BANGLADESH MIGRATION GOVERNANCE FRAMEWORK

IOM UN MIGRATION

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IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental organization, IOM acts with its partners in the international community to: assist in the meeting of operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and uphold the human dignity and well-being of migrants.

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ABOUT THE REPORT

Migration is a multidimensional phenomenon. Migration, be it international or internal, is linked with development. Bangladesh's Seventh Five-Year Plan (FY2016–FY2020) recognizes migration as an integral component of the development process of the country. The 2030 Agenda for Sustainable Development, which sets the development priorities to be achieved by 2030 – delineated through the Sustainable Development Goals (SDGs) – contains targets dedicated to migration.

A well-governed migration mechanism is necessary to gain positive outcomes. The whole process needs to be managed through a holistic migration governance framework, which should cover all the current and future prospects of the realities related to migration. The framework should guide the policy direction of the Government of Bangladesh and facilitate the implementation of results-based planning and reporting on the efforts and progress made towards migration governance in the country.

However, given the absence of such framework in Bangladesh, an attempt has been taken to develop a comprehensive framework on migration governance through this document. The framework intends to work as a pivotal document to guide the activities of agencies that have a mandate on migration. In addition, it is designed to allow development partners to provide more coordinated support for better impacts.

The aim of this framework is to set out a coherent, comprehensive and balanced vision for migration governance for Bangladesh, integrating development with due regard for social, economic and environmental dimensions and respecting human rights. The overall goal of the framework is to establish a mechanism to ensure safe migration.

GOVERNMENT OF THE
PEOPLE'S REPUBLIC OF BANGLADESH
DHAKA

পররাষ্ট্র সচিব (সিনিয়র সচিব)
Foreign Secretary (Senior Secretary)

MESSAGE FROM THE SECRETARY OF THE MINISTRY OF FOREIGN AFFAIRS

People are on the move today more than at any other time in recorded history: 1 billion people on the move comprise a seventh of humanity. A variety of elements contribute to the movement of people. The forces driving migration are numerous – economic reasons, climate change, natural and human-induced catastrophes, conflict, the demographic trends of an ageing industrialized population, an expanding jobless youth population in the developing countries, and widening social and economic disparities.

Although the migration is increasingly recognized at the international level, the architecture for governing migration was indeed absent till very recently. The Migration Governance Framework (MiGOF) was the internationally agreed document outlining how migration is best governed in a coherent and comprehensive way. IOM Member States welcomed the MiGOF through Council Resolution 1310 approved on 26 November 2015.

Bangladesh manages migration around the world. Around 11 million Bangladeshis are present in 165 countries all over the world. Equally, Bangladesh has contributed significantly to the migration discourse particularly by advocating the inclusion of migration in the Sustainable Development Goals (SDGs). In addition, the Honourable Prime Minister of Bangladesh Sheikh Hasina articulated the idea of the Global Compact for Safe, Orderly and Regular Migration in her address to the United Nations General Assembly in 2016. In addition, Bangladesh is one of the few countries to have mainstreamed migration into the national planning process.

Given the multidimensional nature of migration, the challenges of migration cannot be dealt with by a single government or any particular entity of the government. Hence, to provide guidance for the governance of migration based on country priorities and to outline roles of key stakeholders, the MiGOF for Bangladesh provide coordinated roles and responsibilities.

Bangladesh is pioneer in developing a national MiGOF based on an extensive country assessment. The assessment has contributed to enhance understanding of migration dynamics.

At a later stage, the national MiGOF has been aligned with the Global Compact for Migration objectives, the SDG targets and the national development plan. The assessment and framework linked to the SDGs and the Global Compact for Migration could be useful for the drafting of the next five-year plan of Bangladesh.

I believe that the Government's commitment to support the implementation of focused interventions would help strengthen migration governance in Bangladesh.

Md. Shahidul Haque
Foreign Secretary (Senior Secretary)
Ministry of Foreign Affairs

Secretary
Ministry of Expatriates' Welfare and Overseas Employment
Government of the People's Republic of Bangladesh Dhaka

সচিব
প্রবাসী কল্যাণ ও বৈদেশিক কর্মসংস্থান মন্ত্রণালয়
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

MESSAGE FROM THE SECRETARY OF THE MINISTRY OF EXPATRIATES' WELFARE AND OVERSEAS EMPLOYMENT

Bangladesh has spearheaded many regional and global discourses in the arena of migration. The country was instrumental in advocating for the inclusion of migration in the Agenda 2030 and also a key initiator of the Global Compact for Safe, Orderly and Regular Migration.

It is indeed a proud achievement for our country to be one of the first to develop a national Migration Governance Framework (MiGOF). The MiGOF is the first internationally agreed document outlining how migration is best governed in a coherent and comprehensive way approved by IOM Member States in 2015. Further, Bangladesh has developed the MiGOF based on country assessment using the Migration Governance Indicators (MGI). The Bangladesh MiGOF was finalized through a comprehensive and extensive consultation with all key stakeholders. More than that, it is aligned with the Sustainable Development Goals (SDGs), the Global Compact for Migration objectives and the Migration Crisis Operational Framework (MCOF), among other global tools.

The Bangladesh MiGOF sets the approach for facilitating better coordination among relevant partners and creating a more effective migration governance environment as migration is beneficial to all. Finally, the framework clearly delineates policy priorities and establishes the sequencing of initiatives that would produce sustainable results in line with the specific migration trends in the country.

We strongly believe the MiGOF for Bangladesh brings together diverse issues, such as partnerships, economic and social development, humanitarian action, and effective implementation of law. It is important that all related strategies and action plans contribute to this overarching framework, which is essential for supporting the good governance of migration.

The Ministry of Expatriates' Welfare and Overseas Employment acknowledges the role of IOM Bangladesh in supporting the Government of Bangladesh to contextualize the MiGOF.

I call for support from all relevant stakeholders to use the framework for concrete guidance to ensure that migration benefits the migrants and the society. I reassure the support from the Ministry to implement the framework in Bangladesh in collaboration with all stakeholders.

Rownaq Jahan
Secretary

MESSAGE FROM THE AMBASSADOR OF THE EUROPEAN UNION TO BANGLADESH

Migration is a global issue that needs international cooperation and a global response, implemented at the international, regional, national and local levels. As recognized in the 2030 Agenda for Sustainable Development, well-managed migration can contribute to inclusive growth and sustainable development.

Over the last three years, we have progressively established a comprehensive and balanced European Union approach on migration. In line with the European Agenda on Migration, we now work closely with partner countries like Bangladesh and have established efficient tools to implement jointly agreed priorities, providing concrete technical and financial support.

More people are on the move today than ever before. The proportion of migrants to the global population is slowly increasing. Bangladesh is an important contributor to this trend.

This is why the European Union is working together with the Government of Bangladesh and providing funding to build the capacity of government and other migration actors in managing migration and ensuring the reintegration of irregular migrants and to conduct awareness campaigns to ensure orderly and safe migration.

With the support of the European Union, evidence-based migration policymaking, like the Migration Governance Framework (MiGOF), is now championed by the Government of Bangladesh, creating effective bilateral partnerships, protecting overseas migrants and maintaining market-led migration relationships with actors abroad.

The MiGOF is recognized as a document setting out best practices on migration governance, and Bangladesh has contributed significantly to the migration discourse particularly by advocating the inclusion of migration in the Sustainable Development Goals.

As a development partner of Bangladesh, the European Union is not only committed to help the Government improve migration governance and to curb irregular migration but also to help the returnees have better social, economic and personal development opportunities once back in their home country.



Rensje Teerink
Ambassador of the European Union to Bangladesh

FOREWORD

Migration is increasingly being recognized as a mega trend evident from various regional, multilateral and multi-stakeholder processes where migration has been featured as a prominent contributor to development. For long, there has been no regime to govern migration, although its importance as a developmental agenda, having been and being influenced by geopolitical issues, cannot be undermined.

With a view to having an agreed document that clearly presents the elements of well-managed migration or good governance of human mobility, IOM assisted the Member States with the Migration Governance Framework (MiGOF), which is the first internally agreed document outlining the governance of migration in a coherent and comprehensive manner.

Bangladesh has always been exemplary in leading migration discourses and often spearheading processes to ensure the benefit of migration and the protection and welfare of migrants. While labour migration is a major thrust for the economy, the socioeconomic and geographic narrative of Bangladesh, makes it a unique country facing a range of human mobility (both inward and outward). The MiGOF for Bangladesh is such and the only document that addresses the varied types of migration and calls for addressing the challenges in a coordinated manner.

IOM is grateful to the Government of Bangladesh, particularly the Ministry of Foreign Affairs and the Ministry of Expatriates' Welfare and Overseas Employment, for having guided the process for the development of the MiGOF based on a comprehensive country assessment. We are also thankful to the various stakeholders who have provided their technical inputs for the finalization of the document.

Our heartfelt congratulations to the Human Development Research Centre (HDRC), led by Prof Abul Barkat, for their dedicated and relentless efforts in supporting the development of the MiGOF for Bangladesh.

The importance to optimize the positive impacts of migration by improving migration governance is also highlighted in the Global Compact for Safe, Orderly and Regular Migration. As the coordinator of the United Nations Network on Migration for the implementation of the Global Compact for Migration, IOM stands ready to support a coherent response and approach to maximize the benefits of migration. IOM also believes that the MiGOF for Bangladesh is pertinent particularly for moving forward mainstreaming migration into national and sectoral planning processes and collaboratively implementing priorities.



Giorgi Gigauri
Chief of Mission
IOM Bangladesh

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ACRONYMS AND ABBREVIATIONS

ADP	Annual Development Programme
AIDS	acquired immunodeficiency syndrome
BAIRA	Bangladesh Association of International Recruiting Agencies
BBS	Bangladesh Bureau of Statistics
BCCSAP	Bangladesh Climate Change Strategy and Action Plan
BCCRF	Bangladesh Climate Change Resilience Fund
BCCTF	Bangladesh Climate Change Trust Fund
BCCT	Bangladesh Climate Change Trust
BEC	Bangladesh Election Commission
BEPZA	Bangladesh Export Processing Zones Authority
BIDA	Bangladesh Investment Development Authority
BMET	Bureau of Manpower, Employment and Training
BOESL	Bangladesh Overseas and Employment Services
BOMSA	Bangladeshi Ovhibashi Mohila Sramik Association
BTEB	Bangladesh Technical Education Training Board
CBO	community-based organization
CBT&A	competency-based training and assessment
CBSA	Canada Border Services Agency
CDMP	Comprehensive Disaster Management Programme
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CIP	commercially important person
COP	Conference of the Parties
COP16	Sixteenth Conference of the Parties
CSO	civil society organization
DCI	data collection instrument
DEMO	District Employment and Manpower Office
DFID	Department for International Development (United Kingdom)
DPHE	Department of Public Health Engineering
EPZ	export processing zone
FGD	focus group discussion
GCC	Gulf Cooperation Council
GFMD	Global Forum on Migration and Development
HDRC	Human Development Research Centre
ICT	information and communications technology
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
IDI	in-depth interview
IGA	income-generating activity
ILO	International Labour Organization
IMSCM&D	Interministerial Steering Committee on Migration and Development
IOM	International Organization for Migration

IRB	Immigration and Refugee Board
JRP	Joint Response Plan
KII	key informant interview
LGD	Local Government Division
LGED	Local Government Engineering Division
LGI	local government institute
MGI	Migration Governance Indicators
MoC	Ministry of Commerce
MoCAT	Ministry of Civil Aviation and Tourism
MoDM&R	Ministry of Disaster Management and Relief
MoEWOE	Ministry of Expatriates' Welfare and Overseas Employment
MoE	Ministry of Education
MoEF&CC	Ministry of Environment, Forests and Climate Change
MoF	Ministry of Finance
MoFA	Ministry of Foreign Affairs
MoHA	Ministry of Home Affairs
MoHFW	Ministry of Health and Family Welfare
MoHPW	Ministry of Housing and Public Works
MoI	Ministry of Information
MoL	Ministry of Land
MoLE	Ministry of Labour and Employment
MoLGRD&C	Ministry of Local Government, Rural Development and Cooperatives
MoP	Ministry of Planning
MoST	Ministry of Science and Technology
MoSW	Ministry of Social Welfare
MoU	memorandum of understanding
MoWCA	Ministry of Women and Children Affairs
NBR	National Board of Revenue
NFCD	non-resident foreign currency deposit
NFM&D	National Forum on Migration and Development
NIRW	National Identity Registration Wing
NITA	non-resident investor's taka account
NGO	non-governmental organization
NSDC	National Skills Development Council
NSMDCIID	National Strategy on the Management of Disaster and Climate Induced Internal Displacement
NTVQF	National Technical and Vocational Training and Qualification Framework
PKB	Probashi Kallyan Bank
PKSF	Palli Karma-Sahayak Foundation
RAJUK	Rajdhani Unnayan Kortipakkha
SAARC	South Asian Association for Regional Cooperation
SMEF	Small and Medium Enterprise Foundation
SOP	standard operating procedure
SDG	Sustainable Development Goal
SSNP	social safety net programme
TAWG	Thematic Area Working Group
TTC	technical training centre
UDD	Urban Development Department
UISC	Union Information and Service Centre
UMN	undocumented Myanmar national
UNDP	United Nations Development Programme
UNO	Upazila Nirbahi Officer
UNHCR	(Office of the) United Nations High Commissioner for Refugees
UNFCCC	United Nations Framework Convention on Climate Change
WEWB	Wage Earners' Welfare Board





CHAPTER 1
INTRODUCTION

1.1. BACKGROUND

Migration is a multidimensional phenomenon. Migration, be it international or internal, is linked with development. The positive contribution of migration has been recognized, particularly through major developmental frameworks like the 2030 Agenda for Sustainable Development, which sets the development priorities to be achieved by 2030 including targets dedicated to migration. Target 10.7 aims to facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies. Target 8.8 aims to protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.[1] In December 2018, Member States endorsed the Global Compact for Safe, Orderly and Regular Migration, which is the first ever cooperative framework that builds on the commitments agreed in the New York Declaration for Refugees and Migrants.[2]

In addition, in 2015, the IOM Member States approved the Migration Governance Framework (MiGOF). The MiGOF sought to define a coherent, comprehensive and balanced set of principles and objectives on which a well-run migration systems should be built. In 2012, Member States also approved and adopted the Migration Crisis Operational Framework (MCOF). The MCOF was developed at the request of the IOM Member States, pursuant to their growing interest in the migration consequences of crisis situations. The MCOF allows for improving and systematizing the way in which Member States and partners can better respond to the assistance and protection needs of crisis-affected populations.

At the national level, the Seventh Five-Year Plan (FY2016–FY2020) of Bangladesh recognizes migration as an integral component of the development process of the country. The plan identifies migration as a major driver of development by creating employment for a large number of workers. In addition, the Government of Bangladesh has been working towards a strong legal framework for labour migration particularly through the Overseas Employment and Migrants Act (OEMA) 2013 and the Expatriates' Welfare and Overseas Employment Policy 2016.

Migration has many positive effects as it expands the opportunities for productive work and leads to a wider perspective on many socioeconomic dimensions, among migrants as well as among the populations in the destinations (Ghosh, 2009). Migration can reduce pressure on the labour market, bringing down the rate of unemployment, widening possibility of economic betterment, and creating space for social remittance transfer in terms of knowledge,

1 Some other Sustainable Development Goals (SDGs) are also linked with migration. For instance, Target 10c aims that by 2030, the transaction costs of migrant remittances are reduced to less than 3 per cent and remittance corridors with costs higher than 5 per cent are eliminated. Goal 3 (health), Goal 4 (education), Goal 5 (gender equality), Goal 11 (sustainable cities), Goal 13 (climate action), Goal 16 (peaceful societies) and Goal 17 (partnerships) are also connected to the welfare and rights of migrants.

2 On the day of the summit, 193 Member States signed up one plan for addressing large movements of refugees and migrants: The New York Declaration.

work skills and life skills, among other things, in the places of origin. Migration is inevitable and a potentially beneficial component of the economic and social life of the communities. In the context of Bangladesh, overseas employment is efficacious in reducing unemployment, eradicating poverty and increasing foreign exchange reserves (Barkat, Osman and Gupta, 2014a). Migration has a complex and multilayered relationship with human development. Many consider migration positive, in terms of the visible monetary gains generated for the origin country in case of international and internal migration. Migration also positively impacts individuals in terms of enhancing their skills and knowledge thus contributing to socioeconomic development.

While migration and mobility (both internal and international) are recognized as drivers of national economic expansion, they are associated with development challenges. Migration has a negative connotation particularly when it comes to the possibilities of abuses and exploitation of migrant workers. Moreover, there is a mismatch between the available jobs and the skills imparted to many potential migrants; the available skills training in most cases cannot ensure expected return to the migrants. Migration can lead to vulnerabilities – temporal, spatial, sociocultural and sociopolitical – which require special attention (Asis, 2008; Carandang, 2007; and Baggio, 2008 – as cited in Dungo et al., 2013). Often, high costs are borne by migrants in both places of origin and destination, and their families, who are not fully compensated by financial gains. Migration also affects gender dynamics, the composition of families and societal structures at large and have implications due to social, irregular migration and displacement, high recruitment costs, violations of human rights, limited access to information and services, constrained socioeconomic participation in destination countries and the reintegration challenges of returnees – all have negative impacts on the migration–development nexus (Seventh Five-Year Plan FY2016–FY2020).

Besides the international perspective, in the case of Bangladesh:

"Internal migration has become both a major policy concern and a subject of a heated public debate in Bangladesh. It has been identified as both saviour and villain of the national development story; a driver of economic expansion and modernization, while also the cause of severe urban deprivation and a destroyer of traditional rural life" (Marshall and Rahman, 2013).

In every 1,000 persons, some 123 moved to urban areas in 2016, which had been on an increasing trend – 68.1 in 2013, 77.1 in 2014 and 90.0 in 2015 (Bangladesh Bureau of Statistics, 2017). However, the people engaged in internal migration often face challenges in terms of material deprivation and higher levels of vulnerability; limited access to urban land; limited access to infrastructure services; poor standards of health and sanitation inter alia.

Despite the positive or negative effects of migration, the whole process relates to many aspects of human rights. of these, one is the migrant workers' link with the social protection system (de la Garza, 2010). International laws concern not only migrants themselves but also their families. Unless regulated by appropriate laws and regulations and their effective enforcement, labour migration entails a high cost in case of violations of rights of persons, reduced productivity, lost opportunities for development and absence of social protection (Taran, 2013).

Although the migration mega-trend is increasingly recognized at the international community, there grew a need for a holistic framework delineating element of well-managed migration or good governance of human mobility. With this view, the MiGOF has been applied to the context of Bangladesh to guide the policy direction of the Government of Bangladesh.

The framework also intends to guide the interventions of stakeholders, who are related to the migration arena, to work in a more coordinated approach.

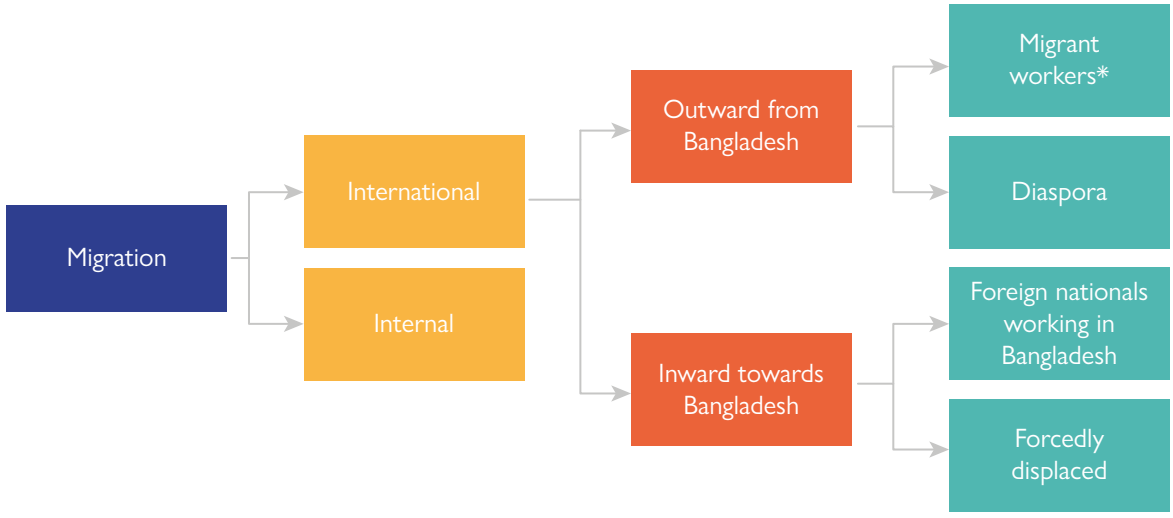
The aim of the framework is to set out a coherent, comprehensive and balanced vision for migration governance for Bangladesh, integrating development with due regard for social, economic and environmental dimensions and respecting human rights.

1.2. METHODOLOGY

The development of the framework has been commissioned by the International Organization for Migration (IOM), with support from EU, in collaboration with the Government of Bangladesh and in consultation with a range of stakeholders.

Dimensions covered: This framework covers two broad categories of migration: (1) international migration; and (2) internal migration. International migration includes two broad types – outward migration (outmigration) and inward migration (in-migration). All the migration dimensions covered in this framework are shown in Figure 1.1.

Figure 1.1: Migration Dimensions Covered in This Framework



Note: *"Migrant workers" (regular and irregular) includes aspects of overseas migrants' left-behind family members; Bangladeshis who go abroad as students with a goal to stay in the destination country for a longer period, attempting for immigrating to other countries; and reintegration of returnee migrants.

The summary of the migration context in Bangladesh for the above-mentioned dimension are delineated in Chapter 2 of this framework.

Setting the goals: According to the MiGOF developed by the IOM – which was endorsed by its Member States including Bangladesh at the IOM Council in November 2015 – there are three principles and three objectives which intend to cover the broader aspects of migration.[3] These same principles and objectives have been used as guidelines in the accompanying migration governance framework designed particularly for Bangladesh. These principles and objectives are presented in section 2.1 of this framework. These three principles and three objectives altogether (six in total) are taken as "goals" in this framework.

3 See Annex E for the Migration Governance Framework (MiGOF).

Covering the global standards: The current framework has been designed considering the Global Compact for Migration as well.[4] The same 10 guiding principles of the Global Compact for Migration (stated in section 15 of the final draft of the Global Compact for Migration) have also been considered as guiding principles for this framework. These guiding principles are:



Along with the Global Compact for Migration, this framework has also considered pertinent issues from the MCOF.[5] The associations among the goals of this accompanying framework, the Global Compact for Migration objectives and the MCOF goals are shown in a matrix in Annex D of this publication. In addition, this framework covers the migration-related aspects stated in the SDGs.

Setting the indicators: The indicators and sub-indicators used to analyse the subject and design the framework were drawn from the Migration Governance Indicators (MGI) developed by the Economist Intelligence Unit (EIU) and IOM.

Box 1.1: The Migration Governance Indicators

As part of the IOM approach to assessing and promoting "well-governed migration", the Organization is collaborating with the EIU to develop the MGI on which basis IOM can conduct capacity-building in national migration policies. This is built on the six dimensions of good migration governance as articulated in the MiGOF, the first internationally adopted definition for "well-managed migration policies". The MGI is a tool for governments to assess the comprehensiveness of their migration policies and to help them identify gaps and priorities to build institutional capacity and programmes on migration. The purpose of the MGI is to advance conversations on migration governance within participating countries. In this sense, it plays an essential capacity-building role in that it offers insights into existing good practices as well as areas where countries can strengthen their migration governance and to make progress in the migration-related aspects of the SDGs and the Global Compact for Migration. In both international processes, the MGI can be used to develop baseline assessments and to conduct future follow-up reviews. It is notable that the MGI for Bangladesh contributed notably in setting the indicators and sub-indicators.

4 See Annex F for the Global Compact for Safe, Orderly and Regular Migration.

5 See Annex G for the Migration Crisis Operational Framework (MCOF).

Data and information used: Contextualization of the global MiGOF to Bangladesh was based primarily on secondary information. To supplement, complement and validate the findings, primary information – which is qualitative in nature – was collected from relevant stakeholders through key informant interviews (KIIs), in-depth interviews (IDIs) and focus group discussions (FGDs). The primary information was collected from both local-level and national-level stakeholders during the first half of 2018. The secondary and primary data was triangulated during the analysis. Details on the primary data and information sources are given in Annex A. In total, 42 data collection instruments were used for the development of this framework.

In-depth assessment conducted before drafting the framework: An in-depth assessment had been conducted prior to preparing the draft of this framework. The assessment, which was based on secondary and primary information, was used rigorously in designing this framework. The findings of that assessment are summarized in Annex B (Assessment of Existing Policies and Practices) and Annex C (Current Status of Bangladesh by Indicator and Sub-indicator Used in the Framework). The activities proposed under the indicators and sub-indicators used in this framework were primarily designed in accordance with the findings drawn from the assessment. These were validated by national-level key stakeholders in a later stage.

Sharing and validation of the draft framework: The development of the framework was guided by two technical committees formed by the Ministry of Expatriates' Welfare and Overseas Employment (MoEWOE) and the Ministry of Foreign Affairs (MoFA). A national sharing and validation workshop on this framework was organized in September 2018 in Dhaka bringing together relevant representatives from government, NGOs/CSOs, private sector, development partners and media among others. Relevant suggestions and feedback from the workshop were used to finalize this framework.



CHAPTER 2
MIGRATION GOVERNANCE FRAMEWORK: GOAL, COMPONENTS, INDICATORS AND SUB-INDICATORS

2.1. GOAL OF THE MIGRATION GOVERNANCE FRAMEWORK

The aim of the framework is to set out a coherent, comprehensive and balanced vision for migration governance for Bangladesh, integrating development with due regard for social, economic and environmental dimensions, and respecting human rights.

According to the MiGOF developed by IOM and endorsed by its Member States including Bangladesh at the IOM Council in November 2015, there are three principles and three objectives that can guide States and IOM in addressing migration issues. The principles and objectives are shown in Box 2.1. The IOM MiGOF is presented in Annex E.

Box 2.1: Principles and Objectives Endorsed in the IOM Council (2015) by the Member States

Principles	Objectives
• *Adherence to international standards and fulfillment of migrants' rights.*	• *Advance the socioeconomic well-being of migrants and society.*
• *Formulates policy using evidence and "whole-of-government" approach.*	• *Effectively address the mobility dimensions of crises.*
• *Engages with partners to address migration and related issues.*	• *Ensure that migration takes place in a safe, orderly and dignified manner.*

Source: IOM, Migration Governance Framework brochure. Available at www.iom.int/sites/default/files/about-iom/migof_brochure_a4_en.pdf.

According to the first principle – adherence to international standards and fulfilment of migrants' rights – humane and orderly migration requires compliance with international law. Based on this principle, protection measures are applicable to all individuals within a State's territory, regardless of nationality or migration status and without discrimination. The second principle – formulates policy using evidence and "whole-of-government" approach – stresses that migration policy must be based on facts and a well-founded analysis of the benefits and risks the movement of people poses to the State. It emphasizes that good migration governance relies on a whole-of-government approach, whereby all ministries with responsibilities concerning the movement of people are implicated. The third principle – engages with

partners to address migration and related issues – focuses on the need for partnerships among the multiple actors to develop a comprehensive and effective approach to good migration governance.

The first objective – advance the socioeconomic well-being of migrants and society – emphasizes improving the status of socioeconomic well-being of communities to reduce the drivers of forced migration and enabling individuals to make the choice between staying or migrating. This objective suggests designing migration laws and policies for fostering strong socioeconomic outcomes for migrants and communities of origin, transit, and destination. The second objective – effectively address the mobility dimensions of crises – calls for a concerted action by the international community to address the root causes of crises and associated population movements. The third objective – ensure that migration takes place in a safe, orderly and dignified manner – also covers the risks associated with the movement of people and emphasizes increased ability to detect irregular migration and to prohibit illegal cross-border activity.

These three principles and three objectives altogether are taken as goals (six in total) in this accompanying migration governance framework for Bangladesh.

It is notable that the principles and objectives are specific and do not require any further conventions, laws or practices than the ones that are already existing. Taken together, these objectives ensure that migration is governed in an integrated and holistic way, responding to the need to consider mobile categories of people and address their need for assistance in the event of an emergency, building resilience of individuals and communities, and ensuring opportunities for the economic and social health of the State. The overall goal of migration governance framework, concisely, "is establishing necessary mechanism to ensure international migration".[6]

2.2. COMPONENTS, INDICATORS AND SUB-INDICATORS OF THE MIGRATION GOVERNANCE FRAMEWORK[7]

Under six broad goals (which are the same as the MiGOF principles and objectives), a total of 27 indicators and subsequent 90 sub-indicators are detailed in this section of the report. The elements of each of the broad goals are delineated too.

It is notable that the indicators and sub-indicators used to analyse the subject and design the framework are largely drawn from the MGI developed by the EIU and IOM. Bangladesh was included in the MGI assessment in phase 1 (in 2016). The MGI is in fact the operationalization of the MiGOF endorsed by the Member States in the IOM Council. The MGI could be used as a tool to follow up on progress made in the improvement of the migration policy in line with the SDG and Global Compact for Migration commitments.

6 It is desirable that there should be a definition of "safe migration". Although SDG Target 10.7 urges countries to implement policies that "facilitate orderly, safe, regular and responsible migration", there is no internationally agreed upon definition of safe migration, though a number of concepts are there. The relationship between "regular" and "safe" migration, and between "irregular" and "unsafe" migration, needs to be considered when defining safe migration. "Regular migration" does not necessarily ensure "safe migration"; neither does "irregular migration" necessarily lead to "unsafe migration". An operational definition of "safe migration" is coined for this framework: "Safe migration is a transparent, informed and orderly movement into a destination where rights of migrants in service and society, along with their family members, are protected by laws and sociopolitical structure in both origin and destination".

7 An assessment of the current status of the country by the indicators and subsequent sub-indicators stated in this section are given in Annex C.

Migration Governance Framework for Bangladesh Goals

Goal	Key Elements		Indicators		Sub-indicators
1. Adhering to international standards and fulfilment of migrants' rights	• *Upholding the principles of equality and non-discrimination in order to preserve safety, physical integrity, well-being and dignity; and ensuring access to protection to all individuals in the territory irrespective of nationality and/or migration status* • *Ensuring migrants have adequate access to health care, psychosocial support, social services, and basic public services regardless of gender, age or other diversity characteristics* • *Migrants or displaced people who are vulnerable due to individual characteristics, circumstances or legal status would require particular efforts and assistance using child-oriented, gender-sensitive and culturally appropriate approaches* • *Irregular migrants and trafficked or smuggled individuals should be able to access justice and legal redress*	1.1	Access to basic social services and social security	1.1.1	Access to health care ensured
				1.1.2	Access to education ensured
				1.1.3	Access to social security ensured
				1.1.4	Portability of social security ensured
		1.2	Family rights	1.2.1	Family reunification ensured
		1.3	Right to work	1.3.1	Equal access to the labour market established
				1.3.2	Access to the private sector established
				1.3.3	Access to the public sector established
				1.3.4	Equal access to self-employment established
				1.3.5	Access to self-employment established
		1.4	Long-term residency and path to citizenship	1.4.1	Access to permanent residency
				1.4.2	Access to nationality facilitated
		1.5	Civil participation	1.5.1	National-level elections made accessible
				1.5.2	Local-level elections made accessible
2. Formulating policies using evidence and "whole-of government" approach	• *State should collect, analyse, and use credible data and information on, among other things, demographics, cross-border movement, internal displacement, the diaspora, labour markets and seasonal trends, and reflect them in policies, including links with environmental degradation and climate change* • *The law and policy affecting the movement of people will include travel and temporary mobility, immigration, emigration, nationality, labour markets, economic and social development, industry, commerce, social cohesion, social services, health, education, law enforcement, foreign policy, trade and humanitarian policy* • *Good migration governance should rely on a whole-of-government approach, whereby all ministries with responsibilities concerning the movement of people are implicated; through which the State will be able to ensure that migration and mobility policy advances its broader interest* • *The mechanism must incorporate local government institutions to build an effective institutional structure*	2.1	Institutional framework	2.1.1	Institutional structure revitalized and redesigned as required
				2.1.2	Interministerial coordination mechanism established
				2.1.3	Operational structure for outward migration established
				2.1.4	Operational structure for inward migration established
				2.1.5	Diaspora engagement facilitated
		2.2	Migration strategy	2.2.1	National migration strategy established
				2.2.2	Strategy interconnectedness ensured
		2.3	Legal framework	2.3.1	Legal framework for managing outward migration established
				2.3.2	Regulation and facilitation to a special group of migrants provisioned
				2.3.3	Nationals residing abroad assisted effectively
				2.3.4	Legal framework for managing inward migration established
		2.4	Institutional transparency and coherence	2.4.1	Transparency established
				2.4.2	Horizontal policy coherence ensured
				2.4.3	Vertical policy coherence ensured
		2.5	Data gathering and information availability	2.5.1	System for the regular collection of migration data established, and migration data published in Bangladesh Migration Profile
				2.5.2	Migration issues addressed in census

Goal	Key Elements		Indicators		Sub-indicators
3. Engaging partners in addressing migration and related issues	• *Partnerships created with non-governmental actors at the domestic level, including employers, unions, the diaspora, migrant associations, civil society, local community groups, religious organizations and academia, ensuring that the entities consulted are representative of all those in the population concerned; this could include, among others, public–private partnerships* • *Partnerships created with other countries, including immediate neighbours, and countries of origin, transit, and destination for nationals and incoming migrants* • *Partnerships created with international and regional organizations whose mandates focus on migration and migration-related issues and provide humanitarian and development assistance, including members of the Global Migration Group*	3.1	Signing and ratification of international conventions	3.1.1	The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) signed
				3.1.2	The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) ratified
				3.1.3	The Convention relating to the Status of Refugees signed
				3.1.4	The Convention relating to the Status of Refugees ratified
				3.1.5	The Convention on the Rights of the Child (CRC) signed
				3.1.6	The Convention on the Rights of the Child (CRC) ratified
				3.1.7	The ILO Migration for Employment Convention (Revised), 1949 (No. 97) ratified
				3.1.8	The Supplementary Provisions of the ILO Migration for Employment Convention, 1975 (No. 143) ratified
				3.1.9	The Convention on Statelessness ratified
		3.2	Regional cooperation	3.2.1	Become part of official regional consultative processes on migration (RCPs)
				3.2.2	Agreements for formal intraregional mobility made
		3.3	Bilateral agreements	3.3.1	Formal agreements with other sending or receiving countries made
				3.3.2	Non-binding agreements (e.g. memorandums of understanding) with other sending or receiving countries made
				3.3.3	Participation in bilateral migration negotiations
		3.4	Global cooperation	3.4.1	Participation in the Global Forum on Migration and Development (GFMD)
				3.4.2	Representation in the International Organization for Migration (IOM)/Office of the United Nations High Commissioner for Refugees (UNHCR) governing bodies
		3.5	Other partnerships	3.5.1	Partnerships with civil society organizations (CSOs) established
				3.5.2	Partnerships with private sector/social partners established
				3.5.3	Partnership with the diaspora established
				3.5.4	Regional agreements promoting labour mobility made

Goal	Key Elements		Indicators		Sub-indicators
4. Advancing the socioeconomic well-being of migrants and society	• *Promoting stability, education and employment opportunities and reducing the drivers of forced migration, including by promoting resilience, thereby enabling individuals to make the choice between staying or migrating and thereby reducing accessing the services of unethical recruiters, smugglers or traffickers* • *Adopting a variety of labour migration approaches, including permanent, temporary and circular migration, for workers of various skill levels* • *Facilitating international student migration and family reunification* • *Ensuring a fair and non-discriminatory access to the labour market, including programmes for returning migrants or displaced persons* • *Ensuring migrants have adequate access to education regardless of gender, age or other diversity characteristics* • *Making social benefits, including pensions, portable* • *Ensuring migrants and displaced persons have access to legal recourse, including for land and property claims* • *Facilitating low-cost channels for remittances and supporting opportunities for investment in home communities* • *Taking action against private actors that charge unreasonable fees and regulating recruiters and recruitment agencies in their jurisdictions* • *Regulating employers and inspecting labour conditions so that employers fulfil their obligations to employees*	4.1	Labour migration management	4.1.1	National assessment of the labour market for inward migrants conducted
				4.1.2	National assessment of the labour market for outward migrants conducted
				4.1.3	A labour demand management system established
				4.1.4	A work visa system to attract specific labour skills established
		4.2	Skills and qualifications recognition schemes	4.2.1	A system to recognize inward labour migrants' skills and capacities established
				4.2.2	Inward labour migrants' qualifications accredited
				4.2.3	Participation in international schemes with common qualification frameworks
		4.3	Student migration regulation	4.3.1	Foreign students' access to education ensured
				4.3.2	Equal education opportunities for foreign students ensured
				4.3.3	Quotas for the number of foreign students based on labour market capacity established
				4.3.4	Access to work for foreign students after graduation ensured
				4.3.5	Work opportunities for foreign students while studying facilitated
		4.4	Bilateral labour agreements	4.4.1	New bilateral labour agreements signed
				4.4.2	Measures taken to ensure decent working conditions by promoting ethical recruitment
				4.4.3	A mechanism to protect the rights of migrants working abroad established
		4.5	Migrant remittances	4.5.1	Formal remittance schemes promoted
				4.5.2	Remittance transfer costs reduced

Goal	Key Elements		Indicators		Sub-indicators
5. Effectively addressing the mobility dimensions of crises	• *Addressing the root causes of crises and associated population movements needs to be part of longer-term approaches towards recovery, transition and sustainable development* • *Facilitating effective responses that combine traditional humanitarian activities with transition and recovery programmes, as well as migration management activities* • *Bearing responsibility to protect and assist crisis-affected persons residing on its territory, and where appropriate its nationals abroad, in accordance with international humanitarian, refugee and human rights laws* • *Facilitating access to safety and protection for displaced populations including ensuring systems of registration, adequate access to services, and particular attention to any special needs and vulnerabilities*	5.1	Crisis resilience and preparedness	5.1.1	A national strategy on providing assistance to displaced migrants established
				5.1.2	A national strategy on disaster risk reduction established
				5.1.3	A national strategy on addressing migratory movements caused by adverse effects of climate change established
				5.1.4	A contingency plan in case of large-scale population movements in times of crisis prepared
				5.1.5	Records of nationals living abroad and migrants in the country kept systematically
				5.1.6	Measures to assist nationals living abroad in times of crisis ensured
		5.2	Emergency response	5.2.1	Communication systems regarding crisis established
				5.2.2	Communication systems that take into consideration the specific vulnerabilities that migrants face established
				5.2.3	Equally accessible humanitarian assistance, irrespective of the legal status of migrants, provisioned
				5.2.4	Exceptions on the immigrant procedures for migrants whose country of origin is experiencing a crisis made
				5.2.5	A national displacement strategy established
		5.3	Post-crisis action	5.3.1	A recovery strategy and development plan that includes migration issues developed
				5.3.2	Policy in the aftermath of a crisis to accommodate the return of migrants that have fled during the crisis prepared
6. Ensuring that migration takes place in a safe, orderly and dignified manner	• *Designing the migration system, ensuring that policy objectives are met and that they operate with efficiency and effectiveness (This includes effective implementation of policies and systems, and access to regular channels for migration, mobility, long-term residency and citizenship, for all individuals regardless of gender, age or other diversity characteristics. It also includes well-administered visa and entry schemes, with limited wait times and reasonable fees; access to dual nationality; timely asylum determination processes; effective identity management practices, including the issuance of reliable identity and travel documents; timely responses to requests for documentation or re-documentation; and acceptance of returning nationals.)* • *Mitigating the risks associated with the movement of people for ensuring migration is safe and orderly (This includes applying effective cross-border health measures and strengthening public health strategies to prevent the spread of disease and protect the health of migrants and society. Maintaining the integrity of migration and mobility schemes requires an ability to detect irregular migration and to prohibit illegal cross-border activity. Migration and border agencies would work with national and international justice and security agencies to collect, analyse and use information intelligence, including to address terrorism, as well as trafficking in persons, migrant smuggling and other transborder criminal activity.)*	6.1	Border control and enforcement	6.1.1	Monitoring mechanism to trace visa overstays established
				6.1.2	An integrated border control and security system established
				6.1.3	Resourceful training for human resources for border control and security ensured
		6.2	Admission and eligibility criteria	6.2.1	Clarity in visa policy ensured
				6.2.2	Visa processing system made efficient
		6.3	Return and reintegration policies	6.3.1	Reintegration policies for returning nationals made
				6.3.2	Returning nationals assisted
		6.4	Measures to combat human trafficking and smuggling	6.4.1	National strategy to combat human trafficking established
				6.4.2	Information on counter-trafficking activities published regularly
				6.4.3	The country's status in the US Department of State's annual Trafficking in Persons Report improved



CHAPTER 3

MIGRATION GOVERNANCE FRAMEWORK: ACTIVITIES, ACTORS AND TIME PLAN

Migration is multifaceted, multidimensional, complex and calls for a "whole of government" and "whole of society" approach to resolve the challenges. In this framework, international migration covers: (1) Bangladeshis in overseas countries along with their left-behind family members; and (2) foreign nationals in Bangladesh. Internal migration covers migration within the country – between regions and/or districts.

The Interministerial Steering Committee on Overseas Employment, led by the Honourable Prime Minister, has been formed in accordance with the Expatriates' Welfare and Overseas Employment Policy 2016. In addition, it is notable that the National Forum on Migration and Development – a multi-stakeholder forum – has also been formed in line with the Expatriates' Welfare and Overseas Employment Policy 2016. Ensuring proactive and independent participation of civil society members in this forum will be crucial to achieve the goals of the framework.

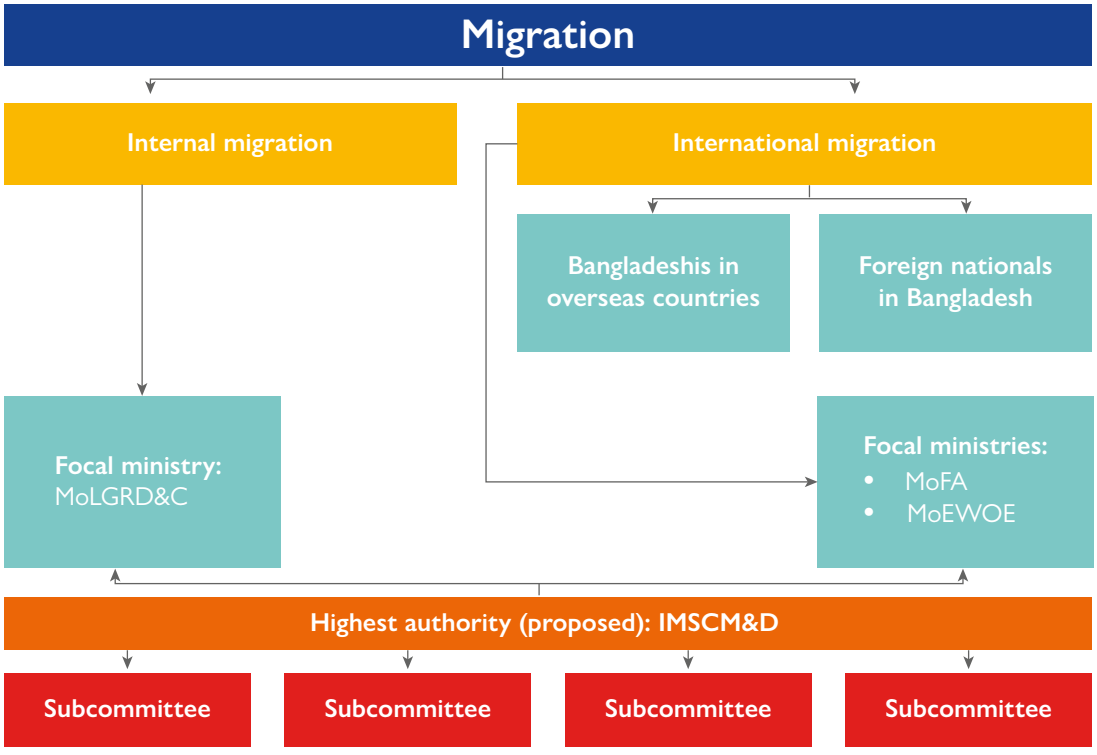
To ensure a comprehensive and holistic approach, this framework proposes the creation of the Interministerial Steering Committee on Migration and Development (IMSCM&D) with a mandate to cover issues related to all categories of migration. The proposed IMSCM&D hence would take the responsibility as the highest level of authority for policy guidance and coordination and follow-up, covering all aspects of migration.

At present, the Ministry of Foreign Affairs (MoFA) and the Ministry of Expatriates' Welfare and Overseas Employment (MoEWOE) are leading the discourse on international migration. Other subcommittees can be formed in the process in line with the suggested activities in section 3.1.

Currently, no single ministry is overseeing matters related to internal migration. A particular ministry may be designated to manage aspects of internal migration. This framework proposes that the Ministry of Local Government, Rural Development and Cooperatives (MoLGRD&C) be the focal ministry for governing the internal migration process in Bangladesh, working in close collaboration with local government institutes (LGIs). This framework also recommends formulating a national policy on migration governance, in which the existing Expatriates' Welfare and Overseas Employment Policy 2016 and other relevant frameworks can be incorporated under a holistic policy framework and policy.[8]

8 Many of the key stakeholders discuss and argue that framing "international" and "internal" migration within a single framework would be difficult; rather, there should be separate frameworks for these two types of migration, showing the necessary linkages between the two. However, IOM Bangladesh has tried to design a single framework.

Figure 3.1: Proposed Migration Governance Framework at a Glance



Source: Prepared by the authors (2018).

All the activities described in the succeeding paragraphs will need to be implemented by a lead actor with other co-actor(s) as required under the policy guidance of the proposed IMSCM&D and relevant subcommittee(s). The activities must be well coordinated among the relevant State and non-State agencies (including private companies, development partners, civil society organizations, and national and international NGOs). Proactive contribution of the LGIs – to both generation of resources and implementation of the proposed works – will have to be realized, ensuring the participation of community-based organizations (CBOs). Development partners' financial and technical facilities will need to be used within a broader policy perspective. Support from United Nations agencies may also be utilized for different activities to reach the goals.

The funding for the migration governance-related activities need to come from national, bilateral and multilateral agencies. The resources required to implement the activities can come from the following sources:

- Revenue collected by the central government;
- Revenue generated by the LGIs;
- Funds of the Wage Earners' Welfare Board (WEWB) under the MoEWOE;
- Development partners' funds;
- Sponsorships from stakeholders (namely, financial institutes active in the remittance market, recruitment agencies);
- Diaspora's donation for community development initiatives through a formal mechanism; and
- Compensation funds from developed countries for climate change.

