WHY develop migration policy frameworks?

Public policy is about what governments do, why and with what consequences (A. Fenna)

MIEUX as a catalyst for migration policy-making

The Joint EU-ICMPD MIgration EU eXpertise (MIEUX) Initiative has provided expertise to various governments all over the world to craft migration-related policy frameworks, in the form of strategies, plans or policy documents. The lessons learnt are summarised in a series of four thematic Factsheets explaining the 'why', 'how', 'who' and 'what' of migration policy-making.

Over the past decades, an increasing number of countries all over the world have adopted, many of them for the first time, holistic or thematic migration policies/strategies, including as part of their national development plans. The proliferation of migration-related policy documents can be explained by various factors, including political decisions, institutional agendas, the ambitions of political leaders, international or regional commitments, or donor requirements.

Advocating for migration policies

Encouragement and recommendations to design migration policies, as part of a State's national public policies, have been constantly voiced over the years. 2003 marked an important milestone in the international migration debate with the establishment of the Global Commission on International Migration, the first-ever global panel addressing international migration, launched by the United Nations (UN) Secretary-General Kofi Annan.

In its final report *"Migration in an interconnected world: New directions for action"* (2005), the Commission concluded that "if States are to address the issue of international migration in a coherent manner, they must have agreed national objectives for their migration policies…".

The report gave new impetus to the UN to address migration in a more structured way, which included creating the *High Level Dialogue on International Migration and Development* (2006). This dialogue fed into the *2030 Agenda for Sustainable Development* (2015) that calls on governments to "facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies" (Goal 10.7), and the *New York Declaration for Refugees and Migrants* in 2016 that encourages governments to review migration policies with a view to examining their unintended negative consequences.

The culmination of these actions materialised in *the Global Compact for Safe, Orderly and Regular Migration* (2018) promoting evidence-based policies that "unlock the potential of sustainable development for all".

Migration policy development is an essential part of ICMPD, not just by name, but its very purpose is to promote innovative, comprehensive and sustainable migration policies supported by three pillars: policy and research, migration dialogues and capacity building. The organisation is therefore in a unique position to bring added value to the policy debate by drawing on its experiences as an intergovernmental migration organisation with one foot in scientific research and the other in the world of government policies and international relations.

What is a 'public policy'?

Since the '50s, academia explored a multitude of simple and complex definitions of 'public policy'. Some of the most oft-cited points to the main characteristics of the concept:

deliberate decision: "anything a government chooses to do or not to do." (Thomas Dye)

process: "a set of interrelated decisions taken by a political actor or a group of actors concerning the selection of goals and the means of achieving them within a specified situation where those situations shown in public policy to be within the power of those actors to achieve." (William Jenkins)

intention and actors: "a purposive course of action followed by an actor or set of actors in dealing with a problem or matter of concern for the population. Public policies are those developed by governmental bodies and officials." (James E. Anderson)

What is a 'migration policy' or a 'migration strategy' in the context of MIEUX?

When asked what 'migration policy' means, MIEUX's partners share different views. For some, it is a law, a political decision, a ministerial statement or a funding envelope, while others interpret it as a strategic governmental document, a national plan or an instrument of governance.

This is not surprising given that a common definition of 'migration policy' or 'migration strategy' is absent despite the fact that the expressions are widely used. The answer also hinges on the historical, political and legal developments, and how the public administration of each country is structured. The political systems inspired from the Anglo-Saxon model are prone to deploy the term 'policy' whereas those having affinities with the Latin model are more inclined to label it a 'strategy'.

A recent definition describes migration policies as: "… a government's statements of what it intends to do or not do (including laws, regulations, decisions or orders) in regards to the selection, admission, settlement and deportation of foreign citizens…" (Bjerre et al ., 2015).

Considering the political, institutional, historical and social circumstances present in every country, in the context of MIEUX's interventions that require formulating strategic governmental documents on migration ('policy','strategy' and 'plan') – a generic and balanced approach is applied, leaving any taxonomy debate aside.

'Migration policy framework' is a neutral definition for MIEUX that embeds interchangeably the concepts mentioned above, and manifested as a governmental official document endorsed by Cabinets. It refers to both holistic and thematic frameworks that govern in-, out- and internal migration by factoring in diverse and specific topics and areas of interest and concern to governments, and by setting long-term strategic objectives, perspectives and vision in the field of migration.

Migration policy framework – evolution

In 1995, following the *Cairo Programme of Action* (1994), the UN's Population Division of the Department for Economic and Social Information and Policy Analysis developed a list of 'international migration policy' categories that cover, *inter alia*, immigration policies on permanent settlement, on admission of migrant workers, on emigration, on encouraging the return of nationals, on favouring the integration of non-nationals, and on refugees.

This classification found its place in governments' choices – they either craft comprehensive migration policy frameworks that address multiple issues of migration under one coherent approach or opt for sectoral documents that target a specific theme.

A good example of holistic regional frameworks is the *ECOWAS Common Approach on Migration* (2008) that identifies actions promoting free movement, legal migration, irregular migration, rights of migrants, asylum seekers and refugees, and gender dimension.

At national level, MIEUX has supported, for instance, the Democratic Republic of Congo (DRC), Kyrgyzstan, Malawi and Sierra Leone, and to develop far-reaching policy documents that tackle aspects revolving around irregular migration, human trafficking, legal migration, integration, children left behind, development, etc.

In certain cases, the endorsement of national comprehensive frameworks is followed by the formulation of thematic documents or, in their absence, in-line ministries proceed with the development of sectoral strategies as a response to the need to bring about changes in a given area. For instance, MIEUX has assisted in developing diaspora engagement strategies on migration and development policies.

Other thematic policy frameworks conceived under MIEUX are focusing on border management, integration, anti-trafficking or immigration (see next page for a specific table).

