

PROTECTION AND ASSISTANCE
FOR MIGRANTS VULNERABLE
TO VIOLENCE, EXPLOITATION
AND ABUSE: STRUCTURAL
PROGRAMMING

PART 5

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INTRODUCTION

Part 5 of this Handbook focuses on the determinants of migrant vulnerability at the structural level, and on appropriate programmatic responses for mitigating and addressing vulnerability factors at this level. It discusses the concept of structure, and the role that structures play in contributing to vulnerability or resilience. It outlines programming principles that should guide the development and implementation of structural or “upstream” programming. Part 5 begins with a general description of the enabling environment necessary for addressing migrant vulnerability – namely the policy, legal, regulatory and institutional environments – as well as efforts that can be undertaken to improve this environment, with a focus on capacity-building, advocacy, and data and research. The policy and issues that, taken together, address migrant vulnerability and enhance resilience are then discussed. Finally, migrant integration and combating xenophobia and discrimination is tackled in the conclusion.

The guidance provided in Part 5 is intended mainly for government policy and decision makers at different levels of government, and the actors who support these policy and decision makers in achieving their policy goals.

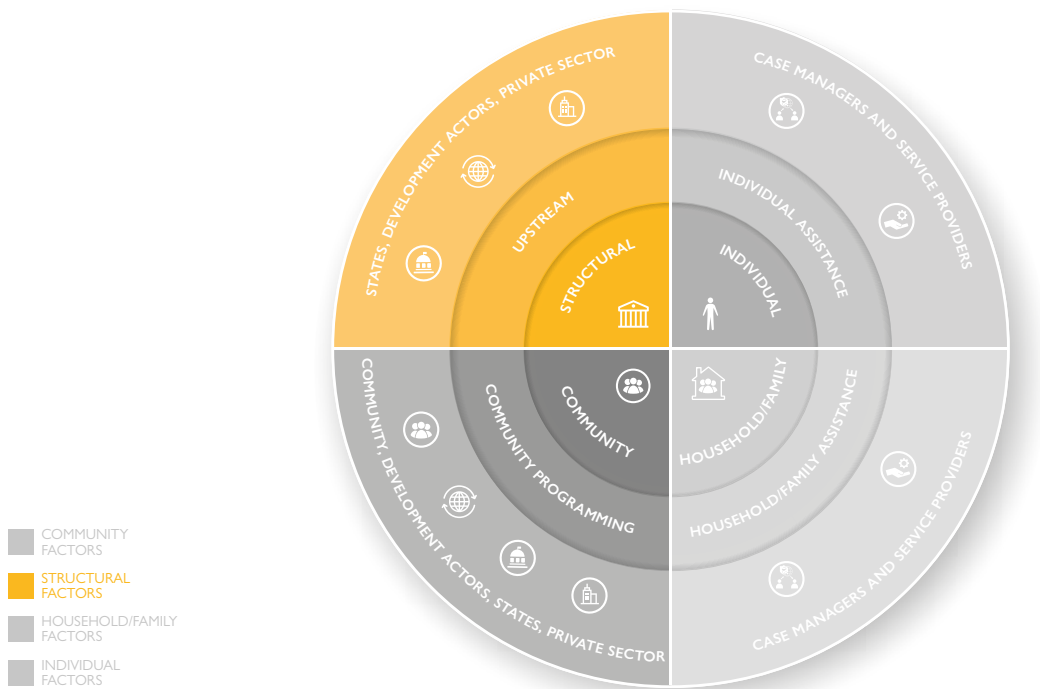


Figure 5.1

Programmatic responses and relevant actors at the structural level

5.1 STRUCTURAL-LEVEL DETERMINANTS OF MIGRANT VULNERABILITY

Understanding the concept of structure

Generally speaking, structures are the broader context and environment that shape the experiences of individuals, households or families, and communities. There are two main ways to think of structures: the first is to consider institutions and organizations; the second is more abstract and considers trends, dynamics and values.

From an institutional perspective, the term “structures” refers to the political, social and economic institutions that help to organize and frame societies and social interactions. They include:

- **The formal organizations of governments:** These include the presidency, the parliament and the courts; the central or national-level government institutions, such as ministries, departments and agencies; the regional- or provincial-level institutions of government; and the local- or municipal-level government institutions. What these all have in common is that they are the formal institutions and organizations that decide, implement and enforce laws.
- **The formal organizations through which people can represent their interests in relation to the formal organizations of government:** These include political parties and organized interest groups, such as labour unions, chambers of commerce, employers’ associations, merchants’ associations, and women’s rights groups. These are all organizations through which individuals and communities can join together to achieve common goals and try to influence decision makers within the formal organization of government to adopt laws and/or policies that favour their interests.
- **Regional and/or global institutions:** These include organizations that bring together different States and that seek to regulate interactions among States and their citizens in a regional or global context, such as the United Nations General Assembly. Some of these organizations have very broad mandates, like the European Union, the South Asian Association for Regional Cooperation or the African Union. Others are more specific in their mandate, such as the Organization of the Petroleum Exporting Countries (OPEC), Asia-Pacific Economic Cooperation, specialized United Nations agencies and the International Monetary Fund (IMF).

From a more abstract perspective, the structure includes not only these institutions, but also more difficult to define values or ideas, dynamics and interrelations and phenomena in the natural world that are not represented by particular individuals. These can include: global patterns and effects, such as globalization and climate change; patterns of interactions between States; the natural environment, such as weather patterns and geographic features; social systems such as shared belief systems and economic systems; and the impact of past events and historical interactions between social groups and between countries.

This Handbook uses the term “structural factors” to refer to those factors that relate primarily to the political and economic institutions at the national level, although it also takes into consideration regional and global institutions, as well as market forces, weather patterns and geographic features, history and shared belief systems.

Determinants of migrant vulnerability at the structural level

Structural factors are the historical, geographical, political, economic, social and cultural conditions and institutions at the national, regional and international levels that influence the overall environment in which individuals, families, households, communities and groups are situated and which shape their beliefs, decisions and behaviours.

Examples of structural factors include histories of colonization and conflict, political systems, migration policies and governance, respect for human rights, and rule of law.

At the structural level, risk factors include patterns of systemic marginalization and discrimination, conflict and instability, poor governance, the absence of accountability mechanisms, and weak rule of law. Protective factors include peace and security, good governance, respect for human rights, and equitable development.

Refer to the Structural Factors Assessment Toolkit for a more detailed discussion of structural factors.

5.2 STRUCTURAL-LEVEL PROGRAMMING TO ADDRESS VULNERABILITY TO VIOLENCE, EXPLOITATION AND ABUSE

Structural-level programming is similar to community-level programming in that it is not undertaken to address the protection and assistance needs of specific individuals, households or families, even though structural-level factors do impact their vulnerability. Instead, it is undertaken with the aim of effecting longer-term and broad-based change for all people and groups with which it is concerned.

Because structural-level programming is typically associated with States – or, at a minimum, involve States as primary actors – the people of concern are typically the citizens of, or all persons present on the territory of, a State. However, this is not the only population that can be considered. Structural factors and programming may impact populations larger than those found in States. For example, agreements on freedom of movement and labour mobility can affect workers within an entire region. Transnational social movements may focus on the well-being of certain sectors or the global population – such as international workers' rights movements – or on the global population as a whole – such as the global movement to address climate change.

Structural-level programming therefore takes interventions at the national-level as a primary entry point. However, it should also take into account relevant regional and international trends and concerns.

Programming principles

All structural programming aimed at addressing migrant vulnerability to violence, exploitation and abuse should be based on the principles described below. No one principle can be understood and upheld without reference to the others. For example, programming that aims to uphold the law must ensure that the laws being upheld are in line with a rights-based approach.

Nationally owned and driven – Programming aimed at reducing migrant vulnerability at the structural level requires the involvement of States and should recognize the national government's authority over development policies and activities, including those that are entirely or partially funded by external sources. For governments, this implies a requirement to articulate a national development agenda and to establish authoritative policies and strategies. For development partners, this means aligning programmes with government policies and building on government systems and processes, rather than creating parallel systems.¹

Rights-based – Efforts to prevent violence, exploitation and abuse of migrants specifically require efforts to uphold their rights. A rights-based approach is a conceptual framework and methodological tool for developing policies, programmes and practices that integrate the rights, norms and standards derived from international law. It involves identifying and analysing the rights issues at stake and ensuring that programming does not infringe on any person's rights and that all possible efforts to promote and uphold those rights are made. Programmes that employ a rights-based approach strive to empower rights-holders to enjoy and claim their rights, and to strengthen the capacity of duty bearers in their obligations to respect, protect and fulfil those rights. A rights-based approach to programming is also a process, which involves: (a) the identification of all rights-holders and their specific rights and the duty bearers who bear the obligation to respect, protect and fulfil those rights; (b) an assessment of whether – and the extent to which – rights are being respected, protected and fulfilled; and (c) the identification and implementation of actions to strengthen the capacity of rights-holders to enjoy and claim their rights and of duty bearers to meet their obligations.²

Based on, and supportive of, the rule of law – The rule of law – which is comprised of national and international legal frameworks, courts and law enforcement – is a critical element in the prevention of violence, exploitation and abuse, as well as in the provision of protection and assistance for those who have experienced the same, as it provides opportunities for redress. Structural programming should uphold national and international law and

1 <https://stats.oecd.org/glossary/detail.asp?ID=7238>.

2 IOM *Rights-based approach to programming* (2015). Available at https://publications.iom.int/system/files/pdf/rba_manual.pdf.

promote further development of fair, stable and predictable legal frameworks that promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all.

Evidence-based – Migration policies, programmes and practices can be subject to intense political debate. They should be based on available evidence and on rational analysis, rather than on populist sentiment. This requires effort to collect, analyse and use credible data and information in their formulation. Policies, programmes and practices that are based on such systematic evidence will produce better outcomes.³

Whole-of-government – The structural-level policies, programmes and practices that impact migrant vulnerability to violence, exploitation and abuse are diverse and multisectoral. They include, inter alia, migration, development, law enforcement, labour, foreign relations, justice, environmental and humanitarian considerations. As such, a whole-of-government approach is needed, which is “one in which public service agencies work across portfolio boundaries, formally and informally, to achieve a shared goal and an integrated government response to particular issues. It aims to achieve policy coherence in order to improve effectiveness and efficiency. This approach...focuses not only on policies but also on programme and project management.”⁴

Participatory – Structural programming impacts large groups of people, either directly or indirectly. It is therefore not possible to directly consult every person potentially involved in or impacted by a policy, programme or practice. Instead, a structured process of public consultation should be adopted. Public consultation “is a formal process through which citizens and stakeholders give their feedback and views on policies, plans, proposals, laws and other options presented by the government. It can take place at various stages of policy development, from exploring ideas set out in proposals or policy papers through to reviewing drafts of legislation or reports.”⁵ Essential conditions for effective consultations include appropriate design, proper resourcing, and a genuine desire to involve citizens and stakeholders and to take their views into account.⁶

Inclusive – Inclusivity specifically realizes that marginalized and disempowered segments of the population may not engage in participatory processes as often or as vocally as others. It involves efforts to specifically identify marginalized and disempowered groups and to take special measures to include them in consultations and dialogues. These may involve actions such as arranging special transportation or facilities for people with limited mobility, translation services for those who do not speak the dominant language(s), and use of peer outreach such as youth mobilizers.

Empowerment-focused – Empowerment builds on inclusivity by taking specific measures to tackle marginalization and empower marginalized individuals and groups to claim their rights and to participate in society on an equal basis. It includes analysing the potential and actual costs and benefits of a programme, and ensuring that those costs and benefits are equitably distributed. Pro-poor development strategies, which aim to ensure that the benefits of development are not solely enjoyed by privileged segments of society but also reach the poor, are an example of an empowerment-focused programming approach.

Environmental sustainability – All structural programming should take into account current and future needs and should ensure that no irreversible damage is done to the natural environment.

Actors involved in structural-level programming

At the structural level, programming tends to be longer-term and is typically the domain of local and national governments and regional or international institutions. As the primary duty bearer for upholding the rights of all persons, including migrants, the State has a particularly important role to play in reducing migrant vulnerability to violence, exploitation and abuse.

3 IOM Migration Governance Framework. Available at www.iom.int/sites/default/files/about-iom/migof_brochure_a4_en.pdf. Also, ODI Evidence-Based Policymaking: What is it? How does it work? What relevance for developing countries? Available at www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/3683.pdf.

4 WHA A68/17, footnote 2, page 3. Available at http://apps.who.int/gb/ebwha/pdf_files/WHA68/A68_17-en.pdf.

5 <https://sdgaccountability.org/working-with-formal-processes/promoting-inclusive-government-consultations/>.

6 Ibid.

However, other actors have important roles to play in structural-level programming. Some actors support the State in achieving national objectives – such as United Nations agencies, United Nations Country Teams (UNCTs),⁷ development partners and other regional or multilateral institutions – while others advocate for the rights of migrants, such as civil society organizations and members of the public.

Similarly, as migrant access to services is a critical component of migrant well-being and integration, service providers in the public and private spheres play a role in regulating this access.

The private sector does not only have a role to play in providing livelihood opportunities and services to migrants, it also helps influence social behaviours, norms and practices which are critical for migrant integration and combating xenophobia and discrimination.

Members of the public include the citizens and inhabitants of a State, but can also include global sectors of society who work together to advocate for change, such as transnational labour rights movements or environmental and climate change activists.

Actor	Examples	Sectors
State authorities	Policy and decision makers such as members of the executive branch, parliament and congress; as well as those who uphold and enforce policy and law, such as local government leaders, inspections officers and police officers	All
Regional and multilateral organizations	United Nations agencies and coordination entities; regional development banks, political unions, human rights bodies, and trade organizations	Capacity development, advocacy, data and research, policy and issues areas within their specific areas of competence, promoting migrant integration and combating xenophobia and discrimination
Civil society	Local, national and international organizations and movements aimed at achieving a common good	Capacity development, advocacy, data and research, policy and issue areas within their specific areas of interest, promoting migrant integration and combating xenophobia and discrimination
Private sector	Businesses, employers and business associations	Decent work and private-sector accountability, promoting migrant integration and combating xenophobia and discrimination
Service providers	Health-care workers, educators and employment counsellors	Promoting migrant integration and combating xenophobia and discrimination
Members of the public	Advocates, thought leaders and influencers, members of social movements	All

⁷ The UNCT encompasses all the entities of the United Nations system that carry out operational activities for development, emergency, recovery and transition in programme countries. The UNCT ensures inter-agency coordination and decision-making at the country level. The main purpose of the country team is for individual agencies to plan and work together, as part of the Resident Coordinator system, to ensure the delivery of tangible results in support of the development agenda of the government. Available at <https://undg.org/leadership/un-country-teams/>.