Revenue collected by the central government and development partners, loans and grants remain the largest sources of funding in this regard. There are several unexplored ways by which central government revenue can be increased

and utilized to finance migration governance-related activities. The economists of Bangladesh have proposed a number of methods to increase revenue without creating a burden for the mass of people and have recommended ways for the efficient use of the resources (i.e. channeling resources from unproductive to productive sectors).[9] However, before adopting them to generate the additional budget needed to implement the activities required for the development of the country, including the activities proposed in this framework, these measures need to go through a thorough review. Apart from direct public finance provision, lessening tax liability through tax rebates and tax holidays can attract private sector stakeholders to fund various migration governance-related activities.

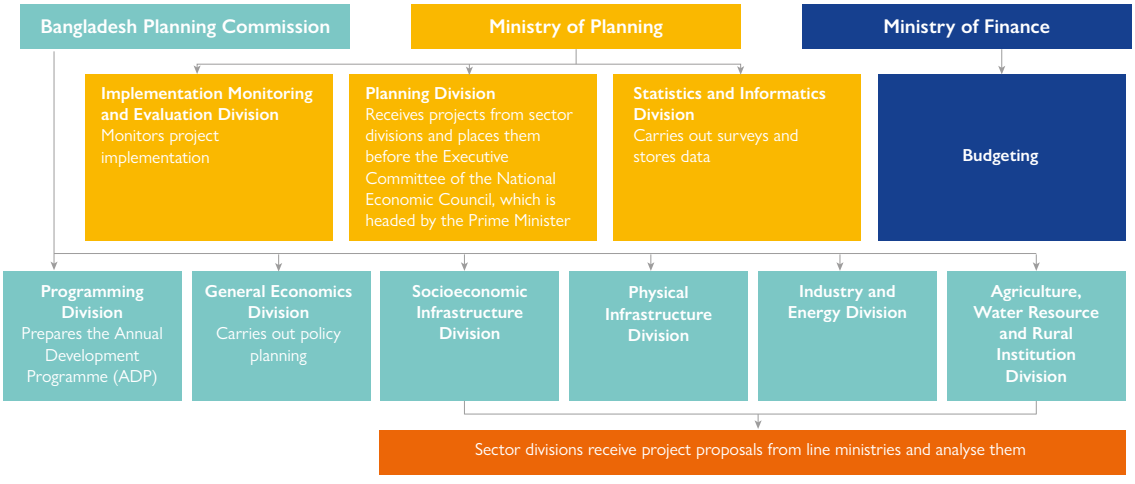
Resource mobilization through development partners' loans and grants can also contribute more if project implementation efficiency can be optimized. Donors have explicit interest in projects related to promoting good governance and protecting human rights – both of which can be attained through the migration governance-related activities proposed in this framework.

Though the revenue generated by the LGIs is not large at present, any innovative initiative considering the interests of migrants can contribute to additional revenue. The Union Digital Centre (UDC) and the Union Information Service Centre (UISC) can serve the unmet demands of potential and actual migrants and their left-behind family members.

Among other sources, the diaspora's donation towards community development initiatives through a formal mechanism has not been realized, and the compensation funds from developed countries for climate change have not materialized as anticipated during the relevant negotiations. Sponsorships from the stakeholders in the migration market have not been explored systematically either. In addition to that, there is potential to increase the funds of the WEWB by incorporating all migrants, including the diaspora. Thus, by tapping into these less explored sources, the resource basket can be increased to implement the activities proposed in this framework.

The Bangladesh Planning Commission – the central planning organization of the country – determines objectives, goals and strategies of medium- and short-term plans within the framework of long-term perspective and formulates policy measures. The Ministry of Finance then prepares budget allocation, in accordance with the needs of the concerned ministries, though the allocation is generally lower than the need. The overall process is shown in Figure 3.2. The proposed framework will also have to go through such a process.

Figure 3.2: Existing Planning Process of Bangladesh



Source: Rahman, T.M., from the presentation titled "Brief on development planning process in Bangladesh: Special focus on project formulation appraisal and approval procedure" (Bangladesh Planning Commission, General Economics Division, n.d.).

9 The details can be found in *Building Bangladesh in the Spirit of Liberation War: Budget Proposal of Bangladesh Economic Association for 2018–19* (the original text in Bangla – *Mutijuddher Chetonar Bangladesh Binirmane Bangladesh Orthonity Shamitir Budget Prostabona 2018–19* – is available at http://bea-bd.org/site/images/pdf/new17/bp2018.pdf).

Sections 3.1 to 3.6 describe the governance framework by setting out the activities, actors and timelines proposed under each of the six goals and relevant indicators and subsequent sub-indicators. A total of 117 activities are proposed under 27 indicators and 90 sub-indicator. It is noteworthy that each of the activities has a corresponding particular principle or objective using the best judgement, though there can be some shift in the activities across the principles and objectives during the implementation period. However, such a probable shift among the activities will not be a hindrance to achieving the goals.

Three timelines for implementing the activities are proposed in this framework:

- Short term (1 to 2 years)
- Medium term (3 to 5 years)
- Long term (6 to 10 years)

Any governance framework should be able to answer at least two major questions: (1) "Who should do what?" and (2) "How should coordination and follow-up be carried out?" These should be answered clearly in the framework – defined in a broader perspective.

Section 4.1 provides the answer to the first question (i.e. Who should do what?). The answer to the second question (i.e. How should coordination and follow-up be carried out?) will require a good monitoring and evaluation framework with specific timelines and targets. This task, after the framework is accepted with necessary revisions, will be carried out according to the existing government mechanism. Relevant projects will be monitored and evaluated by the Implementation, Monitoring and Evaluation Division (IMED) of the Ministry of Planning (MoP). The activities of relevant ministries have to be in accordance with the National Integrity Strategy of Bangladesh 2012. The activities of relevant ministries will remain accountable to the relevant Standing Committee of the National Parliament.

CSOs need to identify whether the goals of the framework are being achieved in line with the proposed activities in an efficient manner (i.e. timely and cost effectively), ensuring protection of the rights of migrants. The right to information on the subject will have to be ensured, aided by a comprehensive database (with a specific sharing policy), so that any stakeholder can track the status of the goals and contribute to overcoming the challenges or obstacles. Media should work as the neutral observer on behalf of the citizens.

3.1. ACTIVITIES, ACTORS AND TIMELINES FOR GOAL 1

Goal 1	Adhering to international standards and fulfilment of migrants' rights

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
Indicator 1.1		**Access to basic social services and social security**				
1.1.1	Access to health care ensured	1.1.1.1	Ensuring mandatory health check-up including counselling services at the time of arrival for all returnee migrants, following WHO standards	MoHFW	MoCAT	Short term
		1.1.1.2	Ensuring mandatory health check-up including counselling services at the time of arrival for all inward migrants, following WHO standards			
		1.1.1.3	Mandatory health insurance for inward migrants		IAs	
		1.1.1.4	Ensuring health-care services including counselling services for forcedly displaced persons in selected facilities providing health-care services, following WHO standards		UN	
1.1.2	Access to education ensured	1.1.2.1	Ensuring continuation of education of a student with a returnee migrant without loss of credit and/or time	MoE	UN	Short term
		1.1.2.2	Ensuring continuation of education of a student with an inward migrant without loss of credit and/or time			
		1.1.2.3	Ensuring continuation of education of a student among the forcedly displaced persons in selected education institutes			
1.1.3	Access to social security ensured	1.1.3.1	Establishing a mechanism for effective inclusion criteria of the social safety net programmes for internal migrants (namely, rural-to-urban migrants)	MoP	MoLGRD&C	Medium term
1.1.4	Portability of social security ensured	1.1.4.1	Establishing a mechanism of portability of the social safety benefits for internal migrants (namely, rural-to-urban migrants)	MoP	MoLGRD&C	Medium term
		1.1.4.2	Ensuring portability of benefits from the countries of destination through diplomatic endeavours for returnee migrants	MoFA		Medium term
Indicator 1.2		**Family rights**				
1.2.1	Family reunification ensured	1.2.1.1	Ensuring family reunification in countries of destination through diplomatic endeavours	MoFA		Medium term
		1.2.1.2	Monitoring travel agents by keeping an updated data on tourism, marriage-related visits, student migration, family reunification and business migration	MoCAT	MoHA	Short term

- *WHO – World Health Organization*
- *IAs – insurance agencies*
- *UN – United Nations*
- *MoCAT – Ministry of Civil Aviation and Tourism*
- *MoE – Ministry of Education*
- *MoFA – Ministry of Foreign Affairs*
- *MoHFW – Ministry of Health and Family Welfare*
- *MoHA – Ministry of Home Affairs*
- *MoLGRD&C – Ministry of Local Government, Rural Development and Cooperatives*
- *MoP – Ministry of Planning*

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
Indicator 1.3		**Right to work**				
1.3.1	Equal access to the labour market established	1.3.1.1	Issuance of work permits from a single authority	MoLE	MoHA	Short term
1.3.2	Access to the private sector established	1.3.1.2	Addressing safety and security issues	MoHA		Short term
1.3.3	Access to the public sector established					
1.3.4	Equal access to self-employment established	1.3.4.1	Making investment opportunities attractive for foreign nationals by ensuring services from a one-stop point	BIDA	BB	Medium term
		1.3.4.2	Making the financial market accessible to foreign nationals through policy support under a transparent and accountable financial system	BB	BAs	Short term
1.3.5	Access to self-employment established	1.3.4.3	Maximizing the revenue generation potential from foreign nationals	NBR		Short term

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
Indicator 1.4		**Long-term residency and path to citizenship**				
1.4.1	Access to permanent residency ensured	1.4.1.1	Facilitating a formal mechanism for permanent residency for foreign nationals	MoHA	MoFA	Short term
1.4.2	Access to nationality facilitated	1.4.2.1	Facilitating a formal mechanism for granting nationality to foreign nationals			Medium term
		1.4.2.2	Revisiting relevant policies and laws for the dual nationality of the Bangladeshi diaspora		DAs	
		1.4.2.3	Issuance of National Identity Cards (NIDs) to Bangladeshi migrants through a postal or an online system	NIRW	MoHA	
Indicator 1.5		**Civil participation**				
1.5.1	National-level elections made accessible	1.5.1.1	Revisiting relevant policies and laws, ensuring the voting rights of outward migrants through a postal or an online system	BEC		Medium term
1.5.2	Local-level elections made accessible					

- *BAs – business associations*
- *BB – Bangladesh Bank*
- *BEC – Bangladesh Election Commission*
- *BIDA – Bangladesh Investment Development Authority*
- *DAs – diaspora business associations*
- *MoFA – Ministry of Foreign Affairs*
- *MoHA – Ministry of Home Affairs*
- *MoLE – Ministry of Labour and Employment*
- *NBR – National Board of Revenue*
- *NIRW – National Identity Registration Wing*

3.2. ACTIVITIES, ACTORS AND TIMELINES FOR GOAL 2

Goal 2	Formulating policies using evidence and "whole-of government" approach

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
Indicator 2.1		**Institutional framework**				
2.1.1	Institutional structure revitalized and redesigned as required	2.1.1.1	Providing policy guidance to the Government in congruence with the international standards and good practices for inward migrants	Proposed TF (led by MoLE)	MoHA	Short term
		2.1.1.2	Revisiting relevant policies and laws and enactments of consequent rules for fulfilment of internal migrants' rights	MoLGRD&C	UN	Short term
		2.1.1.3	Ensure operational coordination among the concerned agencies by covering causes and consequences of internal migration		MoP	Short term
		2.1.1.4	Addressing special needs of women, children and persons with disabilities among internal migrants		MoWCA	Medium term
		2.1.1.5	Combating violation of rights of victims of internal migration and rehabilitation of victims – particularly women and children – by ensuring effective coordination among the stakeholders	MoHA	MoWCA	Short term
		2.1.1.6	Governing climate change-induced migration and reintegration programmes for persons displaced by disasters	MoDM&R	MoEF&CC	Medium term
		2.1.1.7	Ensuring the basic rights of internal migrants employed in both formal and informal sectors of the urban economy	MoLE	TUs	Medium term
		2.1.1.8	Facilitating international migration in internal migration-prone areas with information dissemination and support services	MoEWOE	LGIs	Short term
		2.1.1.9	Tackling irregular international migration from internal migration-prone areas with a view to curtailing the paths of irregular migration	MoHA		Medium term
2.1.2	Interministerial coordination mechanism established	2.1.2.1	Ensuring operational coordination among the concerned agencies by covering all phases of international migration	IMSCM&D	NFM&D	Short term

- *IMSCM&D – Interministerial Steering Committee on Migration and Development*
- *LGIs – local government institutes*
- *MoDM&R – Ministry of Disaster Management and Relief*
- *MoEF&CC – Ministry of Environment, Forests and Climate Change*
- *MoEWOE – Ministry of Expatriates' Welfare and Overseas Employment*
- *MoHA – Ministry of Home Affairs*
- *MoLE – Ministry of Labour and Employment*
- *MoLGRD&C – Ministry of Local Government, Rural Development and Cooperatives*
- *MoP – Ministry of Planning*
- *MoWCA – Ministry of Women and Children Affairs*
- *NFM&D – National Forum on Migration and Development*
- *TF – task force*
- *TUs – trade unions*
- *UN – United Nations*

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
2.1.3	Operational structure for outward migration established	2.1.3.1	Ensuring operational coordination among the concerned agencies by covering all phases of international migration through formation of relevant subcommittees	IMSCM&D		Short term
2.1.4	Operational structure for inward migration established	2.1.4.1	Forming a dedicated body for in-ward migrants	Proposed TF (led by MoLE)	MoHA	Short term
2.1.5	Diaspora engagement facilitated	2.1.5.1	Facilitating increased contribution of the diaspora by ensuring an atmosphere that is welcoming and conducive to diaspora engagement	MoCAT	MoEWOE	Short term
		2.1.5.2	Facilitating investment in financial instruments with promotional activities	BB	MoC	
		2.1.5.3	Facilitating businesses of entrepreneurs in the diaspora aided by required promotional activities	BIDA	DAs	
		2.1.5.4	Facilitating contribution of knowledge-sharing networks of Bangladeshi diaspora in the development of the country	MoST		
		2.1.5.5	Facilitating ethnic trade focusing on the diaspora market with required promotional activities	MoC		Medium term
		2.1.5.6	Facilitating diaspora tourism aided by required promotional activities	MoCAT		
		2.1.5.7	Facilitating benevolent donation from the diaspora to the development activities in their home regions in Bangladesh	MoLGRD&C		Long term

Indicator 2.2		Migration strategy				
2.2.1	National migration strategy established	2.2.1.1	Formulating a national migration strategy including all aspects of migration and ensuring effective coordination mechanisms	MoP	CSOs	Short term
2.2.2	Strategy interconnect-edness ensured					

- *BB – Bangladesh Bank*
- *BIDA – Bangladesh Investment Development Authority*
- *CSOs – civil society organizations*
- *DAs – diaspora business associations*
- *IMSCM&D – Interministerial Steering Committee on Migration and Development*
- *MoC – Ministry of Commerce*
- *MoCAT – Ministry of Civil Aviation and Tourism*
- *MoEWOE – Ministry of Expatriates' Welfare and Overseas Employment*
- *MoHA – Ministry of Home Affairs*
- *MoLE – Ministry of Labour and Employment*
- *MoLGRD&C – Ministry of Local Government, Rural Development and Cooperatives*
- *MoP – Ministry of Planning*
- *MoST – Ministry of Science and Technology*
- *TF – task force*

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
Indicator 2.3		**Legal framework**				
2.3.1	Legal framework for managing outward migration established	2.3.1.1	Revisiting relevant policies and laws and enactments of consequent rules for fulfilment of outward migrants' rights including the needs of special groups	IMSCM&D	NFM&D	Short term
2.3.2	Regulation and facilitation to a special group of migrants provisioned					

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
Indicator 2.3		**Legal framework**				
2.3.3	Nationals residing abroad assisted effectively	2.3.3.1	Ensuring protection of rights of Bangladeshi migrants overseas by engaging the Labour Welfare Wings aided by enhanced human resource and capacity	MoFA	MoEWOE	Short term
		2.3.3.2	Ensuring protection of the Bangladeshi diaspora during crisis		DAs	Short term
		2.3.3.3	Tackling the imprudent global politics (in terms of increasing xenophobia, racism and discrimination) through diplomatic negotiations and by providing legal support aided by country branding activities			Medium term
2.3.4	Legal framework for managing inward migration established	2.3.4.1	Drafting a clear and comprehensive legal framework for governing and managing inward migrants	Proposed TF (led by MoLE)	CSOs	Short term
Indicator 2.4		**Institutional transparency and coherence**				
2.4.1	Transparency established	2.4.1.1	Putting in place a transparent recruitment process by ensuring easy access to information aided by mass awareness campaigns along with monitoring of private recruitment agencies (and by discouraging recruitment through individuals)	MoEWOE	MoI	Medium term
2.4.2	Horizontal policy coherence ensured	2.4.2.1	Building effective partnerships by defining the specific roles and responsibilities of stakeholders	IMSCM&D	NFM&D	Short term
2.4.3	Vertical policy coherence ensured	2.4.3.1	Enhancing the District Employment and Manpower Offices (DEMOs) into one-stop service centres for overseas labour migration by extending their capacity to provide services up to the *upazila* level	MoEWOE		Medium term
		2.4.3.2	Administering locality development concept in origin areas	MoLGRD&C	NGOs	Long term

- *CSOs – civil society organizations*
- *DAs – diaspora business associations*
- *IMSCM&D – Interministerial Steering Committee on Migration and Development*
- *MoEWOE – Ministry of Expatriates' Welfare and Overseas Employment*
- *MoFA – Ministry of Foreign Affairs*
- *MoI – Ministry of Information*
- *MoLE – Ministry of Labour and Employment*
- *MoLGRD&C – Ministry of Local Government, Rural Development and Cooperatives*
- *NFM&D – National Forum on Migration and Development*
- *NGOs – non-governmental organizations*
- *TF – task force*

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
Indicator 2.5		**Data gathering and information availability**				
2.5.1	System for the regular collection of migration data established, and migration data published in Bangladesh Migration Profile	2.5.1.1	Establishing a comprehensive database (connected with the NID database) of migration flow and stock and household members of migrants under a data-sharing policy	MoP	UN	Medium term
		2.5.1.2	Developing and publishing Bangladesh Migration Profile	UN	ROs	Short term
2.5.2	Migration issues addressed in census	2.5.2.1	Incorporating relevant census questions/format to collect migration data adequately	MoP		Medium term

- *MoP – Ministry of Planning*
- *ROs – research organizations*
- *UN – United Nations*

3.3. ACTIVITIES, ACTORS AND TIMELINES FOR GOAL 3

Goal 3	Engaging partners in addressing migration and related issues

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
Indicator 3.1		**Signing and ratification of international conventions**				
3.1.1	The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) signed	3.1.1.1	Establishing a mechanism to track progress	NFM&D	NGOs	Short term
3.1.2	The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) ratified					
3.1.3	The Convention relating to the Status of Refugees signed	3.1.3.1	Facilitating the processes of signing and ratification	IMSCM&D		Medium term
3.1.4	The Convention relating to the Status of Refugees ratified					
3.1.5	The Convention on the Rights of the Child (CRC) signed	3.1.4.1	Establishing a mechanism to track progress	NFM&D	NGOs	Short term
3.1.6	The Convention on the Rights of the Child (CRC) ratified					
3.1.7	The ILO Migration for Employment Convention (Revised), 1949 (No. 97) ratified	3.1.7.1	Facilitating the process of ratification	IMSCM&D		Medium term
3.1.8	The Supplementary Provisions of the ILO Migration for Employment Convention, 1975 (No. 143) ratified					
3.1.9	The Convention on Statelessness ratified					
Indicator 3.2		**Regional cooperation**				
3.2.1	Become part of official regional consultative processes on migration (RCPs)	3.2.1.1	Drafting issue-specific policy briefs/position papers in the process where the national interest is established	IMSCM&D	UN	Medium term
3.2.2	Agreements for formal intraregional mobility made	3.2.1.2	Establishing a mechanism to track outcomes	NFM&D		Short term

- *IMSCM&D – Interministerial Steering Committee on Migration and Development*
- *NFM&D – National Forum on Migration and Development*
- *NGOs – non-governmental organizations*
- *UN – United Nations*

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
Indicator 3.3		**Bilateral agreements**				
3.3.1	Formal agreements with other sending or receiving countries made	3.3.1.1	Expediting bilateral negotiations for both vertical and horizontal expansion	IMSCM&D	UN	Medium term
3.3.2	Non-binding agreements (e.g. memorandums of understanding) with other sending or receiving countries made	3.3.1.2	Establishing a mechanism to track outcomes	NFM&D		Short term
3.3.3	Participation in bilateral migration negotiations					
Indicator 3.4		**Global cooperation**				
3.4.1	Participation in the Global Forum on Migration and Development (GFMD)	3.4.1.1	Establishing a mechanism to track outcomes	NFM&D	UN	Short term
3.4.2	Representation in the International Organization for Migration (IOM)/Office of the United Nations High Commissioner for Refugees (UNHCR) governing bodies					
Indicator 3.5		**Other partnerships**				
3.5.1	Partnerships with civil society organizations (CSOs) established	3.5.1.1	Expediting bilateral negotiations for both vertical and horizontal expansion	IMSCM&D	UN	Medium term
3.5.2	Partnerships with private sector/social partners established	3.5.2.1	Establishing a mechanism to track outcomes	NFM&D		Short term
3.5.3	Partnership with the diaspora established	3.5.3.1	Taking steps in establishing formal partnerships with specific agenda	IMSCM&D	UN	Medium term
3.5.4	Regional agreements promoting labour mobility made	3.5.4.1	Taking steps in establishing such agreements			

- *IMSCM&D – Interministerial Steering Committee on Migration and Development*
- *NFM&D – National Forum on Migration and Development*
- *UN – United Nations*

3.4. ACTIVITIES, ACTORS AND TIMELINES FOR GOAL 4

Goal 4	Advancing the socioeconomic well-being of migrants and society

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
Indicator 4.1		**Labour migration management**				
4.1.1	National assessment of the labour market for inward migrants conducted	4.1.1.1	Conducting a national assessment of the labour market for inward migrants	UN	ROs	Short term
4.1.2	National assessment of the labour market for outward migrants conducted	4.1.2.1	Conducting a national assessment of the labour market for selected countries for outward migrants			
4.1.3	A labour demand management system established	4.1.3.1	Establishing a labour demand management system	MoLE		Medium term
4.1.4	A work visa system to attract specific labour skills established	4.1.4.1	Establishing a system of issuing work visa to attract specific labour skills	MoFA	MoLE	Medium term
Indicator 4.2		**Skills and qualifications recognition schemes**				
4.2.1	A system to recognize inward labour migrants' skills and capacities established	4.2.1.1	Formulating a clear policy guideline and establishing an implementation strategy for the recognition and accreditation of inward labour migrants' qualifications	NSDC	UN	Medium term
4.2.2	Inward labour migrants' qualifications accredited					
4.2.3	Participation in international schemes with common qualification frameworks	4.2.3.1	Registering all technical and vocational education and training (TVET) institutions with the Bangladesh Technical Education Board (BTEB) to provide competency-based training and assessment (CBT&A) following the National Technical and Vocational Training and Qualification Framework (NTVQF)	BMET	UN	Medium term
		4.2.3.2	Carrying out activities focused on awareness-raising among and sensitization of foreign governments and employers about the reforms done by Bangladesh in the skills training system		MoFA	
		4.2.3.3	Signing of a memorandum of understanding with a foreign government and employers to ensure recognition of the NTVQF of Bangladesh in their qualification framework			

- *BMET – Bureau of Manpower, Employment and Training*
- *MoFA – Ministry of Foreign Affairs*
- *MoLE – Ministry of Labour and Employment*
- *NSDC – National Skills Development Council*
- *ROs – research organizations*
- *UN – United Nations*

Sub-indicators		Activity		Actor		
				Lead	Co-lead	Timeline
Indicator 4.3		**Student migration regulation**				
4.3.1	Foreign students' access to education ensured	4.3.1.1	Ensuring equal access to education for foreign students aided by a justified quota (based on the labour market capacity assessment) through specific policy guidance	MoE	ROs	Short term
4.3.2	Equal education opportunities for foreign students ensured					
4.3.3	Quotas for the number of foreign students based on labour market capacity established					
4.3.4	Access to work for foreign students after graduation ensured	4.3.4.1	Ensuring access to work for foreign students while studying and after graduation through specific policy guidance	MoLE	MoE	Medium term
4.3.5	Work opportunities for foreign students while studying facilitated					
Indicator 4.4		**Bilateral labour agreements**				
4.4.1	New bilateral labour agreements signed	4.4.1.1	Taking steps in establishing such agreements with more governments	MoEWOE	MoFA	Medium term
4.4.2	Measures taken to ensure decent working conditions by promoting ethical recruitment	4.4.2.1	Launching mass awareness campaigns regarding safe, orderly and dignified migration	MoEWOE	MoI	Short term
		4.4.2.2	Formulating a classification system of recruitment agencies		BAIRA	
		4.4.2.3	Revitalizing the call centre for expatriates and the online complaints system		MoHA	
		4.4.2.4	Curbing illegal processes and intermediaries in the process			Medium term
		4.4.2.5	Revitalizing activities for distressed migrant workers in crisis situations and providing related support		MoSW	Short term
		4.4.2.6	Expanding coverage and products targeting the financial support for labour migrants including their left-behind family members	BB	MFIs	Short term
		4.4.2.7	Ensuring security of family members left behind, namely women and children	MoHA	MoWCA	Short term

4.4.3	A mechanism to protect the rights of migrants working abroad established	4.4.3.1	Ensuring protection of the rights of Bangladeshi migrants by engaging the Labour Welfare Wings through enhanced human resource and capacity	MoFA	MoEWOE	Medium term

- *BAIRA – Bangladesh Association of International Recruiting Agencies*
- *BB – Bangladesh Bank*
- *MFIs – microfinance institutes*
- *MoE – Ministry of Education*
- *MoEWOE – Ministry of Expatriates' Welfare and Overseas Employment*
- *MoFA – Ministry of Foreign Affairs*
- *MoHA – Ministry of Home Affairs*
- *MoI – Ministry of Information*
- *MoLE – Ministry of Labour and Employment*
- *MoSW – Ministry of Social Welfare*
- *MoWCA – Ministry of Women and Children Affairs*
- *ROs – research organizations*

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
Indicator 4.5		**Migrant remittances**				
4.5.1	Formal remittance schemes promoted	4.5.1.1	Airing of commercials on Bangladeshi television channels that are viewed mostly in key countries of destination for promotion of sending remittances through formal channels	BB	MoI	Short term
		4.5.1.2	Organizing rigorous financial education programmes as mandatory for prospective migrant workers in the pre-departure phase	MoEWOE	BB	
		4.5.1.3	Conducting a needs assessment to map the probable innovative service provision to channel remittances into productive investments considering the geographic locations			
		4.5.1.4	Developing formal partnerships between financial and non-financial institutions to expand service provision and to introduce innovative service provision to channel remittances into productive investments based on the needs assessment report	BB	MoEWOE	Medium term
		4.5.1.5	Conducting a needs assessment to map the probable schemes to promote small and medium-sized enterprises development, targeting the households of migrant workers	SMEF	MoEWOE	Short term

4.5.2	Remittance transfer costs reduced	4.5.2.1	Ensuring a more rational geographic distribution of foreign exchange centres in the country of destination through a feasibility study	BB	MoFA	Medium term
		4.5.2.2	Forming a working group to plan the specific time-bound measures to facilitate agreements between central banks especially with major/prospective countries of destination and agreements signed as per plan			Short term

- *BB – Bangladesh Bank*
- *MoEWOE – Ministry of Expatriates' Welfare and Overseas Employment*
- *MoFA – Ministry of Foreign Affairs*
- *MoI – Ministry of Information*
- *SMEF – Small and Medium Enterprise Foundation*

3.5. ACTIVITIES, ACTORS AND TIMELINES FOR GOAL 5

Goal 5	Effectively addressing the mobility dimensions of crises

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
Indicator 5.1		**Crisis resilience and preparedness**				
5.1.1	A national strategy on providing assistance to displaced migrants established	5.1.1.1	Establishing a mechanism to track progress	CSOs		Short term
5.1.2	National strategy on disaster risk reduction established	5.1.2.1	Implementing the National Plan for Disaster Management (2016–2020) with particular attention to the migration aspect	MoDM&R	UN	Short term
		5.1.2.2	Establishing a mechanism to track progress	CSOs		
5.1.3	A national strategy on addressing migratory movements caused by adverse effects of climate change established	5.1.3.1	Activating a strategy addressing migratory movements caused by adverse effects of climate change	MoEF&CC	UN	Short term
		5.1.3.2	Establishing a mechanism to track progress	CSOs		
5.1.4	A contingency plan in case of large-scale population movements in times of crisis prepared	5.1.4.1	Designing a comprehensive plan, considering the challenges faced in realities in recent times	IMSCM&D	UN	Short term
5.1.5	Records of nationals living abroad and migrants in the country kept systematically	5.1.5.1	Establishing a comprehensive database of migrants (including household members) under a data-sharing policy	MoP		Medium term
5.1.6	Measures to assist nationals living abroad in times of crisis ensured	5.1.6.1	Ensuring protection of rights of the Bangladeshi migrants through the foreign missions aided by adequate human resource and enhanced capacity in Labour Welfare Wings	MoFA	MoEWOE	Medium term
Indicator 5.2		**Emergency response**				
5.2.1	Communication systems regarding crisis established	5.2.1.1	Ensuring providing assistance to nationals living abroad in times of crisis aided by a dynamic early warning mechanism	MoFA	MoEWOE	Medium term
5.2.2	Communication systems that take into consideration the specific vulnerabilities that migrants face established					

- *CSOs – civil society organizations*
- *IMSCM&D – Interministerial Steering Committee on Migration and Development*
- *MoDM&R – Ministry of Disaster Management and Relief*
- *MoEF&CC – Ministry of Environment, Forests and Climate Change*
- *MoEWOE – Ministry of Expatriates' Welfare and Overseas Employment*
- *MoFA – Ministry of Foreign Affairs*
- *MoP – Ministry of Planning*
- *UN – United Nations*

Sub-indicators		Activity		Actor		
				Lead	Co-lead	Timeline
5.2.3	Equally accessible humanitarian assistance, irrespective of the legal status of migrants, provisioned	5.2.3.1	Designing a particular strategic plan, considering the global experience/challenges	IMSCM&D		Short term
5.2.4	Exceptions on the immigrant procedures for migrants whose country of origin is experiencing a crisis made					
5.2.5	A national displacement strategy established	5.2.5.1	Establishing a mechanism to track progress in line with the national development strategy	CSOs		
Indicator 5.3		**Post-crisis action**				
5.3.1	A recovery strategy and development plan that includes migration issues developed	5.3.1.1	Designing a recovery strategy and development plan that adequately addresses the migration aspect through effective coordination among the stakeholders	IMSCM&D		Short term
		5.3.1.2	Establishing a mechanism to track progress	CSOs		
5.3.2	Policy in the aftermath of a crisis to accommodate the return of migrants that have fled during the crisis prepared	5.3.2.1	Designing a comprehensive plan considering the experience/challenges faced in the region	IMSCM&D		Medium term

- *CSOs – civil society organizations*
- *IMSCM&D – Interministerial Steering Committee on Migration and Development*

3.6. ACTIVITIES, ACTORS AND TIMELINES FOR GOAL 6

Goal 6	Ensuring that migration takes place in a safe, orderly and dignified manner

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
Indicator 6.1		**Border control and enforcement**				
6.1.1	A monitoring mechanism to trace visa overstays established	6.1.1.1	Setting up a monitoring system for visa overstays through the use of modern technology with trained human resources	MoHA		Short term
6.1.2	An integrated border control and security system established	6.1.2.1	Forming a subcommittee within the IMSCM&D for effective coordination among the forces active in border control	IMSCM&D		Short term
6.1.3	Resourceful training for human resources for border control and security ensured	6.1.3.1	Rigorous training programmes based on extensive research on the routes/methods used to understand various dimensions/ routes of illegal border crossing including the human rights aspect	MoHA	BIISS	Medium term
Indicator 6.2		**Admission and eligibility criteria**				
6.2.1	Clarity in visa policy ensured	6.2.1.1	Posting the visa process online to make it accessible to more people and ensure transparency	MoFA	MoHA	Short term
6.2.2	Visa processing system made efficient	6.2.2.1	Providing direct policy guidance and enhancing capacities to make the visa process efficient			Medium term
Indicator 6.3		**Return and reintegration policies**				
6.3.1	Reintegration policies for returning nationals designed	6.3.1.1	Developing reintegration policies for returning migrants	IMSCM&D		Short term
6.3.2	Returning nationals assisted	6.3.2.1	Ensuring reintegration and rehabilitation of returnees through financial inclusion	MoEWOE	BB	Short term
		6.3.2.2	Providing skills enhancement and entrepreneurship training to potential returning migrants		MoE	Medium term
		6.3.2.3	Engaging local government institutes (LGIs) at the union level in facilitating the creation of community-based organizations (CBOs) to support the reintegration of returning migrants, particularly women		LGIs	

- *BB – Bangladesh Bank*
- *BIISS – Bangladesh Institute of International and Strategic Studies*
- *CSOs – civil society organizations*
- *IMSCM&D – Interministerial Steering Committee on Migration and Development*
- *LGIs – local government institutes*
- *MoE – Ministry of Education*
- *MoEWOE – Ministry of Expatriates' Welfare and Overseas Employment*
- *MoFA – Ministry of Foreign Affairs*
- *MoHA – Ministry of Home Affairs*

Sub-indicators		Activity		Actor		Timeline
				Lead	Co-lead	
Indicator 6.4		**Measures to combat human trafficking and smuggling**				
6.4.1	National strategy to combat human trafficking established	6.4.1.1	Combating human trafficking and rehabilitating victims of trafficking by ensuring effective coordination among the stakeholders and reviewing relevant rules, acts and enactment of consequent rules	MoHA	NGOs	Short term
		6.4.1.2	Setting up the Human Trafficking Prevention Fund			
		6.4.1.3	Forming the National Anti-Human Trafficking Authority			
		6.4.1.4	Institutionalizing the Safe Migration Committee at the union level		NGOs	
6.4.2	Information on counter-trafficking activities published regularly	6.4.2.1	Publishing biannual reports on counter-trafficking activities and on initiatives in the protection/ rehabilitation of victims, meeting the data requirements of standard international reports	MoHA	CSOs	Short term
6.4.3	The country's status in the US Department of State's annual Trafficking in Persons Report improved					

- *CSOs – civil society organizations*
- *MoHA – Ministry of Home Affairs*
- *NGOs – non-governmental organizations*



Chapter 4
CONCLUSION

With the wide range of implications of migration socially, economically and politically, the impetus for migration governance has received increasing attention. State and non-State actors are much concerned and looking for ways and solutions to govern migration with a view to maximizing the benefits and minimizing the costs of mobility. In the absence of a global migration governance mechanism, States often create multi-level migration governance on an ad hoc basis (Betts, 2011). On 1 July 2003, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families entered into force. This Convention emphasizes the connection between migration and human rights, which is increasingly becoming a crucial policy topic worldwide.

According to UNESCO, governance refers to "structures and processes that are designed to ensure accountability, transparency, responsiveness, rule of law, stability, equity and inclusiveness, empowerment, and broad-based participation. Governance also represents the norms, values and rules of the game through which public affairs are managed in a manner that is transparent, participatory, inclusive and responsive. In a broad sense, governance is about the culture and institutional environment in which citizens and stakeholders interact among themselves and participate in public affairs. Governance systems set the parameters under which management and administrative systems will operate. Governance is about how power is distributed and shared, how policies are formulated, priorities set and stakeholders made accountable."[10]

According to Taran (n.d.), the foundations of a labour migration governance framework include: (1) collecting and analysing relevant labour migration data; (2) engaging with social partners; (3) setting the standards-based approach to migration; (4) building institutional mechanisms for policymaking, administration and coordination; (5) establishing informed and transparent labour migration systems; (6) providing adequate and up-to-date vocational education and training; (7) enforcing minimum decent work standards in all sectors; (8) implementing action against discrimination and xenophobia; and (9) extending social protection, specifically social security coverage and portability, to migrant workers. However, this intended to cover only the aspects related to labour migration.

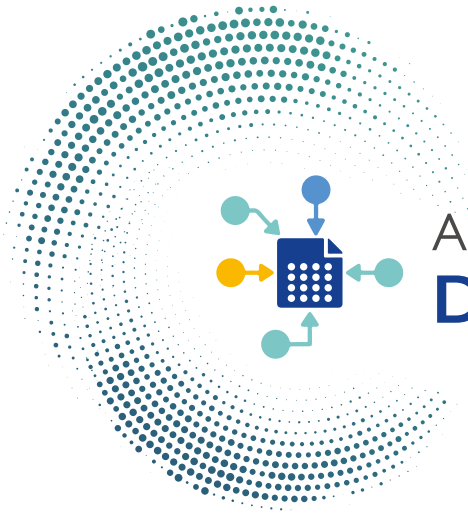
According to the Economist Intelligence Unit (2016), migration governance is a complex concept. There is substantial debate among academics and reputable research institutions about how best to define migration governance. Some definitions deal with global migration governance and the international perspective of the subject. Betts (2011), who applies a general definition of global governance to migration, provides a commonly referenced definition: "global governance includes a range of norms, rules, principles, decision-making procedures that exist over and above the level of a single nation-state." Kunz, Lavenex and Panizzon (2011) present an alternative definition that focuses on the existence of multiple actors: "migration governance explores the emerging concept of 'migration partnerships' in the political management and governance of international migration flows. The partnership approach to migration seeks to balance the responsibility and benefits of migration more evenly between source, transit and destination countries."

10 See: www.ibe.unesco.org/en/geqaf/technical-notes/concept-governance.

Migration governance is a process that aims to go beyond ad hoc responses, as it guides States and partners in the elaboration of balanced and comprehensive measures for migration to be safe, orderly and dignified. This includes facilitating better coordination among relevant partners and creating a more effective migration governance environment that is beneficial to all. Continued engagement with State and non-State actors are crucial to facilitating policy coordination and advocacy.

There is a need to recognize that the challenges of migration can be addressed through a whole-of-government approach to ensure horizontal and vertical policy coherence across all sectors and levels of government. In addition, broad multi-stakeholder engagement through a whole-of-society approach is crucial to addressing migration in all its dimensions.

To reach the goals of the framework, public and private structures and institutions for migration governance should be well resourced and revitalized adequately, considering the need for coordination among service providers. The implementation of proposed interventions needs to be driven by the highest level of authority. Proper implementation of the framework lies with the policymakers with home-grown development philosophy aided by an inclusive public monitoring and overseeing mechanism. This framework will enable government counterparts and related stakeholders to define policy priorities and establish the sequencing of initiatives that would produce sustainable results in line with the specific migration trends in the country.



Annex A
DATA SOURCES

A.1. BROAD CATEGORIES OF DATA SOURCES

The framework is primarily based on secondary information focused on existing literature and data. The broad categories of documents/information reviewed in this framework are: (1) government legal and policy documents; (2) research reports; (3) international legal instruments; (4) United Nations documents; (5) published databases; (6) newspaper articles/reports; and (7) television/online reports.

A.2. DATA COLLECTION INSTRUMENTS USED

To supplement, complement and validate the findings, primary information – qualitative in nature – was collected from relevant policymakers and practitioners through key informant interviews (KIIs), in-depth interviews (IDIs) and focus group discussions (FGDs). The primary information was collected from local- and national-level stakeholders. A total of 43 data collection instruments (DCIs) were used for this framework. There were broadly four types of DCIs used: (1) KII guideline; (2) IDI guideline for institutional respondents; (3) IDI guideline for individual respondents; and (4) FGD guideline. The secondary and primary data was triangulated during the analysis.

A.3. RESPONDENTS/PARTICIPANTS IN THE PRIMARY DATA COLLECTION

The organizations from where the relevant officials who were interviewed as key informants are listed below:

Ministries	
1	Ministry of Expatriates' Welfare and Overseas Employment (MoEWOE)
2	Ministry of Foreign Affairs (MoFA)
3	Ministry of Planning (MoP)
4	Ministry of Education (MoE)
5	Ministry of Social Welfare (MoSW)
6	Ministry of Women and Children Affairs (MoWCA)
Other State Agencies	
7	Bangladesh Bank (BB)
8	Bureau of Manpower, Employment and Training (BMET)
9	Wage Earners' Welfare Board (WEWB)
10	Probashi Kallyan Bank (PKB)
11	Bangladesh Overseas and Employment Services (BOESL)
United Nations Agencies and Development Partners	
12	United Nations Development Programme (UNDP)
13	International Labor Organization (ILO)
14	International Organization for Migration (IOM)
15	European Union (EU)
Associations	
16	Bangladesh Association of International Recruiting Agencies (BAIRA)
17	Bangladeshi Ovhibashi Mohila Sramik Association (BOMSA)

To capture the various dimensions of international migration, three districts (and respective *upazilas* and unions) were selected covering the upper side, middle side and lower side areas based on proportion of overseas migrants to the country's total overseas migrants from those areas.[11] Along with the FGDs held in the sample districts, FGDs were organized in the slum areas of Dhaka where internal migrants lived in shanties. Participants in the IDIs and FGDs conducted at the local level are as follows:

	Respondent/Participant	Number of Respondents/ Participants
In-depth Interviews at the Institutional Level		
18	District Employment and Manpower Office (DEMO)	3
19	Office of the Upazila Nirbahi Officer (UNO)	3
20	Union Information and Service Centre (UISC)	3
21	Union *parishad* representatives	3
22	Technical training centres (TTCs)	3
23	Law enforcement agencies (Police)	3
24	Money transfer agencies	3
In-depth Interviews at the Individual Level		
25	Returnee migrants (male)	6
26	Returnee migrants (female)	6
27	Potential migrants (male)	6
28	Potential migrants (female)	6
29	Left-behind family members (male) of migrant workers	3
30	Left-behind family members (female) of migrant workers	3
31	Intermediaries	6
Focus Group Discussions		
32	Returnee migrants (male)	3
33	Returnee migrants (female)	3
34	Potential migrants (male)	3
35	Potential migrants (female)	3
36	Community people	3
37	Internal migrants (male) in Dhaka	1
38	Internal migrants (female) in Dhaka	1

Diaspora members were selected from diaspora organizations abroad, particularly those in Canada, the United Kingdom and the United States. Investors in the diaspora (i.e. Bangladeshi diaspora members investing in Bangladesh) also participated in the interviews. The interviews were conducted face-to-face (for those who were available in the country when the survey was carried out) and on the telephone. Information on the IDI respondents is as follows:

	Respondent	Number of Respondents
In-depth Interviews at the Institutional Level		
39	Private international recruitment agencies	2
40	Emigration consulting agencies	1
41	Diaspora	5
42	Bangladeshi migrants with student visa	2
43	Foreigners (workers) staying in Bangladesh	3

11 To ensure the anonymity of the officials interviewed, the names of the sample districts, *upazilas* and unions are not mentioned.

Annex B

ASSESSMENT OF CONTEXT, EXISTING POLICIES AND PRACTICES

B.1. THE MIGRATION CONTEXT IN BANGLADESH

B.1.1. INTERNATIONAL MIGRATION

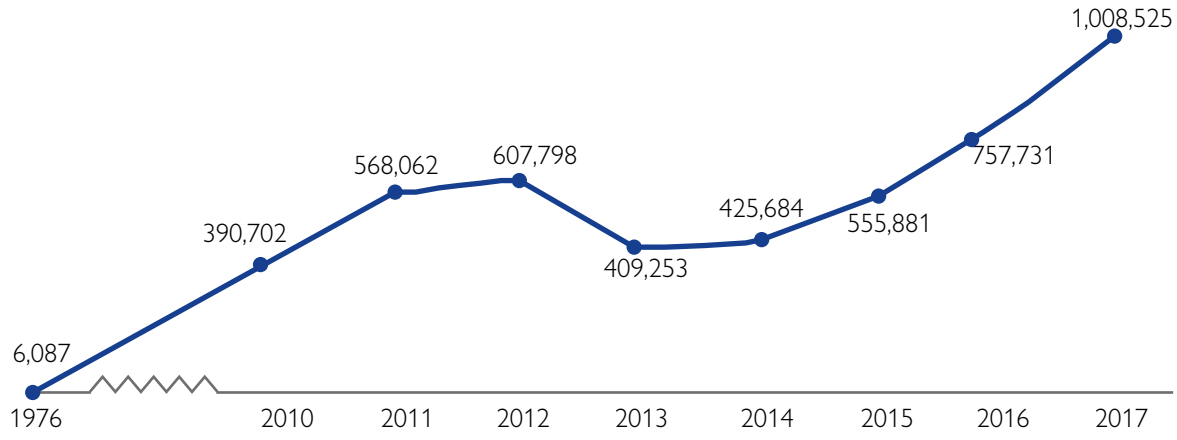
B.1.1.1. OUTWARD MIGRATION FROM BANGLADESH

LABOUR MIGRATION

The Expatriates' Welfare and Overseas Employment Policy 2016 and the Overseas Employment and Migrants Act 2013 are the two key policy directions to govern outmigration from the country. The Government of Bangladesh – through the Expatriates' Welfare and Overseas Employment Policy 2016 – aims to uphold three sections of its Constitution – Section 19: Equality of Opportunity; Section 20: Work as Right and Duty; and Section 40: Freedom of Profession or Occupation. The Overseas Employment and Migrants Act 2013 is the key act on outmigration. Both the Policy and the Act recognize the special needs of the left-behind family members. Another related law is the Prevention and Suppression of Human Trafficking Act 2012. It is notable that Bangladesh has ratified the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW).

While there is a lack of a comprehensive database of categories of migrants, various sources have corroborated that more than 11 million Bangladeshis are present in 167 countries throughout the globe. During the past four decades, overseas migration has increased many folds: from only around 6,000 in 1976 to more than a million in 2017 (see Figure B.1 for details). From 1976 up to 2017, a total of around 3.4 million workers from Bangladesh went to Saudi Arabia, which was around 27 per cent of the total migration that took place in this period (around 11.5 million); other Bangladeshi migrants went to the United Arab Emirates (20.6%), Oman (11.8%), Malaysia (7.7%) and Kuwait (5.1%). In 2017, only 10 destination countries constituted 96 per cent of the total overseas migration, with Saudi Arabia topping the list. Only three countries (i.e. Saudi Arabia, Malaysia and Oman) constituted 73.4 per cent of the total migration in that particular year (Bureau of Manpower, Employment and Training (BMET) data).

Figure B.1: Migrant Workers in the Last Four Decades, 1976–2017



Women in Bangladesh started their international migration officially as workers in 1991; by 2017, a total of 696,000 women had migrated overseas for work, which is 6.1 per cent of the total migration until the end of that year. In the last five years, the absolute number of women workers going abroad has been on an increasing trend. A total of 121,925 women migrated overseas in 2017 alone, which is 12.1 per cent of the total overseas labour migration in that year. Saudi Arabia topped the list in 2017 (migration to this country constituted 68.4% of the total women migration in that year). Migration to only three countries – Saudi Arabia, Jordan and Oman – constituted more than nine tenths (92%) of the total women migration in 2017 (BMET data). However, Bangladeshi women workers, in most cases, are employed in the low-paid work, predominantly in housekeeping, which often puts them in vulnerable situation.

