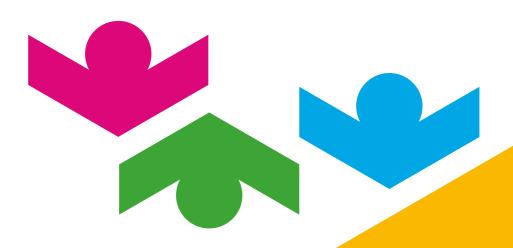


# Implementing the Global Compact for Safe, Orderly and Regular Migration

Guidance for governments and all relevant stakeholders



**GUIDE** 



# Implementing the Global Compact for Safe, Orderly and Regular Migration

Guidance for governments and all relevant stakeholders



The opinions expressed in the publication do not necessarily reflect the views of the United Nations Network on Migration and its members. The designations employed and the presentation of material throughout the publication do not imply expression of any opinion whatsoever on the part of the United Nations Network on Migration and its members concerning legal status of any country, territory, city or area, or of its authorities, or concerning its frontiers or boundaries.

The United Nations Network on Migration was established to ensure effective and coherent system-wide support for implementation, follow-up and review of the Global Compact for Safe, Orderly and Regular Migration. The Network consists of those members of the UN system who wish to be a part of it and for whom migration is of relevance to their mandates.

The Global Compact is the first inter-governmentally negotiated agreement, prepared under the auspices of the United Nations, covering all dimensions of international migration in a holistic and comprehensive manner. It is a non-binding document that respects states' sovereign right to determine who enters and stays in their territory and demonstrates commitment to international cooperation on migration. It presents a significant opportunity to improve the governance of migration, to address the challenges associated with today's migration, and to strengthen the contribution of migrants and migration to sustainable development.

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#### Publisher:

The United Nations Network on Migration 17 route des Morillons P.O. Box 17 1211 Geneva 19 Switzerland Email: unmignet@iom.int

Website: https://migrationnetwork.un.org/







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## **Acronyms**

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
DG	DEVCO European Commission's
	Directorate-General for International Cooperation and Development
GCM	Global Compact for Safe, Orderly and Regular Migration
GFMD	Global Forum on Migration and Development
GMG	Global Migration Group
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers & Members of Their Families
IDPs	Internally displaced persons
ILO	International Labour Organization
IMRF	International Migration Review Forum
IPUMS	Integrated Public Use Microdata Series

IOM	International Organization for Migration
JMDI	Joint Migration and Development Initiative
MGI	IOM's Migration Governance Indicators
MMICD	Mainstreaming Migration into International
	Cooperation and Development
NHRI	National human rights institution
NIPs	National implementation plans
NSO	National statistics office
OECD	Organisation for Economic Co-operation and
	Development
SDG	Sustainable Development Goal
UNCAT	Convention against Torture and Other Cruel,
	Inhuman or Degrading Treatment or Punishment
UNCT	United Nations Country Team
UNDP	United Nations Development Programme
UNFCC	United Nations Framework Convention on Climate
	Change
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNNM	United Nations Network on Migration
UNSDCF	United Nations Sustainable Development
	Cooperation Framework
UNTOC	United Nations Convention against Transnational
	Organized Crime
UN DESA	United Nations Department of Economic and

**Social Affairs** 

VNR

Voluntary National Review



# Introduction





### **PURPOSE**

This resource was developed for governments and stakeholders to support the implementation of the Global Compact for Safe, Orderly and Regular Migration (GCM), including through the development of National Implementation Plans. In accordance with the GCM, it offers a comprehensive, 360-degree vision of international migration and is guided by the GCM's cross-cutting and interdependent principles.

This resource provides key considerations, guidance, tools and concrete examples and suggests a six-step process to support States in their implementation of the GCM. The process presented is flexible, iterative and non-linear, recognizing that every State's context is unique and there is no one-size-fits-all solution to GCM implementation.

It is designed to serve governments, as well as a range of stakeholders, in line with the GCM's whole-of-government and whole-of-society guiding principles. This includes actors at all levels and sectors of government, as well as migrants, diasporas, local communities, civil society, academia, the private sector, parliamentarians, trade unions, national human rights institutions, the media and other relevant stakeholders.

### **OVERVIEW**

### **SECTION I**

## The Global Compact for Safe, Orderly and Regular Migration

Provides an overview of the GCM, including its vision and guiding principles, its 23 objectives and its commitment to implementation, follow-up and review.

### SECTION II

### Laying the foundation for GCM implementation: Applying the guiding principles throughout GCM implementation

Presents an exploration of successful GCM implementation, looking at the following guiding principles:

- Whole-of-government Approach: Delivering policy coherence
- Whole-of-society Approach: Engaging with all relevant actors
- Human Rights-based Approach:Aligning with existing obligations
- Child-sensitive Approach:Protecting, including and empowering all children
- Gender-responsive Approach:Addressing the gendered realities of all migrants
- Sustainable Development Approach:
   Leveraging migration for stronger, more inclusive and resilient communities

### **SECTION III**

### Six-step process for GCM implementation

Provides an outline of each step in the implementation process:

- 1. Kick off
- 2. Needs assessment
- 3. Design
- 4. Implementation
- 5. Monitoring, evolution and review
- 6. Reporting

Each step includes guiding questions and concrete actions, as well as tools and an overall checklist to help States in their implementation of the GCM.



# Section I

The Global Compact for Safe, Orderly and Regular Migration





The Global Compact for Safe, Orderly and Regular Migration (GCM) was adopted by United Nations Member States on 10 December 2018 and endorsed by the UN General Assembly on 19 December 2018. Prepared under the auspices of the UN, it is the first inter-governmentally negotiated agreement to coverall dimensions of international migration. In adopting the GCM, Member States committed to fulfilling its objectives and commitments at the national, regional and global levels in a way that takes into account different national realities, capacities and levels of development.

The GCM is a non-legally binding, cooperative framework based on the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, all core international human rights treaties, international labour standards and relevant existing international law. It builds on the commitments agreed by Member States in the New York Declaration for Refugees and Migrants (2016) and in the 2030 Agenda for Sustainable Development. The Compact expresses a collective commitment to improving cooperation on international migration, recognizing the key contribution of migration to the human experience throughout history, and that migration is a source of prosperity, innovation and sustainable development, which can be optimized by improving migration governance. The GCM sets out a common understanding, shared responsibilities and unity of purpose regarding migration.



### **GUIDING PRINCIPLES**

The GCM is based on a set of cross-cutting and interdependent guiding principles. These principles must be applied together and underpin all GCM implementation efforts.



People-centred



International cooperation



National sovereignty



Rule of law and due process



# Sustainable development



**Human rights** 



Child-sensitive



Gender-responsive



Whole-of-government approach



Whole-of-society approach

### 23 OBJECTIVES

The GCM outlines a framework of 23 objectives, each followed by a range of relevant policy instruments and best practices for improving migration governance, as well as a process for follow-up and review.





Collect and utilize accurate and disaggregated data as a basis for evidence -based policies



Minimize the adverse drivers and structural factors that compel people to leave their country of origin



Provide accurate and timely information at all stages of migration



Ensure that all migrants have proof of legal identity and adequate documentation



Enhance availability and flexibility of pathways for regular migration



Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work



Address and reduce vulnerabilities in migration



Save lives and establish coordinated international efforts on missing migrants



Strengthen the transnational response to smuggling of migrants



Prevent, combat and eradicate trafficking in persons in the context of international migration



Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration



Manage borders in an integrated, secure and coordinated manner



Invest in skills development and facilitate mutual recognition of skills, qualifications and competences



Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral



Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries



Use migration detention only as a measure of last resort and work towards alternatives



Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants



Enhance consular protection, assistance and cooperation throughout the migration cycle



Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration



Provide access to basic services for migrants



Establish mechanisms for the portability of social security entitlements and earned benefits



Empower migrants and societies to realize full inclusion and social cohesion



Strengthen international cooperation and global partnerships for safe, orderly and regular migration

### **360-DEGREE VISION**

While different GCM objectives focus on various aspects of migration, from access to services to border governance and migration pathways, together they represent a comprehensive 360-degree vision of international migration, which means that each of the 23 GCM objectives is part of a balanced, holistic approach to migration governance.

- **Solution Operation <b>Operation Operation Operati**
- and labour rights protection and the services they can access, from the information they receive at all stages of the migration cycle (Objective 3) and their proof of legal identity (Objective 4) to their ability to access basic services in countries of destination (Objective 15), to enjoy fair and ethical recruitment practices and decent work conditions (Objective 6), to benefit from skills recognition (Objective 18) and to receive consular protection (Objective 14).
- migrants take and their sometimes perilous nature. While Objective 5 calls for enhancing available and flexible regular migration pathways, Objective 7 commits to reducing the "vulnerabilities in migration." A few objectives touch upon specific vulnerabilities, such as those faced in the context of smuggling (Objective 9), trafficking (Objective 10) and for migrants going missing and perishing (Objective 8). As

a response to making migration pathways safer, regular and more easily accessible, Objective 23 calls on States to "[s]trengthen international cooperation and global partnerships for safe, orderly and regular migration."

- border management (Objective 11); screening, assessment and referral (Objective 12); migration detention as a measure of last resort and working towards alternatives (Objective 13); and the facilitation of safe and dignified return and readmission, along with sustainable reintegration (Objective 21).
- **SOUR** objectives recognize migrants as agents who should receive financial inclusion, who can contribute to their countries of origin through remittances (Objective 20) and who have the right to portable social security benefits (Objective 22).
- >> Further, GCM objectives recognize the positive contributions of migrants, calling for conditions in which migrants can thrive and fulfil their potential. These include "empower[ing] migrants and societies to realize full inclusion and social cohesion" (Objective 16), "eliminat[ing] all forms of discrimination and promot[ing] evidence-based public discourse to shape perception of migrants" (Objective 17) and "creat[ing] conditions for migrants and diasporas to fully contribute to sustainable development in all countries" (Objective 19).

The GCM objectives should not be considered in isolation, but rather all 23 objectives should be implemented together. For example, it is difficult to combat smuggling

without also working on protection, focus on remittances without delivering on decent work, focus on pathways without attention to narratives and inclusion. No approach to migration governance will work if it does not seek to understand who is moving and why, and without international cooperation, all efforts will be limited.

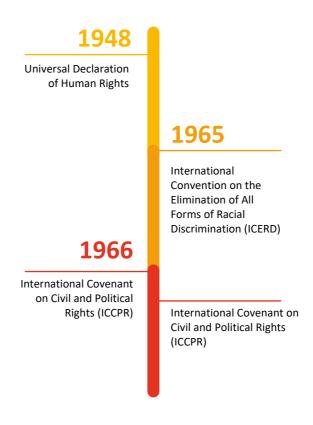
Actions taken concerning one GCM objective will inevitably impact other objectives, and the GCM's far-reaching objectives reinforce that a whole-of-society approach is needed. Actors such as academia, the private sector, the media, financial institutions and civil society organizations all have important roles to play. As such, GCM implementation must be carried out comprehensively, and with respect for the Compact's 360-degree vision and guiding principles.

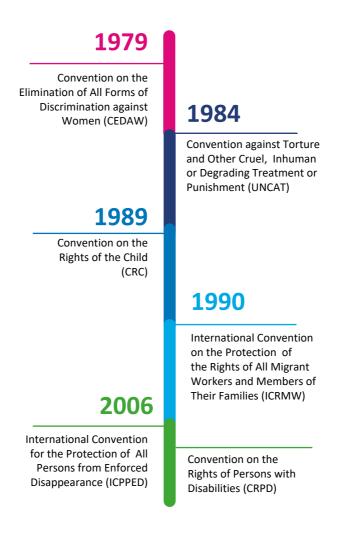


# RELATED INSTRUMENTS AND FRAMEWORKS

#### **HUMAN RIGHTS TREATIES**

The GCM is based on international human rights law, in particular, several foundational human rights instruments and frameworks and other core international human rights treaties.





States' obligations under these international legal instruments and particularly the respect, protection and fulfilment of all human rights of all migrants, regardless of migration status, should be the basis of the GCM's implementation.

#### LEGALLY BINDING CONVENTIONS

The GCM rests on a number of other legally binding Conventions such as:

### 1949

International Labour Organization
(ILO) conventions on promoting
decent work and labour migration,
such as Migration for Employment
Convention (Revised), 1949 (No. 97),
Migrant Workers (Supplementary
Provisions) Convention, 1975
(No. 143), Equality of Treatment
(Social Security) Convention, 1962
(No. 118), and Domestic Workers
Convention, 2011 (No. 189)

### 2003

UN Framework Convention on Climate Change (UNFCC)

### 2020

Paris Agreement

#### **1927**

United Nations Convention against Transnational Organized Crime (UNTOC), which includes the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children and the Protocol Against the Smuggling of Migrants by Land, Sea and Air

#### 1996

UN Convention to Combat Desertification

### 2004

United Nations Convention against Transnational Organized Crime (UNTOC), which includes the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children and the Protocol Against the Smuggling of Migrants by Land, Sea and Air

#### NON LEGALLY BINDING FRAMEWORKS

The GCM also complements non-legally binding international normative and policy frameworks, including:

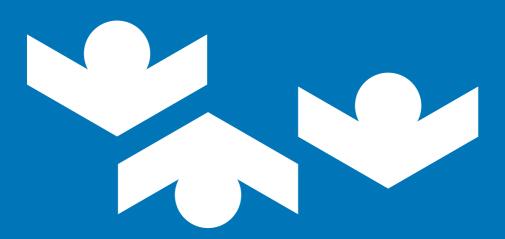




# **Section II**

Laying the foundation for GCM implementation:

Applying the guiding principles throughout GCM implementation





This section explores the application of several of the GCM's guiding principles during the implementation process. It aims to demonstrate the importance of applying the guiding principles throughout the design, planning and follow up of GCM implementation, and references resources that support the application of the guiding principles. The following guiding principles have been addressed:



## Whole-of-government Approach: Delivering policy coherence

Policy coherence means developing mutually reinforcing policies across all relevant sectors and government departments so that policies work together to effectively achieve national development goals, minimizing the negative impacts that policies in one area can have on policies in another area.



### Whole-of-society Approach: Engaging with all relevant actors

Government actors should foster meaningful multi-stakeholder engagement throughout all steps of GCM implementation, as well as ensure the robust participation of migrants and host community members in the implementation, follow-up and review of the GCM.



## Human Rights-based Approach: Aligning with existing obligations

A human rights-based approach (HRBA) is based on international human rights law and standards and operationally directed to respecting, protecting and fulfilling human rights.



# Child-sensitive Approach: Protecting, including and empowering all children

Implementing the GCM in a child-sensitive manner must start with acknowledging that children and their rights are central to good migration governance.



# Gender-responsive Approach: Addressing the gendered realities of all migrants

Laws, policies and programmes should strive to recognize and address the different realities faced by migrants on the basis of sex and gender, including in its intersection with factors such as age, sexual orientation, gender identity or race, and at all stages of migration, while upholding their human rights promoting their empowerment and advancing equality.



# Sustainable Development Approach: Leveraging migration for stronger, more inclusive and resilient communities

Implementing the GCM presents an opportunity to leverage the positive relationship between migration and sustainable development, and to achieve the goals of the 2030 Agenda.



## WHOLE-OF-GOVERNMENT APPROACH:

#### **DELIVERING POLICY COHERENCE**

The GCM makes a central reference to policy coherence in its outline of the Compact's 10 cross-cutting, interdependent guiding principles:

The Global Compact considers that migration is a multidimensional reality that cannot be addressed by one government policy sector alone. To develop and implement effective migration policies and practices, a whole-of-government approach is needed to ensure horizontal and vertical policy coherence across all sectors and levels of government (GCM, para. 15 (i)).

The GCM itself also promotes policy coherence in important ways, such as through **its grounding in international law** and coordination with other important frameworks, such as the 2030 Agenda for Sustainable Development, the Global Compact on Refugees, the Paris Agreement, the Addis Ababa Action Agenda and the Sendai Framework for Disaster Risk Reduction.

#### THE IMPORTANCE OF A

#### WHOLE-OF-GOVERNMENT APPROACH

Policy coherence helps governments ensure consistency across national and regional policy and programmatic frameworks, as well as their adherence to international law. Policy coherence means "developing mutually reinforcing

policies across all relevant sectors and government departments so that policies work together to effectively achieve national development goals, minimizing the negative impacts that policies in one area can have on policies in another area".<sup>1</sup>

Policy coherence is important for migration governance. Migration is an intrinsically cross-border and cross-sectoral phenomenon that affects and is affected by all areas and levels of governance. Policies directly or indirectly related to migration therefore need to be considered in relation to other sectoral or thematic policies in a range of areas, such as development, human rights, climate change, water security, labour, agriculture, trade, housing, health, education and skills development, non-discrimination, social protection, social cohesion, law enforcement, justice and asylum.

By working across all relevant sectors, and the governmental ministries, departments and entities associated with them, States can promote **horizontal coherence**, while also helping ensure that migrants have access to services in sectors like health, education and justice. This also helps ensure that asylum policies remain true to their aims outlined in legal and institutional frameworks and that they converge with migration policies when required. Furthermore, by working with all levels of government – local, national, regional and global – governments can promote **vertical coherence**. Coherence with local authorities is particularly crucial when it comes to migration, as municipalities are often the primary actors in delivering services to migrants, fulfilling their needs and ensuring their human and labour rights.

<sup>1.</sup> United Nations Development of Economic and Social Affairs, "Areas of Work: Policy Coherence" at www.un.org/development/desa/cdpmo.

Failure to consider the relationships among migration policies and other sectoral policies can result in confusion and inconsistencies in the implementation of these policies and even in breaches of international law. It may limit the effectiveness of the policy or even ultimately result in a detrimental effect on migrants.

In contrast, proactive efforts to promote policy coherence can maximize synergies between policy efforts, enhance trust and collaboration between policymakers and increase political buy-in around the importance of good migration governance.

### WHOLE-OF-GOVERNMENT APPROACH IN PRACTICE



Identify or establish mechanisms and institutional set-ups for robust collaboration across all migration-related sectors of government, as well as with all levels of government (local, national, regional and global) around migration governance.



Build strong monitoring and evaluation frameworks, improve migration data and increase migration data capacity so that policy impacts (and policy trade-offs) can be measured with greater accuracy.



Map your country's international commitments, including international human rights law and international labour standards, to ensure that policies, legislation and programmes are aligned with these commitments.



Integrate migration into diverse policy areas (for example, health, education), also known as mainstreaming migration, so that policies in different sectors are inclusive of and responsive to migrants' needs and rights and so the development potential of migration is maximized.

#### **RESOURCES FOR A**

#### WHOLE-OF-GOVERNMENT APPROACH

The following resources support the integration of migration into policy planning:

- Guidelines on Mainstreaming Migration into Local Development Planning (JMDI, 2017) available at www. migration4development.org.
- Mainstreaming Migration into Development Planning: A Handbook for Policymakers and Practitioners (IOM/GMG, 2010) available at https://publications.iom.int.
- Interrelations between Public Policies, Migration and Development (OECD, 2017) available at www.oecd.org.
- Guidelines on Mainstreaming Migration into International Cooperation and Development (MMICD) (IOM/European Commission's DG DEVCO, forthcoming) will be available at https://eea.iom.int/mmicd.
- Measuring Policy Coherence for Migration and Development: A New Set of Tested Tools (OECD/UNDP, 2020) available at www.knomad.org.