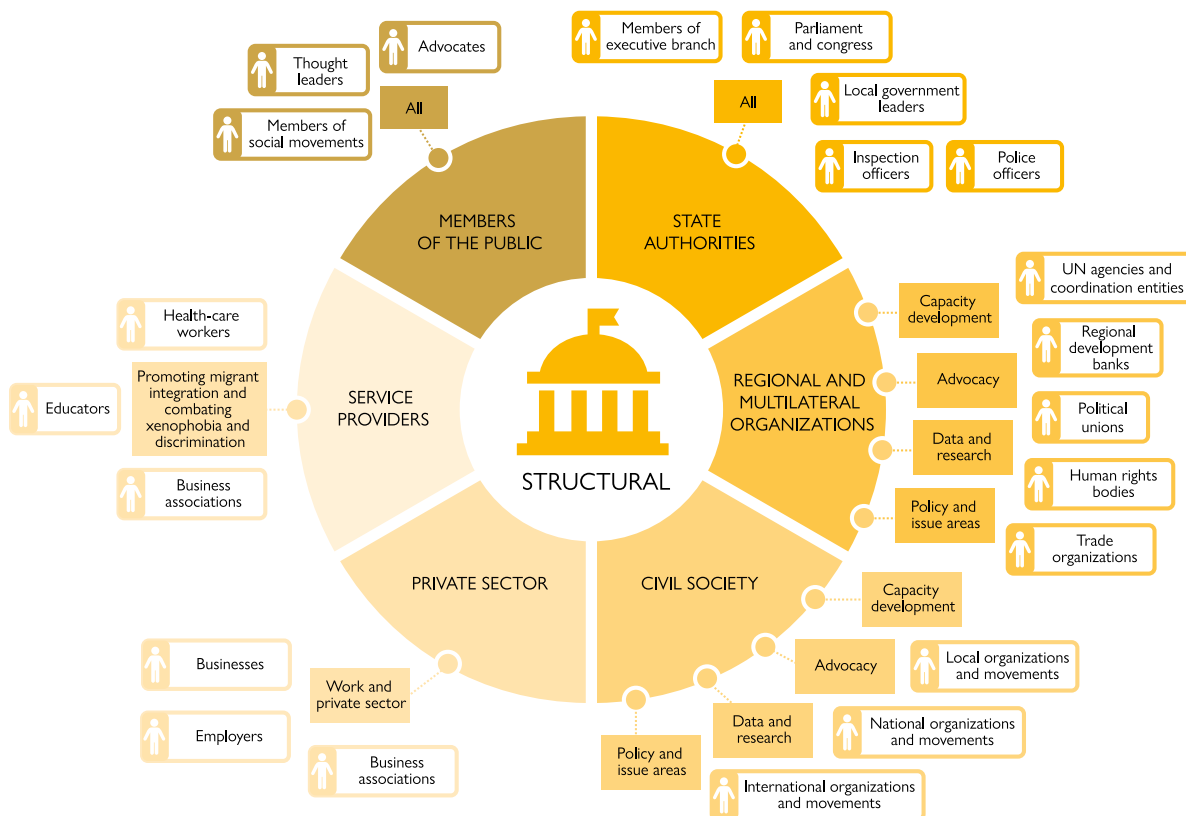


Figure 5.2

Relevant actors and sectors of intervention at the structural level

Creating an enabling environment

Improving policy, legal and regulatory frameworks

Policy, legal and regulatory frameworks are the set of rules that govern the rights and responsibilities of governments, companies and citizens. A core governmental role is to formulate policies, laws and regulations through which the government can define the activities of all stakeholder groups, including itself.

Policy, legal and regulatory frameworks are often referred to together, and indeed they do operate together as a whole to create a system for governance. However, they do have different but complementary – and perhaps somewhat overlapping – functions. It is important to understand the different instruments, their functions, and how they are created to ensure that all elements of the system are in place and that appropriate entry points for capacity-building, advocacy and data and research activities are identified.

Policy

A policy is a set of principles intended to specify goals and guide decisions.⁸ Policy expresses what the policymaker(s) intend(s) to achieve. Policies also establish the methods, or operating rules, that will be used to achieve the goals of the policy. Policies can be administrative, relating to *how* things will be done (for example, password policies, dress codes and opening hours), or substantive, relating to *what* will be done (for example, reduce poverty and provide health services).

Policies created by governments are usually referred to as public policies. A public policy seeks to achieve a goal that is considered to be in the best interest of all members of society, for example, clean air, clean water, good health, high employment, high educational attainment, decent and affordable housing, or minimal levels of poverty. While public

8 Summarized from S. Torjman, *What is Policy?* (Caledon Institute of Public Policy, 2005). Also, J. Vargas-Hernandez, M. Reza Noruzi and I. Farhad Nezhad Haj Ali, "What is Policy, Social Policy and Social Policy Changing?" *International Journal of Business and Social Science* (2011), 2(10):287–291. Available at <https://hal.archives-ouvertes.fr/hal-00817798>.

policies usually apply to all members of society, sometimes they target only a certain group in order to promote the public interest.

Public policies are developed through a decision-making process that helps address identified goals, problems or concerns. The process for policy formulation varies, depending on context, the way in which the policymaking body or bodies are organized, and who is and is not involved in the process. While the policy formulation process rarely follows a clear and consistent route, there are some basic steps that can be identified in what is usually known as the policy cycle:

1. Issue identification or agenda-setting, which involves identifying a subject or problem that requires attention. This is usually based on a political process which reflects the priorities of the policymaking body, but can also result from negotiation with other stakeholders or legal obligations under national or international law.
2. Policy analysis and formulation, where different possible interventions to achieve the policy goals are identified and the pros and cons of the different approaches are assessed.
3. Consultation, where relevant stakeholders and those potentially impacted by the policy are given an opportunity to provide their input. Consultation is often carried out at this stage to give legitimacy to the policy decisions taken, but it can also be conducted throughout the policy cycle.
4. Policy decisions, whereby the policymakers decide on the way forward. They may decide not to proceed with policy development on the issue, to keep an existing policy either as is or with revisions, or to proceed with adopting a new policy.
5. Policy implementation, which involves putting in place the procedures, systems, infrastructure, resources and regulations needed to implement the policy.
6. Policy evaluation, where, after a period of implementation, an assessment is undertaken to evaluate whether and how well the policy is achieving its desired objective. This can lead to a new cycle in order to improve, replace or abandon the policy.

Policy documents are not law but will often identify new laws that are needed in order to achieve the policy goals.

Laws

Laws are a set of formally established rules on what is to be done or not done, which also establish consequences for failure to follow the rules as specified in the law. Laws are interpreted and upheld through law enforcement bodies such as the police, immigration officials and courts.

National laws refer to all laws that have been enacted by a State law-making body, such as a legislature, parliament or congress. The process of making law varies from country to country, but usually involves drafting the text of the law, consulting with relevant decision makers and stakeholders, debating and revising the law, and finally adopting the law through an agreed-upon process. National laws are typically – and ideally – based off and geared towards implementation of an established policy. For example, a country's penal code is usually based on a national criminal justice policy.

International law refers to a body of rules established by custom or treaty and recognized by nations as binding. International law is developed by States through multilateral processes, such as via the United Nations General Assembly.

At the national level, laws govern the behaviour of individuals and entities, and at the international level they govern the behaviour of States. Laws specify which behaviours are prohibited, and the consequences of engaging in the prohibited behaviour. For individuals, these consequences usually involve fines, imprisonment or a combination of the two. For States, there is no overarching compulsory judicial system or coercive penal system to address breaches of the provisions set out in treaties or to settle disputes. There are, however, various bodies established to help States peacefully resolve disputes, such as the World Trade Organization, or to encourage States to abide by their obligations and undertake actions required for compliance, such as the Human Rights Committee.⁹

Laws usually contain specifics on which organs of government will be responsible for implementing different aspects of the law. At times, laws may create new government organs specifically for the implementation of the law.

⁹ https://treaties.un.org/doc/source/events/2011/Press_kit/fact_sheet_1_english.pdf.

Regulations

Regulations are the instruments used by organs of government to implement laws. In general, laws establish the rules and broad frameworks for how they are to be implemented, but the detailed specifics of how laws will be implemented are addressed in regulations. For example, a country's traffic legislation is usually based on road traffic safety policies. Regulations can have the effect of law: they are enforceable both on government agencies and on private persons, and sanctions can be applied if regulations are broken.



Figure 5.3

Policies, laws and regulations

Policy, legal and regulatory frameworks are fundamentally important to the realization of rights and the reduction of vulnerabilities. They establish entitlements in a clear and transparent way and allow people who are entitled to benefits to make claims and obtain redress in case of violations of their rights. Policy, legal and regulatory frameworks also protect people from arbitrary or discretionary decision-making.

At the State or national level, to reduce the vulnerability of migrants to violence, exploitation and abuse, laws and regulations must be supportive of the realization of rights, in general, and of the rights of migrants, in particular. While each country has its own set of terms, an appropriate policy, legal and regulatory framework should include the following areas:

- **Laws and regulations aimed at upholding and protecting human rights:** This set of laws typically includes a State's Constitution, but can also include a bill or charter of rights. In addition, this set of laws includes any international and/or regional laws, agreements, conventions or protocols relating to human rights that a country has signed and ratified. Together, these form the fundamental framework that all other laws in the country must respect. Furthermore, this set of laws can include specific laws, regulations and clauses relating to non-discrimination towards, or equal treatment of, women and girls, persons with disabilities, and religious or racial/ethnic groups. In addition, the framework for establishing rule of law and law enforcement practices constitute the framework for ensuring the respect of human rights at the point where the State interacts with individuals.
- **Laws and regulations aimed at upholding and protecting labour rights/promoting decent work:** These are the laws that regulate employment and work conditions, typically enshrined in a country's Labour Code, as well as in the specific regulations for particular occupations, and include regulations about health and safety standards at work. They also include any international and/or regional labour or employment treaties, agreements, conventions and protocols that the country has signed and ratified.
- **Laws and regulations aimed at protecting vulnerable persons, such as sexual offences laws and child protection laws:** Generally, these are sections of a country's criminal code and specific laws and regulations on the treatment of children and include descriptions of offences. They usually also include laws regarding juvenile offenders, the criminal protection of juveniles, penal institutions and the treatment of offenders. In most cases, laws regulating health-care provision, education and social protection services also include specific mention of measures that must be taken to ensure the protection of vulnerable persons when they interact with these

services and systems. They also include any international and/or regional treaties, agreements, conventions and protocols related to these topics that the country has signed and ratified.

- **Laws and regulations aimed at governing immigration and/or migration management:** Often called laws on foreigners, these are the laws and regulations that define the conditions under which people can immigrate or emigrate from a country, and which outline the rights and responsibilities of migrants in a country.
- **Laws and regulations aimed specifically at protecting migrants from violence, exploitation and abuse:** These are generally international and/or regional laws, agreements or protocols that a country has signed and ratified, along with the national laws and regulations enacted specifically to ensure their implementation. These include the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air. They also include the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

Improving institutional arrangements and coordination

Policies, laws and regulations are implemented by governmental institutions, including ministries, departments, agencies and any other organ of government. Institutions provide the human and technical resources and capacities necessary for implementing activities and programmes for achieving the goals established in policies and laws.

Institutions need to be “fit for purpose” to achieve policy goals. This means they need the appropriate structures and the full set of human, technical and financial resources necessary to implement activities and programmes. Revisions to law may be required to ensure that institutional structures, as well as capacity development activities, are adequate. It will also require the allocation of sufficient budget for implementation.

Government institutions often develop specific strategies and plans to guide their implementation of policy and law. Strategies and plans can be thought of as detailed roadmaps towards achieving a specific objective or set of objectives. Typically, they provide detailed information on specific actions to be taken and objectives to be achieved, benchmarks for measuring progress, and roles and responsibilities. National action plans are a common example – see the section on national action plans below.

Usually, the implementation of policies, laws, regulations and strategies requires the involvement of more than one government agency. As such, coordination between the different bodies is required. Coordination may involve the establishment of specific bodies, such as task teams or secretariats, whose main purpose is to coordinate the activities of various actors. These actors include not only the various government entities involved in implementation of law or policy, but also partners in implementation – such as civil society organizations – and other stakeholders such as private-sector bodies and representatives of the people impacted by policies and laws. National referral mechanisms are an important example of how governments can coordinate the provision of protection and assistance services to vulnerable migrants see the section on national referral mechanisms below.

National Action Plans

National Action Plans (NAPs) are often used to support implementation of policies and laws and can be useful tools for implementing whole-of-government and whole-of-society approaches to addressing migrant vulnerability to violence, exploitation and abuse. NAPs stipulate programmatic and policy responses needed, and define who will carry them out, over what period of time and the cost associated with the response. They set achievable targets and promote coordinated action and sharing of responsibilities.

NAPs are operational and action-oriented in nature. Their objective is to outline how policy goals can be achieved and to present a strategy as to how to achieve them. NAPs should be developed for a specific period of time, such as three or five years.

Prior to developing a NAP, a lead government agency should be selected to spearhead the development process and to coordinate implementation. This coordinating agency should also oversee a consultations process to gather the inputs of all stakeholders, including, as relevant: government ministries, departments and agencies, civil society organizations, international organizations, community leaders, academics, migrant organizations, labour unions, and any other entity involved in assisting vulnerable migrants. A steering committee, comprised of key agencies and stakeholders with responsibilities for the main issues and challenges identified in the consultative process, should be established.