The 64 districts under the 8 divisions of the country vary notably by overall migration trend. In 2017, the top 10 sending districts constituted 47.1 per cent of the total number of migrant workers. The bottom 10 districts accounted for only 1.4 per cent of the total migrant workers in that year.

The proportion of skilled workers is low among the overseas migrant workers from Bangladesh. In 2017, around two thirds (39.8%) of the migrant workers were less skilled. Together, less skilled and semi-skilled workers accounted for 55.3 per cent of overseas migration.

Remittances continue to make a major contribution to Bangladesh economy. In the last four decades – yearly remittance earnings have increased by around 1,277 times – from USD 10 million in fiscal year (FY) 1975–1976 to USD 12,769 million in FY2017–2018. Although Bangladeshi workers are spread around the globe, there are certain countries from which Bangladesh receives the major portion of remittances. In FY2016–2017, 62.4 per cent of the total remittance received came from only five countries, namely Saudi Arabia (USD 2,267.2 million), the United Arab Emirates (USD 2,093.54 million), the United States (USD 1,688.86 million), Kuwait (USD 1,103.63 million) and Malaysia (USD 1,033.31 million) (Statistical Department, Bangladesh Bank, 2018).

Some challenges remain in the labour migration sector, as there are cases when individuals use irregular migration channels. In such cases, aspiring migrants are reportedly paying a huge amount of money and end up in the web of traffickers.[12]

12 *The Daily Star*, "Majority boat migrants Bangladeshis!" (*The Daily Star*, 8 May 2017). Available at www.thedailystar.net/editorial/majority-boat-migrants-bangladeshis-1402183.

From January to 22 May 2017, around 5,650 Bangladeshis crossed the Mediterranean Sea via Libya and reached Italy (the figure for the same was 7,578 in the whole year of 2016).[13]

Member countries of the European Union issue 20,000 resident permits to Bangladeshis on an average every year. Member nations of the European Union issued resident permits to around 26,000 Bangladeshis in 2014, 21,000 in 2015 and 25,000 in 2016. However, only 4,100 permits were issued to Bangladeshis from January to June 2017. It is notable that Bangladesh has signed recently a standard operating procedure (SOP) with the European Union on the modalities to take back unauthorized migrants from the 28 Member States of the bloc. According to the European Union data, around 200,000 legal Bangladeshi residents were living in 27 European Union countries, excluding the United Kingdom, until December 2016.[14]

Migrant workers' left-behind family members: Although there are no official statistics on left-behind family members of the overseas migrant workers, there are estimates that approximately 15.4 million household members were left behind in 2018 in course of overseas migration from 3.8 million of households.[15]

While there are positive benefits of migration, family members left behind may bear the impacts of social costs. The financial costs have often been the centre of the migration discourse; however, social costs and the relevant interventions have not often been underscored. It has been seen that left-behind female spouses often suffer and the impact is high for left-behind children. However, these negative connotations do not offset the positive impacts of international migration upon the left-behind family members – in terms of financial and social remittances. The positive impacts have their own development effects on the country.

Diaspora

Diaspora members – according to the Expatriates' Welfare and Overseas Employment Policy 2016 of Bangladesh – are migrants who are staying abroad for a longer period and have taken the nationality of the host country or willing to take its nationality but, at the same time, are willing to keep relations with Bangladesh and want to contribute to their home country's socioeconomic development.[16] The Seventh Five-Year Plan also stresses that the purview of expatriates' welfare must include the Bangladeshi diaspora.

There is no accurate data about the number and destination countries of Bangladeshi diaspora members. However, it is evident that migrants from Bangladesh who settle permanently abroad are inclined to live in North American countries (namely, the United States and Canada) and European countries (namely, the United Kingdom). A study conducted by the Government of Bangladesh and IOM in 2004 attempted to collate information from informed sources having first-hand knowledge of these long-term migrants. The number of long-term Bangladeshi migrants

13 R. Ejaz, "Illegal migration of Bangladeshis to Europe rising" (originally published in *Prothom Alo Bangla* and rewritten in English by Rabiul Islam) (*Prothom Alo* (English version), 7 July 2017). Available at http://en.prothomalo.com/bangladesh/news/153069/Illegal-migration-of-Bangladeshis-to-Europe-rising. (The source of the news is: D. Cupolo, "Explaining the Bangladeshi migrant surge into Italy" (*IRIN*, 1 June 2017), available at www.irinnews.org/analysis/2017/06/01/explaining-bangladeshi-migrant-surge-italy.)

14 S.S. Zaman, "EU provides incentive for return of illegal Bangladeshi residents" (*Dhaka Tribune*, 19 January 2018). Available at www.dhakatribune.com.bangladesh/2018/01/19/eu-incentive-return-illegal-bangladeshi/.

15 The projected population of Bangladesh (based on the census data) for 2018 is 164.7 million and the number of households is 40.6 million (according to the 2016 Household Income and Expenditure Survey (HIES), carried out by the Bangladesh Bureau of Statistics, the average household size is 4.06). According to the 2010 HIES, 9.4 per cent households reported about overseas migration of household members. If this trend continues, then it is estimated that in 2018, at least one household member of each of the 3.8 million households is living abroad.

16 There is no standard definition of "diaspora" or who constitute the diaspora. The provisions of the International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97), ILO Recommendation No. 86, ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) and ILO Recommendation No. 151 state issues related to the length of stay of migrant workers. In general, these instruments do not make distinctions between workers who have migrated for permanent settlement and those who have migrated for short-term or even seasonal work. Therefore, all Bangladeshi migrant workers qualify as individual members of the conceptual "communities" abroad, or the diaspora, as they are held together by a common identity derived from their Bangladeshi origin and a collective social or cultural relationship with Bangladesh, irrespective of the time they have been away from their country of origin.

was estimated at about 1.2 million, with 500,000 residing in the United Kingdom and 500,000 living in the United States (MoEWOE and IOM, 2004). This simply indicates that more than 1 million Bangladeshis are living in these two countries as diaspora members, which is 10 per cent of the total migrant Bangladeshis living abroad. Bangladeshi diaspora members, though still in a limited scale, are also investing in productive sectors of the country. Many of them are playing a dedicated role in mobilizing technology in their homeland for the sake of the country's overall socioeconomic development (Barkat, Osman and Gupta, 2014b). Bangladeshi diaspora members are a crucial actor in the socioeconomic as well as political development of the United Kingdom. Third- or even fourth-generation Bangladeshi diaspora members in the United Kingdom are on their way to establishing themselves in the mainstream of the British economy and political sphere. Bangladeshi diaspora members are playing a significant role in the socioeconomic spheres in North American host countries. Their well-built position in the host countries creates a new window for stronger international diplomatic practices.

B.1.1.2. INWARD MIGRATION TOWARDS BANGLADESH

FOREIGN NATIONALS WORKING IN BANGLADESH

Bangladesh has four laws that are most applicable to foreigners: the Foreigners Act, 1946; the Foreigners Order, 1951; the Registration of Foreigners Act, 1939; and the Registration of Foreigners Rules, 1966. Since these are immigration-centric laws, the treatment of foreigners (including those in need of international protection) is subject to administrative and judicial interpretations. This, in turn, can vary according to the institution, or sometimes according to individuals, or even to the profile of the foreigners in question.

There is no comprehensive database of foreign nationals working in Bangladesh. However, as confirmed by some of the key informants, the number of foreign nationals employed in the country is on an increasing trend in the last couple of years. The key reasons behind this increase in number are the rise in the economic activities in the country and the absence of adequate human resources with the relevant technical know-how.

It is estimated that around 450,000 foreign nationals – mostly from India, Pakistan, Sri Lanka, China, Taiwan Province of the People's Republic of China, the Republic of Korea, and some European and African countries – are currently working in Bangladesh.[17] They are employed in non-governmental organizations (NGOs), hotels, restaurants, education institutions, ready-made garment and textile industries, hospitals and other sectors.[18] A recent study estimates that a total of 34,340 expatriate employees are working only in the ready-made garment sector in Bangladesh.[19] It is estimated[20] that foreigners remit between USD 4 billion and USD 5 billion annually to their families.

Forcedly Displaced

The regulation governing the presence of forcedly displaced foreign nationals is the 1946 Foreigners Act, which supersedes all other legal provisions, as it grants the Government the power and discretion to decide on the scope

17 There are allegations that many foreign nationals are residing in Bangladesh without valid documents. Some report claims that over 700,000 foreigners are living in Bangladesh without valid documentation (Source: S.M.S. Khaled, "Illegal foreign workers cost the country a lot" (*The Independent,* 23 November 2016), available at www.theindependentbd.com/arcprint/details/69440/2016-11-23). There are broadly two types of unauthorized foreign employees in the country – some come on tourist or student visa and continue residing and working without valid documents, while some obtain permits to work in a particular organization but switch to another organization without proper notification and continue working (Source: M. Haque, "Foreign nationals working illegally go unchecked" (*New Age,* 10 March 2018), available at www.newagebd.net/article/36422/foreigners-working-illegally-go-unchecked). There are also reports on illegal cross border migration – mainly from India – where many work as temporary workers. These have been found in the frontier districts in Bangladesh.

18 S. Islam, "NBR finds foreigners dodging income tax" (*Dhaka Tribune,* 19 January 2018). Available at www.dhakatribune.com/business/2018/01/19/nbrfinds-foreigners-dodging-income-tax/.

19 M. Alamgir and M. Haque, "Local edn fails to cater for RMG sector needs" (*New Age,* 6 June 2018). Available at www.newagebd.net/article/42974/localedn-fails-to-cater-for-rmg-sector-needs.

20 S. Islam, "NBR finds foreigners dodging income tax". Available at www.dhakatribune.com/business/2018/01/19/nbr-finds-foreigners-dodging-income-tax/.

of the Act's application. Bangladesh does not have any domestic legislation covering refugees. Bangladesh is under no legal obligation to host refugees given that it is not party to the United Nations Convention relating to the Status of Refugees and Its 1967 Protocol.[21] There are no national laws that define and regulate the status of refugees within the country. Bangladesh has no particular law either that is intended to provide directives in relation to people who seek asylum within the country. The 1946 Foreigners Act and the 1951 Foreigners Order deal with this subject. However, according to the Constitution of Bangladesh, not only the lives of Bangladeshi citizens are guaranteed, but the lives of everyone who inhabit this country are also assured protection with respect to liberty.

There are forcedly displaced people living in Bangladesh like the undocumented Myanmar nationals (UMNs) who have been coming to Bangladesh for more than a decade. However, following an outbreak of violence on 25 August 2017 in Rakhine State in Myanmar, a new massive influx of Rohingya refugees to Cox's Bazar in Bangladesh started in late August 2017. Most of the Rohingya refugees settled in Ukhia and Teknaf *upazilas* in Cox's Bazar, a district bordering Myanmar identified as the main entry area for border crossings. Around a million UMNs are now living in the territory of Bangladesh.[22] Against this backdrop, the Government of Bangladesh has also formulated the National Strategy on Myanmar Refugees and Undocumented Myanmar Nationals (UMN).[23]

Similarly, the Biharis or the "stranded Pakistanis" – who constitute the Urdu-speaking community of Bangladesh – have been a susceptible minority group since the time they began living in Bangladesh. The majority of this Urdu-speaking group have found themselves in a protracted situation, which continues to keep them away from a normal life for decades (Muquim, 2017).[24] At present, more than 300,000 Biharis[25] are living in various camps in Bangladesh. In 2008, the High Court of Bangladesh ruled that the Biharis who were minors during the 1971 war could be given citizenship and voting rights. However, many Biharis refused to take up citizenship without first being assured of their basic human needs.[26] This remains as a politically charged subject with a high degree of sensitivity.

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21 For the list of States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol, see: www.unhcr.org/protection/basic/3b73b0d63/states-parties-1951-convention-its-1967-protocol.html.

22 International Organization for Migration (IOM) Bangladesh, Needs and Population Monitoring (NPM) Site Assessment: Round 11. Available at www.humanitarianresponse.info/en/operations/bangladesh/assessment/needs-and-population-monitoring-npm-bangladesh-round-11-site.

23 In September 2013, the Cabinet approved the National Strategy on Refugees and Undocumented Myanmar Nationals. The National Strategy document provides both short- and long-term measures considering a number of emerging developments at the national and international levels. It is the first national initiative to frame such strategy to address the challenges presented by the large presence of undocumented Myanmar nationals in Bangladesh (Source: Inter Sector Coordination Group, "2017 Humanitarian response plan, September 2017–February 2018: Rohingya refugee crisis" (October 2017), available at https://reliefweb.int/report/bangladesh/bangladesh-humanitarian-response-plan-september-2017-february-2018-rohingya).

24 According to Muquim (2017), Biharis, or "stranded Pakistanis", originally migrated as refugees from the Bihar State in India because of the hostility and violence during the partition of British India into two separate States of India and Pakistan; Biharis settled in East Pakistan in 1947. By the time of the Liberation War of Bangladesh in 1971, due to the distinct cultural identity of the Urdu speakers, which was different from the cultural identity of Bangalees, and possibly a feeling that the division of Pakistan would strengthen India, they favoured Pakistan and went against Bangladesh's struggle for independence. The Government of Bangladesh declared Presidential Order 149 in 1972, offering citizenship to the Urdu-speaking community for the first time. However, many of them preferred repatriation and thus attempted to migrate to Pakistan with little success; the majority of them were unable to do this, as it was not met with positive support from Pakistan. As a consequence, the greater number of Urdu speakers could not leave Bangladesh; rather, they became stranded and were later relocated to settlements throughout Bangladesh.

25 Between 1973 and 1993, approximately 270,000 of Biharis were repatriated to Pakistan, but the rest remained in Bangladesh. Some estimates put their number today at around 500,000 (Source: E. Shahid, "'Stranded Pakistanis' in Bangladesh: The forgotten victims of India's partition", *Al Arabiya* (English version), 19 April 2017, available at https://english.alarabiya.net/en/perspective/features/2017/04/19/-Stranded-Pakistanis-in-Bangladesh-The-forgotten-victims-of-India-s-partition).

26 S. Uttom and R. Rozario, "In Bangladesh, Pakistani refugees languish in inhumane conditions" (UCANews.com, 16 August 2017). Available at www.ucanews.com/news/in-bangladesh-pakistani-refugees-languish-in-inhumane-conditions/80009. The court stated that "every person who or whose father or grandfather was born in the territories now comprised in Bangladesh and who was a permanent resident of such territories on the 25th day of March 1971 or continues to be so resident shall be citizen of Bangladesh" (Source: Md. Sadaqat Khan (Fakku) vs. Chief Election Commissioner, Bangladesh Election Commission, 60 DLR (AD) (2008) 407, available at www.lawyersnjurists.com/lawyer_ci/case/md-sadaqat-khan-fakku-vs-chief-election-commissioner-bangladesh-electioncommission- 60-dlr-ad-2008-407).

B.1.2. INTERNAL MIGRATION

The Seventh Five-Year Plan (FY2016–FY2020) recognizes both internal and international migration as drivers of national economic expansion and has relevant plans accordingly. The Seventh Five-Year Plan identifies that climate change outcomes, such as increased flood, will aggravate the existing problems and complicate urban-based livelihoods. The Government of Bangladesh's 2015 National Strategy on the Management of Disaster and Climate Induced Internal Displacement (NSMDCIID) is the first policy that fully focuses on migration, environment and climate change where the Government recognizes that displacements have grave implications for the rights and entitlements of individuals and communities that experience displacement. Neither the National Disaster Management Act nor the National Plan for Disaster Management (NPDM 2016–2020) address assistance to migrants following a crisis. Furthermore, the National Strategy on the Management of Disaster and Climate Induced Internal Displacement (NSMDCIID) does not contain specific measures to assist migrants or to address cross-border displacement.

The National Plan for Disaster Management 2016–2020 addresses the return and reintegration of people displaced due to a climate-induced disaster. The Bangladesh Delta Plan 2100 also focuses on integrating climate change adaptation into existing policies, capacity-building of institutions, policy and institutional reform, and effective management of displacements due to climate-induced disasters.

It is clear from all existing literature that, there is an ever-increasing trend of internal migration in Bangladesh. It has positively impacted this country's development. However, it is not altogether a success story; there are negative impacts, too. In the case of Bangladesh:

> "[i]nternal migration has become both a major policy concern and a subject of a heated public debate in Bangladesh. It has been identified as both saviour and villain of the national development story; a driver of economic expansion and modernization, while also the cause of severe urban deprivation and a destroyer of traditional rural life" (Marshall and Rahman, 2013).

As observed by Afsar (2003), internal migration accounts for two thirds of the urban growth experienced by Bangladesh since its independence in 1971. Bahauddin, Dutkiewicz and Nath (2016) claim that internal migration is one of the key drivers of rapid urbanization in Bangladesh. With the passage of time, the tendency to migrate from one part of the country to another is increasing. In every 1,000 persons, 123 moved to urban areas in 2015; urban migration has been on an increasing trend (67.3 in 2011; 69.7 in 2012; 68.1 in 2013; 77.1 in 2014; and 90 in 2015) (Bangladesh Bureau of Statistics, 2017). The northern part of Bangladesh (historically referred to as North Bengal) is poorer than other parts of the country. So, a west-toward-east pattern can be traced in internal migration. Bahauddin, Dutkiewicz and Nath (2016) cite the United Kingdom Department for International Development (DFID) to have said that internal migration is most prominent in Dhaka, the capital of Bangladesh.

Following Marshall and Rahman (2013), three areas of Bangladesh can be called environmentally challenged and thus tends to encourage migration outflows. They are as follows:

- The coastal zone, which is beset with cyclone and other climatic risks and slow-onset challenges such as salinization and seawater incursion. There are eight coastal districts in Bangladesh. These are Barguna, Bhola, Patuakhali, Cox's Bazar, Noakhali, Bagerhat, Khulna and Satkhira.
- The north-eastern haor areas, which are challenged by severe seasonal flooding and waterlogging and remoteness. There are four haor districts in Bangladesh, which jointly form the Sylhet Division. These are Habiganj, Maulvibazar, Sunamganj and Sylhet.
- The north-western monga-affected areas, which are faced with seasonal drought and an inability to engage in agricultural activities for three to four months of the year.

Bahauddin, Dutkiewicz and Nath (2016) cite Displacement Solutions[27] (2012) to claim that, between 1980 and 2010, natural disasters acted as a direct push factor for internal migration. The extent of these disasters was so high that they altered the urbanization pattern.

According to GIZ (n.d.), climate change is considered one of the main future risks jeopardizing societal stability in Bangladesh due to its effects on livelihood options and internal migration. Deteriorating livelihoods, especially in rural areas, and increasing rural–urban migration contribute to rising urban poverty and an increase in distributional conflicts (e.g. over land, water and job opportunities).

Historically, a seasonal form of internal migration exists in Bangladesh. It has been associated with the annual cycle of rainy and dry periods. Rural workers from *monga*-prone north-western districts and haor-affected north-eastern districts suffered from drought in winter and flooding in the monsoon season, respectively (Marshall and Rahman, 2013), so they moved to other parts of the country in search of livelihood. It had mostly been non-permanent in nature. Rural workers usually returned to their origin when the situation became normal there. However, this pattern has become more permanent in nature in recent years. A number of push factors contributed to this permanent settlement, including damage to infrastructure after a sudden disaster, lack of livelihood options and a decline in alternative coping mechanisms in the affected areas (Bahauddin, Dutkiewicz and Nath, 2016).

The growing urban population is driven by two major factors: (1) natural increase; and (2) internal migration and reclassification. One of the most basic features of urbanization in Bangladesh is that it is not an outcome of industrialization per se. Thus, the migration of the rural poor to the urban areas has resulted in a direct inflow of rural poverty and backwardness to the cities, engendering a process of "ruralization" in the country's urban centres. Bahauddin, Dutkiewicz and Nath (2016) inform that rural–urban migrants end up in big urban slums and ghettos, and earn the bare minimum often in the informal sector where there is no job security. People also face insecurity of land tenure and shelter. There is a gendered dimension of this, as women become more vulnerable to exploitation and abusive practices than they usually are.

B.2. MIGRATION-RELATED EXISTING POLICIES AND PRACTICES IN BANGLADESH

B.2.1. INTERNATIONAL MIGRATION

B.2.1.1. OUTWARD MIGRATION FROM BANGLADESH

WORKER MIGRATION[28]

Policies

The Government of Bangladesh – through the Expatriates' Welfare and Overseas Employment Policy 2016 – aim to uphold three sections of the Bangladesh Constitution, namely, Section 19: Equality of Opportunity; Section 20: Work as Right and Duty; and Section 40: Freedom of Profession or Occupation. The relevant national policies and laws and international convention related to international labour migration (both regular and irregular) are as follows:

National Laws (Bangladesh)

- Expatriates' Welfare and Overseas Employment Policy, 2016
- Overseas Employment and Migrants Act, 2013

27 Displacement Solutions is an organization that works with persons displaced by climate change, communities, governments and the United Nations to find rights-based land solutions to climate change-induced displacement.

28 "International worker migration" (regular and irregular) includes aspects of overseas migrants' left-behind family members, Bangladeshis who go abroad as students with a goal to stay in the destination country for a longer period,Bangladeshis attempting for immigrating to other countries and reintegration of returnee migrants.

- Labour Policy, 2012
- Labour Law, 2013
- National Skills Development Policy (NSDP), 2011
- Prevention and Suppression of Human Trafficking Act, 2012
- Passport Act, 1920
- The Passport (Offence) Act, 1952
- Bangladesh Passport Order, 1973
- Bangladesh Passport Rules, 1974
- Emigration Rules, 2002
- Wage Earners' Welfare Fund Rules, 2002
- Expatriate Welfare Board Act, 2017 (draft)
- Recruiting Agent's Conduct and Licence Rules, 2002
- Travel Agency Registration Act, 2013
- Travel Agency Registration Rules, 2014
- Selection of Commercially Important Persons (Non-Resident Bangladeshi) Rules, 2015
- Special Privilege Policy of Expatriate Bangladeshis for Remittance, 2008
- Immigration Ordinance, 1982
- Medical Test Policy for Overseas Employment, 2008

International Laws Ratified by Bangladesh

- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), 1990
- Universal Declaration of Human Rights, 1948
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979

International Laws Not Ratified by Bangladesh

- Migration for Employment Convention (Revised), 1949 (No. 97)
- Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)
- Workers with Family Responsibilities Convention, 1981 (No. 156) Convention concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities)
- Domestic Workers Convention, 2011 (No. 189)

According to Section 2 (3) of the Overseas Employment and Migrants Act 2013, a "migrant worker" refers to any citizen of Bangladesh who, for wages, (a) is in the planning process to migrate for work or is departing to any foreign country for work; (b) is employed in a trade or profession in any foreign country; or (c) has returned to Bangladesh at the end of the tenure of employment or without having completed the tenure of employment in a trade or profession from a foreign country.

The Overseas Employment and Migrants Act 2013 aims to promote opportunities for overseas employment and establish a safe and fair system of migration, to ensure rights and welfare of migrant workers and members of their families in line with the international labour and human rights conventions and treaties ratified by Bangladesh. Section 18 of the National Skills Development Policy (NSDP) 2011 recognizes the need for "skills development for overseas employment". Section 18.2 suggests taking "initiatives to strengthen skills development for migrant workers will be progressed along with other government efforts to reform the education and training system in Bangladesh". To combat human trafficking, the Prevention and Suppression of Human Trafficking Act 2012 makes "provisions to prevent and suppress human trafficking, to ensure the protection of victims of the offences of human trafficking and their rights, and to ensure safe migration". Section 32 (1) of this law states that "The Government shall make procedures by rules for identification, rescue, repatriation and rehabilitation of the victims of human trafficking and act by partnership with concerned government and non-government organizations". Under Section 5, the Prevention and Suppression of Human Trafficking Act is given extraterritorial relevance – this means that if a citizen becomes a victim of trafficking outside the country, this Act shall still be applicable. The Bangladesh Police ICT Master Plan 2015–2020 (Bangladesh Police 2015) also covers various measures that facilitate combating human trafficking. The Ministry of Home Affairs (MoHA) is the Government's lead agency for combating trafficking. Some other laws are applicable to the migrant workers, such as Bangladesh Passport Order 1973, Bangladesh Passport Rules 1974 and Emigration Rules 2002. A number of other sectoral policies (e.g. National Education Policy 2010 and National Health Policy 2011) are also linked with the subject.

There remain some gaps in the existing legal documents and related practices. There is lack of comprehensive rules for arbitration, which could play an important role in seeking justice. According to Section 40 of the Overseas Employment and Migrants Act 2013, the Act is deemed to be included in the Schedule of the Mobile Courts Act 2009. However, the Government is yet to makeany proclamation or order in this regard. Appeal petition challenging the mobile court's judgment can be filed with the District Magistrate and an appeal against the District Magistrate's verdict can be filed with the District and Sessions Judge. If the appeal is dismissed at this level, no criminal case can be filed with any other courts. There is a lack of regulatory regime for recruitment agencies; according to Section 38 of the Overseas Employment and Migrants Act 2013, offences against these agencies are triable in the Judicial Magistrate of the First Class or the Metropolitan Magistrate within four months from the date of framing of charge. However, this provision has not resulted in increased access to courts for migrant workers, as there is a need for evidence to be able to successfully resolve cases. The Ministry of Expatriates' Welfare and Overseas Employment (MoEWOE) formed the Vigilance Taskforce in 2012 to check for human trafficking and irregularities in migration activities. However, there is scope for capacity and mechanism enhancement of the Taskforce through adoption of a comprehensive monitoring and enforcement framework.

The proposed Human Trafficking Prevention Fund and the National Anti-Human Trafficking Authority – in accordance with the Prevention and Suppression of Human Trafficking Act 2012 – is yet to be realized. Also, as stated in Section 21 of the Act, the State is supposed to establish an anti-human trafficking offence tribunal for victims of trafficking to receive cases of trafficking in persons; however, the tribunal has not been established. The trial of cases relating to human trafficking shall be held under the Prevention and Suppression of Human Trafficking Act 2012 instead of the Women and Children Repression Prevention Act 2000. Under Article 18 of the Prevention and Suppression of Human Trafficking Act 2012, legal assumption on crimes has been changed. As per Bangladesh's legal system, if a case is filed against someone, she/he is generally considered innocent (presumption of innocence) until proven guilty. But, under this Act, an individual charged with human trafficking should be primarily assumed guilty (presumption of guilt).

Bangladesh has ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) 1990. However, some experts opine that there is scope to integrate all provisions of the ICRMW into the national legislation. In its opinion issued on 20 April 2017, the United Nations Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families recommended that the Government should strengthen its efforts to ensure that its legislation is in full conformity with the ICRMW and that the rules under the Overseas Employment and Migrants Act 2013 be adopted without further delay. While noting the adoption of the Expatriates' Welfare and Overseas Employment Policy 2016, the UN Committee was concerned at the pace of its implementation. Against this concern, the UN Committee recommended the development of a comprehensive, gender-responsive and human rights-compliant strategy supported by sufficient human, technical and financial resources. The UN Committee also suggested the establishment of a monitoring mechanism for the implementation of the Expatriates' Welfare and Overseas Employment Policy 2016. While welcoming the adoption of the Domestic Workers Protection and Welfare Policy 2015, the UN Committee was concerned that Bangladeshi domestic migrant workers frequently face abuse, harassment and exploitation in the workplace, including domestic servitude, sexual harassment, physical mistreatment and withholding of payments.[29] It is notable that Bangladesh has not ratified yet the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189).

Bangladesh has decided to ratify Palermo Protocol to prevent human trafficking.

The Expatriates' Welfare and Overseas Employment Policy 2016 – in section 1.8.2 – recognizes the vulnerabilities of left-behind women and children of migrant workers. Section 1.8.5 stresses that problems of left-behind family members, such as problems in family ties, uncertainty in income and indebtedness, among others, be taken into account. Section 2.3.7 recommends taking effective multi-stakeholder-led initiatives for these family members as well as assessing their eligibility for inclusion in the social safety net programmes (SSNPs). Section 2.5.9 directly suggests taking initiatives to reduce social costs due to labour migration. But the articles/sections in the Policy are directive, not mandatory. Rather, the processes or procedures of implementing these articles have not been specified by any specific strategic direction. The relevant Overseas Employment and Migrants Act 2013 also aims to establish a safe and fair system of migration, to ensure the rights and welfare of migrant workers and members of their families in line with international labour and human rights conventions and treaties ratified by the Government of Bangladesh, such as the ICRMW 1990. In recent years, allocation of budgets for gender issues (disaggregated for women) and for children has been practised, too, which reflects the growing importance of women and children in the national priority.

Provision of social security for citizens is embedded in Article 15 (d) of the Constitution of the country. The social security system of Bangladesh comprises a large number of programmes. According to a comprehensive official compilation prepared by the Finance Division, there are 145 programmes under the social security system currently financed through the budget. This large spread of SSNPs and their wide coverage is a strength in addressing the sufferings of migrant workers' left-behind family members – mainly children and women. However, the SSNPs have limited focus on the realities of left-behind family members of migrant workers, which makes these programmes not adequately effective. Apart from that, the social costs – which cannot be monetized in most cases – have not been given adequate attention in policy directions.

It is also notable that the recent years' trend of increase in the number of women going overseas as migrant workers is a new phenomenon. The social burden borne by the left-behind husband, children and other family members is manifold in this case. The relevant plans have scope to incorporate this phenomenon.

Practices

Many State and non-State actors play an active role in the international labour migration process. The MoEWOE is the key ministry that governs international labour migration process. This MoEWOE works to ensure migrant workers'

29 H.K. Bhuiyan,"UN concerned over welfare of Bangladeshi migrants" (*The Independent,* 24 April 2017). Available at www.theindependentbd.com/printversion/details/91587 (accessed 14 March 2018).

welfare through its directorates/departments in the country and Labour Wings in overseas countries. In the country, the MoEWOE works through the Bureau of Manpower, Employment and Training (BMET); the Wage Earners' Welfare Board (WEWB); Bangladesh Overseas Employment and Services Limited (BOESL); and Probashi Kallyan Bank (PKB)/Expatriates' Welfare Bank. The BMET – among other agencies providing welfare-related services to migrants – offers institutional skills development training, gives emigration clearance to the migrant workers, maintains a database on migrant workers, and regulates and monitors the licensing of private recruitment agencies. The BMET extends its work through 42 District Employment and Manpower Offices (DEMOs), 70 technical training centres (TTCs) and 6 marine technological institutes, and 3 apprenticeship training offices. The DEMO is the lowest-tier government institution stationed in the district headquarters level providing overseas migration services. The DEMO provides these types of support to potential migrant workers: registration service; biometric impression service; visa checking facilities for selected countries; providing information on recruitment agencies; complaint lodging service if there are allegations against the recruitment agencies; burial support for the deceased migrant worker and/or facilitation to bring back the corpse and support in getting compensation due to that death; information dissemination to increase awareness of safe migration. The BOESL is the only State-owned worker-sending company in Bangladesh. Its vision is to ensure safe and low-cost migration of potential workers through an efficient and transparent process. PKB has been established to provide collateral-free loans to workers going abroad for employment, offer loans to returnees for income generation, facilitate sending of remittances and encourage the wage earners to invest in the country. Appointment of Labour Welfare Officers and other staff for the Labour Wings and supervising administrative matters of the Labour Wings of Bangladesh missions abroad are the duties of the MoEWOE.

Apart from the MoEWOE, the Ministry of Foreign Affairs (MoFA) is a key partner in dealing with aspects related to the relations of Bangladesh with other countries. However, some instances have been reported about the lack of proactive efforts from relevant officials (including the Labour Welfare Officers of the MoEWOE) in some regions of the world to address the needs of Bangladeshi migrants.

Bangladesh Bank governs the remittance market of the country where banks and other financial institutes provide relevant services. It is notable that irregular migrants cannot send their money through legal channels, and regular migrants who are involved in more than one job cannot send their money earned from their extra jobs (as they have no work permit for the extra job). This instigates regular migrants to send their money through illegal channels, which needs attention from policymakers to encourage more remittance inflows into formal channels rather than the informal ones.

The Ministry of Civil Aviation and Tourism (MoCAT) works to ensure safe travel of migrants. The MoHA – through its agencies, namely, the Department of Immigration and Passport, Bangladesh Police, Border Guard Bangladesh and Bangladesh Coast Guard – works in both domains of regular and irregular migration. The Ministry of Education is the focal ministry for Bangladesh's education policies including the technical ones. The National Skills Development Council (NSDC) is the highest authority in enhancing the skills of potential migrants. Private recruitment agencies play a pivotal role in the whole recruitment process. They collect demand orders from overseas employers, recruit workers, provide pre-departure orientation, process documents to get a visa and migration clearance from the BMET. Even the demand orders collected through individuals are processed by these agencies. UN agencies (namely, IOMILO and the UNDP), development partners, civil society organizations (CSOs), national and international non-governmental organizations (NGOs), and the media are actively involved in the process. There is no law allowing the involvement of intermediaries in the international recruitment process. However, in an informal setting, these intermediaries do play a very active role in the recruitment process.

The lack of information and unavailability of one-stop service centres at the *upazila* level have been pinpointed as two key challenges by the overseas migrants; these make them dependent on intermediaries. The cost of migration remains very high for Bangladeshis. Visa trading in some receiving countries, the presence of intermediaries and the inadequate monitoring of the activities conducted by the recruitment agencies – altogether – make the cost much higher. It has been found that the recruitment agencies are not being regularly monitored under an accountable

and transparent mechanism. The skills training programmes provided by the technical and vocational education and training centres, in most cases, are not accredited by the foreign employers (and inadequate in terms of competency); thus, the training certificates obtained from these centres remain significantly undervalued in the job placement process and ultimately employ the majority of Bangladeshi migrant workers in low-paid jobs. The rights of Bangladeshi migrant workers in destination countries are sometimes violated and there is lack of a robustredress mechanism. Bangladeshi diaspora business associations, most of the time, do not have formal liaison with Bangladeshi government agencies, which could also help establish the rights of Bangladeshi migrant workers at least to an extent. The related activities of the local government institutes (LGIs) and the general administration at the *upazila*, district and division levels are not well synchronized with the goal of ensuring migration as safe, orderly and dignified. Safe Migration Committees (formerly known as Anti-Trafficking Committees) are formed at the union level, but they are yet to be institutionalized and lack adequate resources. Some legal support are being provided in destination countries through local NGOs, with support from development partners, though they are limited in scale.

Overseas labour migration has some geographic characteristics. The 64 districts under the 8 divisions of Bangladesh vary notably by trend of overall migration; some areas are prone to overseas migration, while some are not. Cumilla topped as the district with the highest number of overseas migrants in 2017 (105,386), while Rangamati had the lowest number (only 478). The top 10 districts constituted 47.1 per cent of the total migrant workers who went abroad in 2017. The bottom 10 districts accounted for only 1.4 per cent of the total migrant workers in that year. Such geographical pattern of migration is not considered into designing a well-thought-out planning of service provision based on their area-specific needs.

Among other goals, reintegration of returnee migrants (from abroad) has also been included in the Expatriates' Welfare and Overseas Employment Policy 2016 of Bangladesh. PKB is currently providing a "rehabilitation loan" to those returned migrants who are destitute, marooned and victims of unexpected circumstances. Some CSOs work with the Government of Bangladesh on the reintegration of returnee migrants. When migrants return to Bangladesh, they can take assistance from these organizations. There are about 10 to 12 CSOs working actively for the welfare of migrant workers. However, some efforts are not fully coordinated. Reintegration of returnee migrants from abroad is yet to be addressed in a holistic manner. Lately, Bangladesh has signed with the European Union (EU) a standard operating procedure (SOP) on the modalities to take back unauthorized migrants from the 28 Member States of the bloc. A National Task Force has been formed to implement this SOP, with the MoFA as the lead agency.

Different agencies are collecting data from different processes, such as national identity registration, birth registration, registration for overseas employment, registration of Bangladeshi overseas workers and members of the diaspora to become members of the WEWB, and worker migration (through the BMET). However, there is no comprehensive database.[30] Most of the databases are not linked to the database on applicants for a National Identity Card. There is lack of streamlined policy for data sharing among government agencies. There lack of a comprehensive database containing relevant information on potential migrants, current migrants (all categories) and returnees (as well as their household members) which could guide policymakers and the authorities for to design effective plans and timely interventions.

The Ministry of Women and Children Affairs and the Ministry of Social Welfare have some activities implemented occasionally for the left-behind family members of overseas migrants. However, these activities are not fully sufficient and there are no specific goals or targets to address the social costs of migration, particularly those borne by children and women, and by the male family members (in case the women are the ones who migrate overseas). LGIs, particularly union parishads, are dealing with the social costs of migration at the grassroots level, mostly through an informal mechanism such as shalish[31]/arbitration. The LGIs' local-level role in mitigating tensions in the family or the

30 A database with limited access is a database that is accessible to all stakeholders, with some restrictions. All information (specifically personal information) is not accessible to all.

31 Shalish is an informal system of justice which has no legal form. It refers to trials and punishments. Shalish is a common practice in the country, mostly in the rural areas, which are typically controlled by the local elites, union parishad chairpersons and members, and religious leaders.

community is often one of the useful efforts in mitigating the social costs of migration, though this is not mandated as their duty. However, the absence of a guiding principle as well as the lack of concern from any particular authority create challenge in solving the matter related to ensuring justice under a similar approach across the country. Law enforcement agencies – even in migration-prone areas – do not have any specific programmes to protect the subject family members, who remain more vulnerable in the social context of Bangladesh. However, in few local police stations, some of their own initiatives have been found to be limited in scale. Such initiatives focus on the overseas migration-related problems with some proactive attention. However, these efforts are very limited in extent and sporadic in nature. Entrepreneurship among the migrant workers' left-behind family members is not adequately facilitated. It was reported that 25.3 per cent of the total remittance received in 2015 was invested in various sectors by the remittance-receiving households. In addition, in nearly three fourths (74.8%) of the cases, the remittance was invested in the construction or reconstruction of houses, boundary walls and personal roads (Bangladesh Bureau of Statistics, 2016). This data clearly indicates the challenge of an effective facilitation process in engaging the potential migrant workers' left-behind family members in productive sectors. In addition, if there are some activities, proactive financial support services tend to be lacking. It is often reported that a number of migrant workers return to their countries of origin with ill health and sometimes carry communicable diseases. Nevertheless, there is lack of proper mechanism to check the health status of the returnees and take necessary steps for counselling/treatment/referral. The WEWB provides some financial support for education to the eligible family members of migrants. A limited number of NGOs are implementing activities for the left-behind family members, but these activities are not carried out harmoniously with broader government interventions. There is no comprehensive database on migrant workers, especially a one linked information on their left-behind household members. For this reason, the Government cannot make proper follow-ups with and monitor the left-behind family members of migrant workers.

Above all, the lack of coordination among the duty bearers/stakeholders, particularly among the government ministries, has been identified as a major challenge to an effective governance system for worker and its related aspects.

DIASPORA

Policies

The scope of the Expatriates' Welfare and Overseas Employment Policy 2016 of Bangladesh includes the Bangladeshi diaspora members and migrant workers. As defined in the Policy, the diaspora constitutes migrants who are staying abroad for a longer period and have taken or are willing to take the nationality of the host country, but at the same time they are willing to keep relations with Bangladesh and want to contribute to the country's socioeconomic development. The Seventh Five-Year Plan also stresses that the purview of expatriate welfare must include the Bangladeshi diaspora. The plan recognizes them as agents as well as beneficiaries of the country's development and suggests incorporating the diaspora in various development activities through effective measures including the facilitation of different socioeconomic activities, promotion of financial and investment incentives through popular financial instruments, revenue gain through tourism and utilization of their knowledge networks by acknowledging their contributions.

The following acts, policies and rules are relevant to the Bangladeshi diaspora:

- Expatriates' Welfare and Overseas Employment Policy, 2016
- Citizenship Bill, 2016 (Proposed)
- Selection of Commercially Important Persons (Non-Resident Bangladeshi) Rules, 2015
- Bangladesh Citizenship Act, 1951
- Bangladesh Citizenship (Temporary Provision) Order, 1972
- Bangladesh Citizenship (Temporary) Rules, 1978

As this world is becoming more connected, the Bangladeshi diaspora members are contributing in many fronts to the development of their home country. Financial investment and setting up businesses in the country are not the sole tools for their contribution towards development; rather, social remittances in the form of knowledge and technology transfers and in other forms prove to be much more effective for the overall development of Bangladesh. These are not covered in the existing legal frameworks of the country. However, the Bangladeshi diaspora is within the purview of the Expatriates' Welfare and Overseas Employment Policy 2016, but the governance mechanism for the welfare of the diaspora is not spelled out. Apart from that, so far, the apparent visible broad intention of the policies is to "receive" benefits from the diaspora; the reciprocal mechanism of "providing" benefits has not been considered. This change in policy mindset is crucial if the diaspora's contribution is planned to be maximized for the development of the country.

The draft Citizenship Bill 2016, approved by the Cabinet, imposes some strict restrictions on citizens born abroad and those with dual citizenship. The restrictions include being ineligible to contest a parliamentary election, be elected President or hold any local government position, or be appointed to any service of the Republic including as a Justice of the Supreme Court. It also disallows them from being involved in any political party. These will apply to not only citizens living abroad and those with dual citizenship; they will also affect resident Bangladeshis whose parents were abroad during their birth for any possible reason. The bill, when enacted into law, will supersede the existing Citizenship Act 1951 and the Bangladesh Citizenship (Temporary Provision) Order 1972. Some academicians and practitioners have raised concern that such restrictions may violate several human rights. The proposed law contains scenarios under which people could lose citizenship because of the actions or identities of their parents. It is suggested by some practitioners that this bill may not adequately recognize children as individuals with personal rights and holds children accountable for the actions of their parents by depriving them of citizenship; this concern can be addressed, to some extent, by reviewing India's Citizenship Act 1955, which has a provision that gives children an option to resume Indian citizenship within one year of attaining full age if they wish to do so. All these concerns need to be solved to facilitate the Bangladeshi diaspora communities' contribution towards the development of Bangladesh.

Practices

The Bangladeshi diaspora – as a subject matter – is not dealt with in any comprehensive or specific institutional mechanisms. A few CSOs recently have set forth their recommendations for facilitating ways to enhance the contribution of the diaspora to the development of the country, such as by ensuring their effective recognition and upholding their rights.

The labour welfare wings of Bangladesh in overseas countries focus on the Bangladeshi migrants who are working there as "workers". However, particularly, these wings do not deal with the welfare of the Bangladeshi diaspora communities. The role of the Ministry of Commerce (MoC), through the foreign missions, could be revisited where the investment potential of the diaspora could be utilized well.

Bangladesh Bank has some limited investment opportunities for this group of people. Bangladeshi migrants in the diaspora have some opportunities to earn by investing in different bonds like premium bonds and investment bonds. Bangladesh Bank also offers the Wage Earners' Development Bond, the US Dollar Investment Bond and the US Dollar Premium Bond for non-resident Bangladeshis. Diaspora members are treated as commercially important persons (CIPs) if they invest up to a certain amount and/or import products from Bangladesh for a certain amount. There are easy depositing mechanisms for the diaspora through the non-resident foreign currency deposit (NFCD) and the non-resident investor's taka account (NITA). However, these opportunities and incentives are not popular among the Bangladeshi diaspora communities.

By facilitating business and trade networks between Bangladesh and the host countries, Bangladeshi diaspora members can contribute to national development. The most direct form of diaspora business network is when the diaspora itself is a prime market for the exports of home-country goods (popularly knowns as "ethnic trade" or "nostalgia trade"). Bangladeshi diaspora members represent a major export market, allowing the diversification of home country

exports. If Bangladeshi exporters are successful in exploiting the diaspora market, they can move beyond to the surrounding markets (Barkat, Osman and Gupta, 2014b). These networks between diaspora markets and the business communities of Bangladesh are solely independent ventures (not backed by specific government policy/programme support) and sporadic in nature; thus, a coherent effort is needed for the development of the sector itself.

Diaspora tourism is likely to have a development impact. In some countries, a major portion of revenue from tourism comes from diaspora members (e.g. 70 per cent of the tourists arriving in Haiti are Haitian-born or of Haitian origin). Through effective advertisements, the Bangladeshi diaspora members (especially the second-generation Bangladeshi diaspora) could be attracted to visit Bangladesh as tourists (Barkat, Osman and Gupta, 2014b). However, the relevant ministry (i.e. the MoCAT) still does not have any specific plans to attract such tourists in Bangladesh. The private sector does not have any specific planning or initiatives in this area either.

It is difficult to attract investment from the Bangladeshi diaspora because of the overall infrastructure, law and order, and tax regimes in the country. It is also found that the Bangladesh Investment Development Authority (BIDA) is not fully capable to provide one-stop services to potential investors from the Bangladeshi diaspora communities.

A number of diaspora business associations are active in destination countries; they not only conduct sociocultural activities but also act as support service providers to Bangladeshi migrants. Some diaspora business associations and members of the diaspora communities have already placed themselves in the policymaking positions. Against this backdrop, the government machineries of Bangladesh need to formulate some mechanism to institute formal linkage between these diaspora business associations and the Government of Bangladesh.

The lack of a comprehensive and dynamic database containing relevant information on the Bangladeshi diaspora (as well as their household members). No particular agency has been carrying out the responsibility to maintain an updated database on the Bangladeshi diaspora.

B.2.1.2. INWARD MIGRATION TOWARDS BANGLADESH

FOREIGN NATIONALS WORKING IN BANGLADESH

Policies

In Bangladesh, there are four laws that are most applicable to foreigners: the Foreigners Act 1946; the Foreigners Order 1951; the Registration of Foreigners Act 1939; and the Registration of Foreigners Rules 1966. These laws are legally binding instruments for the registration of foreigners entering, present in and departing from Bangladesh. The Foreigners Act 1946 defines a foreigner as a person who is not a citizen of Bangladesh. Section 9 of the Act states that, where the nationality of a person is not evident as per preceding Section 8, the onus of proving whether a person is a foreigner or not shall lie upon the person. According to the Foreigners Act 1946, a national of the country should inform the nearest police station within 24 hours where she/he accommodates (in a premises occupied, owned or controlled by her/him) a foreigner if she/he has a reason to believe that the foreigner has entered Bangladesh without valid documents or is staying in Bangladesh beyond the authorized period. The Foreigners Act empowers the Bangladeshi authorities to detain the foreigner illegally staying in the country until she/he is deported back to her/his own country. No person shall depart or attempt to depart from Bangladesh unless she/he holds a valid passport and other travel documents. The Passport (Offence) Act 1952 is the first legislation that declares forgery of a passport or providing a false statement in an application for a passport to be punishable offences. The Bangladesh Citizenship (Temporary Provision) Order 1972 – as well as the Bangladesh Citizenship (Temporary) Rules 1978 and the Citizenship Act 1951 – provides guidance on citizenship and nationality issues, particularly on the acquisition, termination and renunciation of Bangladeshi citizenship. Apart from these laws, the Registration of Foreigners (Exemption) Order 1966 and the Bangladesh Control of Entry Act 1952 are also relevant to foreigners.

