

HOW to develop migration policy frameworks

“A policy cycle brings a system and a rhythm to a world that might otherwise appear chaotic and unordered”.ⁱ

(C. Althaus, P. Bridgma, G. Davis)

MIEUX as a catalyst for migration policy-making

Since its inception, the joint EU-ICMPD Migration EU eXpertise (MIEUX) Initiative has provided expertise to numerous governments all over the world to develop migration-related policy frameworks. The lessons learnt of ten years of experiences are summarised in a series of four thematic Factsheets explaining the ‘why’, ‘how’, ‘who’ and ‘what’ of migration policy-making.

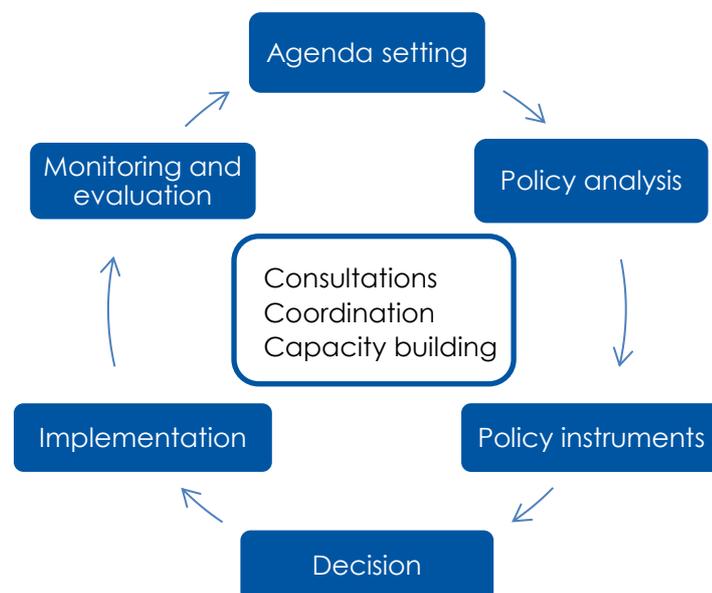
‘Public policy cycle’ as a method to design migration policy frameworks

Defined as a methodology with a sequence of stages that helps to organise and structure the non-linear process of developing a public policy, MIEUX has applied and adapted this method as a replicable practice for several Actions seeking to produce migration policy frameworks. Its main advantages include:

- Creating processes that generate ideas, solutions and resources;
- Forming institutional routines in developing policies and instruments through inclusive approaches;
- Allowing a detailed look at various aspects and issues of public affairs by enabling a pooling of the knowledge and data available, thus making sense of policies;
- Permitting a structured approach which can gradually incorporate new institutions, interests and ideasⁱⁱ throughout the cycle.

What are the stages?

Specialised literature discusses slightly different stages of the cycle, with MIEUX opting for and supporting the following phases, contingent upon the nature of the Action:



1. Agenda setting This stage begins with the analysis of political, external or internal factors and drivers that trigger and influence policy-making. Subsequently, a certain topic is acknowledged as a public issue or problem requiring intervention and is thus included in the governmental agenda.

For example, the need to hire foreign manpower to sustain some economic sectors of the economy, among other reasons, prompted the Government of Mauritius in 2017 to design its first Migration and Development Policy.

Migration agendas are set by analysing as holistically as possible the synergies and mutual effects between migration and other public policies.ⁱⁱⁱ

2. Policy analysis A multi-stage process designed to:

A. Define the issues and formulate the problems to be addressed There is no single approach given the complexity of migration and the inter-play between migration policy and other sectoral policies.

In recent decades, the concept of evidence-based policy-making has received increased attention. Defined as an approach that *"helps people make well-informed decisions about policies, programmes and projects by putting the best available evidence from research at the heart of policy development and implementation"*^{iv}, the aim behind the approach is to encourage public policies to be based on data, systematic research and sound knowledge about the issue(s).

Under MIEUX, a set of specific methods have been deployed and made available to partner countries, such as the:

- Situational analysis or SWOT analysis which offer a multi-dimensional understanding of the migration situation;
- Analysis of the development plans of the country (linked to the Sustainable Development Goals) and the existing multi-sectoral policies, and institutional and legal frameworks with a view to identifying the gaps and needs (e.g. fact-finding mission reports carried out by MIEUX experts);
- Analysis of other public sectors that can impact or be affected by migration; or
- Comprehensive stakeholder mapping. These methods aim to collect evidence and they involve data collection and analysis, research, and receiving direct feedback from targeted groups (e.g. emigrants, immigrants, diaspora, etc.).