The following programmes focus specifically on integrating migration:

- Joint Migration and Development Initiative (JMDI): Launchedin 2008, JMDI was funded by the European Commission and the Swiss Agency for Development and Cooperation and implemented by United Nations Development Programme Brussels in collaboration with various United Nations agencies. JMDI provided guidance and training on integrating migration into policy planning at the local level and helped scale up selected locally-led migration and development initiatives by providing financial assistance, technical assistance and capacity building to local actors. More information about this project available at http://migration4development.org.
- Mainstreaming Migration into National Development Strategies: This pilot project was co-launched by United Nations Development Programme, International Organization for Migration (IOM) and the Swiss Agency for Development and Cooperation. This project was launched in 2011 and the first two phases were completed in 2018. A third phase from 2019 to 2023 is underway in 11 countries under the title "Global IOM-UNDP Joint Programme on Making Migration Work for Sustainable Development (Phase III)". More information about the first two phases of this project available at www.iom.int/mainstreaming-migration-national-development-strategies, and information on the third phase available at https://migration4development.org/en/about/our-programmes.
- Mainstreaming Migration into International Cooperation and Development (MMICD): This project is funded by the European Commission's Directorate-General for International Cooperation and Development and implemented by IOM. The project was launched in 2017 and is ongoing. More information about this project available at https://eea.iom.int/mmicd.



#### WHOLE-OF-SOCIETY APPROACH:

### ENGAGING WITH ALL RELEVANT ACTORS

The Compact is to be implemented in cooperation and partnership with a wide range of both governmental and non-governmental partners:

The Global Compact promotes broad multi-stakeholder partnerships to address migration in all its dimensions by including migrants, diasporas, local communities, civil society, academia, the private sector, parliamentarians, trade unions, national human rights institutions, the media and other relevant stakeholders in migration governance (GCM, para. 15 (j)).

#### THE IMPORTANCE OF A

#### WHOLE-OF-SOCIETY APPROACH

By taking a whole-of-society approach, government actors should foster meaningful multi-stakeholder engagement throughout all steps of GCM implementation, as well as ensure the robust participation of migrants and host community members in the implementation, follow-up and review stages.

A whole-of-society approach requires government actors to create enabling environments that are inclusive, safe and sustainable, not only during consultations with relevant stakeholders but throughout all processes related to GCM implementation and review. Such environments are not

only aligned with the GCM's age-, gender-, disability- and diversity-sensitive principles, but they are much more likely to meaningfully include and amplify the voices of those who often face significant structural barriers to participation, such as migrants and migrant-led organizations.

Migration is a transversal phenomenon relevant to all levels of government, as well as a wide range of policy domains, and so a whole-of-society approach helps ensure that cross-societal and cross-governmental collaboration occurs. For example, when States take a whole-of-society approach to providing accurate and timely information at all stages of migration (Objective 3), they are compelled to organize multilingual, gender-responsive and evidence-based campaigns and awareness-raising activities in partnership with a wide range of governmental and civil society actors, including local authorities, consular and diplomatic missions, employers' and workers' organizations, diaspora organizations and academia (GCM, para. 19 (e)).

### WHOLE-OF-SOCIETY APPROACH

#### IN PRACTICE



Implement the GCM in cooperation and partnership with all relevant stakeholders, including:

Migrants

Civil society organizations

Faith-based organizations

Trade unions

Migrant and diaspora organizations

Private sector actors

Local authorities and communities

**Parliamentarians** 

**National Human Rights Institutions** 

Media

International Red Cross and Red Crescent Movement Academia



**Organize** multi-stakeholder consultations throughout all steps of GCM implementation and review.



Establish meaningful mechanisms for including all relevant stakeholders in migration governance (see GCM, paragraphs 15 and 44).



Identify ways in which collaboration and partnerships around migration governance can be strengthened and improved. This includes:

- Identifying gaps in existing collaboration and partnerships and eliminate barriers to stakeholder participation, including structural, gender, legal, linguistic, physical and technological barriers;
- Providing space for all stakeholders to ensure active, free, informed and meaningful participation and engagement in migration governance processes and decision-making, including through developing consultation mechanisms and modalities:
- Providing relevant information, in a language and format accessible to migrants, regarding the decision-making processes that affect them;

- Enhancing the capacities of partners to ensure meaningful participation in established consultation mechanisms;
- Ensuring all voices are included and amplified, such as migrant organizations led by women, youth and disabled persons.



Actively practise openness and receptivity to critical opinions, particularly those coming from community members most affected by migration policy, and regularly integrate this feedback into policy interventions.

#### Standing in solidarity with migrants: Supporting civil society and other stakeholders in responding to the COVID-19 pandemic

In July 2020, the United Nations Network on Migration released a statement on supporting civil society organizations and other stakeholders in responding to COVID-19. The statement recognizes all actors providing vital protection, monitoring, advocacy, information and support to — and in collaboration with — migrants during the COVID-19 pandemic. The statement also calls for increased recognition for this work, including through avenues for meaningful participation and greater governmental and financial support. The statement recalls the GCM's commitment to a whole-of-society approach, which recognizes that migration governance requires the input of all sectors of government and society, and urged that this principle be upheld in COVID-19 response and recovery efforts. The full statement is available at https://migrationnetwork.un.org/statements.



#### **HUMAN RIGHTS-BASED APPROACH:**

### ALIGNING WITH EXISTING OBLIGATIONS

The GCM is based on international human rights law and upholds the principles of non-regression and non-discrimination. Implementation of the GCM itself will ensure the effective respect, protection and fulfilment of the human rights of all migrants, regardless of their migration status, across all stages of the migration cycle.

The Global Compact is based on international human rights law and upholds the principles of non-regression and non-discrimination. By implementing the Global Compact, we ensure effective respect for and protection and fulfilment of the human rights of all migrants, regardless of their migration status, across all stages of the migration cycle. We also reaffirm the commitment to eliminate all forms of discrimination, including racism, xenophobia and intolerance, against migrants and their families (GCM, para. 15 (f)).

"

A human rights-based approach (HRBA) is normatively based on international human rights law and standards and operationally directed to respecting, protecting and fulfilling human rights. The underlying feature of an HRBA is that it identifies "rights holders", who, by virtue of being human, have a claim to certain entitlements, and "duty bearers", who are legally bound to respect, protect and fulfil the entitlements associated with those claims. It also seeks to analyze the inequalities that lie at the heart of

policy problems and redress discriminatory practices that often result in groups of people being left behind. Thus, it is necessary to identify groups or individuals in situations of vulnerability and make their inclusion and empowerment a priority. In the context of migration, a human rights-based approach recognizes migrants as rights-holders and views the treatment of all migrants, regardless of their migration status, to the forefront of all discussions and programming on migration, guided by the fundamental principles of equality and non-discrimination, participation and inclusion, accountability and the rule of law.

#### A rise in xenophobia sparked by COVID-19

Since the onset of the COVID-19 pandemic, migrants have been particularly targeted by stigma and xenophobia, and often scapegoated as responsible for spreading the virus. The pandemic has exacerbated already high levels of xenophobia, racism and stigmatization against migrants and refugees and has even given rise to attacks against refugees and migrants.

In response, the UN Network on Migration has called on all authorities to make every effort to confront xenophobia, including where migrants and others are subject to discrimination or violence linked to the origin and spreading of the pandemic (see <a href="https://migrationnetwork.un.org/statements/covid-19-does-not-discriminate-nor-should-our-response">https://migrationnetwork.un.org/statements/covid-19-does-not-discriminate-nor-should-our-response</a>). States and other relevant stakeholders must enact inclusive public health and socioeconomic responses that protect the human rights of all migrants, regardless of their legal status, and recognize migrants as an integral part of the solution.

For more information, including policy recommendations and best practices to combat xenophobia in the context of COVID-19, see the UN Network on Migration's COVID-19 resources at https://migrationnetwork.un.org/covid-19.

### **UN Network on Migration's response concerning** immigration detention during **COVID-19**

In April 2020 during the commencement of the COVID-19 pandemic, the UN Network on Migration released practical recommendations with guidance for States and other stakeholders on preventing and responding to COVID-19 in the context of immigration detention. This guidance referenced GCM Objective 13: Use migration detention only as a measure of last resort and work towards alternatives.

The Network called on States to:

- •Introduce a moratorium on the use of immigration detention;
- •Scale-up and implement non-custodial community-based alternatives;
- •Release all migrants in detention into alternatives, following strict safeguards and prioritizing children, families and other migrants in vulnerable situations;
- •Urgently improve overall conditions in places of immigration detention while transitioning to alternatives.

The guidance was developed by the Network's Working Group on Alternatives to Detention – co-led by UNICEF, UNHCR and the International Detention Coalition (IDC) – in partnership with UN agencies and civil society. "COVID-19 and Immigration Detention: What can governments and other stakeholders do?" is available at https://migrationnetwork. un.org.

#### THE IMPORTANCE OF A

#### **HUMAN RIGHTS-BASED APPROACH**

States will benefit from taking a human rights-based approach to GCM implementation, as it helps further the vision of being people-centred, one of the Compact's guiding principles and helps States meet their obligations to respect, protect and fulfil the human rights of all migrants:

Fulfil States' Build healthy, **Enhance States'** international inclusive and human rights human rights sustainable expertise. societies free of obligations. discrimination. Protect migrants in Close the gap between vulnerable situations, such human rights policy as undocumented migrants, and legislation, and implementation (the victims of human trafficking difference between rights and unaccompanied and separated children. on paper and in practice).

Under a human rights-based approach, migrants are rights-holders whose dignity must always be respected. Protecting the rights of migrants is also essential to protecting members of society in general. This became particularly evident during the onset of the COVID-19 pandemic, when providing inclusive services to all migrants, regardless of status, became key to mitigating and containing the outbreak and building back better.<sup>2</sup>

<sup>2.</sup> Guadagno, L., "Migrants and the COVID-19 pandemic: An initial analysis" (2020).

#### **HUMAN RIGHTS-BASED APPROACH**

#### IN PRACTICE



See all migrants, regardless of status, as rights-holders.

- Focus on the most marginalized groups and individuals whose rights are regularly denied, ignored or violated.
- Encourage governments and other actors as duty bearers to meet the obligations they have committed to under human rights law.
- Seek to bring laws, policies and social practices into line with international standards, addressing structural inequalities and patterns of discrimination.
- Pay attention not only to the results but also to the process through the principles of participation, non-discrimination, empowerment, transparency and accountability.



Increase knowledge of international human rights law, including all nine core treaties (available at www.ohchr.org) and other treaties and agreements, such as:

- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990);
- ILO Migration for Employment Convention (Revised), 1949 (No. 97);
- ILO Migrant Workers (Supplementary Provisions)
   Convention, 1975 (No. 143);

- ILO Domestic Workers Convention, 2011 (No. 189);
- ILO Violence and Harassment Convention, 2019 (No. 190).



Ensure human rights knowledge and expertise in all structures for planning and overseeing GCM implementation, including through working with relevant ministries and the National Human Rights Institution.



Actively work to promote conformity of national migration-related laws, policies and practices with international human rights law, such as through strengthening or establishing national mechanisms for reporting and follow-up. A national mechanism for reporting and follow-up is "a national public mechanism or structure that is mandated to coordinate and prepare reports to and engage with international and regional human rights mechanisms (including treaty bodies, the universal periodic review and special procedures), and to coordinate and track national follow-up and implementation of the treaty obligations and the recommendations emanating from these mechanisms."<sup>3</sup>



Strengthen or establish national human rights institutions and their capacity to promote and protect the human rights of migrants.



Establish or strengthen national plans of action for the promotion and protection of all human rights,

<sup>3.</sup> OHCHR, "National Mechanisms for Reporting and Follow-up: A practical guide to effective state engagement with international human rights mechanisms" (2016).

such as economic, labour, social, cultural, civil, development and political rights, paying particular attention to those most marginalized. Migrants often face situations of vulnerability arising from the circumstances under which they travel or the conditions they face in countries of origin, transit and destination. States should endeavour to assist them and protect their human rights, in accordance with obligations under international law.



Ensure that all migrants, regardless of status, have access to all human rights.



Participate in the Human Rights Council's Universal Periodic Review (UPR) to report on human rights-based implementation of the GCM, make recommendations, and incorporate the recommendations of other States.



#### **CHILD-SENSITIVE APPROACH:**

### PROTECTING, INCLUDING AND EMPOWERING ALL CHILDREN

Globally, there are an estimated 36 million international child migrants. Millions more are affected by migration without ever leaving their homes, including children left behind by migrating parents and children living without regular migration status.

The GCM recognizes children and young people as central to migration governance and provides States with a practical tool to better meet their legal obligations to protect, include and empower all children and youth regardless of status.

The Global Compact promotes existing international legal obligations in relation to the rights of the child, and upholds the principle of the best interests of the child at all times, as a primary consideration in all situations concerning children in the context of international migration, including unaccompanied and separated children (GCM, para. 15 (h)).

In other words, the GCM calls on States to recommit to the Convention on the Rights of the Child (CRC) in the context of migration and to treat every child first and foremost as a child, not based on their migration status. The Compact offers governments an action plan to transform migration into a positive and empowering experience for children, because migration policies that work for children also benefit States.

4. UNICEF, "Child Migration/Displacement and COVID-19: Migration" (2021).

#### THE IMPORTANCE OF A

#### CHILD-SENSITIVE APPROACH

The fact that the rights of children is a guiding principle across all 23 objectives of the GCM is significant in and of itself. Children are not a footnote or an afterthought in migration policy, neither are they exclusively approached through the lens of vulnerability. The Compact reflects the multiple ways in which migration impacts children, whether they move unaccompanied, separated from their families or with their parents, and whether they have regular status or are undocumented.

Implementing the GCM in a child-sensitive manner must start with acknowledging that children and their rights are central to good migration governance. Governments must pay attention to children not only because they need protection, but because laws, policies and practices that ignore them are ineffective. When children fall through the cracks, migration systems fail.

At the core of child-sensitivity is the principle of the best interests of the child as "a primary consideration in all situations concerning children" (CRC, art. 3). This means that the child's interests have a high priority and that the child's best interests should take precedence over considerations relating to their migration status. The CRC Committee explains the child's best interests as a threefold concept:<sup>5</sup>

a. A substantive right: The right of the child to have his or her best interests assessed and taken as a primary consideration when different interests are being considered in order to reach a decision on the issue at stake and the guarantee that

<sup>5.</sup> CRC Committee, "General comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration" (2013).

this right will be implemented whenever a decision is to be made concerning a child, a group of identified or unidentified children or children in general. Article 3, paragraph 1, creates an intrinsic obligation for States, is directly applicable (self-executing) and can be invoked before a court.

- **b.** A fundamental, interpretative legal principle: If a legal provision is open to more than one interpretation, the interpretation which most effectively serves the child's best interests should be chosen. The rights enshrined in the Convention and its Optional Protocols provide the framework for interpretation.
- c. A rule of procedure: Whenever a decision is to be made that will affect a specific child, an identified group of children or children in general, the decision-making process must include an evaluation of the possible impact (positive or negative) of the decision on the child or children concerned. Assessing and determining the best interests of the child require procedural guarantees.

Furthermore, the justification of a decision must show that the right has been explicitly taken into account. In this regard, States parties shall explain how the right has been respected in the decision, that is, what has been considered to be in the child's best interests; what criteria it is based on; and how the child's interests have been weighed against other considerations, be they broad issues of policy or individual cases.

The other core principles of the CRC are non-discrimination, participation and the right to life, survival and development.<sup>6</sup>

<sup>6.</sup> CRC Committee, "Joint general comment No. 3 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 22 (2017) of the Committee on the Rights of the Child on the general principles regarding the human rights of children in the context of international migration" (2017).

These should also be at the centre of States' migration policies and procedures and are unpacked in the below actions.

#### **CHILD-SENSITIVE APPROACH**

#### IN PRACTICE



Bring children and young people to the table as partners in the implementation, follow up and review mechanisms of the Compact. Listen to them carefully and do nothing about them without them. Include unheard voices in the conversation through interpretation, professional facilitation, intercultural mediation and skills development. When we take them seriously, children and young people are part of the solution and contribute to designing better migration policies.



**Ensure non-discrimination on the basis of nationality or migration status.** Discrimination is at the core of many migration policies and practices that put children at risk, despite the clear CRC obligation for all States to fulfil the rights of every child in their territory, not of their territory. This results in migrant children not having access to national systems and ending up in parallel structures, often under the care of immigration authorities. Discrimination explains, for example, why so many unaccompanied and separated children are kept in residential care, even in countries that have well-established family-based alternative care systems.<sup>7</sup> It is also why child immigration detention is often justified as a protective

<sup>7.</sup> Lumos Foundation, "Rethinking care: Improving support for unaccompanied migrant, asylum-seeking and refugee children" (2020).

measure – a reasoning that would be unacceptable for national children in similar circumstances (for example, to ensure the child's safety, prevent child trafficking, ensure family separation, assess the child's age or conduct a vulnerability assessment) – and why States rarely grant undocumented migrant children the level of healthcare that they afford to the their own citizens.



Include migrant children in national and local systems and services. Migrant children will not be seen and treated as children first unless States invest in making migration governance child-sensitive and child protection and other national systems and services migration-sensitive. The first step in this direction is ensuring that migrant children are referred as soon as possible to child protection authorities and that these services have the capacity to address the specific needs of these children, along with teachers, healthcare professionals, social workers and other key actors. Allocating resources to places, people and processes that bring together migration and child protection systems and actors is likely to yield tangible results.



Convene or join smart partnerships to pilot, share and replicate concrete solutions that work to protect children and youth on the move and unlock their potential. Cooperation and peer learning among stakeholders should be led by governments and bring together local authorities, civil society, United Nations entities, trade unions, the private sector and migrant children and youth, connecting ideas and experiences between the national and the local levels

and across countries and providing a platform for States to identify challenges that can be addressed through technical support from partners.



Generate more reliable, timely and accessible high-quality data and evidence disaggregated by age. Despite greater efforts over the past decade, there are significant gaps in even the most basic data about children in migration. For example, 23 per cent of the global migrant stock data is not disaggregated by age.

#### CHILD-SENSITIVE APPROACH

#### **RESOURCES**

A variety of resources that support a child-sensitive approach to GCM implementation can be found on UNICEF's website, www.unicef.org, including:

- Guidance for assessing the situation of children on the move in a national context
- Guidelines on adolescent participation and civic engagement
- Children uprooted: What local governments can do
- Agenda for action for uprooted children
- A call to action: Protecting children on the move starts with better data
- Quick tips on COVID-19 and migrant, refugee and internally displaced children
- Taking and inspiring action: UNICEF practices for children on the move during COVID-19

Other UNICEF resources that support a child-sensitive approach to GCM implementation, including in the context of COVID-19 and SDG implementation, are available at www. unicef.org/migrant-refugee-internally-displaced-children and www.unicef.org/sdgs/resources. These resources detail practical guidance to assess the overall situation of migrant and displaced children in any given national context, which is a necessary initial step in child-sensitive GCM implementation.