Since these laws are immigration-centric, the treatment of foreigners (including those in need of international protection) is subject to administrative and judicial interpretations. This in turn can vary according to the institution handling the case, or sometimes according to individuals, or even to the profile of the foreigner in question. Section 3 of the Foreigners Act 1946 gives the Bangladeshi authorities an express power to detain, confine and imprison foreigners. As per Section 14 of the Act, any person who contravenes the provisions of this Act or of any order made thereunder, or any direction given in pursuance of this Act or such order, shall be punished.

In 1990, the Citizenship Order was amended to include a provision on granting the status of permanent resident to foreigners. Later, the Government made the grant of right of permanent residence dependent upon an investment of USD 75,000 in any Bangladeshi industry or financial sector. This system of permanent residency status for foreigners is administered by the BIDA in conjunction with the MoHA. Interestingly, however, it is not yet clear which rights and obligations a foreigner who is granted a permanent resident status would be entitled and subject to. Any foreigner ("any person"), who is 21 years old and whose country of origin does not prevent a Bangladeshi citizen to be naturalized there, may apply for naturalization. According to the Naturalization Act 1926, the concerned applicant has to stay in Bangladesh for a period of 8 years, of which a minimum of 5 years in aggregate, including an incessant continuous stay of 12 months just before applying for naturalization, is required. A contradictory clause in the Bangladesh Citizenship (Temporary) Rules 1978, however, provides that an ordinary residence of a period of 5 years will suffice as a criterion for naturalization. Additionally, the applicant has to renounce her or his original citizenship and abandon her or his domicile of origin (Hoque, 2016).

Practices

Work permit is mandatory for every foreign national seeking employment in Bangladesh. Mainly, three government authorities issue work permit to foreign nationals in Bangladesh: (1) BIDA – for those in private-sector industrial enterprises, branch offices and liaison offices outside the export processing zone (EPZ); (2) the Bangladesh Export Processing Zones Authority (BEPZA) – for foreign nationals in the EPZ; and (3) the NGO Affairs Bureau, for foreign nationals in NGOs. It is notable that a company within the EPZ can employ foreign nationals up to 5 per cent of its total employee, with the permission of BEPZA. The MoHA deal with related matters.

Above all, there is no comprehensive database on the foreign nationals working here, which makes the task of governing it efficiently becomes much difficult. At present, there is no exact statistics with any government bodies about the number of foreign nationals working in Bangladesh.

There is no readily available data regarding the grant of citizenship to foreign nationals through naturalization. However, between 1988 and 2016, only 418 foreigners were naturalized as Bangladesh citizens, of whom 418 were granted citizenship on the basis of family relationship (which is 99.52% of the total applicants for naturalization) and 2 were granted citizenship on the basis of investment (which is only 0.48%). The total absence of naturalization during this period on the basis of residence in Bangladesh shows that the residency condition is a high threshold barrier on the way to citizenship acquisition. One potential reason might be that foreigners are not interested to be ordinarily residents in Bangladesh on a longer-term basis. It might also possibly be a case that the length of the residency requirement (i.e. five years) is a prohibitive condition. On the other hand, the rules regarding visas for foreigners, including the ones for the renewal of visas, are not supportive enough to encourage foreigners to live in Bangladesh for a longer time (Hoque, 2016).

Trade and industrial growth in the country and diversification of occupations are attracting foreign nationals to seek work in various sectors of the economy. Nowadays, Bangladesh is not only a migrant-sending country; it is also a receiving country of human resources. A couple of years ago, the main concentration of policymakers was on foreign investors – that is, foreign national entrepreneurs setting up businesses in Bangladesh; but, now, many sectors and occupations have attracted foreign workers to come to the country and be employees. This shift in the development paradigm needs to be included in planning while governing matters related to foreign nationals working in the country.

FORCEDLY DISPLACED

Policies

The Foreigners Act 1946 governs the presence of forcedly displaced foreign nationals in the country. It supersedes all other legal provisions, as it grants the Government the power and discretion to decide on the scope of the Act's application. Against this legal landscape, protection is extended to forcedly displaced foreign nationals through administrative mechanisms.

Bangladesh does not have any domestic legislation particularly covering refugees. These non-legislative measures do not address the need of individual refugees and are not consistent with one another. Bangladesh is under no legal obligation to host refugees given that it is not party to the UN 1951 Convention Relating to the Status of Refugees (hereinafter referred to as the 1951 Refugee Convention) and the 1967 Protocol Relating to the Status of Refugees (hereinafter referred to as the 1967 Protocol). There are also no national laws that define and regulate the status of refugees within the country. While Bangladesh is signatory to a number of international human rights treaties whose provisions indirectly promote the rights of refugees, these are not enforceable in courts of law. The exception to this is if specific provisions are incorporated into existing national laws or given effect through separate legislation. However, the Constitution of Bangladesh upholds the right of all individuals to life and liberty. Not only are the lives of Bangladeshi citizens guaranteed, but the lives of everyone who inhabit this country are also assured protection with respect to liberty. However, despite several legal instruments guaranteeing the right of people living within the country, there has still not been any particular legal instrument aimed at stateless peoples alone, despite the fact that such groups have been living in Bangladesh since its independence.

It is a long and recognized practice for States under international law to regulate the entry and stay of aliens into and within their territories. A number of procedures that take due account of the concerns of governments as well as the particular circumstances of the individual concerned have been developed. International and human rights laws demand that while States have the right to control the movement of non-nationals on their territories, this is subject to refugee and human rights standards. According to the recognized principles of international law, Article 31 of the 1951 Refugee Convention indicates that the contracting States are not to penalize refugees for illegal entry in case their lives are in jeopardy provided they present themselves to the concerned authority and show good cause for their illegal presence.[22] Article 3 of the Universal Declaration of Human Rights provides for the right to liberty and security of every person. The International Covenant on Civil and Political Rights (ICCPR) 1966 provides that each State Party to the ICCPR undertakes to respect and ensure the rights enshrined in the Covenant to all individuals present within its territory. Article 9 of the ICCPR provides that no one shall be deprived of her or his liberty "except on such grounds and in accordance with such procedure as are established by law". This provision is seriously violated when released prisoners are denied liberty due to procedural laxity. The rights enshrined in the Covenant are applicable only in times of public emergency that threatens the life of the nation and which is officially proclaimed. Article 23 of the Vienna Declaration on Human Rights and Programme of Action, which was adopted by the World Conference on Human Rights in Vienna on 25 June 1993, provides that "…in the spirit of burden-sharing, a comprehensive approach by the international community is needed in coordination and cooperation with the countries concerned and relevant organizations, bearing in mind the mandate of the United Nations High Commissioner for Refugees." This provision underlines States' obligation to ensure a safe environment, and to do that with international cooperation. Article 22 of the Convention on the Rights of the Child (CRC) 1989 provides that States Parties shall take appropriate measures to ensure that a child seeking refugee status or who is a refugee shall receive protection and humanitarian assistance in the enjoyment of the applicable rights set forth in the CRC. It further provides that States Parties shall ensure the implementation of children's rights in accordance with their national laws and obligations under the relevant international instruments, especially where the child would otherwise

32 United Nations, 1951 Convention relating to the Status of Refugees (hereinafter referred to as the 1951 Convention) or its 1967 Protocol. Available at www.unhcr.org/pages/49da0e466.html.

be left stateless. Article 3 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) provides that State Parties shall take all appropriate measures for the purpose of guaranteeing to women the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

The obligation to grant asylum rests on being party to the 1951 Refugee Convention and the 1967 Protocol. These two form the core of the international protection regime, with the principle of non-refoulement (the practice of not forcing refugees or asylum seekers to return to a country in which they are liable to be subjected to persecution) being central to it. Parties to these treaties are obliged to consider asylum claims and to initiate procedures to determine if the claimant qualifies for asylum as per the instruments mentioned. Asylum does not automatically mean naturalization. Asylum is protection as long as the need for protection persists. If conditions in the country of origin change, such that there is no longer the treat of persecution, then refugees return to their home countries "voluntarily and in dignity". Bangladesh is not party to the 1951 Refugee Convention or the 1967 Protocol. Thus, a person's application for asylum in Bangladesh is processed in accordance with the national laws of the country.[33] However, no particular law in Bangladesh governs people who seek asylum within the country; both the Foreigners Act 1946 and the Foreigners Order 1951 have provisions that concern this matter.

Practices

The United Nations High Commissioner for Refugees (UNHCR) operates in Bangladesh under a memorandum of understanding signed with the Government in 1993, which has voluntary repatriation as its main focus. This, combined with the lack of a legal framework to assist refugees, provides for an ad hoc environment of cooperation with government institutions, which in turn results in an insecure and unpredictable environment for refugees. Accession to the 1951 Refugee Convention and the establishment of a national legal framework would provide a clearer basis for the Government of Bangladesh to provide refugees with international protection. Accession would also greatly facilitate the mobilization of international support, to alleviate the burden and responsibility primarily shouldered by Bangladesh in hosting refugees. UNHCR believes that it is necessary to broaden the base of State support for the international refugee instruments, ensuring that the protection provided to refugees is universal in scope and the burdens and responsibilities of governments are equitably distributed and consistently applied. In this context, UNHCR welcomes the recommendation made by both CEDAW[34] and the CRC[35] that ratifying the 1951 Refugee Convention be considered by Bangladesh.

However, Bangladesh's role in providing humanitarian supports to over a million undocumented Myanmar nationals (UNMs) for years in Bangladesh has been highly praised by the international community. Honorable Prime Minister Sheikh Hasina, in several occasions, has expressed her firm commitment to continue supporting these forcibly displaced people from Myanmar. Among many of her public speeches, in the inaugural assembly of the 45th Session of the Council of Foreign Ministers (CFM) of the Organisation of Islamic Cooperation (OIC) held on 5 May 2018, Prime Minister Hasina said that Bangladesh had opened its heart and border to the suffering people purely on humanitarian grounds as over a million Rohingyas had taken shelter in Bangladesh.[36]

The Government of Bangladesh has formulated the National Strategy on Myanmar Refugees and Undocumented Myanmar Nationals (UMN). It is to note that IOM leads this National Strategy. IOM is co-chairing the Strategic

33 M. Quayes, "What is the best way to claim asylum from Bangladesh?"(Quora, 11 September 2016). Available at www.quora.com/What-is-the-best-way-to-claim-asylum-from-Bangladesh (accessed 2 April 2018).

34 See: Committee on the Elimination of Discrimination against Women,"Concluding observations of the Committee on the Elimination of Discrimination against Women", forty-ninth session (11–29 July 2011). Available at www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-ITA-CO-6.pdf.

35 See: Convention on the Rights of the Child (CRC),"Concluding observations of the Committee on the Rights of the Child: Bangladesh", fifty-first session of the Committee on the Rights of the Child (26 June 2009), paragraphs 78 and 79. Available from www2.ohchr.org/english/bodies/crc/docs/co/CRC.C.BGD.CO.4_en.pdf.

36 *The Daily Star*, "Stand beside forcibly displaced Rohingyas: PM to OIC" (*The Daily Star,* 5 May 2018). Available at www.thedailystar.net/rohingya-crisis/stand-beside-forcibly-deported-rohingyas-bangladesh-prime-minister-sheikh-hasina-to-oic-1571815.

Executive Group along with UNHCR to provide strategic direction to the humanitarian crisis of UNMs living mostly in Cox's Bazar. UN agencies and NGO partners released the 2018 Joint Response Plan (JRP) for the Humanitarian Crisis of the UMNs, a USD 951 million appeal to meet the urgent needs of the UMNs.[37] Even with the official support from the Government, several local NGOs and philanthropist organizations still provide aid to these distressed people in many forms, such as food, water and sanitation, education, clothing and medical treatment.

The Government of Bangladesh and the Government of Myanmar signed a repatriation deal on 23 November 2017, and subsequently formed a joint working group comprising of officials from the two countries on 19 December 2018 to facilitate and expedite the repatriation process. The United Nations will support the repatriation process. However, repatriation has not gained pace yet, despite the diplomatic endeavours of Bangladesh. Bangladesh has handed over a list of 1,673 Rohingya families (8,032 individuals) to Myanmar Home Minister during his visit to Dhaka on February 16 to start the first phase of repatriation of the forcibly displaced people to their homeland in Rakhine state. But, by April 2018, the Government of Myanmar had verified only 711 from the 8,032 individuals.[38]

The MoFA, through its diplomatic efforts, is the major government agency that handles matters regarding forcedly displaced foreign nationals in Bangladesh. The administrative authorities under the cabinet division implement the management process applicable to this population. The Ministry of Disaster Management and Relief (MoDM&R) and the MoHA actively participate in the process. From the end of UN agencies, UNHCR and IOM provide humanitarian support.

Seeking asylum in Bangladesh is not a regular phenomenon in the country. In addition, Bangladesh is yet to face the pressure of foreigners who would like to live in the country for a "better life", even under the disguise of asylum-seeking for political reasons. As this is not yet a regular phenomenon in Bangladesh, no standard practices to govern matters related to "asylum seekers" have been put in place. They are usually dealt with case by case.

B.2.2. INTERNAL MIGRATION

B.2.2.1. POLICIES

The monocity-centric[39] rural-to-urban migration primarily caused by push factors (e.g. poverty, deterioration of livelihood status due to climate change) not by pull factors (e.g. concomitant industrialization in urban areas, better living conditions) are key characteristics of internal migration scenario in the country. The Seventh Five-Year Plan (FY2016–FY2020) recognizes both internal and international migration as drivers of national economic expansion; however, the plan also considers the fact that high costs are borne by migrants and their families, both at origin and destination, which are not compensated by financial gains. The plan rightly argues that urbanization with faster urban population growth and rural–urban migration with an increase in the number of urban slums and urban slum dwellers effectively shift poverty from rural to urban areas. The Seventh Five-Year Plan is concerned with promoting labour migration, including migration from lagging districts; improving the skills base for the development of new overseas labour market opportunities for Bangladeshi nationals; and ensuring the protection of migrant workers' human and labour rights. This plan also aims to establish technical and vocational training institutions in lagging districts to create opportunities for the people to be semi-skilled and get employment through internal migration to the industrial districts of Bangladesh. A special financing scheme should be directed, according to this plan, towards prospective migrants from lagging districts.

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37 Independent Online Desk, "Bangladesh remains engaged with Myanmar for Rohingyas' return" (*The Independent,* 17 March 2018). Available at www.theindependentbd.com/post/141874.

38 *The Daily Star* diplomatic correspondent,"Rohingya repatriation: Myanmar needs more time to verify list "(*The Daily Star,* 8 April 2018). Available at www.thedailystar.net/backpage/rohingya-repatriation-myanmar-needs-more-time-verify-list-1559518.

39 In Bangladesh, Dhaka is an example of a monocity.

40 A recently conducted study (IOM, 2016) in Khulna, Patuakhali, Sunamganj and Rajshahi reconfirms that 49 per cent and 30 per cent people respectively perceive that natural disasters and environmental degradation are compelling reasons to migrate. This same study also identifies using logistic regression model that land size and migration are closelyassociated with each other, which shows that households owning small areas of land are more likely to migrate.

Climate change-induced migration has been a widely discussed discourse recently.[40] Climate migration was incorporated in the Cancun Adaptation Framework adopted at the Sixteenth Conference of the Parties (COP16) of the United Nations Framework Convention on Climate Change (UNFCCC). This framework recognized the probable impacts of climate change on human mobility and thereby urged the parties (governments) to consider the issue. The relevant paragraph in section 4(f) is as follows: "Measures to enhance understanding, coordination and cooperation with regard to climate change induced displacement, migration and planned relocation, where appropriate, at the national, regional and international levels".[41] In the succeeding meetings, the COP aimed to assess the impacts of environmental displacement, migration and human mobility.

The Seventh Five-Year Plan identifies that climate change outcomes, such as increased flooding, will aggravate the existing problems and complicate urban-based livelihoods. Highly congested areas and slums, where the urban poor tend to concentrate, will be the worst sufferers. Increased migration to urban areas for economic opportunities puts more strain on limited services and facilities. The Government of Bangladesh's 2015 National Strategy on the Management of Disaster and Climate Induced Internal Displacement (NSMDCIID) is the first policy that fully focuses on migration, environment and climate change where the Government recognizes that displacements have grave implications for the rights and entitlements of individuals and communities who experience displacement. However, the Bangladesh Climate Change Strategy and Action Plan (BCCSAP) (2009) does not address the migration aspect.

The Government of Bangladesh has yet to enact any particular law, rule or policy about internal migration in Bangladesh. However, the causes of consequences of such internal migration are already addressed in a number of policy documents. For instance, as stated in the National Industry Policy 2016, the Government plans to establish labour-intensive industrial clusters in the less developed regions of the country, which may indirectly affect reducing the tendency of rural-to-urban migration for employment. The Agriculture Policy 2018 (Draft) – which will be the governing principle of the backbone of the rural economy – aims to ensure fair prices of products needed by agricultural commodity producers, which may also be an encouragement for potential migrants to live in the rural areas instead of migrating to the urban areas. One of the aims of the Land Use Policy 2001 – to rehabilitate the landless households – also may have impacts on the landlessness vulnerability-driven migration. There are other policy and laws related to various aspects of internal migration; however, their implementation is not fully satisfactory. The pace of industrialization in the lagging region and the provision of relevant financial support to such region, the extent of receiving fair prices by the farmers in the rural areas for the products they need to grow their crops and allocation of land to landless households could be incentives to dissuade families and individuals from taking the uncomfortable path of internal migration.

Yet official policy responses to mass internal migration have generally been weak, with the authorities often playing catch-up in seeking to address substantial and irrevocable changes. Moreover, there is a general silence within government to act on rural-to-urban flows, and especially migration to the metropolitan core, in spite of the development of large urban slums (Marshall and Rahman, 2013).

B.2.2.2. PRACTICES

Updated data and information is a prerequisite for the actors, if there are any at all, to address the need in case of internal migration. However, there is no database on it and thus it remains not possible to address the reasons/root causes in the origin and consequent arrangements for migrants in the destinations, namely, the divisional cities of the country, particularly Dhaka. The Statistics and Informatics Division of the Ministry of Planning (MoP), which is mandated to collect relevant data for national development, lacks capacity to collect such information without a holistic effort from local-level agencies. LGIs cannot collect, arrange and manage such database from the union/*upazila* level in their given capacities.

41 United Nations Framework Convention on Climate Change (UNFCCC), "Report of the Conference of the Parties on its sixteenth session, held in Cancun from 29 November to 10 December 2010: Addendum – Part two: Action taken by the Conference of the Parties at its sixteenth session", FCCC/CP/2010/7/Add.1 (15 March 2011). Available from https://unfccc.int/sites/default/files/resource/docs/2010/cop16/eng/07a01.pdf.

No specific ministry deals with internal migration. The multidimensionality of internal migration makes it a "business of many". A range of government ministries, departments, institutes and authorities work for this issue, without any holistic guidance.

It seems that the institutional arrangement accepts the reality that push factors will remain predominant for rural–urban migration. Thus, to address it, the relevant area (namely, urban) development agencies are working. The Local Government Engineering Division (LGED), the Department of Public Health Engineering (DPHE), and water supply and sewerage authorities under the Local Government Division (LGD) of the Ministry of Local Government, Rural Development and Cooperatives (MoLGRD&C); the Urban Development Department (UDD); and Rajdhani Unnayan Kartripakkha (RAJUK), the capital development authority under the Ministry of Housing and Public Works (MoHPW), are working in this regard. All the related local-level planning of the LGED needs to be conducted under the guidance of the Planning Commission of the MoP, in coordination with the UDD. This mutual coordination between the UDD and the LGED under the umbrella of the Planning Commission is required to avoid overlapping of responsibilities and ensure coordination. However, coordination gaps are pronounced, in reality, in many forms and extents. Thus, the key destinations (i.e. urban areas, namely, cities) cannot accommodate well the internal migrant population of the country. Moreover, no particular agency has focused on the most important factor, that is, creating attractive living conditions in the origin regions, which will make migration a choice rather than a necessity. As most of internal migration comes from rural areas, the most relevant ministry could be the MoLGRD&C, whose potential has not been assessed in this respect, and no particular capacity enhancement programmes with necessary legal directions have been initiated yet.

There are 142 ongoing social safety net programmes in Bangladesh, of which many contribute to reducing poverty of many dimensions. But none of these targets to manage internal migration, where there is ample room for innovation. Moreover, as the benefits of these programmes are not portable, with the migration of beneficiaries, they are no longer covered by the government protection programmes.

Climate migration is an emerging issue in this arena. The Ministry of Environment, Forests and Climate Change (MoEF&CC) is the lead institution that attends to climate change, though dealing with internal migration as a result of climate change is not in its core mandate. The MoDM&R has been mandated to drive the national risk reduction reform programmes. The Ministry of Land (MoL) has a project called Guchchhogram-2nd Phase (Climate Victims Rehabilitation Project), which provides support to displaced population due to climate change. Climate change-related issues are addressed by almost all major international donor and funding organizations, as well as by many national and local NGOs across the country. However, management of internal migration as a result of climate change is not a focus for most of the actors. Information about environmental migrants is not available from any official sources. Apart from this, there are definitional problems in identifying environmental migrants. The UNDP, among its other areas of work, focuses on climate change and disaster management. NGOs are expected to have a role in some project implementation and capacity-building; however, institutional linkages between various ministries, their departments, and national and local government institutions are not clearly articulated in the BCCSAP. Financing is not often targeted to assist environmental migrants specifically. However, climate change-related activities focus mostly on adaptation techniques; they deal indirectly with migration, as climate change plays is one of the key push factors for migration. The sources of climate change financing in Bangladesh are supported by national, bilateral and multilateral agencies. The Bangladesh Climate Change Trust Fund (BCCTF) supports programmes and projects funded by the national budget to help coastal and climate change-vulnerable communities recover and become resilient to the impacts of climate change, with management by the BCCTF and the Government. The BCCTF has been created as a multi-donor trust fund to draw bilateral and multilateral donations from development partners. This fund is currently administered by the World Bank with further provision for Palli Karma-Sahayak Foundation (PKSF) to manage the NGO financing window of the BCCTF. The BCCTF is owned and managed by the MoEF&CC. Financing in this regard is not sufficient and reportedly lack appropriate designing of effective projects and accountable monitoring. These programmes have deficiencies in transparency, accountability, and appropriate participation of people and civil and political societies. It has also been found that there are coordination gaps among the fund management authorities and the implementing agencies.



Annex C
CURRENT STATUSES OF BANGLADESH GOALS BY INDICATOR AND SUB-INDICATOR USED IN THE FRAMEWORK

C.1. GOAL 1 STATUS BY INDICATOR AND SUB-INDICATOR

Goal 1	Adhering to international standards and fulfilment of migrants' rights

Sub-indicator		Country Status
Indicator 1.1		**Access to basic social services and social security**
1.1.1	Access to health care	There is no barrier to receiving health services from providers to foreign nationals working in Bangladesh. The forcedly displaced foreign nationals also enjoy some medical facilities in the health centres around the makeshift settlements. However, there is a lack of specific guidance on health insurance for foreign nationals working in Bangladesh. There are no mandatory medical treatment and necessary counselling services available for returnee migrants and inward migrants.
1.1.2	Access to education	There is no barrier to access the education institutions (primary, secondary and tertiary) for foreign nationals in Bangladesh. However, due to not having much of a demand, still no established practice of credit transfer has been built. In addition, this credit transfer matter is still grey and vary from institute to institute for the returnees. The forcedly displaced foreign nationals do not enjoy such access to any educational institutes, but, in camps and makeshift settlements, there are some primary schools that are accessible to this group of migrants.
1.1.3	Access to social security	Foreign nationals are not entitled to receive benefits from the social safety net programmes of the Government. However, in their home countries, there are no restrictions for them to receive such benefits.
1.1.4	Portability of social security	Portability of the benefits of social security availed in the destination remains an unsolved area. Apart from the lack of portability of these benefits, the rural-centric safety net progammes of the country make it difficult for rural-to-urban migrants to receive these benefits.

Sub-indicator		Country Status
Indicator 1.2		**Family rights**
1.2.1	Family reunification	Any documented foreign nationals can bring their family members following the visa policy of the country. However, for Bangladeshi migrants, more diplomatic endeavours in the key destinations are required to ensure family reunification. There are attempts of family reunification from the left-behind family members of Bangladeshi migrants in disguise of students and tourists, among others, which not only increases the chances of becoming undocumented in the destination but also enhances their becoming vulnerable.
Indicator 1.3		**Right to work**
1.3.1	Equal access to the labour market	Migrants can access the labour market, provided they obtain a work permit. A work permit is mandatory for every foreign national seeking employment in Bangladesh. Three government authorities issue work permits to foreign nationals in Bangladesh: the Bangladesh Investment Development Authority (BIDA), for the private sector, industrial enterprises, branch offices and liaison offices outside the export processing zone (EPZ); the Bangladesh Export Processing Zone Authority (BEPZA), for the employment of foreign nationals in the EPZ; and the NGO Affairs Bureau, for the employment of foreign nationals in any non-governmental organization (NGO). An industry within the EPZ can employ up to 5 per cent foreign nationals among its employees, provided the BEPZA has authorized the company to hire these foreigners.
1.3.2	Access to the private sector	There are no barriers to access the private sector for foreign nationals in Bangladesh. However, there are quotas for foreign workers in the country. Forcedly displaced foreign nationals do not have such access officially, though there are reports that they have some access to the private sector through informal channels.
1.3.3	Access to the public sector	There are no barriers to self-employment for foreign nationals, if they have valid work permits from designated authorities. There are some bureaucratic hurdles, but these are manageable and do not work as real access barriers. However, there are a number of reports of tax dodging by foreign nationals, in which cases some are able to leave the country without paying their due taxes with the help of some unscrupulous employers.
1.3.4	Equal access to self-employment	
1.3.5	Access to self-employment	
Indicator 1.4		**Long-term residency and path to citizenship**
1.4.1	Access to permanent residency	There are no clear rules on indefinite residence for immigrants living in Bangladesh. The relevant laws and acts do not specify whether foreigners can be issued indefinite long-term residence permits. Key legislation includes the Foreigners Act (1946), the Foreigners Order (1951), the Registration of Foreigners Act (1939), the Registration of Foreigners Rules (1966) and the Bangladesh Control of Entry Act (1952). As part of the current Industrial Policy, the Government grants the "right of permanent residence" to foreigners investing at least USD 75,000 in any Bangladeshi industrial or financial sector. This system of permanent residence status is administered by the BIDA in conjunction with the Ministry of Home Affairs.

Sub-indicator		Country Status
1.4.2	Access to nationality	According to Hoque (2016): "any foreigner ("any person"), who has completed his age of twenty-one years and whose country of origin does not prevent a Bangladeshi citizen to be naturalized there, may apply for being naturalized as a Bangladeshi citizen. According to the Naturalization Act 1926, the concerned applicant has to stay in Bangladesh for a period of 8 years, of which a minimum of 5 years in aggregate, including an incessant continuous stay of 12 months just before applying for naturalization, is required. A contradictory rule in the 1978 Rules, however, provides that an ordinary residence of a period of 5 years will suffice as a criterion [for] naturalization. Additionally, the applicant has to renounce his original citizenship and abandon his domicile of origin … between 1988 and 2016 only 418 people have been naturalized as Bangladesh citizens, of whom 418 were granted citizenship on the basis of family relationship (which is 99.52% of total naturalization) and 2 were granted citizenship on the basis of investment (which is only 0.48%). The total absence of naturalization during this period on the basis of residence in Bangladesh shows that the residency condition is a high threshold barrier on the way to citizenship acquisition. One potential reason might be that foreigners are not interested to be ordinarily resident in Bangladesh on a longer-term basis. It might also possibly be a case that the length of the residency requirement (5 years) is a prohibitive condition. On the other hand, the rules regarding visas for foreigners including the ones for the renewal of visas are not supportive enough to encourage foreigners to live in Bangladesh for a longer time." In 2008, the High Court of Bangladesh ruled that Biharis – who comprise the Urdu-speaking community of Bangladesh, also known as the "stranded Pakistanis" – who were minors during the 1971 war could be given citizenship. The process of getting a Dual Nationality certificate is troublesome and time-consuming for Bangladeshi diaspora. Legal debates on the dual nationality in Bangladesh are also there. The draft Citizenship Bill 2016, approved by the Cabinet, imposes some strict restrictions on citizens born abroad and dual citizens.
Indicator 1.5		**Civil participation**
1.5.1	Voting in national-level elections	Foreign nationals cannot participate in elections. However, in 2008, the High Court of Bangladesh ruled that Biharis – the Urdu-speaking people of Bangladesh, also known as the "stranded Pakistanis" – who were minors during the 1971 war could be given citizenship and subsequently voting rights. However, it remains a politically charged subject with a high degree of sensitivity.
1.5.2	Voting in local-level elections	A recent reform by the Election Commission stipulates that in order to vote, Bangladeshi migrants have to be present in the country during the voters' registration, making it more complex to vote from abroad.

C.2. GOAL 2 STATUS BY INDICATOR AND SUB-INDICATOR

Goal 2: Formulating policies using evidence and whole-of-government approach

Sub-indicator		Current Status
Indicator 2.1		**Institutional framework**
2.1.1	Institutional structure	The Ministry of Expatriates' Welfare and Overseas Employment (MoEWOE) is responsible for formulating policies and plans, implementing laws, working out rules and regulations, developing projects and programmes, and monitoring related to the management of overseas employment as well as the overall welfare of expatriate workers. The international aspects of this type of migration are governed by the Ministry of Foreign Affairs (MoFA) through its diplomatic endeavours and foreign missions. The welfare of the left-behind family members also lies within the purview of the MoEWOE, though there is scope to improve the interventions to deal with this. Issues of irregular migration and human trafficking are mostly handled by the Ministry of Home Affairs (MoHA). Inward international migration is not a concern of any particular ministry. In this framework, a task force under the Ministry of Labour and Employment (MoLE) is proposed for this particular group of migrants. Foreign nationals forcedly displaced towards Bangladesh are managed on a case-by-case basis. The MoFA, through its diplomatic efforts, is the major agency that handles matters regarding forcedly displaced foreign nationals in Bangladesh. The administrative authorities under the cabinet division implement the management process applicable to this population. The Ministry of Disaster Management and Relief (MoDM&R) and the MoHA actively participate in the migration management process. From the end of United Nations agencies, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM) provide humanitarian support. Internal migration is not governed either by any focal ministry, and there is notable lack of coordination among the agencies involved. A focal ministry is needed to address this matter. In this framework, the Ministry of Local Government, Rural Development and Cooperatives (MoLGRD&C) is proposed to govern internal migration. Overall, there is coordination gap among the agencies governing the multidimensional aspects of migration. Against this backdrop, the Interministerial Steering Committee on Overseas Employment, led by the Honourable Prime Minister, has been formed according to the Expatriates' Welfare and Overseas Employment Policy 2016. To ensure a comprehensive and holistic approach, this framework proposes that the committee be renamed the Interministerial Steering Committee on Migration and Development (IMSCM&D) and – being the highest-level authority on this matter – that its mandates be expanded.
2.1.2	Interministerial coordination mechanism	
2.1.3	Operational structure for outward migration	
2.1.4	Operational structure for inward migration	

Sub-indicator		Current Status
2.1.5	Diaspora engagement	The Expatriates' Welfare and Overseas Employment Policy 2016 includes provisions on both Bangladeshi migrant workers and diaspora members. The Government has also introduced and significantly subsidized compulsory insurance schemes for Bangladeshi migrant workers. Furthermore, the Seventh Five-Year Plan (FY2016–FY2020) stresses that initiatives to accelerate growth and empower citizens must also include the Bangladeshi diaspora. There are no comprehensive or specific institutional mechanisms dealing with Bangladeshi diaspora issues. Over 10 million Bangladeshi nationals currently living abroad cannot vote in national elections. In 2018, the Election Commission introduced a voter registration system for non-resident Bangladeshis to take part in national elections; nevertheless, there is no fixed timeline for its implementation. A high-level task force led by the Economic Relations Division of the Ministry of Finance held its first meeting in early 2018 to bring together senior officials and experts from various departments to engage the diaspora through the "PIE" approach. The PIE framework is a combination of three tools, namely philanthropic approach for community development, investment for development and expert engagement. A number of Bangladeshi diaspora associations, part of this task force, are already active in destination countries; they not only conduct sociocultural activities but also act as support networks for the Bangladeshi migrants abroad.
Indicator 2.2		**Migration strategy**
2.2.1	National migration strategy	Bangladesh's migration policy is strongly oriented towards transforming emigration into a tool for local development. The Seventh Five-Year Plan (FY2016–FY2020) recognizes both internal and international migration as drivers of national economic expansion. This plan addresses the strategic issues on migration in particular. The Government of Bangladesh, through the Expatriates' Welfare and Overseas Employment Policy 2016, aims to uphold three sections of its Constitution – Section 19: Equality of Opportunity; Section 20: Work as Right and Duty; and Section 40: Freedom of Profession or Occupation. The Annual Performance Agreement between the Cabinet Secretary and the MoEWOE maps out the Ministry's mission, strategic objectives, functions, performance indicators and targets. However, there is still no national strategy that includes all aspects of migration. Furthermore, any holistic policy framework does not cover internal migration.
2.2.2	Strategy interconnectedness	
Indicator 2.3		**Legal framework**
2.3.1	Legal framework for managing outward migration	The Overseas Employment and Migrants Act 2013 aims to promote opportunities for overseas employment and to establish a safe and fair system of migration to ensure that the rights and welfare of migrant workers and members of their families are in line with the international labour and human rights conventions and treaties ratified by Bangladesh. To combat human trafficking, the Prevention and Suppression of Human Trafficking Act 2012 makes "provisions to prevent and suppress human trafficking, to ensure the protection of victims of the offence of human trafficking and their rights and to ensure safe migration".

Sub-indicator		Current Status
2.3.2	Providing regulation and facilitation to a special group of migrants	Bangladesh's migration policy framework is largely oriented towards leveraging emigration as a tool for local economic development. While relatively more one-dimensional than the policy frameworks of some other countries (especially those that function as both sending and receiving countries), Bangladesh's policy framework has targeted some migrant characteristics, particularly gender. Relevant programmes (e.g. awareness-raising, training, financial support) towards women migrant workers are being activated.
2.3.3	Assisting nationals residing abroad	Bangladesh has Labour Welfare Wings in many destination countries. Appointing Labour Welfare Officers and other staff for the Labour Welfare Wings and supervising the administrative matters of the Labour Wings of Bangladesh's diplomatic missions abroad are the duties of the MoEWOE. The MoFA is a key partner in dealing with aspects related to the relations of Bangladesh with other countries. However, some instances have been reported about the lack of proactive efforts from the relevant officials of the diplomatic missions (including the Labour Welfare Officers of the MoEWOE) in some regions of the world to address the needs of the Bangladeshi migrants. In addition, the Labour Welfare Wings of Bangladesh working in overseas countries focus on the Bangladeshi migrants who are employed in those destinations as "workers". However, these wings particularly do not deal with the welfare of the Bangladeshi diaspora communities.
2.3.4	Legal framework for managing inward migration	Bangladesh does not have a clear and comprehensive legal framework for managing the inward migration of foreigners. This is not surprising given that Bangadesh is primarily as a migrant-sending country rather than a migrant-receiving country. Inward international migration is not a concern of any particular ministry. In this framework, a task force under the MoLE is proposed for this particular group of migrants.
Indicator 2.4		**Institutional transparency and coherence**
2.4.1	Transparency	The Overseas Employment and Migrants Act of 2013 aims to ensure transparency of the overseas migration process. However, the recruitment process of Bangladeshi workers for overseas employment still lacks adequate transparency. Lack of awareness among potential migrants is also a barrier to establishing an environment suitable for a demand-driven transparent mechanism.
2.4.2	Horizontal policy coherence	The Interministerial Steering Committee on Overseas Employment, led by the Honourable Prime Minister, has been formed in accordance with the Expatriates' Welfare and Overseas Employment Policy 2016. Also, according to this policy, there will be a multi-stakeholder National Forum on Migration and Development. In addition, an interministerial consultation on migration is observed regularly. Interministerial bodies on migration issues are also formed by the MoEWOE. However, to ensure a comprehensive and holistic approach, renaming of this committee as well as expansion of its mandates – as the highest-level authority – are proposed in this framework; the name suggested is Interministerial Steering Committee on Migration and Development (IMSCM&D).

Sub-indicator		Current Status
2.4.3	Vertical policy coherence	The MoEWOE is the key ministry of Bangladesh that governs the international labour migration process. In the country, the MoEWOE works through the Bureau of Manpower, Employment and Training (BMET); the Wage Earners' Welfare Board (WEWB); Bangladesh Overseas Employment and Services Limited (BOESL); and Probashi Kallyan Bank (PKB)/Expatriates' Welfare Bank. In other countries, the MoEWOE works with the Labour Welfare Wings. The BMET – among other agencies or organizations providing welfare-related services to migrants – provides institutional skills development training, gives emigration clearance to migrant workers, maintains a database of migrant workers, and regulates and monitors the licensing of private recruitment agencies. The BMET extends its work through 42 District Employment and Manpower Offices (DEMOs), 70 technical training centres (TTCs) and 6 marine technological institutes, and 3 apprenticeship training offices. It is notable that the DEMO is the lowest-tier government institution stationed in the district headquarters level providing overseas migration services. BOESL is the only State-owned worker-sending company in Bangladesh. Its vision is to ensure safe and low-cost migration of potential workers through an efficient and transparent process. PKB has been established to provide collateral-free loans to workers going abroad for employment, offer loans to returnees for income generation, facilitate sending remittances and encourage the wage earners to invest in the country. Apart from this, there are task forces in headquarters and all districts to monitor and prevent irregular migration. However, there is a need to convert the DEMOs into a one-stop service centres for overseas labour migration by extending its service provision centres up to the *upazila* level. Safe Migration Committees (formerly known as Anti-Trafficking Committees) are formed at the union level, but they lack adequate resources and are yet to be institutionalized. At the local level, NGOs are extending relevant services in the form of awareness, reintegration of returnees, training and legal support, among other things; however, stakeholders in this sector lack coordinated efforts.
Indicator 2.5		**Data gathering and information availability**
2.5.1	Regular collection and publishing of migration data	Data on worker migration is collected and compiled by the BMET of the MoEWOE. However, this database does not have updated information on returnees, though a recent initiative for this has been undertaken. Furthermore, there is no comprehensive database of foreign nationals working in the country. In addition, there is also no comprehensive database of internal migrants. Different agencies are collecting data on various aspects using different methods: national identity registration; birth registration; registration for overseas jobs; registration of Bangladeshi overseas workers and the diaspora with the WEWB to become members of the Board; and worker migration (which is done by the BMET). But there is no comprehensive database with limited access. (A database with limited access is a database that is accessible to all stakeholders, with some restrictions. All information, specifically personal information, is not accessible to all.) Most of the databases do not have linkage with the database of national identity registration. There is no policy for sharing data among the relevant agencies. The lack of a comprehensive database containing relevant information on potential migrants, current migrants and returnees (as well as their household members) puts the policymakers and the authorities in an uncomfortable state to design effective plans and useful activities.

Sub-indicator		Current Status
2.5.2	Addressing migration in census data	The National Population and Housing Census is conducted every 10 years in Bangladesh. The last census was carried out in 2011, and the next one is due in 2021. Census has some information about outward migration, but it does not include internal migration-related information. The Household Income and Expenditure Survey (HIES), which is undertaken every five years, covers some information on internal migration. Both the National Population and Housing Census and the HIES are conducted by the Bangladesh Bureau of Statistics (BBS) under the Ministry of Planning (MoP).

C.3. GOAL 3 STATUS BY INDICATOR AND SUB-INDICATOR

Goal 3: Engaging partners to address migration and related issues

Sub-indicator	Current Status
Indicator 3.1 Signature and ratification of international conventions	
Convention name	**Ratified**
International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97)	No
United Nations Convention Relating to the Status of Refugees, 1951	No
United Nations Convention relating to the Status of Stateless Persons, 1954	No
United Nations Convention on the Reduction of Statelessness, 1961	No
ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	No
United Nations Convention on the Rights of the Child (CRC), 1989	Yes (1990)
United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990	Yes (2001)
United Nations Protocol Relating to the Status of Refugees, 1967	No
United Nations Convention on the Elimination of All Forms of Discrimination Against Women, 1979	Yes (1984)
ILO Social Security (Minimum Standards) Convention, 1952 (No. 102)	No
ILO Convention Concerning Decent Work for Domestic Workers, 2011 (No. 189)	No
United Nations Convention against Transnational Organized Crime and the Protocols Thereto, 2000	No
ILO Forced Labour Convention, 1930 (No. 29)	Yes
ILO Abolition of Forced Labour Convention, 1957 (No. 105)	Yes

Sub-indicator		Current Status
Indicator 3.2		**Regional cooperation**
3.2.1	Official regional consultative processes (RCPs) on migration	Bangladesh is a member of some RCPs, such as the Budapest Process; the Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants (APC); the Bali Process; the Ministerial Consultation on Overseas Employment and Contractual Labour for Countries of Origin and Destination in Asia (also known as the Abu Dhabi Dialogue); and the Colombo Process.
3.2.2	Agreements for formal intraregional mobility	Bangladesh is a participant in the Abu Dhabi Dialogue, a collaborative approach to addressing development in temporary labour mobility in Asia. Bangladesh is one of the 18 members of the Abu Dhabi Dialogue, which includes the country's most important overseas labour markets, namely Saudi Arabia, Qatar, Kuwait and the United Arab Emirates. Bangladesh is also a member of the Colombo Process.
Indicator 3.3		**Bilateral agreements**
3.3.1	Formal agreements with other sending or receiving countries	Bangladesh has long-standing agreements with most of the migrant-receiving countries. However, the recent imprudent global politics has made the implementation of these agreements difficult.

Sub-indicator		Current Status
3.3.2	Non-binding agreements (e.g. memorandums of understanding (MoUs)) with other migrant-sending or migrant-receiving countries	Bangladesh has MoUs with several migrant-receiving countries. Among such agreements are MoUs with Jordan, the United Arab Emirates, Oman and Iraq. It has a bilateral agreement with Saudi Arabia, a technical cooperation agreement with Kuwait and an agreement with Qatar.
3.3.3	Participation in bilateral migration negotiations	The Government of Bangladesh frequently engages in bilateral migration consultations. The Government is in regular dialogue with most of the migrant-receiving countries.
Indicator 3.4		**Global cooperation**
3.4.1	Participation in the Global Forum on Migration and Development (GFMD)	Bangladesh is an active member of the GFMD. It was the Chair in the ninth GFMD summit in 2016, held successfully in Dhaka.
3.4.2	Representation in the International Organization for Migration (IOM)/ Office of the United Nations High Commissioner for Refugees (UNHCR) governing bodies	Bangladesh is an active member of the IOM Council and participates in events on migration and development, migration-related consultation processes and other activities.
Indicator 3.5		**Other partnerships**
3.5.1	Partnerships with civil society organizations (CSOs)	The Government of Bangladesh works in close collaboration with CSOs regarding migration aspects. CSOs are engaged in research and national consultation processes on migration and development. However, the works of CSOs are still not well coordinated with the Government's efforts. It is necessary to set up a formal multi-stakeholder platform in which the specific roles and responsibilities of each of the stakeholders are outlined to get the best out of the process. The Expatriates' Welfare and Overseas Employment Policy 2016 has incorporated the provision of engagement of CSOs among other stakeholders by forming a National Forum on Migration and Development.
3.5.2	Partnerships with private sector/social partners	The Government of Bangladesh partners with private recruitment agencies in searching for workers for the overseas markets. The Government works in close collaboration with the Bangladesh Association of International Recruiting Agencies (BAIRA), a body that represents private recruitment agencies for overseas migrants. Safe Migration Committees (formerly known as Anti-Trafficking Committees) are formed at the union level by involving the community representatives.

Sub-indicator		Current Status
3.5.3	Partnership with the diaspora	The MoEWOE has some initiatives regarding engagement with the diaspora through the Labour Welfare Wings of Bangladesh's diplomatic missions abroad. Community meetings are held by the diplomatic missions. The Minister and officials of the MoEWOE also hold meetings with communities where both the diaspora and migrant workers remain present and share their ideas and views towards undertaking policy and strategic programmes and their implementation. However, Bangladeshi diaspora business associations, in most cases, do not have formal liaison with Bangladesh government agencies. The networks between the diaspora and the business communities of Bangladesh are solely independent ventures and somewhat sporadic in nature. The Labour Welfare Wings of Bangladesh are working overseas, mainly focusing on Bangladeshi migrant workers and with limited focus on the diaspora communities. A few CSOs have expressed recently the need for facilitating the ways of enhancing contribution of the diaspora to the development of the country by ensuring that they are recognized effectively and their rights are upheld.
3.5.4	Regional agreements promoting labour mobility	The regional agreements that Bangladesh is currently part of do not promote labour mobility. The South Asian Association for Regional Cooperation (SAARC) does not address issues related to regional labour mobility.

C.4. GOAL 4 STATUS BY INDICATOR AND SUB-INDICATOR

Goal 4: Advancing the socioeconomic well-being of migrants and society

Sub-indicator		Current Status
Indicator 4.1		**Labour migration management**
4.1.1	National assessment of the labour market for inward migrants	There is no national assessment and/or monitoring of the labour market for inward migrants. Nowadays, Bangladesh is not only a labour migrant-sending country; it receives human resources as well. Nevertheless, there is no comprehensive database of foreign nationals working in Bangladesh, which makes the task of governing this group of migrants efficiently much difficult. At present, there is no exact statistics with any government bodies about foreign nationals working in Bangladesh.
4.1.2	National assessment of the labour market for outward migrants	There is no national assessment and/or monitoring of the labour market for outward migrants. Assessment of overseas labour demand has not been conducted rigorously for the key destinations. Apart from that, there is no assessment of the effects of outward migration on the domestic labour market.
4.1.3	Labour demand management	There is no mechanism for labour management based on labour market demand in domestic and overseas markets. Management of the labour force who joined the urban market – in the course of rural-to-urban internal migration – also does not have any governing mechanism.
4.1.4	A work visa system to attract specific labour skills	Bangladesh does not have visa types aimed at attracting specific labour skills. Among the visa categories provided by Bangladesh, a work visa is not included.
Indicator 4.2		**Skills and qualifications recognition schemes**
4.2.1	Recognition of inward labour migrants' skills and capabilities	There is no clear policy and/or implementation strategy for the recognition and accreditation of inward labour migrants' qualifications in terms of skills and capabilities. There is no holistic system of recognition of inward labour migrants' skills and capabilities. The admission of migrants, mostly foreigners on contracts, is typically not determined by any skills assessment procedure. However, there are some barriers in some professional services. For example, as per the Medical and Dental Council Act (1980), the Bangladesh Medical and Dental Council has the right to accept or reject overseas medical qualifications. However, the Act includes a provision which states that any individual, institution or others can appeal against the Council's refusal to recognize any medical or dental qualifications.
4.2.2	Accreditation of inward labour migrants' qualifications	
4.2.3	Participation in international schemes with common qualification frameworks	Bangladesh does not participate in international schemes with common vocational qualification frameworks. All technical and vocational education and training (TVET) institutions are not registered with the Bangladesh Technical Education Board (BTEB); thus, they are unable to provide competency-based training and assessment (CBT&A) following the National Technical and Vocational Training and Qualification Framework (NTVQF).