MIEUX's support in policy-making

Burundi	Border Management Strategy
	Diaspora Engagement Strategy
Cabo Verde	National Immigration Strategy
	Municipal Plans on Immigration and Integration
Costa Rica	National Integration Plan
Côte d'Ivoire	Migration and Development
	Strategy against Trafficking in Human Beings
DRC	Diaspora Engagement
Ghana	Diaspora Engagement
Kyrgyzstan	Migration Strategy
Madagascar	Diaspora Engagement
Malawi	Migration Policy
	Diaspora Engagement
Mauritius	Migration and Development
Niger	Strategy to Fight Irregular Migration
Panama	Border Management
Senegal	Strategy on Border Management
Sierra Leone	Migration Policy
Togo	Migration and Development Strategy

10 reasons why a migration policy framework should be developed

The starting point: the 3 Is framework

One of the points of departure to better understand why governments embark upon the process of designing a policy framework can be the outcome of the competition between institutions, interests and ideas ('3 Is').

The 3 Is conceptual framework analyses institutions, interests and ideas, and their inter-play during the policy cycle. It underpins the understanding of what should be done, what are the success factors, what are the priorities and interests of different actors, their level of ambition, commitment and expectations, as well as the dynamic and interaction among multiple stakeholders and their interests.

It transpires that the policy development process is non-linear – governments put it in place not only to draft a policy document (output), but also to achieve other purposes and institutional processes (far-reaching outcomes). As such, the process involves multiple stakeholders (institutions and interests) and multiple purposes (ideas).

Blending this theoretical approach with MIEUX's lessons learnt over a decade, 10 practical considerations in relation to 'WHY' governments choose to design migration policies can be established.

1/ To manage the volume, composition, origin, direction and structure of migration flows: as a response to economic growth, social and human development, demographic shifts, security concerns or other national prerogatives, priorities, needs and ambitions (deriving, for example, from the national developed plans and the Sustainable Development Goals).

2/ To develop a consolidated policy document: that clarifies a government's vision and objectives, defines the course of actions, and guides and determines directions and policy options through whole-of-government and -society approaches.

In 2010, **Cabo Verde** launched the drafting of its Immigration Strategy to regulate migration in a manner which would contribute to the country's socio-economic development.

Kyrgyzstan's motivation to develop its policy was rooted in the need to manage migration for sustainable development and to ensure security.

Togo's determination to harness migration's potential for development led to the establishment, in 2016, of the National Migration and Development Strategy.

In 2018, **Costa Rica** approved its National Plan on Integration, the first of this nature in Latin America, in view of "guaranteeing the integration and social inclusion of migrants and refugees, promoting equal opportunities, equity and respect for human rights".

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3/ To contextualise the intervening factors impacting on and being impacted by migration: in order to help understand migration, its dynamics and complexities, and determine what should be shaped. In a nutshell, policy-makers take up various relevant perspectives in the policy arena after analysing and understanding the environment. Contextualisation is about 'system thinking' that acknowledges that migration is complex and this complexity should be at least partially grasped before deciding upon which interventions, messages, strategies or approaches are needed to achieve change.

4/ To determine who and what are to be influenced: resonates with the need to be clear about what should be impacted and changed through a large menu of policy options. As such, the policy document acts like a mirror surfacing the needs of the country by bringing together the gaps to be tackled, the goals to be achieved and the impact to be made, as well as the aspirations and needs of those who will affected by policies (e.g. migrants and diaspora).

5/ To establish principles guiding the way migration is governed: a snapshot of overriding principles, that governments have already established, would include: partnership, human rights protection, non-discrimination, participation, coordination and cooperation, transparency and accountability, and policy coherence. These principles, stemming from international or national legislation, or the foundations of public administration systems, reinforce governments' commitments in demonstrating that they manage public affairs in line with explicit standards and norms.

6/ To clarify who is who and consolidate institutional landscapes: determines the success of policy, and the ownership and leadership of the entire process. Therefore, a policy document is expected to establish the 'rules of the game' that frame and impact policy-making and its outcomes, as well as defining the roles of various actors in addressing migration.

7/ To reinforce efforts and capacities to collect and analyse migration data: is a necessity, a means and a goal in the process of policy-making. It is often the case that data produced by countries is neither reliable, nor up-to-date nor harmonised. A cost-effective approach is therefore to tap into the potential of inter-agency structures, established to develop a policy document, that could identify data gaps, and agree on data sharing and analysis for various purposes serving the process.

8/ To attempt to reconcile interests, and manage expectations and preferences: as they determine the quality of cooperation, coordination, collaboration and networks. The numerous actors involved in migration have different and divergent interests which should be addressed in order to inform collective decision making. The interests of actors are shaped through 'ideas' that entail knowledge, priorities and evidence that lead to the shifting of values and paradigms.

9/ To promote and foster institutional and policy coherence: through governance structures, for example inter-agency coordination committees or groups, which has gained traction over the past few years. The 'whole-of-government or -system' approach, that is often a cause and an effect of the policy-making process, spearheads the creation of 'collation of the willing', collaboration, trust and network building that could ultimately impact on how mutual objectives and coherence among migration and other public policies are pursued. In turn, coherence is essential for greater cooperation in and agreement on shared objectives.

10/ To engage and aim at inclusiveness: deriving from the mere fact that policy formulation is not a linear process. On the contrary, it is complex and involves numerous constituents, actors and target groups.The 'whole-of-society' approach means that an inclusive process and participation of a wide range of actors, including governmental, non-governmental, local authorities, migrants' groups, academia, the private sector, social partners and international organisations, should be foreseen. Their involvement from the onset offers increased legitimacy and transparency to the process, different perspectives, ensures smooth implementation and rationalises the use of resources.

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