft business when he was ill, while the other worked on his neighbour's land during the summer months and therefore had to skip school. He got vegetables in return, or a small allowance was paid to his parents. A mother described her situation as follows: 'I don't know, really, I don't know. For me it is really very difficult, I don't know. Here, there is no money, no people, no life, no work, nothing' (Parent 5).

#### 3.4.2 Emotional Availability of Parents

Some parents were emotionally unavailable. Several of them described their post-return lives as 'hard' (Parents 1, 2, 5) and 'stressful' (Parent 3) and mentioned sleeping difficulties, worrying about basic necessities, crying often, and feeling scared, depressed, stressed and tired. They tried to hide their own sadness from their children, and some tried to make things easier for their children, for example, by being less strict or telling them that everything was going to be alright. However, the children noticed their parents' sadness. For example, one boy said he no longer played with his father because he had headaches and spent his days in bed. A mother explained: 'Yes, I feel tired, I have to cry very many times, everything is too much' (Parent 9).

#### 3.4.3 Safety

Some children felt safe in Armenia, and explained that if they were to ask someone the way, they would be treated nicely. The children who felt unsafe mentioned traffic accidents, theft, neighbours with drinking problems, suicides in the neighbourhood, or knowing someone who had died in military service. A

teenage girl was physically abused by family members because she answered WhatsApp messages from male classmates. Her cousins beat her multiple times and hit her head against an object while holding her hair tightly, telling her that she was damaging the family name.

Some children lived in remote areas or moved several times a year because their parents were hiding from certain individuals whom they feared. Parents also mentioned problems with the authorities because they asked too many questions, or with medical personnel because they asked for a second opinion. Parents of teenage boys worried about their sons' military service. One father said:

[The authorities] talk in a smart, not direct, but a smart way. They just let us understand what they mean. They bring examples of other people, saying, "look, that man was active. And what happened to him?" (Parent 4).

### 3.5 *Vulnerability*

Factors contributing to the children's vulnerable situations included behavioural changes following their forced return to Armenia, psychosocial and physical problems, the forced return itself, and detention. Speaking of her son (aged below six years), one mother stated: 'He said, "Mommy, I am scared". I said: "Why?" He said: "The police might arrest me again' (Parent 2).

#### 3.5.1 Behavioural Changes

Although some children felt that they had not changed after their return to Armenia, several children, and their parents, spoke of post-return behavioural changes. The children mentioned feeling worse since their return and being prone to feelings of anger and sadness. Some parents mentioned that their children wanted to be spoon-fed and had become incontinent because they feared going to the toilet. By contrast, one mother stated that her eldest child was more at ease since their return because the daily tension of a possible forced return from the Netherlands had lifted. Some parents felt that the period immediately after their arrival in Armenia was the hardest for the children. According to some, over time, the problematic behaviour of their children diminished. Speaking of her toddler, one mother said:

From [the detention centre] I noticed he was screaming. It was the first time I noticed [in the detention centre]. He was kicking very loud and nervous and until now, when he listens, when we are speaking a little loudly, he is screaming very loudly (Parent 3).

### 3.5.2 Psychosocial Problems

The children mentioned multiple psychosocial problems that they experienced post-return. They spoke of feeling sad, depressed, stressed, afraid, having sleep issues, worrying about their lives and future, and having suicidal thoughts. Some parents added that their children were worried about the well-being of their parents. A teenage girl said:

If I have to go through such a difficult time, God, why did you make me? Why, why was I born? I would rather be dead. I think about this. Or that I would have no ears or eyes, that I couldn't see or hear anything, or that my tongue would be gone so I couldn't talk (Child 8).

### 3.5.3 Physical Problems

Some children had physical problems, and parents generally linked these problems to increased stress. Children had headaches or stomach aches, fainted, felt nauseous, had difficulty eating, and vomited. Some children were admitted to hospital. A mother explained her teenage daughter's situation as follows:

Very bad pain here, very bad pain, and we called the ambulance and eh, finally they say: "Maybe it is coming from stresses that you have in your life". But eh, sometimes, all this body is pain, arms, legs, everything, and this doctor says it is from stress (Parent 3).

### 3.5.4 Forced Return

The children looked back on their forced return with negative feelings. They were unprepared and uninformed about the return. Some of them were even unaware that they could be sent back to Armenia. The moment of return came unexpectedly as they slept, when between 8 and 11 police officers entered their homes early in the morning. They had ten minutes to pack their belongings and prepare for departure to the detention centre. Consequently, there was no opportunity to say goodbye to friends and teachers, unless they visited them at the detention centre. Children mentioned feeling sad, angry or afraid. A teenage girl recalled:

We were sitting there, being treated like criminals. I went to the bathroom, [and] they said: "Don't lock the door". I went to the kitchen, [and] they said: "Don't do that". We were under arrest there, and everything with weapons and lights. I was so frightened I couldn't sleep for days afterwards (Child 8).