The steering committee should then come together to draft the NAP using the inputs from the consultation process. The NAP should contain: (a) goals or objectives; (b) a set of expected results; (c) benchmarks or indicators for assessing progress towards intended results; (d) specific activities to be implemented and a timeline for that implementation; and (e) clear specification of which entity is responsible for which activities and the resources needed for the implementation of each activity. Countries wishing to undertake a comprehensive approach to addressing migrant vulnerabilities can divide the NAP into the different levels of intervention (individual, household/family, community and structural). These components of the NAP can be included in a table format as follows:

Specific objectives	Outcome	Output	Activities	Lead agency and other stakeholders	Timeline	Financial resources	Indicators
Individual responses							
Household/Family responses							
Community responses							
Structural responses							

An introductory section with a background, situation analysis and guiding principles for implementation can also be helpful to give some substance to the NAP. Moreover, it is helpful to explain the actions taken to prepare the NAP, who has participated and who has a role to play, and how the NAP will be funded.

As part of the development phase, a baseline assessment should also be carried out which will help with monitoring and review of the NAP. Once the NAP is ready, it should be endorsed by the relevant government representative or body (for example, Minister and Parliament) and broadly disseminated.

Each responsible government entity or organization will be responsible for implementing the activities that have been outlined for them in the NAP. However, the coordinating agency will play an important role in terms of oversight, ensuring momentum and coordination and cohesion of implementation. Moreover, if there are funding gaps, the coordinating agency can also help with fundraising efforts.

For monitoring purposes, members of the steering committee should agree on a reporting format and frequency. All members should submit inputs to the coordinating agency that would produce reports. The reports should be made available to all members of the task force; it should also be made public and widely disseminated. A review at the end of the NAP period should be conducted to determine to what extent the goals were achieved and to inform the formulation of a new NAP.

National Referral Mechanisms¹⁰

Referral mechanisms are a means of promoting cooperation between multiple stakeholders to provide protection and assistance services to vulnerable migrants. The process includes the various components or steps for providing protection and assistance. These steps may vary in each country, but they generally include identification of vulnerable migrants, status or case-type determination, case management and the provision of protection and assistance services. Referral mechanisms can be developed and implemented at the local, national and transnational level, but it is typically the national referral mechanism that is developed first and is later linked with local and transnational mechanisms.

It is important to emphasize that a referral mechanism is not a one-off document, but rather the process of working together through various steps of the assistance process. A referral mechanism nevertheless requires certain key documents if it is to function appropriately, including a memorandum of understanding (MoU) and standard operating procedures.

National referral mechanisms are necessary because vulnerable migrants have a wide array of needs that cut across sectors and providers and it is unlikely that any one government entity or organization can meet them all. Multiple and overlapping protection systems might exist in a specific context, with multiple organizations, each with a different mandate, providing different services. Coordination is thus essential to ensure that migrants get the protection and assistance they need and to avoid fragmentation in service delivery. Referral mechanisms also promote effective use of resources (they help to avoid duplication of roles and responsibilities) and accountability (it is easier to hold stakeholders accountable for providing the protection and assistance needed by vulnerable migrants).

The ultimate aim of a national referral mechanism is to provide protection and assistance services to vulnerable migrants. It is important to note that most countries do not have a migrant-specific protection system, so other protection systems have to be used to create a protective environment. Case managers are responsible for helping migrants to navigate these various protection systems and identify the system that affords them the highest level of protection.

When considering developing a national referral mechanism for vulnerable migrants, a national government, with the support of other stakeholders, should set up a steering committee. A steering committee can provide overall guidance and coordination. If a country has a national coordination mechanism on migration, the steering committee can be a subset thereof, to avoid fragmentation and stakeholder fatigue. The steering committee should be multisectoral and include all the stakeholders expected to play a role in the referral mechanism's implementation. It should be chaired by a government entity and its members should ideally be senior technical staff.

The steering committee can then oversee the development of a country assessment. Indeed, when developing a national referral mechanism, it is helpful to have a general overview of migrant protection in the country concerned. The steering committee should spearhead the assessment.

To formalize the cooperation arrangements, an MoU should also be prepared. The MoU will be a document providing information on the various parts of the referral mechanism, its members and the services they offer. The MoU should include an introduction, background and purpose, the specific target group, a detailed description of each member's responsibilities, coordination methods, financing arrangements, duration of the MoU and any relevant annexes.

If necessary, standard operating procedures can also be prepared which describe specific procedures of the referral mechanism process, such as screening procedures, transportation of vulnerable migrants and sharing of information on vulnerable migrants in line with data protection principles. Flow diagrams, referral directories and forms (for example, screening forms and intake forms) might also be needed to operationalize the national referral mechanism.

Refer to *the IOM Guidance on Referral Mechanisms for the Protection and Assistance of Migrants Vulnerable to Violence, Exploitation and Abuse and of Victims of Trafficking* for more information.

¹⁰ Adapted from IOM Guidance on Referral Mechanisms for the Protection and Assistance of Migrants Vulnerable to Violence, Exploitation and Abuse and of Victims of Trafficking.

Capacity development

Appropriate capacity is a key requirement for implementing any policy or law. Supportive strategies, plans and procedures, well-functioning organizations, and educated and skilled people are all essential requirements for implementation.

Capacity development can be defined as the process through which individuals, organizations and societies obtain, strengthen and maintain the capabilities to set and achieve their own development objectives over time. Capacity development builds on existing capacities, enhancing and retaining them, while introducing any new capacities that may be lacking.

In order to be fully effective, capacity development needs to take place at three different levels, which interact with one another:

- **The enabling environment or societal level:** This is the broader system within which institutions and individuals function, and which can facilitate or hinder their work. It constitutes and frames the “rules of the game” and typically includes policies, legislation, power relations and social norms, and influences how institutions and individuals interact.
- **The organizational level:** This relates to the internal policies, procedures and frameworks that govern how an organization operates and brings together individual capacities. To be effective, these procedures and frameworks need to be well-resourced and well-aligned with the organization’s objectives.
- **The individual level:** This refers to the skills, experience and knowledge that individuals have or that are needed to perform their work.

Capacity development is not a one-off intervention, but rather an ongoing process cycle that involves five main steps:

1. Engaging stakeholders, which involves building political commitment among key stakeholders and embedding capacity development in broader national development priorities;
2. Assessing capacity assets and needs, by assessing existing capacity against desired capacity for the intended purpose;
3. Designing a capacity development response, based on the capacity assessment, by identifying a combination of quick-impact initiatives and short- to medium-term initiatives, defining indicators of progress, and determining costs;
4. Implementing the capacity development response, ideally as part of the implementation of a broader programme or project; and
5. Evaluating capacity development, by assessing changes in efficiency and effectiveness.

The amount of time that will be needed for this process varies depending on many factors, including: the scope of the programme, the complexity of the capacity assessment, and the scope of the capacity development response.

Capacity development activities can include training, but training is neither the only nor necessarily the best way to develop or build capacity. The specific capacity development activities chosen should reflect the types of capacities to be developed. For example:¹¹

- Organizational development support and/or advisory support for more effective processes and systems: This type of activity consists mainly of technical assistance to improve the processes and systems in place at the institutional and/or organizational levels. Examples of processes and systems include standard operating procedures, standard forms and templates, protocols and worksheets.
- Training of trainers: This type of activity focuses on improving the skills of a small group of individuals who should be embedded within an organization to have a multiplier effect, whereby they then support the development of the capacities of individuals within their organization.
- Creation of networks, twinning arrangements, South–South cooperation: This type of activity operates mostly at the organizational level, where two or more organizations exchange experiences and learn from one another. This can include mentorship, whereby an individual transfers knowledge to a newer or less-experienced person through ongoing and regular consultation and discussion.

¹¹ Adapted from FAO, How to Design Capacity Development Interventions and Ensure their Sustainability; available at www.fao.org/capacity-development/resources/practical-tools/design-capacity-development/en/. Also, FAO Capacity Development Learning Modules; available at www.fao.org/capacity-development/resources/fao-learning-material/learning-modules/en/.

- Exposure/study visits: This type of activity primarily develops the capacities of individuals and is often a subset of networks, twinning arrangements and cooperation (South–South or North–South), whereby direct exposure to processes, practices or skills contributes to the individual learning and understanding of the expected results.
- Formal (face-to-face or Web-based) training sessions: This is the most common activity in capacity development. It focuses on strengthening the capacities of individuals by providing skills, knowledge or understanding on a particular topic.
- Resourcing: Sometimes external actors, such as development partners, are not engaged in the direct delivery of capacity development services, but can improve the ability of institutions to fulfil their mandates by providing resources, such as budget support or in-kind support.

Advocacy

In situations in which the policy, legal and regulatory environment is insufficient to provide for protection and assistance of vulnerable migrants, it may be necessary to engage in advocacy efforts (in this context, referred to as policy advocacy). Policy advocacy refers to organized initiatives that seek to change or preserve official policy or laws, and/or the manner in which they are applied. Typically, the goal of policy advocacy efforts is to establish new policies or laws, improve existing policies or laws, or challenge the development of policies or laws that create difficulties or injustices for specific groups in society, particularly vulnerable groups. Because it aims to change policy or law, policy advocacy generally tries to influence decision makers: public officials, civil servants, elected officials and lawmakers.

Policy advocacy can therefore be defined as the process of negotiating and mediating a dialogue through which influential networks, opinion leaders and decision makers take ownership of the ideas, evidence and proposals put forward by the advocates and then act on them.¹² Policy advocacy can be done not only by “outsiders” (that is to say, actors outside of government), but also by “insiders” (that is to say, individuals and organizations within government who seek to influence either more senior decision makers within government, or other branches, ministries or agencies of government).

The advantage of policy advocacy is that laws and policies constitute the framework within which all members of society operate, including the State. Therefore, any positive changes in these areas are likely to be more impactful by addressing issues for the longer term and creating change for society as a whole.

To be effective, policy advocacy initiatives should be based on an understanding of the following principles:

- Policy advocacy involves a two-way process of negotiation and mediation, so that the target of the advocacy (policymakers and decision makers) gain ownership of the proposals.
- Policy advocacy takes time and persistence.
- The most likely result of policy advocacy is influence over the policymaking process, rather than direct impact. In other words, it is unlikely that a policy proposal will be adopted exactly as proposed by advocates.
- Policy advocacy involves convincing key experts, as well as building coalitions and negotiating with political actors.
- Policy advocacy needs to be tailored to the specific context.

Typically, policy advocacy is conducted on the basis of one or a combination of the following approaches:

- **Advising:** This is usually done as a response to a request from the policy or lawmaking body to provide information and guidance on a policy question or problem. It can involve provision of technical advice (for example, on what services vulnerable migrants require) and conducting research to provide the necessary evidence-base to guide them in making policy decisions (for example, on how many vulnerable migrants might require assistance). This involves advocacy to the extent that the advocate needs to convince the decision makers about the validity of the proposed solution or evidence.
- **Media campaigning:** Public campaigns can create public pressure on decision makers to prioritize an issue, develop policy goals and achieve results.
- **Lobbying:** Lobbying efforts typically involve face-to-face meetings with decision makers or people in a position of influence, and tend to be used by organizations representing particular groups. This approach requires having access to the relevant actors, especially at times when the organization’s interests can be affected by new policies or laws.





12 E. Young and L. Quinn, *Making Research Evidence Matter: A Guide to Policy Advocacy in Transition Countries* (International Centre for Policy Advocacy, 2012), page 26.

- **Activism:** This approach tends to be used by organizations that promote particular values or by those that represent groups of people who are not sufficiently included in government service provision. It generally involves formulating petitions, organizing demonstrations or handing out leaflets.

When deciding on a policy advocacy approach or strategy, it is useful to consider the following questions:

- What is the best approach to getting ideas into the target policy debate and who is the target audience? This is the entry point into the process.
- Who should lead or be the face of the campaign and what kind of support will be needed from others? In other words, who will be the messenger?
- What can be said to the target audiences that will engage or convince them, and how can that message be best communicated to them through activities and communication tools? Messages should be targeted, and activities focused on communicating the core messages.
- Is anything currently blocking the process from moving in the desired direction? If so, what can be done to remove or work around this block? Considering any potential blockages and solutions or work arounds, what is currently feasible?

These questions can guide the development of a policy advocacy plan. Any such plan should be based on a thorough understanding of the policy and decision-making processes, and a clear mapping of the actors involved. Once the audience is established, the appropriate communication tools should be used. The following table offers some guidance on the type of communication tools that are best suited to different audiences.

		Target audiences		
		Experts	Informed non-experts	General public
Types of communication tool ¹³	Written 	<ul style="list-style-type: none"> • Policy studies • Research papers • Working papers • Policy reports • Policy-oriented journals and articles 	<ul style="list-style-type: none"> • Policy briefs, memos and fact sheets • Newsletters • Policy reports 	<ul style="list-style-type: none"> • Op-ed articles in newspapers • Letters to newspapers • Ads, banners, posters, T-shirts, stickers
	Oral 	<ul style="list-style-type: none"> • Conference presentations • Less formal presentations at one-to-one meetings or lobbying • Presentations to working groups and public hearings 		<ul style="list-style-type: none"> • Radio and TV programmes • Public meetings and hearings • Speeches to the public
	Audiovisual 		<ul style="list-style-type: none"> • Documentary videos • Advocacy-based advertising 	
	Information and Communication Technology 	<ul style="list-style-type: none"> • Dedicated advocacy websites 	<ul style="list-style-type: none"> • Email campaigns • Dedicated advocacy websites or pages • Social networking sites • SMS/text campaigns 	

¹³ Ibid., page 135.

Data and research

Reliable data is essential to the development of effective policies and programmes on migration, including for protection and assistance geared towards vulnerable migrants. Solid data and analysis of this data can help to identify an issue, design and implement a policy or programme, and evaluate an intervention. Data is such an important component of effective migration management and protection that the Global Compact for Safe, Orderly and Regular Migration (see text box on page 215) has identified it as its first objective.

However, coming up with reliable data that is also timely and accessible is not always easy, given the fast-changing dynamics of international migration. Moreover, migrants in irregular situations – who are often the most vulnerable to violence, exploitation and abuse – are difficult to identify and often do not want to be counted by the authorities as they fear being apprehended.¹⁴

Various ways in which migration data can be collected are discussed below.

Population censuses

National censuses are essential to obtaining reliable data on international migration and the characteristics of migrants. Most countries include a question on country of birth and/or citizenship which can be used to determine the number of migrants in a country at any given time (migrant stock). Some countries also ask for the year of arrival, which can help determine migrant flows to a particular country. However, very few censuses include questions on why a person decided to migrate and under which circumstances. The United Nations strongly urges countries to include migration-relevant questions in accordance with international recommendations.¹⁵

The Global Compact for Migration specifically recommends countries to “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”¹⁶(Objective 1(g)).