The implementation of the GCM must be gender-responsive. Gender-responsive migration governance refers to the way in which laws, policies and programmes recognize and address the different realities faced by migrants on the basis of their gender, including in its intersection with factors such as sex, age, sexual orientation, gender identity or race, and at all stages of migration, while upholding their human rights, promoting their empowerment and advancing gender equality. The GCM gender-responsive guiding principle states:

The Global Compact ensures that the human rights of women, men, girls and boys are respected at all stages of migration, that their specific needs are properly understood and addressed and that they are empowered as agents of change. It mainstreams a gender perspective and promotes gender equality and the empowerment of all women and girls, recognizing their independence, agency and leadership in order to move away from addressing migrant women primarily through a lens of victimhood (GCM, para. 15 (g)).

8. This section was developed based on: "Policies and Practice: A Guide to Gender-Responsive Implementation of the Global Compact for Migration" developed by UN Women in consultation with members of the Expert Working Group on Addressing Women's Human Rights in the GCM.

#### THE IMPORTANCE OF A

#### **GENDER-RESPONSIVE APPROACH**

We must address and acknowledge the gendered realities of migration. Every aspect of migration can be influenced by a person's gender: the reasons for migrating, information received before leaving, journeys embarked upon, integration in the country of destination, work performed and challenges faced.

When migration is a choice, it can be an expression of migrants' agency and a vehicle for their empowerment. For many, including migrant women, who account for approximately half of all international migrants and remittance senders, migration can be a positive experience leading to a better life and enhancing their livelihood opportunities, autonomy and empowerment.

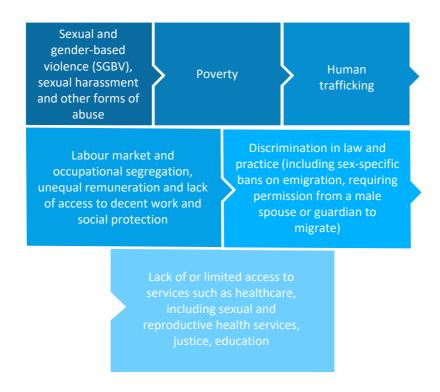
However, migration can also expose many – notably women and girls – to situations of vulnerability and rights violations because of gender-based discrimination in law and practice. Migrants such as women, girls and LGBTI migrants often experience multiple and intersecting forms of discrimination in addition to racism and xenophobia. Discrimination based on race, ethnicity, cultural particularities, nationality, language, religion or other status may be expressed in gender-specific ways<sup>10</sup>. Migrant women, for example, may face greater risks of discrimination because laws and policies often reproduce or reinforce existing inequalities between sexes in countries

<sup>9.</sup> United Nations, Department of Economic and Social Affairs, Population Division, International Migration 2019 (2019); International Fund for Agricultural Development, Sending Money Home: Contributing to the SDGs, One Family at a Time (2017).

<sup>10.</sup> Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), General recommendation No. 26 on women migrant workers (2008).

of origin, transit and destination. Labour markets also remain highly segregated and women often have limited access to information and lack decision-making power and control over resources because of structural gender and sex inequalities.

Migrants may face heightened risks of:



#### **GENDER-RESPONSIVE APPROACH**

#### IN PRACTICE

"Policies and practice: A guide to gender-responsive implementation of the GCM" (available at https://ppguide. unwomen.org) was developed to provide clear, concrete and practical guidance to governments and other key stakeholders on gender-responsive implementation of the GCM. This guide includes checklists for each of the 23 GCM objectives and offers a comprehensive framework of actions to help guide the development and implementation of migration policies, laws and programmes that fully address the gendered realities of migration. The below comes from this guidance, and stakeholders are encouraged to use its checklists and other materials.

Putting the gender-responsive approach into practice requires an analysis of policies and laws to understand how implementation will impact migrants of different sexes and gender identities and make changes as required.

Some of the overarching issues that need to be addressed to ensure gender-responsiveness are:



Full equality of all enshrined in law and the elimination of gender-based discrimination including in education, employment, political participation, healthcare and economic life.



Eliminate gender-discriminatory provisions, restrictions, bans or exclusions in law and practice that limit opportunities for safe and regular migration.



Expand regular migration pathways for both skilled and lower-skilled migrant workers, including migrant women, and ensure their access to decent work and social protection.



Ensure all employment laws and policies promote decent work, equality of opportunity and treatment in the labour market for all.



Ensure access to services, including healthcare and sexual and gender-based violence services, for all migrants regardless of status.



Collect, analyze and disseminate sex-disaggregated data and gender statistics on migration that adequately reflect the differences and inequalities in the situations of people of different sexes and gender identities.



Provide clear and accessible information for migrants to know and understand their rights and obligations at all stages of migration, including targeted information for migrant women and girls.



### SUSTAINABLE DEVELOPMENT APPROACH:

### LEVERAGING MIGRATION FOR STRONGER, MORE INCLUSIVE AND RESILIENT COMMUNITIES

The GCM is rooted in the 2030 Agenda for Sustainable Development and recognizes that well-managed migration contributes to positive development outcomes. Covering all dimensions of international migration in a holistic and comprehensive manner, the GCM outlines how to facilitate safe, orderly and regular migration while minimizing factors that compel irregular movement or cause or exacerbate vulnerability at different stages of migration. The 360-degree vision, ten guiding principles and 23 objectives, commitments and subsequent actions, therefore, provide a robust framework to support actors in achieving the migration dimensions of the Sustainable Development Goals (SDGs).

Implementing the GCM presents a significant opportunity to leverage the positive relationship between migration and development to achieve the 2030 Agenda. By addressing challenges, mitigating situations of vulnerability and exclusion and capitalizing on the opportunities that mobility presents for development, migrants and migration can be an integral aspect of development efforts.

The GCM guiding principle of sustainable development states:

The Global Compact is rooted in the 2030 Agenda for Sustainable Development, and builds upon its recognition that migration is a multidimensional reality of major relevance for the sustainable development of countries of origin, transit and destination, which requires coherent and comprehensive responses. Migration contributes to positive development outcomes and to realizing the goals of the 2030 Agenda for Sustainable Development, especially when it is properly managed. The Global Compact aims to leverage the potential of migration for the achievement of all Sustainable Development Goals, as well as the impact this achievement will have on migration in the future (GCM, para. 15 (e)).

Beyond the Guiding Principle, the GCM also recognizes migrants and diaspora as key agents of change in communities through the specific GCM Objective 19: Migrant and diaspora contributions, which states:

We commit to empower migrants and diasporas to catalyse their development contributions, and to harness the benefits of migration as a source of sustainable development, reaffirming that migration is a multidimensional reality of major relevance for the sustainable development of countries of origin, transit and destination (GCM, para. 35).

#### THE IMPORTANCE OF A

#### SUSTAINABLE DEVELOPMENT APPROACH

Migration is a cross-cutting issue relevant to all the Sustainable Development Goals (SDGs). Many of the SDGs contain specific targets and indicators that align with migration or mobility. Thus, how the international community addresses migration and diaspora will be a decisive factor in the achievement of the SDGs. During the Decade of Action, migration can accelerate progress toward achieving the SDGs; however, unaddressed or improper management of migration can also exacerbate inequalities and create new development challenges. The GCM "strives to create conducive conditions that enable all migrants to enrich our societies through their human, economic and social capacities, and thus facilitate their contributions to sustainable development at the local, national, regional and global levels" (GCM, para. 12).

When it is properly managed, migration contributes to positive development outcomes for migrants and their communities in countries of origin, transit and destination. Migrants often bring significant benefits to their communities through their skills, strengthening the labour force, enhancing investment and building cultural diversity. Migrants in the diaspora also play an important role in improving the lives of communities in their countries of origin through the transfer of skills, social capital and financial resources, which contribute to positive development outcomes.

It is crucial to recognize that while migration impacts development, migration is also affected by development. The reasons for and ways in which migrants move are impacted by development conditions. Inequalities have a significant impact on migrants, their families and their communities, as well as on migration patterns. These inequalities must be adequately addressed to achieve sustainable development goals. Implementation of the GCM can significantly advance these efforts.

### SUSTAINABLE DEVELOPMENT APPROACH IN PRACTICE



Integrate GCM implementation into SDG planning and processes. Wherever possible, link GCM implementation to relevant national and United NationsSDG-related plans, strategies and mechanisms, such as Common Country Analyses (CCAs), UN Sustainable Development Cooperation Frameworks (UNSDCFs), national 2030 Agenda implementation plans and the work of national planning mechanisms that systematize the implementation of international mechanisms. Training for UN Country Teams on integrating migration into CCAs and UNSDCFs has been developed through UNNM's Core Working Group 2.1 to support these processes.



Connect SDG and GCM review processes. Implementation of the migration-related aspects of the 2030 Agenda and the GCM must not occur in silos. The International Migration Review Forum (IMRF) provides an opportunity to assess progress towards global commitments to promote safe, orderly and regular migration in alignment with the SDGs. Where possible, data collection and review processes for

the GCM, including voluntary national GCM reviews conducted for regional reviews and the IMRF, should align with and feed into that of the SDG processes, such as states' voluntary national reviews and local governments' voluntary local reviews, for the annual High-Level Political Forum (HLPF), and vice versa.



Mainstream migration into development policies. Integrating (mainstreaming) migration international, national and local policies, projects and plans ensures that the needs of migrants and effects of migration are considered across all governance areas such as development, health, education and more. This includes integrating migration into COVID-19 response and recovery, to build back better and leave no one behind. Integrating migration into development policies and practices helps to ensure migrants' rights, needs, voices, and capabilities are respected and that migrants are empowered to contribute to development. Following the four-step approach presented in IOM's Migration and the 2030 Agenda: A Guide for Practitioners can help put this into practice. 11 The Guide supports national and local government actors, policymakers and practitioners to implement the migration aspects of the SDGs to integrate migration into local or national development planning, by designing and implementing interventions that relate to migration in the context of the SDGs.

<sup>11.</sup> For interactive versions of this guide and to explore the linkages between migration, sustainable development and development sectors, see the M4D Net at www. migration4development.org.



Engage vertically and horizontally. The positive contributions of migrants and migration development cannot be harnessed without active and effective engagement at all levels and across all sectors of government. Local authorities are on the frontlines of effective migration governance and maintain crucial expertise required to both protect and empower migrants to contribute to local and national sustainable development priorities. At the same time, a cross-sectoral approach is needed to ensure that migrants' rights, needs, and opportunities considered across sectors including. example, health and education. Establishing vertical coordination between national, regional and local levels of government and horizontal coordination different government will between ministries help strengthen the whole-of-government whole-of-society approaches called for in the GCM and support positive development outcomes.

# 25°55'

# Migrants' role in COVID-19 socio-economic recovery

The pandemic has had an unprecedented impact on migration, development and the achievement of the SDGs. The ability to develop responses that mitigate the negative impacts of the pandemic, protect people on the move and their families, and harness the positive power of migration to recover better — as called for in the UN framework for responding to the socio-economic impact of COVID-19 — depends on a good understanding of the effects of the pandemic on human mobility and development.

COVID-19 has restricted the positive contributions of migrants and migration to advance inclusive growth and sustainable development. Migrants and their families are disproportionally impacted by travel restrictions and lockdowns, increased unemployment and uneven access to social protections. The pandemic has deepened pre-existing inequalities, and at times exposed many migrants, including migrants in irregular situations, migrants with precarious livelihoods or those working in the informal economy, and migrant women, girls and children, to situations of increased risk or vulnerability. Yet migrants play a crucial role in our COVID-19 response and recovery. Migrants make important contributions at the frontline of COVID-19 response efforts. In addition, migrants can help fill labour shortages in key sectors, and bring valuable skills, experience and innovative perspectives to recovery and development efforts. Inclusive and integrated development policies, good migration management and effective partnerships can help harness the positive potential of human mobility to build back better and spur development.

No country will recover from COVID-19, nor achieve the SDGs, without well-governed migratory movements and the effective inclusion and protection of migrants and their rights. Migrants must be empowered to contribute to COVID-19 socioeconomic recovery, for instance by: "restarting mobility and expanding safe and regular pathways; empowering diaspora through inclusive financial and investment strategies; ensuring equitable access to services; and protecting migrant workers along global supply chains and in recruitment processes." The vision and guiding principles of the GCM provide precisely the approach necessary to respond to the COVID-19 pandemic, as well as help get back on track to achieve the SDGs.

Resting on the Universal Declaration of Human Rights and rooted in the 2030 Agenda for Sustainable Development, the GCM presents a cooperative framework to guide COVID-19 response and recovery efforts. To find out how the 23 Objectives can guide COVID-19 actions and to access examples of positive migration-sensitive COVID-19 initiatives and responses by Member States, read "The Global Compact for Migration (GCM): Well Governed Migration as an Essential Element of Effective COVID-19 Response" and "Unlocking the Positive Impact of Migration on Sustainable Development to Recover Better, Faster and Stronger from COVID-19" available on https://migrationnetwork.un.org from the UN Network on Migration.

<sup>12.</sup> IOM, "Leveraging migration to recover better from COVID-19 and achieve the 2030 Agenda" (2021).



Figure 1 IOM Issue Brief, "Why Migration Matters for Recovering Better from COVID-19" (2020)

PARTNERSHIPS

Empower diaspora organizations and migrants to support COVID-19 response and recovery.

Learn from and up-scale innovative efforts to utilize technology for migration data mapping and ensure the

disaggregation of migration data, as well as the disaggregation of development data by migratory status.

Ensure that the vulnerabilities of migrants and their communities are fully accounted for and participate in the COVID-19 response or risk aggravating irregular migration, smuggling and human trafficking.

Support cities to integrate human mobility into COVID-19 urban planning and recovery processes, considering the effects of new urban-rural mobility trends. Empower cities to mitigate the increasing xenophobia and

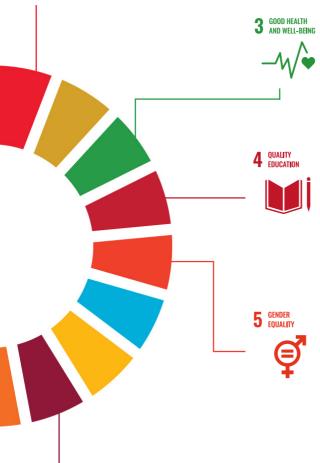
discrimination against migrants.

SUSTAINABLE CITIES

Reduce costs of remittance transfers to under 3%. Ensure remittances and other migration-related financial flows are leveraged fairly and equitably to assist local response, recovery and development interventions.



Tap into the development potential of migration to build resilience and support socio-economic recovery. Extend social protection access, eligibility and coverage to all migrants and ensure benefits are transferable and portable for returnees.



Migrants, regardless of status, must have equitable access to quality health services.

Facilitate labour mobility of health workers to mitigate labour shortages.

Building on technological advances, foster virtual student mobility to counter physical restrictions for continued global advancement of research and knowledge sharing.

Invest in skilling and re-skilling of migrants and returnees to increase their access to decent work.

Ensure that migrant men and women, regardless of migratory status, are include in efforts to combat increaseing gender-based violence and socio-economic vulnerability due to COVID-19. Address the COVID-19-specific vulnerability of migrants regarding their sexual and reproductive health.



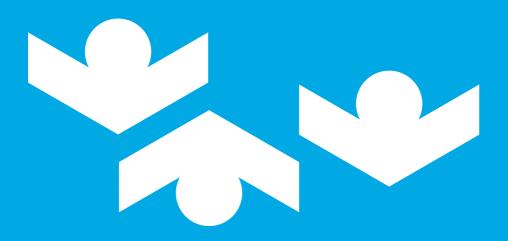


Develop innovative means to build regular pathways for economic migration within the context of COVID-19 control in order to respond adequately to global labour supply and demand, particularly for health workers.

Up-scale global skills partnerships to better match skills and education policies with global labour market demand and supply, maximizing the potential of digital technology and teleworking.

# Section III

Six-step process for GCM implementation









# INTRODUCTION TO THE SIX-STEP PROCESS

The process for GCM implementation is unique to each State. There is no one-size-fits-all approach due to the highly varied contexts in which migration occurs; the different capacities, resources, institutional and legal frameworks of each State; as well as the shifting challenges, opportunities and needs of migrants.

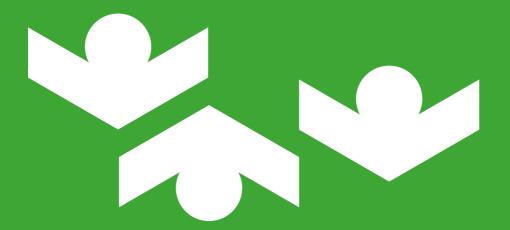
In reviewing the six-step process outlined in this guidance, States may choose to rearrange or cycle through the steps in an iterative manner based on their own distinct contexts. States and other stakeholders may find particular steps or tools more relevant, or apply the steps in different ways to meet their unique needs. It is important to keep in mind that GCM implementation most often leverages and strengthens existing programs and structures, rather than create parallel or duplicative ones.

## **OVERVIEW**

This six-step process reflects the specific project elements and guiding principles associated with GCM implementation. For each step, questions to guide strategic thinking, example actions, and tools such as planners, resource lists and checklists have been included. It is recommended to review the entire process prior to beginning and note the actions and tools of particular relevance for use during GCM implementation.



# 01. KICK-OFF







# KICK-OFF

While meaningful engagement with stakeholders is essential throughout the entire GCM implementation process, it has a central role during the kick-off, which entails identifying stakeholders, creating meaningful engagement, deciding on an institutional set-up for GCM implementation and conducting awareness-raising activities. Meaningful stakeholder engagement is emphasized in the guiding principle of "whole-of-society approach," which promotes "broad multi-stakeholder partnerships to address migration in all its dimensions" (GCM, para. 15). This approach is emphasized throughout the actions proposed by the GCM, which frequently call on States to work with, cooperate and build partnerships with relevant stakeholders.

# **USING THIS MATERIAL**

The kick-off step includes the following actions: identify stakeholders, create meaningful engagement, choose institutional set up and raise awareness. Before beginning, reflect on the guiding questions below. Review the actions and tools provided and note those of particular interest. Use the checklist included at the end of this step to help guide your work.

# GUIDING QUESTIONS

- 1. What government bodies/entities are involved in migration-related policy?
- 2. Which policy sectors significantly affect or are affected by migrants and migration? Consider all types of migration and migrants.
- 3. What government departments and what levels of government (local, national, regional, intergovernmental) maintain responsibility for migration and the delivery of protection and assistance to migrants and their families?
- 4. What non-governmental bodies/entities support migration governance and the delivery of assistance to migrants and their families?
- 5. Based on your answers to the questions above, which institutional set-up in your country would be most conducive to successful GCM implementation? Why?
- 6. Which government actors and other stakeholders require awareness-raising around the GCM, including its guiding principles and objectives? Why?

# **IDENTIFY STAKEHOLDERS**

To identify stakeholders, government actors need to brainstorm and map out who their stakeholders are, keeping in mind that relevant stakeholders are not a static group.<sup>13</sup>

Stakeholders in GCM implementation are those who, either directly or indirectly, represent a voice for migrants and are well-positioned to put forward their views and interests.

To identify stakeholders, review Tool 1 and consider:

- Who would be affected by safe, orderly and regular migration?
- Who could influence safe, orderly and regular migration?
- Who has an interest in safe, orderly and regular migration?
- Whose needs should be met through implementation of the objectives of the GCM?
- Which actors are affected by migration-related decision-making?
- Which actors do you need to engage to ensure successful GCM implementation?
- Which actors are generally underrepresented and are often not in the room, for example, migrants themselves, including migrant women and migrant children?

