

REPORT

EXPERT GROUP MEETING TO DISCUSS THE 2019 SITUATION REPORT ON INTERNATIONAL MIGRATION IN THE ARAB REGION UN HOUSE, BEIRUT, 15th APRIL 2019

Summary

The Economic and Social Commission for Western Asia, acting as the secretariat of the Working Group on International Migration in the Arab region, convened an Expert Group Meeting (EGM) on the “*2019 Situation Report on International Migration in the Arab Region*” (SRIM 2019), at the United Nations House in Beirut, on the 15th April 2019.

The meeting was held in the context of preparing for the third edition of the Situation Report on International Migration with a special focus on achieving the Global Compact for Migration in the Arab region.

This publication is a collaborative project between ESCWA, IOM, and 16 UN agencies, members of the Working Group on International Migration in the Arab Region. SRIM 2019 aims to provide detailed information on current migration trends in the Arab region and latest developments in the governance of international migration as well as thematic and timely discussions of important migration-related topics, taking a multi-disciplinary approach to an issue of contemporary relevance in the Arab region based on the expertise and mandates of the different member agencies of the working group.

The EGM was attended by experts in the field of international migration, representatives of the Working Group on International Migration in the Arab Region, and staff members of the International Organization for Migration (IOM) and ESCWA, the co-chairs of the report (see list of participants in the Annex).

The sessions of the meeting reviewed and discussed the three main chapters of the report. The meeting covered the following topics: (a) aim and scope of the situation report and lessons learned from previous editions; (b) overview of international migration trends in the region; (c) developments in migration governance in the Arab region; (d) focus on achieving the GCM in the region. The participants also discussed and agreed on next steps for taking this work forward.

This report reviews the meeting discussions and presents its main conclusions and recommendations.

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Introduction

1. The Population and Social Development Section of the Economic and Social Commission for Western Asia (ESCWA) organized an Expert Group Meeting (EGM) to discuss the 2019 Situation Report on International Migration in the Arab Region (SRIM 2019), which took place at the UN House in Beirut on 15th April 2019.
2. The meeting was held in the context of preparing for the third edition of the Situation Report on International Migration following the “*2015 Situation Report on International Migration: Migration, Displacement and Development in a Changing Arab Region*” and the “*2017 Situation Report on International Migration: Achieving Migration Related SDGs*” with special attention to refining the focus and structure of chapter III of the report linked to the Global Compact for Migration (GCM).
3. The purpose of the meeting was to undertake an expert review of the proposed draft and findings of SRIM 2019, and to provide an opportunity for the authors and experts to meet face-to-face and engage in an interactive and constructive discussion on issues of concern and next steps.
4. The sessions of the meeting were structured in the following order: (a) Introduction and Opening Remarks – overview of the report, (b) Chapter I of the report – an overview of international migration trends in the Arab region, (c) Chapter II of the report – developments in migration governance in the Arab region, (e), Chapter III – achieving the GCM in the Arab region.
5. This report is a summary of the key discussions and outcomes of the meeting.

I. TOPICS OF DISCUSSION

6. The meeting sessions were organized around the three chapters of SRIM 2019. The authors of the report presented their work, each of the presentations comprised the main findings and proposed content in addition to the major drafting and data challenges to be thought of throughout the discussion. Furthermore, the discussion concerned the thematic focus of the third chapter and the way it relates to the selected objectives of the GCM, as well as to the specific recommendations of the report. The participants provided feedback on the topics discussed and issues raised.

(A) INTRODUCTION AND OPENING REMARKS

7. Ms. Karima El Korri, Chief of Population and Sustainable Development Section, ESCWA, welcomed the participants on behalf of the hosting organization and opened the meeting with a quick refresh on the history and mandate of the regional working group on international migration which provides a platform to join efforts and avoid redundancy between sister organizations on the issues of migration. She welcomed UNRWA as the most recent member of the working group, the membership of which reached 19 members including ESCWA, LAS and IOM as co-chairs and several sister UN agencies.