In Cabo Verde, this exercise, carried out with a view to developing the National Immigration Strategy, involved the analysis of data from the Statistical Department, various administrative data sources, the findings of a comprehensive report commissioned by the government from an independent expert, the fact-finding mission report of the MIEUX mission, as well as interviews with immigrants' associations.

MIEUX's experience indicates that the realisation of this step may face practical challenges generated by feeble institutional ownership, coordination and understanding.

B. Formulate the policy's vision, strategic objectives and specific goals that shall be defined over a long period of time. Experience shows that governments usually opt for a duration of five years to align a policy with the validity and objectives of a national development strategy and plan. This step is often accompanied by the process of shaping the underlying principles that will guide the policy's implementation (e.g. protection of migrants' human rights, respect of national legislation, participation, coordination, etc.).

C. Define the priorities, solutions and policy options underpinning the achievement of a policy's objectives and goals. At this juncture, the policy-makers should propose concrete courses of action, based on the priorities and needs identified, and ways to address them, on the basis of resources available. Since the recommended options lay the foundations for the practical implementation of a policy, they need to be feasible, flexible and viable, and take into account various assumptions and factors which may determine future migratory trends.

3. Identification of policy instruments as targeted and realistic measures and methods to achieve a policy's objectives and provide solutions to the identified and formulated problems. Governments can devise a wide spectrum of instruments:

- *Regulatory* (e.g. legislation, decrees, licenses for private employment agencies, etc.);
- *Financial* - grants for refugee integration, specific taxes or fees, (e.g. visa, family reunification procedure);
- *Informational* (e.g. awareness-raising campaigns against trafficking in human beings, debates, community workshops); or
- *Organisational* (e.g. provision of services, facilities, development of databases).

The MIEUX know-how transferred at this stage focuses on the choices of policy instruments, e.g. modalities to establish criteria for selecting the best instruments, given the resources available and mandates of the institutions involved in policy implementation.

The Malawi Diaspora Engagement Policy offers a very rich body of instruments, among which a diaspora database, mapping, networks and communication platforms.

4. Decision taking or adoption of a policy This is the stage during which the government (Cabinet, Council of Ministers) endorses a policy document that should be accompanied by a plan of action. In Factsheet #1, examples are provided of policies such as migration strategies, national integration plans, diaspora engagement policies and border management strategies supported by MIEUX.

The Action Plan of the Strategy on Migration and Development of Togo (2016), submitted by the Ministry of Planning and Development, for example, articulates clear indicators to measure the impact of the Strategy and a detailed budget in relation to each proposed policy option/measure.

5. Implementation This is a critical stage since policies lose their meaning and relevance unless they are not properly translated into action, do not reach their expected results and do not bring about the desired changes.

A set of conditions need to be met so as to ensure an appropriate level of implementation of a migration policy framework. In order for frameworks to yield outcomes, a clear chain of accountability in terms of institutional roles and shared responsibilities should be determined and enforced. In this respect, the salient role of coordination (including of interests and ideas), communication and collaboration, as well as institutional coherence should be enabled.^v

Political will is of paramount importance and it should not only involve the right decisions at the right moment, but also allocation of sufficient resources with the aim of putting into action the policy options and instruments prescribed in the policy document. The availability and constant generation of reliable and updated data are key ingredients putting into perspective the successes and shortcomings of the operationalisation process.

Policy coherence is undoubtedly an exercise that should accompany the implementation efforts and represents one of its purposes, thus enabling policy-makers and the operational institutional level to permanently create policy added value.^{vi}

6. Monitoring and evaluation This is a key stage allowing measurement of the degree to which policy and action plan's goals have been achieved, as well as their impact and costs.

It is of the utmost importance to grasp and identify how implementation meets the objectives of a policy through monitoring and evaluation exercises that hold policy-makers and implementers accountable for the implementation outcomes, and might generate ideas for the next policy cycle.

The monitoring and evaluation stage should solidly benefit from a clearly defined indicators' framework, institutional structures fulfilling the specific tasks necessary to conduct this exercise, as well as methods and modalities to conduct them.

The Government of Mauritius tasked the National Migration Steering Committee with the monitoring of the Migration and Development Policy and its action plan, thus embedding the process within the existing national migration governance framework.