<sup>13.</sup> de la Mata, G., "Do you know your stakeholders? Tool to undertake a Stakeholder analysis" (Innovation for Social Change, 2014).



#### **MIGRANTS AND THEIR FAMILIES**

Migrants and their families directly experience the impacts of migration governance arrangements and a wide range of sectoral policies (for example, health, education, justice and agriculture, among others).

#### **DIASPORAS**

Diasporas bring value to populations in both countries of origin and destination through human capital, financial resources, remittances, philanthropy and investments.

#### **CIVIL SOCIETY ORGANIZATIONS**

Civil society organizations play a key role in ensuring vital protection, monitoring, advocacy, information and support.

#### LOCAL AND REGIONAL GOVERNMENT AUTHORITIES

Local and regional government authorities deliver the GCM at the local level, playing a critical role in the provision of services, promoting social cohesion and responding to real and shifting needs on the ground. Consulting with and empowering local and regional authorities is crucial to have effective GCM implementation at the territorial level.

the critical role of local authorities in delivering important services to migrants became even more apparent. In Chicago, for example, the Mayor issued an executive order ensuring that migrants and refugees – regardless of status – could access response benefits and services at the municipal level.<sup>14</sup>

#### **VARIOUS POLICY SECTORS**

Engaging various policy sectors promotes a whole-of-government approach and policy coherence and is critical for GCM implementation.

EXAMPLE: During the COVID-19 pandemic the provision of inclusive health services for all migrants, regardless of status, became recognized as key to mitigating and containing the outbreak.<sup>15</sup>

#### **LOCAL COMMUNITIES**

Local communities in countries of origin, transit and destination can be engaged to support various aspects of GCM implementation, including measures to ensure inclusion and prevent incidences of racism, xenophobia and other forms of discrimination against migrants and diasporas (GCM objective 17, action g) and in partnerships to promote the transfer of knowledge and skills between countries of origin and destination (GCM objective 19, action j).

#### NATIONAL HUMAN RIGHTS INSTITUTIONS

National human rights institutions (NHRIs) support the implementation of human rights commitments and independently monitor States' compliance with international human rights obligations, often receiving complaints and

<sup>14.</sup> GFMD Mayors Mechanism, "Update on COVID-19" (April 2020).

<sup>15.</sup> Guadagno, L., "Migrants and the COVID-19 pandemic: An initial analysis" (2020).

conducting investigations and inquiries (GCM objective 15, action d). For more information on NHRIs, see www.ohchr.org.

#### PRIVATE SECTOR ACTORS

Private sector actors are essential in ensuring decent work for migrant workers as recruiters and employers of migrants, and have knowledge of skill needs in the local economy and governance challenges. Involved in job creation, private sector actors can also help promote diaspora entrepreneurship and investment.

#### **ACADEMIA**

Academia has an important role in critically evaluating and clarifying the objectives and actions laid out in the GCM.

#### **RECRUITMENT AGENCIES**

Recruitment agencies can offer important thematic and technical expertise. They should be engaged when discussing labour migration and the nexus with human trafficking and smuggling, ensuring that they are well-regulated, align with international guidelines and best practices (GCM objective 6, action c), and mandated to uphold legal requirements, including human rights standards.

#### **DEVELOPMENT COOPERATION PARTNERS**

Development cooperation partners can shape the funding for the implementation of GCM interventions.

#### **PARLIAMENTARIANS**

Parliamentarians can have a role in ensuring that the rights and needs of migrants and their families are considered in legislation, as well as in translating different GCM objectives to national contexts through the adoption of legislation.

#### TRADE UNIONS

Trade unions are central partners in ensuring access to services, justice and decent work for all migrant workers regardless of their status, through advocacy and support, as well as their knowledge of the real conditions faced by migrant workers.

#### THE MEDIA

The media can have a pivotal role in raising awareness about the GCM and about laws and policies that impact migrants and their families. Where there is growing anti-immigrant sentiment, they can also help educate and shift perceptions.

#### **CHILDREN AND YOUNG PEOPLE**

Children and their rights are central to good migration management. Engaging with children and young people is important to ensure they are part of the solution and contribute to designing better migration policies.

# REGIONAL-LEVEL AND COUNTRY-LEVEL SET-UPS OF THE UN NETWORK ON MIGRATION

The UN Network on Migration at the regional and country levels is a valuable resource that can assist and guide States with on-the-ground GCM implementation, including connecting to the Migration Multi-partner Trust Fund, engaging with civil society and other stakeholders, and helping to complete the review processes.

# CREATE MEANINGFUL ENGAGEMENT

Inclusive and proactive engagement with stakeholders should happen early in GCM planning and continue throughout implementation, follow up and review. To create meaningful engagement, it is important to understand the identified stakeholders and establish appropriate and effective engagement mechanisms.

## 1. Understand who your stakeholders are.

- How is each stakeholder engaged in migration governance?
- What role and interest do stakeholders have in GCM implementation?
- What potential conflicts of interest might exist between various stakeholders and why?
- How can trust be built among all relevant stakeholders to achieve a common vision for GCM implementation?

## 2. Determine how to engage with your stakeholders.

Stakeholder engagement may take many forms, such as:

Consu	ltations
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Meetings

## **Partnerships**

Joint plans, statements and communications

# **Listening sessions**

Dialogues

# Advisory boards

Seats in working groups and committees

It may also use various communication mediums, including in-person, online, written feedback and surveys. Understanding the needs and capabilities of identified stakeholders will help inform the selection of meaningful engagement mechanisms and modalities throughout GCM implementation, follow-up and review.

#### Consider:

- How much time and what resources will be needed to meaningfully engage with each stakeholder?
- Is there a need to provide capacity development or guidance to certain actors to enhance their capacity to meaningfully engage? How might this be provided?
- Keeping in mind that there is no one-size-fits-all model, what mechanisms for and modalities of engagement will enhance cooperation with each stakeholder?

Ensure accessibility, fair representation and transparency.

- How can you ensure fair representation and meaningful participation for all stakeholders? In particular, how might those who are generally underrepresented be included, such as women, undocumented migrants or children and young people?
- What specific measures are needed to make processes accessible to all relevant stakeholders?
- What holistic, detailed and transparent information will you need to share with each stakeholder?¹6

<sup>16.</sup> Jeffery, N., Stakeholder Engagement: A Road Map to Meaningful Engagement (Cranfield School of Management, 2009).

# CHOOSE INSTITUTIONAL SET-UP

Choosing an institutional set-up for GCM implementation involves considering the existing relevant processes, national context and institutional capacities. In some countries, the best institutional set-up for GCM implementation may be an existing body, such as a migration ministry or coordination mechanism, while in other countries a new body may need to be established. States should consider how to link GCM implementation with broader planning and budgeting processes, as well as with national mechanisms for reporting and follow-up on other international frameworks and obligations, including the 2030 Agenda for Sustainable Development and Addis Ababa Action Agenda.

Once the institutional set-up has been determined, it is important to establish clear work processes that are discussed and agreed upon by all actors. This could include adopting terms of reference, outlining a work plan, and assigning roles, responsibilities and reporting duties.

# Option 1: Assign to an existing body

Often States decide to have one or two government ministries, institutions or bodies lead the implementation process. At the national level, this may be the Office of the President/Prime Minister or the ministry of migration, labour, statistical or development planning. The ministry responsible for migration issues is often a good candidate, as it brings technical expertise, existing relationships and convening power with migration stakeholders to facilitate collaboration. Even when one ministry, institution or body is selected to lead, it is critical to engage all other ministries

to ensure a whole-of-government approach. For example, the national statistical office or ministry could help ensure strong monitoring and evaluation functions and help build longer-term migration data capacity. Particular attention should be paid to government departments that are not typically engaged in migration policy development and decision-making, yet have a key role to play in service-delivery for migrants (for example, education, health, child protection).

**EXAMPLE:** Jamaica has a National Working Group on International Migration and Development (NWGIMD), which was created nearly a decade ago as part of efforts to integrate migration into the country's development planning efforts. <sup>17</sup> The working group is co-chaired by the Planning Institute of Jamaica and the Ministry of Foreign Affairs and Foreign Trade and is an example of an existing institutional set-up that could spearhead GCM implementation. <sup>18</sup>

**EXAMPLE:** Sweden has decided to use the government's existing Agenda 2030 implementation structure to follow up on the GCM. More specifically, Sweden intends to use an existing interdepartmental structure as a vehicle for GCM follow-up and implementation, based primarily on target 10.7 of the SDGs.<sup>19</sup>

<sup>17.</sup> Government of Jamaica, "Jamaica's experience - Mainstreaming migration into national development strategies" (2012).

<sup>18.</sup> International Organization for Migration, Jamaica Country Office, "Migration in Jamaica: A country profile 2018" (2018).

<sup>19.</sup> Global Forum on Migration and Development, "Call for voluntary sharing of initiatives, experiences and lessons learned: The case of Sweden" (n.d.).

## Option 2: Create a new dedicated body

States may decide to create a cross-governmental coordinating institution, council or working group to lead the process. This dedicated body can coordinate activities between relevant government actors, help with coordination and decision-making and can be created at both the local and national levels. At all levels, this body should be inter-agency.

# RAISE AWARENESS

Raising awareness entails sharing information with and soliciting inputs from relevant stakeholders, taking into account their different roles and responsibilities. Awareness-raising activities should be carried out at the start of GCM planning and can continue throughout implementation, follow-up and review, for example, in the form of technical capacity-building training.

Awareness-raising for government actors should help policymakers understand the importance of GCM implementation and explain why migration is a cross-cutting issue affecting all sectors. Government actors across different sectors, from border management to health and law enforcement, will have varying levels of experience related to migration and activities should be designed accordingly. Meanwhile, the goal of awareness-raising for other stakeholders and the public is to introduce them to the GCM's vision, build an understanding of the importance of migration governance and enhance the public's understanding of migrants' rights.

## **Awareness-raising activities**

Awareness-raising activities should not be static in content and timing; rather, they should be adapted regularly to the changing context and wider societal and political trends and events affecting migration. Some awareness-raising activities and mediums include:

- → Collaborating with civil society organizations and other stakeholders to disseminate communications and information
- → Briefings and sessions
- → Print and electronic materials
- → Cultural events
- → Formal and informal education
- → Media training
- → Traditional media
- → Social media



# Awareness raising during a global pandemic: Well governed migration as an essential element of effective COVID-19 response

COVID-19 amplified some of the world's greatest migration challenges. Many States were able to respond to these challenges more effectively by implementing various GCM commitments, such as regularizing migrants, guaranteeing services and basic protections for all migrants regardless of status, and releasing migrants from immigration detention into community-based alternatives.<sup>20</sup>

In times of global upheaval, such as during a pandemic, awareness-raising activities around the GCM should emphasize how some of the solutions embedded in the GCM are part of the solution needed to weather turbulent times. Such examples are presented in the Network's policy brief, "The Global Compact for Migration (GCM): Well governed migration as an essential element of effective COVID-19 response". The brief outlines the applicability of the Global Compact in preventing and responding to negative impacts of COVID-19 for States, the United Nations system and other stakeholders, and highlights promising practices.

The policy brief can be found on the Network's website, https://migrationnetwork.un.org.

<sup>20.</sup> United Nations Network on Migration, "The COVID-19 pandemic is an opportunity to reimagine human mobility" (2020).



- Map out relevant stakeholders, paying special attention to those who may not be usually included in decision-making impacting migrants and their families.
- ✓ Understand who the stakeholders are.
- Decide on how to engage with the identified stakeholders in ways that allow for meaningful participation and partnership.
- Determine an institutional set-up for GCM implementation.
- Carry out and promote meaningful engagement, participation and partnership with identified stakeholders, ensuring accessibility, transparency and fair representation, particularly for voices that are often underrepresented (ongoing).
- Design and implement relevant awareness-raising activities for government actors, other stakeholders and the public (ongoing).



# 02. NEEDS ASSESSMENT







# **NEEDS ASSESSMENT**

The GCM presents a 360-degree vision of international migration that recognizes a comprehensive approach is needed to optimize the overall benefits of migration while addressing risks and challenges for individuals and communities in countries of origin, transit and destination. In line with this 360-degree vision, the GCM objectives span many different topics across sectors.

The purpose of a needs assessment is to identify those GCM objectives related to the issues that matter most and where the greatest needs lie. It may not be possible to tackle all 23 GCM objectives at the same time, and not all objectives may be equally relevant in every context. At the same time and in line with the GCM's 360-degree vision, the 23 GCM objectives are deeply linked and should not be viewed in isolation. Action taken concerning one GCM objective will have additional impacts on other objectives. For this reason, objectives should not be selected for implementation without assessing all GCM objectives comprehensively during the needs assessment and, over time, all objectives should be addressed.

# **USING THIS MATERIAL**

The needs assessment step includes the following actions: identify GCM objectives for immediate action and coordinate with other processes. Before beginning, reflect on the following guiding questions and the focus of your approach. Review the actions and tools provided and note those of particular interest. Use the checklist included at the end of this step to help guide your work.



- 1. What are the broad migration governance issues that should be tackled in your country, and why?
- 2. What are the greatest needs related to migration governance at the national, regional and local levels?
- 3. Are there different issues and needs in different regions or territories within your country?
- 4. What do migrants in your country say their greatest needs are?
- 5. What are the most significant challenges facing your nationals when migrating?
- 6. What are some key opportunities for improving migration governance?
- 7. Reflecting on migration governance measures your government has taken in the past, what has worked and what has not? Who has benefited and who has been left behind?
- 8. What major migration governance issues could arise in the next five years, both nationally and locally? And the five years after that?
- 9. How do the needs of migrants change during a global pandemic such as COVID-19 or other global, regional or national crises?
- 10. What adaptations were needed in your migration governance policies and processes due to COVID-19? Which of these measures should be maintained or expanded?

# IDENTIFY GCM OBJECTIVES FOR IMMEDIATE ACTION

#### 1. Map migration trends and concerns.

The map should be informed by data whenever possible. Identify gaps in existing data as it relates to specific GCM objectives. The map should also include an assessment of migrants' needs and rights and include a focus on migrants in vulnerable situations and those who tend to be left behind or invisible. This mapping should draw on the consultation process as well as existing data and other resources. Because there are numerous gaps in much migration data – particularly with regards to the human rights situation of undocumented migrants – it is likely data mapping alone would not suffice.

#### 2. Hold multi-level and multi-stakeholder consultations.

Consultations should fulfil a range of criteria as outlined in Tool 2: Criteria for multi-level and multi-stakeholder consultations.

The following tools can support the consultation process: Tool 3: Needs assessment discussion guide and Tool 4: Needs assessment principles.

When carrying out the consultation and needs assessment, States may choose to take a GCM objective focus, a thematic focus or find a way to combine the two, while keeping in mind the guiding principles of the GCM. Tool 3 provides questions to facilitate both of these approaches to consultation.

A GCM objective-focused approach to consultation involves formulating discussion around specific GCM objectives and associated actions, as outlined in the GCM itself, to explore needs in a given context.

### Advantages Allows actors to stay

grounded in the scope of the GCM. Helps increase familiarity with and knowledge of the GCM's content.

#### Disadvantages

May limit broader discussion of thematic migration-related issues from being identified and explored. May hinder a more coherent approach in which action related to several objectives is needed to move forward on an issue of importance.

A thematic approach to consultation involves formulating discussion around broad migration issues and then identifying GCM objectives and associated actions relevant to those issues.

#### Advantages

Allows actors to engage in a broad, open brainstorming about important migration issues and recognize that actions related to several objectives may be needed to address priority issues.

#### Disadvantages

that the 23 Given GCM objectives are comprehensive across many different topics sectors, certain and critical themes related to migration governance might be missed altogether if each of the GCM objectives is not carefully reviewed.

### 3. Align the needs assessment process and consultations with the GCM's guiding principles.

The following resources will guide actors in the Compact's human rights-based, gender-responsive and child-sensitive principles:

- National Mechanisms for Reporting and Follow-up: A practical guide to effective state engagement with international human rights mechanisms (OHCHR, 2016). Available at www.ohchr.org.
- Handbook on National Human Rights Plans of Action (OHCHR, 2022). Available at www.ohchr.org.
- > Principles and Guidelines, supported by practical guidance, on the human rights of migrants in vulnerable situations (OHCHR and GMG). Available at www.ohchr. org.
- > Recommended principles and guidelines on human rights at international borders (OHCHR). Available at www.ohchr.org.
- *"A guide for gender-responsive implementation of the Global Compact for Migration"* (UN Women, 2021). Available at www.unwomen.org.
- *Toolkit for Mainstreaming Employment and Decent Work* (ILO, 2008). Available at www.ilo.org.
- "Guidance for assessing the situation of children on the move in a national context" (UNICEF). Available at www. unicef.org.

- Guidelines on Adolescent Participation and Civic Engagement (UNICEF) Available at www.unicef.org.
- *Human Rights-based Approach* (HRBA) Portal (UNDG Human Rights Working Group). Available at https://hrbaportal.org.
- **4. Synthesize the discussions and outputs of the organized consultations** in a way that accurately summarizes the range of viewpoints and inputs gathered, and share with participants.
- 5. Jointly decide which GCM objectives to focus on for immediate action based on the consultation and needsassessment process.



#### Consultation criteria:

Horizontally inclusive: Involve different ministries at all levels of government, paying special attention to those government stakeholders who may not typically be included in decision-making impacting migrants and their families.

Vertically inclusive: Involve stakeholders involved in implementing national and local plans and relevant cross-government strategies, including civil society organizations, migrant groups and other non-governmental actors.

Held in a safe and enabling environment.

Flexible: Most consultations should take place in person with groups of stakeholders, but when needed, governments should allow for consultations with individual stakeholders and, where in-person consultation is not possible, States should collect inputs through interviews or written statements.

Focus on migrants' needs and rights.

Consider the country's specific migration governance challenges and successes, including how these may differ throughout the country.

Aim to identify the specific GCM objectives that respond to migrants' needs and rights and the country's migration governance needs.

Aim to chart how GCM guiding principles will be implemented.

Assess the government's capacity and resources at all levels of governance.

Include representatives from the relevant statistical agency so that critical data, monitoring and evaluation topics can be considered.

#### **BROAD THEMATIC QUESTIONS**

What migration-related areas\* present the most challenges?

What migration - related areas present the most opportunities?

What are the most pressing areas related to migrants' rights and needs? Which are at risk to be left behind?

Which GCM objectives seem to respond to the challenges, opportunities and needs identified above?

How can the GCM guiding principles be followed in response to the challenges, opportunities and needs identified above?

\*Examples of migration-related areas: migrants' access to services, rights-based border governance practices, ending immigration detention, addressing the needs of migrant women, children and youth, decent work for migrants.

#### **GCM OBJECTIVE-SPECIFIC QUESTIONS**

Why is this GCM objective important?



How is this GCM objective applicable to local/national migration governance issues?



How would implementing this GCM objective help fulfil migrants' needs and rights?



What migration governance sub-issues for local/national attention fall under this objective?



How might migration issues related to this GCM objective change in the next five years? In the next ten years?



How have migration issues related to this GCM objective changed during the COVID-19 pandemic? What have you learned about how to address the impacts of future potential global pandemics or other major disruptions to migration?



What would be the main challenges in implementing this GCM objective?