8. Since the first edition in 2015, the report has developed into its current form by soliciting the feedback of both the working group members and the audience. It consists of three main chapters. The first chapter discusses migration trends and patterns in the Arab region. The second covers the changes and development in migration governance over the reporting period of two years. The third chapter is thematic, while the scope of chapters one and two has remained unchanged in subsequent issues. The first edition of the report focused on Refugees and Forcibly Displaced Persons in a Changing Arab Region. The second issue focused on Migration in the Arab Region and the 2030 Agenda for Sustainable Development. The current one focuses on specific GCM objectives of high relevance to the region and analyzes their policy implications with the aim of proposing concrete action steps for the Arab States. This will leave the door open for future reports or future research to zoom in on other objectives. Mr. Philippe Fargues, Director of the Migration Policy Centre, European University Institute (EUI), an expert on the subject, has been assigned as the main author of chapter

III of the report, whereas the first and second chapters were finalized by ESCWA with contributions from the members of the working group.

9. Ms. Sara Salman, Population Affairs Officer, ESCWA, provided a brief overview of the report's objectives and methodology. She clarified the reporting period of the current report as April 2017 to March 2019 and explained the process of defining the thematic focus of Chapter III through the Regional Consultation on International Migration organized in 2017, the 2018 Mapping Report: Migration-Related Programmes, Projects and Activities in the Arab Region, as well as consultations with experts and working group members. She highlighted the comprehensive use of data sources as well as the data limitations.

10. Ms. Salman concluded her presentation with the way forward, pointing to the launch of SRIM 2019 scheduled for December 2019 in celebration of the first anniversary of the GCM. She expressed hope that the report will be a valuable knowledge tool for the working group's upcoming activities, including the 2020 regional review of the GCM.

(B) Chapter I – OVERVIEW OF INTERNATIONAL MIGRATION TRENDS IN THE ARAB REGION

11. Ms. Patricia De Narvaez Cano, Research Assistant, ESCWA, who has been responsible for drafting Chapters I and II of SRIM 2019, summarized the most important migration trends to and from the Arab region, disaggregated by sex and age as available. She highlighted sub-regional migration trends respectively for GCC, Mashreq, Maghreb and Arab LDCs, which are characterized by different trends and demographics of the migrants. In particular, she underlined the important pattern of mixed migration from North Africa through the Mediterranean to Europe, though the numbers have significantly decreased in the last four years; as well as the large numbers of refugees and migrants from Mashreq and in Mashreq countries, with children representing 31% and youth 15.2% of the migrant and refugee population. She finished her presentation with an overview of the inflows and outflows of remittances.

12. Ms. Hind Kinani, Regional Research Officer, IOM, presented the section on the drivers of migration, emphasizing the fact that no single factor shapes migrants' decisions to leave their country of origin or place of habitual residence, rather interconnected macro and individual factors. Amongst the strongest correlates of populations' decisions to flee their areas of origin, with many examples in the region, are conflicts, economic and social deprivation, environmental pressure and climate change.

13. Ms. Kinani also made note of the facilitating and mediating factors that increase migrants' capacity to adapt and integrate in host countries. Examples of these factors included the presence of diaspora networks, the existence of strong connections with individuals abroad as well as education links, labour agreements and new communication channels and the use of social media, which all contribute to empowering migrants and improving their migration experience.

14. As part of the discussion on Chapter I, concerns were raised about the data on migrants, where refugees were accounted for as migrants in DESA data sources. It was clarified that this was a real concern to UNHCR as migrants' and refugees' needs are different, a note in this regard was included in the report to guide the reader and avoid any ambiguity on the issue. The same applies to data on Palestinian refugees that are registered with UNRWA. It was also deemed important to include clear definitions of refugees, migrants and internally displaced persons in the report.

15. As the report will be launched in 2019, it was suggested to reflect recent sharp changes and decreasing trends in migration, which could not yet be reflected by UN DESA's available 2017 data revision. Participants pledged to provide more disaggregated data and recent estimates on remittances. They advised to revise discrepancies in numbers between Chapters I and III.