Sub-indicator		Current Status
Indicator 4.3		**Student migration regulation**
4.3.1	Foreign students' access to education	Bangladesh allows foreign students to access education in the country. It reserves slots for international students who wish to study in the country. For instance, the Health Directorate of the Ministry of Health and Family Welfare reserved 107 slots for foreign students in government medical and dental colleges in the academic year 2015–2016.
4.3.2	Equal education opportunities for foreign students	There are no barriers for foreign students to enroll in education institutions. However, there are some differences in the fees required and procedure to follow compared with those applicable to the local students. The language of instruction is mostly Bangla, which in effect restricts entry of non-Bangla speakers. The process varies institute by institute. Under the current system of the University of Dhaka, the application – which should be in a prescribed form – is to be submitted in triplicate to the Ministry of Education through the Bangladesh diplomatic mission seated in the country of the candidate or her/his country's diplomatic mission in Bangladesh. All certificates and transcripts need to be attested by the foreign ministry of the candidate's own country. Upon receipt of the application from the Ministry of Education, the Equivalence Committee of the concerned faculty of the University verifies the eligibility of the student for admission in the desired programme. If the student is found eligible for the programme, the application is sent to the Academic Committee of the department/institute for its opinion. Finally, the Pro-Vice-Chancellor of the University will approve the admission. This will be communicated to the Ministry of Education, with a copy sent to the applicant. The Ministry of Education will issue no objection certificate in favour of admission. Thereafter, the applicant will be allowed to get admitted by paying fees and other charges. The fees applicable vary for the students from SAARC countries and students from countries that are not members of the SAARC.
4.3.3	Quotas for the number of foreign students based on the labour market's capacity	There are quotas for foreign students, but they are not based on labour market demand.
4.3.4	Access to work for foreign students after graduation	For foreign nationals studying in Bangladesh, there are no barriers to access the labour market after graduation. However, a work permit from designated authorities is mandatory for every foreign national seeking employment in Bangladesh.
4.3.5	Work opportunities for foreign students while studying	There are no laws or regulations that restrict a foreign student's ability to work during the course of study.
Indicator 4.4		**Bilateral labour agreements**
4.4.1	Entering into bilateral labour agreements (BLAs)	Bangladesh has several formal BLAs in place. Bangladesh has signed BLAs with many of the destination countries for contractual labour. Among other countries, there are BLAs and MoUs with Hong Kong, Jordan, Qatar, the United Arab Emirates and Saudi Arabia. A separate agreement on female domestic workers has been signed with Saudi Arabia.

Sub-indicator		Current Status
4.4.2	Measures to ensure decent working conditions by promoting ethical recruitment	Bangladesh is the Chair of the Thematic Area Working Group (TAWG) on Ethical Recruitment. It has persistent efforts in ensuring safe and orderly migration through ethical recruitment processes. The Overseas Employment and Migrants Act 2013 has provisions on preventing unscrupulous or irregular activities and punishment for any irregular/illegal processes or activities. Government-to-government recruitment process also promotes ethical recruitment mechanism. However, the process of recruiting Bangladeshi workers for overseas employment still lacks adequate transparency. The recruitment cost in Bangladesh remains the highest in the world. There is no legal provision about intermediaries in the international recruitment process. Nevertheless, in an informal setting, these intermediaries play a very active role in the recruitment process. Awareness among potential migrants also works as a barrier to the establishment of an environment suitable to a demand-driven transparent mechanism.
4.4.3	A mechanism to protect the rights of migrants working abroad	Outbound migrant workers are given mandatory pre-departure training and briefing, where the issues about their rights and interests are clearly explained for their understanding and guidance for courses of actions if these rights are violated in the workplace. The Labour Welfare Wings abroad carry out monitoring of the protection of rights and interests of Bangladeshi migrants. The Seventh Five-Year Plan (2016–2020) is also concerned with promoting labour migration, ensuring the protection of migrant workers' human and labour rights. However, the rights of Bangladeshi migrant workers in the destination countries are often violated, and there is a serious lack of redress mechanism – mostly due to the lack of human resources and capacity gaps in the Labour Welfare Wings located abroad.

Sub-indicator		Current Status
Indicator 4.5		**Migrant remittances**
4.5.1	Promotion of formal remittance schemes	Bangladesh is actively promoting the formal remittance scheme. The banking network under the government system is the largest in terms of the number of branches and their spread over the country. This is a huge strength for remittance disbursement at the receiver level. Bangladesh Bank – with priority – has taken initiatives to curb the illegal remittance channels. Experts at the bank visited some key destination countries (namely, Saudi Arabia, Singapore and Malaysia) in 2017 to probe the issue of remittance decline and curb the illegal remittance channels by making the legal channels efficient, effective and attractive. Their efforts worked; the amount of remittances sent through formal channels increased afterwards. In line with the report from the Bangladesh Financial Intelligence Unit, Bangladesh Bank took some strict measures, and, as a result, remittance inflow in October 2017 increased sharply by around 36 per cent compared with that in the earlier month. This consequent increase in remittance amount received through legal channels is attributed to the measures taken which have decreased the instances of the "digital hundi", the mechanism of transferring money illegally using the cell phone network. The banking network under the government system is the largest in terms of number of branches and their spread over the country. Still, their utilization in terms of remittance management is not satisfactory. According to Bangladesh Bank's *Quarterly Report on Remittance Inflows* for April–June 2017, private commercial banks collected the highest amount of remittances (72.09%), followed by State-owned commercial banks (25.98%), foreign commercial banks (0.96%) and specialized banks (0.97%). There is a lack of proper and strong regulatory frameworks for governing remittances. According to the MoEWOE (Government of Bangladesh, 2016a): ● Remittance senders and beneficiaries do not receive accurate and transparent information on remittance; ● Financial and non-financial institutions in the remittance market do not provide inclusive services and are publicly accountable; ● Cooperation with countries of destination to lay the ground for agreements between central banks to facilitate remittances through the management of exchange rates is not at satisfactory level; ● Strong regulatory frameworks for the development of partnerships between financial and non-financial institutions to expand service provision, including diversifying the offer of transfer options, are lacking.
4.5.2	Remittance transfer costs reduction	Bangladesh remains one of the least costly remittance-sending corridors among the recipient countries. However, according to *Migration and Remittances Factbook 2016* of the World Bank Group, sending USD 200 from Saudi Arabia to Nepal requires 0.6 per cent of the remittance amount, which is 3.1 per cent in the case of Bangladesh. This indicates that there is scope for reduction of remittance costs in the case of Bangladesh. At the same time, sending remittances up to a certain amount has fixed transaction costs, which remains a disproportionately higher burden to the sender of a small amount of remittance. Time delays and difficulties in sending money to the receiver living in a remote corner of a Bangladeshi village also adds to the costs of remittance. At the same time, bankers in the market argue that they do not have scope to reduce the transaction costs anymore (Barkat et al., 2017).

C.5. GOAL 5 STATUS BY INDICATOR AND SUB-INDICATOR

Goal 5: Effectively addressing the mobility dimensions of crises

Sub-indicator		Current Status
Indicator 5.1		**Crisis resilience and preparedness**
5.1.1	Having a national strategy on providing assistance to displaced migrants	Bangladesh successfully repatriated migrants during the Libya crisis, in collaboration with the MoEWOE, the MOFA, IOM and the World Bank. The MoEWOE has a mechanism to support migrants in any crisis through its Labour Welfare Wings in its foreign missions abroad. Under the supervision of the MoEWOE, recruitment agents, both in sending and destination countries, respond appropriately to a crisis of a migrant. The Government of Bangladesh has plans to design a migration crisis strategy in line with the IOM Migration Crisis Operational Framework (MCOF) and the Migrants in Countries in Crisis (MICIC) guidelines. The Government of Bangladesh has formulated the National Strategy on Myanmar Refugees and Undocumented Myanmar Nationals (UMN). Bangladesh and Myanmar signed a repatriation deal on 23 November 2017, and subsequently formed a joint working group comprising of officials from Bangladesh and Myanmar on 19 December 2018, to facilitate and expedite the repatriation process. The United Nations will support the repatriation process.
5.1.2	Having a national strategy on disaster risk reduction	The Seventh Five-Year Plan identifies that climate change outcomes, such as increased flooding, will aggravate the existing problems and complicate urban-based livelihoods. Highly congested areas and slums, where the urban poor tend to concentrate, will be the worst sufferers. Increased migration to urban areas for economic opportunities puts more strain on limited services and facilities. The Comprehensive Disaster Management Programme (CDMP) under the Ministry of Disaster Management and Relief (MoDM&R) developed the National Strategy on the Management of Disaster and Climate Induced Internal Displacement (NSMDCIID). This is the first policy of Bangladesh that fully focuses on migration, environment and climate change where the Government recognizes that displacements have grave implications for the rights and entitlements of individuals and communities who experience displacement. However, the Bangladesh Climate Change Strategy and Action Plan (BCCSAP) (2009) does not address the migration aspect. The Ministry of Environment, Forests and Climate Change (MoEF&CC) and its associated agencies deal with climate change issues in the country. However, the institutional arrangement to manage climate change-induced displacement is not clear yet.
5.1.3	Having a national strategy on addressing migratory movements caused by adverse effects of climate change	
5.1.4	Having a contingency plan in case of large-scale population movements in times of crisis	There is no specific plan for the large-scale population movements in times of crisis for Bangladeshi nationals. However, the CDMP under the MoDM&R developed the NSMDCIID. Also, recently, the Government of Bangladesh has formulated the National Strategy on Myanmar Refugees and Undocumented Myanmar Nationals (UMN).

Sub-indicator		Current Status
5.1.5	Keeping records of nationals living abroad and migrants in the country	There is no comprehensive database of foreign nationals working in the country; immigration authorities collect data on in-migration; however, that is not done in coordination with other agencies concerned under a holistic plan.
5.1.6	Having measures in place to assist nationals living abroad in times of crisis	The MoEWOE and the MoFA have a mechanism for assisting Bangladeshi expatriates in times of any crisis through Bangladesh missions abroad; however, these missions reportedly lack resources and capacities.
Indicator 5.2		**Emergency response**
5.2.1	Having communication systems to address crisis	There is a standard operating procedure (SOP) for diplomatic and other officials when taking action for Bangladeshi migrant workers overseas, which includes the procedure to follow when assisting migrant workers during a humanitarian crisis. However, these need to be fully effective and implemented as per suggestions. There is no formal early warning mechanism, though it is practised informally. The Labour Welfare Wings of Bangladesh missions abroad carry out monitoring of the protection of rights and interests of Bangladeshi migrants. These communication systems are intended for the overall population and not tailored to the needs of individual migrants. This is not a problem, as migrants in Bangladesh usually reside in capital Dhaka (which is free from natural disasters, excluding earthquake) and rarely live in natural disaster-prone areas. Migrants can receive information related to crises or disasters through the media, which uses the English language.
5.2.2	Having communication systems that take into consideration the specific vulnerabilities that migrants face	
5.2.3	Provision of humanitarian assistance equally accessible to all, irrespective of the legal status of migrants	The Government of Bangladesh has formulated the National Strategy on Myanmar Refugees and Undocumented Myanmar Nationals (UMN). Currently, all UMNs are receiving humanitarian assistance regardless of their legal status.
5.2.4	Having measures to make exceptions on immigrant procedures for migrants whose country of origin is experiencing a crisis	Although there is no such policy in place, but in terms of practice, Bangladesh right now hosts over a million UMNs who are fleeing from conflict in their home country.
5.2.5	Having a national development strategy with measures regarding displacement	The Seventh Five-Year Plan identifies that climate change outcomes, such as increased flooding, will aggravate the existing problems and complicate urban-based livelihoods. Highly congested areas and slums, where the urban poor tend to concentrate, will be the worst sufferers. Increased migration to urban areas for economic opportunities puts more strain on limited services and facilities. The CDMP under the MoDM&R developed the NSMDCIID. This is the first policy of Bangladesh that fully focuses on migration, environment and climate change where the Government recognizes that displacements have grave implications for the rights and entitlements of individuals and communities who experience displacement. However, the BCCSAP (2009) does not address the migration aspect.
Indicator 5.3		**Post-crisis action**
5.3.1	Formulation of a recovery strategy and development plan that includes migration issues	The Seventh Five-Year Plan has specific reference to migration. The draft National Plan for Disaster Management 2016–2020 from the MoDM&R includes the development of a design for displaced population in recovery.

Sub-indicator		Current Status
5.3.2	Policy in the aftermath of a crisis to accommodate the return of migrants that have fled during the crisis	Among other goals, reintegration of returnee migrants has also been included in the Expatriates' Welfare and Overseas Employment Policy 2016 of Bangladesh. Recently, Bangladesh has signed an SOP with the European Union on the modalities to repatriate unauthorized migrants from the 28 Member States of the bloc. A national task force has been formed in accordance with this SOP, where the MoFA is playing a lead role. The MoFA has been making an effort to keep the process humane and dignified. However, reintegration of returnee migrants is yet to be done in a holistic manner. The political issues underlying the migration of foreign nationals to Bangladesh are addressed using specific guidelines. For instance, the Government of Bangladesh has formulated the National Strategy on Myanmar Refugees and Undocumented Myanmar Nationals (UMN). The reintegration of displaced persons after their return from a climate change-induced disaster is addressed in the draft National Plan for Disaster Management 2016–2020. Moreover, the Government of Bangladesh, in cooperation with the Government of the Netherlands, aims to create the Bangladesh Delta Plan 2100. The Delta Plan will enable the Government of Bangladesh to integrate climate change adaptation into its policies in a more strategic, knowledge-based and consistent manner, making efficient use of limited natural and economic resources in the country. The Delta Plan is seen to enhance good governance through its focus on institutional strengthening, policy or institutional reform, coordination and cooperation, capacity-building, and transparency and integrity. Management of large displacement due to disasters will be covered under the Plan.

C.6. GOAL 6 STATUS BY INDICATOR AND SUB-INDICATOR

Goal 6: Ensuring that migration takes place in a safe, orderly and dignified manner

Sub-indicator		Current Status
Indicator 6.1		**Border control and enforcement**
6.1.1	Having a system to monitor visa overstays	The Foreigners Act 1946 is the most relevant act dealing with foreigners overstaying without documents. The Bangladesh immigration police has the responsibly to monitor visa overstays. However, the implementation status of the law regarding overstays is not satisfactory. There are allegations that many foreign nationals are residing in Bangladesh without valid documents. Some reports claim that over 700,000 foreigners are living in Bangladesh without valid documentation (*Source: The Independent,* 23 November 2016).
6.1.2	Having a dedicated body for integrated border control and security	Land borders and immigration at the country's ports are handled by different bodies. Border Guards Bangladesh is in charge of border security, while Bangladesh Coast Guard monitors the coastal areas. A number of agencies under different authorities manage the security in the international airports in the country, in coordination with the Civil Aviation Authority of Bangladesh.
6.1.3	Having well-trained human resources for border control	Training of human resources is provided continuously for capacity enhancement. However, increased human resources and appropriate technologies, particularly at long land borders of the country, are required to complement the training provided.
Indicator 6.2		**Admission and eligibility criteria**
6.2.1	Visa policy clarity	Visa policies are published on the websites of various government agencies.
6.2.2	Efficient visa processing	Efficiency of visa processing depends on the location of the applicant. Usually, all types of visas are issued before travel.
Indicator 6.3		**Return and reintegration policies**
6.3.1	Reintegration policies for returning nationals	There is no streamlined policy or strategy for returning migrants. However, reintegration of returnee migrants has also been included in the Expatriates' Welfare and Overseas Employment Policy 2016 of Bangladesh. Apart from that, Bangladesh has recently signed an SOP with the European Union on the modalities to repatriate unauthorized migrants from the 28 Member States of the bloc.
6.3.2	Facilitation of return of nationals	PKB is currently providing a "rehabilitation loan" to returned migrants who are destitute, marooned and victims of unexpected circumstances. Some CSOs are key partners in the implementation of reintegration programmes for returnee migrants. NGOs are extending relevant services at the local level in the form of awareness-raising campaigns, reintegration of returnees, training and legal support, among others; however, a lack of coordinated efforts has been observed among the stakeholders in this sector. Recently, Bangladesh has signed an SOP with the European Union on the modalities to repatriate unauthorized migrants from the 28 Member States of the bloc. A national task force has been formed in accordance with this SOP, with the MoFA as the leading agency. The MoFA has been making an effort to keep the process humane and dignified.

Sub-indicator		Current Status
Indicator 6.4		**Measures to combat human trafficking and smuggling**
6.4.1	A national strategy to combat human trafficking	To combat human trafficking, the Prevention and Suppression of Human Trafficking Act 2012 makes "provisions to prevent and suppress human trafficking, to ensure the protection of victims of the offence of human trafficking and their rights, and to ensure safe migration". Section 32 (1) of this law states that "The Government shall make procedures by rules for identification, rescue, repatriation and rehabilitation of the victims of human trafficking and act by partnership with concerned government and non-government organizations". Under Section 5, this Act is given extraterritorial relevance, indicating that if a citizen becomes a victim of trafficking outside the territory of Bangladesh, this Act shall still be applicable. However, the Rules for the Prevention and Suppression of Human Trafficking Act 2012 has not been finalized yet. The proposed Human Trafficking Prevention Fund and the National Anti-Human Trafficking Authority – in accordance with Prevention and Suppression of Human Trafficking Act 2012 – have not been realized yet. According to Section 21 of the Prevention and Suppression of Human Trafficking Act 2012, the State is supposed to establish Anti-Human Trafficking Offence Tribunals for victims of trafficking for speedy trial of offences; however, the Anti-Human Trafficking Offence Tribunals have not been established yet. Bangladesh has outlined its National Plan of Action (NPA) for Combating Human Trafficking 2015–2017.
6.4.2	Regular publishing about counter-trafficking activities	Every year, a country report is prepared and published by the MoHA detailing actions taken by government, non-governmental and intergovernmental implementing organizations for the prevention of human trafficking and for the protection of victims of trafficking.
6.4.3	Improvement in Bangladesh's status in the US Department of State's annual *Trafficking in Persons Report*	According to the United States *Trafficking in Persons Report* for 2017, Bangladesh has been downgraded to Tier 2 Watch List from Tier 2*. *According to the *Trafficking in Persons Report*, countries on the Tier 2 Watch List are those that do not fully meet the minimum standards of the United States Trafficking Victims Protection Act (TVPA) of 2000 "but are making significant efforts" in complying with the standards, "and for which: (a) the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing …; (b) there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; (c) the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional steps over the next year".



ANNEX D
ASSOCIATIONS AMONG THE MIGRATION GOVERNANCE FRAMEWORK GOALS, THE GLOBAL COMPACT FOR MIGRATION OBJECTIVES AND THE MIGRATION CRISIS OPERATIONAL FRAMEWORK GOALS

Migration Governance Framework Goals	Global Compact for Migration Objectives	Migration Crisis Operational Framework Goals
1. Adherence to international standards and fulfilment of migrants' rights	15. Provide access to basic services for migrants	
2. Formulating policies using evidence and whole-of government approach	1. Collect and utilize accurate and disaggregated data as a basis for evidence-based policies 4. Ensure that all migrants have proof of legal identity and adequate documentation	
3. Engaging partners in addressing migration and related issues	19. Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries 23. Strengthen international cooperation and global partnerships for safe, orderly and regular migration	3. (c) Respond to the often unaddressed migration dimensions of a crisis, by complementing existing humanitarian systems as well as other systems addressing peace and security, and development issues
4. Advancing socioeconomic well-being of migrants and society	18. Invest in skills development and facilitate mutual recognition of skills, qualifications and competence	

5. Effectively addressing the mobility dimensions of crises	7. Address and reduce vulnerabilities in migration (j) Apply specific support measures to ensure that migrants caught up in situations of crisis in countries of transit and destination have access to consular protection and humanitarian assistance, including by facilitating cross-border and broader international cooperation, as well as by taking migrant populations into account in crisis preparedness, emergency response and post-crisis action	3. (b) Help crisis-affected populations, including displaced persons and international migrants stranded in crisis situations in their destination/ transit countries, to better access their fundamental rights to protection and assistance through IOM support to States; (c) Respond to the often unaddressed migration dimensions of a crisis, by complementing existing humanitarian systems as well as other systems addressing peace and security, and development issues
6. Ensuring that migration takes place in a safe, orderly and dignified manner	8. Save lives and establish coordinated international efforts on missing migrants 24. (f) Make all efforts, including through international cooperation, to recover, identify and repatriate the remains of deceased migrants to their countries of origin, respecting the wishes of grieving families, and, in the case of unidentified individuals, facilitate the identification and subsequent recovery of the mortal remains, ensuring that the remains of deceased migrants are treated in a dignified, respectful and proper manner	3. (d) Build on IOM's partnerships with States, international organizations and other relevant actors in the fields of humanitarian response, migration, peace and security, and development



ANNEX E
MIGRATION GOVERNANCE FRAMEWORK

The essential elements for facilitating orderly, safe, regular and responsible migration and mobility of people through planned and well-managed migration policies

Introduction

1. In November 2014, the Director General reported to the Council on the Administration's policy deliberations, including work on a Migration Governance Framework. In advance of the Sixteenth Session of the Standing Committee on Programmes and Finance (SCPF), held on 2 and 3 July 2015, the Administration issued the draft Migration Governance Framework (S/16/9) to inform discussions and seek the views of the Member States. At that meeting, IOM Member States commented on the first draft and provided input that was taken into account to produce the Migration Governance Framework contained in document S/17/4 and the accompanying draft Council resolution, which described how IOM would use the Framework. This updated document was submitted to the SCPF at its Seventeenth Session, held on 28 and 29 October 2015. At that meeting, the SCPF took note of document S/17/4 and recommended that the draft resolution be submitted to the Council for adoption.

Purpose and nature of the Migration Governance Framework

2. This is an era of unprecedented mobility, and the need to facilitate orderly, safe, regular and responsible migration and mobility is becoming increasingly relevant.[42] Realizing the benefits and full potential of migration requires planned, well managed and well governed approaches to migration and human mobility. That said, migration is a complex and broad field of work, and there is no single convention or framework presenting a coherent, comprehensive and balanced approach[43] to migration governance, which is also practical, concrete and concise.

3. The IOM Migration Governance Framework sets out the essential elements to support planned and well managed migration. IOM is well placed to provide this advice: as the global lead agency on migration, IOM's purpose includes providing advice on migration questions and providing a forum for exchanges of views and experiences on migration and mobility issues.

42 See Target 10.7 of the 2030 Agenda for Sustainable Development: "Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies".

43 See the 2013 Declaration of the High-level Dialogue on International Migration and Development.

4. For the purposes of the Migration Governance Framework, IOM defines governance as the traditions and institutions by which authority on migration, mobility and nationality in a country is exercised, including the capacity of the government to effectively formulate and implement sound policies in these areas. The Migration Governance Framework is based on the understanding that, as the primary actor in migration, mobility and nationality affairs, a State retains the sovereign right to determine who enters and stays in its territory and under what conditions, within the framework of international law. Other actors – citizens, migrants, international organizations, the private sector, unions, non-governmental organizations, community organizations, religious organizations and academia – contribute to migration governance through their interaction with States and each other.

5. The Migration Governance Framework does not:

   (a) Create new standards or norms. In drafting the Framework, IOM relied on its expertise and analytical work, as well as on existing commitments, non-binding declarations and statements (see the annex).

   (b) Address global migration governance, that is, the international architecture for dealing with issues related to migration and human mobility. Instead, the focus is on the governance and management of migration from the point of view of the State as the primary actor.

   (c) Propose one model for all States. The Framework presents a "high road" or ideal version of migration governance, to which States can aspire, and for which IOM can provide support and assistance. That said, a State's historical, economic and social context, and its geography, affect how migration and human mobility should best be governed in that State. The Migration Governance Framework offers a concise view of an ideal approach that allows a State to determine what it might need to govern migration well and in a way that fits its circumstances.

Migration Governance Framework

6. IOM's view is that a migration system promotes migration and human mobility that is humane and orderly and benefits migrants and society:

   (a) When it:

      (i) Adheres to international standards and fulfils migrants' rights;

      (ii) Formulates policy using evidence and a "whole-of government" approach;

      (iii) Engages with partners to address migration and related issues.

   (b) As it seeks to:

      (i) Advance the socioeconomic well-being of migrants and society;

      (ii) Effectively address the mobility dimensions of crises;

      (iii) Ensure that migration takes place in a safe, orderly and dignified manner.

7. The elements listed in subparagraph 6(a) are principles that form the necessary foundation for migration to be well governed. The elements in subparagraph 6(b) offer key objectives for migration and related policy, law and practice. Ideally, they would work together in a balanced way to advance the well-being of migrants and their families, and communities of origin, transit and destination.

8. The three principles and three objectives based on the above are described below.

Principle 1: Good migration governance would require adherence to international standards and the fulfilment of migrants' rights

9. Humane and orderly migration requires compliance with international law. The obligation to respect, protect and fulfil the rights of individuals is paramount and applies to all individuals within a State's territory, regardless of nationality or migration status and without discrimination, in order to preserve their safety, physical integrity, well-being and dignity. Protecting the rights of individuals includes combating xenophobia, racism and discrimination, ensuring adherence with the principles of equality and non-discrimination, and ensuring access to protection.

10. Most of the world's migrants travel, stay in the country of migration, and return without difficulty or the need for special assistance. That said, there are tens of millions of migrants or displaced people who are vulnerable due to personal characteristics, circumstances or legal status. Good migration governance would require particular efforts to identify and support these individuals, using child-oriented, gender-sensitive, culturally appropriate approaches. A State with forced migrants on its territory would need to provide assistance and protection in accordance with humanitarian and human rights principles.

11. Forced labour, trafficking in human beings and smuggling of migrants should be criminalized. However, individuals who are subject to forced labour, trafficked or smuggled should not be criminalized; more generally, neither should irregular migrants. Migrants would need access to justice and legal redress in States of transit and destination, regardless of gender, age or other diversity characteristics. A person should be able to exercise his or her right to leave any country, including his or her own country, and to return to his or her own country at any time.

Principle 2: Migration and related policies are best formulated using evidence and whole-of-government approaches

12. Migration policy is often the subject of intense political debate and can be based on populist sentiments. Migration policy must be based on facts and a well-founded analysis of the benefits and risks the movement of people poses to the State. To govern migration well, a State would collect, analyse, and use credible data and information on, among other things, demographics, cross-border movements, internal displacement, diasporas, labour markets, seasonal trends, education and health. Furthermore, a State would seek to understand migration trends and reflect them in policies, including links with environmental degradation, climate change and crises.

13. The law and policy affecting the movement of people are not restricted to any single issue but include travel and temporary mobility, immigration, emigration, nationality, labour markets, economic and social development, industry, commerce, social cohesion, social services, health, education, law enforcement, foreign policy, trade and humanitarian policy. Similarly, the approach to migration law and policy can significantly affect other policy areas. Good migration governance therefore relies on whole-of-government approaches, whereby all ministries with responsibilities touching on the movement of people are implicated. In this way, a State can ensure that migration and mobility policy advances its broader interests.

Principle 3: Good migration governance relies on strong partnerships

14. By their very nature, migration and mobility implicate multiple actors: States and their neighbours, subnational authorities, local communities, migrants and their families, diasporas, employers and unions. In addition, there are dozens of intergovernmental and non-governmental organizations whose mandates touch on migration and humanitarian action. Governing migration well requires partnerships to broaden the understanding of migration, and to develop comprehensive and effective approaches. This means maintaining close partnerships with:

    - Subnational governments, local authorities, cities and municipalities;
    - Non-governmental actors at the domestic level, including employers, unions, diasporas, migrant associations, civil society, local community groups, religious organizations and academia, ensuring that the entities consulted are representative of all those in the population concerned; this could include, among others, public–private partnerships;
    - Other countries, including immediate neighbours, and countries of origin, transit and destination for nationals and incoming migrants (global and regional consultative processes, such as the Global Forum on Migration and Development and IOM's International Dialogue on Migration, provide essential forums that maintain these relationships);
    - International and regional organizations whose mandates touch on migration and migration-related issues and provide humanitarian and development assistance, including members of the Global Migration Group.

Objective 1: Good migration governance and related policy should seek to advance the socioeconomic well-being of migrants and society

15. Poverty, instability, lack of access to education or other basic services are only some of the factors that can push individuals to migrate. Those who are pushed to migrate – unlike those who choose to migrate – may be more likely to do so under undesirable or dangerous conditions, including by accessing the services of unethical recruiters, smugglers or traffickers. This has negative consequences for migrants and for communities of origin, transit and destination, and undermines other efforts to govern migration well. Governing migration well would therefore mean promoting stability, education and employment opportunities and reducing the drivers of forced migration, including by promoting resilience, thereby enabling individuals to make the choice between staying or migrating.

16. Even if the drivers of forced migration were eliminated, individuals would still choose to move, for example, to seek different or greater opportunities or to reunite with their families. A State would still normally want to manage migration in a way that advances its domestic interests, including responding to labour market needs, building communities and supporting social and cultural development. To achieve these objectives, migration and related law and policy need to be designed not only to enable migrants to participate in local economies, but also to foster strong socioeconomic outcomes for migrants and communities of origin, transit and destination. This would include:

    - Adopting a variety of labour migration approaches, including permanent, temporary and circular migration, for workers of various skill levels;
    - Facilitating international student migration and family reunification;
    - Ensuring migrants have fair and non-discriminatory access to the labour market, which depends in part on the extent to which migrants can integrate into their new communities – this requires strong, results-focused integration and social cohesion programmes, including for returning migrants or displaced persons, who often need reintegration assistance;

- Ensuring migrants have adequate access to health care, psychosocial support, social services, education, basic public services and housing, regardless of gender, age or other diversity characteristics;
- Making social benefits – including pensions – portable, and ensuring regulations do not hinder, but rather support, employers in ensuring that pension, health and other benefits are portable;
- Ensuring migrants and displaced persons have access to legal recourse, including for land and property claims;
- Facilitating low-cost channels for remittances and supporting opportunities for investment in home communities;
- Taking action against private actors that charge unreasonable fees and regulating recruiters and recruitment agencies in their jurisdictions;
- Regulating employers and inspecting labour conditions so that employers fulfil their obligations to employees.

Objective 2: Good migration governance is based on effective responses to the mobility dimensions of crises

17. In 2014, almost 60 million individuals were displaced as a result of natural and man-made disasters; a large number of forced migrants remain in protracted displacement situations, including in urban areas. Crises have significant long-term effects on migrants and society. Therefore, concerted action by the international community is required to: prevent and prepare for crisis; support migrants, displaced persons and communities affected by crises in accordance with humanitarian principles; and promote durable solutions to end displacement. Addressing the root causes of crises and associated population movements needs to be part of longer-term approaches towards recovery, transition and sustainable development. In addition, the international community should respond to crises with the understanding that migration is an inevitable consequence, and that recovery and transition efforts require consideration of the needs of migrants and their communities.

18. Contributions to the humanitarian organizations providing relief, support and protection in support of State actions are essential in order to address effectively the mobility dimensions of crises. This includes financial or in-kind support for life-saving assistance such as shelter, food, health care and other assistance. Effective responses to crises combine traditional humanitarian activities with transition and recovery programmes, as well as migration management activities, as described in the IOM Migration Crisis Operational Framework.[44] Effective responses would also include the acceptance of refugees and asylum seekers, including extending resettlement options to alleviate the burden on countries of first refuge, and offering other forms of admission such as humanitarian visas.

19. A State affected by a crisis would bear responsibility to protect and assist crisis-affected persons residing on its territory, and where appropriate its nationals abroad, in accordance with international humanitarian, refugee and human rights laws. This could include allowing unhindered access for humanitarian aid and workers. A State would need to facilitate access to consular services and evacuation assistance for migrants caught in crises on its territory.

20. Since population flows caused by crisis situations will often spread across borders, a neighbouring country can face particular challenges, such as facilitating access to safety and protection for displaced populations (including refugees, in accordance with relevant international instruments). This includes ensuring systems of registration, adequate access to services, and particular attention to any special needs and vulnerabilities.

44 The Migration Crisis Operational Framework identifies 15 sectors of assistance to address the mobility dimensions of crises before, during and after crises. IOM Council Resolution No. 1243 of 27 November 2012 "encourages Member States to utilize the Migration Crisis Operational Framework to enhance their own preparedness and response capacity to migration crises, with support from IOM".

Objective 3: Migration should take place in a safe, orderly and dignified manner

21. Migration systems need to be designed to ensure that policy objectives are met and that they operate with efficiency and effectiveness. This includes effective implementation of policies and systems, and access to regular channels for migration, mobility, long-term residency and citizenship, for all individuals regardless of gender, age or other diversity characteristics. It also includes well-administered visa and entry schemes, with limited wait times and reasonable fees; access to dual nationality; timely asylum determination processes; effective identity management practices, including the issuance of reliable identity and travel documents; timely responses to requests for documentation or re-documentation; and acceptance of returning nationals.

22. Ensuring migration is safe and orderly would also mean mitigating the risks associated with the movement of people. This includes applying effective cross-border health measures and strengthening public health strategies to prevent the spread of disease and protect the health of migrants and society. Maintaining the integrity of migration and mobility schemes requires an ability to detect irregular migration and to prohibit illegal cross-border activity. Migration and border agencies would work with national and international justice and security agencies to collect, analyse and use information intelligence, including to address terrorism, as well as trafficking in persons, smuggling in migrants and other transborder criminal activity.

IOM's contribution to migration governance

23. The documents on which IOM relied to draft the Migration Governance Framework included its Constitution, the IOM Strategy and other relevant Council documents. IOM contributes to effective, responsible migration governance when it acts in accordance with all the relevant documents defining its role. As described in the Strategy, IOM supports the development and implementation of migration and related policy that maximizes migration's benefits; enhances the humane and orderly management of migration; supports efforts to address irregular migration and root causes; and provides research, analysis and expert advice. IOM also provides capacity-building, services and innovative approaches to migration challenges. It participates in coordinated humanitarian responses and assists in returning and reintegrating migrants and displaced persons. IOM assists States, acts directly with migrants and works with a large variety of partners, including other intergovernmental organizations, civil society, academics, the media, the private sector and diaspora groups. Examples of the specific areas of IOM activity as contained in the Strategy for each of the principles and objectives are set out in the annex.

How IOM will use the Migration Governance Framework

24. IOM will use the Migration Governance Framework to guide its work in capacity-building, providing policy advice and developing specific programmes. This could include training, tools and assessment models. The Organization will also use the Framework to facilitate planning and reporting on how IOM contributes to migration governance, with a focus on results that are measurable and concrete. This will improve IOM's ability to give focus to its work, and to measure and communicate its impact.

ANNEX

Basis for the Migration Governance Framework

Although there is no single document addressing all issues relevant to migration, there has been significant thinking and analysis on migration governance, including commitments and statements by States and others in international forums. To draft the Migration Governance Framework, IOM relied on accumulated expertise within the Organization, as well as on existing binding commitments negotiated by States in conventions; non-binding declarations and statements negotiated

among States; the IOM Constitution, the IOM Strategy and relevant Council resolutions, negotiated among Member States; and IOM documents and analysis, including the Migration Crisis Operational Framework (MCOF) and other documents that were reviewed by the IOM governing bodies. In particular, IOM sought guidance and inspiration from:

- The body of international migration law that encompasses, inter alia, obligations under human rights, refugee, labour, humanitarian, maritime and transnational criminal laws, particularly those instruments with specific references to migrants;
- Statements made in advance of the 2013 High-level Dialogue (HLD) on International Migration and Development by the Secretary-General of the United Nations (UNSG) (an eight-point agenda for action to make migration work for all) and civil society organizations (CSOs) (five-year eight-point action plan);
- The declaration at the conclusion of HLD 2013 setting out key issues related to migration and development;
- A set of common understandings on migration management to which participating States agreed as part of the Berne Initiative's International Agenda for Migration Management;
- The IOM Constitution and the IOM Strategy (and its 12 points), which provides guidance on the areas of work IOM members consider important for pursing IOM's commitment to the principle that humane and orderly migration benefits migrants and society;
- IOM position papers and contributions of analytical work on migration; for example, MCOF and IOM's position papers in advance of HLD 2013 and the 2016 World Humanitarian Summit (WHS);
- The 2030 Agenda for Sustainable Development adopted by the United Nations General Assembly on 25 September 2015.

Below is a list of source documents and their relevant sections that inspired the principles and objectives of the Migration Governance Framework, as well as an illustrative list of the kinds of actions that should be taken to fulfil and achieve the principles and objectives of the Framework.

Principle 1: Good migration governance would require adherence to international standards and the fulfilment of migrants' rights

Key themes:

- Compliance with international migration law, including, inter alia, the nine core human rights treaties, the International Labour Organization (ILO) conventions and recommendations, the Convention relating to the Status of Refugees (Refugee Convention), the United Nations Convention against Transnational Organized Crime (UNCTOC) and its protocols, as well as relevant regional instruments, in particular those with specific references to migrants and discrimination;
- Combat xenophobia, racism and discrimination, and ensure adherence to the principles of equality and non-discrimination, including by non-State actors and subnational governments;
- Abide by humanitarian principles when providing assistance and protection to forced migrants on national territory;
- Enactment of policies and programmes that bring no harm and alleviate migrant vulnerability, including early identification and support for migrants or displaced people who are vulnerable owing to personal characteristics (e.g. age, gender, sexual orientation), circumstances (e.g. victim of trafficking or other violence, extreme poverty, refugee, separated from family, stranded) or legal status (e.g. regular, undocumented, irregular, dependent);
- Pursue international cooperation to protect and uphold migrant rights throughout the migration cycle, including by combating rights violations resulting from unfair and unethical international recruitment practices;

- Incorporate child-oriented and gender perspectives into policies and programmes;
- Decriminalize irregular migrants;
- Provide access to timely status determination processes, justice and legal redress, regardless of gender, age or other diversity characteristics;
- Criminalize forced labour, trafficking in human beings and smuggling of migrants;
- Enable a person to exercise his or her right to leave any country, including his or her own country, and to return to his or her own country, at any time.

Basis:

- IOM Strategy points: 2, 3, 11
- MCOF sectors of assistance: All 15
- IOM position paper on HLD 2013: Policy recommendations: 3
- IOM high-road scenario: 2
- IOM position paper on WHS 2016: Policy recommendations: 1, 2
- UNSG eight-point agenda: 1, 3
- CSO five-year eight-point action plan: 3, 4, 5, 6, 7, 8
- HLD declaration points: 1, 10, 11, 12, 13, 14, 15, 16, 17, 19, 24
- Berne Initiative Common Understandings: 3, 4, 7, 8, 15, 16
- Key conventions (inter alia): the nine core human rights treaties; ILO conventions and recommendations; Refugee Convention; UNCTOC protocols on trafficking and smuggling.

Principle 2: Migration and related policies are best formulated using evidence and whole-of-government approaches

Key themes:

- Collect, analyse, use and disseminate credible sex- and age-disaggregated data on population and displacement movements, both internally and across national borders, as well as on diasporas, labour markets, demographics, seasonal trends, education and health – in order to inform policy;
- Use a whole-of-government approach including all ministries with responsibilities touching on the movement of people, such as labour, education, agriculture, commerce, industry, security, social services, health, gender, women, youth, defense, law enforcement, foreign policy, trade policy, economic development and growth;
- Reflect in policies migration trends and links with climate change, crises and demographics, taking into account the different impacts and needs of men, women, boys and girls.

Basis:

- IOM Strategy points: 3, 5, 6
- MCOF sectors of assistance: All 15
- IOM position paper on HLD 2013: Policy recommendations: 1, 2, 5, 6

- IOM high-road scenario: 1, 3
- IOM position paper on WHS 2016: Policy recommendations: 5
- UNSG eight-point agenda: 6, 7
- CSO five-year eight-point action plan: 1
- HLD declaration points: 3, 6, 22, 25, 28
- Berne Initiative Common Understandings: 6, 11, 19, 20
- Key conventions: The nine core human rights treaties; UNCTOC and its protocols; ILO conventions and recommendations; Refugee Convention.

Principle 3: Good migration governance relies on strong partnerships

Key themes:

- Use partnerships to broaden understanding and develop comprehensive approaches to migration;
- Maintain close international partnerships with other countries, including: immediate neighbours; significant countries of origin, transit and destination for nationals or for arriving migrants; countries which are home to the diaspora; other countries in regional trading blocs;
- Maintain close partnerships with governments and authorities at the subnational level, including city authorities;
- Maintain close partnerships with international organizations whose mandates touch on migration and migration-related issues, including those providing humanitarian and development assistance;
- Engage in regional consultative processes with other countries and international organizations;
- Engage all partners at the subnational, national, international and regional level (government agencies, international organizations, CSOs, non-governmental organizations, employers, unions, diasporas, migrant associations, academia), ensuring that those entities consulted are representative of the entire population concerned.

Basis:

- IOM Strategy points: All 12
- MCOF sectors of assistance: All 15
- IOM position paper on HLD 2013: Policy recommendations: 1, 2, 6
- IOM high-road scenario: 1, 3, 4
- IOM position paper on WHS 2016: Policy recommendations: 3, 5
- UNSG eight-point agenda: 4, 8
- CSO five-year eight-point action plan: 2, 5, 6
- HLD declaration points: 3, 5, 6, 7, 18, 20, 21, 29, 30, 31, 32
- Berne Initiative Common Understandings: 5, 7, 9, 10
- Key conventions: The nine core human rights treaties; UNCTOC and its protocols.

Objective 1: Good migration governance and related policy should seek to advance the socioeconomic well-being of migrants and society

Key themes:

- Ensure that non-national residents can have the same access as nationals to health care, social services, education and housing, regardless of gender, age or other diversity characteristics;
- Promote cross-border labour market matching and trade in services;
- Adopt a variety of gender-sensitive labour migration approaches, including permanent, temporary and circular migration, at various skill levels;
- Promote stability and reduce drivers of forced migration, including by promoting resilience and reducing risk;
- Implement regular lower-cost channels for remittance transfers, promote financial literacy among remittance-receiving households, and increase opportunities for diaspora investment in home communities;
- Maintain strong, results-focused integration, reintegration and social cohesion programmes, including post-arrival reintegration assistance and assisted voluntary returns;
- Communicate to the public and stakeholders the domestic value of migration and mobility;
- Provide information on regular migration channels;
- Facilitate international student migration;
- Facilitate family reunification;
- Ensure that social benefits – including pensions – are portable and that the approach to international taxes is fair and does not discriminate on the basis of migration or residence status;
- Provide access to legal recourse, including for land and property claims;
- Support socioeconomic development via strengthened diaspora engagement, through skill and financial transfer programming, migrant entrepreneurship and innovation.

Basis:

- IOM Strategy points: 1, 3, 4, 5, 8, 10, 12
- MCOF sectors of assistance: 3, 6, 7, 9, 13
- IOM position paper on HLD 2013: Policy recommendations: 1, 3, 6
- IOM high-road scenario: 1, 2, 4
- IOM position paper on WHS 2016: Policy recommendations: 2, 5
- UNSG eight-point agenda: 2, 5
- CSO five-year eight-point action plan: 2, 8
- HLD declaration points: 2, 9, 12, 13, 18, 21, 23, 26, 27
- Berne Initiative Common Understandings: 11, 12, 13, 16, 17, 18

- Key conventions: International Covenant on Economic, Social and Cultural Rights; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; International Covenant on Civil and Political Rights; UNCTOC and its protocols; ILO conventions and recommendations.

Objective 2: Good migration governance is based on effective responses to the mobility dimensions of crises

Key themes:

- Work in concert with international partners to provide support and assistance to people affected by crises on the basis of humanitarian principles, including through voluntary contributions to international organizations (intergovernmental and nongovernmental);
- Facilitate access to safety and protection for displaced populations, and accept refugees and asylum-seekers, including through resettlement and other forms of humanitarian admission;
- Facilitate access to consular services and evacuation assistance for nationals abroad affected by crises;
- Allow unhindered access for humanitarian aid and workers;
- Register displaced persons and ensure they can access services, and that special needs and vulnerabilities are adequately addressed, in an equal and non-discriminatory manner;
- Support sensitization and participatory campaigns to provide information to affected populations and others, and to receive feedback;
- Support early transition and post-crisis recovery efforts, including the provision of durable solutions to displacement, for example livelihood support and access to basic services.

Basis:

- IOM Strategy points: 1, 3, 9, 10
- MCOF sectors of assistance: All 15
- IOM position paper on HLD 2013: Policy recommendations: 4
- IOM high-road scenario: 1
- IOM position paper on WHS 2016: Policy recommendations: 2, 3, 4
- UNSG eight-point agenda: 4
- CSO five-year eight-point action plan: 3
- HLD declaration points: 23
- Berne Initiative Common Understandings: 8
- Key conventions: The nine core human rights treaties; Fourth Geneva Convention and Additional Protocols I and II to the Geneva Conventions; UNCTOC and its protocols; Refugee Convention; Guiding Principles on Internal Displacement.

Objective 3: Migration should take place in a safe, orderly and dignified manner

Key themes:

- Provide access to adequate and regular channels for migration, mobility, residence and citizenship, for all individuals regardless of gender, age, or other diversity characteristics;
- Facilitate regular travel and migration, detect irregular migration, prohibit illegal cross-border activity, identify and refer those in need of assistance and protection, and implement timely asylum determination processes;
- Implement efficient and well-operating visa, entry, stay and residency schemes, with limited wait times and reasonable fees;
- Respond in a timely manner to requests for documentation/re-documentation and accept returning nationals;
- Maintain effective identity management, including through reliable passports and responsible use of biometrics;
- Work with national and international border, immigration, justice and security agencies to collect, analyse and use intelligence, including to address transborder criminal activity (e.g. trafficking in human beings and smuggling of migrants) and terrorism.

Basis:

- IOM Strategy points: 1, 3, 5, 11
- MCOF sectors of assistance: 10, 11, 12
- IOM position paper on HLD 2013: Policy recommendations: 6
- IOM high-road scenario: 1, 2
- IOM position paper on WHS 2016: Policy recommendations: 2
- UNSG eight-point agenda: 3
- CSO five-year eight-point action plan: 5
- HLD declaration points: 5, 11, 17, 24
- Berne Initiative Common Understandings: 13, 14, 15
- Key conventions: The nine core human rights treaties; Refugee Convention; Guiding Principles on Internal Displacement; UNCTOC and its protocols.