How do the GCM's guiding principles relate to this objective? How can the guiding principles inform the approach to implementing this objective given the national context?

What resources would be needed to achieve this GCM objective?

How does this GCM objective link to relevant local and national action plans, including development plans and COVID-19 response plans?

#### **WRAP-UP QUESTIONS**

Are there any other migration governance issues or issues related to migrants' rights and needs that should be addressed that are not reflected in the chosen objectives?



If so, how could these issues be included?



Are there migration governance issues particular to COVID-19 that are not clearly articulated in the GCM objectives?



One example might be the difficulty of balancing mobility restrictions needed for public health reasons with ensuring that States still fulfil their protection and human rights responsibilities with regards to migrants (in particular those in vulnerable situations, such as irregular migrants in the time of a global pandemic).

#### **APPLICABILITY**

Identify GCM objectives that are of particular relevance to the national and sub-national contexts, taking into account the country's migration governance situation, as well as the rights and needs of migrants. Carefully think through how each GCM objective could be implemented in line with the GCM's guiding principles.

#### **LINKAGES**

Wherever possible, explicitly link GCM objectives to relevant plans, strategies and mechanisms, such as CCAs, UNSDCFs, the 2030 Agenda and the work of national reporting and follow-up mechanisms that systematize the preparation of reports to international and regional human rights mechanisms.

#### **IMPACT**

Recognize where making progress in a particular migration governance area would be a significant challenge, and where it would have a largely positive impact on migrants and in fulfilling their rights and needs with attention to those migrants who are at risk to be left behind. Consider the potential synergies and trade-offs between selected objectives and other objectives.

#### **FUTURE CONSIDERATION**

Consider the country's possible migration governance needs and scenarios over the next five to ten years, taking into account how migrants' situations and needs might evolve over this time.

#### **CONSTRAINT RECOGNITION**

Identify and consider any challenges or constraints that could affect the success of implementation. Realistically consider the country's ability to meet different GCM objectives and to integrate the GCM guiding principles during the implementation effort.

#### ACTION 2

# COORDINATE WITH OTHER PROCESSES

Ensuring coherence with other relevant processes and obtaining the buy-in of relevant government actors is critical to successful GCM implementation.

- 1. Identify other processes relevant to GCM implementation, such as the processes for implementing the 2030 Agenda, national plans on migration-related issues such as development, non-discrimination, housing or poverty reduction and cross-governmental strategies on health, education, child protection or other areas. Note that COVID-19 response and recovery plans should also be carefully considered.
- 2. Discuss the list of chosen GCM objectives with the bodies responsible for implementing the relevant processes identified and with actors from relevant sectors such as health, education, child protection, social welfare, labour and justice, regardless of whether these sectors have their own national processes. This will help promote horizontal coherence.
- **3.** Organize a validation workshop to allow relevant government actors to approve the chosen GCM objectives.
- **4.** Communicate with all relevant stakeholders about the outcomes of the validation workshop.

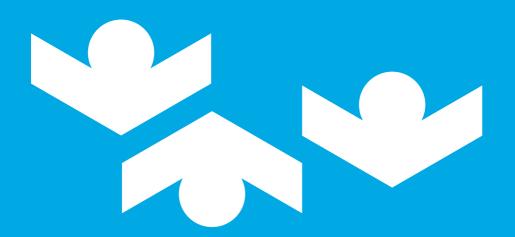


- Conduct a mapping of migration trends and concerns.
- Hold multi-level and multi-stakeholder consultations as part of the process for identifying GCM objectives for implementation.
- Refer to different needs assessment tools to facilitate consultations that fulfil suggested criteria and meet the intended objectives.
- Ensure alignment with the GCM's vision and guiding principles, including the commitment to human rights-based, gender-responsive and child-sensitive approaches.
- Synthesize the discussions and the outputs of the organized multi-level and multi-stakeholder consultations mentioned above.
- Based on the above, decide on which GCM objectives your country will focus on for implementation.
- Identify other processes relevant to GCM implementation (e.g., the processes for implementing the 2030 Agenda, the national plan on poverty reduction and cross-governmental strategies on health, education, child protection).

- Discuss the list of chosen GCM objectives with the bodies responsible for implementing these other processes, as well as with relevant sectors (e.g., health, education, child protection, social welfare, labour and justice).
- Organize a validation workshop to allow relevant government actors to approve the chosen GCM objectives.
- Communicate with all relevant governmental and non-governmental stakeholders about the outcomes of this validation workshop.



# 03. DESIGN







#### **DESIGN**

The GCM encourages all Member States to develop practicable, ambitious national responses for the implementation of the Compact, in particular through the elaboration and use of a national implementation plan. The design step focuses on the groundwork needed to develop plans for implementation.

A critical aspect of the design process is to ensure coherence with other policy processes. GCM implementation should be carried out in a way that is coherent with wider policy planning processes including, for example, those to implement the 2030 Agenda. And where this is possible, the design and implementation of GCM interventions may follow those of other processes, with this section as additional guidance.

When designing GCM interventions, government actors should build on the consultations carried out in Steps 1 and 2 and continue their meaningful engagement with all levels of government and relevant stakeholders. Strong buy-in across different policy sectors will be needed to drive implementation forward.

#### **USING THIS MATERIAL**

The design step includes the following actions: conduct migration data mapping, review existing structures and mechanisms, brainstorm interventions, choose interventions, and develop indicators. Before beginning, reflect on the following guiding questions and the focus of your approach. Review the actions and tools provided and note those of particular interest. Use the checklist included at the end of this step to help guide your work.



#### GUIDING QUESTIONS

- 1. To implement the chosen GCM objectives, are interventions needed at the legislative, policy level or programme level? Or a combination of levels?
- 2. If efforts have already been made to integrate migration into sectoral policies, strategies or legislation, what are they? For example, including migrant and displaced children in national education, health and child protection systems.
- 3. Which government actors and other stakeholders are best equipped to carry out migration data mapping? Why?
- 4. Which government actors and other stakeholders are best equipped to develop indicators for the chosen interventions? Why?
- 5. How can GCM interventions be adapted to the evolving needs of migrants?
- 6. How can GCM interventions be adapted given the evolving needs of migrants during COVID-19?
- 7. How can the COVID-19 pandemic serve as an opportunity to consider how to improve migration-related indicators, including access to health and other essential services, migrant protection, xenophobia and discrimination, among others?

# ACTION 1 CONDUCT MIGRATION DATA MAPPING

Migration data mapping is a prerequisite for developing strong indicators. Knowing what data is and is not available allows government actors to better assess what indicators can be developed, keeping in mind that data used for indicators must be accurate and reliable. Note that only where there are already local and national indicators in place that can be used to assess the chosen GCM objectives is it advisable to consider skipping the data mapping exercise.

1. Prepare a list of potential data sources and actors, including government agencies, local authorities and other stakeholders who may hold data relevant to the chosen GCM objectives. This should include qualitative data provided by a wide range of stakeholders, including those who are at risk of being left behind, such as undocumented migrants, women, children and youth. Refer to existing data sources as much as possible and build on existing data processes.

### **Example data sources**

Government agencies	Databases of international and non-governmental organizations, such as the World Bank, national human rights institutions.	
Local authorities and other stakeholders	Migration profiles, for example the GFMD repository of national migration profiles available at www.gfmd.org/pfp/policy-tools/migration-profiles/repository.	
Population and housing censuses	IOM's Global Migration Data Portal, available at www. migrationdataportal.org. UNICEF's Global Data Portal, available at https://data.unicef.org.	
Household surveys	UN Network on Migration's Migration Network Hub, available at https://migrationnetwork.un.org/hub.	
Labour force surveys	ILOSTAT, available at www.ilo.org/ surveyLib/index.php/catalog/LFS.	



During the data mapping process, it is important to gather data on how migrants and migration are being affected by ongoing global events, such as the COVID-19 pandemic. Below are useful resources on this topic.

- > Coronavirus (COVID-19) Portal on the United Nations Network on Migration website. Available at https://migrationnetwork.un.org/covid-19.
- > UN COVID-19 Data Hub. Available at unstatshub.org.
- Migration data relevant for the COVID-19 pandemic. Available at migrationdataportal.org.
- "Policy brief: Migrant workers and the COVID-19 pandemic" (FAO, 2020). Available at www.fao.org.
- "Quick Tips on COVID-19 and Migrant, Refugee and Internally Displaced Children" (UNICEF, 2020). Available at www.unicef.org.
- > COVID-19 Mobility Impact Reports (IOM). Available at https://migration.iom.int.
- **)** How COVID-19 is disrupting immigration policies and worker mobility: a tracker. Available at www.ey.com.
- ) "Migrant and displaced children in the age of COVID-19:
- How the pandemic is impacting them and what can we do to help" (You, D. et al., 2020). Available at www.unicef.org.
- "Social Protection for Children and Families in the Context of Migration and Displacement during COVID-19" (UNICEF, 2020). Available at www.unicef.org.
- "COVID-19: Protecting migrant workers in the workplace: Resource list" (ILO, 2020). Available at www.ilo.org.

- 2. From the gathered sources, examine the data that is captured and how it is used.
- **3.** Consult metadata and assess data comparability, such as by looking at levels of disaggregation.

#### DATA PROTECTION

It is critical to ensure the privacy and safety of migrants when gathering, processing and analyzing personal data. During migration data mapping, actors should respect migrants' rights to privacy, safety and non-discrimination, while taking into account their human dignity and well-being. This can be accomplished by respecting the rights to privacy and data protection, as outlined in Tool 5. For more information, see the IOM Data Protection Manual (2015) available at https://publications.iom.int.



#### Data protection principles<sup>21</sup>

#### **FIREWALLS**

All data collection, processing and disaggregation should respect firewalls between public services and immigration authorities. This means that public service providers should never be required to report undocumented migrants. The collection of any information on individuals' migratory status must be done in ways that do not breach the firewall.

#### LAWFUL AND FAIR COLLECTION

Personal data must be obtained by lawful and fair means with the knowledge or consent of the data subject.

#### SPECIFIED AND LEGITIMATE PURPOSE

The purpose(s) for which personal data are collected and processed should be specified and legitimate and should be known to the data subject at the time of collection. Personal data should only be used for the specified purpose(s), unless the data subject consents to further use or if such use is compatible with the originally specified purpose(s).

#### **DATA QUALITY**

Personal data sought and obtained should be adequate, relevant and not excessive in relation to the specified purpose(s) of data collection and data processing. Data controllers should take all reasonable steps to ensure that personal data are accurate and up to date.

<sup>21.</sup> Adapted from: Van Durme, C., "Firewall: A tool for safeguarding fundamental rights of undocumented migrants" (PICUM, 2017) and IOM Data Protection Manual (2010).

#### **CONSENT**

Consent must be obtained at the time of collection or as soon as it is reasonably practical thereafter, and the condition and legal capacity of certain vulnerable groups and individuals should always be taken into account. If exceptional circumstances hinder the achievement of consent, the data controller should, at a minimum, ensure that the data subject has sufficient knowledge to understand and appreciate the specified purpose(s) for which personal data are collected and processed.

#### TRANSFER TO THIRD PARTIES

Personal data should only be transferred to third parties with the explicit consent of the data subject, for a specified purpose, and under the guarantee of adequate safeguards to protect the confidentiality of personal data and to ensure that the rights and interests of the data subject are respected. These three conditions of transfer should be guaranteed in writing.

#### CONFIDENTIALITY

Confidentiality of personal data must be respected and applied at all stages of data collection and data processing and should be guaranteed in writing.

#### ACCESS AND TRANSPARENCY

Data subjects should be allowed to verify their personal data and should be provided with access insofar as it does not interfere with the specified purpose(s) for which personal data are collected and processed. Data controllers should ensure a general policy of openness towards the data subject about developments, practices and policies with respect to personal data.

#### **DATA SECURITY**

Personal data must be kept secure, both technically and organizationally, and should be protected by reasonable and appropriate measures against unauthorized modification, tampering, unlawful destruction, accidental loss, improper disclosure or undue transfer.

#### RETENTION OF PERSONAL DATA

Personal data should only be kept for as long as is necessary and should be destroyed or rendered anonymous as soon as the specified purpose(s) of data collection and data processing have been fulfilled. It may, however, be retained for an additional specified period for the benefit of the data subject.

#### APPLICATION OF THE PRINCIPLES

These principles shall apply to both electronic and paper records of personal data, and may be supplemented by additional measures of protection, depending, inter alia, on the sensitivity of personal data. These principles shall not apply to non-personal data.

#### **OVERSIGHT, COMPLIANCE AND INTERNAL REMEDIES**

An independent body should be appointed to oversee the implementation of these principles and to investigate any complaints, and designated data protection focal points should assist with monitoring and training. Measures will be taken to remedy unlawful data collection and data processing, as well as breach of the rights and interests of the data subject.

### CONSIDERATIONS FOR COLLECTING DATA FROM CHILDREN

States should develop a systematic rights-based policy on the collection and public dissemination of qualitative and quantitative data on all children in the context of international migration to inform a comprehensive policy aimed at the protection of their rights. Such data should be disaggregated by nationality, migration status, sex, gender, age, ethnicity, disability and all other relevant statuses to monitor intersectional discrimination. The Committees stress the importance of developing indicators to measure the implementation of the rights of all children in the context of international migration, including through a human rights-based approach to data collection and analysis on the causes of unsafe migration of children and/or families. Such information should be available for all stakeholders. including children, in full respect of privacy rights and data protection standards. Civil society organizations and other concerned actors should be able to participate in the process of collecting and evaluating data.

Children's personal data, in particular biometric data, should only be used for child protection purposes, with strict enforcement of appropriate rules on the collection, use and retention of and access to data. The Committees urge due diligence regarding safeguards in the development and implementation of data systems and in the sharing of data between authorities and/or countries. States should implement a firewall and prohibit the sharing and use for immigration enforcement of the personal data collected for other purposes, such as protection, remedy, civil registration and access to services. This is necessary to uphold data protection principles and protect the rights of the child, as

stipulated in the Convention on the Rights of the Child.<sup>22</sup>
Additional resources regarding data collection and children include:

- > Ethical research for children (unicef-irc.org)
- > Children's online privacy and freedom of expression (UNICEF, 2018). Available at https://sites.unicef.org.
- > "Ethical Considerations for Evidence Generation Involving Children on the COVID-19 Pandemic" (UNICEF, 2020). Available at www.unicef-irc.org.

<sup>22.</sup> Paragraphs 16 and 17 Joint general comment No. 3 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 22 (2017) of the Committee on the Rights of the Child on the general principles regarding the human rights of children in the context of international migration.

#### **ACTION 2**

## REVIEW EXISTING STRUCTURES AND MECHANISMS

During the design process, existing structures and mechanisms relevant to the identified GCM objectives should be reviewed, including:

- Institutions
- Strategies and national action plans
- Legislation
- Policy frameworks
- Plans and projects
- National mechanisms for reporting and follow-up

National mechanisms for reporting and follow-up	Institutions	Strategies and national action plans	
GCM Design			
Plans and projects	Policy frameworks	Legislation	

National mechanisms are mandated to coordinate and prepare reports to and engage with international and regional human rights mechanisms, including treaty bodies, the universal periodic review and special procedures. For more information, see *National Mechanisms for Reporting and Follow-up* (OHCHR, 2016).

Reviewing these structures and mechanisms can help map out potential synergies and trade-offs between migration-related interventions, while also helping to avoid policy incoherence and prevent duplicate efforts.

The following tools can help facilitate this review process:

#### **Migration Governance Indicators (MGI)**

Migration Governance Indicators (MGI) help countries understand the strengths and weaknesses of their migration management policies. The MGI assessment is a critical tool to support governments to strengthen policy coherence across migration governance domains.

As the framework is based on policy inputs, the assessment can help governments diagnose where there may be gaps in the way they formulate their national migration governance.

More information about this tool can be found at IOM's Global Migration Data Analysis Centre at

https://gmdac.iom.int/migration-governance-indicators.

### Guidelines on Mainstreaming Migration into Local Development Planning (JMDI, 2017)

This tool can be used to identify institutional, policy and intervention gaps or weaknesses in migration governance.

Indicators cover areas such as migrant rights, inclusive education, employment and health care, and focus on the processes and structures needed to promote policy coherence. These indicators have accompanying questions to support actors in identifying policy incoherence.

Although designed for local actors, national actors may also use the tool by adapting indicator questions slightly. The Guidelines are available at https://migration4development.org.

#### **ACTION 3**

#### **BRAINSTORM INTERVENTIONS**

Consultations are required to allow for collective brainstorming of the types of interventions that would lead to progress on the country's chosen GCM objectives. In line with the GCM's whole-of-society approach, these consultations should comprehensively engage relevant stakeholders and involve the participation of:

- Different levels and sectors of government;
- GCM implementing partners;
- Potential beneficiaries, including those whose voices may be less likely to be heard or are at risk of being left behind (including undocumented migrants, women, children and young people);
- Service providers;
- Stakeholders who will be involved in data collection, policy development, programme/project design and indicator development; and
- Stakeholders, including experts and civil society actors, who can help government actors reflect on how GCM interventions can be tailored and adapted to significant global events, such as the COVID-19 pandemic.

NOTE: Refer to meaningful stakeholder engagement found in Step 1: Kick-off of this guidance to determine the appropriate mechanisms and modalities of stakeholder consultations.

During these consultations, participants should aim to:

- Define the target beneficiaries of the proposed interventions.
- Identify those stakeholders needed to implement the chosen GCM objectives, including both governmental and non-governmental actors.
- Estimate the human, financial and other resources needed for implementation and possible ways to increase these resources.
- Assess existing technical capacity to carry out the proposed interventions and whether additional capacity-building is needed.
- Identify existing interventions that can be modified or expanded to meet the objectives.

#### **ACTION 4**

#### **CHOOSE INTERVENTIONS**

Choosing appropriate interventions should directly relate to the identified GCM objectives, as well as to the proposed actions associated with these objectives as articulated in the GCM. All GCM interventions should be implemented in line with the GCM's guiding principles, in particular with the compact's gender-responsive and child-sensitive approaches. Implementation should also reflect the GCM's commitment to respecting, protecting and fulfilling migrants' human rights throughout all stages of the migration cycle.

### EXAMPLE INTERVENTIONS FOR GCM IMPLEMENTATION

The following describes example programmatic and policy interventions for successful GCM implementation. Most often, a combination of interventions is needed to ensure comprehensive migration governance. The below interventions should be seen as complementary, with a focus on developing inclusive policies and programming that strengthen horizontal and vertical coherence.

#### Enact and implement a new policy and/or legislation.

Governments may wish to enact and implement a new policy and/or legislation. This can be an effective way to bring about a transformative change across one or multiple GCM objectives.

### Integrate migration into sectoral policies, strategies and/or legislation.

Actors may choose to integrate migration into policies, strategies and legislation in policy sectors that both affect and are affected by migration, such as labour, housing, health education, child welfare and agriculture. For example, a government may integrate migration into its labour and education strategy, factoring migration dynamics into labour market forecasts.

#### Integrate migration into development programming.

Actors may wish to integrate migration into development programming that was not designed with migration in mind, but which could nevertheless benefit from the integration of migration-related considerations. This type of intervention could be applied to development programming in any sector and the aim would be to assess how different development programmes can be adapted to incorporate migration issues. For this type of intervention, the forthcoming sector toolkits from the MMICD project will be useful as they will provide practical guidance on how to integrate migration into development cooperation programmes and projects in various sectors.