### 3.5.5 Detention

All of the children were detained before their return for up to two weeks. They have negative memories about the detention centre and recalled feeling anxious. Parents mentioned that their children did not want to leave their rooms or that they found it difficult to eat and sleep during detention. However, one mother said that her children enjoyed the activities in the detention centre and, in her view, life in the detention centre was better than life in Armenia. A mother pointed out: 'Outside everything was very beautiful, ... but inside ... what was happening inside? So, everything, the house, everything was good, but it was really a prison, really a prison' (Parent 3).

## 3.6 *The Child's Right to Health*

Although some children received health care after they returned to Armenia, its access was generally limited. One parent said: '... it is completely different [here] from the Netherlands. No insurance. ... So, every time you go to the doctor, you have to pay...' (Parent 1).

### 3.6.1 Limited Access to Health Care

The children talked about limited access to health care, which was expensive, because they lacked health insurance. Some children had been admitted to hospitals and received care. The parents said that they had used up the medication they had brought from the Netherlands and could not afford to buy new medication, or that they had discontinued medical check-ups or their children's therapy because they could no longer afford it. One mother said:

Yes, this one should get therapy, but this is also expensive. I can't afford it. I want to ask for [child's name] to go to therapy. [Child's name] went once, and we had to pay 5,000 [Dram]. Once. With my money, 100 euro, I can't do everything, pay for electricity, pay for everything, we need to eat ... (Parent 5).

## 3.7 *A Child's Right to Education*

Access to child-friendly education that matched the developmental needs of the children was complicated, so children's perspectives about the future were limited. They faced difficulties at school, especially if they were not proficient in Armenian. One child said: 'I'm eight years old and I'm still in Group 1, but here you start going to school when you're six years old' (Child 16).

One specific issue raised by some children was bullying at school because returned children are not considered "one of us". They mentioned being hit by classmates, called names, having their lunch stolen, or being made fun of

because they could not afford nice clothes or snacks from the canteen. One boy said: 'I find it tough at school. They bully me there every day, but fortunately I can run faster than them' (Child 10).

### 3.7.1 Limited Access to Education

Not all children went to school, mainly because they were unable to read and write in Armenian, and their parents could not afford additional classes. Some teenage boys said that their military service would have started by the time they had learnt the language, so they did not see the added value of education and had decided to stay home. Parents mentioned the difficulties they had enrolling their children in school because, for example, they did not have the right documents, such as birth certificates, or because they had to persuade the teachers to let their children into a class that matched their education level. Other children were enrolled in a class with younger children to learn how to read and write Armenian. One mother made the following comment about her teenage sons:

They did not get a normal education. Therefore, they can't do anything. Okay, maybe in the Netherlands. But now we aren't in the Netherlands. They can't do anything. And to start from zero here [all] over again is impossible, because they are already a bit old ... They won't make it; they can't go to school. Also, university ... that is impossible (Parent 1).

### 3.7.2 Child-Friendly Education

Children mentioned positive aspects about school (drawing, playing, and gymnastics) as well as negative aspects (difficult language classes and lots of homework). Some said they were treated badly by their teachers. For example, one teacher told the class, including a returned child, that anyone who left Armenia was not a real Armenian. Some children also said that teachers shouted at children or hit them. One boy said:

Sometimes I couldn't do my homework and my mother did not understand it either. And then I did not go to class, because, umm, [the teacher] calls us sometimes to practise and then if you don't write [the correct answer], he hits, or beats ... at school (Child 14).

### 3.7.3 Future Perspective

The children's perspective on the future was limited. Some of them knew what they wanted to become when they were in the Netherlands (e.g. a teacher, lawyer, or nail artist), but they no longer expected to be able to pursue these

dreams because they were not going to school or because they did not have the financial means to study. Some teenage boys spoke about starting a garage after military service. One of them studied in the Netherlands but lost his diploma when he was deported. A teenage girl summed up the situation as follows: 'If it continues like this, I won't have a future anymore' (Child 8).

## 4 Discussion

### 4.1 *Reflections on the Findings*

This study sought insights from a children's rights perspective into the experiences of returning children and their parents concerning the children's holistic development and the social-cultural contexts of embedded children who were forced to return to Armenia from the Netherlands. The findings on the *development* of these embedded children revealed that physical and psychosocial health problems were common, and the experience of forced return itself was a traumatic event for the children. The findings on the children's *social-cultural context* revealed several risk factors for developmental problems. They were detained during the return process and were separated from parents, and the forced return caused them to grieve the loss of familiar environments and friends. In the post-return situation, they experienced a lack of basic necessities, difficulty accessing health care and education, emotional unavailability of parents and feeling unsafe (for some children), and the perspective of a limited future. In sum, forced return increased developmental risks because the developmental needs of children who had lived in the host country for several years were neglected.