16. With regard to the section on the drivers of migration:

- A suggestion was made to make use of the UNFPA draft synthesis report that contains recent information on the drivers of migration gathered from young migrants in the cities of Tunis, Cairo and Beirut (will be shared by UNFPA).
- It was advised to consider the impact of infrastructural projects, particularly in the Gulf region. This said, it was noted that reliable data on the subject was difficult to gather.
- Participants highlighted migration factors related to climate change and water security, which have an import transboundary and geopolitical dimension in the region.
- Experts underlined that confusion between conflict induced displacement and people who cross borders because of conflict should be avoided, as the implications and legal consequences are different for IDPs and cross border migration. A paragraph explaining the situation of IDPs could be added.
- Further on, suggestions were made to unpack the socio-economic vulnerability issues as a driver for migration and explain the various reasons of socio-economic vulnerability and how they induce migration (e.g. in the case of Lebanon, policies that limit the access to the labour market for Palestinian).
- The picture of international migration in the Arab region should be complemented by factors such as terrorism, drug trafficking and smuggling of weapons, which explain the security and protection approaches to migration on the boarders in some countries.

17. On the facilitating and mediation factors:

- It was advised to separate the facilitation and mediation factors from the root causes and drivers of migration to avoid confusion.
- Participants suggested to add a paragraph on smuggling hubs and cities that are created in conflict areas to facilitate migration with flourishing informal economies. The UNODC Global Study on Smuggling of Migrants with a section on smuggling hubs in Middle East and North Africa can inform this analysis.
- A paragraph on the role of recruitment offices and agencies in facilitating migration could be added.

18. It was suggested to start the report with presenting hard data giving a sense of where Arab countries stand and then move on to the part on drivers with more generic statements.

(C) Chapter II – DEVELOPMENTS IN MIGRATION GOVERNANCE IN THE ARAB REGION (2017-2019)

19. Ms. De Narvaez Cano presented the objective and structure of Chapter II, which gives an overview of the most recent developments in migration laws and policies at the national, regional, international and bilateral levels since April 2017. It is not meant to be an analytical chapter, but a compendium of the most recent policy developments that occurred during the reporting period. The chapter has a brief introduction, is divided into two sections, and concludes with a few recommendations.

20. The first section focuses on national policies which are organized in thematic areas covering: nationality and statelessness; labour migration; irregular migration; human trafficking and migrant smuggling; forced migration and refugee movements, as per the previous editions of report. A new thematic area was added in this edition on visas and residence permits; followed by other relevant policies.

21. The second section includes developments in international cooperation on migration, global processes; interregional, regional and sub-regional processes as well as bilateral cooperation.

22. On the objective, scope and reception of Chapter II:

- It was advised to make the policy changes mentioned more chronologically organized and geographically balanced. Expression of intentions that did not yet translate into actual laws should be filtered out.
- Participants remarked that the Chapter does not analyze the policy and legislative changes or assess their effect and state of implementation. ESCWA clarified that the Chapter's aim is to provide a mere compendium of all policy reforms that have taken place over the last two years, which can then inform further scrutiny by academia or CSOs. This is in efforts to lay the groundwork for Chapter III to provide a more analytical lens.
- Experts noted that it would be useful to compile an extensive list of migration policies and laws of Arab countries, possibly as an online annex of the report. ESCWA clarified that even though it would be interested in having a repository of all the migration policies and understanding the evolution of policy reform and policy implementation in the region, the scope of the subsequent SRIM reports only covers a period of two years before publication, therefore giving information on policies and laws from 2012 until 2019. A disclaimer on this issue is included in the report.
- Some participants expressed frustration that some of the policies listed did not reflect current reality. Listing laws and policies does not provide a snapshot of the situation on the ground, therefore it was suggested to add a table showing the outcomes of the new laws and policies or at least information on whether they are implemented. The example of Qatar was raised, which grants refugees access to its labour market but at the same time does not accept refugees. It was also noted, that the chapter does not provide any assessment of the adopted legislation and policies. ESCWA clarified that the objective of Chapter II was to provide an inventory of recent changes in laws and policies, and not to analyze their impact which could be an area for future research. In the absence of a monitoring system to systematically track the outcomes of policies, the scope of Chapter II is to provide evidence to practitioners and CSOs to monitor laws and policies of their specific interest.
- Participants warned that conveying a positive impression of the listed policies and laws may negatively impact CSOs working in the field and drawing attention to the alarming situation of migrants and refugees in the region. It may also lead to negative media reception. It was therefore suggested to specify the objectives and scope of Chapter II by adding a clear disclaimer to the beginning of the chapter stating that it does not contain any analysis or assessment of the policies and legislation listed, their state of implementation, outcomes or implications. The chapter should also encourage further analysis and assessment.
- Participants cautioned that migration governance mentioned in the title of the chapter was a much broader concept than policies and legislation. It incorporates implementation, as well as action by stakeholders beyond government. It was deemed important to capture the role of civil society in supporting the government in the policy implementation on the ground. ESCWA clarified that Chapter II concentrated on policy development, however, instances where civil society was part of the policy dialogue, that would ultimately lead to the adoption of a new law or policy, could be added. UNODC volunteered to provide examples of success stories.