#### Design and implement new migration programming.

Governments may decide to design and implement new migration programmes altogether. For example, if actors choose to implement GCM Objective 6 ("Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work"), they may decide that designing a specific programme on fair and ethical recruitment would be the best way to make progress on this objective.

#### Integrating migration across different policy sectors.

During the GCM implementation process, if actors decide to focus on integrating migration into different policy sectors, they should seek out specialized advice on designing interventions in those particular sectors and can refer to the following resources:

- Mainstreaming Migration into Development Planning: A handbook for policymakers and practitioners (IOM/GMG, 2010). Available at https://publications.iom.int.
- *Interrelations between Public Policies, Migration and Development* (OECD, 2017). Available at www.oecd.org.
- > Guidelines on Mainstreaming Migration into International Cooperation and Development (MMICD) (IOM/European Commission's DG DEVCO, 2022) available at https://eea.iom.int/mmicd





Migrants face the same health threats from COVID-19 as other human beings; however, migrants may face increased vulnerabilities due to their living, working or administrative situations, which put them at greater risk of contracting COVID-19 and suffering the socioeconomic consequences of the pandemic.<sup>23</sup> Migrants may be excluded from social protection schemes as well as from national programmes for health promotion, disease prevention, treatment and care. Migrant children and youth are less likely to have access to remote learning modalities and more likely to drop out of school. They are also at heightened risk of extreme poverty, and more likely to be negatively impacted by coping strategies such as child labour and marriage, while dwindling remittances impact their diets, livelihoods and access to services.

In the time of a pandemic, ensuring public health is contingent on protecting all persons. For this reason, government actors should see COVID-19 as a crucial opportunity to address barriers that migrants face in accessing services and social protections, particularly concerning:<sup>24</sup>

- The right to the enjoyment of the highest attainable standard of physical and mental health care
- Non-discrimination and equitable access to health services and medical supplies including vaccines
- 23. UN Secretary General Policy Brief, "COVID-19 and people on the move" (2020).
- 24. Adapted from: United Nations Network on Migration, "Enhancing Access to Services for Migrants in the Context of COVID-19 Preparedness, Prevention, and Response and Beyond" (2020). Available at https://migrationnetwork.un.org.

- People-centred service systems and continuity of care
- Gender equality and prevention and response to sexual and gender-based violence
- Age-sensitive support and protection through case management, including by designating child protection officials and social workers as essential workers and focusing on psychosocial support
- Education and training strategies for continued learning for all migrants, including children
- Access to adequate housing, water and sanitation
- Equal treatment in the workplace
- Social protection and mitigation of socioeconomic impacts
- Whole-of-government and whole-of-society approaches and partnership
- Engagement and empowerment of local authorities and grassroots actors
- Participation and inclusion of migrants in COVID-19 response and recovery plans

#### **ACTION 5**

#### **DEVELOP INDICATORS**

Once data mapping is complete and interventions for GCM implementation have been chosen, relevant indicators should be identified and/or developed. To do this:

- 1. Verify whether global indicators, such as SDG indicators, or indicators from other existing national plans, policies and programmes can be reported to measure progress on the chosen GCM objectives, drawing on the data mapping exercise. If so, these indicators should be used so that progress can be compared to that of other countries. The following resources can help connect migration-related indicators with the SDGs:
  - Migration and the 2030 Agenda: A guide for practitioners (IOM, 2018) available at https://publications.iom.int. See specifically the booklet outlining linkages between migration and each SDG.
  - **)** Handbook for improving the production and use of migration data for development (GMG, 2017) available at www.knomad.org.
  - ) Guidance on implementing the SDGs for and with children: issue briefs available at www.unicef.org/sdgs/resources.
- **2. Develop human rights indicators,** as needed, to measure progress on migrants' rights, protection and access to services, drawing and building on existing resources. See the following examples:

# Human Rights Indicators: A guide to measurement and implementation (OHCHR, 2012)

This guide aims to fill the gap that exists around the systematic use of indicators measuring the realization of human rights. It recognizes human rights indicators — both qualitative and quantitative — as an essential tool for policy formulation and evaluation. It also addresses head-on various concerns related to human rights indicators, including the challenges in collecting and disseminating information on human rights, as well as difficulties around what to monitor, how to collect information and how to interpret it from a human rights perspective. Available at www.ohchr.org.

# Human Rights Indicators for migrants and their families (KNOMAD et al, 2015)

This paper shows that the use of indicators for the human rights of migrants can facilitate and monitor progress and compliance with legal obligations, that the fulfilment of migrants' rights is an essential tool for social integration in multicultural societies, and that migrants' rights indicators promote evidence-based policy-making. The paper was published as part of the Working Paper Series of the Global Knowledge Partnership on Migration and Development (KNOMAD). Available at www.ohchr.org.

# Key human rights indicators for monitoring human rights implications of COVID-19



To support COVID-19 response and recovery, a set of 10 key human rights indicators were developed in "A UN framework for the immediate socio-economic response to COVID-19" (Annex 1, p. 41), available at https://unsdg.un.org.

3. Gain a clear understanding of the differences between structural indicators, process indicators and outcome indicators to refine the indicator development process. In the context of GCM implementation, these indicators would serve the following functions.<sup>25</sup>

Structural indicators	Reflect the adoption of legal instruments as well as the existence and creation of basic institutional mechanisms deemed necessary for successfully implementing the GCM.
Process indicators	Measure ongoing efforts to transform GCM objectives into desired results.
Outcome indicators	Capture individual and collective attainments that reflect the state of successful GCM implementation in a given context.

- 4. Adjust existing and/or develop new indicators as needed for each GCM implementation intervention. Tool 6 provides a template to support the formulation of indicators.
- **5.** Refer to Tool **7**, the simplified checklist for developing indicators, to ensure indicators measure each intervention accurately, while also helping to leverage and strengthen existing migration data.

<sup>25.</sup> OHCHR, Human Rights Indicators: A guide to measurement and implementation (2012).



### Template for formulating an indicator

#### **Examples**

## GCM OBJECTIVE TO ADDRESS

Enhance the availability and flexibility of pathways for regular migration.

# GCM ACTION TO ADDRESS

"Expand available options for academic mobility, including through bilateral and multilateral agreements that facilitate academic exchanges, such as scholarships for students and academic professionals, visiting professorships, joint training programmes and international research opportunities, in cooperation with academic institutions and other relevant stakeholders" (GCM, para. 21 (j)).

# POSSIBLE INDICATOR

Number of scholarships awarded to nationals for enrolment in higher education abroad, including vocational training and information and communications technology, technical, engineering and scientific programmes, in developed countries and other developing countries.

#### **DEFINITION(S)**

Scholarships are financial aid awards for individual students. Financial aid awards include bilateral grants to students registered for systematic instruction in private or public institutions of higher education to follow full-time studies or training courses abroad.

# UNIT OF MEASUREMENT (E.G. EXPRESSED AS %)

Total number of scholarships awarded for higher education abroad.

#### RELEVANT INTERNATIONAL STANDARDS (IF ANY)

SDG 4b: By 2020, substantially expand globally the number of scholarships available to developing countries, in particular least developed countries, small island developing States and African countries, for enrolment in higher education, including vocational training information and and communications technology, technical, engineering and scientific programmes, developed countries and other developing countries. For further information on defining scholarships in the context of SDG target 4b see "SDG target 4b: a global measure of scholarships" (Balfour, 2016), available http://unesdoc.unesco.org/imagat es/0024/002455/245570e.pdf.

#### DATA SOURCE(S) Records from the Ministry of Education on nationals studying under scholarship agreements abroad Ministry Education METHODOLOGY The of its records (DETAIL ON DATA consolidate all of different scholarships awarded into a COLLECTION) single spreadsheet or document, to be disaggregated as per the specifications below. They will send this information to the national statistical office, who will report total figures. PERIODICITY OF Annual **MEASUREMENT** Gender of scholar DISAGGREGATION Race or ethnicity of scholar Country of study Level of award (diploma, bachelor's degree, master's degree/postgraduate diploma, PhD, post-doctoral research) The subject of the programme **LEAD ACTOR** Ministry of Education **INVOLVED / OTHER** National Statistical Office **ACTORS**

0 scholarships

**BASELINE, IF** 

**AVAILABLE** 



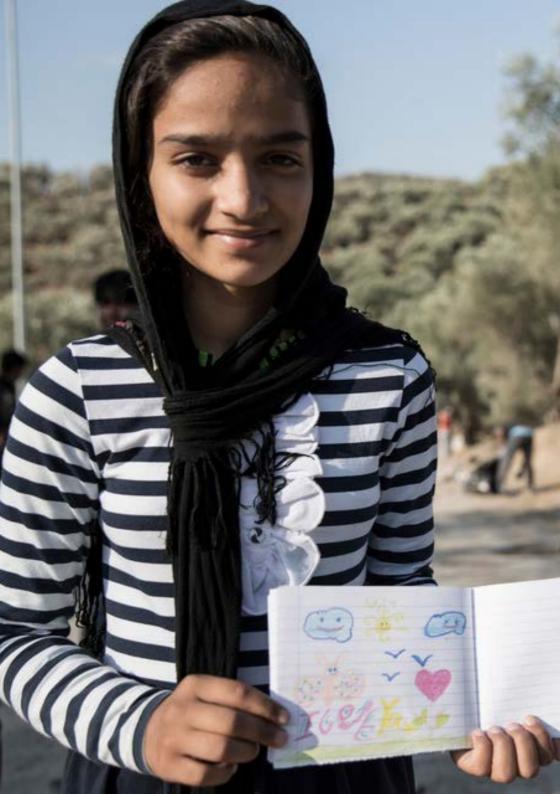
## Checklist for developing indicators

□ Reflect migration governance-related needs at the local and national levels.
☐ Measure aspects of the GCM objectives that have been chosen for implementation.
☐ Are constructed from reliable and well-established data sources.
□ Build as much as possible on existing data capture and processes, to keep the additional burden low and to help ensure sustainable measurement.
□ Use and encourage data that is disaggregated by sex, age, nationality and migration status.
□ Are consistent with relevant international standards and guidance, following internationally set terminology and definitions where possible.
□ Measure data that can be collected regularly over time.
□ Are straightforward to interpret and easy to communicate to the public and stakeholders.
□ Include human rights indicators (see resources listed in Action 5: Develop indicators).
☐ Measure outcomes as much as possible, though structural and process indicators.
☐ Are accompanied by a brief description of metadata and methodology.
□ Includes baseline data whenever it is available.

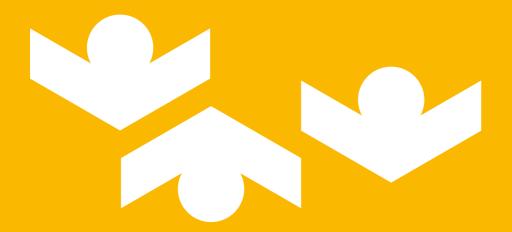


- Prepare a list of potential data sources and actors, as part of the migration data mapping process. This should include qualitative data provided by a wide range of stakeholders, including those who are at risk of being left behind such as undocumented migrants, women and children and youth.
- Refer to existing data sources as much as possible and build on existing data processes.
- From the gathered sources, look at data already captured and how it is used.
- Consult metadata and assess data comparability.
- Review the structures and mechanisms that are related to your country's chosen GCM objectives, including institutions, strategies, legislation and policy frameworks.
- Organize consultations with diverse stakeholders to brainstorm about GCM interventions, in particular regarding target beneficiaries, implementing partners, resources needed for implementation and existing technical capacity.

- Choose programmatic and policy interventions for GCM implementation.
- Identify existing indicators that can be used to measure GCM implementation. When needed, adjust or develop new indicators using the tools and templates provided.



# 04. IMPLEMENTATION







#### **IMPLEMENTATION**

The GCM encourages all Member States to develop "ambitious national responses for the implementation of the Global Compact ... such as through the voluntary elaboration and use of a national implementation plan" (GCM, para. 53). As such, this step focuses on the process of translating the chosen interventions from Step 3 into tangible activities, which includes mobilizing resources, budgeting and developing and implementing an action plan for GCM implementation.

#### **USING THIS MATERIAL**

The implementation step includes the following actions: develop an action, draft a budget and mobilize resources. Before beginning, reflect on the following guiding questions and the focus of your approach. Review the actions and tools provided and note those of particular interest. Use the checklist included at the end of this step to help guide your work.



- 1. Has your country already formalized intentions for moving forward with GCM implementation?
- 2. If not, what process for this implementation is most fitting given your country's context, existing processes and structures and capacity?
- 3. What are the challenges and opportunities regarding budgeting for GCM implementation?
- 4. How will these challenges and opportunities shift during a moment of large-scale upheaval, such as during the COVID-19 pandemic?
- 5. From which actors is high-level political commitment necessary to budget properly for GCM implementation?
- 6. From what external entities is your government likely to receive funding for GCM implementation?
- 7. Can your government make use of diverse financing resources, such as remittances, social impact bonds or private sector funding? Note that remittances are private funds owned by migrants and so their use for GCM implementation should be incentivized through appropriate measures (for example, offers of bonds or other investment schemes), but not made mandatory (for example, by levying additional taxes on remittances).
- 8. If financing resources are available, which resources and how will you mobilize them?

#### **ACTION 1**

#### **DEVELOP AN ACTION PLAN**

There is no uniform, one-size-fits-all approach to GCM implementation. Depending on the context, GCM implementation may take one or both of the following forms:

- The elaboration of a national GCM implementation plan, as mentioned in the GCM (para. 53). GCM national implementation plans (NIPs) should summarize chosen GCM objectives, the interventions that have been designed to make progress on those objectives and how those interventions will be carried forward. For an example of formulating a national GCM implementation plan, see Annex 1: Case study: Portugal's national GCM implementation plan.
- Aligning the steps of GCM intervention with wider processes, such as the implementation of the 2030 Agenda and other international agreements and obligations. Consider how GCM implementation should be integrated into other national plans or strategies, including various sectoral plans or strategies to meet the prioritized objectives.

Every GCM action plan should articulate how the Compact's guiding principles will be implemented in practice and aim to fulfil the various important criteria outlined in Tool 8.



#### **Criteria for GCM Action Plans**

#### For every GCM intervention, these should be included:

Detailed description of the intervention, policy process, legislative change, programme or project

Rationale behind the intervention, including its relation to the GCM's guiding principles, objetives and actions

Implementing partners that will be engaged in carrying out the intervention

For governmental partners, specify which sectors, departments and level of government these actors represent. For non-governmental partners, specify which sectors of society these actors are from.

Rationale for each implementing partner's involvement, articulating the added value of each partner

Roles and tasks of implementing actors at each stage of the intervention, including the relationships coordination and oversight responsibilities of each actor

How the intervention will comply to international legal obligations, including international human rights law

Timeframe for implementation

Expected outcomes and outputs

Anticipated challenges and/or foreseeable bottlenecks

Required supporting activities, such as training, capacity-building or advocacy, as well as whom these activities will target

Required resources, incluidng financial, human and otherwise

**Funding arrangements** 

Monitoring and evaluation, including the structural, process and outcome indicators that will be used to measure progress on the intervention

#### REVIEW AND ADOPT THE ACTION PLAN

Before adopting any action plan, government actors should ensure that the proposed plan is widely reviewed, discussed, debated and validated through a series of workshops with different ministries, local authorities, implementing partners and other relevant stakeholders, including migrants and those who will be impacted by the proposed actions. During these workshops, stakeholders should explicitly discuss and review:

- → The GCM objectives that have been identified for immediate implementation
- → How the GCM guiding principles will be implemented through the proposed actions
- → The needs assessment process that led to identifying these GCM objectives
- → The relevance of the identified GCM objectives to the national and local contexts
- → Proposed interventions and actions
- → Timeframes
- → The involvement of different stakeholders in implementation, evaluation, review and reporting
- → Budgeting for the migration-related interventions laid out in the plan

# ALLOW FOR FLEXIBILITY TO RESPOND TO EMERGING NEEDS

GCM plans should be flexible so that they can respond to changing conditions and events. For example, during the COVID-19 pandemic, certain positive practices in line with GCM commitments and related to addressing the health, socioeconomic and protection impacts of COVID-19 on migrants became even more critical to safeguarding public health and protecting migrants' rights and well-being.

#### **BUILD A PROACTIVE CULTURE OF LEARNING**

To support any action plan for GCM implementation, it is also important to build an ongoing, inclusive and proactive culture of learning about migration and the GCM at all levels of government. The Migration Network Hub established through the GCM (GCM, para. 43) is particularly valuable for promoting such a culture.

# Positive practices in addressing the impact of COVID-19 on migrants



The United Nations Network on Migration is committed to supporting all partners in pursuit of the implementation of the GCM, recognizing that this cooperative framework provides an invaluable tool for ensuring everyone can contribute to a collective response to COVID-19 and all are protected equally against its impact.

To support effective, evidence-based responses to the pandemic, the Network established a COVID-19 portal on the Network's website (https://migrationnetwork.un.org). In addition, the Network produced a series of policy briefs that examine how different aspects of the COVID-19 pandemic relate to migrants and their communities (see "Official UN Network on Migration Statements"). These briefs provide explicit recommendations as well as examples of positive practices for how governments and other stakeholders can protect migrants' rights and leverage migrants' positive contributions through GCM implementation.

The portal also links to other relevant resources and reports and hosts "Community of Practice: Voices from the Ground" to facilitate the respectful exchange of factual, constructive and timely information (https://migrationnetwork.un.org/hub/community-practice-voices-ground).

#### **ACTION 2**

#### **DRAFT A BUDGET**

The budget serves as a central policy document of government, outlining how annual and multi-annual objectives are to be prioritized and achieved through resource allocation. The role of the national budget in successful GCM implementation is therefore crucial, as it can elevate policy-related priorities and help ensure the success of initiatives.

#### **BUDGETING FOR GCM IMPLEMENTATION**

- 1. Organize capacity-building activities with government actors and other implementing partners, as needed, before or during the budgeting process. These activities should be tailored to the specific roles, responsibilities, capacities and knowledge gaps of government actors and implementing partners.
- 2. Take stock of what funding you are likely to receive from external entities and sources.
- **3.** Consider inputs from stakeholders with whom you have organized consultations on the levels of funding that will be needed to implement the chosen GCM interventions.
- **4.** Consider the following ideal conditions for successful GCM budgeting:<sup>26</sup>
  - Political commitment to the GCM at high levels, which can help shift the culture within government

26. Adapted from: Downes, Ronnie and Scherie Nicol, "Designing and Implementing Gender Budgeting: A path to action" (OECD, n.d.).

- **Legal foundations** for GCM budgeting, including legislation that is debated in and adopted by parliament
- Clear roles and responsibilities with regards to GCM budgeting, divided among governmental and non-governmental actors and that are decided upon by the implementing body
- Availability and collection of robust migration data, which can both inform resource allocation and help build political commitment within the government
- **Capacity development** in GCM budgeting, such as trainings for government actors on chosen GCM interventions and on how to prepare budgeting statements for their implementation
- 5. Refer to and demonstrate the ten principles of good budgetary governance (see Tool 9).
- 6. Ensure that the process of budgeting for GCM interventions is aligned with international human rights obligations.<sup>27</sup>
- 7. Budget not only for immediate interventions but also for supporting activities.