Our findings on the physical and psychosocial health problems of children forced to return to the country of origin are in line with those of other studies on children's return (Cornish *et al.*, 1999; YY, 2015, 2018, 2021; Vathi *et al.*, 2016; Bowerman, 2017; Kienzler *et al.*, 2019). In one study, adolescents and their parents who returned to Kosovo recounted the adolescents' physical and psychosocial problems regarding the experience of forced return itself (Kienzler *et al.*, 2019). The impact of forced return, which is experienced by children as a sudden change of their living environment for which they are unprepared, is significant. Any change in the living environment (especially an inter-country move) is already a major event in a child's life. For example, children of expats face difficulties in multiple areas (e.g. identities and social relationships) after returning to their countries of origin (Smith and Kearney, 2016). Some of the children in our study underwent multiple international transitions, as they

were born in Armenia, lived in the Netherlands for several years, and were then forced to return to Armenia.

The respondents' ambivalence about their identities could have resulted from having lived in the host country for several years. A study of refugees' children returning to Malawi found that children of returned asylum seekers could have ambiguous feelings about their national identities and had to adapt to the Malawi culture (Cornish *et al.*, 1999). The difficulty of the acculturation process could have been compounded by language issues, among other factors, which affect children's education and their interactions with their peers (Dow, 2011; Vathi *et al.*, 2016) as well as their families' socioeconomic status (Dow, 2011). Both factors applied to the participants in our study.

The findings on the children's social-cultural contexts after their forced return concurs with those of previous studies on returned children (Cornish *et al.*, 1999; YY, 2015, 2018, 2021; Vathi *et al.*, 2016; Bowerman, 2017; Kienzler *et al.*, 2019). These earlier studies revealed that children experienced separation from their familiar lives in the host country and felt isolated after their return, experiencing barriers impeding their access to education and health care. Moreover, the quality of the child-rearing environment was lowered by the parents' unavailability. In our sample, the children faced deficits relating to multiple socio-cultural conditions. This accumulation of risk factors increased the risk of developmental problems (Rutter, 1985; De Haene and Grietens, 2005; Montgomery, 2010). A substantial minority of children whose families had access to the basic necessities of life experienced fewer psychosocial issues. These families had adequate housing, financial resources and support. The findings of the study by (Zevulun *et al.*, 2018) are similar, showing that families with residential status in the host country who returned voluntarily after several years to their home countries were also able to meet the basic necessities. Contact with Armenian family members was mentioned as a positive factor by some of the children in our sample but did not outweigh the negative aspects of return for the children. According to Zevulun *et al.* (2018), the role of social networks in the country of origin is crucial when building a post-return life. However, Fleischer (2013), who conducted a field survey of adult Armenian returnees, found that family members after their return could be supportive or unsupportive. For example, returnees could be viewed with suspicion within their former networks upon their arrival in Armenia (Fleischer, 2013). Further study into the role of networks after return is necessary to assess whether or not returning to their former social networks makes a difference for these families.

Reflecting on the outcomes of our study from a children's rights perspective, we suggest that several CRC elements that define a child's best interests

(CRC Committee, 2013a, GC No. 14, paras. 52–79) were discounted in return decisions regarding the children in our sample. These decisions did *not*, therefore, comply with the children's best interests (CRC, Article 3) and contravened several CRC articles. During the return procedure implemented in the Netherlands, the children's voices remained unheard in the return decision (violating Article 12), and their detention did not appear to be implemented as a last resort measure (violating Article 37). Children were separated from their parents against their will and in the absence of a judicial review (violating Article 9). After returning to Armenia, the children felt that they were treated unequally because they were viewed as returnees (violating Article 2). Some children lived in deplorable circumstances that did not meet their developmental needs (violating Article 27), some were not attending school (violating Article 28), some had to work full days (violating Article 32), and access to health care was limited (violating Article 24). These concerns about child rearing in Armenia are also raised in the concluding observations of the country report on Armenia of the CRC Committee (2013b), which mentions discrimination, large numbers of poor families, child labour, access to health care, and the poor quality of education as serious concerns.

