

WHO should be involved in migration policy-making?

“Nothing is possible without men, but nothing lasts without institutions.” Jean Monnet

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 from ten years of experiences are summarised in a series of four thematic Factsheets explaining the ‘why’, ‘how’, ‘who’ and ‘what’ of migration policy-making.

The relationship between migration governance and policy

The migration policy-making process is an inherent part of migration governance. Throughout the past decade, the concept of ‘migration governance’ has gained prominence both in governmental and academic settings, ultimately finding manifestation in the Global Compact on Migration in 2018, which expresses the collective commitment to improving international migration governance.

As a global programme underpinning migration governance at all levels, MIEUX has witnessed a paradigm shift in the space of a decade within diverse settings. This shift applies to the evolution of concepts, of understanding and of processes involved in migration governance and policy-making.

A decade ago, the main driver for policy-making was

largely migration management-oriented, driven by the mandate of the ‘leading’ institution in the area of migration with very limited, if any, participation from diverse actors in the process.

Progressively, the concept of ‘migration governance’ took centre stage not only in academic debates, but more importantly within governmental structures tasked and mandated with formulating migration policy frameworks, in many instances, for the first time.

The process of developing migration policies² has proven instrumental in creating spaces for reflection on the most appropriate model of migration governance for each country, depending on its legal, political and administrative systems.

Data on the Sustainable Development Goal (SDG) indicator 10.7.2 – “facilitate orderly, safe, and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies” – was recently collected through the international migration module of the UN Twelfth Inquiry among Governments on Population and Development.

Based on the data available for 111 countries (as of September 2019), it transpires that, globally, 54% of governments that replied to the inquiry meet or fully meet the criteria for this indicator. They report having policy measures to facilitate orderly, safe, regular and responsible migration and mobility of people. Among the institutions, policies and strategies to govern migration, having a dedicated government agency to implement national migration policy is the most commonly reported – 92%.

These figures illustrate that over the years a growing number of governments all over the world have put in place dedicated policies and structures governing migration.

This global picture is corroborated by the evolution of requests to MIEUX since 2012 in this domain, marking a steady trend that reflects governmental efforts and actions vis-à-vis policy-making and governance.

As explained in Factsheet 1 ‘WHY’, governments that engaged with MIEUX in the process of producing a migration policy framework were determined to design documents, and to institute

¹ All factsheets are available to download on <https://www.mieux-initiative.eu/en/resources>

² See factsheet no. 1 ‘WHY’

sustainable and inclusive whole-of-government (or systemic) structures sustaining all stages of the policy cycle³ and consolidating the domestic migration governance framework.

MIEUX has always defended that effective policy development and implementation cannot exist without an effective migration governance framework to maximise the benefits and reduce the challenges associated with migration.

In 2011, in the seminal publication "Global Migration Governance", A. Betts⁴ applied the definition of 'global governance' to migration – "*global governance includes a range of norms, rules, principles and decision-making procedures that exist over and above the level of a single nation-state*".

At inter-governmental level, the UN General Assembly coined the following definition – "*migration governance refers to the migration policies and programmes of individual countries, inter-state discussions and agreements, multilateral forums and consultative processes, the activities of international organisations, as well as relevant laws and norms*".

Given the diversity of the partner institutions MIEUX has worked with across the world, it has refrained from employing a single definition of migration governance, instead applying and flexibly adapting to the concept and specificity of each context.

Yet as far as migration policy and governance are concerned, MIEUX's understanding is based on a set of 'common denominators'.

Three Common denominators

1. Migration governance includes, but is broader than, migration policies. Indeed, migration policies represent one of the 'building blocks', constituents or outputs of migration governance.
2. Effective migration governance and policy-making should include and involve a large spectrum of actors across multiple sectors.
3. The involvement of actors should be coordinated through dedicated tools and

institutionalised multi-stakeholder structures that accompany the policy-making process in its different stages.

MIEUX's *leitmotiv* and Actions throughout the years have been channelled towards sustaining multi-dimensional policy-making processes by concurrently targeting the development of national migration policy frameworks, and creating or supporting inter-institutional coordination settings at political and operational levels, as well as establishing inclusive spaces of dialogue between governmental and non-governmental actors.