ANNEX F
GLOBAL COMPACT FOR SAFE, ORDERLY AND REGULAR MIGRATION

Seventy-third session

Agenda items 14 and 119

Resolution adopted by the General Assembly on 19 December 2018

[without reference to a Main Committee (A/73/L.66)]

73/195. Global Compact for Safe, Orderly and Regular Migration

The General Assembly,

Recalling its resolution 71/1 of 19 September 2016, in which it decided to convene an intergovernmental conference to adopt a global compact for safe, orderly and regular migration, as well as its resolutions 71/280 of 6 April 2017, 72/244 of 24 December 2017 and 72/308 of 6 August 2018,

1. *Expresses its profound gratitude* to the Government and the people of Morocco for hosting the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration, held in Marrakech on 10 and 11 December 2018, and for providing all the necessary support;

2. *Endorses* the Global Compact for Safe, Orderly and Regular Migration adopted by the Intergovernmental Conference as contained in the annex to the present resolution, and which will also be known as the Marrakech Compact on Migration.

60th plenary meeting
19 December 2018

Annex

Global Compact for Safe, Orderly and Regular Migration

We, the Heads of State and Government and High Representatives, meeting in Morocco on 10 and 11 December 2018, reaffirming the New York Declaration for Refugees and Migrants[45] and determined to make an important

45 Resolution 71/1.

contribution to enhanced cooperation on international migration in all its dimensions, have adopted this Global Compact for Safe, Orderly and Regular Migration:

Preamble

1. This Global Compact rests on the purposes and principles of the Charter of the United Nations.

2. It also rests on the Universal Declaration of Human Rights;[46] the International Covenant on Civil and Political Rights;[47] the International Covenant on Economic, Social and Cultural Rights;[47] the other core international human rights treaties;[48] the United Nations Convention against Transnational Organized Crime,[49] including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,[50] and the Protocol against the Smuggling of Migrants by Land, Sea and Air;[51] the Slavery Convention[52] and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery;[53] the United Nations Framework Convention on Climate Change;[54] the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;[55] the Paris Agreement;[56] and the International Labour Organization conventions on promoting decent work and labour migration,[57] as well as on the 2030 Agenda for Sustainable Development;[58] the Addis Ababa Action Agenda of the Third International Conference on Financing for Development;[59] the Sendai Framework for Disaster Risk Reduction 2015–2030;[60] and the New Urban Agenda.[61]

3. Discussions about international migration at the global level are not new. We recall the advances made through the United Nations High-level Dialogues on International Migration and Development in 2006 and 2013. We also acknowledge the contributions of the Global Forum on Migration and Development, launched in 2007. These platforms paved the way for the New York Declaration for Refugees and Migrants, through which we committed to elaborate a global compact on refugees and to adopt this Global Compact for Safe, Orderly and Regular Migration, in two separate processes. The two global compacts, together, present complementary international cooperation frameworks that fulfil their respective mandates as laid out in the New York Declaration for Refugees and Migrants, which recognizes that migrants and refugees may face many common challenges and similar vulnerabilities.

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46 Resolution 217 A (III).

47 See resolution 2200 A (XXI), annex.

48 International Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Elimination of All Forms of Discrimination against Women, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Convention on the Rights of the Child, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, International Convention for the Protection of All Persons from Enforced Disappearance, and Convention on the Rights of Persons with Disabilities.

49 United Nations, *Treaty Series*, vol. 2225, No. 39574.

50 Ibid., vol. 2237, No. 39574.

51 Ibid., vol. 2241, No. 39574.

52 League of Nations, *Treaty Series*, vol. LX, No. 1414.

53 United Nations, *Treaty Series*, vol. 266, No. 3822.

54 Ibid., vol. 1771, No. 30822.

55 Ibid., vol. 1954, No. 33480.

56 Adopted under the United Nations Framework Convention on Climate Change in FCCC/CP/2015/10/Add.1, decision 1/CP.21.

57 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).

58 Resolution 70/1.

59 Resolution 69/313, annex.

60 Resolution 69/283, annex II.

61 Resolution 71/256, annex.

4. Refugees and migrants are entitled to the same universal human rights and fundamental freedoms, which must be respected, protected and fulfilled at all times. However, migrants and refugees are distinct groups governed by separate legal frameworks. Only refugees are entitled to the specific international protection defined by international refugee law. This Global Compact refers to migrants and presents a cooperative framework addressing migration in all its dimensions.

5. As a contribution to the preparatory process for this Global Compact, we recognize the inputs shared by Member States and relevant stakeholders during the consultation and stocktaking phases, as well as the report of the Secretary-General entitled "Making migration work for all".[62]

6. This Global Compact is a milestone in the history of the global dialogue and international cooperation on migration. It is rooted in the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda, and informed by the Declaration of the High-level Dialogue on International Migration and Development, adopted in October 2013.[63] It builds on the pioneering work of the former Special Representative of the Secretary-General on Migration, including his report of 3 February 2017.[64]

7. This Global Compact presents a non-legally binding, cooperative framework that builds on the commitments agreed upon by Member States in the New York Declaration for Refugees and Migrants. It fosters international cooperation among all relevant actors on migration, acknowledging that no State can address migration alone, and upholds the sovereignty of States and their obligations under international law.

Our vision and guiding principles

8. This Global Compact expresses our collective commitment to improving cooperation on international migration. Migration has been part of the human experience throughout history, and we recognize that it is a source of prosperity, innovation and sustainable development in our globalized world, and that these positive impacts can be optimized by improving migration governance. The majority of migrants around the world today travel, live and work in a safe, orderly and regular manner. Nonetheless, migration undeniably affects our countries, communities, migrants and their families in very different and sometimes unpredictable ways.

9. It is crucial that the challenges and opportunities of international migration unite us, rather than divide us. This Global Compact sets out our *common understanding, shared responsibilities* and *unity of purpose* regarding migration, making it work for all.

Common understanding

10. This Global Compact is the product of an unprecedented review of evidence and data gathered during an open, transparent and inclusive process. We shared our realities and heard diverse voices, enriching and shaping our common understanding of this complex phenomenon. We learned that migration is a defining feature of our globalized world, connecting societies within and across all regions, making us all countries of origin, transit and destination. We recognize that there is a continuous need for international efforts to strengthen our knowledge and analysis of migration, as shared understandings will improve policies that unlock the potential of sustainable development for all. We must collect and disseminate quality data. We must ensure that current and potential migrants are fully informed about their rights, obligations and options for safe, orderly and regular migration, and are aware of the risks of irregular migration. We also must provide all our citizens with access to objective, evidence-based, clear information about the benefits and challenges of migration, with a view to dispelling misleading narratives that generate negative perceptions of migrants.

62 A/72/643.

63 Resolution 68/4.

64 See A/71/728.

Shared responsibilities

11. This Global Compact offers a 360 degree vision of international migration and recognizes that 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. No country can address the challenges and opportunities of this global phenomenon on its own. With this comprehensive approach, we aim to facilitate safe, orderly and regular migration, while reducing the incidence and negative impact of irregular migration through international cooperation and a combination of measures put forward in this Global Compact. We acknowledge our shared responsibilities to one another as States Members of the United Nations to address each other's needs and concerns over migration, and an overarching obligation to respect, protect and fulfil the human rights of all migrants, regardless of their migration status, while promoting the security and prosperity of all our communities.

12. This Global Compact aims to mitigate the adverse drivers and structural factors that hinder people from building and maintaining sustainable livelihoods in their countries of origin, and so compel them to seek a future elsewhere. It intends to reduce the risks and vulnerabilities migrants face at different stages of migration by respecting, protecting and fulfilling their human rights and providing them with care and assistance. It seeks to address legitimate concerns of communities, while recognizing that societies are undergoing demographic, economic, social and environmental changes at different scales that may have implications for and result from migration. It 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.

Unity of purpose

13. This Global Compact recognizes that safe, orderly and regular migration works for all when it takes place in a well-informed, planned and consensual manner. Migration should never be an act of desperation. When it is, we must cooperate to respond to the needs of migrants in situations of vulnerability, and address the respective challenges. We must work together to create conditions that allow communities and individuals to live in safety and dignity in their own countries. We must save lives and keep migrants out of harm's way. We must empower migrants to become full members of our societies, highlight their positive contributions, and promote inclusion and social cohesion. We must generate greater predictability and certainty for States, communities and migrants alike. To achieve this, we commit to facilitate and ensure safe, orderly and regular migration for the benefit of all.

14. Our success rests on the mutual trust, determination and solidarity of States to fulfil the objectives and commitments contained in this Global Compact. We unite, in a spirit of win-win cooperation, to address the challenges and opportunities of migration in all its dimensions through shared responsibility and innovative solutions. It is with this sense of common purpose that we take this historic step, fully aware that the Global Compact for Safe, Orderly and Regular Migration is a milestone, but not the end to our efforts. We commit to continue the multilateral dialogue at the United Nations through a periodic and effective follow-up and review mechanism, ensuring that the words in this document translate into concrete actions for the benefit of millions of people in every region of the world.

15. We agree that this Global Compact is based on a set of cross-cutting and interdependent guiding principles:

    (a) *People-centred:* The Global Compact carries a strong human dimension, inherent to the migration experience itself. It promotes the well-being of migrants and the members of communities in countries of origin, transit and destination. As a result, the Global Compact places individuals at its core;

    (b) *International cooperation:* The Global Compact is a non-legally binding cooperative framework that recognizes that no State can address migration on its own because of the inherently transnational nature of the phenomenon. It requires international, regional and bilateral cooperation and dialogue. Its authority rests on its consensual nature, credibility, collective ownership, joint implementation, follow up and review;

(c) *National sovereignty:* The Global Compact reaffirms the sovereign right of States to determine their national migration policy and their prerogative to govern migration within their jurisdiction, in conformity with international law. Within their sovereign jurisdiction, States may distinguish between regular and irregular migration status, including as they determine their legislative and policy measures for the implementation of the Global Compact, taking into account different national realities, policies, priorities and requirements for entry, residence and work, in accordance with international law;

(d) *Rule of law and due process:* The Global Compact recognizes that respect for the rule of law, due process and access to justice are fundamental to all aspects of migration governance. This means that the State, public and private institutions and entities, as well as persons themselves, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and are consistent with international law;

(e) *Sustainable development:* 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;

(f) *Human rights:* 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;

(g) *Gender-responsive:* 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;

(h) *Child-sensitive:* 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;

(i) *Whole-of-government approach:* 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;

(j) *Whole-of-society approach:* 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.

Our cooperative framework

16. With the New York Declaration for Refugees and Migrants, we adopted a political declaration and a set of commitments. Reaffirming that Declaration in its entirety, we build upon it by laying out the following cooperative framework, comprising 23 objectives, implementation, as well as follow-up and review. Each objective contains a commitment, followed by a range of actions considered to be relevant policy instruments and best practices. To fulfil the 23 objectives, we will draw from these actions to achieve safe, orderly and regular migration along the migration cycle.

Objectives for safe, orderly and regular migration

1. Collect and utilize accurate and disaggregated data as a basis for evidence-based policies
2. Minimize the adverse drivers and structural factors that compel people to leave their country of origin
3. Provide accurate and timely information at all stages of migration
4. Ensure that all migrants have proof of legal identity and adequate documentation
5. Enhance availability and flexibility of pathways for regular migration
6. Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work
7. Address and reduce vulnerabilities in migration
8. Save lives and establish coordinated international efforts on missing migrants
9. Strengthen the transnational response to smuggling of migrants
10. Prevent, combat and eradicate trafficking in persons in the context of international migration
11. Manage borders in an integrated, secure and coordinated manner
12. Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral
13. Use migration detention only as a measure of last resort and work towards alternatives
14. Enhance consular protection, assistance and cooperation throughout the migration cycle
15. Provide access to basic services for migrants
16. Empower migrants and societies to realize full inclusion and social cohesion
17. Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration
18. Invest in skills development and facilitate mutual recognition of skills, qualifications and competences
19. Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries
20. Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants
21. Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration
22. Establish mechanisms for the portability of social security entitlements and earned benefits
23. Strengthen international cooperation and global partnerships for safe, orderly and regular migration

Objectives and commitments

Objective 1: Collect and utilize accurate and disaggregated data as a basis for evidence-based policies

17. We commit to strengthen the global evidence base on international migration by improving and investing in the collection, analysis and dissemination of accurate, reliable and comparable data, disaggregated by sex, age, migration status and other characteristics relevant in national contexts, while upholding the right to privacy under international human rights law and protecting personal data. We further commit to ensure that this data fosters research, guides coherent and evidence-based policymaking and well-informed public discourse, and allows for effective monitoring and evaluation of the implementation of commitments over time.

    To realize this commitment, we will draw from the following actions:

    (a) Elaborate and implement a comprehensive strategy for improving migration data at the local, national, regional and global levels, with the participation of all relevant stakeholders, under the guidance of the Statistical Commission of the United Nations, by harmonizing methodologies for data collection, and strengthening analysis and dissemination of migration-related data and indicators;

    (b) Improve international comparability and compatibility of migration statistics and national data systems, including by further developing and applying the statistical definition of an international migrant, elaborating a set of standards to measure migrant stocks and flows, and documenting migration patterns and trends, characteristics of migrants, as well as drivers and impacts of migration;

    (c) Develop a global programme to build and enhance national capacities in data collection, analysis and dissemination to share data, address data gaps and assess key migration trends, that encourages collaboration between relevant stakeholders at all levels, provides dedicated training, financial support and technical assistance, leverages new data sources, including big data, and is reviewed by the Statistical Commission on a regular basis;

    (d) Collect, analyse and use data on the effects and benefits of migration, as well as the contributions of migrants and diasporas to sustainable development, with a view to informing the implementation of the 2030 Agenda for Sustainable Development and related strategies and programmes at the local, national, regional and global levels;

    (e) Support further development of and collaboration between existing global and regional databases and depositories, including the International Organization for Migration (IOM) Global Migration Data Portal and the World Bank Global Knowledge Partnership on Migration and Development, with a view to systematically consolidating relevant data in a transparent and user-friendly manner, while encouraging inter-agency collaboration to avoid duplication;

    (f) Establish and strengthen regional centres for research and training on migration or migration observatories, such as the African Observatory for Migration and Development, to collect and analyse data in line with United Nations standards, including on best practices, the contributions of migrants, the overall economic, social and political benefits and challenges of migration in countries of origin, transit and destination, as well as drivers of migration, with a view to establishing shared strategies and maximizing the value of disaggregated migration data, in coordination with existing regional and subregional mechanisms;

    (g) Improve national data collection by integrating migration-related topics into national censuses, as early as practicable, such as on country of birth, country of birth of parents, country of citizenship, country of residence five years prior to the census, most recent arrival date and reason for migrating, to ensure timely analysis and dissemination of results, disaggregated and tabulated in accordance with international standards, for statistical purposes;

(h) Conduct household, labour force and other surveys to collect information on the social and economic integration of migrants or add standard migration modules to existing household surveys to improve national, regional and international comparability, and make collected data available through public use of statistical microdata files;

(i) Enhance collaboration between State units responsible for migration data and national statistical offices to produce migration-related statistics, including by using administrative records for statistical purposes, such as border records, visas, resident permits, population registers and other relevant sources, while upholding the right to privacy and protecting personal data;

(j) Develop and use country-specific migration profiles, which include disaggregated data on all migration-relevant aspects in a national context, including those on labour market needs, demand for and availability of skills, the economic, environmental and social impacts of migration, remittance transfer costs, health, education, occupation, living and working conditions, wages, and the needs of migrants and receiving communities, in order to develop evidence-based migration policies;

(k) Cooperate with relevant stakeholders in countries of origin, transit and destination to develop research, studies and surveys on the interrelationship between migration and the three dimensions of sustainable development, the contributions and skills of migrants and diasporas, as well as their ties to the countries of origin and destination.

Objective 2: Minimize the adverse drivers and structural factors that compel people to leave their country of origin

18. We commit to create conducive political, economic, social and environmental conditions for people to lead peaceful, productive and sustainable lives in their own country and to fulfil their personal aspirations, while ensuring that desperation and deteriorating environments do not compel them to seek a livelihood elsewhere through irregular migration. We further commit to ensure timely and full implementation of the 2030 Agenda for Sustainable Development, as well as to build upon and invest in the implementation of other existing frameworks, in order to enhance the overall impact of the Global Compact to facilitate safe, orderly and regular migration.

    To realize this commitment, we will draw from the following actions:

    (a) Promote the implementation of the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals and the Addis Ababa Action Agenda, and the commitment to reach the furthest behind first, as well as the Paris Agreement and the Sendai Framework for Disaster Risk Reduction 2015–2030;

    (b) Invest in programmes that accelerate States' fulfilment of the Sustainable Development Goals with the aim of eliminating the adverse drivers and structural factors that compel people to leave their country of origin, including through poverty eradication, food security, health and sanitation, education, inclusive economic growth, infrastructure, urban and rural development, employment creation, decent work, gender equality and empowerment of women and girls, resilience and disaster risk reduction, climate change mitigation and adaptation, addressing the socioeconomic effects of all forms of violence, non-discrimination, the rule of law and good governance, access to justice and protection of human rights, as well as creating and maintaining peaceful and inclusive societies with effective, accountable and transparent institutions;

    (c) Establish or strengthen mechanisms to monitor and anticipate the development of risks and threats that might trigger or affect migration movements, strengthen early warning systems, develop emergency procedures and toolkits, launch emergency operations and support post-emergency recovery, in close cooperation with and in support of other States, relevant national and local authorities, national human rights institutions and civil society;

(d) Invest in sustainable development at the local and national levels in all regions, allowing all people to improve their lives and meet their aspirations, by fostering sustained, inclusive and sustainable economic growth, including through private and foreign direct investment and trade preferences, to create conducive conditions that allow communities and individuals to take advantage of opportunities in their own countries and drive sustainable development;

(e) Invest in human capital development by promoting entrepreneurship, education, vocational training and skills development programmes and partnerships, productive employment creation, in line with labour market needs, as well as in cooperation with the private sector and trade unions, with a view to reducing youth unemployment, avoiding brain drain and optimizing brain gain in countries of origin, and harnessing the demographic dividend;

(f) Strengthen collaboration between humanitarian and development actors, including by promoting joint analysis, multi-donor approaches and multi-year funding cycles, in order to develop long-term responses and outcomes that ensure respect for the rights of affected individuals, resilience and coping capacities of populations, as well as economic and social self-reliance, and by ensuring that these efforts take migration into account;

(g) Account for migrants in national emergency preparedness and response, including by taking into consideration relevant recommendations from State-led consultative processes, such as the Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster (Migrants in Countries in Crisis Initiative Guidelines);

Natural disasters, the adverse effects of climate change, and environmental degradation

(h) Strengthen joint analysis and sharing of information to better map, understand, predict and address migration movements, such as those that may result from sudden-onset and slow-onset natural disasters, the adverse effects of climate change, environmental degradation, as well as other precarious situations, while ensuring effective respect for and protection and fulfilment of the human rights of all migrants;

(i) Develop adaptation and resilience strategies to sudden-onset and slow-onset natural disasters, the adverse effects of climate change, and environmental degradation, such as desertification, land degradation, drought and sea level rise, taking into account the potential implications for migration, while recognizing that adaptation in the country of origin is a priority;

(j) Integrate displacement considerations into disaster preparedness strategies and promote cooperation with neighbouring and other relevant countries to prepare for early warning, contingency planning, stockpiling, coordination mechanisms, evacuation planning, reception and assistance arrangements, and public information;

(k) Harmonize and develop approaches and mechanisms at the subregional and regional levels to address the vulnerabilities of persons affected by sudden-onset and slow-onset natural disasters, by ensuring that they have access to humanitarian assistance that meets their essential needs with full respect for their rights wherever they are, and by promoting sustainable outcomes that increase resilience and self reliance, taking into account the capacities of all countries involved;

(l) Develop coherent approaches to address the challenges of migration movements in the context of sudden-onset and slow-onset natural disasters, including by taking into consideration relevant recommendations from State-led consultative processes, such as the Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change, and the Platform on Disaster Displacement.

Objective 3: Provide accurate and timely information at all stages of migration

19. We commit to strengthen our efforts to provide, make available and disseminate accurate, timely, accessible and transparent information on migration-related aspects for and between States, communities and migrants at all

stages of migration. We further commit to use this information to develop migration policies that provide a high degree of predictability and certainty for all actors involved.

To realize this commitment, we will draw from the following actions:

(a) Launch and publicize a centralized and publicly accessible national website to make information available on regular migration options, such as on country-specific immigration laws and policies, visa requirements, application formalities, fees and conversion criteria, employment permit requirements, professional qualification requirements, credential assessment and equivalences, training and study opportunities, and living costs and conditions, in order to inform the decisions of migrants;

(b) Promote and improve systematic bilateral, regional and international cooperation and dialogue to exchange information on migration-related trends, including through joint databases, online platforms, international training centres and liaison networks, while upholding the right to privacy and protecting personal data;

(c) Establish open and accessible information points along relevant migration routes that can refer migrants to child-sensitive and gender-responsive support and counselling, offer opportunities to communicate with consular representatives of the country of origin, and make available relevant information, including on human rights and fundamental freedoms, appropriate protection and assistance, options and pathways for regular migration, and possibilities for return, in a language that the person concerned understands;

(d) Provide newly arrived migrants with targeted, gender-responsive, child-sensitive, accessible and comprehensive information and legal guidance on their rights and obligations, including on compliance with national and local laws, obtaining of work and resident permits, status adjustments, registration with authorities, access to justice to file complaints about rights violations, as well as access to basic services;

(e) Promote multilingual, gender-responsive and evidence-based information campaigns and organize awareness-raising events and pre-departure orientation training in countries of origin, in cooperation with local authorities, consular and diplomatic missions, the private sector, academia, migrant and diaspora organizations and civil society, in order to promote safe, orderly and regular migration, as well as to highlight the risks associated with irregular and unsafe migration.

Objective 4: Ensure that all migrants have proof of legal identity and adequate documentation

20. We commit to fulfil the right of all individuals to a legal identity by providing all our nationals with proof of nationality and relevant documentation, allowing national and local authorities to ascertain a migrant's legal identity upon entry, during stay and for return, as well as to ensure effective migration procedures, efficient service provision and improved public safety. We further commit to ensure, through appropriate measures, that migrants are issued adequate documentation and civil registry documents, such as birth, marriage and death certificates, at all stages of migration, as a means to empower migrants to effectively exercise their human rights.

To realize this commitment, we will draw from the following actions:

(a) Improve civil registry systems, with a particular focus on reaching unregistered persons and our nationals residing in other countries, including by providing relevant identity and civil registry documents, strengthening capacities, and investing in information and communications technology solutions, while upholding the right to privacy and protecting personal data;

(b) Harmonize travel documents in line with the specifications of the International Civil Aviation Organization to facilitate interoperable and universal recognition of travel documents, as well as to combat identity fraud and document forgery, including by investing in digitalization, and strengthening mechanisms for biometric data-sharing, while upholding the right to privacy and protecting personal data;

(c) Ensure adequate, timely, reliable and accessible consular documentation to our nationals residing in other countries, including identity and travel documents, making use of information and communications technology, as well as community outreach, particularly in remote areas;

(d) Facilitate access to personal documentation, such as passports and visas, and ensure that relevant regulations and criteria for obtaining such documentation are non-discriminatory, by undertaking a gender-responsive and age-sensitive review in order to prevent increased risk of vulnerabilities throughout the migration cycle;

(e) Strengthen measures to reduce statelessness, including by registering migrants' births, ensuring that women and men can equally confer their nationality on their children, and providing nationality to children born in another State's territory, especially in situations where a child would otherwise be stateless, fully respecting the human right to a nationality and in accordance with national legislation;

(f) Review and revise requirements to prove nationality at service delivery centres to ensure that migrants without proof of nationality or legal identity are not precluded from accessing basic services nor denied their human rights;

(g) Build upon existing practices at the local level that facilitate participation in community life, such as interaction with authorities and access to relevant services, through the issuance of registration cards to all persons living in a municipality, including migrants, that contain basic personal information, while not constituting entitlements to citizenship or residency.

Objective 5: Enhance availability and flexibility of pathways for regular migration

21. We commit to adapt options and pathways for regular migration in a manner that facilitates labour mobility and decent work reflecting demographic and labour market realities, optimizes education opportunities, upholds the right to family life, and responds to the needs of migrants in a situation of vulnerability, with a view to expanding and diversifying availability of pathways for safe, orderly and regular migration.

    To realize this commitment, we will draw from the following actions:

    (a) Develop human rights-based and gender-responsive bilateral, regional and multilateral labour mobility agreements with sector-specific standard terms of employment in cooperation with relevant stakeholders, drawing on relevant International Labour Organization (ILO) standards, guidelines and principles, in compliance with international human rights and labour law;

    (b) Facilitate regional and cross-regional labour mobility through international and bilateral cooperation arrangements, such as free movement regimes, visa liberalization or multiple-country visas, and labour mobility cooperation frameworks, in accordance with national priorities, local market needs and skills supply;

    (c) Review and revise existing options and pathways for regular migration, with a view to optimizing skills-matching in labour markets and addressing demographic realities and development challenges and opportunities, in accordance with local and national labour market demands and skills supply, in consultation with the private sector and other relevant stakeholders;

    (d) Develop flexible, rights-based and gender-responsive labour mobility schemes for migrants, in accordance with local and national labour market needs and skills supply at all skills levels, including temporary, seasonal, circular and fast-track programmes in areas of labour shortages, by providing flexible, convertible and non-discriminatory visa and permit options, such as for permanent and temporary work, multiple-entry study, business, visit, investment and entrepreneurship;

(e) Promote effective skills-matching in the national economy by involving local authorities and other relevant stakeholders, particularly the private sector and trade unions, in the analysis of the local labour market, identification of skills gaps, definition of required skills profiles, and evaluation of the efficacy of labour migration policies, in order to ensure market-responsive contractual labour mobility through regular pathways;

(f) Foster efficient and effective skills-matching programmes by reducing visa and permit processing time frames for standard employment authorizations, and by offering accelerated and facilitated visa and permit processing for employers with a track record of compliance;

(g) Develop or build on existing national and regional practices for admission and stay of appropriate duration based on compassionate, humanitarian or other considerations for migrants compelled to leave their countries of origin owing to sudden-onset natural disasters and other precarious situations, such as by providing humanitarian visas, private sponsorships, access to education for children, and temporary work permits, while adaptation in or return to their country of origin is not possible;

(h) Cooperate to identify, develop and strengthen solutions for migrants compelled to leave their countries of origin owing to slow-onset natural disasters, the adverse effects of climate change, and environmental degradation, such as desertification, land degradation, drought and sea level rise, including by devising planned relocation and visa options, in cases where adaptation in or return to their country of origin is not possible;

(i) Facilitate access to procedures for family reunification for migrants at all skills levels through appropriate measures that promote the realization of the right to family life and the best interests of the child, including by reviewing and revising applicable requirements, such as on income, language proficiency, length of stay, work authorization, and access to social security and services;

(j) 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.

Objective 6: Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work

22. We commit to review existing recruitment mechanisms to guarantee that they are fair and ethical, and to protect all migrant workers against all forms of exploitation and abuse in order to guarantee decent work and maximize the socioeconomic contributions of migrants in both their countries of origin and destination.

To realize this commitment, we will draw from the following actions:

(a) Promote signature and ratification of, accession to and implementation of relevant international instruments related to international labour migration, labour rights, decent work and forced labour;

(b) Build upon the work of existing bilateral, subregional and regional platforms that have overcome obstacles and identified best practices in labour mobility, by facilitating cross-regional dialogue to share this knowledge, and to promote full respect for the human and labour rights of migrant workers at all skills levels, including migrant domestic workers;

(c) Improve regulations on public and private recruitment agencies in order to align them with international guidelines and best practices, and prohibit recruiters and employers from charging or shifting recruitment fees or related costs to migrant workers in order to prevent debt bondage, exploitation and forced labour, including by establishing mandatory, enforceable mechanisms for effective regulation and monitoring of the recruitment industry;

(d) Establish partnerships with all relevant stakeholders, including employers, migrant workers' organizations and trade unions, to ensure that migrant workers are provided with written contracts and are made aware of the provisions therein, the regulations relating to international labour recruitment and employment in the country of destination, and their rights and obligations, as well as of how to access effective complaint and redress mechanisms, in a language they understand;

(e) Enact and implement national laws that sanction human and labour rights violations, especially in cases of forced and child labour, and cooperate with the private sector, including employers, recruiters, subcontractors and suppliers, to build partnerships that promote conditions for decent work, prevent abuse and exploitation, and ensure that the roles and responsibilities within the recruitment and employment processes are clearly outlined, thereby enhancing supply chain transparency;

(f) Strengthen the enforcement of fair and ethical recruitment and decent work norms and policies by enhancing the abilities of labour inspectors and other authorities to better monitor recruiters, employers and service providers in all sectors, ensuring that international human rights and labour law is observed to prevent all forms of exploitation, slavery, servitude and forced, compulsory or child labour;

(g) Develop and strengthen labour migration and fair and ethical recruitment processes that allow migrants to change employers and modify the conditions or length of their stay with minimal administrative burden, while promoting greater opportunities for decent work and respect for international human rights and labour law;

(h) Take measures that prohibit the confiscation or non-consensual retention of work contracts and travel or identity documents from migrants, in order to prevent abuse, all forms of exploitation, forced, compulsory and child labour, extortion and other situations of dependency, and to allow migrants to fully exercise their human rights;

(i) Provide migrant workers engaged in remunerated and contractual labour with the same labour rights and protections extended to all workers in the respective sector, such as the rights to just and favourable conditions of work, to equal pay for work of equal value, to freedom of peaceful assembly and association, and to the highest attainable standard of physical and mental health, including through wage protection mechanisms, social dialogue and membership in trade unions;

(j) Ensure that migrants working in the informal economy have safe access to effective reporting, complaint and redress mechanisms in cases of exploitation, abuse or violations of their rights in the workplace, in a manner that does not exacerbate vulnerabilities of migrants who denounce such incidents and allows them to participate in respective legal proceedings whether in the country of origin or the country of destination;

(k) Review relevant national labour laws, employment policies and programmes to ensure that they include considerations of the specific needs and contributions of women migrant workers, especially in domestic work and lower-skilled occupations, and adopt specific measures to prevent, report, address and provide effective remedy for all forms of exploitation and abuse, including sexual and gender-based violence, as a basis to promote gender-responsive labour mobility policies;

(l) Develop and improve national policies and programmes relating to international labour mobility, including by taking into consideration relevant recommendations of the ILO General Principles and Operational Guidelines for Fair Recruitment, the United Nations Guiding Principles on Business and Human Rights[65] and the IOM International Recruitment Integrity System (IRIS).

65 Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework (A/HRC/17/31, annex).

Objective 7: Address and reduce vulnerabilities in migration

23. We commit to respond to the needs of migrants who face situations of vulnerability, which may arise from the circumstances in which they travel or the conditions they face in countries of origin, transit and destination, by assisting them and protecting their human rights, in accordance with our obligations under international law. We further commit to uphold the best interests of the child at all times, as a primary consideration in situations where children are concerned, and to apply a gender-responsive approach in addressing vulnerabilities, including in responses to mixed movements.

    To realize this commitment, we will draw from the following actions:

    (a) Review relevant policies and practices to ensure that they do not create, exacerbate or unintentionally increase vulnerabilities of migrants, including by applying a human rights-based, gender- and disability-responsive, as well as age- and child-sensitive approach;

    (b) Establish comprehensive policies and develop partnerships that provide migrants in a situation of vulnerability, regardless of their migration status, with necessary support at all stages of migration, through identification and assistance, as well as protection of their human rights, in particular in cases related to women at risk, children, especially those unaccompanied or separated from their families, members of ethnic and religious minorities, victims of violence, including sexual and gender-based violence, older persons, persons with disabilities, persons who are discriminated against on any basis, indigenous peoples, workers facing exploitation and abuse, domestic workers, victims of trafficking in persons, and migrants subject to exploitation and abuse in the context of smuggling of migrants;

    (c) Develop gender-responsive migration policies to address the particular needs and vulnerabilities of migrant women, girls and boys, which may include assistance, health care, psychological and other counselling services, as well as access to justice and effective remedies, especially in cases of sexual and gender-based violence, abuse and exploitation;

    (d) Review relevant existing labour laws and work conditions to identify and effectively address workplace-related vulnerabilities and abuses of migrant workers at all skills levels, including domestic workers, and those working in the informal economy, in cooperation with relevant stakeholders, particularly the private sector;

    (e) Account for migrant children in national child protection systems by establishing robust procedures for the protection of migrant children in relevant legislative, administrative and judicial proceedings and decisions, as well as in all migration policies and programmes that impact children, including consular protection policies and services, as well as cross-border cooperation frameworks, in order to ensure that the best interests of the child are appropriately integrated, consistently interpreted and applied in coordination and cooperation with child protection authorities;

    (f) Protect unaccompanied and separated children at all stages of migration through the establishment of specialized procedures for their identification, referral, care and family reunification, and provide access to health-care services, including mental health, education, legal assistance and the right to be heard in administrative and judicial proceedings, including by swiftly appointing a competent and impartial legal guardian, as essential means to address their particular vulnerabilities and discrimination, protect them from all forms of violence and provide access to sustainable solutions that are in their best interests;

    (g) Ensure that migrants have access to public or affordable independent legal assistance and representation in legal proceedings that affect them, including during any related judicial or administrative hearing, in order to safeguard that all migrants, everywhere, are recognized as persons before the law and that the delivery of justice is impartial and non-discriminatory;

(h) Develop accessible and expedient procedures that facilitate transitions from one status to another and inform migrants of their rights and obligations, so as to prevent migrants from falling into an irregular status in the country of destination, to reduce precariousness of status and related vulnerabilities, as well as to enable individual status assessments for migrants, including for those who have fallen out of regular status, without fear of arbitrary expulsion;

(i) Build on existing practices to facilitate access for migrants in an irregular status to an individual assessment that may lead to regular status, on a case-by-case basis and with clear and transparent criteria, especially in cases where children, youth and families are involved, as an option for reducing vulnerabilities, as well as for States to ascertain better knowledge of the resident population;

(j) Apply specific support measures to ensure that migrants caught up in situations of crisis in countries of transit and destination have access to consular protection and humanitarian assistance, including by facilitating cross-border and broader international cooperation, as well as by taking migrant populations into account in crisis preparedness, emergency response and post-crisis action;

(k) Involve local authorities and relevant stakeholders in the identification, referral and assistance of migrants in a situation of vulnerability, including through agreements with national protection bodies, legal aid and service providers, as well as the engagement of mobile response teams, where they exist;

(l) Develop national policies and programmes to improve national responses that address the needs of migrants in situations of vulnerability, including by taking into consideration relevant recommendations of the Global Migration Group's Principles and Guidelines, Supported by Practical Guidance, on the Human Rights Protection of Migrants in Vulnerable Situations.

Objective 8: Save lives and establish coordinated international efforts on missing migrants

24. We commit to cooperate internationally to save lives and prevent migrant deaths and injuries through individual or joint search and rescue operations, standardized collection and exchange of relevant information, assuming collective responsibility to preserve the lives of all migrants, in accordance with international law. We further commit to identify those who have died or gone missing, and to facilitate communication with affected families.

To realize this commitment, we will draw from the following actions:

(a) Develop procedures and agreements on search and rescue of migrants, with the primary objective of protecting migrants' right to life, that uphold the prohibition of collective expulsion, guarantee due process and individual assessments, enhance reception and assistance capacities, and ensure that the provision of assistance of an exclusively humanitarian nature for migrants is not considered unlawful;

(b) Review the impacts of migration-related policies and laws to ensure that these do not raise or create the risk of migrants going missing, including by identifying dangerous transit routes used by migrants, by working with other States as well as relevant stakeholders and international organizations to identify contextual risks and establishing mechanisms for preventing and responding to such situations, with particular attention to migrant children, especially those unaccompanied or separated;

(c) Enable migrants to communicate with their families without delay to inform them that they are alive by facilitating access to means of communication along routes and at their destination, including in places of detention, as well as access to consular missions, local authorities and organizations that can provide assistance with family contacts, especially in cases of unaccompanied or separated migrant children, as well as adolescents;

(d) Establish transnational coordination channels, including through consular cooperation, and designate contact points for families looking for missing migrants, through which families can be kept informed on the status

of the search and obtain other relevant information, while respecting the right to privacy and protecting personal data;

(e) Collect, centralize and systematize data regarding corpses and ensure traceability after burial, in accordance with internationally accepted forensic standards, and establish coordination channels at the transnational level to facilitate identification and the provision of information to families;

(f) Make all efforts, including through international cooperation, to recover, identify and repatriate to their countries of origin the remains of deceased migrants, respecting the wishes of grieving families, and, in the case of unidentified individuals, facilitate the identification and subsequent recovery of the mortal remains, ensuring that the remains of deceased migrants are treated in a dignified, respectful and proper manner.

Objective 9: Strengthen the transnational response to smuggling of migrants

25. We commit to intensify joint efforts to prevent and counter smuggling of migrants by strengthening capacities and international cooperation to prevent, investigate, prosecute and penalize the smuggling of migrants in order to end the impunity of smuggling networks. We further commit to ensure that migrants shall not become liable to criminal prosecution for the fact of having been the object of smuggling, notwithstanding potential prosecution for other violations of national law. We also commit to identify smuggled migrants to protect their human rights, taking into consideration the special needs of women and children, and assisting in particular those migrants subject to smuggling under aggravating circumstances, in accordance with international law.

To realize this commitment, we will draw from the following actions:

(a) Promote ratification of, accession to and implementation of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime;

(b) Use transnational, regional and bilateral mechanisms to share relevant information and intelligence on smuggling routes, modus operandi and financial transactions of smuggling networks, vulnerabilities faced by smuggled migrants, and other data to dismantle the smuggling networks and enhance joint responses;

(c) Develop gender-responsive and child-sensitive cooperation protocols along migration routes that outline step-by-step measures to adequately identify and assist smuggled migrants, in accordance with international law, as well as to facilitate cross-border law enforcement and intelligence cooperation in order to prevent and counter smuggling of migrants so as to end impunity for smugglers and prevent irregular migration, while ensuring that counter-smuggling measures are in full respect for human rights;

(d) Adopt legislative and other measures as may be necessary to establish the smuggling of migrants as a criminal offence, when committed intentionally and in order to obtain, directly or indirectly, a financial or other material benefit for the smuggler, and include enhanced penalties for smuggling of migrants under aggravating circumstances, in accordance with international law;

(e) Design, review or amend relevant policies and procedures to distinguish between the crimes of smuggling of migrants and trafficking in persons by using the correct definitions and applying distinct responses to these separate crimes, while recognizing that smuggled migrants might also become victims of trafficking in persons, therefore requiring appropriate protection and assistance;

(f) Take measures to prevent the smuggling of migrants along the migration cycle, in partnership with other States and relevant stakeholders, including by cooperating in the fields of development, public information, justice, as well as training and technical capacity-building at the national and local levels, paying special attention to geographical areas from which irregular migration systematically originates.

Objective 10: Prevent, combat and eradicate trafficking in persons in the context of international migration

26. We commit to take legislative or other measures to prevent, combat and eradicate trafficking in persons in the context of international migration by strengthening capacities and international cooperation to investigate, prosecute and penalize trafficking in persons, discouraging demand that fosters exploitation leading to trafficking, and ending impunity of trafficking networks. We further commit to enhance the identification and protection of, and assistance to, migrants who have become victims of trafficking, paying particular attention to women and children.

    To realize this commitment, we will draw from the following actions:

    (a) Promote ratification of, accession to and implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;

    (b) Promote the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons and take into consideration relevant recommendations of the United Nations Office on Drugs and Crime (UNODC) Toolkit to Combat Trafficking in Persons[66] and other relevant UNODC documents when developing and implementing national and regional policies and measures relating to trafficking in persons;

    (c) Monitor irregular migration routes which may be exploited by human trafficking networks to recruit and victimize smuggled or irregular migrants, in order to strengthen cooperation at the bilateral, regional and cross-regional levels on prevention, investigation and prosecution of perpetrators, as well as on identification and protection of, and assistance to, victims of trafficking in persons;

    (d) Share relevant information and intelligence through transnational and regional mechanisms, including on the modus operandi, economic models and conditions driving trafficking networks, strengthen cooperation between all relevant actors, including financial intelligence units, regulators and financial institutions, to identify and disrupt financial flows associated with trafficking in persons, and enhance judicial cooperation and enforcement so as to ensure accountability and end impunity;

    (e) Apply measures that address the particular vulnerabilities of women, men, girls and boys, regardless of their migration status, who have become or are at risk of becoming victims of trafficking in persons and other forms of exploitation, by facilitating access to justice and safe reporting without fear of detention, deportation or penalty, focusing on prevention, identification, appropriate protection and assistance, and addressing specific forms of abuse and exploitation;

    (f) Ensure that definitions of trafficking in persons used in legislation, migration policy and planning, as well as in judicial prosecutions, are in accordance with international law, in order to distinguish between the crimes of trafficking in persons and smuggling of migrants;

    (g) Strengthen legislation and relevant procedures to enhance prosecution of traffickers, avoid criminalization of migrants who are victims of trafficking in persons for trafficking-related offences, and ensure that the victim receives appropriate protection and assistance, not conditional upon cooperation with the authorities against suspected traffickers;

    (h) Provide migrants who have become victims of trafficking in persons with protection and assistance, such as measures for physical, psychological and social recovery, as well as measures that permit them to remain in the country of destination, temporarily or permanently, in appropriate cases, facilitating victims' access to justice, including redress and compensation, in accordance with international law;

66 Resolution 64/293.

(i) Create national and local information systems and training programmes which alert and educate citizens, employers, as well as public officials and law enforcement officers, and strengthen capacities to identify signs of trafficking in persons, such as forced, compulsory or child labour, in countries of origin, transit and destination;

(j) Invest in awareness-raising campaigns, in partnership with relevant stakeholders, for migrants and prospective migrants on the risks and dangers of trafficking in persons, and provide them with information on preventing and reporting trafficking activities.

Objective 11: Manage borders in an integrated, secure and coordinated manner

27. We commit to manage our national borders in a coordinated manner, promoting bilateral and regional cooperation, ensuring security for States, communities and migrants, and facilitating safe and regular cross-border movements of people while preventing irregular migration. We further commit to implement border management policies that respect national sovereignty, the rule of law, obligations under international law, and the human rights of all migrants, regardless of their migration status, and are non-discriminatory, gender-responsive and child-sensitive.

To realize this commitment, we will draw from the following actions:

(a) Enhance international, regional and cross-regional border management cooperation, taking into consideration the particular situation of countries of transit, on proper identification, timely and efficient referral, assistance and appropriate protection of migrants in situations of vulnerability at or near international borders, in compliance with international human rights law, by adopting whole-of-government approaches, implementing joint cross-border training and fostering capacity-building measures;

(b) Establish appropriate structures and mechanisms for effective integrated border management by ensuring comprehensive and efficient border crossing procedures, including through pre-screening of arriving persons, pre-reporting by carriers of passengers, and use of information and communications technology, while upholding the principle of non-discrimination, respecting the right to privacy and protecting personal data;

(c) Review and revise relevant national procedures for border screening, individual assessment and interview processes to ensure due process at international borders and that all migrants are treated in accordance with international human rights law, including through cooperation with national human rights institutions and other relevant stakeholders;

(d) Develop technical cooperation agreements that enable States to request and offer assets, equipment and other technical assistance to strengthen border management, particularly in the area of search and rescue as well as other emergency situations;

(e) Ensure that child protection authorities are promptly informed and assigned to participate in procedures for the determination of the best interests of the child once an unaccompanied or separated child crosses an international border, in accordance with international law, including by training border officials in the rights of the child and child-sensitive procedures, such as those that prevent family separation and reunite families when family separation occurs;

(f) Review and revise relevant laws and regulations to determine whether sanctions are appropriate to address irregular entry or stay and, if so, to ensure that they are proportionate, equitable, non-discriminatory and fully consistent with due process and other obligations under international law;

(g) Improve cross-border collaboration among neighbouring and other States relating to the treatment given to persons crossing or seeking to cross international borders, including by taking into consideration

relevant recommendations from the Office of the United Nations High Commissioner for Human Rights Recommended Principles and Guidelines on Human Rights at International Borders when identifying best practices.

Objective 12: Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral

28. We commit to increase legal certainty and predictability of migration procedures by developing and strengthening effective and human rights-based mechanisms for the adequate and timely screening and individual assessment of all migrants for the purpose of identifying and facilitating access to the appropriate referral procedures, in accordance with international law.

    To realize this commitment, we will draw from the following actions:

    (a) Increase transparency and accessibility of migration procedures by communicating the requirements for entry, admission, stay, work, study or other activities, and introducing technology to simplify application procedures, in order to avoid unnecessary delays and expenses for States and migrants;

    (b) Develop and conduct intra- and cross-regional specialized human rights and trauma-informed training for first responders and government officials, including law enforcement authorities, border officials, consular representatives and judicial bodies, to facilitate and standardize identification and referral of, as well as appropriate assistance and counselling in a culturally sensitive way to, victims of trafficking in persons, migrants in situations of vulnerability, including children, in particular those unaccompanied or separated, and persons affected by any form of exploitation and abuse related to smuggling of migrants under aggravating circumstances;

    (c) Establish gender-responsive and child-sensitive referral mechanisms, including improved screening measures and individual assessments at borders and places of first arrival, by applying standardized operating procedures developed in coordination with local authorities, national human rights institutions, international organizations and civil society;

    (d) Ensure that migrant children are promptly identified at places of first arrival in countries of transit and destination, and, if unaccompanied or separated, are swiftly referred to child protection authorities and other relevant services as well as appointed a competent and impartial legal guardian, that family unity is protected, and that anyone legitimately claiming to be a child is treated as such unless otherwise determined through a multidisciplinary, independent and child-sensitive age assessment;

    (e) Ensure that, in the context of mixed movements, relevant information on rights and obligations under national laws and procedures, including on entry and stay requirements, available forms of protection, as well as options for return and reintegration, is appropriately, promptly and effectively communicated, and is accessible.

Objective 13: Use immigration detention only as a measure of last resort and work towards alternatives

29. We commit to ensure that any detention in the context of international migration follows due process, is non-arbitrary, is based on law, necessity, proportionality and individual assessments, is carried out by authorized officials and is for the shortest possible period of time, irrespective of whether detention occurs at the moment of entry, in transit or in proceedings of return, and regardless of the type of place where the detention occurs. We further commit to prioritize non-custodial alternatives to detention that are in line with international law, and to take a human rights-based approach to any detention of migrants, using detention as a measure of last resort only.

