



EUROPEAN POLICYBRIEF



MEASURING GOOD MIGRATION GOVERNANCE USING THE ADMIGOV INDICATORS

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INTRODUCTION

How can we move forward to implement more secure, more sustainable, and more efficient migration governance? To what extent are current migration governance systems efficient, effective, and based on evidence and evaluation? Are migration governance systems consistent with the principles of protection and sustainable development as laid out in UN frameworks? What are the current strengths and weaknesses of current migration governance systems with respect to migrant protection and sustainable development? And to what extent are current migration governance systems able to bring into practice what is committed to on paper? The AdMiGov Indicators of Good Migration Governance present a tool that can be applied, tested and refined by different stakeholders to investigate these urgent questions.

The evidence supporting the notion that current systems of migration governance are lacking in critical areas is regrettably all too apparent. The numbers of deaths at the Greek and Italian sea borders, pushbacks at the Polish-Belarus border and in Melilla (Spain) and miserable conditions in the outdoor asylum camp in Ter Apel (Netherlands) are shameful examples of failures in migration governance systems, and draw further attention to the need for better migration governance. Introducing an innovative methodology, the AdMiGov indicators offers policy makers, academics and other interested stakeholders a tool to assess national migration governance systems in accordance with the principles of protection and sustainable development, while additionally moving beyond a traditional focus on policies on paper. The 68 indicators that make up the tool assist policy makers to identify governance gaps including normative gaps (the gaps between normative principles and policies on paper) and implementation gaps (temporal, geographical and by target population) which are assessed based on how systematically migration governance is put into practice. The indicators approach the notion of good migration governance in a holistic way, assessing governance practices such as the systematic use of evidence in the policy process, access of non-governmental

stakeholders to the policy process and the transparency of information made available by the government on its practices.

EVIDENCE AND ANALYSIS

One of the strengths of the AdMiGov indicators is that they cover a broad range of questions and allow its users to pinpoint specific areas that require further attention to better align migration governance in practice with the principles of protection and sustainable development. It is not possible within the scope of this brief to offer the reader a full overview of all the specific findings of the pilot. However, to illustrate the utility of the tool, we offer some selected observations, based on the first pilot that compared Spain, Turkey, and the Netherlands.

Governance Gaps

The most striking result of the first application of the AdMiGov indicators is the stark difference between governance on paper compared to governance in practice. Examining the overall performance of each country in terms of promulgation (on paper) and implementation (in practice) already reveals this gap (Figure 1). This is further demonstrated by the aggregation of 40 of the 68 indicators which have been designed to specifically measure two types of governance gaps (normative and implementation), namely whether a standard of good migration governance is met on paper and in practice, respectively. An examination of these indicators reveals a more nuanced picture (Figure 2). For instance, in the Netherlands the distribution reveals a relatively strong normative basis on paper, with some areas well integrated in practice alongside a share of indicators in the middle score range implying implementation gaps. In the Turkish case we can identify a larger number of both normative (indicators scoring 0) and implementation gaps (indicators with mid-range scores), while for Spain we see a mixed picture of governance existing on paper but not being systematically implemented (mid-range scores) alongside normative gaps.