23. On the content and resources of Chapter II:

- Experts remarked that the gender sensitivity aspect of the analysis of migration policies listed is insufficient. ESCWA reacted that given the limited time and scope of SRIM 2019, the laws and policies cannot be unpacked and analysed to see how they impact men and women differently. A disclaimer can be added to highlight this limitation and to encourage further research.
- It was noted that Palestine was not mentioned in Chapter II. UNODC will provide information on recent policy development in the country regarding human trafficking.
- Experts remarked that media outlets should be used as a source of information with caution, as pledges made in front of the media on policy development may not always be substantiated, and can be taken out of context, at times. ESCWA agreed to check the accuracy of these statements and to locate official

sources with the help of IOM and Country Offices, where possible. Members of the working group were invited to contribute to this effort.

24. It was agreed to strengthen the introduction and conclusion of Chapter II by naming the shortcomings of the chapter in terms of reflecting the reality on the ground, looking at the real impact of promulgated laws and policies as well as whether they have been put in practice or not. There was also consent on keeping the report readable and concise and maintaining a fair balance between protecting the report as a quality piece of knowledge and recognising political sensitivities.

(D) Chapter III – ACHIEVING THE GLOBAL COMPACT FOR MIGRATION IN THE ARAB REGION

25. Mr. Philippe Fargues, Director of the Migration Policy Centre at the European University Institute, presented the current draft of Chapter III on achieving the GCM in the Arab region. In his preliminary remarks, he highlighted that the GCM was adopted at a particular moment in history, when borders are very open to the two-way circulation of people and closed to the one-way circulation of migrants. This was, in his opinion, due mainly to rising nationalism, which sees immigrants as a challenge. The goal of the GCM is to integrate migrants into the global framework of rights. His second remark concerned the divide between policy frameworks and the real impact of laws and policies. He underscored that more robust data are necessary to evaluate existing migration policy frameworks.

26. Mr. Philippe Fargues introduced the first two parts of Chapter III focusing on the GCM (history of migration governance in international law, migration in the MDGs and SDGs, lead-up to the adoption of the GCM and criticism of the framework) and on the full inclusion of migrants in the receiving countries, with an emphasis on access to healthcare. He defined the full inclusion of migrants as the alignment of their rights and duties with those of the natives of a given country (in terms of work, living conditions, access to services and social and cultural interaction). He emphasized the issue of naturalization and the non-citizenship of significant portions of the population in the Arab region. He also highlighted the case of Morocco, which recognizes citizenship-like rights to migrants. Regarding access to health, he argued this topic deserved special attention within the sub-chapter on full inclusion, as health was a core dimension of human development and an important part of the GCM. He briefly introduced the findings on variations between the accessibility of healthcare for migrants in various Arab countries. Participants noted that it was necessary to build the rationale for why only some of the GCM's objectives were selected for scrutiny and why did the choice fall on full inclusion, vulnerability and smuggling and trafficking.