For example, should you choose to integrate migration into legislative frameworks across different sectors, this may also require budgeting for capacity-building across ministries and departments.

- **8.** Carry out all necessary bureaucratic steps, negotiations and discussions to move forward successfully with budgeting for and implementing the chosen GCM interventions.
- 27. See an exploration of the linkages between obligations under international human rights law and budget policies and processes in Realizing human rights through government budgets (OHCHR, 2017). Available at www.ohchr.org.



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<sup>28.</sup> From: Public Governance and Territorial Development Directorate, "Recommendation of the Council on Budgetary Governance" (OECD, 2015) p. 3.

#### **ACTION 3**

#### **MOBILIZE RESOURCES**

To mobilize critical resources for GCM implementation:

- 1. Organize bilateral meetings with relevant stakeholders and potential implementing partners to discuss resource mobilization. Potential implementing partners should include governmental actors from different levels and sectors of government, as well as non-governmental stakeholders, in line with the GCM's whole-of-government and whole-of-society approach. The opinions, insights and feedback collected during these consultations can feed into the budgeting process. Topics that these consultations should cover include:
- Funding gaps
- Existing and potential funding partners
- Areas of interest of these funding partners
- Resources required for implementing the chosen GCM interventions, including how much money is needed and how it should be allocated
- How resources may need to be swiftly re-allocated in times of global upheaval, such as during a global pandemic.



2. Identify potential sources of funding. If GCM implementation is taking place under a wider policy, programme or 2030 Agenda implementation process, government actors should follow the existing resource mobilization strategies. Innovative funding sources, such as

public-private collaborations, should also be explored. In addition, States should identify opportunities to leverage the Start-Up Fund for Safe, Orderly and Regular Migration (or Migration MPTF), as per their identified objectives for GCM implementation. Some potential funding sources include:

- > The Migration Multi-Partner Trust Fund (Migration MPTF) (See below for more information.)
- > Existing local and national strategies and sources of funding for development activities
- > SDG-related funds, such as the Joint SDG Fund available for United Nation Country Teams (More information available at https://jointsdgfund.org.)
- Migration-specific funds from development cooperation partners and multilateral agencies
- ) Diverse migration-related sources of finance, such as remittances, diaspora contributions, private sector funding, funding from foundations and social impact bonds
- **3. Draft a resource mobilization plan.** This plan should outline the proposed GCM interventions that require additional resources, as well as highlight strategies for approaching development cooperation partners and other funding sources.



- Develop an action plan for GCM implementation in consultation with all relevant ministries and stakeholders.
- Review and adopt the action plan.
- Take the necessary steps to budget for GCM implementation, such as organizing capacity-building activities and taking stock of funding.
- Draft a budget for GCM implementation, securing resources for immediate interventions, as well as for supporting activities.
- ✓ Identify potential sources of funding.
- Organize bilateral meetings with relevant stakeholders and potential implementing partners to discuss resource mobilization.
- ✓ Draft a resource mobilization plan.
- Implement the action plan, cultivating a culture of learning to encourage improved migration governance at all levels of government.

# Migration Multi-Partner Trust Fund (Migration MPTF)

The Migration Multi-Partner Trust Fund (Migration MPTF) is the start-up fund of the capacity-building mechanism called for in paragraph 43 of the GCM. It is a funding mechanism fully dedicated to supporting collective action on migration and is the only one of its kind.

#### **Purpose and Structure**

The Migration MPTF will primarily support the country-level implementation of the GCM, focusing on the GCM's 23 objectives, grouped under five thematic areas to allow for earmarking and to help ensure tracking of adherence to the GCM's 360-degree vision. The Migration MPTF will also support regional and global GCM implementation initiatives. The five thematic areas are:

- *Thematic Area 1*: Promoting fact-based and data-driven migration discourse, policy and planning
- Thematic Area 2: Protecting the human rights, safety and wellbeing of migrants, including through addressing drivers and mitigating situations of vulnerability in migration
- Thematic Area 3: Addressing irregular migration, including through managing borders and combatting transnational crime
- **Thematic Area 4:** Facilitating regular migration, decent work and enhancing the positive development effects of human mobility
- *Thematic Area 5:* Improving the social inclusion and integration of migrants

#### Contributions

Contributions to the Migration MPTF are accepted from Member States, regional bodies, intergovernmental organizations, non-governmental organizations, businesses, foundations and individuals.

#### Who can apply?

UN organizations can apply as primary recipients of grants and can work with and transfer funds to civil society and government partners.

#### Who takes decisions?

Allocations are determined by the Fund's Steering Committee, a multi-partner decision-making body chaired by the Director-General of IOM as Coordinator of the Network.

For more information and to apply to the Migration MPTF More information about the Migration MPTF can be found at https://mptf.undp.org/factsheet/fund/MIG00.

Also available is the *Migration MPTF Operations Manual*, which contains the template for applying for Migration MPTF funds, as well as a detailed table outlining the connections between GCM objectives and SDG targets. Concept notes for funding proposals are accepted on a rolling basis. Additional information about the Migration MPTF, such as current projects and their impact, can be found on the UN Network on Migration's website at https://migrationnetwork.un.org/mptf.

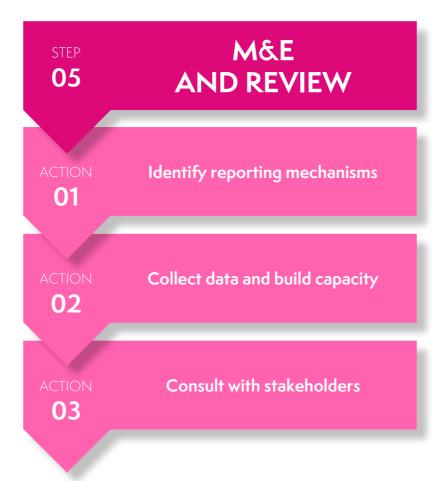




# 05. MONITORING, EVALUATION AND REVIEW







## MONITORING, EVALUATION AND REVIEW

Monitoring and evaluation have been widely recognized as essential to effective programme implementation. The GCM encourages States to conduct regular and inclusive reviews of GCM implementation progress at the national level. Because data is essential to monitoring and evaluation efforts, this step focuses heavily on data-related processes, including data collection, data disaggregation and building migration data capacity. In addition, **Step 5** covers the establishment of reporting mechanisms and the organization of stakeholder consultations required to effectively monitor GCM implementation. Actions in this step build upon data mapping and other efforts undertaken in **Step 3**: **Design**.

While this step primarily focuses on what States can do internally to measure GCM-related progress, **Step 6: Reporting** will cover international and regional evaluations of the GCM as outlined in the Compact (GCM, paras. 49-50).

#### **USING THIS MATERIAL**

The monitoring, evaluation and review step includes the following actions: Identify reporting mechanisms, collect data and build capacity, and consult with stakeholders. Before beginning, reflect on the following guiding questions and the focus of your approach. Review the actions and tools provided and note those of particular interest. Use the checklist included at the end of this step to help guide your work.



#### GUIDING QUESTIONS

- 1. In your country, what are the bodies and actors (governmental or non-governmental) that collect and process migration data?
- 2. Given your country's migration context and existing resources and capacities, what reporting mechanisms should be established to evaluate GCM implementation?
- 3. How can reporting mechanisms be designed to be adaptable in moments of societal upheaval, such as during a global pandemic?
- 4. Recall the data mapping from Step 3. What are the main migration-related data gaps in your country context and what are some of the ways that they can be filled?
- 5. What are the migration data gaps that have become more apparent in light of COVID-19?



- 6. What are some of the ways your government can effectively improve its migration data capacity?
- 7. Other than collecting quantitative and qualitative data, what are other possible formal and informal ways that your government can evaluate progress on GCM implementation?
- 8. How, and how often, will your government use the data collected to review, refine and adapt its GCM implementation plans and actions?
- 9. What is the impact of the GCM implementation efforts on the human rights of impacted persons?

### **ACTION 1**

## IDENTIFY REPORTING MECHANISMS

As GCM implementation is a State-owned process, the responsibility for having a strong evaluation and review framework lies with national governments. Evaluations and reviews at the national level can feed into regional reviews and the International Migration Review Forum, which is further discussed in **Step 6**. Quality reporting mechanisms at both the national and local level are key to developing a strong GCM evaluation and review framework. As no common indicators for GCM implementation exist at the moment, it is up to States to establish these reporting mechanisms.

When establishing reporting mechanisms at the national and local level, consider completing the following:

- 1. Integrate reporting mechanisms into relevant reporting platforms that already exist, for example:
  - monitoring and evaluation frameworks tied to the SDGs;
  - other sectoral or development policies or plans; and
  - national and international mechanisms for follow-up and reporting on human rights.
- 2. For the national reporting mechanism, aim to have reporting indicators published by a relevant and competent body, such as the national statistical office (NSO), the national human rights institution (NHRI), the migration ministry or the body implementing the GCM.

- **3.** For the local reporting mechanism, have indicators published using a relevant platform either a locally owned platform, such as the website of the relevant local administration, or through a platform managed by the NSO.
- 4. Refer to stakeholders as a rich source of data for reporting.
- **5. Consider the linguistic accessibility of indicators,** publishing them in the national language(s) and English, or in other languages widely used by migrants within your country.
- **6. Ensure vertical coherence between indicator reporting** at the global, national and local levels.
  - Where local and national indicators are the same and use the same methodology, feed local indicators directly into national reporting and aggregate up to national indicators.
  - Where national indicators are the same as regional or global indicators and they share the same methodology, feed national indicators into appropriate systems and aggregate directly.
- **7.** Ensure that reporting systematically feeds back into GCM implementation and that plans and activities are reviewed, adapted and adjusted based on reporting outcomes.

### 8. Ensure that all reporting mechanisms embrace transparency, timeliness and accessibility:

### **Transparency**

Platforms outline relevant metadata, methodology and data sources

### **Timeliness**

Indicators published on a continuous basis or at agreed regular intervals (will depend on government capacity and periodicity of measurement)

### Accessibility

Public can access the indicators, such as a through a simple spreadsheet available for download

#### **ACTION 2**

## COLLECT DATA AND BUILD CAPACITY

- **1. Take stock of available sources of migration data.** For example, see the following migration data sources:
  - Population and housing censuses
  - Household surveys
  - The UN Global Migration Database (www.un.org/development/desa/pd/data/global-migration-database)
  - Administrative records and data tools, such as:
  - Numbers of migrants in immigration detention, deaths at borders, return figures
    - > Population registers
    - > Work and residence permit databases
    - Migration variables collected from asylum applications and border points
  - Regional statistical bodies, for example Eurostat (https://ec.europa.eu/eurostat)
  - > IOM's Global Migration Data Portal (www.migrationdataportal.org)
  - > Events-based data on human rights violations and abuses, available at the OHCHR Universal Human Rights Index (https://uhri.ohchr.org)

- Reports of the Special Procedures of the Human Rights Council, available at www.ohchr.org/EN/HRBodies/HRC/ Pages/SpecialProcedures.aspx
- **)** Labour force surveys and censuses
- Reporting, data and research collected by civil society actors
- Migration Network Hub (https://migrationnetwork.un.org/hub)
- **2.** Identify which actor will lead data collection at the local and national level, whether this is the NSO, the migration ministry or the body responsible for GCM implementation.
- **3. Establish modes of interaction between stakeholders and partners,** in particular how local stakeholders and implementing partners should engage with the actor responsible for data collection at the national level.
- 4. Adapt existing data systems and processes to ensure appropriate data collection.
  - Data compilation and dissemination: Relevant data is often collected by different stakeholders, but not collated by one agency. In this case, States could set up a data-sharing mechanism between the stakeholders so that one actor can compile and disseminate the data, in accordance with data protection principles. Refer to Tool 5 for more information about data protection principles.
  - Responding to emergencies: Data collection gaps may become more apparent and dire in times of rapid and significant upheaval and data systems must be able to adapt to respond to these data needs.



During the COVID-19 pandemic,

the fact that national and local authorities often did not have a precise picture of the number and distribution of migrants in their jurisdictions became even more apparent. This factor not only hindered migrants' inclusion in public health efforts but also made it harder to gather precise information about affected individuals and to monitor and trace the course of the outbreak.<sup>29</sup>

- **5. Ensure data protection at every stage.** Government actors must respect data protection principles at every stage of migration-related data collection, processing and disaggregation. Refer to Tool 5 introduced in **Step 3: Design**.
- 6. Refine or modify indicator methodologies as appropriate, regularly and based on continual feedback on the impact and effectiveness of operational GCM interventions, such as by adding indicators or adjusting the timing of data collection. GCM implementation monitoring should not end at indicator reporting. It is important to continuously evaluate GCM-related interventions using a combination of formal and informal methods. Informal evaluations can rely on nothing more than experience-based knowledge, for example, the insights gleaned from several implementing partners getting together and informally sharing their findings.

#### **DATA DISAGGREGATION**

Disaggregated data allows government actors to see beyond statistical averages in development data, helping them better understand, for example, migrants' socioeconomic, health, education and employment outcomes. Furthermore,

29. Guadagno, L., "Migrants and the COVID-19 pandemic: An initial analysis" (2020).

disaggregated data sheds light on the needs of specific migrants, such as those of trafficking victims, to which GCM interventions can aim to respond. The importance of disaggregated data is captured in GCM Objective 1, which calls on States to "collect and utilize accurate and disaggregated data as a basis for evidence-based policies."

### Leave No Migrant Behind: The 2030 Agenda and Data Disaggregation

IOM's Leave No Migrant Behind: The 2030 Agenda and data disaggregation is a capacity building guide to help practitioners disaggregate data related to the Sustainable Development Goals (SDGs) by migratory status, address the needs of migrants, and highlight their contributions to sustainable development. To leave no one behind, States must consider migrants across efforts to achieve the SDGs and capture migrants' critical contributions to sustainable development as called for by SDG Target 17.18.

GCM implementation should support SDG achievement whenever possible, so aligning these two processes is not only essential, but also highly pragmatic. The guide's user-centric support on disaggregation of SDG indicators by migratory status, aimed at practitioners across governments, international organizations or other actors who work with migration and/or SDG data at any stage of experience or knowledge can serve as foundational reading for GCM implementation and reporting efforts. The guide is available at https://publications.iom.int.

The following steps can be taken when disaggregating data:

- 1. Include the following variables in administrative registries and census-based data collection:
  - Country of birth, including for foreign-born and native-born population
  - Country of citizenship, including for citizens, non-citizens and stateless persons
- 2. If possible, also include the variables listed on page 178 in administrative registries and census-based data collection.
- **3.** Use existing census microdata to the greatest extent possible. For example, data from the Integrated Public Use Microdata Series (IPUMS) can disaggregate many global indicators by country-of-birth status for different countries.

#### STRENGTHENING MIGRATION DATA CAPACITY

Through implementing the GCM, governments will see their capacities improve across several migration topics, such as through close cooperation with data experts and robust coordination with institutions and stakeholders across different policy sectors. To maximize this improvement, governments should actively work to improve the quality of their migration data, as well as consider ways in which migration data can be strengthened in the long term. Tools 10 and 11 outline different migration data capacity-building activities to be considered and pursued by government actors.

## IF POSSIBLE, INCLUDE THE FOLLOWING VARIABLES IN ADMINISTRATIVE REGISTRIES AND CENSUS-BASED DATA COLLECTION

Reason for migration	Age	
Country of birth of individual and of parents (to determine first- and second-generation migrants)	Sex	
Refugee or asylum seeker status	Gender identity	
Regular or irregular migration status	Occupation	
Duration of stay in the country	Employment status	



### Improving the quality of migration data

### Leverage existing data tools

Ensure that all available sources of migration data are used and that existing data collection tools collect as much meaningful migration data as possible.

### Optimize data processes

Migration data is often scattered between government agencies, making it difficult to gain an accurate overview of the situation and trends. In accordance with data protection principles, governments should enact data integration methods to share data from different sources.

## Consult data collected by other actors

Governments should consult data collected by other actors, such as academia, civil society or international organizations, to strengthen the data capacity on a variety of migration topics.

## Integrate migration into local and national planning

Integrating migration into local and national development planning can help improve migration data. Such action would render migration data collection more of a political priority and would help mobilize resources for migration data capacity-building.

## Tap into non-traditional data sources

Innovative sources such as big data can greatly increase understanding of migration phenomena. For example, while it is generally difficult to find accurate data on migration flows in emergencies and post-disaster situations, call records from mobile phone networks can be used to track population movements.

## Migration data capacity building activities

Create local, national or regional data action plans that set out priorities and strategies to improve the availability and quality of migration data. Where relevant, these plans should be fully integrated with local or national action plans for statistics.

Work towards creating legal and institutional frameworks for statistics that proactively support the development of best practice legislation, standards, policies and procedures for migration data based on international recommendations.<sup>30</sup>

Strengthen cooperation and coordination between national statistical offices, ministries, national human rights institutions and other organizations that produce migration data to harmonize migration data concepts based on international recommendations and improve data sharing and integration mechanisms.

**Expand migration data collection in areas that are lacking** and help advance the creation of concepts, methodologies and data quality assurance frameworks in these areas.

Organize workshops or consultations with government representatives and other practitioners to build capacity and share best practices on migration data. These workshops can be thematically based (for example, irregular migration or human trafficking) or focus on specific policy sectors.

30. As per "Guidelines concerning statistics of international labour migration" (ILO, 2018) available at www.ilo.org and "Recommendations on statistics of international migration" (UNDESA, 1998) available at https://unstats.un.org.

**Leverage innovative sources** for increased understanding of migration. For example, tools such as U-Report (https://ureport.in) facilitate feedback in real time directly from migrant children and youth.

Develop and strengthen multi-stakeholder partnerships across government, academia, civil society, private sector and others involved in the production and use of migration data, at the local, national, regional and international levels. This should also include collaboration with key migration partner countries to facilitate exchanges on migration statistics in areas such as recruitment and migrant labour rights. For example, in March 2020, UNICEF, IOM, UNHCR and OECD launched the International Data Alliance for Children on the Move.<sup>31</sup>

Create or contribute to open data or data sharing initiatives aimed at lowering information costs, making migration data available to a range of different stakeholders and developing the evidence base for migration policymaking and programming.

Mobilize resources for migration data capacity-building. This could mean seeking resources as part of development assistance available for statistics, as well as under any financing available through migration-specific development assistance.

**Engage with relevant international agencies** to improve migration data capacity through specific tools, such as with the IOM on developing and updating Migration Profiles.

<sup>31.</sup> UNICEF, "Lack of quality data compounds risks facing millions of refugee and migrant children" (New York, 2020).

Consult best practice examples of migration data capacity-building on the global knowledge platform created by the GCM.

Consult guidance on migration data capacity-building and best practice examples available on IOM's Global Migration Data Portal (www.migrationdataportal.org). This portal provides information on international data sources for migration and standardized international-level migration indicators.

Participate in regional and international dialogues on migration data. Growing international interest in and attention to improving migration data presents an important opportunity for governments to share experiences with others and improve their own migration data practices. Governments should take part in relevant forums such as the International Forum on Migration Statistics jointly organized by the IOM, UN DESA and the OECD, as well as follow the developments of the UN Network on Migration.

Participate in regional and international dialogues on development data. There is a strong call in the international community to start a development data revolution. Governments should join this effort to build momentum for improved migration data.