A country’s national body for statistics is usually responsible for developing and carrying out a census, which is an extremely complex and expensive exercise. International organizations and civil society, including academia, can support governments with technical assistance and capacity-building to ensure that migration is properly integrated into a national census.

Household surveys

Household surveys can help better understand the drivers and impacts of migration and to identify which migrants are in the most vulnerable situations. Common household surveys include labour force surveys, various health surveys or living standards measurement surveys. These surveys could include a question on the country of birth and country of citizenship to determine how a particular issue that is being analysed (health, for example) affects migrants in that country. Where relevant, a whole migration module can also be added.¹⁷

The Global Compact for Migration specifically recommends countries to “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.”¹⁸

Operational case data

The main source of data on vulnerable migrants is from organizations (whether government, international organizations or NGOs) that provide protection and assistance services to them. This data is usually held by an organization and is not readily available due to data protection issues. However, this data can be compiled in

14 IOM, Data Bulletin Series, Informing the Implementation of the Global Compact for Migration (Geneva, 2018), page 7.

15 Ibid., page 14.

16 Global Compact for Migration, Objective 1(g).

17 IOM, Data Bulletin Series, Informing the Implementation of the Global Compact for Migration (Geneva, 2018), page 14.

18 Global Compact for Migration, Objective 1(h).

aggregate form by a central body for the purposes of a national reporting process. Operational case data only reflects information on migrants to whom assistance has been provided and therefore is unlikely to provide complete insight into broad trends related to migration or violence, exploitation and abuse of migrants. Nonetheless, it is critical for understanding the experiences faced by vulnerable migrants, their protection and assistance needs, and the effectiveness of interventions aimed at supporting their sustainable recovery.

Administrative sources

Various government departments collect data while carrying out their migration management tasks. For example, registration of foreign citizens upon arrival to a country, issuance of visas, work permits, asylum requests, detention and deportation. However, administrative data is often not collected in a format that can be easily shared, and is usually not widely disseminated. It is recommended that countries leverage the use of administrative records to produce migration-related statistics, and that this information be disseminated systematically.¹⁹

The Global Compact for Migration specifically recommends countries 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.”²⁰

Big data

Big data refers to the large amounts of data that are continuously generated by computers, mobile devices, electronic and financial transactions. Policymakers and practitioners can use big data to capture various aspects of migration, such as movements of displaced populations, remittance flows and integration processes. For example, data from social media have been used to understand perceptions of migrants and refugees in Europe²¹ and call detail records have been used to understand refugee integration in Turkey.²²

Certain types of big data sources can be particularly helpful for the study of migration, including mobile phone records; Internet activity (for example, Google searches, repeated logins to the same website and emails sent); online media content; and geo-referenced social media activity. While big data is mostly generated and owned by the private sector, national statistical offices and other stakeholders such as the United Nations and civil society need to work with the private sector to leverage data to improve migrant protection and migration management.²³

19 IOM, Data Bulletin Series, Informing the Implementation of the Global Compact for Migration (Geneva, 2018), page 14.

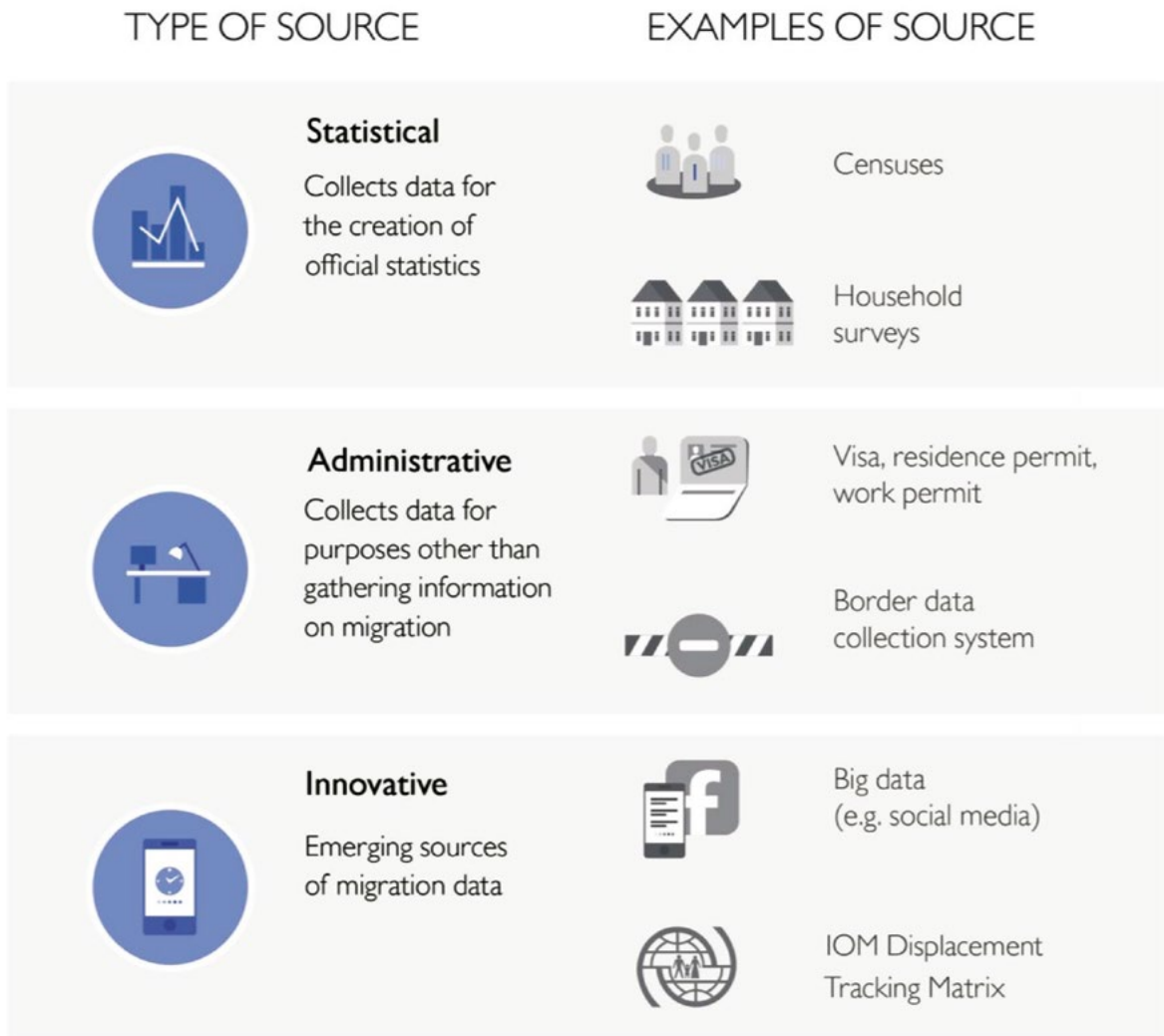
20 Global Compact for Migration, Objective 1(i).

21 www.unglobalpulse.org/projects/understanding-perceptions-migrants-and-refugees-social-media.

22 www.unglobalpulse.org/projects/using-call-detail-records-understand-refugee-integration-turkey.

23 IOM, Data Bulletin Series, Informing the Implementation of the Global Compact for Migration (Geneva, 2018), page 25.

The following graphic illustrates the different types of data sources:



Source: migrationdataportal.org²⁴

It is important to note that all data collected, including through censuses, household surveys and administrative sources, should always be disaggregated by age and sex. In addition, all data collection efforts should respect the right to privacy and confidentiality of migrants.

Research

Research can help guide and inform migration policy and practice and contribute to a better understanding of migration patterns and processes. Research can help shed light on the vulnerabilities of migrants, their households and their communities, as well as the enabling environment that leads to vulnerability.

The assessment tools that are part of this Handbook, for example, can serve as research tools to try to determine risk and protective factors at the different levels (refer to the [Structural factors assessment toolkit p. 235](#)).

Migration profiles can also serve as a framework to analyse migrant vulnerabilities. Originally conceived as a publication that would provide a snapshot of migration in a particular country, the concept of migration profiles has evolved. Migration profiles are now seen as a process of cooperation among various stakeholders and of capacity-building to promote systematic data gathering, analysis and reporting. Migration profiles usually incorporate a section on trafficking in persons and smuggling of migrants. Countries can also consider incorporating a section on migrants vulnerable to violence, exploitation and abuse in their migration profiles.

²⁴ Obtained from IOM, Data Bulletin Series, Informing the Implementation of the Global Compact for Migration (Geneva, 2018), page 15.

Policy and issue areas

There are a number of specific policy and issue areas of direct relevance to migrant vulnerability to violence, exploitation and abuse. Some of these areas are specifically concerned with migrants or migration, such as migration governance; others have a different focus but nonetheless directly impact migrant vulnerability or resilience. Work in these different policy and issue areas typically combine elements of creating an enabling environment with specific programmes and activities.

Migration governance

Migration governance refers to the ways in which governments oversee issues related to migration, mobility and nationality, including the capacity of the government to formulate and implement sound policy in these areas. IOM has established a set of principles and objectives to guide migration governance. These are collectively referred to as IOM's Migration Governance Framework (MiGOF). According to IOM, adherence to these principles and objectives would ensure that migration is humane, orderly, and to the benefit of migrants and society.

The three principles are:

- Adherence to international standards and the fulfilment of migrants' rights: Good migration governance requires compliance with international law, including the obligation to respect, protect and fulfil the rights of all individuals within a State's territory, regardless of nationality or migration status and without discrimination, in order to preserve their safety, physical integrity, dignity and well-being.
- Migration and related policies are best formulated using evidence and whole-of-government approaches: This requires the State to base its migration policy and laws on credible information and well-founded analysis of the benefits and risks posed by migration to the State. This involves collection and analysis of data and information on, among other things, demographics, cross-border movements, internal displacement, diasporas, labour markets, season trends, and education and health.
- Good migration governance relies on strong partnerships: Since migration and mobility implicate multiple actors (States and their neighbours, subnational and local authorities and communities, employers and labour unions, migrants and their families, NGOs, international and regional organizations), good migration governance therefore requires developing comprehensive and effective approaches in close partnership with all actors involved.

Similarly, the MiGOF outlines three objectives:

- Good migration governance and related policy should seek to advance the socioeconomic well-being of migrants and society: People who choose or are pushed to migrate do so for a variety of reasons, including poverty, instability, and lack of access to education or other basic services. Migration and related policy and law therefore need to be designed to foster strong socioeconomic outcomes for migrants and communities of origin, transit and destination.
- Good migration governance is based on effective responses to the mobility dimensions of crises: Millions of people are displaced by natural and man-made disasters. Crisis have significant long-term effects on migrants and society. Concerted effort is therefore required to: prevent and prepare for crisis; support migrants, displaced persons and communities affected by crisis in accordance with humanitarian principles; and promote durable solutions to end displacement.
- Migration should take place in a safe, orderly and dignified manner: Ensuring migration is safe and orderly requires mitigating risks associated with the movement of people. It also entails effective cross-border health measures, strengthening public health strategies, maintaining the integrity of migration and mobility schemes, detecting irregular migration, and combating trafficking in persons, smuggling of migrants and other transborder criminal activity.²⁵

25 IOM Migration Governance Framework. Available at www.iom.int/sites/default/files/about-iom/migof_brochure_a4_en.pdf.

Migration Governance Indicators

In 2016, the Economist Intelligence Unit and IOM worked together to develop a set of Migration Governance Indicators (MGI) to assess national frameworks and to help operationalize the MiGOF. The indicators assess government policies across five domains: institutional capacity, migrant rights, safe and orderly migration, labour migration management, and regional and international cooperation and other partnerships. Some of the indicators address issues related to migrant vulnerability, for example if the country has put in place measures to address human trafficking and smuggling. If a country has undergone an MGI assessment, the assessment report may provide valuable information about the country's migration governance frameworks as they relate to migrant vulnerability. Refer to the 2016 Migration Governance Index²⁶ for more information.

The Global Compact for Safe, Orderly and Regular Migration

The Global Compact for Safe, Orderly and Regularly Migration is the first-ever United Nations global agreement on a common approach to international migration in all its dimensions. The global compact is non-legally binding. It is grounded in values of State sovereignty, responsibility-sharing, non-discrimination and human rights. It also recognizes that a cooperative approach is needed to optimize the overall benefits of migration, while addressing its risks and challenges for individuals and communities in countries of origin, transit and destination.

The Global Compact for Migration comprises 23 objectives for better managing migration at the local, national, regional and global levels. The compact:

- Aims to mitigate the adverse drivers and structural factors that hinder people from building and maintaining sustainable livelihoods in their countries of origin;
- 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;
- Seeks to address the legitimate concerns of States and 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;
- 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.

The list of the 23 objectives can be found in paragraph 16 of the Global Compact for Migration.

Source: <https://refugeemigrants.un.org/migration-compact>

Mainstreaming migration into national development policy

As noted in the MiGOF, comprehensive migration governance requires efforts to promote the socioeconomic advancement of migrants and society. It also involves addressing the interlinkages between migration, migration management and other policy sectors. One way to achieve this is through mainstreaming migration into national development policy.

Mainstreaming migration into development planning can be defined as the “process of assessing the implications of migration on any action (or goals) planned in a development and poverty reduction strategy.”²⁷ One of the main instruments of development planning are national development plans (NDPs) which contain a country's development objectives and priorities for a specific period of time. All government ministries, departments and agencies are meant to work in a coordinated manner towards achieving the goals captured in an NDP. In developing countries, NDPs also help development partners, such as bilateral donors, multilateral financing institutions and

²⁶ https://publications.iom.int/system/files/pdf/migration_governance_index_2016.pdf.

²⁷ GMG, Mainstreaming Migration into Development Planning: A Handbook for Policy Makers and Practitioners. Available at <https://publications.iom.int/es/books/mainstreaming-migration-development-planning-handbook-policy-makers-and-practitioners>.

other international organizations, channel their loans and technical assistance to the objectives that have been selected, with the assurance that there is deep political commitment to achieve these goals. The United Nations, for example, often uses NDPs to develop its own midterm planning documents at the country level – the United Nations Sustainable Development Cooperation Framework – which outlines how the United Nations will help a country deliver on its national objectives. NDPs are usually for a period of three to seven years, while some countries also have vision documents (20 years plus) which can guide the development of multiple NDPs and help drive a country to more longer-term objectives (for example, transitioning from an agricultural to manufacturing-based economy). The development, monitoring and evaluation of NDPs is usually led by a national planning authority.