The '3Is' lens to determine the 'WHO'

As underlined succinctly in Factsheet 1, to better grasp and disentangle the dynamics of the policy-making process, as well as how governance, in general, and policies, in particular, achieve effectiveness, the application of the '3Is' analytical framework⁵, designed by public policy scholars, is a conducive starting point. It highlights the important role of changes within and between institutions, driven by interests and ideas, based on the following three variables.

1. Institutions (Processes, context, governance settings)

This variable defines the 'rules of the game' that structure policy-making in ways that favour some outcomes over others. Institutions create the fora in which negotiations take place, changes are shaped, and coordination and dialogue architecture is established. It also implies leadership, mechanisms to obtain buy-in, achieving consensus and legitimacy, identification of joint solutions and setting up common agendas.

³ See factsheet no. 2 'HOW'

⁴ Alexander Betts (2011) "Global Migration Governance", (Published

Oxford Scholarship Online)

⁵ Laurie Boussaguet, Sophie Jacquot, Pauline Ravinet (2010) Dictionnaire des politiques publiques (3rd edition)

2. Interests (Actors, power relation between actors)

Migration policies are determined by diverse and different interests and the preferences of multiple actors involved in their development and implementation. Therefore, one of the functions of the inter-institutional structures is to identify, understand, align, manage and reconcile these interests and expectations, and incorporate them into the policy arena and processes. The understanding and embeddedness of varied convergent and divergent interests determine and influence the relationships between actors and the quality of cooperation, coordination, partnerships and networks, hence of governance as a whole.

3. Ideas (Substance, knowledge, evidence, values)

Finally, this variable entails the knowledge, expertise, know-how, innovation and ideas brought by different actors to different stages of the policy cycle and to migration governance structures.

Their ideas contribute to shaping agenda-setting, determining issues and their potential solutions, implementing innovative policy options and measures, or creating and disseminating new knowledge. This 'I' also refers to the involved actors' values which explain how and why they decide to engage, or how they could contribute to policies and governance.

From theory to MIEUX global practice

The understanding of the 'WHO' of migration policy-making requires a closer look at the evolution of the institutional landscape worldwide, and how the emerging and new types of inter-institutional dynamics have forged different typologies of frameworks by moving from a 'migration management' and oftentimes uni-actor-centred paradigm towards a multi-stakeholder governance approach, which. MIEUX advocates for.

The evolution of the 'WHO' – institutions matter

In the past decade, all MIEUX partner countries reformed and consolidated their institutional landscapes at different levels of government.

The executive – a significant number of governments have constantly adapted their institutional settings by establishing dedicated migration units, agencies, ministries or institutes (e.g. Dominican Republic, Mexico) and migration inter-agency coordination structures (e.g. Cabo Verde, Costa Rica, Ghana, Kyrgyzstan, Togo) as a manifestation of the whole-of-government approach⁶.

In addition, they set up new types of institutions, such as migration, employment or demographic observatories, in charge of data and knowledge management (Mali, Tunisia) and policy analysis or new entities dealing with diaspora matters (Ghana, Madagascar, Malawi).

Furthermore, 'non-traditional' actors have been attached to the process of policy-making, such as ministries of planning (Costa Rica), finance (Mauritius), or agencies of investment or statistics (Cabo Verde).

One of the most significant developments of the previous years is the involvement and active participation of the **subnational and local authorities** in governing migration by devising and rolling out local innovative policies, and contributing to the implementation of national policies.

Nonetheless, their participation is contingent upon the administrative legislation and framework of each country, which may regulate their degree of participation.

The **legislative branch** has been modestly and gradually participating in the process and yet the role of parliaments seemingly requires better definition and calibration.

⁶ See factsheet no.4 'WHAT'

Good practice: Cabo Verde

Long before other governments established whole-of-government migration structures, the Government of Cabo Verde began creating its own in 2009 with assistance from MIEUX.

The initial role was to assess the immigration situation in the country and pave the way for development of the first National Immigration Strategy (2010).

Subsequently, in 2011, the Coordination Unit for Immigration was formally established, becoming the General Direction of Immigration in 2014. Since then, this entity has greatly evolved, becoming the High Authority for Immigration in 2020.

Since the onset, the government fully involved the Parliament and local authorities (representing different islands), as well as non-governmental actors – immigrants' associations, universities, and social partners, in the process of developing, implementing and revising the strategy.

Being cognisant of the salient role of non-governmental actors in migration governance, policy cycles and shaping migration processes, governments began steadily and gradually co-opting organisations and stakeholders with different profiles, interests and ideas, thus promoting and practicing a 'whole-of-society' approach⁷ in the process of policy development.