#### **ACTION 3**

#### **CONSULT WITH STAKEHOLDERS**

A critical component of the evaluation and review process is organizing open and inclusive consultations with a wide range of governmental and non-governmental stakeholders. Feedback collected during these consultations is essential and should encourage proactive course correction in GCM implementation. The following principles can be considered in organizing these consultations.

#### PRINCIPLES FOR ORGANIZING CONSULTATIONS

- Consultations with migrants and migrant organizations should be prioritized and their voices should be amplified, in particular those who are at risk of being left behind such as undocumented migrants, women and children.
- Non-governmental stakeholders, including migrants, migrant groups and other civil society organizations, can offer vital insights on:
  - Which interventions work and do not work;
  - How interventions can be improved; and
  - Any human impacts of different interventions.
- Gathering honest inputs from stakeholders can only strengthen GCM implementation.



- Establish transparent, timely and accessible reporting mechanisms at the national and local levels, integrating them into relevant reporting platforms that already exist.
- ▼ Take stock of available sources of migration data.
- Identify which actor will lead data collection at the national level.
- Establish how local stakeholders and implementing partners should engage with the actor responsible for data collection at the national level.
- Adapt existing data systems and processes to ensure appropriate data collection.
- Refine or modify indicator methodologies as appropriate.
- Take necessary steps to disaggregate data by variables such as nationality, migration status, age, sex, gender identity.

- Identify and pursue needed migration data capacity-building activities.
- Ensure that the right to privacy and data protection are respected at every stage of collecting and using data.
- Organize open and inclusive consultations with all relevant stakeholders.

## 06. REPORTING







### REPORTING

The GCM articulates a process to review progress made at the local, national, regional and global levels in implementing the Global Compact. Accordingly, **Step 6** provides an overview of the anticipated review and reporting processes, and suggests how States can prepare for the anticipated reviews.

### **USING THIS MATERIAL**

The reporting step includes the following actions: Establish review and reporting processes and prepare for reporting. Before beginning, reflect on the following guiding questions and the focus of your approach. Review the actions and tools provided and note those of particular interest. Use the checklist included at the end of this step to help guide your work.



- 1. Considering the national review mechanisms around GCM implementation you plan on establishing or using, how regularly will your government review progress on GCM implementation?
- 2. What are the pros and cons of conducting these national reviews less or more frequently?
- 3. Has your country conducted voluntary national reviews (VNRs) in recent years? If so, what have been the challenges and lessons learned from these reviews?
- 4. How can the following human rights reports also feed into GCM national and regional reviews?
  - Recent reviews of your country by human rights treaty bodies or reports of visits by special procedures mandate holders
  - Recent universal periodic review (UPR) of your country
  - Recent reports prepared by your country's national mechanism for reporting and follow-up
- 5. How can your country's VNRs feed into the International Migration Review Forum (IMRF) and vice-versa?
- 6. How will the COVID-19 pandemic affect your country's participation in and contribution to regional reviews?



7. How will findings from national review processes feed into future planning and action on the GCM?

### **ACTION 1**

## ESTABLISH REVIEW AND REPORTING PROCESSES

The GCM establishes the International Migration Review Forum (IMRF) as the primary intergovernmental platform for Member States to share progress on GCM implementation. Acknowledging that most international migration takes place within regions, the GCM also calls for regional reviews (GCM, para. 50). The GCM encourages that these reviews be informed by national reviews and supported by practicable, ambitious national responses, including through the use of national implementation plans (GCM, para. 53). Finally, the GCM requests biennial reports from the UN Secretary-General to the General Assembly. Each of these review and reporting processes is detailed in this section.



### THE INTERNATIONAL MIGRATION REVIEW FORUM

The main reporting mechanism for the GCM is the International Migration Review Forum (IMRF), which will take place every four years beginning in 2022. The IMRF will serve as the primary intergovernmental platform to discuss and share progress on implementing all aspects of the GCM, including as it relates to the 2030 Agenda. It will allow for interaction with other relevant stakeholders to build upon accomplishments and identify opportunities for further cooperation. The modalities for the IMRF are detailed in Resolution 73/326 adopted by the General Assembly 19 July 2019 (https://undocs.org). Each edition of the IMRF will result in an intergovernmentally agreed Progress Declaration. A dedicated IMRF website (www.un.org/migration2022) maintained by the UN Network on Migration provides further details and timely updates regarding IMRF preparations and timelines.

#### NATIONAL AND REGIONAL GCM REVIEWS

Member States' participation in the IMRF, which will take place every four years beginning in May 2022, should be meaningfully informed by both national and regional reviews.

■ National reviews, also referred to as voluntary GCM reviews, conducted by governments should regularly and inclusively examine progress on GCM implementation and inform future planning and activities. National review mechanisms, described in Step 5, should be embedded in governments' formal plans for GCM implementation, whether these are separate national GCM implementation plans or otherwise, and should draw on meaningful contributions from all relevant stakeholders (GCM, para. 53).

■ Regional reviews, which will also take place every four years, began in 2020 and alternate with discussions at the global level. In line with the GCM, these regional reviews are to be carried out by relevant subregional, regional and cross-regional processes, platforms and organizations, including the UN regional economic commissions and regional consultative processes on migration. Like national reviews, these regional reviews should also embrace the participation of all relevant stakeholders (GCM, para. 50).

A dedicated webpage for regional reviews managed by the UN Network on Migration (https://migrationnetwork.un.org/regional-reviews) provides information on both the preparatory process as well as outcomes of GCM regional reviews. Inputs by Member States and stakeholders are collated under dedicated portals for each region, including all voluntary national reviews of GCM implementation submitted through the regional review process.

### BIENNIAL REVIEWS OF THE UN SECRETARY-GENERAL

The GCM also requests that the UN Secretary-General, drawing on the UN Network for Migration, report to the General Assembly on a biennial basis on the implementation of the GCM, the activities of the UN system in this regard and the functioning of the institutional arrangements (GCM, para. 46). The UN Secretary-General Reports can be accessed on the UN Network on Migration's website.

## CONGRUENCE WITH EXISTING REPORTING MECHANISMS FOR OTHER INTERNATIONAL AGREEMENTS

All GCM-related reporting processes should feed into existing mechanisms tracking progress on other international agreements (see the list that follows). Given that the GCM is firmly anchored in the 2030 Agenda, strong links should be fostered between the IMRF and VNRs, which can and should mutually support each other. The UN Network on Migration will develop dedicated guidance on this topic through the Network Workplan (https://migrationnetwork.un.org/about/united-nations-network-migration-workplan). Please check the Migration Network Hub to leverage this guidance once released.

### EXISTING REPORTING MECHANISMS FOR OTHER INTERNATIONAL AGREEMENTS

### Voluntary national reviews (VNRs)

VNRs highlight the successes, challenges and lessons around implementing the 2030 Agenda, and are presented by governments every year at the annual High-level Political Forum on Sustainable Development.

### Voluntary local reviews (VLRs)

At the local level, different municipalities are also conducting voluntary local reviews (VLRs) in an effort to consolidate local implementation of the 2030 Agenda. These VLRs feed into national and regional reviews.

### Universal Periodic Review (UPR) of the Human Rights Council

The UPR is a unique, State-driven process that involves a review of the human rights records of all UN Member States.

# Country-level reporting done by human rights treaty bodies

Human rights treaty bodies are committees of independent experts that monitor implementation of the core international human rights treaties (for example, ICERD, ICCPR, CEDAW, CRC). Each State party to a treaty has an obligation to take steps to ensure that everyone in the State can enjoy the rights set out in the treaty, and to report to the relevant treaty body regarding its progress.

A list of the core international human rights instruments and their monitoring bodies can be found at www.ohchr.org.

#### **ACTION 2**

### PREPARE FOR REPORTING

Countries may take different approaches to GCM implementation reporting at the national, regional and global levels, depending on available resources and capacities. The following process supports States in preparing for regional reviews. All States are encouraged to engage actively to share progress, exchange positive practices and identify continuing challenges.

#### PREPARATION OF GCM REVIEWS

The first round of regional reviews was held in 2020, although some were delayed until early 2021 due to the COVID-19 pandemic. Regional Reviews are organized in line with the GCM's vision and guiding principles (GCM, paras. 8-15). Regional reviews provide an important opportunity for States to discuss migration dynamics at a regional level, which may help inform efforts to implement the GCM. To inform the regional reviews, States are encouraged to prepare voluntary reviews of GCM implementation progress at the national level. Such reviews should draw on contributions from all relevant stakeholders, as well as parliaments and local authorities. A roadmap to support these reviews has been shared by the Network ("IMRF Roadmap – Annex 2" available at https://migrationnetwork.un.org).

The following guiding principles inform the process for preparing regional reviews and intergovernmental meetings.<sup>32</sup>

#### **Preparatory process**

- Stakeholders shall be meaningfully involved in supporting the preparation and organization of the reviews through appropriate methods of consultation.
- The Network, through its regional Networks and the Regional Economic Commissions, will support meaningful engagement of stakeholders in the preparation of a voluntary stocktaking of the implementation of the GCM at the national level (voluntary GCM review) to be presented during the regional review, as appropriate.
- A roadmap for Member States to review the status of implementation of the GCM at the national level has been prepared and distributed by the Network in preparation for the IMRF ("IMRF Roadmap Annex 2", available at https://migrationnetwork.un.org).
- The Network will provide an online space on the GCM Knowledge Platform dedicated to written submissions provided as part of the regional review process.
- Calls for inputs should facilitate wide participation of all relevant stakeholders by giving sufficient advance notice, disseminating a public call and making information as widely accessible as possible.

<sup>32.</sup> Adapted from: "Suggested checklist for preparing and organizing regional reviews" (UN Network on Migration, n.d.). Available at https://migrationnetwork.un.org/sites/default/files/docs/checklist .pdf.

#### The inter-governmental meeting

- An open registration process is widely disseminated at least eight weeks in advance.
- Participation should aim to ensure representation of all stakeholder categories in each region among civil society organizations and other relevant stakeholders.
- Due regard must be paid to ensure geographic balance, inclusion of marginalized groups and promotion of sectoral diversity, as well as a reflection of the whole-of-government and whole-of-society approach.
- The Network will support the meaningful participation of stakeholders in the review meetings.
- If reviews are held virtually, the Network and Regional Economic Commissions can host virtual stakeholder consultations in the weeks leading up to the regional review meeting.
- The regional review meeting and the stakeholder consultation should be webcast.
- The Network and Regional Economic Commissions will hold a stakeholder evaluation session after each regional review.

#### **Guidance provided by the Network**

The Network plays a critical role in organizing regional reviews and has developed various guidance documents to this end, including:

- **)** An indicative outline for regional processes, platforms, organizations and stakeholders
- An indicative outline for Member States
- A suggested checklist for preparing and organizing regional reviews
- A document on how to ensure meaningful engagement of civil society and relevant stakeholders for regional reviews

These guidance materials are available on the Network's website, https://migrationnetwork. un.org/regional-reviews, which will contain updated information as it is available.

#### **GCM REGIONAL REVIEW REPORTS**

Regional reviews could result in comprehensive reports that synthesize all inputs received, highlight issues and priorities of regional importance and propose roadmaps for regional action to advance GCM implementation. These reports could then serve as inputs to the IMRF.

#### Suggested structure for GCM regional review reports

- → Introduction (regional overview and background)
- → Executive Summary
- → Key Findings
- → Good Practices and Lessons Learned (selected from within the region)
- → Conclusions and Recommendations (for implementation and future regional review)
- → Annex (include organization of work and list of participants)



- Take stock of the existing mechanisms, tracking progress on other international agreements (for example, VNRs, UPR and treaty body reporting) into which GCM-related reporting processes can feed.
- Identify opportunities to leverage synergies across the various reporting mechanisms.
- Consult the Network's suggested guidance on the regional reviews. Draft inputs based on national capacity, including potentially a report.
- Collaborate, engage and partner with the Network, Regional Economic Commissions and all other relevant stakeholders to co-create, facilitate and participate in regional reviews.
- Chart out a clear path for your country's contribution to and participation in the International Migration Review Forum (IMRF), building on lessons learned and experience in developing inputs for the regional reviews.

### CASE STUDY

## Annex





### CASE STUDY

## Portugal's national GCM implementation plan

On 13 February 2020, Mr. Vasco Malta, an Advisor from the Cabinet of Portugal's Ministry of Home Affairs, gave a presentation about Portugal's national GCM implementation plan to members of Working Group 2.2 of the UN Network on Migration. This case study has been prepared based on Mr. Malta's presentation, as well as on Portugal's National Implementation Plan of the Global Compact for Migration, which is available at https://portaldiplomatico.mne.gov.pt/en.

### Portugal and the GCM

This case study provides a glimpse into Portugal's national GCM implementation plan ("the Plan"). It should be noted that Portugal's implementation process does not follow exactly the six-step process outlined in this guide, and this is expected given the intended flexibility of the six-step process and that GCM implementation will look different across governments and societies.

### **Background on migration in Portugal**

As of 2019 Portugal had, for the first time in its history, over half a million migrants living in in the country, 67 per cent of whom were from non-EU countries. Migrants in Portugal – considered an "ageing" country – make important contributions, not the least of which are related to providing much-needed labour.

### Portugal's existing policy framework on migration

Before Portugal adopted the GCM, migration had already been recognized as a prominent issue in its policy landscape. In particular, Portugal had already adopted its:

- Strategic Plan for Migration (2015-2020) (Plano Estratégico para as Migrações);
- Fourth Action Plan for the Prevention and Fight against Human Trafficking (2018-2021) (IV Plano de Ação para a Prevenção e o Combate ao Tráfico de Seres Humanos); and
- Integrated Border Management Strategy (2017) (Estratégia de Gestão Integrada de Fronteiras).

Furthermore, migration is positioned as a cross-cutting issue within Portugal's government. The country's high-level migration officials are part of the Ministry of the Presidency and Administrative Modernization, which means that migration is not tied to a specific ministry.

### OVERVIEW OF THE IMPLEMENTATION PLAN

- The Plan was approved through Resolution 141/2019 on 20 August 2019 by Portugal's Council of Ministers, the chief policy-making body of the government.
- The Plan is structured around five fundamental axes:
  - 1) Promotion of safe, orderly and regular migration
  - 2) Improvement of migration flow organization and integrated border management processes
  - 3) Promotion and qualification of immigrant reception and integration mechanisms
  - 4) Supporting the connection of migrants to their country of origin and their return projects
  - 5) Increasing development partnerships with countries of origin and transit, addressing the root causes of irregular migration
- It has 23 common objectives, identical to the GCM objectives, and 97 implementation measures split between the 23 objectives.

### How did the plan come into existence?

- The Plan consists of roughly half existing policy and half new policy.
- During the elaboration of the Plan, the government-held consultations with civil society, local authorities and relevant stakeholders. These consultations were facilitated by the Council of Migration, a body founded in 2014 that includes governmental and non-governmental actors and which by law is required to be part of decisions on migration policymaking.
- By law, migration-related policymaking must involve the participation of civil society, local authorities and other relevant stakeholders. This is assured through the Council of Migration, which includes both governmental and non-governmental actors. Portugal's Council of Migration was established in 2014 and is Portugal's consultative body on migration issues, including integration. The council engages in the Council of Ministers' decision-making process, therefore ensuring cooperation between both governmental and non-governmental actors in the elaboration and implementation of migration-related policy. The council includes government actors, the country's association of municipalities, representatives of migrant communities, civil society organizations working on migration and two citizens.

### Who is paying for the Plan?

- During the drafting process, all areas of government had to present budgets to provide an idea of how much the various implementation measures would cost.
- All ministers had to sign off on the Plan, including the Minister of Finance.
- Now that the Plan has been approved, all ministers are jointly responsible for ensuring that the Plan is both financed and implemented.

### Who will implement the Plan?

- The plan takes a robustly cross-sectoral approach, naming 14 different ministries that will be involved in implementing the Plan.
- For each of the 97 implementing measures, the Plan names one responsible ministry and several ministries that will be involved in implementing the measure.

### Ministries responsible for implementing Portugal's National Implementation Plan:

- Ministry of the Presidency and Administrative Modernization (MPMA)
- Ministry of Labour, Solidarity and Social Security (MTSSS)
- Ministry of the Culture (MC)
- Ministry of the Sea (MM)
- Ministry of Home Affairs (MAI)

- Ministry of the Economy (MAEC)
- Ministry of Justice (MJ)
- Ministry of Health (MS)
- Ministry of Education (MEDU)
- Ministry of Infrastructure and Housing (MIH)
- Ministry of Foreign Affairs (MNE)
- Ministry of Finance (MF)
- Ministry of Science, Technology and Higher Education (MCTES)
- Ministry of Planning (MP)

### Who will evaluate implementation progress?

When formally approving the plan on 20 August 2019, Portugal's Council of Ministers also created an inter-ministerial committee to oversee the implementation of the Plan. This committee will meet quarterly to assess implementation progress.

### CONNECTIONS TO THE PRINCIPLES OF THE GCM

The Plan and its surrounded processes demonstrate:

- Horizontal coherence, through meaningful involvement, engagement and shared responsibility with all relevant ministries
- A whole-of-government approach, through:
  - Securing the Council of Ministers' legal approval of and political commitment to the Plan
  - Recognizing municipalities as important stakeholders who will be among the local deliverers of the Plan
  - Engaging a process for financing and budgeting for the Plan with the Ministry of Finance
- Vertical coherence, through engaging the Council of Migration and its members including migrant associations, municipalities, civil society and other stakeholders in the elaboration and eventual implementation of the Plan
- A 360-degree vision of migration, through addressing all relevant dimensions of migration and by identifying implementation measures for all GCM objectives.

### Snapshot

### Implementing measures for GCM Objective 2

NOTE: Adapted from Portugal's National Implementation Plan of the Global Compact for Migration.

#	Implementation measure
6	To adopt, in a transversal manner, measures that promote Sustainable Development within the framework of the 2030 Agenda, namely through Strategic Cooperation Programs (PECs), Financing Lines for projects by Non-Governmental Development Organizations (NGDOs), South-South Cooperation Agreements, Triangular Cooperation Agreements, the Lusophone Compact and Financial Instruments (SOFID), among others.
7	To participate in both the implementation of the new Africa-Europe Alliance for Sustainable Investment and Jobs and its implementation policies, namely within the scope of the EU Multiannual Financial Framework, 2021-2027.
8	To continue Portugal's participation in the Euro-African dialogues on migration, namely in the Rabat Process and in the La Valetta Process, monitoring ongoing projects funded by the EU Emergency Trust Fund for Africa and encouraging applications for new funding.

### $\begin{tabular}{ll} OBJECTIVE~2\\ \end{tabular}$ Minimize the adverse drivers and structural factors that compel people to leave their country of origin

	Ministry responsible	Ministries involved	Deadline
Ministry of Foreign Affairs		Ministry of Foreign Affairs	
	Ministry of Finance		
		Ministry of the Economy	
		Ministry of Labour, Solidarity and Social Security	Continuous
		Ministry of Science, Technology and Higher Education	
		Ministry of Planning	
	Ministry of Foreign Affairs	Ministry of Home Affairs Ministry of Labour, Solidarity and Social Security	Continuous
		Ministry of the Economy Ministry of Planning	
	Ministry of Foreign Affairs	Ministry of Home Affairs	Continuous