27. Participants suggested that other important instruments of international law be mentioned in the part on migration governance, such as international human rights instruments and labour standards, which apply to everyone, including migrants. In addition, according to participants, there was a need to explain why the issues of naturalization and access to health were selected for a deeper scrutiny within the broad scope of objective 16, and to include a brief analysis of access to other elements of full inclusion, such as education, work, social protection or political rights. It was recommended that the scope of the sub-chapter on full inclusion be expanded to not only cover migrant workers but also their dependents, children, migrants in an irregular situation and students. Furthermore, participants advised to include information on access to sexual and reproductive health services and reproductive rights and on the specific situation of Palestinian refugees. Comments were also made regarding aligning terminology throughout the report.

28. Mr. Philippe Fargues continued with his introduction of the sub-chapter on reducing vulnerabilities in migration. He selected three topics for a closer review, namely the situation of migrant domestic workers, the kafala system and the wage protection system. He highlighted, that migrant domestic workers face high risk of abuse, as they are not covered by neither family law nor labour law and prosecuting employers is particularly difficult. He included an update in the legal framework governing domestic labour migration in Kuwait, Qatar and UAE, the Kafala system in Qatar and Bahrein and the wage protection system in Gulf countries.

29. Participants suggested to unravel Objective 7 of the GCM by explaining what vulnerability is and who are vulnerable groups, as well as to link the analysis on domestic migrant workers not only to Objective 7 but also Objective 6 on recruitment and working conditions. Participants raised concerns over the limited space to go into detail regarding the variants of the kafala system and the shortcomings of the wage protection system in the region. A suggestion was made to reverse the storyline of the sub-chapter by presenting the underlying system (kafala) first and later turning to the vulnerable group (domestic migrant workers) and a possible solution (wage protection system). A brief overview of the geographic spread (also beyond the Gulf countries) and the various forms of the kafala system in the region could be added. ILO suggested to include mention of the international legal framework on domestic workers and offered to provide data on the structure of domestic workers in the region.

30. In his final presentation, Mr. Philippe Fargues introduced the sub-chapter on smuggling and trafficking and emphasized that understanding the different motives and mechanisms behind both is a precondition to tackling these issues. He briefly presented his findings regarding the main smuggling and trafficking corridors in the region (Sinai, Mediterranean, Gulf of Aden, Tangiers-Algeciras, Libya). He summarized the main recommendations derived from Chapter III of the report, which include filling the knowledge gap, guaranteeing migrants full inclusion including access to health and naturalization, and combatting smuggling and trafficking in origin, transit and destination countries (including the change of European asylum policies).

31. Participants noted that the definitions of smuggling and trafficking in the sub-chapter need to be adjusted to the wording of the Palermo protocols. They suggested to include justification for the selection of corridors under scrutiny and consider situations when smuggling turns into trafficking. Participants raised concerns over the imbalance between the number of recommendations aimed at origin, transit and destination (esp. EU) countries and the political sensitivity of parts of the analysis and recommendations.

32. With regard to overall recommendations of the report, participants advised to revise the flow between the selected GCM objectives, the analysis and the recommendations. They also noted that it will be necessary to bridge the gap between normative and actionable recommendations and to align recommendations with the commitments of the GCM.

II. NEXT STEPS

33. The participants of the Expert Group Meeting recommended the following steps to be taken in preparation of the report:

- Harmonize the terminology of the three chapters and align it with the language of the GCM.
- Address all the 22 Arab countries throughout the report.
- In Chapter I, consider recent developments and trends in migration in the region.
- In Chapter I, distinguish between drivers and facilitators of migration.
- In Chapter II, add clear disclaimers on the objective and scope of the chapter.
- In Chapter III, build the rationale for why only some of the GCM's objectives were selected for scrutiny and why did the choice fall on full inclusion, vulnerability and smuggling and trafficking.
- In Chapter III, revise the flow between the selected GCM objectives, the analysis and the recommendations.

34. The expected time frame of finalizing Chapters I and II is the end of April 2019, with a view to finalize the whole report by the end of May. Chapters I and II of the report will be circulated for final comments from the members of the Working Group on International Migration in the Arab region in mid-May.

III. ORGANIZATION OF THE MEETING

Venue and date

35. The Expert Group Meeting to discuss the 2019 Situation Report on International Migration was held at the United Nations House in Beirut, on 15th April 2019.

IV. ANNEX

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