To realize this commitment, we will draw from the following actions:

(a) Use existing relevant human rights mechanisms to improve independent monitoring of migrant detention, ensuring that it is a measure of last resort, that human rights violations do not occur, and that States promote, implement and expand alternatives to detention, favouring non-custodial measures and community-based care arrangements, especially in the case of families and children;

(b) Consolidate a comprehensive repository to disseminate best practices of human rights-based alternatives to detention in the context of international migration, including by facilitating regular exchanges and the development of initiatives based on successful practices among States, and between States and relevant stakeholders;

(c) Review and revise relevant legislation, policies and practices related to immigration detention to ensure that migrants are not detained arbitrarily, that decisions to detain are based on law, are proportionate, have a legitimate purpose, and are taken on an individual basis, in full compliance with due process and procedural safeguards, and that immigration detention is not promoted as a deterrent or used as a form of cruel, inhumane or degrading treatment of migrants, in accordance with international human rights law;

(d) Provide access to justice for all migrants in countries of transit and destination who are or may be subject to detention, including by facilitating access to free or affordable legal advice and assistance of a qualified and independent lawyer, as well as access to information and the right to regular review of a detention order;

(e) Ensure that all migrants in detention are informed about the reasons for their detention, in a language they understand, and facilitate the exercise of their rights, including to communicate with the respective consular or diplomatic missions without delay, legal representatives and family members, in accordance with international law and due process guarantees;

(f) Reduce the negative and potentially lasting effects of detention on migrants by guaranteeing due process and proportionality, that it is for the shortest period of time, that it safeguards physical and mental integrity, and that, at a minimum, access to food, basic health care, legal orientation and assistance, information and communication as well as adequate accommodation is granted, in accordance with international human rights law;

(g) Ensure that all governmental authorities and private actors duly charged with administering immigration detention do so in a way consistent with human rights and are trained on non-discrimination and the prevention of arbitrary arrest and detention in the context of international migration, and are held accountable for violations or abuses of human rights;

(h) Protect and respect the rights and best interests of the child at all times, regardless of migration status, by ensuring availability and accessibility of a viable range of alternatives to detention in non-custodial contexts, favouring community-based care arrangements, that ensure access to education and health care, and respect the right to family life and family unity, and by working to end the practice of child detention in the context of international migration.

Objective 14: Enhance consular protection, assistance and cooperation throughout the migration cycle

30. We commit to strengthen consular protection of and assistance to our nationals abroad, as well as consular cooperation between States, in order to better safeguard the rights and interests of all migrants at all times, and to build upon the functions of consular missions to enhance interactions between migrants and State authorities of countries of origin, transit and destination, in accordance with international law.

To realize this commitment, we will draw from the following actions:

(a) Cooperate to build consular capacities, train consular officers, promote arrangements for providing consular services collectively where individual States lack capacity, including through technical assistance, and develop bilateral or regional agreements on various aspects of consular cooperation;

(b) Involve relevant consular and immigration personnel in existing global and regional forums on migration in order to exchange information and best practices about issues of mutual concern that pertain to citizens abroad and contribute to comprehensive and evidence-based migration policy development;

(c) Conclude bilateral or regional agreements on consular assistance and representation in places where States have an interest in strengthening effective consular services related to migration, but do not have a diplomatic or consular presence;

(d) Strengthen consular capacities in order to identify, protect and assist our nationals abroad who are in a situation of vulnerability, including victims of human and labour rights violations or abuse, victims of crime, victims of trafficking in persons, migrants subject to smuggling under aggravating circumstances, and migrant workers exploited in the process of recruitment, by providing training to consular officers on human rights-based, gender-responsive and child-sensitive actions in this regard;

(e) Provide our nationals abroad with the opportunity to register with the country of origin, in close cooperation with consular, national and local authorities, as well as relevant migrant organizations, as a means to facilitate information, services and assistance to migrants in emergency situations and ensure migrants' accessibility to relevant and timely information, such as by establishing helplines and consolidating national digital databases, while upholding the right to privacy and protecting personal data;

(f) Provide consular support to our nationals through advice, including on local laws and customs, interaction with authorities, financial inclusion and business establishment, as well as through the issuance of relevant documentation, such as travel documents and consular identity documents that may facilitate access to services, assistance in emergency situations, the opening of a bank account, and access to remittance facilities.

Objective 15: Provide access to basic services for migrants

31. We commit to ensure that all migrants, regardless of their migration status, can exercise their human rights through safe access to basic services. We further commit to strengthen migrant-inclusive service delivery systems, notwithstanding that nationals and regular migrants may be entitled to more comprehensive service provision, while ensuring that any differential treatment must be based on law, be proportionate and pursue a legitimate aim, in accordance with international human rights law.

To realize this commitment, we will draw from the following actions:

(a) Enact laws and take measures to ensure that service delivery does not amount to discrimination against migrants on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability or other grounds irrespective of cases where differential provision of services based on migration status might apply;

(b) Ensure that cooperation between service providers and immigration authorities does not exacerbate vulnerabilities of irregular migrants by compromising their safe access to basic services or by unlawfully infringing upon the human rights to privacy, liberty and security of person at places of basic service delivery;

(c) Establish and strengthen holistic and easily accessible service points at the local level that are migrant-inclusive, offer relevant information on basic services in a gender- and disability-responsive as well as child-sensitive manner, and facilitate safe access thereto;

(d) Establish or mandate independent institutions at the national or local level, such as national human rights institutions, to receive, investigate and monitor complaints about situations in which migrants' access to basic services is systematically denied or hindered, facilitate access to redress, and work towards a change in practice;

(e) Incorporate the health needs of migrants into national and local health-care policies and plans, such as by strengthening capacities for service provision, facilitating affordable and non-discriminatory access, reducing communication barriers, and training health-care providers on culturally sensitive service delivery, in order to promote the physical and mental health of migrants and communities overall, including by taking into consideration relevant recommendations from the World Health Organization Framework of Priorities and Guiding Principles to Promote the Health of Refugees and Migrants;

(f) Provide inclusive and equitable quality education to migrant children and youth, as well as facilitate access to lifelong learning opportunities, including by strengthening the capacities of education systems and by facilitating non-discriminatory access to early childhood development, formal schooling, non-formal education programmes for children for whom the formal system is inaccessible, on-the-job and vocational training, technical education and language training, as well as by fostering partnerships with all stakeholders that can support this endeavour.

Objective 16: Empower migrants and societies to realize full inclusion and social cohesion

32. We commit to foster inclusive and cohesive societies by empowering migrants to become active members of society and promoting the reciprocal engagement of receiving communities and migrants in the exercise of their rights and obligations towards each other, including observance of national laws and respect for customs of the country of destination. We further commit to strengthen the welfare of all members of societies by minimizing disparities, avoiding polarization and increasing public confidence in policies and institutions related to migration, in line with the acknowledgement that fully integrated migrants are better positioned to contribute to prosperity.

To realize this commitment, we will draw from the following actions:

(a) Promote mutual respect for the cultures, traditions and customs of communities of destination and of migrants by exchanging and implementing best practices on integration policies, programmes and activities, including on ways to promote acceptance of diversity and facilitate social cohesion and inclusion;

(b) Establish comprehensive and needs-based pre-departure and post-arrival programmes that may include rights and obligations, basic language training, as well as orientation about social norms and customs in the country of destination;

(c) Develop national short-, medium- and long-term policy goals regarding the inclusion of migrants in societies, including on labour market integration, family reunification, education, non-discrimination and health, including by fostering partnerships with relevant stakeholders;

(d) Work towards inclusive labour markets and full participation of migrant workers in the formal economy by facilitating access to decent work and employment for which they are most qualified, in accordance with local and national labour market demands and skills supply;

(e) Empower migrant women by eliminating gender-based discriminatory restrictions on formal employment, ensuring the right to freedom of association and facilitating access to relevant basic services, as measures to promote their leadership and guarantee their full, free and equal participation in society and the economy;

(f) Establish community centres or programmes at the local level to facilitate migrant participation in the receiving society by involving migrants, community members, diaspora organizations, migrant associations and local authorities in intercultural dialogue, sharing of stories, mentorship programmes and development of business ties that improve integration outcomes and foster mutual respect;

(g) Capitalize on the skills, cultural and language proficiency of migrants and receiving communities by developing and promoting peer-to-peer training exchanges, gender-responsive, vocational and civic integration courses and workshops;

(h) Support multicultural activities through sports, music, arts, culinary festivals, volunteering and other social events that will facilitate mutual understanding and appreciation of migrant cultures and those of destination communities;

(i) Promote school environments that are welcoming and safe, and support the aspirations of migrant children by enhancing relationships within the school community, incorporating evidence-based information about migration into education curricula, and dedicating targeted resources to schools with a high concentration of migrant children for integration activities in order to promote respect for diversity and inclusion, and to prevent all forms of discrimination, including racism, xenophobia and intolerance.

Objective 17: Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration

33. We commit to eliminate all forms of discrimination, condemn and counter expressions, acts and manifestations of racism, racial discrimination, violence, xenophobia and related intolerance against all migrants in conformity with international human rights law. We further commit to promote an open and evidence based public discourse on migration and migrants in partnership with all parts of society, that generates a more realistic, humane and constructive perception in this regard. We also commit to protect freedom of expression in accordance with international law, recognizing that an open and free debate contributes to a comprehensive understanding of all aspects of migration.

To realize this commitment, we will draw from the following actions:

(a) Enact, implement or maintain legislation that penalizes hate crimes and aggravated hate crimes targeting migrants, and train law enforcement and other public officials to identify, prevent and respond to such crimes and other acts of violence that target migrants, as well as to provide medical, legal and psychosocial assistance for victims;

(b) Empower migrants and communities to denounce any acts of incitement to violence directed towards migrants by informing them of available mechanisms for redress, and ensure that those who actively participate in the commission of a hate crime targeting migrants are held accountable, in accordance with national legislation, while upholding international human rights law, in particular the right to freedom of expression;

(c) Promote independent, objective and quality reporting of media outlets, including Internet-based information, including by sensitizing and educating media professionals on migration-related issues and terminology, investing in ethical reporting standards and advertising, and stopping allocation of public funding or material support to media outlets that systematically promote intolerance, xenophobia, racism and other forms of discrimination towards migrants, in full respect for the freedom of the media;

(d) Establish mechanisms to prevent, detect and respond to racial, ethnic and religious profiling of migrants by public authorities, as well as systematic instances of intolerance, xenophobia, racism and all other multiple and intersecting forms of discrimination, in partnership with national human rights institutions, including by tracking and publishing trend analyses, and ensuring access to effective complaint and redress mechanisms;

(e) Provide migrants, especially migrant women, with access to national and regional complaint and redress mechanisms with a view to promoting accountability and addressing governmental actions related to discriminatory acts and manifestations carried out against migrants and their families;

(f) Promote awareness-raising campaigns targeted at communities of origin, transit and destination in order to inform public perceptions regarding the positive contributions of safe, orderly and regular migration, based on evidence and facts, and to end racism, xenophobia and stigmatization against all migrants;

(g) Engage migrants, political, religious and community leaders, as well as educators and service providers, to detect and prevent incidences of intolerance, racism, xenophobia and other forms of discrimination against migrants and diasporas, and support activities in local communities to promote mutual respect, including in the context of electoral campaigns.

Objective 18: Invest in skills development and facilitate mutual recognition of skills, qualifications and competences

34. We commit to invest in innovative solutions that facilitate mutual recognition of skills, qualifications and competences of migrant workers at all skills levels, and promote demand-driven skills development to optimize the employability of migrants in formal labour markets in countries of destination and in countries of origin upon return, as well as to ensure decent work in labour migration.

To realize this commitment, we will draw from the following actions:

(a) Develop standards and guidelines for the mutual recognition of foreign qualifications and non-formally acquired skills in different sectors in collaboration with the respective industries with a view to ensuring worldwide compatibility based on existing models and best practices;

(b) Promote transparency of certifications and compatibility of national qualifications frameworks by agreeing on standard criteria, indicators and assessment parameters, and by creating and strengthening national skills profiling tools, registries or institutions in order to facilitate effective and efficient mutual recognition procedures at all skills levels;

(c) Conclude bilateral, regional or multilateral mutual recognition agreements or include recognition provisions in other agreements, such as labour mobility or trade agreements, in order to provide equivalence or comparability in national systems, such as automatic or managed mutual recognition mechanisms;

(d) Use technology and digitalization to evaluate and mutually recognize skills more comprehensively on the basis of formal credentials as well as non-formally acquired competences and professional experience at all skills levels;

(e) Build global skills partnerships among countries that strengthen training capacities of national authorities and relevant stakeholders, including the private sector and trade unions, and foster skills development of workers in countries of origin and migrants in countries of destination with a view to preparing trainees for employability in the labour markets of all participating countries;

(f) Promote inter-institutional networks and collaborative programmes for partnerships between the private sector and educational institutions in countries of origin and destination to enable mutually beneficial skills development opportunities for migrants, communities and participating partners, including by building on the best practices of the Business Mechanism developed in the context of the Global Forum on Migration and Development;

(g) Engage in bilateral partnerships and programmes in cooperation with relevant stakeholders that promote skills development, mobility and circulation, such as student exchange programmes, scholarships, professional exchange programmes and trainee- or apprenticeships that include options for beneficiaries, after successful completion of these programmes, to seek employment and engage in entrepreneurship;

(h) Cooperate with the private sector and employers to make available easily accessible and gender-responsive remote or online skills development and matching programmes to migrants at all skills levels, including early and occupation-specific language training, on-the-job training and access to advanced training programmes, to enhance their employability in sectors with demand for labour on the basis of the industry's knowledge of labour market dynamics, especially to promote the economic empowerment of women;

(i) Enhance the ability of migrant workers to transition from one job or employer to another by making available documentation that recognizes skills acquired on the job or through training in order to optimize the benefits of upskilling;

(j) Develop and promote innovative ways to mutually recognize and assess formally and informally acquired skills, including through timely and complementary training for job seekers, mentoring, and internship programmes in order to fully recognize existing credentials and provide certificates of proficiency for the validation of newly acquired skills;

(k) Establish screening mechanisms for credentials and offer information to migrants on how to have their skills and qualifications assessed and recognized prior to departure, including in recruitment processes or at an early stage after arrival to improve employability;

(l) Cooperate to promote documentation and information tools, in partnership with relevant stakeholders, that provide an overview of a worker's credentials, skills and qualifications, recognized in countries of origin, transit and destination, in order to enable employers to evaluate the suitability of migrant workers in job application processes.

Objective 19: Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries

35. 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 to the sustainable development of countries of origin, transit and destination.

To realize this commitment, we will draw from the following actions:

(a) Ensure the full and effective implementation of the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda by fostering and facilitating the positive effects of migration for the realization of all Sustainable Development Goals;

(b) Integrate migration into development planning and sectoral policies at the local, national, regional and global levels, taking into consideration relevant existing policy guidelines and recommendations, such as the Global Migration Group's Mainstreaming Migration into Development Planning: A Handbook for Policymakers and Practitioners, in order to strengthen policy coherence and effectiveness of development cooperation;

(c) Invest in research on the impact of non-financial contributions of migrants and diasporas to sustainable development in countries of origin and destination, such as knowledge and skills transfer, social and civic engagement, and cultural exchange, with a view to developing evidence-based policies and strengthening global policy discussions;

(d) Facilitate the contributions of migrants and diasporas to their countries of origin, including by establishing or strengthening government structures or mechanisms at all levels, such as dedicated diaspora offices or focal points, diaspora policy advisory boards for Governments to account for the potential of migrants and diasporas in migration and development policymaking, and dedicated diaspora focal points in diplomatic or consular missions;

(e) Develop targeted support programmes and financial products that facilitate migrant and diaspora investments and entrepreneurship, including by providing administrative and legal support in business creation and granting seed capital matching, establish diaspora bonds, diaspora development funds and investment funds, and organize dedicated trade fairs;

(f) Provide easily accessible information and guidance, including through digital platforms, as well as tailored mechanisms for the coordinated and effective financial, voluntary or philanthropic engagement of migrants and diasporas, especially in humanitarian emergencies in their countries of origin, including by involving consular missions;

(g) Enable political participation and engagement of migrants in their countries of origin, including in peace and reconciliation processes, in elections and political reforms, such as by establishing voting registries for citizens abroad, and through parliamentary representation, in accordance with national legislation;

(h) Promote migration policies that optimize the benefits of diasporas for countries of origin and destination and their communities, by facilitating flexible modalities to travel, work and invest with minimal administrative burdens, including by reviewing and revising visa, residency and citizenship regulations, as appropriate;

(i) Cooperate with other States, the private sector and employers' organizations to enable migrants and diasporas, especially those in highly technical fields and in high demand, to carry out some of their professional activities and engage in knowledge transfer in their home countries, without necessarily losing employment, residence status or earned social benefits;

(j) Build partnerships between local authorities, local communities, the private sector, diasporas, hometown associations and migrant organizations to promote knowledge and skills transfer between their countries of origin and their countries of destination, including by mapping the diasporas and their skills, as a means to maintain the link between diasporas and their country of origin.

Objective 20: Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants

36. We commit to promote faster, safer and cheaper remittances by further developing existing conducive policy and regulatory environments that enable competition, regulation and innovation on the remittance market and by providing gender-responsive programmes and instruments that enhance the financial inclusion of migrants and their families. We further commit to optimize the transformative impact of remittances on the well-being of migrant workers and their families, as well as on the sustainable development of countries, while respecting that remittances constitute an important source of private capital and cannot be equated to other international financial flows, such as foreign direct investment, official development assistance or other public sources of financing for development.

To realize this commitment, we will draw from the following actions:

(a) Develop a road map to reduce the transaction costs of migrant remittances to less than 3 per cent and eliminate remittance corridors with costs higher than 5 per cent by 2030 in line with target 10.c of the 2030 Agenda for Sustainable Development;

(b) Promote and support the United Nations International Day of Family Remittances and the International Fund for Agricultural Development Global Forum on Remittances, Investment and Development as an important platform to build and strengthen partnerships for innovative solutions on cheaper, faster and safer transfer of remittances with all relevant stakeholders;

(c) Harmonize remittance market regulations and increase the interoperability of remittance infrastructure along corridors by ensuring that measures to combat illicit financial flows and money-laundering do not impede migrant remittances through undue, excessive or discriminatory policies;

(d) Establish conducive policy and regulatory frameworks that promote a competitive and innovative remittance market, remove unwarranted obstacles to non-bank remittance service providers in accessing payment system infrastructure, apply tax exemptions or incentives to remittance transfers, promote market access to diverse service providers, incentivize the private sector to expand remittance services, and enhance the security and predictability of low-value transactions by bearing in mind de-risking concerns, and developing a methodology to distinguish remittances from illicit flows, in consultation with remittance service providers and financial regulators;

(e) Develop innovative technological solutions for remittance transfer, such as mobile payments, digital tools or e-banking, to reduce costs, improve speed, enhance security, increase transfer through regular channels and open up gender-responsive distribution channels to underserved populations, including persons in rural areas, persons with low levels of literacy and persons with disabilities;

(f) Provide accessible information on remittance transfer costs by provider and channel, such as comparison websites, in order to increase the transparency and competition on the remittance transfer market, and promote financial literacy and inclusion of migrants and their families through education and training;

(g) Develop programmes and instruments to promote investments from remittance senders in local development and entrepreneurship in countries of origin, such as through matching-grant mechanisms, municipal bonds and partnerships with hometown associations, in order to enhance the transformative potential of remittances beyond the individual households of migrant workers at all skills levels;

(h) Enable migrant women to access financial literacy training and formal remittance transfer systems, as well as to open a bank account and own and manage financial assets, investments and businesses as means to address gender inequalities and foster their active participation in the economy;

(i) Provide access to and develop banking solutions and financial instruments for migrants, including low-income and female-headed households, such as bank accounts that permit direct deposits by employers, savings accounts, loans and credits in cooperation with the banking sector.

Objective 21: Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration

37. We commit to facilitate and cooperate for safe and dignified return and to guarantee due process, individual assessment and effective remedy, by upholding the prohibition of collective expulsion and of returning migrants when there is a real and foreseeable risk of death, torture and other cruel, inhuman and degrading treatment or punishment, or other irreparable harm, in accordance with our obligations under international human rights law. We further commit to ensure that our nationals are duly received and readmitted, in full respect for the human right to return to one's own country and the obligation of States to readmit their own nationals. We also commit to create conducive conditions for personal safety, economic empowerment, inclusion and social cohesion in communities, in order to ensure that reintegration of migrants upon return to their countries of origin is sustainable.

    To realize this commitment, we will draw from the following actions:

    (a) Develop and implement bilateral, regional and multilateral cooperation frameworks and agreements, including readmission agreements, ensuring that return and readmission of migrants to their own country is safe, dignified and in full compliance with international human rights law, including the rights of the child, by determining clear and mutually agreed procedures that uphold procedural safeguards, guarantee individual assessments and legal certainty, and by ensuring that they also include provisions that facilitate sustainable reintegration;

(b) Promote gender-responsive and child-sensitive return and reintegration programmes that may include legal, social and financial support, guaranteeing that all returns in the context of such voluntary programmes effectively take place on the basis of the migrant's free, prior and informed consent, and that returning migrants are assisted in their reintegration process through effective partnerships, including to avoid their becoming displaced in the country of origin upon return;

(c) Cooperate on identification of nationals and issuance of travel documents for safe and dignified return and readmission in cases of persons who do not have the legal right to stay on another State's territory, by establishing reliable and efficient means of identification of our own nationals such as through the addition of biometric identifiers in population registries, and by digitalizing civil registry systems, with full respect for the right to privacy and protection of personal data;

(d) Foster institutional contacts between consular authorities and relevant officials from countries of origin and destination, and provide adequate consular assistance to returning migrants prior to return by facilitating access to documentation, travel documents and other services, in order to ensure predictability, safety and dignity in return and readmission;

(e) Ensure that the return of migrants who do not have the legal right to stay on another State's territory is safe and dignified, follows an individual assessment, is carried out by competent authorities through prompt and effective cooperation between countries of origin and destination, and allows all applicable legal remedies to be exhausted, in compliance with due process guarantees and other obligations under international human rights law;

(f) Establish or strengthen national monitoring mechanisms on return, in partnership with relevant stakeholders, that provide independent recommendations on ways and means to strengthen accountability, in order to guarantee the safety, dignity and human rights of all returning migrants;

(g) Ensure that return and readmission processes involving children are carried out only after a determination of the best interests of the child and take into account the right to family life and family unity, and that a parent, legal guardian or specialized official accompanies the child throughout the return process, ensuring that appropriate reception, care and reintegration arrangements for children are in place in the country of origin upon return;

(h) Facilitate the sustainable reintegration of returning migrants into community life by providing them with equal access to social protection and services, justice, psychosocial assistance, vocational training, employment opportunities and decent work, recognition of skills acquired abroad, and financial services, in order to fully build upon their entrepreneurship, skills and human capital as active members of society and contributors to sustainable development in the country of origin upon return;

(i) Identify and address the needs of the communities to which migrants return by including respective provisions in national and local development strategies, infrastructure planning, budget allocations and other relevant policy decisions and cooperating with local authorities and relevant stakeholders.

Objective 22: Establish mechanisms for the portability of social security entitlements and earned benefits

38. We commit to assist migrant workers at all skills levels to have access to social protection in countries of destination and profit from the portability of applicable social security entitlements and earned benefits in their countries of origin or when they decide to take up work in another country.

To realize this commitment, we will draw from the following actions:

(a) Establish or maintain non-discriminatory national social protection systems, including social protection floors for nationals and migrants, in line with the ILO Social Protection Floors Recommendation, 2012 (No. 202);

(b) Conclude reciprocal bilateral, regional or multilateral social security agreements on the portability of earned benefits for migrant workers at all skills levels, that refer to applicable social protection floors in the respective States and applicable social security entitlements and provisions, such as pensions, health care or other earned benefits, or integrate such provisions into other relevant agreements, such as those on long-term and temporary labour migration;

(c) Integrate provisions on the portability of entitlements and earned benefits into national social security frameworks, designate focal points in countries of origin, transit and destination that facilitate portability requests from migrants, address the difficulties women and older persons can face in accessing social protection, and establish dedicated instruments, such as migrant welfare funds in countries of origin, that support migrant workers and their families.

Objective 23: Strengthen international cooperation and global partnerships for safe, orderly and regular migration

39. We commit to support each other in the realization of the objectives and commitments laid out in this Global Compact through enhanced international cooperation, a revitalized global partnership and, in the spirit of solidarity, reaffirming the centrality of a comprehensive and integrated approach to facilitate safe, orderly and regular migration and recognizing that we are all countries of origin, transit and destination. We further commit to take joint action, in addressing the challenges faced by each country, to implement this Global Compact, underscoring the specific challenges faced in particular by African countries, least developed countries, landlocked developing countries, small island developing States and middle-income countries. We also commit to promote the mutually reinforcing nature between the Global Compact and existing international legal and policy frameworks, by aligning the implementation of this Global Compact with such frameworks, particularly the 2030 Agenda for Sustainable Development as well as the Addis Ababa Action Agenda, and their recognition that migration and sustainable development are multidimensional and interdependent.

To realize this commitment, we will draw from the following actions:

(a) Support other States as we collectively implement the Global Compact, including through the provision of financial and technical assistance, in line with national priorities, policies, action plans and strategies, through a whole-of-government and whole-of-society approach;

(b) Increase international and regional cooperation to accelerate the implementation of the 2030 Agenda for Sustainable Development in geographical areas from which irregular migration systematically originates owing to consistent impacts of poverty, unemployment, climate change and disasters, inequality, corruption and poor governance, among other structural factors, through appropriate cooperation frameworks, innovative partnerships and the involvement of all relevant stakeholders, while upholding national ownership and shared responsibility;

(c) Involve and support local authorities in the identification of needs and opportunities for international cooperation for the effective implementation of the Global Compact and integrate their perspectives and priorities into development strategies, programmes and planning on migration, as a means to ensure good governance as well as policy coherence across levels of government and policy sectors, and maximize the effectiveness and impact of international development cooperation;

(d) Make use of the capacity-building mechanism and build upon other existing instruments to strengthen the capacities of relevant authorities by mobilizing technical, financial and human resources from States, international financial institutions, the private sector, international organizations and other sources in order to assist all States in fulfilling the commitments outlined in this Global Compact;

(e) Conclude bilateral, regional or multilateral mutually beneficial, tailored and transparent partnerships, in line with international law, that develop targeted solutions to migration policy issues of common interest and address opportunities and challenges of migration in accordance with the Global Compact.

Implementation

40. For the effective implementation of the Global Compact, we require concerted efforts at the global, regional, national and local levels, including a coherent United Nations system.

41. We commit to fulfil the objectives and commitments outlined in the Global Compact, in line with our vision and guiding principles, by taking effective steps at all levels to facilitate safe, orderly and regular migration at all stages. We will implement the Global Compact, within our own countries and at the regional and global levels, taking into account different national realities, capacities and levels of development, and respecting national policies and priorities. We reaffirm our commitment to international law and emphasize that the Global Compact is to be implemented in a manner that is consistent with our rights and obligations under international law.

42. We will implement the Global Compact through enhanced bilateral, regional and multilateral cooperation and a revitalized global partnership in a spirit of solidarity. We will continue building on existing mechanisms, platforms and frameworks to address migration in all its dimensions. Recognizing the centrality of international cooperation for the effective fulfilment of the objectives and commitments, we will strive to reinforce our engagement in North-South, South-South and triangular cooperation and assistance. Our cooperation efforts in this regard will be aligned with the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda.

43. We decide to establish a capacity-building mechanism in the United Nations, building upon existing initiatives, that supports efforts of Member States to implement the Global Compact. It allows Member States, the United Nations and other relevant stakeholders, including the private sector and philanthropic foundations, to contribute technical, financial and human resources on a voluntary basis in order to strengthen capacities and foster multi-partner cooperation. The capacity-building mechanism will consist of:

(a) A connection hub that facilitates demand-driven, tailor-made and integrated solutions, by:

(i) Advising on, assessing and processing country requests for the development of solutions;

(ii) Identifying main implementing partners within and outside of the United Nations system, in line with their comparative advantages and operational capacities;

(iii) Connecting the request to similar initiatives and solutions for peer-to-peer exchange and potential replication, where existing and relevant;

(iv) Ensuring effective set-up for multi-agency and multi-stakeholder implementation;

(v) Identifying funding opportunities, including by initiating the start-up fund;

(b) A start-up fund for initial financing to realize project-oriented solutions, by:

(i) Providing seed funding, where needed, to jump-start a specific project;

(ii) Complementing other funding sources;

(iii) Receiving voluntary financial contributions by Member States, the United Nations, international financial institutions and other stakeholders, including the private sector and philanthropic foundations;

(c) A global knowledge platform as an online open data source, by:

(i) Serving as a repository of existing evidence, practices and initiatives;

(ii) Facilitating the accessibility of knowledge and sharing of solutions;

(iii) Building on the Global Forum on Migration and Development Platform for Partnerships and other relevant sources.

44. We will implement the Global Compact in cooperation and partnership with migrants, civil society, migrant and diaspora organizations, faith-based organizations, local authorities and communities, the private sector, trade unions, parliamentarians, national human rights institutions, the International Red Cross and Red Crescent Movement, academia, the media and other relevant stakeholders.

45. We welcome the decision of the Secretary-General to establish a United Nations network on migration to ensure effective and coherent system-wide support for implementation, including the capacity-building mechanism, as well as follow-up and review of the Global Compact, in response to the needs of Member States. In this regard, we note that:

(a) IOM will serve as the coordinator and secretariat of the network;

(b) The network will fully draw from the technical expertise and experience of relevant entities within the United Nations system;

(c) The work of the network will be fully aligned with existing coordination mechanisms and the repositioning of the United Nations development system.

46. We request the Secretary-General, drawing on the network, to report to the General Assembly on a biennial basis on the implementation of the Global Compact, the activities of the United Nations system in this regard, as well as the functioning of the institutional arrangements.

47. Further recognizing the important role of State-led processes and platforms at the global and regional levels in advancing the international dialogue on migration, we invite the Global Forum on Migration and Development, regional consultative processes and other global, regional and subregional forums to provide platforms to exchange experiences on the implementation of the Global Compact, share good practices on policies and cooperation, promote innovative approaches, and foster multi-stakeholder partnerships around specific policy issues.

Follow-up and review

48. We will review the progress made at the local, national, regional and global levels in implementing the Global Compact in the framework of the United Nations through a State-led approach and with the participation of all relevant stakeholders. For follow-up and review, we agree on intergovernmental measures that will assist us in fulfilling our objectives and commitments.

49. Considering that international migration requires a forum at the global level through which Member States can review the implementation progress and guide the direction of the work of the United Nations, we decide that:

(a) The High-level Dialogue on International Migration and Development, currently scheduled to take place every fourth session of the General Assembly, shall be repurposed and renamed "International Migration Review Forum";

(b) The International Migration Review Forum shall serve as the primary intergovernmental global platform for Member States to discuss and share progress on the implementation of all aspects of the Global Compact, including as it relates to the 2030 Agenda for Sustainable Development, and with the participation of all relevant stakeholders;

(c) The International Migration Review Forum shall take place every four years beginning in 2022;

(d) The International Migration Review Forum shall discuss the implementation of the Global Compact at the local, national, regional and global levels, as well as allow for interaction with other relevant stakeholders with a view to building upon accomplishments and identifying opportunities for further cooperation;

(e) Each edition of the International Migration Review Forum will result in an intergovernmentally agreed Progress Declaration, which may be taken into consideration by the high-level political forum on sustainable development.

50. Considering that most international migration takes place within regions, we invite relevant subregional, regional and cross-regional processes, platforms and organizations, including the United Nations regional economic commissions or regional consultative processes, to review the implementation of the Global Compact within the respective regions, beginning in 2020, alternating with discussions at the global level at a four-year interval, in order to effectively inform each edition of the International Migration Review Forum, with the participation of all relevant stakeholders.

51. We invite the Global Forum on Migration and Development to provide a space for annual informal exchange on the implementation of the Global Compact, and to report the findings, best practices and innovative approaches to the International Migration Review Forum.

52. Recognizing the important contributions of State-led initiatives on international migration, we invite forums such as the IOM International Dialogue on Migration, regional consultative processes and others to contribute to the International Migration Review Forum by providing relevant data, evidence, best practices, innovative approaches and recommendations as they relate to the implementation of the Global Compact for Safe, Orderly and Regular Migration.

53. We encourage all Member States to develop, as soon as practicable, ambitious national responses for the implementation of the Global Compact, and to conduct regular and inclusive reviews of progress at the national level, such as through the voluntary elaboration and use of a national implementation plan. Such reviews should draw on contributions from all relevant stakeholders, as well as parliaments and local authorities, and serve to effectively inform the participation of Member States in the International Migration Review Forum and other relevant forums.

54. We request the President of the General Assembly to launch and conclude, in 2019, open, transparent and inclusive intergovernmental consultations to determine the precise modalities and organizational aspects of the International Migration Review Forums and articulate how the contributions of the regional reviews and other relevant processes will inform the Forums, as a means to further strengthen the overall effectiveness and consistency of the follow-up and review outlined in the Global Compact.



ANNEX G
MIGRATION CRISIS OPERATIONAL FRAMEWORK

Introduction

1. The IOM Migration Crisis Operational Framework was developed at the request of IOM Member States, pursuant to their growing interest in the migration consequences of crisis situations. This interest was articulated at past meetings of the IOM Standing Committee on Programmes and Finance (SCPF), at the 100th Session of the Council in December 2011 through the establishment of the IOM Migration Emergency Funding Mechanism, and during the International Dialogue on Migration in 2012. At the Tenth Session of the SCPF on 15 May 2012, the Standing Committee took note of the statements made by the Administration and the comments of Member States on migration crises, and requested the Administration to submit a proposed framework for responding to the migration consequences of crises to the following SCPF session on 30 and 31 October 2012. The Standing Committee, at its Eleventh Session on 30 October 2012, took note of the IOM Migration Crisis Operational Framework (SCPF/92/Rev.1) and recommended that this document (now presented as MC/2355) be submitted to the 101st Session of the Council in November 2012 for approval and adoption of the corresponding draft resolution.

2. The Operational Framework is based on the understanding that States bear the primary responsibility to protect and assist crisis-affected persons residing on their territory in a manner consistent with international humanitarian and human rights law. IOM supports States, upon their request and with their consent, to fulfil their responsibilities. The Operational Framework does not entail any new obligations for IOM Member States or any additional financial commitments.

3. The Operational Framework will allow IOM to improve and systematize the way in which the Organization supports its Member States and partners to better respond to the assistance and protection needs of crisis-affected populations. The present document highlights the key elements of the Operational Framework, a flexible tool that has been designed to:

   (a) Improve and systematize IOM's response to migration crises by bringing together its different sectors of assistance within a pragmatic and evolving approach, while upholding human rights and humanitarian principles and promoting longer-term development goals;

   (b) Help crisis-affected populations, including displaced persons and international migrants stranded in crisis situations in their destination/transit countries, to better access their fundamental rights to protection and assistance through IOM support to States;

(c) Respond to the often unaddressed migration dimensions of a crisis, by complementing existing humanitarian systems as well as other systems addressing peace and security, and development issues;

(d) Build on IOM's partnerships with States, international organizations and other relevant actors in the fields of humanitarian response, migration, peace and security, and development.

The migration crisis approach and objectives

4. The IOM Migration Crisis Operational Framework is based on the concept of "migration crisis", a term that describes the complex and often large-scale migration flows and mobility patterns caused by a crisis which typically involve significant vulnerabilities for individuals and affected communities and generate acute and longer-term migration management challenges. A migration crisis may be sudden or slow in onset, can have natural or man-made causes, and can take place internally or across borders.

5. The migration crisis approach has been developed to highlight the migration dimensions of crises that are frequently overlooked in crisis response, such as:

   (a) The patterns of human mobility before, during and after a crisis;

   (b) The types of consequences that emerge from these patterns, from different perspectives including humanitarian perspectives (e.g. massive humanitarian needs in terms of food security and shelter), migration management perspectives (e.g. needs for large-scale transportation of populations to a safe haven) and peace and development perspectives;

   (c) The implications of these types of consequences for rapid, inclusive, predictable and accountable responses for the affected population;

   (d) The needs of vulnerable mobile populations not adequately covered by existing mechanisms, particularly international migrants caught in crises in their destination/transit countries.

6. The migration crisis approach is based on the recognition that not all patterns of mobility during crises and not all those on the move during crises are comprehensively covered by the current frameworks at the international, regional and national levels. This approach therefore seeks to complement systems that privilege certain categories of affected populations through a focus on the vulnerabilities of a variety of people on the move and the affected communities.

7. The migration crisis approach can apply to all types of population movements resulting from a crisis situation. It also draws attention to particular groups affected by crisis, including international migrants. The needs and specific vulnerabilities of this population can be overlooked in crisis response, and this calls for improved coordination and capacities.[67] Migrant-specific vulnerabilities can include: a lack of knowledge of or access to mechanisms of nationally based assistance; heightened exposure to violence and exploitation; a shortage of personal means to escape crisis areas; and a lack of access to travel documents or embassy officials. Crises have lasting implications on the well-being of migrants, especially when the latter have not only lost livelihoods and belongings, but have also been forced to return to contexts of economic difficulty and social instability, often posing an additional challenge to the existing structures and resources.

8. The migration crisis approach, and IOM's Operational Framework, takes into account a number of migration management tools that can supplement the humanitarian response for migrants caught in a crisis situation, such as technical assistance for humanitarian border management; liaison to ensure that migrants have access to

67 IOM Member States had requested the Administration to present an SCPF paper on assisting and protecting migrants caught in crisis situations at the Eleventh Session of the SCPF on 30 and 31 October 2012, in order to discuss IOM's approach and support to this diverse population during crisis situations. Accordingly, the Administration has produced document SCPF/87 to be discussed under the exchange of views on items proposed by the membership.

emergency consular services; referral systems for persons with special protection needs; and the organization of safe evacuations for migrants to return home, which is often the most effective method of protection for migrants caught in crises. The Operational Framework can also help to inform development activities targeting the long-term needs of migrants. These are all services that IOM has been routinely providing to its Member States upon their request.

Structure of the IOM Migration Crisis Operational Framework

9. The IOM Migration Crisis Operational Framework is organized around two pillars, as follows:

Pillar 1 **Phases of a crisis:** The three phases of a crisis outlined in the Operational Framework refer to the "before, during and after" stages, which in turn direct the type of response required – pre-crisis prevention of forced migration and preparedness in case it occurs, emergency response to a migration crisis, and transition and recovery initiatives to mitigate and address the short- and long-term effects of a migration crisis.

Pillar 2 **Sectors of assistance:** Linked to each phase of a migration crisis, the Operational Framework maps IOM's different sectors of assistance. Each sector of assistance represents a distinct set of IOM activities that have a specific function in an operational response, depending on the type and phase of the crisis. Some sectors are traditionally part of humanitarian responses, while others aim to address the migration dimensions of a crisis. The sectors draw upon IOM's mandate and operational experience regarding the needs and vulnerabilities of different crisis-affected populations, taking into account gender and age criteria, as well as requests for assistance by States. The interdependent nature of some IOM sectors of assistance will help strengthen IOM's internal coherence in crisis response under this Operational Framework.

The 15 IOM sectors of assistance within the Migration Crisis Operational Framework

10. The following list briefly describes IOM's current sectors of assistance that are relevant for an operational response according to the different types and phases of a migration crisis.

Sector 1 Camp Management and Displacement Tracking: To improve living conditions of displaced persons and migrants in transit, by monitoring displacement flows, facilitating the effective provision of assistance and protection in camps and camp-like settings, advocating for durable solutions and ensuring organized closure and phase-out of camps.

IOM is the cluster lead for camp coordination and camp management (CCCM) in emergencies induced by natural disasters and is currently active in 18 countries, including Colombia, Haiti, Nepal, Pakistan, Peru, the Philippines, Thailand and Timor-Leste. It directly benefits thousands of families by providing camp management support and strengthening the training capacities of local and national authorities. To increase the preparedness of national authorities, IOM has initiated efforts to adapt CCCM capacity-building and management tools to needs at the national level, most recently in Namibia, Pakistan, Colombia, Thailand, the Philippines and the Dominican Republic. IOM continues the refinement of data management systems and technological tools for displacement tracking and mapping.

Sector 2 Shelter and Non-food Items: To address the needs for shelters and non-food items (NFIs) of persons affected by a crisis, including those who are displaced and vulnerable, by coordinating the logistics pipeline, providing technical support and distributing emergency and transitional shelter and NFIs.

IOM leads the shelter cluster in Pakistan, Haiti, South Sudan, Ethiopia, the Plurinational State of Bolivia, Colombia and Yemen and co-leads with governmental or humanitarian partners in Peru, Kenya, El Salvador, Nicaragua and Afghanistan. As a cluster partner, IOM also implements shelter programmes in various countries, such as Zimbabwe. Through IOM's activities, thousands of crisis-affected persons have benefitted

from temporary and permanent shelters, NFIs and shelter kits. Currently, IOM is providing thousands of persons in the Syrian Arab Republic and those fleeing into neighbouring countries with NFIs. IOM routinely manages large logistics pipelines in emergency responses; it ranked number two in a 2011 study.[68]

Sector 3 Transport Assistance for Affected Populations: To provide protection through the provision of humane and orderly transport assistance to individuals or groups who are going, either temporarily or permanently, to a place of origin, transit or destination within one country or across an international border (programmes involving transport assistance include, inter alia, evacuations, resettlement, repatriation, return of internally displaced persons (IDPs), assisted voluntary return and reintegration, and relocation or emergency transportation). IOM has unique expertise in the transportation of beneficiaries in emergency (evacuation) and post-crisis (resettlement or return) situations supported by a robust partnership with a large network of airlines and transport companies. Most recently, IOM provided evacuation assistance by air, sea and land to thousands fleeing the Libyan crisis, assisting over 200,000 migrants from various parts of the world.[69] IOM has provided onward transportation assistance to final destinations for over 63,000 vulnerable returnees since South Sudan became independent in July 2011. IOM currently provides emergency transportation assistance to bring people out of danger zones into secured locations, including between the Somali–Kenyan border, from the Malian border to camps in Niger and from the Syrian border to camps in Jordan.

Sector 4 Health Support: To provide comprehensive migrant health-care and prevention services during the crisis and throughout the movement process – at the pre-departure stage, during travel and transit and upon return based on existing health systems and evidence-based needs assessments. IOM has 60 years of experience in providing health support to migrants and mobile populations in crisis situations, including during major emergencies such as the recent Libyan crisis and the earthquake in Haiti and floods in Pakistan both in 2010. IOM also provided assistance to Sri Lanka in 2009, Lebanon in 2006, Indonesia in 2005, the former Yugoslavia in 1993, Iraq in 1990 and UNSC resolution 1244-administered Kosovo in 1999. Its activities include primary health care for migrants, displaced persons, returnees and communities; health referrals and medical evacuations; public and environmental health (linked to the CCCM and health clusters, including for the prevention of disease outbreaks and early detection); and transitional/temporary health facilities and health rehabilitation.

Sector 5 Psychosocial Support: To promote, protect and support the well-being of crisis-affected populations, with activities aimed at reducing psychosocial vulnerabilities, promoting community resilience and ownership, and supporting aid that takes into account psychosocial and cultural diversity issues.

IOM is an active member of the Inter-Agency Standing Committee (IASC) Reference Group on Mental Health and Psychosocial Support in Emergency Settings, during which it has started up, chaired and/or co-chaired the Group in several emergencies.[70] Since 2001, IOM has provided direct psychosocial support and capacity-building in more than 30 emergencies worldwide. Some notable examples include the psychosocial support given to migrants in transit areas and returnees in the recent crisis in Libya; support for the relocation of IDPs and victims of sexual- and gender-based violence after the earthquake in Haiti in 2010; assistance to the Government of Colombia in establishing a psychosocial strategy and for building the capacity of the reparation commission; and direct psychosocial assistance provided to IDPs and returnees in Lebanon following the 2006 crisis, to Iraqis displaced in Jordan and Lebanon, and currently to Syrian refugees in northern Lebanon.

68 Disaster relief logistics from the perspective of key humanitarian actors: Building the road (A snapshot of the key resources and challenges for the key humanitarian actors), Natalia Gomez-Tagle Leonard (2011).

69 For more information, see: *Migrants Caught in Crisis: The IOM Experience in Libya* (IOM, 2012). Available at http://publications.iom.int/bookstore/free/MigrationCaughtinCrisis_forweb.pdf.

70 Including in Lebanon (2006/7), Kenya (2008), Myanmar (2009), Haiti (2010) and Libya (2012).

Sector 6 (Re)integration Assistance: To end displacement situations of individuals or groups displaced by a crisis through the provision of immediate, medium- and longer-term support that includes addressing housing, protection, stability, livelihood and economic concerns, as well as (re)integration support in line with the framework for durable solutions. Reintegration assistance is also provided in the context of assisted voluntary return and reintegration programmes in countries of origin.

Integration and reintegration assistance is the core of IOM's post-crisis programming, which often prolongs IOM's involvement in providing humanitarian assistance and protection to people displaced by man-made and natural disasters. Currently, IOM has almost 50 such projects around the world. Large-scale reintegration programmes have been or are being implemented in Afghanistan, Bosnia and Herzegovina, Colombia, Haiti, Indonesia, Iraq, Kenya, Lebanon, Pakistan, the Philippines, Rwanda, Sri Lanka, South Sudan, Sudan, Timor-Leste, Zimbabwe and UNSC resolution 1244-administered Kosovo to end displacement situations through long-term solutions. IOM's efforts also include reintegration assistance to migrants returned as a result of humanitarian crises to the Sahel region (Chad and Niger) and Bangladesh following the 2011 Libyan crisis.

Sector 7 Activities to Support Community Stabilization and Transition: To provide assistance to governments, States and communities undergoing significant socioeconomic and political changes following a crisis for the purpose of (re-)establishing stability and security in vulnerable communities, preventing further forced migration, restoring trust among community members, vulnerable populations and local authorities and laying the foundations for durable solutions, lasting peace and sustainable development.

IOM does this, as part of larger stabilization efforts undertaken by States, by implementing comprehensive community stabilization and transition programmes worldwide in more than 50 countries. Some of these programmes aim to reduce urban violence through quick-impact, short-term job creation in Haiti (2004–2012), provide livelihood opportunities and socio-economic initiatives to thousands of families as alternatives to armed conflict in Iraq (2006–2012) and stabilize vulnerable communities in the Sahel region which are receiving a large influx of returnees after the 2011 Libyan crisis. Moreover, IOM has over 20 years of experience in reintegrating former combatants.[71] IOM continues to be a strong implementing agency for out-of-country voting projects, most recently in South Sudan in 2011 and Libya in 2012.

Sector 8 Disaster Risk Reduction and Resilience Building: To reduce and mitigate the risk of displacement and increase the resilience of communities to cope with disasters in view of achieving sustainable development, by providing the necessary framework, methodology and tools to analyse the causal factors of disasters, reduce exposure to hazards and lessen the vulnerability of people and livelihoods.

Since the early 1990s, IOM has implemented disaster risk reduction (DRR) and resilience building programmes in South-East Asia and the Pacific, Africa and Latin America. A new generation of innovative programmes that integrate climate change adaptation, such as those implemented in the Federated States of Micronesia, has been developed. In support of the implementation of the Hyogo Framework for Action and in accordance with IOM policy, the Organization's programming approach focuses on local and national authorities and communities (community-based approach) often as part of reconstruction efforts. For instance, in Haiti, evacuation shelters have been evaluated, rehabilitated and equipped. Drainage and watershed management infrastructure has been constructed, and millions of trees have been planted, reducing flooding and surface run-offs. Other DRR programmes are implemented in Indonesia, Timor-Leste, Sri Lanka and Myanmar.