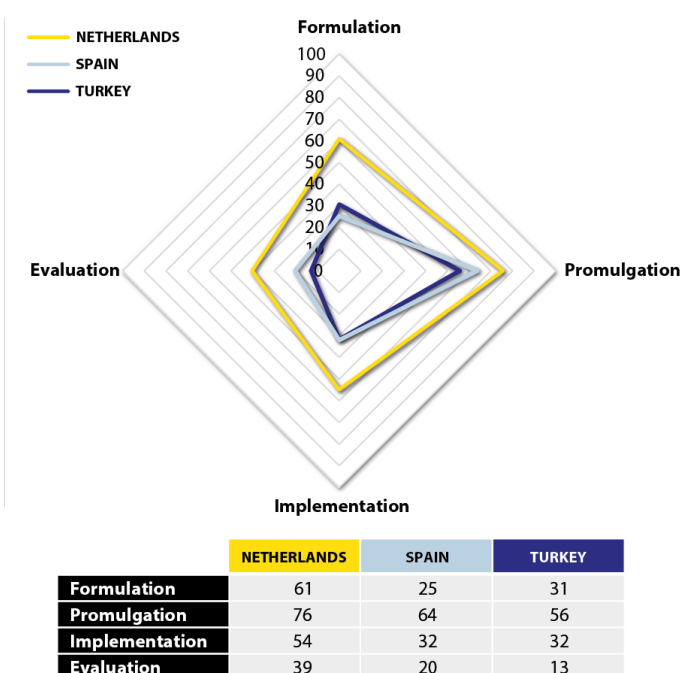
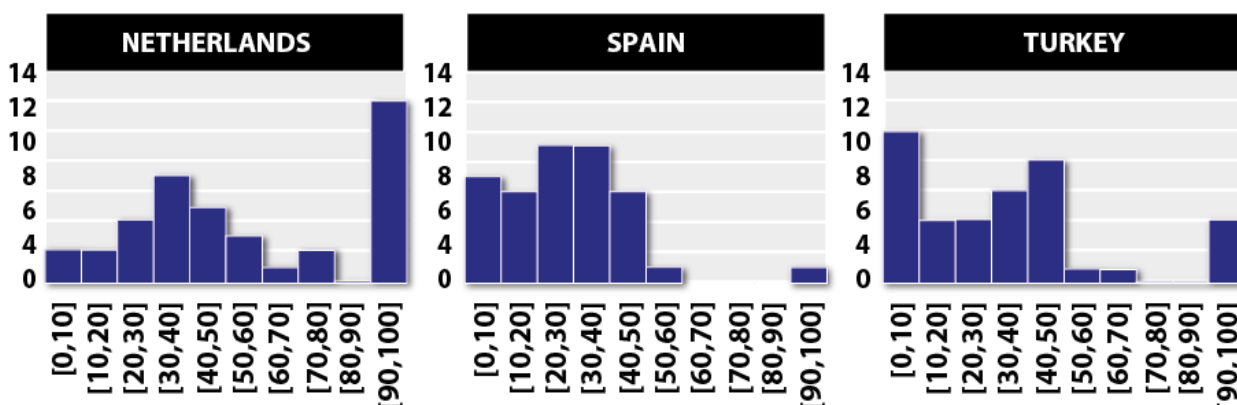


Figure 1 AdMiGov Pilot Scores (Stages of Governance)

Figure 2 Measuring Governance Gaps using the AdMiGov indicators



More concretely, a country applying the AdMiGov indicators can look closer at the underlying problem areas to identify potential remedial actions. For instance, we note a strong normative framework when it comes to the regulation of migrant detention in accordance with international law, however, when it comes to practice, a lack of alternatives to detention, and violations of normative standards relating to the duration of detention are evident in all three pilot countries.

Evidence-Based Governance

One cross-cutting challenge that emerges relates to the lack of a stable and solid evidence-based approach to migration governance. Limitations were identified with respect to data collection, monitoring and evaluation, and mechanisms to ensure that evidence is systematically available to policymakers. For example, the AdMiGov indicators detected significant gaps in all three countries with regards to the availability of updated and reliable data on 1) actions carried out (e.g., return, temporary worker programmes, and the impact of migration and development programmes) and 2) the practical functioning of some core migration governance structures (e.g., reception centres and pre-removal detention centres). Another related flaw concerns the systematic and comprehensive monitoring and evaluation of migration governance operations, which rarely involves independent actors or takes migrant views and experiences into consideration.