The policy cycle stages require constant, sustainable and structured coordination, communication and cooperation among and between all actors involved. Bearing in mind these essential elements of policy-making, MIEUX supports and promotes the whole-of-government (system) approach, and the creation of relevant multi-stakeholder structures that facilitate the exchange of ideas and evidence, public consultations and formulation of objectives and goals, and participates in the design, implementation, and monitoring and evaluation of policies.

Some scholars have identified 'consultation', 'communication' and 'coordination' as additional stages of the policy cycle, shadowing somehow their transversal and horizontal functions that are extremely beneficial during all their stages. Instead, MIEUX has mainstreamed these stages along the entire policy cycle, thus facilitating participation and inclusiveness all the way through.

All things considered, MIEUX's experience demonstrates that the policy cycle is not and should not be a linear process, meaning that its stages should be as flexible and inclusive as possible, adapting to the context of each institution and country, and incorporating new features as needs arise.

For MIEUX, the policy cycle is more than a sequence of stages, it also represents a '**push factor**' conducive to creating or reinforcing already existing organisational processes.

The role of consultations

MIEUX underpins and promotes the idea among partner institutions of consulting various actors, target groups of policies and stakeholders (e.g. non-governmental organisations, diaspora members, academia, research centres, migrants' representatives, etc.) throughout the policy-making process in view of ensuring an inclusive and transparent process. Consultations contribute to building consensus, obtaining the necessary support from various constituents of society, improving the quality of the process and its final deliverables, reducing the costs related to collecting data, and addressing the problems in a more consistent way.

Consultations can be undertaken in a variety of ways, including opinion surveys or questionnaires (e.g. Ghana – development of a questionnaire for the diaspora), meetings with interest groups (e.g. The Philippines – local governmental units; Madagascar and Malawi– consultations meetings with diaspora members in countries of destination), e-consultations, public hearings and listening events, focus groups (e.g. Myanmar – development of awareness-raising campaigns by organising focus groups with local labour officers), etc.

The role of inter-institutional coordination and communication

Inter-agency coordination is a prerequisite for the success of developing, implementing, monitoring and evaluating any national policy or strategy. Successful cooperation mechanisms are based on a clear distribution of tasks and responsibilities among key stakeholders. In this respect, MIEUX supports the establishment of or anchors its operations within inter-agency structures comprising multiple government and non-governmental actors with a view to fostering coherence and suitable modalities for policy development or translation into practice.^{vii}

The role of data collection and analysis

Another indispensable element underpinning the success of the policy cycle, which is required at all its

stages, is data collection and analysis. Practical evidence testifies to the fact that, in several instances, one of the purposes of establishing inter-agency structures, or of the process to formulate a migration strategy, is also to forge a mechanism conducive to data sharing. Under such circumstances, once these platforms are set up, the first step to be undertaken is to identify the data gaps and to agree on the data sharing and analysis modalities for the purposes of, for example, setting objectives, identifying solutions, and ultimately operationalising the policy.

The role of capacity building

MIEUX's policy-oriented actions incorporate a strong capacity building component consisting of thematic training sessions, seminars, workshops or study visits. MIEUX experience points to the fact that any capacity building intervention, supporting or connected to the policy cycle stages, necessitates the involvement of all agencies with competences in migration, targeting the individual, organisational and enabling environment levels. This practical approach spearheads preparation on the ground for designing the required policy output, and brings targeted policy measures or instruments to fruition.

MIEUX capacity building activities address various needs and expectations of institutions, entailing multiple purposes. For instance, they offer effective platforms for discussion, consolidation of networks, trust-building, as well as empowering institutions to take commitment and ownership of the results of the policy-making process. Activities also allow the sharing of views and opinions on how to best achieve the vision and objective of a national migration policy among the central government, local public authorities and non-governmental sectors.

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ⁱ C. Althaus, P. Bridgman and G. Davis (2017) "The Australian Policy Handbook"

ⁱⁱ The 3Is approach described in Factsheet #1.

ⁱⁱⁱ The topic of policy coherence will be addressed in Factsheet #4.

^{iv} P. Davies (2008) "Making Policy Evidence-Based"

^v Factsheets #3 and #4 (forthcoming Q4 2019)

^{vi} This will be one of the topics covered in Factsheet #4.

^{vii} (Factsheet #3 is dedicated to this topic).