National development policy and the SDGs

On 1 January 2016, the 17 Sustainable Development Goals (SDGs) of the 2030 Agenda for Sustainable Development — adopted by world leaders in September 2015 at a historic United Nations Summit — officially came into force. With these new Goals that universally apply to all, countries will mobilize efforts to end all forms of poverty, fight inequalities and tackle climate change, while ensuring that no one is left behind.

The SDGs build on the success of the Millennium Development Goals (MDGs) and aim to go further to end all forms of poverty. The new Goals are unique in that they call for action by all countries – poor, rich and middle-income – to promote prosperity while protecting the planet. They recognize that ending poverty must go hand-in-hand with strategies that build economic growth and addresses a range of social needs including education, health, social protection, and job opportunities, while tackling climate change and environmental protection.

Source: www.un.org/sustainabledevelopment/sustainable-development-goals/

During the process of developing an NDP, specific government sectors – such as education and health – play an important role in identifying priorities for their particular area of work to be captured in the NDP. Moreover, sectors often develop sector-specific development plans to specify how they will implement their responsibilities vis-à-vis a broader NDP.

Mainstreaming migration and the protection and assistance of vulnerable migrants into broader development strategies, such as NDPs, fosters a coherent approach rather than piecemeal, uncoordinated interventions. A key component of mainstreaming is determining how migration can contribute to achieving the goals of the NDP or sectoral plans. For example, labour migration can help ease unemployment, which can be an objective of an NDP. Another key component is determining how the development challenges targeted by an NDP can impact migration. For example, lack of social services can lead migrants to undertake risky migration journeys in search of these services, rendering them vulnerable to violence, exploitation and abuse. The ultimate aim of mainstreaming protection and assistance for vulnerable migrants into broad national planning instruments such as sectoral plans and NDPs should be to improve access and remove barriers to existing protection and services for vulnerable migrants and to promote a more coherent and coordinated approach to meeting the needs of these migrants.

Ideally, the process of mainstreaming migration and the needs of vulnerable migrants would take place when sectoral plans and NDPs are being developed. During this process, it is important to determine how to integrate core issues into meetings, consultations, decisions and documentation of the NDP and sectoral plans development.

Mainstreaming migration into sectoral plans and NDPs might not be appropriate for all national contexts. Before considering whether mainstreaming is a worthwhile exercise, the following points should be considered:

- Does the country have large stocks of migrants? Do those stocks comprise both men and women or are they dominated by one sex? These could include immigrants, transit migrants or emigrants currently living abroad. Is only a relatively small proportion of the population affected, directly and indirectly, by migration? What have recent patterns of migration been?
- Is migration common? Do migration patterns appear to be changing?

- What sorts of experiences are migrants having? Are they vulnerable to violence, exploitation and abuse? Are migrants' human rights being respected? Does the migration experience affect men and women in the same way?
- Are there sizeable financial transfers or remittances from migrants? Do these represent an important share of GDP?
- Are there any possible effects, positive or negative, of these migration trends, for example problems for sectors that use skilled labour (because of "brain drain"), social/community-level changes or tensions, changes in tax revenue or demands on public services?
- Is migration a prominent issue in public or political debates? Is there a sense that the country would benefit from addressing it more effectively?
- Is there political will/interest in harnessing migration for development?²⁸

The national government should have the final say on whether a mainstreaming exercise is required and, if so, should designate a national focal point to lead the process. The focal point should be a high-level government official with responsibility over certain aspects of migration policy development or implementation. A support team or task force can be designated. Its members could include other government officials in various sectors, other stakeholders such as United Nations staff and civil society, as well as academics and migrants themselves.

A country assessment should be prepared that outlines the migration situation in the country, including determining what are the risk and protective factors for migrants at the structural level. Templates developed for migration profiles (see resource section) can serve as a guide to carry out this assessment. Sectoral analysis can be conducted in parallel or as part of the country assessment to assess how migration is linked to specific sectors. The following table can help determine whether it is necessary to analyse a specific sector in more detail:

Sector	Issues to consider
Governance	<ul style="list-style-type: none"> • Can emigration be attributed to the absence of opportunities for participation in political decision-making processes? • Can forced migration and displacement be attributed to the absence of conflict resolution mechanisms? • Does corruption, lack of transparency and the absence of an efficient public administration encourage nationals to emigrate? Does it affect the State's capacity to manage migration? • Does the absence of adequate legal protection trigger emigration? • Are nationals emigrating and immigrants well informed of their rights and obligations as migrants? • Does the absence of legislation and a migration policy framework place migrants in a vulnerable situation during travel? Are there gender- or age-specific differences in vulnerability as a result of the migration policy framework or the lack of one? Does it affect migrants' working and family life once they have reached their destination? • Does the lack of recognition of property rights and taxation regimes impede the contributions of migrants and returnees to the economy?
Employment	<ul style="list-style-type: none"> • Do limited job opportunities in the formal economy foster emigration? • Are there emigration trends specifically related to limited employment opportunities for women and youth? • Do unfilled jobs create a demand for foreign labour? Is this influencing immigration? • Does the informal sector fill some of its needs by resorting to irregular migrants/ migrants trafficked for work purposes?

28 Ibid.

Social protection	<ul style="list-style-type: none"> • Does better access and quality of social protection available in other countries foster emigration? • Does a lack of access to social protection and safety nets lead parents and children to migrate? • Does access to social protection and safety nets – or lack thereof – in the country prevent parents and children who wish to migrate from doing so? • Does access to conditional cash transfers that increase household income and children’s access to education and health services reduce migration to other countries? • Does the (un)availability of portability schemes for pensions and social security benefits encourage/deter return migration to the country?
Health	<ul style="list-style-type: none"> • Does better access to and the quality of health care available abroad lead to emigration? • Do the conditions of employment (working hours, infrastructure, career path) and wages in the health-care sector encourage the emigration of health workers?
Education	<ul style="list-style-type: none"> • Does better access to and quality of education available for children in other countries lead parents to emigrate (to immigrate)? • Do the conditions of employment (number of children per class, infrastructure, career opportunities) and wages encourage teachers to migrate?
Economic growth	<ul style="list-style-type: none"> • How do growth patterns in the country affect migration patterns? Does, for example, growth provide confidence to inhabitants and slow down emigration? Does growth make return more attractive for the diaspora? • How do growth rates in neighbouring and major destination and origin countries affect migration patterns?
Agriculture	<ul style="list-style-type: none"> • Does lack of agricultural development trigger migration? This may stem from all sorts of issues in rural areas, including lack of infrastructural development, or issues with land/property/heritage rights, for example? • Does the introduction of new devices reduce the need for labour leading to unemployment and poverty of rural populations? Does this act as a push factor for migration? • Does agricultural intensification require more labour and attract foreign migrants?
Infrastructure	<ul style="list-style-type: none"> • Does the quality of infrastructure in your country provide an incentive for people to emigrate/immigrate (for example, because large parts of the population cannot/can access infrastructure and quality services)? • Does better access to and quality of infrastructure in other countries provide an incentive for emigration from your country?

The sector-specific assessment would then have to specify what are the links between that specific sector and migration. The points, below, for example, are links between infrastructure sector and migration:

- Infrastructure can constitute a critical determinant of migration. Lack of or difficult access to public infrastructure (roads, electricity, schools, hospital, housing, agricultural infrastructure such as irrigation) in a given country may constitute a migration push factor. This may either be because migrants think they can gain access to this infrastructure in an urban centre or abroad, and/or because they hope to earn money and remit so their family can access education or better shelter, among others.
- Infrastructure can also be a pull factor if people migrate to take up opportunities to work in construction or maintenance work both in urban centres and abroad.
- Large inflows of migrants, especially in urban settings, can strain existing infrastructure and lead to the degradation of living conditions in poorly serviced areas, such as slum dwellings.
- Remittances sent home by migrants increase overall GDP, which in turn can be used to support projects for improving the public infrastructure of schools, hospitals, roads, electricity, water supply and sanitation. However, the nature of the impact of infrastructure on migration and the links between the two are very context-specific

and will depend, *inter alia*, on the tax system and whether a developing country can benefit from the earnings of its nationals overseas (or from new migrants who have come to the country for work).

- Diaspora groups may invest in public infrastructure projects in their home communities. In some cases, this has been supported by policy, with several countries providing incentives for migrants to pool and channel their remittances into infrastructure development projects in their communities of origin. This can be done, for example, by supporting partnerships with “hometown associations” – organizations of migrants in the country of destination that come together to help their communities of origin.²⁹

Once a national overview of the migration landscape has been prepared, strategic goals and objectives to be considered in sectoral plans or NDPs should be selected. For example, a national planning authority might have identified increased employment as an important goal of an NDP. However, if the country migration assessment determined that it is low wages, more than lack of employment, that is causing people to migrate in a situation of vulnerability, then an appropriate goal which mainstreams the needs of vulnerable migrants would be to promote well-paid employment.

The mainstreaming task force should then be active in all the steps leading up to the drafting of NDPs and sectoral plans, including preparative workshops, drafting of issue papers, providing inputs to drafts of sectoral plans or NDPs.

Addressing migration in times of crisis

Mainstreaming migration into crisis planning is about considering not only the humanitarian but also the migration management consequences of crises. Essentially, it helps manage migration during a crisis, because even when crises hit, borders have to be managed, people have to be protected from harm and services need to be delivered. However, crisis planning usually does not take migration dynamics into consideration in broader preparedness efforts. Mainstreaming migration into crisis planning helps address the needs of vulnerable mobile populations, as well as affected communities.

Migration management tools can supplement the humanitarian response. For example, humanitarian border management helps build robust immigration and border management systems to facilitate the movement of people which arises from a crisis. Counter-trafficking interventions in emergencies help provide protection and assistance to victims of trafficking, while preventing crisis-affected populations from becoming vulnerable to trafficking in persons. Diaspora mobilization – whereby the diaspora is mobilized to provide skills or other resources to support in rehabilitation, reconstruction and development in countries in crisis or transition – is another important migration management tool.³⁰

Mainstreaming migration into crisis planning should take place when the following types of crises can occur or have occurred:

1. Crises with complex patterns of internal mobility with long-term consequences on recovery;
2. Crises that lead to the cross-border movement of persons that are not *de jure* or *de facto* covered under international protection;
3. Crises placing stress on migration management systems (need for humanitarian border management, emergency consular assistance, robust referral mechanisms, or to combat trafficking in persons);
4. Crisis situations that leave countries of origin confronted with mass returns and its long-term consequences.

In addition, specific crisis planning has to take place when there are international migrants caught in a crisis situation, either in a country of destination or transit. Indeed, it is important to reduce the vulnerability of migrants in countries affected by crisis, whether conflict or natural disaster. Migrants can also contribute to the resilience of communities and societies, and their skills and knowledge can help design and implement disaster risk reduction activities. They have specific needs but have also demonstrated capacity to leverage resources and support to overcome crises. The Migrants in Countries in Crisis Initiative (MICIC) has developed a series of guidelines to help incorporate migrants into crisis preparedness, as follows:³¹

29 GMG, *Mainstreaming Migration into Development Planning: A Handbook for Policy Makers and Practitioners*. Available at <https://publications.iom.int/es/books/mainstreaming-migration-development-planning-handbook-policy-makers-and-practitioners>.

30 MIGOF MC/2355.

31 https://micicinitiative.iom.int/sites/default/files/document/micic_guidelines_english_web_13_09_2016.pdf#page=25.

- **Guideline 1: Track information on conflicts and natural disasters, and potential impact on migrants.** It is important to consider data on regional, national and local natural disaster risks and overlay this information with information on the location and characteristics of migrants to properly develop preparedness and response strategies.
- **Guideline 2: Collect and share information on migrants.** For example, registration systems for citizens abroad can enable countries of origin to contact their citizens in the event of a crisis and provide them information on assistance. All data collected must be subject to privacy, confidentiality, and the security and safety of migrants.
- **Guideline 3: Empower migrants to help themselves, their families and communities during and in the aftermath of crises.** If migrants' rights are protected before a crisis and there are no barriers to access information and basic services, then it is more likely that migrants will not be disproportionately affected during a crisis. Moreover, during a crisis it is important to separate immigration enforcement actions from those of provision of humanitarian assistance, to ensure irregular migrants have equal access to support and protection.
- **Guideline 4: Incorporate migrants in prevention, preparedness and emergency response systems.** Countries can develop platforms to facilitate the engagement of migrants in the design and implementation of prevention, preparedness and emergency response systems to ensure that migrants and their particular needs are not overlooked in responses.
- **Guideline 5: Contingency plans should take into account and integrate migrants' presence, potential needs and capacities.** Migrants and civil society should be involved in contingency plans such as emergency drills.
- **Guidelines 6: Communicate effectively with migrants.** Platforms of communication need to be established to help migrants understand the risks associated with a crisis and where and how to obtain assistance. Communication outreach can be done by civil society; including migrant networks, diaspora and faith-based actors can be particularly effective, particularly for irregular migrants.
- **Guideline 7: Establish coordination agreements in advance to leverage strengths and foster trust.** Agreements that involve multiple stakeholders, such as relocation and evacuation agreements that define roles and responsibilities of multiple partners, can prevent the duplication of efforts.
- **Guideline 8: Build capacity and learn lessons from emergency response and post-crisis action.** This could include training for first responders and consular personnel, peer-to-peer exchanges and dedicated funding streams.

Supporting safe and regular migration

The lack of safe and regular migration opportunities is widely considered to contribute to migrant vulnerability to violence, exploitation and abuse, as it often results in prospective migrants turning to unsafe and irregular means of migration. This is recognized in the Global Compact for Safe, Orderly and Regular Migration, which sets as objective enhancements to the availability and flexibility of pathways for regular migration (Objective 5).

There are four main pathways for regular migration: labour migration and recruitment; admission and stay for humanitarian, compassionate or other grounds; family reunification; and study.