With this in mind, governments notably involve and develop partnerships with migrants' associations, diaspora groups, academia, trade unions, employers' organisations, the media, the private sector, chambers of commerce, think tanks and other stakeholders.

This transformation is recognition of the added value and ideas that each actor offers for solution identification, consensus-making, narrative shaping and implementation of policies, to mention but a few.

These stakeholders markedly contribute to migration processes in multiple ways, and are

frequently among the most creative and ambitious generators of new ideas and initiatives for managing migration (3Is).

What form of governance to pursue?

MIEUX collects and aggregates evidence from partner countries about their views on the most appropriate 'typology' of governance to respond to their migration priorities, while embracing the enormous opportunities linked to migration.

Various opinions, varying from flexible, human and people-centred, quick reaction, security-focused, collaborative, or adaptable migration governance, have been voiced.

Furthermore, MIEUX partners opt for a multi-layered and multi-stakeholder governance, involving local and impacted/affected communities and authorities, central level, and very importantly sub-regional or regional cooperation mechanisms, as the magnitude of migratory flows implies a more robust and targeted engagement and cooperation across the board and across regions.

In essence, these views elucidate why a flurry of governments undertake determined efforts to forge environments enabling the desired typology of governance by identifying and bringing into the policy cycle the most relevant actors and stakeholders in an inclusive and participatory manner, either consulting them on a permanent basis or including them in the composition and structures of the inter-institutional coordination entities that they form.

MIEUX's support to its partners, in terms of policy development or implementation, is inherently connected to the overall consolidation of a country's emerging or well-established migration governance framework.

For this reason, MIEUX has been investing in and underpinning multi-purpose and multi-stakeholder approaches, techniques, processes, and institutional mechanisms and structures which facilitate the exchange of ideas, evidence and the

⁷ See factsheet no.4 'WHAT'



formulation of policy objectives; generate reflections on policy and institutional coherence⁸; or determine how to govern migration holistically.

Policy-making as an inclusive consultation process

MIEUX strongly promotes the idea of consulting diverse stakeholders among its partners throughout the policy-making process. Consultations help in building consensus, obtaining the necessary support from various constituents of society, improving the quality of the process and its final deliverables, reducing costs, and consistently addressing policy issues.

Different modalities of consultation

- Online surveys, consultations or questionnaires for diaspora – (Madagascar and Malawi)
- Focus groups with target audiences – local governments and different social groups (the Philippines) or local labour officers (Myanmar)
- Listening events with diaspora (Ghana), local (Malawi) and border communities (Mexico)

Policy-making as a coordination process – the role of inter-institutional coordination structures

Inter-institutional coordination became an important operational and political mechanism created and practiced by governments with a view to successfully developing and implementing domestic policies on migration and clarifying institutional mandates roles and responsibilities.

Recognising the positive impact of migration on development, also to achieve the 2030 Agenda, these entities have gradually become platforms to identify and build coherence between migration and other public policies (Factsheet 4), thus debating the nexus between migration and sustainable development.

In the past ten years, MIEUX has supported the establishment of new (e.g. Cabo Verde, Kyrgyzstan, Malawi, Togo) and the consolidation of existing coordination structures (e.g. Costa Rica, Côte d'Ivoire, Ghana, Mauritius) that took different forms,

structures and roles, reflecting the reality, priorities, governance typology and administrative framework of each country:

Operational or technical structures (core or working groups) created to design policy documents in a participatory way and subsequently turned into formal coordination mechanisms.

Fully-fledged formal and institutionalised coordination entities, established based on the whole-of-government/system principle (commissions, directorates, steering committees, etc.), tasked with steering the efforts of the entire government in implementing its domestic migration policies (e.g. Cabo Verde, Costa Rica, Mauritius, Peru).

Some of these frameworks are led by one or two entities (ministries or immigration services) or have been upgraded over the years to a higher level (e.g. under the Prime Minister's Office).

In brief, these structures are usually comprised of public officials representing in-line and appropriate ministries, agencies and divisions dealing with migration.

Additionally, many of them have also integrated non-governmental entities within their structures, thus ensuring a high degree of consultation, coordination, evidence exchange, knowledge creation and dissemination, transparency and cost effectiveness.

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⁸ See factsheet no.4 'WHAT'