Sector 9 Land and Property Support: To assist governments and societies to address land and property issues to prevent future forced migration and to allow for durable solutions to address ongoing displacement. This is done by identifying and eliminating land-related barriers to sustainable return and reintegration, increasing

71 According to the report of the Secretary-General on disarmament, demobilization and reintegration (A/65/741 of 21 March 2011), IOM is the second largest provider of support programmes after the United Nations Development Programme.

the in-depth understanding of governments and communities of the different facets of these issues, and clarifying land ownership and tenure.

Relevant land and property projects implemented by IOM include those in Iraq, which focused on property claims and resolution of property disputes; Haiti, where legal aid was provided to clarify land rights and resolve property disputes; and Colombia, which focused on reparations (including judicial, administrative and collective reparation), land and property protection and assistance for the National Commission for Reparation and Reconciliation.

Sector 10 Counter-trafficking and Protection of Vulnerable Migrants: To provide protection and assistance to vulnerable migrants, including victims of trafficking, exploitation or abuse and unaccompanied migrant children, during a crisis situation. Crises may lead crisis-affected populations to undertake high-risk migration, creating opportunities for organized criminal groups, including traffickers and smugglers, as traditional support structures are often disrupted in a crisis, thus making the identification and protection of vulnerable migrants challenging.

IOM has worked to counter trafficking in persons and migrant exploitation since 1994, such as in crisis-affected countries like Libya (2011), Haiti (2010) and Indonesia (2004). In cooperation with governments, relevant United Nations agencies and non-governmental organizations (NGOs), the Organization has helped to protect through direct assistance measures more than 25,000 trafficked persons, approximately one third of whom were children. IOM maintains a global database to facilitate its case management process. The global database contains extensive primary data on individual trafficked persons it has assisted and is increasingly valued as a unique research tool. In addition, IOM works to prevent trafficking in persons and migrant exploitation through targeted information, education and communication initiatives. IOM also builds the capacities of governments and civil society actors to address the challenges posed by human trafficking by creating training opportunities for government officials and NGOs and by providing expert technical support for the development of counter-trafficking policies and procedures.

Sector 11 Technical Assistance for Humanitarian Border Management: To support States in building robust immigration and border management programmes supported by appropriate policies, laws, procedures and information systems to facilitate the movement of people which arises from a crisis.

IOM has trained tens of thousands of immigration and border management officials around the world on such topics as human rights and refugee law, trafficking in persons and freedom of movement. Moreover, IOM has developed the Personal Information and Registration System, which provides States with a system to better monitor border movements and shape migration policies. Notable humanitarian border management projects implemented by IOM include capacity-building in Iraq, which focused on promoting solutions to the protracted Iraqi displacement, and in Somalia, where the project aimed to contribute to enhanced border and immigration management for safe and orderly travel within and through Somalia, including its territorial waters. In relation to the Libyan crisis, IOM helped the authorities in neighbouring Tunisia to maintain their borders open by aiding them in the identification of those fleeing the crisis and making appropriate referrals.

Sector 12 Emergency Consular Assistance: To support States in providing their nationals caught in a crisis with appropriate, timely and efficient emergency consular services, including the issuance of emergency travel documents or laissez-passer, as well as other services which can contribute to their protection before, during and after a crisis situation. This assistance involves in particular liaising with consular services to facilitate the identification of people in need of documentation, and the steps required to receive that documentation.

IOM has supported States in providing their nationals caught in crisis with appropriate, timely and efficient consular services. During the Libyan crisis in 2011, IOM received requests from 47 governments to assist them with the evacuation of their nationals. Currently, IOM has requests from 30 governments for assistance

relating to the identification, documentation and transport of their nationals trapped in the Syrian crisis and in need of urgent assistance. Previous experiences with emergency consular assistance include the evacuation of 250,000 people during the first Gulf War in 1990 and, more recently, the evacuation of 35,000 foreign workers from Lebanon in 2006.

Sector 13 Diaspora and Human Resource Mobilization: To mobilize the skills and financial resources of the diaspora and other networks of qualified professionals to support the national development, rehabilitation and reconstruction processes in countries recovering from crisis, in transition or conflict situations, through the temporary/virtual return or socio-economic reintegration of skilled and qualified nationals from abroad, and the facilitation of the recruitment of temporary foreign workers in sectors vital to the country's recovery but lacking the necessary human resources.

IOM has pioneered programmes mobilizing the diaspora to support reconstruction efforts in various post-crisis environments. Often through temporary assignments in key sectors, these programmes target countries with qualified human resources such as Afghanistan, Ethiopia, Georgia, Sierra Leone and South Sudan. For instance, since 2002, more than 1,000 Afghan experts have returned temporarily or permanently to Afghanistan through IOM support. Another example is the Qualified Expatriate Somali Technical Support – Migration for Development in Africa (QUESTS-MIDA) initiative. IOM has also been exploring other means to mobilize the diaspora in reconstruction efforts.

Sector 14 Migration Policy and Legislation Support: To support States, individually and collectively, in building the policy, as well as the administrative and legislative, structures and capacities that will enable them to manage migration during crises effectively and humanely and fulfil their responsibilities in identifying, assisting and protecting vulnerable mobile populations affected by crisis.

At their request, IOM has assisted governments in developing policy, law, research and mechanisms for cooperation on migration issues related to crises. For example, IOM has facilitated exchanges of best practices and is supporting the development of standard operating procedures (SOPs) on emergencies affecting migrant workers among governments of the Colombo Process, a regional consultative process that focuses on labour migration from Asia. IOM also routinely supports States in formulating policy and building capacity to manage migration during crises. A notable example is the training IOM provided to 49 staff of the Parliament and various ministries of the Government of Afghanistan in 2011 and 2012, building national capacity in migration management, including policy and legislation, and focusing on labour migration, international cooperation on migration and border management.

Sector 15 Humanitarian Communications: To create a two-way exchange of information between the responders (including humanitarian actors) and crisis-affected populations which addresses the information needs of affected populations and generates feedback that contributes to an appropriate humanitarian response and facilitates recovery planning, while including intercultural considerations and community messaging aimed at reducing anti-migrant sentiments.

IOM's humanitarian communications projects have been crucial in promoting awareness, contributing to, for example, post-tsunami natural disaster preparedness programmes in Indonesia, cyclone preparedness campaigns in Bangladesh and information campaigns on disaster-resistant buildings in Pakistan. For example, almost 1 million flood-affected persons in Pakistan benefited from IOM's two-way communication which enabled them to receive essential information on the Government's cash compensation programme. In Haiti, IOM developed various communication tools that reached millions of persons, both in urban and rural areas, and conveyed important messages such as the strategy for the return process, hurricane preparedness, cholera prevention and public health, fire safety for IDPs living in camps, road safety, domestic violence prevention and women's rights and child protection.

Operational Framework linkages to existing response systems

11. The responses to any phase or type of migration crisis will be undertaken at the request of and in close cooperation with the State(s) concerned. The Operational Framework is based on the understanding that States bear the primary responsibility to protect and assist crisis-affected persons residing on their territory in a manner consistent with international humanitarian and human rights law. IOM supports States, upon their request and with their consent, to fulfil their responsibilities. IOM, as the leading intergovernmental organization dedicated solely to migration, is guided by its migration mandate enshrined in the IOM Constitution, the IOM Strategy and other formal documents delineating IOM's role.[72]

12. IOM adheres to humanitarian principles and is a formal and full member of the United Nations response and coordination system for humanitarian crises. IOM is further bound and committed to the existing legal and institutional frameworks contributing to the effective delivery of assistance and protection and ultimately to the respect and promotion of human rights and humanitarian principles. The international humanitarian system has produced well-developed mechanisms to provide a coordinated international response to crisis situations. This includes response mechanisms for refugees under the mandate of the Office of the United Nations High Commissioner for Refugees (UNHCR), and for IDPs under a collaborative inter-agency cluster approach, where IOM has assumed the role of global cluster lead for CCCM in response to natural disasters. Therefore, the Operational Framework has been structured to closely link with and complement the mandates of other agencies and existing humanitarian and development systems, strictly ensuring that it does not replace or duplicate any existing system or approach.

13. The Operational Framework is based on the understanding that migration management tools can reinforce existing response systems to assist and protect crisis-affected persons at each stage of a crisis. Aside from the emergency response aspects, the Operational Framework equally contributes to existing peace and security, and development frameworks, adding value to the processes of transition, recovery and longer-term development. The flexible and evolving nature of the Operational Framework will allow it to accommodate forthcoming types of migration crises, including those that may already be anticipated. It will also assist IOM in developing, together with the relevant States and its partners, appropriate exit strategies during and after migration crises.

Most relevant frameworks and modalities for cooperation

14. **Cluster approach:** The IASC, through inter-agency coordination and policy development, aims at improving the efficiency of humanitarian assistance. One of the most noteworthy outcomes of IASC initiatives was to develop the cluster approach to address the needs of affected populations, including IDPs. The cluster approach, coordinated by the Office for the Coordination of Humanitarian Affairs (OCHA), is an important mechanism that contributes to improving the effectiveness, predictability, accountability and partnership of humanitarian responses to crisis-induced internal displacement. IOM assumes a strategic role as the global cluster lead for CCCM in natural disasters. Globally within the IASC and at the country level through the humanitarian country team, IOM is regularly requested to assume stronger operational and strategic roles as a result of its in-country capacity, existing partnerships and well-established credibility. Therefore, it plays a role within the logistics, emergency shelter, protection, health and early recovery clusters according to its institutional and in-country capacity and expertise and in line with existing IASC guidelines.[73]

15. **Refugee regime:** The 1951 Convention relating to the Status of Refugees and the 1967 Protocol guide States and humanitarian actors in identifying refugees and ensuring that their rights are protected. UNHCR is the agency mandated to lead and coordinate international action to protect refugees and resolve refugee problems

72 See the IOM Constitution, preamble and Article 1(b), and the IOM Strategy (MC/INF/287).

73 See SCPF/71 (IOM's role in the humanitarian response to displacement induced by natural disasters).

worldwide. By coordinating efforts to provide assistance and protection, UNHCR safeguards the rights and well-being of those facing persecution, or who have a well-founded fear of persecution, in their country of nationality or habitual residence on account of their race, religion, nationality, political opinion or membership in a particular social group and of those who have crossed an international border. For 60 years, IOM has collaborated with and supported UNHCR in its mandate in many areas around the world, by providing emergency camp management, shelter, health, psychosocial and transport assistance, and by supporting the provision of durable solutions through resettlement programmes, voluntary repatriation or local integration.[74]

16. **Security and peacebuilding frameworks:** Various international and regional organizations play an important role in contributing to the protection of crisis-affected civilians through their efforts to promote and maintain peace and security. IOM is an active participant in post-conflict institution-building and transition and is a key partner of governments and the United Nations in programmatic areas related to (re-)establishing stability and security in vulnerable communities. Upon the request of and in close consultation with the States concerned, the Organization aids in preventing further forced migration; restoring trust among community members, vulnerable populations and local authorities; and laying the foundations for durable solutions, lasting peace and sustainable development. Most notably, at the request of affected States, IOM is involved in joint programming for security sector reform, disarmament, demobilization and reintegration, electoral assistance (including out-of-country voting), rule of law, reconciliation, reparations and reconstruction.

17. **Development frameworks in crisis and post-crisis contexts:** Humanitarian and development actors are closely working together in linking relief, recovery and development, thus contributing to enhancing the resilience of individuals, communities, countries and regions to withstand, adapt to and quickly recover from future stresses and shocks. For instance, the Hyogo Framework for Action 2005–2015, which is the first internationally accepted framework for DRR, is an important tool for outlining the objectives and priorities of a coordinated DRR intervention.[75] Similarly, the concepts of post-conflict needs assessment and post-disaster needs assessment, as well as other tools, developed by the United Nations in collaboration with the World Bank can ensure focus on the reintegration of system-wide efforts for recovery. IOM has long worked to promote productive and beneficial linkages between migration and development, including in post-crisis scenarios though programmes such as those promoting the return of qualified nationals to assist post-crisis recovery.[76]

18. **Mixed migration flows:**[77] IOM's approach is based on the understanding that most migration flows consist of individuals with different reasons for migrating and different needs and vulnerabilities. In fact, the majority of migrants in mixed flows do not fit any particular label and are not covered by a specific protection regime. Nevertheless, such persons may have humanitarian needs. Moreover, needs and vulnerabilities may arise and change during the course of a journey. Although not all mixed flows are necessarily related to a crisis, crises typically result in mixed flows consisting of a variety of vulnerable people in need of assistance and protection. Therefore, IOM's objective is to provide assistance to all those involved in mixed migration flows while meeting the different protection and assistance needs of the various groups. IOM and other agencies work together in different acute and protracted mixed migration scenarios, for example, in the Mixed Migration Task Force in the

74 See the IOM Constitution, Article 1(b), and point 10 of the IOM Strategy (MC/INF/287), which explicitly grant a role to IOM with regard to refugees.

75 The reality of climate change only reinforces the urgency of such efforts, and IOM and its partners have stressed the importance of mainstreaming DRR, disaster risk management and climate change adaptation strategies into existing migration management policies as tools and frameworks that contribute to sustainable development. For instance, see Council document MC/INF/288 (Migration and the environment) (2007), SCPF/21 (Migration and the environment) (2008), the Chair's summary of the IOM International Dialogue on Migration 2011 workshop on "Climate change, environmental degradation and migration" available at www.iom.int/idmclimatechange/lang/en; the *Compendium of IOM's Activities in Migration, Climate Change and the Environment* (IOM, 2009); and the *World Migration Report 2010 – The Future of Migration: Building Capacities for Change* (IOM, 2010).

76 See points 4 and 9 of the IOM Strategy (MC/INF/287).

77 See MC/INF/294 (Challenges of irregular migration: Addressing mixed migration flows) submitted to the 96th Session of the IOM Council; MC/INF/297 (Irregular migration and mixed flows: IOM's Approach) submitted to the 98th Session of the IOM Council; and the UNHCR's Refugee Protection and Mixed Migration: A 10-Point Plan of Action (2007).

Horn of Africa established by IOM, UNHCR and the Danish Refugee Council.[78] Moreover, IOM has collaborated with UNHCR in the context of its 10-Point Plan of Action, such as in various regional and thematic conferences on the subject held between 2008 and 2011. Although the 10-Point Plan of Action provides the basis for an inter-agency referral mechanism for refugees and asylum-seekers, this system was not designed to deal with large-scale flows of persons which typically ensue in a crisis. Therefore, IOM has used its migration management approach in close cooperation with the relevant authorities, including border management authorities and coastal authorities, to develop an efficient referral system for all groups travelling within mixed migration flows, including those who are not in need of international protection but may have other needs and vulnerabilities.

19. The IOM Migration Crisis Operational Framework contains illustrative scenarios (see diagrams in Annex I to this document) that can be used to demonstrate: (a) the complementarities between each IOM sector of assistance during each phase (before, during, after) of a crisis situation; (b) the linkage between each IOM sector of assistance and existing international systems, including the cluster approach and other systems (refugee regime; peace and security; and development frameworks); and (c) the flexible approach it allows, prioritizing sectors of assistance based on the different crisis scenarios and the types of vulnerability and mobility patterns they generate. Another example of how the Operational Framework can be utilized in relation to mixed migration flows is provided below.

IOM's internal coordination mechanisms

20. The IOM Migration Crisis Operational Framework was developed in compliance with the Organization's internal mechanisms and procedures, including the Financial Regulations and procurement policies. The Operational Framework provides the Organization with a tool to foster improved internal coordination and programmatic coherence at all levels. Concretely, this means strengthening internal coordination mechanisms to undertake comprehensive assessment and develop migration crisis response strategies at different stages of the crisis, including in anticipation of or in the wake of a crisis situation. As such, the implementation of the Operational Framework does not imply any additional resource allocation.

21. To activate its policies, IOM generally follows a number of internal SOPs. This includes the already established SOP defining the criteria and procedures for the classification of emergencies into three levels requiring different institutional and operational engagement. Furthermore, SOPs already exist or are being developed to specify the lines of authority to strengthen IOM response capacity and simplify decision-making processes and accountability according to the emergency level. The SOPs relevant for the implementation of the Operational Framework are also based on evaluations of recent large-scale crisis responses and IOM's commitments under the IASC Transformative Agenda.

The way forward

22. IOM seeks the support of its Member States to implement the Migration Crisis Operational Framework in crisis situations so that the Organization can propose solutions according to its areas of expertise, within coordinated responses, for the benefit of crisis-affected persons, its Member States and existing international response systems that continually strive to improve the delivery of assistance and protection. Member States may also assist IOM in reaching out to its partners to facilitate discussion on the migration consequences of crisis situations and on the ways in which existing response systems can better address the migration-related aspects of a crisis.

23. IOM envisions that this tool can lead to: (a) the enhanced ability of IOM to use its technical expertise and sectors of assistance to support States in confronting the migration consequences of crisis situations, including crises where international migrants are part of the affected population; (b) reduced response time to migration crises, through improved preparedness and response mechanisms and capacities of the Organization; and (c) stronger

78 More information is available at www.regionalmms.org/.

linkages between IOM's sectors of assistance with existing response systems, in the humanitarian, peace and security, and development areas.

ANNEX I

Migration Crisis Operational Framework generic scenarios

1. The IOM Migration Crisis Operational Framework is a pragmatic, flexible and evolving tool that, when applied, can adapt to the given specificities such as the type of crisis, local circumstances, the presence and capacity of other actors (including the affected State(s)), the slow- or sudden-onset nature of the crisis, availability of funding and humanitarian access, to name a few.

2. The diagrams on the following pages are based on the 15 sectors of assistance presented earlier in this document. These diagrams aim at illustrating the following: (a) the complementarity and relevance of each sector of assistance during each phase of a crisis situation (i.e. before, during and after); (b) the linkage between each sector of assistance and existing systems, including the cluster approach and other systems (i.e. refugee regime; peace and security; and development frameworks); and (c) the flexible approach that is allowed, prioritizing sectors of assistance based on the different crisis scenarios and the types of vulnerability and mobility patterns they generate.

3. Depending on the type of crisis and phase, the diagrams that follow indicate whether a particular sector is critical, important or recommended. Critical sectors of assistance are those that are most essential in contributing to the specific type of response needed during a particular phase and type of crisis. Important sectors of assistance are those that play a significant role in contributing to the response, and recommended sectors of assistance are those that support and strengthen the critical and important sectors. Together, these sectors reinforce each other and contribute to the overall response by providing an integrated and flexible (context-specific) approach to migration crises. The relevance of each sector varies during the different phases of a crisis and can thus be critical during one phase of a crisis but recommended in another. Not all sectors apply equally in all types of crises.

4. Note that the following diagrams are general representations of the different types of crises and are intended as illustrations of possible responses and key sectors of assistance. Therefore, the actual application of the Operational Framework is flexible and will depend on the specific context of each crisis. Moreover, crises nowadays rarely lead to exclusively internal or exclusively cross-border movement, but they usually produce complex mobility patterns combining the two.

Man-made disaster: Cross-border and internal movements

5. A man-made disaster such as internal violence, disorder or conflict often results in desperate and chaotic internal movements that can ultimately lead to cross-border flows of people attempting to escape life-threatening situations. Such disasters can also create situations in which populations are stranded or trapped in danger zones and are unable to escape.

6. The types of migrants in need differ in every context, but they can include international migrants trapped internally or who may have crossed an international border, IDPs, refugees and/or asylum-seekers, displaced persons who have crossed an international border but do not qualify for or seek the refugee status and vulnerable persons such as victims of trafficking or unaccompanied minors.

Partnerships and coordination

7. During a man-made disaster, all responses are coordinated with the country in crisis. If there is a flow of asylum-seekers and/or refugees across borders, response activities will be coordinated with UNHCR, safe third countries and/or countries of transit and resettlement. If the crisis involves internal movements, responses will be primarily coordinated using the cluster approach (i.e. OCHA). If there are international migrants either trapped inside the country in crisis or who have crossed an international border, there will also be coordination with the country of origin.

Sectors of assistance

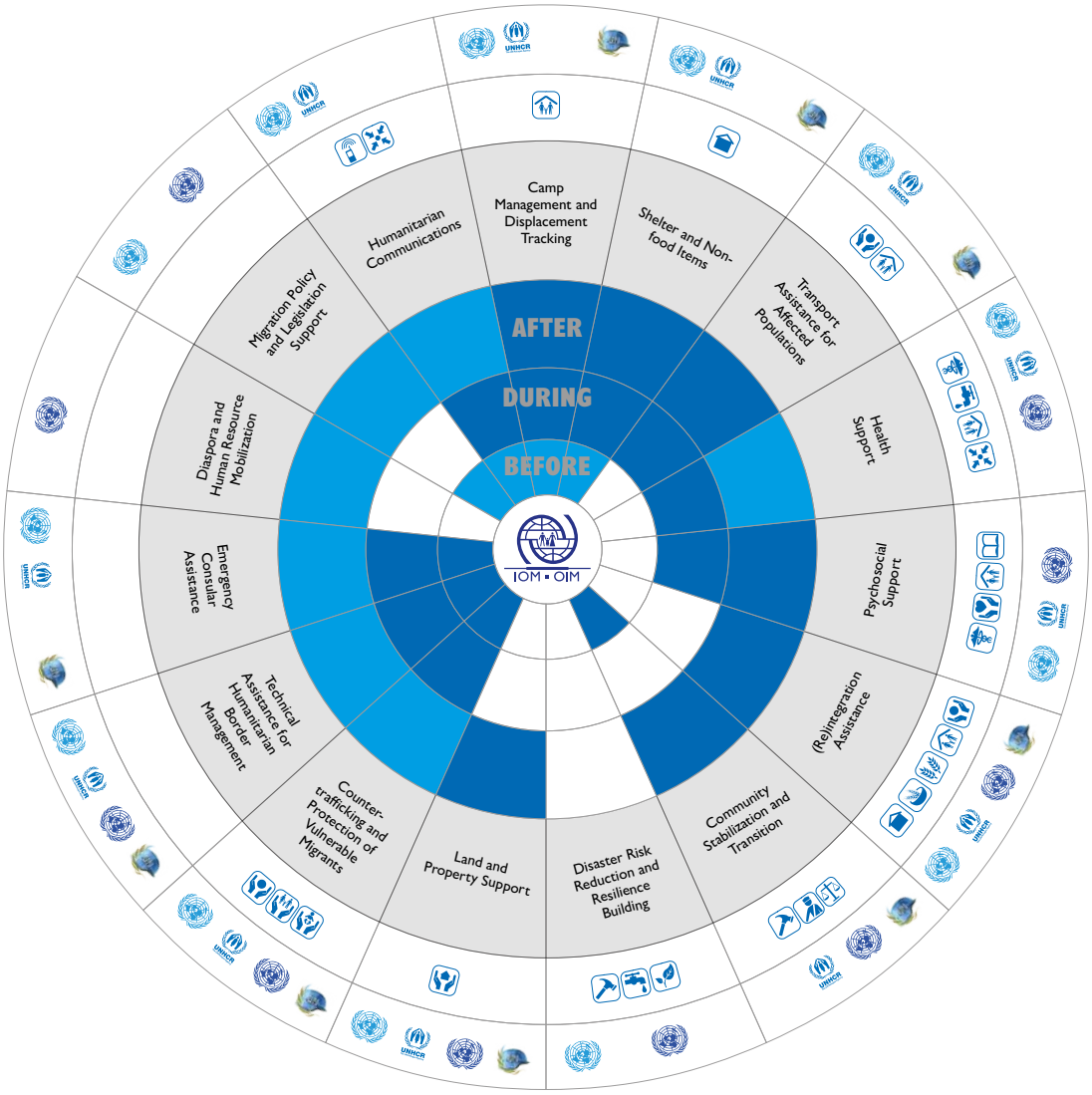
8. Before a man-made disaster, activities can focus on addressing the destabilizing factors and tensions through such initiatives as community stabilization and transition as part of peace and security and development initiatives. If a country has many third-country nationals, technical assistance to and coordination with consular services and humanitarian border management will be important. Initiatives to strengthen counter-trafficking and the protection of vulnerable migrants, as part of migration management systems, are also crucial.

9. During a man-made disaster, if there are large cross-border movements and/or international migrants trapped in the country in crisis, responses will require proper and efficient border and identity management, coordination with consular services and mechanisms to identify and refer vulnerable persons. Transportation assistance can also be a critical lifesaving protection activity for those caught in a crisis, including non-nationals in need of migrant assistance. For those having crossed an international border, onward transportation assistance from border areas may also be necessary. Lastly, the provision of humanitarian assistance (e.g. shelter, NFIs, health and psychosocial support, etc.), which is usually coordinated through humanitarian communications, to displaced persons in camps or in host communities inside or outside the country in crisis is essential to relieve suffering.

10. After a man-made disaster, crucial response activities involve those that prevent and/or address the consequences of man-made disasters, such as community stabilization and transition efforts, and those that address land and property issues to provide long-term solutions to the displaced. Peace and reconstruction can also be supported through diaspora and human resources mobilization.

    Examples: Syrian Arab Republic (2012), Libya (2011) and Côte d'Ivoire (2011), among others.

Diagram for a man-made disaster: Internal and cross-border movements



Critical
Important
Recommended

SYSTEMS

- Cluster System (OCHA)
- Refugee Regime (UNHCR)
- Development Actors (UNDP)
- Security and Peacebuilding Actors

Clusters

- Camp Coordination & Camp Management (CCCM)
- Water, Sanitation and Hygiene
- Early Recovery
- Education
- Protection
- Logistics
- Emergency Telecommunications
- Health
- Food Security
- Shelter

Other Clusters/Sectors/Groups

- Housing, Land and Property Rights
- Gender-based Violence
- Coordination
- Rule of Law and Justice
- Mental Health & Psychosocial Support
- Safety and Security
- Environment
- Child Protection
- Agriculture

Sudden-onset natural disaster: Internal and cross-border movements

11. A sudden-onset natural disaster, such as a flood, tsunami or earthquake, often causes significant destruction and loss of shelter, infrastructure and livelihoods. It results mostly in internal, but with potential cross-border, migration flows of people attempting to access immediate assistance and protection.

12. The types of migrants in need differ in every context, but they can include international migrants caught in the disaster, IDPs, environmentally displaced persons who have crossed international borders and vulnerable persons such as victims of trafficking and unaccompanied minors.

Partnerships and coordination

13. During a sudden-onset natural disaster, all responses are coordinated with the country in crisis and by using the cluster approach (i.e. OCHA). Depending on the type of response, coordination with the United Nations and development agencies may also be necessary, particularly in the before and after phases. If there is a flow of environmentally displaced persons across borders, response activities will be coordinated with the country of first refuge or transit. If there are international migrants either trapped inside the country in crisis or who have crossed an international border, there will also be coordination with the country of origin.

Sectors of assistance

14. Before a sudden-onset natural disaster, the implementation of DRR activities is a crucial prevention and preparedness measure. By building State and community capacity to respond to such disasters, establishing early warning systems and/or constructing disaster-resistant infrastructure, the risks and vulnerabilities of local communities will be reduced, and their resilience will be strengthened. Moreover, if a country has many third-country nationals, technical assistance to and coordination with consular services will also be important initiatives to ensure appropriate and timely identification and documentation if a crisis were to occur.

15. During a sudden-onset natural disaster, addressing the immediate needs of crisis-affected populations is crucial, such as tracking displacement and providing shelter, NFIs and health and psychosocial support. Humanitarian communications are also critical during sudden-onset natural disasters. They facilitate the exchange of information between the responders (including humanitarian actors) and crisis-affected populations and address the information requirements of affected populations. Such communications also generate feedback that contributes to formulating an appropriate humanitarian response and facilitates recovery planning.

16. After a sudden-onset natural disaster, as with the "before" phase, the implementation of DRR activities is important not only in responding to and recovering from the consequences, but also in preventing and preparing for future disasters. Reintegration assistance is crucial to end displacement through long-term solutions by implementing activities in areas such as sustainable livelihoods, permanent shelter and access to basic services.

    Examples: Pakistan (2010 and 2011), Haiti (2010), Japan (2011) and the Indian Ocean tsunami (2004), among others.

Diagram for a sudden-onset natural disaster: Internal and cross-border movements



Critical
Important
Recommended

SYSTEMS

- Cluster System (OCHA)
- Refugee Regime (UNHCR)
- Development Actors (UNDP)
- Security and Peacebuilding Actors

Clusters

- Camp Coordination & Camp Management (CCCM)
- Water, Sanitation and Hygiene
- Early Recovery
- Education
- Protection
- Logistics
- Emergency Telecommunications
- Health
- Food Security
- Shelter

Other Clusters/Sectors/Groups

- Housing, Land and Property Rights
- Gender-based Violence
- Coordination
- Rule of Law and Justice
- Mental Health & Psychosocial Support
- Safety and Security
- Environment
- Child Protection
- Agriculture

Slow-onset natural disaster: Internal and cross-border movements

17. A slow-onset natural disaster, which can be exacerbated by the impact of climate change on the environment, such as drought, rising sea levels or coastal erosion, results in the eventual destruction and loss of shelter, infrastructure and livelihoods. It leads to internal and/or cross-border movements of affected populations, such as from rural to urban areas or within urban areas. Such a scenario does not necessarily lead to an acute humanitarian crisis.

18. The types of migrants in need differ in every context, but they can include environmental migrants and trapped vulnerable populations. An acute crisis can also displace people, mostly IDPs and environmentally displaced persons who have crossed international borders. However, most movements, both internal and external, are likely to take the form of voluntary movements, highlighting the role of migration as a coping and adaptation strategy.

Partnerships and coordination

19. During a slow-onset natural disaster, all responses are coordinated with the affected country. Coordination with the United Nations and development agencies is also important to prevent slow-onset natural disasters. If the situation develops into an acute humanitarian crisis requiring international humanitarian support, coordination of the humanitarian response will fall under the cluster approach (i.e. OCHA). If there are international migrants in need of assistance inside the country in crisis, there will also be coordination with the country of origin.

Sectors of assistance

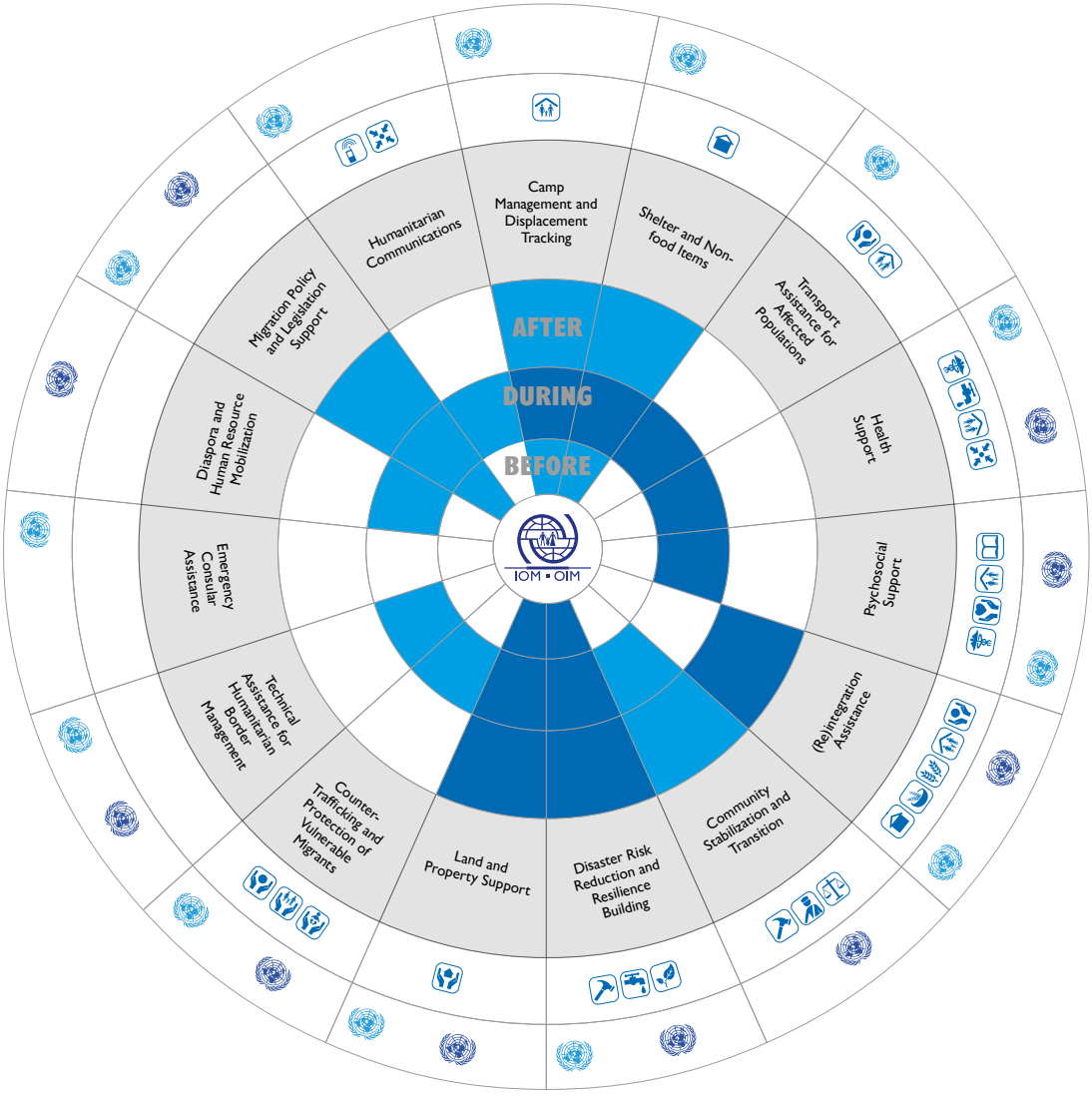
20. Before a slow-onset natural disaster, development programmes including DRR activities are most critical, as they aim at reducing the risks of such hazards and the vulnerabilities of affected communities in rural and urban areas. Resilience-building initiatives are also important in enabling communities to adapt their livelihoods to the changing contexts, thus contributing to sustainable development and preventing forced migration. Safe and planned migration, including relocation, as a form of adaptation can also be considered in the context of slow-onset natural disasters. Activities that address land and property issues are crucial when affected people and families lose their land and livelihoods and need to relocate.

21. During a slow-onset natural disaster that leads to acute humanitarian needs, population tracking, transport assistance, shelter support and health and psychosocial support can be important initiatives to assist crisis-affected persons. DRR activities continue to be critical in building the capacity of the State and affected persons to cope with the crisis and also offer a framework to link relief and recovery to development. Addressing land and property issues equally remains important, contributing to finding temporary solutions for displaced populations.

22. After a slow-onset natural disaster, DRR activities continue to play an important role in reducing the risks of hazards and building community resilience in rural and urban set-ups. Addressing land and property issues and providing integration assistance are critical in ending displacement through long-term solutions such as livelihood support and permanent shelter initiatives.

    Examples: Bangladesh (2009) and low-lying island States.

Diagram for a slow-onset natural disaster: Internal and cross-border movements



Critical
Important
Recommended

SYSTEMS

- Cluster System (OCHA)
- Refugee Regime (UNHCR)
- Development Actors (UNDP)
- Security and Peacebuilding Actors

Clusters

- Camp Coordination & Camp Management (CCCM)
- Water, Sanitation and Hygiene
- Early Recovery
- Education
- Protection
- Logistics
- Emergency Telecommunications
- Health
- Food Security
- Shelter

Other Clusters/Sectors/Groups

- Housing, Land and Property Rights
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Protracted crisis: Internal and cross-border movements

23. A protracted crisis typically involves a combination of various elements of hardship, both man-made and natural, such as political and/or criminal violence, instability, lack of social services and employment opportunities, or drought, often leading to both cross-border and internal movements. Therefore, a protracted crisis requires a response that involves a combination of different and complementary sectors.

24. The types of migrants in need differ in every context, but they can include international migrants caught in the crisis, IDPs, refugees and/or asylum-seekers, environmental migrants and vulnerable persons such as victims of trafficking and unaccompanied minors.

Partnerships and coordination

25. During a protracted crisis, responses are coordinated with the country in crisis. If there are asylum-seekers and refugees crossing international borders, then response activities will be coordinated with UNHCR, safe third countries and/or countries of transit and resettlement. If internal movements are involved, responses will be coordinated using the cluster approach (i.e. OCHA). Moreover, due to the high levels of insecurity of protracted crises, responses may need to be coordinated with security and peacebuilding actors and with humanitarian and development actors. If there are international migrants trapped inside the country in crisis, there will also be coordination with the country of origin.

Sectors of assistance

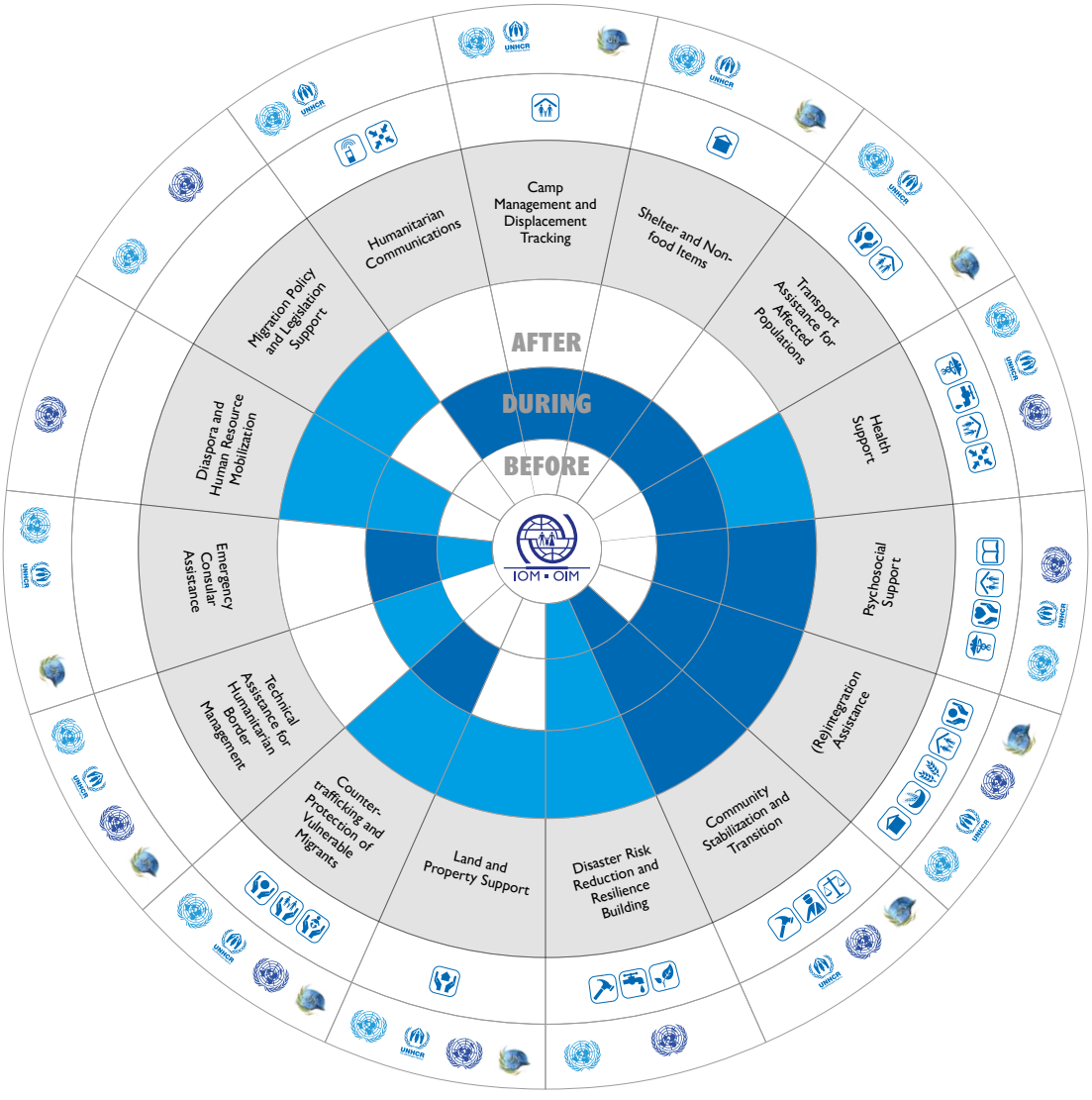
26. Before a protracted crisis, community stabilization and transition activities are critical in addressing the sources of tension and preventing the eruption of conflict and further forced migration. If an area is prone to sudden- and/or slow-onset natural disasters, then DRR initiatives will be important in reducing risks and increasing resilience.

27. During a protracted crisis, it is important to address the immediate needs of affected persons such as health and psychosocial support, shelter and camp management assistance, community stabilization activities and reintegration assistance. The provision of assistance and protection to vulnerable persons can also be crucial, as criminal networks usually take advantage of these environments, for example, by recruiting at-risk youth and/or engaging in the trafficking of human beings. If international migrants are caught in the crisis, coordination with consular services will also be important.

28. After a protracted crisis, community stabilization and transition activities continue to be essential in addressing the sources of tension and re-establishing stability and trust through peacebuilding and dialogue initiatives. Reintegration assistance and psychosocial support are also significant in ending displacement through long-term solutions by promoting such initiatives as income generation and improved access to basic services.

    Examples: Horn of Africa (2011), Sahel (2012) and Democratic Republic of the Congo, among others.

Diagram for a protracted crisis: Internal and cross-border movements



Critical
Important
Recommended

SYSTEMS

- Cluster System (OCHA)
- Refugee Regime (UNHCR)
- Development Actors (UNDP)
- Security and Peacebuilding Actors

Clusters

- Camp Coordination & Camp Management (CCCM)
- Water, Sanitation and Hygiene
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Other Clusters/Sectors/Groups

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- Gender-based Violence
- Coordination
- Rule of Law and Justice
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- Agriculture

Health crisis: Internal and cross-border movements

29. A health crisis refers to a pandemic or an epidemic crisis.

30. The types of migrants in need differ in every context, but they can include international migrants caught in the crisis, IDPs and refugees.

Partnerships and coordination

31. During a health crisis, all responses are coordinated with the country in crisis and are usually coordinated with key United Nations and development actors. If there are international migrants trapped inside the country in crisis, there will also be coordination with the country of origin.

Sectors of assistance

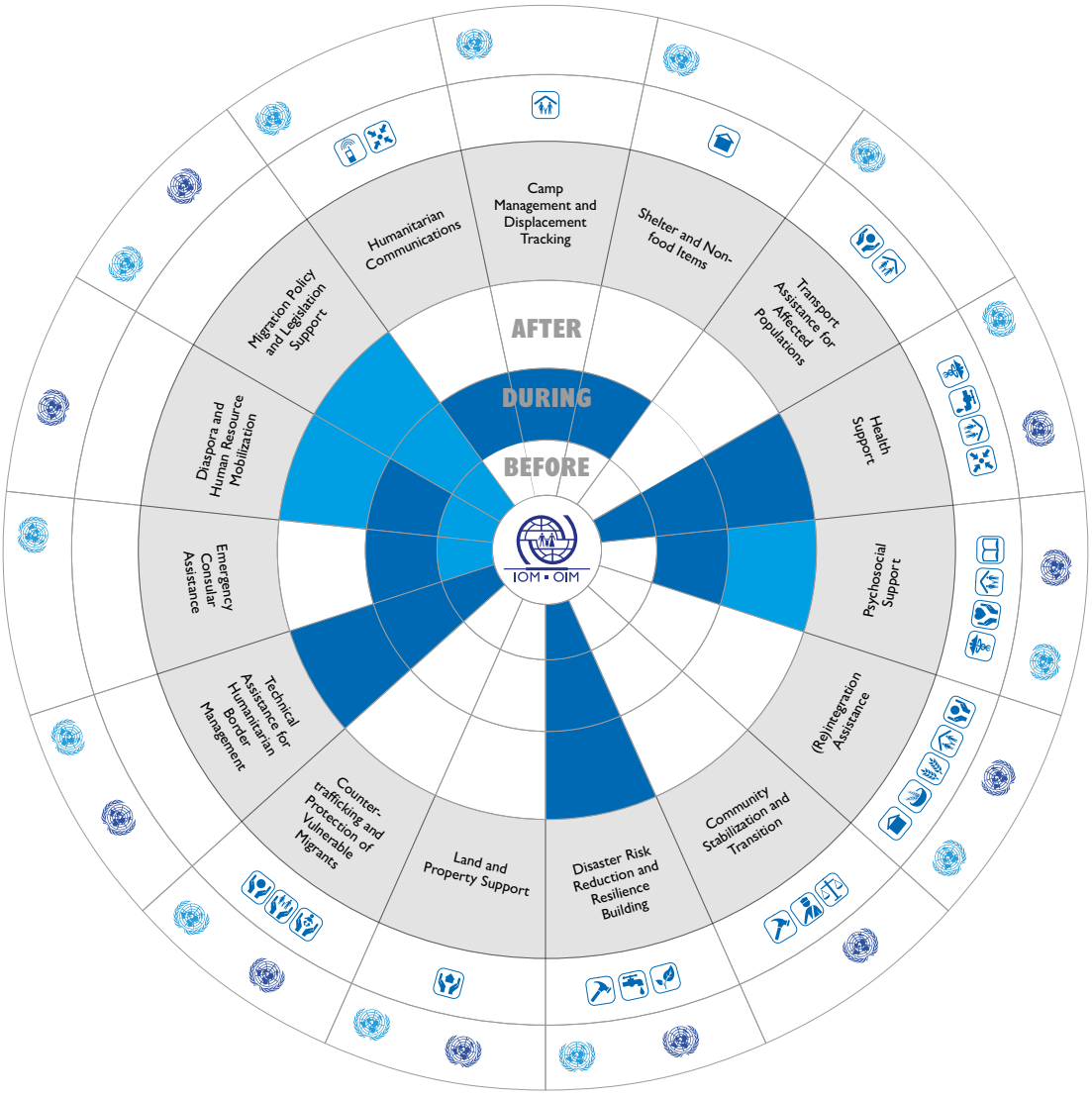
32. Before a health crisis, response activities primarily focus on DRR and health initiatives that prevent health hazards and reduce their potential effects. Health training for border management officials can also be an important element in reducing the spread of a health crisis and in identifying vulnerable persons who need to be referred and assisted.

33. During a health crisis, the provision of health and psychosocial support to affected persons is critical as well as addressing their immediate needs such as for shelter and NFIs. Humanitarian communications and humanitarian border management are also important in such crises to reduce the spread of a health crisis by raising awareness and identifying and referring the affected persons. If international migrants are caught in the crisis, coordination with consular services will be necessary. Lastly, reaching out to and including health practitioners from the diaspora can be essential in building capacity, improving the response to such crises and addressing the urgent needs of affected populations.

34. After a health crisis, the response is similar to that of the "before" phase in that activities will focus on preventing and preparing for potential health crises. Therefore, health and DRR activities and capacity-building activities for border management officials are implemented.

    Examples: Cholera outbreak in Haiti (2010), among others.

Diagram for a health crisis: Internal and cross-border movements



Critical
Important
Recommended

SYSTEMS

- Cluster System (OCHA)
- Refugee Regime (UNHCR)
- Development Actors (UNDP)
- Security and Peacebuilding Actors

Clusters

- Camp Coordination & Camp Management (CCCM)
- Water, Sanitation and Hygiene
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