Labour migration and recruitment

Migrant workers, particularly those in an irregular situation, are vulnerable to violence, exploitation and abuse. The recruitment of migrant workers is seen as a specific area of the labour migration process which presents major challenges in terms of protection and can lead to increased vulnerability. The international community has been pressing for more ethical recruitment procedures as part of labour migration, including in the Global Compact for Migration. Objective 6 of the Global Compact for Migration, for example, calls for the “facilitation of fair and ethical recruitment and safeguarding conditions that ensure decent work.” Through this objective, the international community has committed 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.”³² The Global Compact for Migration builds on several initiatives of the United Nations meant to strengthen recruitment practices including ILO's General Principles and Operational Guidelines for Fair Recruitment, the United Nations Guiding Principles on Business and Human Rights, and the IOM International Recruitment Integrity System (IRIS).

32 Global Compact for Migration, Objective 6.

As stated in the Global Compact for Migration, an important way to achieve this is to develop and/or strengthen policies and laws that oversee recruitment. The following is a list of interventions mentioned in the Global Compact for Migration that are important to consider when developing upstream interventions to protect vulnerable migrants. These interventions can be applied to policy, legal and regulatory frameworks both at countries of origin and destination of migrant workers as applicable, as well as to bilateral labour agreements (see text box below).

1. **Prohibit recruiters and employers from charging or changing recruitment fees or any other related costs to migrant workers.** Excessive recruitment fees are considered a risk factor for trafficking in persons, debt bondage, exploitation and forced labour. Indebtedness associated with recruitment fees can drive workers to accept exploitative working conditions, making them vulnerable to the above-mentioned conditions. Moreover, recruiters and recruitment agencies can also be directly involved in criminal trafficking networks which benefit from exploiting migrant workers.³³ Principle 1 of the IRIS Standards states that all costs associated with recruitment should be absorbed by the employers and not the migrant workers.³⁴ Unfortunately, it is low-skilled workers that often have to absorb costs associated with employment abroad, while high-skilled workers are usually not responsible for paying for any costs associated with their employment overseas. For example, an engineer working for an international oil company will probably not have to pay for her travel, immigration documents or any other costs associated with her recruitment; yet a domestic worker may have to pay a private recruitment agency for her job placement, as well as for her travel, immigration documents, health checks and other costs.
2. **Ensure the provision of written contracts to migrant workers.** Without a written contract, migrant workers are extremely vulnerable to violence, exploitation and abuse. The working conditions that they agreed to upon recruitment could end up being quite different once the employment period begins. Without a written contract, there is no way to make reference to the conditions agreed to or to hold the recruiter or employer accountable. Written contracts should, at a minimum, be written in a language each worker understands and should detail the terms and conditions of employment, including the nature of work undertaken, rates of pay and pay arrangements, working hours, vacation and other leave, and all other lawful deductions from pay and benefits of employment in accordance with national law.³⁵
3. **National laws should also sanction any human rights and labour violations, with a special focus on forced and child labour.** Appropriate criminal and administrative sanctions should be imposed to deter others from carrying out such violations in the future.
4. **Allow migrant workers to change employers.** Forcing migrants to remain with an employer is a well-known risk factor to violence, abuse and exploitation. If migrants face harm they are unable to leave and renders them vulnerable to slave-like conditions.
5. **Prohibit the confiscation or non-consensual retention of work contracts and travel or identity documents from migrants.** Without travel and identity documents, a migrant worker is unable to leave a situation of exploitation, including the country where he is facing this harm. If workers cannot access their documents on-demand and feel they cannot leave their job, the situation can be considered forced labour.³⁶
6. **Provide migrant workers engaged with the same labour rights and protections extended to all workers in the respective sector.** Key aspects to consider are rights to: (a) just and favourable conditions of work; (b) equal pay for work of equal value; (c) freedom of peaceful assembly and association; and (d) the highest attainable standard of physical and mental health, including through wage protection mechanisms, social dialogue and membership of trade unions.

The capacity of the government to oversee the recruitment industry should also be considered a priority, as States bear the ultimate responsibility for the protection of their citizens and non-nationals in their territory. Labour inspectors play a particularly important role in both countries of origin and destination. In countries of origin, labour inspectors can monitor the actual recruitment of migrant workers and ensure that migrants are being provided

33 UNODC, The role of recruitment fees and abusive and fraudulent practices of recruitment agencies in trafficking in person (2015), page 1. Available at www.unodc.org/documents/human-trafficking/2015/15-05035_ebook_Recruitment_Fees.Agencies.pdf.

34 Principle 1: Prohibition of Recruitment Fees, IRIS Standard. Available at <https://iris.iom.int/iris-standard>.

35 Principle 3: Respect for Transparency of Terms and Conditions of Employment, IRIS Standard. Available at <https://iris.iom.int/iris-standard>.

36 Institute for Human Rights and Business, "Fees and IDs" Tackling recruitment fees and confiscation of workers' passports." Available at www.ihrb.org/pdf/2013-09-06_IHRB_Fees-and-IDs-Report.pdf.

with a written contract, and not being charged fees for recruitment. In addition, they can ensure that migrants are being informed about their rights and obligations vis-à-vis their employer and recruitment agent. In a country of destination, labour inspectors can monitor the actual conditions of employment, including safety conditions at the workplace, number of hours worked, and ensuring that migrant workers are getting paid.

Training for labour inspectors in both countries of origin and destination, therefore, is essential. Training should cover topics such as rights of migrant workers, national and international legal frameworks with regard to labour and human rights law, key challenges with accessing migrant populations, and how to refer to protection and assistance. Ministries of Foreign Affairs also play an important role in countries of destination and are often the first point of contact for migrants when they suffer violence, exploitation and abuse; consular officials should therefore also be trained on the aforementioned topics. In addition, technical assistance can be provided to government departments tasked with overseeing recruitment and employment conditions of migrant workers. This assistance may include support for developing standard operating procedures, databases and other mechanisms to facilitate oversight.

All measures aimed at ensuring ethical recruitment and the welfare of migrant workers should include strong cooperation components. For example, collaboration with the private sector, including employers, private recruitment agencies and subcontractors, is essential. Transnational cooperation between governments of countries of origin and destination should also be strengthened, including around bilateral labour agreements (see below). Regional cooperation, including through regional consultative processes on migration (RCPs), can also add value. These regional fora are a good opportunity to discuss good practices and common challenges.

Programmes should also be set up to empower migrant workers and their families by providing accurate information, skills training and/or preparation services prior to departure, during employment and upon return. For example, migrant workers should receive comprehensive and harmonized pre-departure orientation about their country of intended destination. This should include information on practices and customs in the country of destination, banking or other financial services available, procedures to follow in case of an emergency, and how to access services such as health and consular support. If necessary, training should also be provided to ensure that migrant workers have the necessary skills to secure employment and to carry out their jobs.

Bilateral labour agreements

Bilateral labour agreements (BLAs) are a specific type of bilateral cooperation on labour migration which can improve the recruitment landscape and the welfare of migrant workers. BLAs can be mutually beneficial for both sending and receiving countries. For sending countries, they are a means to secure the rights of their migrant workers. More specifically, sending countries can push for inclusion of clauses that aim to prevent violence, abuse and exploitation of migrant workers, and to address the effects if harm has already occurred. For example, the BLA could make specific reference to some of the key aspects of protection mentioned in the section above, such as migrant workers having the right to keep their passports or to have a written contract. BLAs are a way for countries to negotiate appropriate wages, living conditions and job security for their nationals abroad.

BLAs can help sending countries plan in order to ensure safer and regular flows of migrants. By having selected sectors and quotas, governments can work to ensure effective selection, training and deployment of migrant workers. Moreover, BLAs can also help combat brain drain as specific clauses on return of migrant workers can be included in the agreements. For receiving countries, they are a means to fill gaps in the labour market. Having defined procedures laid out in the BLA can also help prepare State institutions and civil society to respond to abuse, violence and exploitation, should this occur. For both sending and receiving countries, BLAs are a way to combat irregular migration by ensuring regular and organized means for people to migrate for the purposes of employment.

Countries should also be aware of some challenges that could arise with the development, negotiation, implementation and oversight of BLAs. For example, BLAs are often time-consuming and long-term endeavours that can take many years to negotiate. Moreover, such agreements require multiple stakeholders in both countries (e.g. Ministries of Labour, Foreign Affairs, Interior, Justice or Solicitor General and possibly labour unions and employer organizations). In addition, BLAs can be hard to monitor, particularly with regard to the protection of migrant workers abroad. For example, the living conditions of domestic workers can be particularly hard to monitor since these migrants often live with their employer and private homes are not inspected by labour inspectors. It is essential that employers in the country of destination be engaged in the implementation and oversight of BLAs and that mechanisms are put in place to hold them accountable for any wrongdoing.

The following is a list of components that should be included in BLAs:³⁷

Admission

1. Listing the competent government authority;
2. Mechanisms for exchange of information;
3. Migrants in an irregular situation;

Recruitment and departure

4. Notification of job opportunities;
5. Drawing up list of candidates;
6. Pre-selection of candidates;
7. Final selection of candidates;
8. Nomination of candidates by employers (possibility for the employer to directly provide the name of a person to be hired);
9. Medical examination;
10. Entry documents;
11. Residence and work permits;
12. Transportation to migrant workers' country of destination;

Employment contract and other provisions concerning the migrant's legal status in the destination country

13. Employment contract;
14. Employment conditions;
15. Conflict-resolution mechanisms;
16. The role of trade unions and collective bargaining;
17. Social security;
18. Remittances;
19. Provision of accommodation;
20. Family reunification;

Return to the country of origin

21. Return and reintegration;

Administration of the agreement and its implementation

22. Activities of social and religious organizations;
23. Establishment of a joint commission (to monitor the agreement's implementation);
24. Validity and renewal of the agreement;
25. Applicable jurisdiction.

If possible, BLAs should also include mechanisms to identify, refer and assist migrant workers who experience violence, exploitation and abuse.

37 OSCE, ILO and IOM, Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination (Geneva and Austria, 2007). Available at www.osce.org/eea/19242?download=true. ILO, IOM and OSCE, Compendium of Good Practice Policy Elements in Bilateral Temporary Labour Arrangements (2008). Available at www.unhcr.org/50aa5cfc9.pdf. J. Rispoli, "Bilateral Labour Agreements," IOM training workshop on labour migration and labour market information systems, Kampala, Uganda, 16–18 July 2014.

Admission and stay on humanitarian, compassionate or other groups

At times, people are forced or compelled to migrate as a result of crises in their own countries, such as conflict, natural disasters, and climate change and environmental degradation. In such circumstances, States can provide for admission of migrants to their territory through humanitarian visas, private sponsorship, temporary work permits or other means. States in the same region can work together to develop reciprocal or mutual admission agreements, under which people from one country who face such circumstances are able to seek refuge in neighbouring countries, on a reciprocal basis.

These agreements facilitate regular movement, thereby limiting the need for migrants to seek the services of smugglers or others who might take advantage of their vulnerable situations.

Victims of trafficking and other migrants vulnerable to violence, exploitation and abuse should also have access to opportunities for admission and stay so that they can access protection and assistance services.

Family reunification

Many States operate family reunification programmes, whereby individuals legally residing in the State may arrange for family members in another country to join them. Family reunification programmes are an important avenue for protecting the rights of migrants, as they promote the realization of the right to family life and the best interests of the child. States typically set conditions on family reunification programmes, such as specifying which relatives are eligible and what forms and levels of resources, such as accommodation and income or financial resources, are required to support the incoming family member. In general, States should seek to establish such programmes, specify clear – and ideally minimal – requirements for participation, and to process applications fairly and promptly.

Study

Many people migrate in search of education opportunities, either for themselves or for their children. This search for education is often manipulated by human traffickers or others who would exploit the desire for good-quality education. Providing regular opportunities for international study, including through bilateral and multilateral agreements, not only promotes rights to education but also reduces incentives for unsafe and irregular migration.

Combating trafficking in persons and smuggling of migrants

Trafficking in persons and smuggling of migrants are major contributors to violence, exploitation and abuse of migrants. Trafficked persons are, by definition, subject to exploitation, while smuggled migrants are often subject to violence, exploitation and abuse during the process of being smuggled.

Counter-trafficking programmes are often structured around the “3P” paradigm: prevention, protection and prosecution. They aim to reflect the measures called for in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which supplements the United Nations Organized Crime Convention.

Prevention programmes aim to address both the supply and demand side of trafficking. On the supply side, public information and targeted awareness campaigns can be conducted to inform both the general public and those more at risk of trafficking about trafficking, how to take steps to protect themselves from trafficking, and how to report suspected cases of trafficking. On the demand side, campaigns focus on those who use the goods or services produced by trafficked persons, for example through ethical consumer campaigns and campaigns aimed at reducing demand for sexual services that trafficked persons may be forced to provide. The aim of demand-side campaigns is to reduce the number of people who buy or use such services, thereby reducing profits for traffickers and the number of people trafficked to produce the goods or services.

However, to date, there is limited evidence that such awareness programmes result in a reduction of trafficking.³⁸ Increasingly, efforts to prevent trafficking are focused on addressing the drivers of unsafe and irregular migration and the broader social, political and economic factors that drive both supply and demand for trafficked persons, and working with the private sector to ensure ethical recruitment and supply chains free from trafficking.

38 http://icat.network/sites/default/files/publications/documents/16-10273_ICAT_toolkit.pdf.

Protection programming aims to identify trafficked persons, protect their rights and facilitate their recovery. Protection programming typically focuses on the needs of the individual trafficked persons and their dependants using a case management approach. See Part 2 for a detailed discussion of the case management approach, which is suitable not only for trafficked persons but for all migrants subject to violence, exploitation and abuse.

Programming aimed at prosecution of trafficking directly addresses the perpetrators of trafficking offences using a criminal justice approach. It involves the development of legislative frameworks to address human trafficking, including through criminalization of the offence of trafficking and related offences; capacity-building of law enforcement officials and institutions, to enable them to enforce anti-trafficking laws and to protect victims and witnesses; and measures for international criminal justice cooperation.

See the references section for more information on trafficking in persons prevention, protection and prosecution programming.