Strikingly, possible violations of the rights of children forced to return in this study are also highlighted in the joint General Comment No. 4 released by the Committee on the Protection of the Rights of all Migrant Workers and Members of their Families and the CRC Committee (2017), which seeks to protect the rights of children undergoing international migration. At the same time, the lack of compliance of the return decisions with the standards laid out in the CRC is not surprising, as the best interests of the child are not foregrounded in migration law (Goeman *et al.*, 2014; Klaassen and Rodrigues, 2017; Langrognat, 2018). This situation contrasts with other areas of law such as juvenile criminal law (Lacombe, 2018), family law, and child protection law (Hughes and Chau, 2012), in which the best interests of children are assessed and determined in the process of making decisions that affect their lives.

Furthermore, this study showed that children's views are not a decisive factor in the final return decision. All of the children mentioned that they saw their futures in the Netherlands. It is not surprising that the views of children are not influential in Dutch migration procedures, given the findings of Rap (2021) that Dutch migration procedures are not designed to promote the meaningful participation of children; instead, they focus on determining the credibility of the reasons for seeking asylum. Following the guidelines of the CRC Committee and the UNHRC for enabling meaningful participation of children in migration procedures, children should be invited to share their views freely, which should be considered, and an explanation is required if the

final decision does not concur with the views of the child (CRC Committee, 2013a, General Comment No. 14; UNHCR, 2021).

#### 4.2 *Strengths and Limitations*

This study adds to the interdisciplinary discussion about children's rights in migration law (Van Os, 2018; Nissen, 2021). It is the first study conducted from a children's rights perspective among asylum-seeking families with children who were forced to return to their country of origin after staying in the host country for multiple years. It had an explorative, qualitative design and was conducted with a small group of participants. The results provide initial insights into the experiences of this specific group of children and cannot be generalised to children whose stays in the host country are brief or to those who returned voluntarily to their countries of origin. However, as we achieved data saturation, the types of problems that were identified among children forced to return to their country of origin after spending several years in the host country are representative for this specific group. Therefore, the results provide insights into potential developmental problems facing children who are forced to return after spending several years in the host country and the obligations of policymakers and states in this regard.

Two Dutch citizens collected the data, which may have affected the interviews either by facilitating or constraining the participants' disclosure. On the one hand, being interviewed by Dutch citizens may have induced expectations of support among families wanting to return to the Netherlands. On the other hand, the participants declined to have Armenian translators. Therefore, using Dutch researchers was the best option for conducting the interviews. It should also be borne in mind that some children may have toned down their psychosocial well-being in the interviews because they found it difficult to express their inner sadness. As one of the parents observed, her daughter tried to hide her feelings from her and acted as if she did not miss her Dutch friends.

#### 4.3 *Recommendations*

The findings of this study are of value for states, policymakers and professionals involved with asylum seekers and their return and can contribute to sustainable solutions for return and the protection of children's rights after their return. Children's rights, and specifically their best interests, should be integrated within migration procedures and return decisions (Kalverboer *et al.*, 2017). Consequently, the best interests of asylum-seeking children should be assessed in migration procedures, and the assessment outcomes indicating children's best interests should be considered in decision-making procedures relating to children's return. The children's embeddedness in the host country

should be a key consideration in these assessments. Several methods are available for assessing children's best interests and instituting child-rights compliant return procedures (Kalverboer *et al.*, 2017; UNICEF *et al.*, 2019; UNHCR, 2021).

If the outcome of the migration procedure implies a forced return to the home country, children as well as their parents should be well prepared for the return, and fulfilment of their basic needs and access to education and health care, post-return, must be guaranteed. Before the return, a child-oriented return plan should be developed, focussing on the fulfilment of the needs of the children and their families, such as financial resources and employment, housing, food, social networks, and language acquisition and education for children after their return. This child-oriented return plan should be based on individual assessments focusing on the support and care needs of the children and their families to enable them to build new lives, post-return, and to strengthen the children's holistic development in the country of origin (Lietaert *et al.*, 2014, Zevulun *et al.*, 2021). This child-oriented return plan should be monitored over a longer period to meet the children's evolving needs (Zevulun *et al.*, 2021)

Although our findings show that forced return after a long stay in the host country is not in children's best interests, it is necessary to advance knowledge regarding successful and durable (forced) return of children and their families. It is important to learn about factors that facilitate the acculturation process of children after their return and that promote resilience, as their cultivation could help children to prepare for the return to their country of origin. This knowledge can also help policy and decision makers to align return decisions and procedures with the principle of the child's best interests. Decisions taken in the best interests of the child give children scope to develop a future perspective and ensure a high-quality child-rearing environment where children experience safety, stability and continuity (Zijlstra, 2012).

Furthermore, it is important to conduct longitudinal research to gain insights into the holistic development of returned asylum-seeking children and their socio-cultural contexts in the long term. Ideally, this research should be prospective and should start before the actual return, to take account of the living circumstances in the host country. Such research can yield insights into the well-being, reintegration and quality of life of children and their families after their return.

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