To date, much anti-smuggling programming has focused on the prosecution of smugglers, despite the fact that the United Nations Protocol against the Smuggling of Migrants by Land, Sea and Air specifies protection and assistance measures to be afforded to persons subject to migrant smuggling – including protection from violence. However, the significant loss of life associated with migrant smuggling in recent years³⁹ and the increase in smuggling of unaccompanied and separated migrant children⁴⁰ has demonstrated the need to incorporate a protection lens into anti-smuggling programming. Comprehensive anti-smuggling programming should therefore:

- Encourage ratification or accession to the smuggling protocol, and implementation of all of its measures, including those on protection and assistance;
- Support delivery of protection and assistance services specifically tailored to smuggled children, along with building the capacity of law enforcement and migration authorities to ensure the best interests of the child;
- Employ comprehensive approaches to counter-smuggling along smuggling routes, involving origin, transit and destination countries;
- Address both supply- and demand-side factors and the drivers of unsafe and irregular migration;
- Promote regular migration pathways as a means of reducing demand for smuggling services;
- Provide communities of origin with accurate information as a means of reducing demand for smuggling services;
- Consider supporting alternative livelihoods for those who are engaged or may become engaged in smuggling operations;
- Improve national criminal justice sector responses and regional and international cooperation;
- Address corruption; and
- Improve collection, analysis and use of data to inform effective responses.⁴¹

See the references section for more information on programming to counter the smuggling of migrants.

Social protection

Strong social protection systems, including social protection floors⁴² are critical to reducing vulnerabilities that can push people into exploitative situations (see Part 2 for more information on social protection and protection systems). In the absence of such systems, individuals and families may resort to risky alternatives including child labour, incur debt on usurious terms or accept jobs that carry high risks. Migrant workers, particularly irregular migrants and those in the informal sector, are generally excluded from social protection schemes, even when they may exist. It is therefore important that basic social security is extended to cover these categories of workers to reduce vulnerabilities to violence, exploitation and abuse. Instruments contributing to social protection floors

39 <https://missingmigrants.iom.int/>.

40 www.unodc.org/documents/data-and-analysis/glosom/GLOSOM_2018_web_small.pdf.

41 Ibid.

42 Social protection floors are nationally defined sets of basic social security guarantees that should ensure, as a minimum, that over the life cycle, all in need have access to essential health care and to basic income security, which together secure effective access to goods and services defined as necessary at the national level. See www.ilo.org/secsoc/%20areas-of-work/policy-development-and-applied-research/%20social-protection-floor/lang--ja/index.htm.%2046. The ILO Social Protection Floors Recommendation, 2012 (No. 202) provides a key framework for ensuring social protection for all.

typically include disability benefits; unemployment support; pension, child and family benefits; and access to health care.⁴³

Of particular concern to migrants is portability of social benefits. Often migrant workers face difficulties accessing social security benefits, as social security rights are usually related to periods of employment or residency in a particular country.⁴⁴ Migrants might lose their benefits when they leave their country of origin and yet be unable to access or contribute to certain benefit schemes in their country of destination.

The Global Compact for Migration has also identified the establishment of mechanisms for the portability of social security entitlements and earned benefits as one of the 23 objectives of the Global Compact for Migration. The Global Compact for Migration states that the international community “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.”⁴⁵

A useful tool to guarantee social benefits of migrant workers are bilateral security treaties, as well as regional or multilateral agreements. These agreements should include pensions, health care and other earned benefits. A well-known regional agreement on social security is that which is part of the European Union, whereby citizens of EU member countries have access to social protection entitlements in all other EU countries.⁴⁶ These provisions can also be integrated into other relevant agreements, such as BLAs. Unilateral measures can also be taken either by the host or sending country. For example, a host country can extend the social security benefit to migrant workers in its territory, and a sending country can extend benefits to its migrant workers even when they are living outside their country. Certain countries, such as India, Philippines and Sri Lanka, have set up overseas worker’s welfare funds extending social benefits to these workers and at times their families.⁴⁷

Promoting decent work and private-sector accountability

Inadequate supply and access to decent work and livelihood opportunities can increase vulnerability to violence, exploitation and abuse by making it difficult for individuals and households/families to meet their needs, which in turn can cause them to engage in risky behaviour to earn an income. This in combination with the fact that the use of forced and exploitative labour is often seen as a “viable management practice for many enterprises, despite being universally condemned as unethical and indeed criminalized in most jurisdictions and under international law.”⁴⁸ Various factors, such as maximizing profits and cost and time pressures for suppliers, can cause them to resort to exploiting their workers through low wages and even forced labour, unpaid overtime or unauthorized subcontracting – all of which increase vulnerabilities to violence, exploitation and abuse for individuals and households/families. Weaknesses in administrative and legal frameworks with limited enforcement capacities mean that such practices can often go undetected and unpunished. Migrants, in particular, can be more susceptible to such exploitative practices due to various factors, such as irregular status, language, culture, social discrimination and competition with locals.

Violence, exploitation and abuse of migrants in the context of decent work are rooted in the social and economic vulnerability of individuals, workers and their families. While public and private regulatory and enforcement measures are essential, these are not enough. Research shows that the following are important in mitigating vulnerabilities to violence, exploitation and abuse among migrants seeking decent work: structural-level changes, particularly in access to social protection systems, including social protection floors; rights to organize and collective bargaining; ethical recruitment; supporting responsible business conduct; and promotion of safe migration.⁴⁹

Initiatives can be structured around supporting governments to hold businesses accountable, working with companies to carry out due diligence, and educating consumers on ethical consumption.

43 See, for example, World report on child labour: Economic vulnerability, social protection and the fight against child labour (International Labour Organization, Geneva, 2013); and A.C. Dammert, J. de Hoop, E. Mvukiyeye and F.C. Rosati, The effects of public policy on child labor: current knowledge, gaps, and implications for program design. Working Paper Understanding Children’s Work Project (UCW, Rome, March 2017).

44 OSCE, ILO and IOM Handbook, page 6.

45 Global Compact for Migration, Objective 22.

46 OSCE, ILO and IOM Handbook, page 156.

47 IOM, Labour Migration Management Assessment: Uganda (Geneva, 2014). Available at <https://publications.iom.int/books/labour-migration-management-assessment-uganda>.

48 A. Crane, Modern Slavery as a Management Practice: Exploring the Conditions and Capabilities for Human Exploitation, *Academy of Management Review* (2013), 38(1):49.

49 Ending Child Labour, Forced Labour and Human Trafficking in Global Supply Chains.

Government initiatives to support and monitor responsible business conduct

States have a duty to protect – both from a legal and policy dimension. International law provides that States have a duty to protect against human rights abuses by non-State actors, including businesses affecting persons within their territory or jurisdiction.⁵⁰ They can do so by:

Legislation and regulations on human rights due diligence

Supply chain transparency legislation, requiring companies to publicly report on actions taken to address risks of adverse impacts across their supply chains, can be a good tool to hold companies to account and to minimize exploitative labour practices. These can be broad – covering all areas of responsible business conduct and applying to businesses across all sectors – or have sector-specific focus and/or specifically focused on child labour, forced labour and human trafficking.⁵¹

While regulation can represent a strong inducement for companies to carry out due diligence, a proliferation of expectations can also create challenges for businesses operating globally that may be subject to various expectations. Divergent understandings of what due diligence means in practice can also be a challenge, including among governments.⁵² Promoting consistency and clarity around obligations and expectations for businesses operating globally will be important for establishing a level playing field and easing burdens for business when it comes to promoting sustainable supply chains. Governments should therefore ensure that domestic initiatives align with recognized international tools and instruments, such as the United Nations Guiding Principles, the Organisation for Economic Co-operation and Development (OECD) Guidelines or the International Labour Organization (ILO) Tripartite Declaration and associated guidance.

Government guidance on the scope and implementation of the different tools that seek to incentivize companies to address the prevalence of forced labour and child labour across their operations is key to their effective implementation. Lastly, government enforcement and oversight of compliance with domestic initiatives is also essential to ensure that they become more than simply a box-ticking exercise for companies.

Given that governments are some of the largest consumers through their acquisition of goods and services, socially responsible public procurement policies and legislation can incentivize companies to address exploitative labour across their supply chains and business relationships. Additionally, governments can ensure that trade and investment agreements set out standards for businesses to act responsibly, including imposing restrictions and sanctions on goods manufactured using exploitative labour practices.

Strengthening labour inspection

In the labour sector, enforcement is often based on civil law remedies to address unfair labour practices; and is in no way linked to the criminal justice system. An approach that recognizes that exploitative labour violations can make the leap to becoming criminal offences, notably the crime of trafficking in persons, is important. Labour inspectors must be equipped with the skills to identify indicators of trafficking for labour exploitation and refer cases to the police as appropriate. In addition, efforts should broadly focus on strategic compliance, not just enforcement. Such an approach trains, encourages and provides inspectors with extensive discretion to bring firms into compliance over time “by treating violations as mere symptoms and looking for their root causes in underlying technological or business practices.”⁵³

Another approach is to systematically engage workers’ organizations in the co-enforcement of labour standards. This is based on the premise that workers are uniquely positioned to identify violations and workers’ organizations are specially placed to tap into this pool of information and that these capabilities can be a valuable complement in reinforcing State capacity.⁵⁴

50 2007 Report of the Special Representative of the Secretary-General (SRSG) on the issue of human rights and transnational corporations and other business enterprises. Available at www.business-humanrights.org/sites/default/files/media/bhr/files/SRSG-report-Human-Rights-Council-19-Feb-2007.pdf.

51 Ending Child Labour, Forced Labour and Human Trafficking in Global Supply Chains.

52 Reference to A. Ruhmkorf’s recent report on different legal implications of national models of due diligence legislation across Europe.

53 M. Piore and A. Schrank, *Root-Cause Regulation: Protecting Work and Workers in the 21st Century* (Harvard University Press, 2018) 4, as cited in Literature Review on the Governance of Work, Dr Tess Hardy and Sayomi Ariyawansa, Centre for Employment and Labour Relations Law Melbourne Law School, commissioned by ILO, Labour Law and Reform Unit (LABOURLAW), October 2018, page 24.

54 Literature Review on the Governance of Work, Dr Tess Hardy and Sayomi Ariyawansa, Centre for Employment and Labour Relations Law Melbourne Law School, commissioned by ILO, Labour Law and Reform Unit (LABOURLAW), October 2018, page 24.

Corporate due diligence

As per the United Nations’ “Protect, Respect and Remedy: A Framework for Business and Human Rights,” corporations have a responsibility to respect human rights. They can do so by conducting due diligence – ensuring compliance with national and international laws as well as managing the risk of human rights abuses in order to avoid it.

At its core, human rights due diligence involves “assessing actual and potential human rights impacts, integrating and acting upon the findings, tracking responses, and communicating how impacts are addressed.”⁵⁵ It should “cover adverse human rights impacts that the business enterprise may cause or contribute to through its own activities, or which may be directly linked to its operations, products or services by its business relationships.”⁵⁶

Risk-based due diligence is the process whereby companies can identify, prevent, mitigate and account for labour and human rights risks – including forced labour, trafficking in persons and child labour – across their business operations and supply chains. Through the process of risk-based due diligence, companies seek to determine the likelihood and severity of child, forced and other exploitative labour risks in their own operations and across their supply chain based on their sourcing context, products and business models. On this basis, companies can then develop and implement tailored measures to cease, prevent and mitigate these risks.

The OECD Due Diligence Guidance for Responsible Business Conduct (Guidance), adopted in 2018, provides practical support to enterprises on the implementation of the OECD Guidelines for Multinational Enterprises. Implementing these recommendations helps enterprises avoid and address adverse impacts related to workers, human rights, the environment, bribery, consumers and corporate governance that may be associated with their operations, supply chains and other business relationships.

In practical terms, companies’ due diligence process involves six core steps: (1) Embed responsible business conduct into policies and management systems; (2) Identify and assess risks of adverse impacts in operations, supply chains and business relationships; (3) Cease, prevent or mitigate adverse impacts; (4) Track implementation and results; (5) Communicate how impacts are addressed; and (6) Provide for or cooperate in remediation when appropriate.

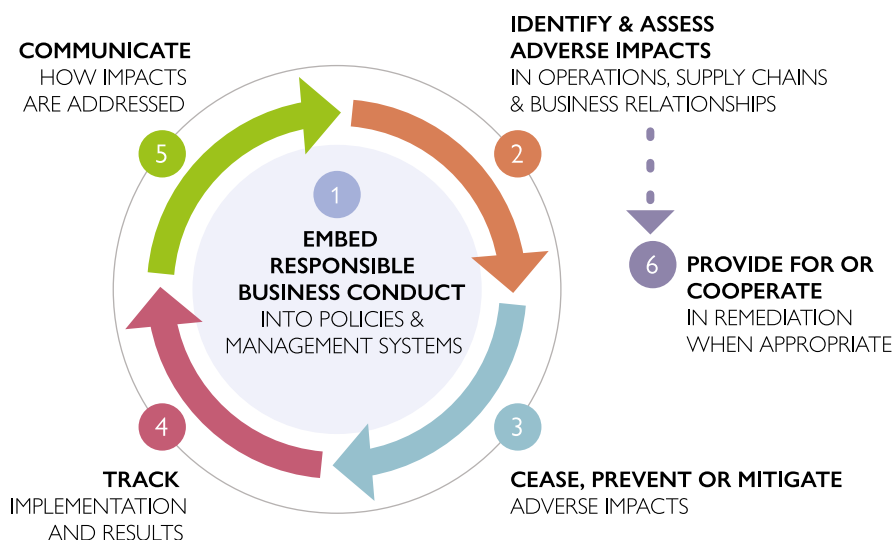


Figure 5.3

Due diligence process and supporting measures

Source: OECD Due Diligence Guidance for Responsible Business Conduct.

⁵⁵ United Nations Guiding Principles 17.

⁵⁶ United Nations Guiding Principles 17.

Remediation

Access to remedy is an important part of corporate responsibility to respect human rights in their operations and business relationships. Remediation is an “attempt to right a wrong, to correct – as far as possible – an injustice.”⁵⁷ It refers both to the process and the outcome to address human rights violations and their impacts. A remedy may include “apologies, restitution, rehabilitation, financial or non-financial compensation and punitive sanctions (criminal or administrative), as well as the prevention of harm through, for example injunctions or guarantees of non-repetition.”⁵⁸

Businesses can work with State and non-State actors and take an active role in remediation, whether by providing the remedy itself or by participating in remediation through legitimate means.

At the core of guaranteeing access to remedy are judicial mechanisms. However, administrative, legislative and other non-judicial mechanisms also play a crucial role. The OECD Guidelines, for example, have a unique built-in grievance mechanism about company conduct.

Responsible and ethical consumption

While States and businesses have the main responsibility to protect and respect human rights in the private economy, consumers also play an important role in eliminating exploitative practices. Governments, businesses and civil society organizations also have a role in educating consumers on responsible business conduct and how consumers can contribute to eliminating labour exploitation.

Transgressions by businesses should be made available to the public, just as those operating responsibly to allow consumers to make informed decisions. Creation of standards and labels, such as “fair trade” and “sustainable,” can also help consumers to more easily make responsible and ethical decisions.

Additionally, consumers should educate themselves on issues such as which sectors and brands are most likely to rely on forced and exploitative labour, as well as learn about ethical business practices.

Consumers, through their choices, can motivate companies to address exploitation and human rights abuses in their supply chains and business relationships.

United Nations Guiding Principles on Business and Human Rights

In 2008, the United Nations approved the “Protect, Respect and Remedy” Framework on business and human rights. The Framework rests on three pillars: (a) the State duty to protect against human rights abuses by third parties, including business; (b) the corporate responsibility to respect human rights; and (c) greater access by victims to effective remedy.

In 2011, the United Nations Human Rights Council endorsed the United Nations Guiding Principles on Business and Human Rights, a set of guidelines that operationalize the “Protect, Respect and Remedy” Framework and further define the key duties and responsibilities of States and business enterprises with regard to business-related human rights abuses.

Promoting migrant integration and combating xenophobia and discrimination

Migrant integration is the process by which migrants become accepted into society, both as individuals and as groups. It is a two-way process of adaptation by migrants and host societies and implies consideration of: (a) the rights and obligations of migrants and host societies; (b) access to different kinds of services and the labour market; and (c) identification and respect for a core set of values that bind migrants and host communities in a common purpose.

57 United Nations Inter-Agency Coordination Group against Trafficking in Persons (ICAT), *Providing Effective Remedies for Victims of Trafficking in Persons* (Vienna and New York, United Nations, 2016).

58 <https://globalnaps.org/ungp/guiding-principle-25/>.

Migrant integration is related to the concepts of social inclusion and social cohesion. Social inclusion refers to migrants' inclusion and full economic, social, cultural and political participation into host communities. Social cohesion refers to concepts such as anti-discrimination, countering xenophobia and promoting mutual understanding.⁵⁹

Migrant integration, social inclusion and social cohesion are necessary to reduce the vulnerability of migrants to violence, exploitation and abuse as all three directly address the social beliefs, values, attitudes, behaviours, norms and practices that underlie discrimination and xenophobia.

Integration occurs in the public and private realms, across generations, and at the individual, family, community and national levels.⁶⁰ Key indicators of migrant integration include:

- Permanent residence: How easily can migrants become permanent residents?
- Access to nationality: How easy is it for migrants to become citizens?
- Anti-discrimination: Are all people effectively protected from racial, ethnic religious, nationality and other forms of discrimination in all areas of life?
- Education: Is the education system responsive to the needs of the children of migrants?
- Family reunion: How easily can migrants reunite with family?
- Health: Is the health system responsive to migrant needs?
- Labour market mobility: Do migrants have equal rights and opportunities to access jobs and improve their skills?
- Political participation: Do migrants have comparable rights and opportunities to participate in political life?⁶¹

Migrant integration therefore cuts across a number of policy and issue areas discussed above. Activities and programmes to support migrant integration can include:

- Policy analysis and advocacy, to assess the degree to which policies at the different levels of government address migrant integration in a comprehensive and integrated manner and to advocate for necessary changes;
- Coordination efforts, such as clearly identifying roles and responsibilities in different sectors at different levels, through institutional mapping and promoting dialogue at all levels in view of increasing mutual knowledge of integration practices;
- Sensitizing local officials on their roles in migrant integration and ensuring they have the financial, technical and human resources necessary to fulfil these roles;
- Working with service providers in health, education and other sectors to sensitize them on migrants' rights to services, improve their ability to provide migrant-friendly services, and ensure that they have the financial, technical and human resources necessary to provide services to both migrants and the host community in an equitable manner;
- Working with migrants to help them prepare for successful integration, for example through pre-departure orientation and post-arrival language training;
- Involving local communities in migrant integration efforts, for example by providing opportunities for migrants and host communities to regularly interact and for host communities to see and understand potential benefits of migration – such as diversity and new skills – to their communities;
- Working with the private sector and labour unions to combat workplace and recruitment discrimination;
- Working with members of the media, local and national leaders, and political representatives to foster social dialogue based on tolerance and respect and other measures to combat xenophobia and discrimination.⁶²

59 <https://migrationdataportal.org/themes/migrant-integration>.

60 www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/82745.pdf.

61 Migrant integration policy index 2015: [http://mipex.eu/home?news_type=All&&&page=330&countries\[0\]=29&tid_1\[0\]=58](http://mipex.eu/home?news_type=All&&&page=330&countries[0]=29&tid_1[0]=58).

62 See https://ec.europa.eu/regional_policy/sources/docgener/factsheet/oecd_local_integration_migrants_en.pdf and www.iom.int/migrant-integration-0.

5.3 RESOURCES FOR PART 5

Resources for creating an enabling environment

Canadian CED Network, Public Policy Advocacy: A best practice guide (2013)

https://ccednet-rcdec.ca/sites/ccednet-rcdec.ca/files/ccednet/public_policy_advocacy_-_best_practices.pdf

FAO Capacity Development Learning Modules

www.fao.org/capacity-development/resources/fao-learning-material/learning-modules/en/

FAO, How to Design Capacity Development Interventions and Ensure their Sustainability.

www.fao.org/capacity-development/resources/practical-tools/design-capacity-development/en/

IOM Data Protection Principles

https://publications.iom.int/system/files/pdf/iomdataprotection_web.pdf

IOM Guidance on Referral Mechanisms for the protection of migrants vulnerable to violence, exploitation and abuse and of victims of trafficking (2019)

IOM Guidance on Response Planning for migrants vulnerable to violence, exploitation and abuse (2019)

IOM, Migration Profiles: Making the Most of the Process

<https://publications.iom.int/books/migration-profiles-making-most-process>

IOM, More than Numbers: How Migration can Deliver Real Life Benefits for Governments and Migrants

<https://publications.iom.int/books/more-numbers-how-migration-data-can-deliver-real-life-benefits-migrants-and-governments>

Learning Network on Capacity Development

<http://lencd.org/>

OECD Development Co-operation Working Papers: Training and Beyond: Seeking Better Practices for Capacity Development (2011)

<https://dx.doi.org/10.1787/5kgf1nsnj8tf-en>

SCS Global Program and FHI360, Capacity Development Interventions: A Guide for Program Designers (2018)

www.ngoconnect.net/sites/default/files/2018-12/SCS%20Global_Capacity%20Development%20Interventions%20Guide_FINAL.pdf

SIDA, Guidance on Capacity Development: How to assess, support and monitor capacity development among partners in Swedish development cooperation (2011)

www.sida.se/contentassets/be84798140d9485499b498d0b625cec9/guidance-on-capacity-development_3163.pdf

Sonke Gender Justice Network, Policy Advocacy Toolkit: how to influence public policy for social justice and gender equality in Africa (2013)

www.girlsnotbrides.org/resource-centre/policy-advocacy-toolkit-how-to-influence-public-policy-for-social-justice-and-gender-equality-in-africa/

United Nations Global Pulse. Harnessing Big Data for Development and Humanitarian Action

www.unglobalpulse.org/about-new

United Nations Principles and Recommendations for Population and Housing Census

https://unstats.un.org/unsd/demographic/sources/census/docs/P&R_Rev2.pdf

UNDP, Capacity Development Practice Note (2008)

http://content-ext.undp.org/aplaws_publications/1449053/PN_Capacity_Development.pdf

UNDP, Capacity Development: A UNDP Primer United Nations Development Programme Capacity Development Group (2009)

www.undp.org/content/dam/aplaws/publication/en/publications/capacity-development/capacity-development-a-undp-primer/CDG_PrimerReport_final_web.pdf

UNICEF, Advocacy Toolkit: A guide to influencing decisions that improve children's lives (2010)

www.unicef.org/cbsc/files/Advocacy_Toolkit.pdf

UNODC, Toolkit to Combat Trafficking in Persons-Tool 2.7 National Action Plans and Strategies

www.unodc.org/documents/human-trafficking/Toolkit-files/08-58296_tool_2-7.pdf

Young, E. and L. Quinn, Making Research Evidence Matter: A Guide to Policy Advocacy in Transition Countries (2012). [Online Publication - International Centre for Policy Advocacy].

<http://advocacyguide.icpolicyadvocacy.org>

Resources for migration governance

Global Compact for Safe, Orderly and Regular Migration

https://refugeesmigrants.un.org/sites/default/files/180713_agreed_outcome_global_compact_for_migration.pdf

MIGOF

www.iom.int/sites/default/files/about-iom/migof_brochure_a4_en.pdf

Resources for mainstreaming migration into national development policy

GMG, Mainstreaming Migration into Development Planning. A Handbook for Policy Makers and Practitioners.

<https://publications.iom.int/es/books/mainstreaming-migration-development-planning-handbook-policy-makers-and-practitioners>

Resources for addressing migration in times of crisis

IOM, Migrants in Disaster Risk Reduction. Practices for Inclusion (2017)

<https://publications.iom.int/books/migrants-disaster-risk-reduction-practices-inclusion>

IOM, Migration Crisis Operational Framework MC/2355

www.iom.int/files/live/sites/iom/files/What-We-Do/docs/MC2355_-_IOM_Migration_Crisis_Operational_Framework.pdf

MICIC initiative

<https://micicinitiative.iom.int/guidelines>

MICIC, Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster

https://micicinitiative.iom.int/sites/default/files/document/micic_guidelines_english_web_13_09_2016.pdf

Resources for supporting safe and regular migration

Global Compact for Safe, Orderly and Regular Migration

www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/195

ILO's General Principles and Operational Guidelines for Fair Recruitment

www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_536263.pdf

ILO Social Protection Floors Recommendation, 2012 (No. 202)

www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R202

International Recruitment Integrity System (IRIS)

<https://iris.iom.int/>

IOM, International Migration and Development Training Modules, Facilitators Guide.

<https://publications.iom.int/books/international-migration-and-development-training-modules>

OSCE, ILO and IOM, Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination

www.osce.org/secretariat/19242

United Nations Guiding Principles on Business and Human Rights

www.ohchr.org/documents/publications/GuidingprinciplesBusinesshr_eN.pdf

Resources for combating trafficking in persons and smuggling of migrants

ICAT Pivoting toward the evidence

http://icat.network/sites/default/files/publications/documents/16-10273_ICAT_toolkit.pdf

ICAT Toolkit

http://icat.network/sites/default/files/publications/documents/16-10273_ICAT_toolkit.pdf

IOM Direct Assistance Handbook

https://publications.iom.int/system/files/pdf/iom_handbook_assistance.pdf

UNODC, Toolkit to Combat Trafficking in Persons Toolkit

www.unodc.org/res/cld/bibliography/toolkit-to-combat-trafficking-in-persons_html/07-89375_Ebook1.pdf

UNODC, Toolkit to Counter Smuggling of Migrants

www.unodc.org/documents/human-trafficking/SOM_Toolkit_E-book_english_Combined.pdf

UNODC, Global Report on Trafficking in Persons 2018

www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTiP_2018_BOOK_web_small.pdf

UNODC, Global Study on Smuggling of Migrants 2018

www.unodc.org/documents/data-and-analysis/glosom/GLOSOM_2018_web_small.pdf

Resources for social protection

ILO, World report on child labour: Economic vulnerability, social protection and the fight against child labour (Geneva, 2013)

www.ilo.org/ipecinfo/product/download.do?type=document&id=19565

Dammert, A.C., J. de Hoop, E. Mvukiyeye and F. C. Rosati, The effects of public policy on child labor: Current knowledge, gaps, and implications for program design. Working Paper: Understanding Children's Work Project (UCW), Rome, March 2017.

Resources for promoting decent work and private sector accountability

Ending Child Labour, Forced Labour and Human Trafficking in Global Supply Chains

https://publications.iom.int/system/files/pdf/ending_child_labour_en.pdf

ILO, Social Protection Floors Recommendation, 2012 (No. 202)

www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R202

ILO, World report on child labour: Economic vulnerability, social protection and the fight against child labour (Geneva, 2013)

www.ilo.org/ipecinfo/product/download.do?type=document&id=19565

IOM Remediation Guidelines

https://publications.iom.int/system/files/pdf/remediation_guidelines.pdf

Piore, M. and A. Schrank, Root-Cause Regulation: Protecting Work and Workers in the 21st Century (Harvard University Press, 2018) 4, as cited in Literature Review on the Governance of Work, Dr Tess Hardy and Sayomi Ariyawansa, Centre for Employment and Labour Relations Law Melbourne Law School, commissioned by ILO, Labour Law and Reform Unit (LABOURLAW), October 2018, p. 24.

Report of the Special Representative of the Secretary-General (SRSG) on the issue of human rights and transnational corporations and other business enterprises

www.business-humanrights.org/sites/default/files/media/bhr/files/SRSG-report-Human-Rights-Council-19-Feb-2007.pdf

United Nations Guiding Principles 17

<https://globalnaps.org/ungp/guiding-principle-17/>

United Nations Inter-Agency Coordination Group against Trafficking in Persons (ICAT), Providing Effective Remedies for Victims of Trafficking in Persons (Vienna and New York, 2016)

www.unodc.org/documents/human-trafficking/ICAT/ICAT_Policy_Paper_3._Providing_Effective_Remedies_for_Victims_of_Trafficking_in_Persons_2016.pdf

Resources for promoting migrant integration and combating xenophobia and discrimination

Migrant Integration Policy Index 2015

[http://mipex.eu/home?news_type=All&&&&page=330&countries\[0\]=29&tid_1\[0\]=58](http://mipex.eu/home?news_type=All&&&&page=330&countries[0]=29&tid_1[0]=58)

Combating xenophobic violence: A framework for action

www.humanrightsfirst.org/wp-content/uploads/pdf/UNHCR_Blueprint.pdf