Barriers

Often the good intentions of policy makers fail to translate into practices that ensure migrant protection because of structural barriers that migrants encounter. While barriers are highly context specific, pointing also to the relevance of ensuring that the voices of a wide range of stakeholders (including migrants themselves but also local authorities and non-governmental actors) are heard in the migration governance system, the AdMiGov indicators did uncover some common barriers that are likely to have cross-cutting effects on the effectiveness of migration governance systems. Examples of barriers identified during the pilot include hard to obtain documentation, administrative delays, discretionary procedures, and unaffordable administrative fees.

POLICY IMPLICATIONS AND RECOMMENDATIONS

While indicators can be a powerful tool to promote specific normative and implementation goals, it is also critically important that one does not reduce governance – an ultimately political phenomenon – to the sum of its constituent parts. Reality is far more complex. The AdMiGov indicators can be viewed as the operationalisation of policy recommendations that are empirically and normatively grounded. The AdMiGov indicators have been developed to promote the harmonisation of migration governance in practice with what the project conceptualises as “good” migration governance. However, just as a warning light on a car can diagnose where an issue is (engine, breaks, lights etc.), and how serious it is (amber, red), it cannot precisely diagnose the exact nature or cause of the problem. The indicators must therefore also be used to promote practices that can enhance the likelihood of a country sufficiently identifying and correctly responding to a particular challenge. The recommendations emerging from the AdMiGov indicators can be grouped into two categories: recommendations relating to the specific results that emerged from the pilot (recommendations 1-3); and recommendations relating to the future use of the tool to better diagnose gaps in existing migration governance systems (recommendations 4-5)

Recommendation 1: Relevant stakeholders in the Netherlands, Spain and Turkey are encouraged to review the more detailed results and develop an action plan to respond to limitations in their migration governance systems.

In a broad sense, each of the AdMiGov indicators can be viewed as a policy recommendation, with the maximum point awarded to the scenario that would capture the best-case scenario that would, in line with the conceptual underpinning of the indicators, lead to better migration governance. Accordingly, any indicator scoring less than 100 points highlights an area where a country can consider making improvements. For the pilot countries, several explicit normative gaps (on paper) and implementation gaps (in practice) have been identified such as 1) the lack of alternatives to administrative detention; 2) a failure to comply with international standards when detention occurs; 3) a lack of capacity within labour inspectorates to ensure rights are not violated in the context of

temporary and circular migration; 4) opacity and lack of data and information on forced return practices. The Netherlands, Spain and Turkey are encouraged to further explore the detailed results of the AdMiGov project and to take remedial action that can enhance the effectiveness and goodness of their migration governance systems in the future.

Recommendation 2: Improve migration governance systems to ensure evidence-based policy making by improving systems to monitor and evaluate different governance practices.

Major gaps in the monitoring and evaluation of migration governance practices mean that the inefficiencies of migration governance systems only come to light when a tragedy occurs, or when motivated stakeholders cast a spotlight on questionable practices. Improving systems to monitor and evaluate different governance practices can diagnose potential problems and allow remedial action to be taken earlier.

Recommendation 3: Improve migration governance systems to reduce barriers

A major hindrance to resolving many implementation gaps can be traced back to the presence of different barriers that migrants face, including discriminatory practices. Not all structural barriers faced by migrants can be easily overcome. However technological solutions to expedite processing times while still ensuring due diligence (including safeguarding against discriminatory algorithms) can potentially save both time and resources.

Recommendation 4: Support the further application and development of the AdMiGov Indicators

While we recognise that migratory movements, and accordingly their governance, are deeply embedded in political structures, and that governance cannot be discussed without due recognition of the power dynamics that drive it, using indicators to diagnose problems in the manifestation of governance around the borders can be a first step in systematically identifying the structural issues that are at odds with what we define as the principles of ‘good’ migration governance. Our final recommendation is therefore that the AdMiGov indicators be applied to more countries. Not only will this increase our understanding of governance in practice, but it can also encourage and facilitate the *sharing of good practices* and shift attention to more practical questions relating to what it means to implement good migration governance. It can also be *used as a tool to more transparently report on commitments made at the global level*, for example, in the national voluntary reports submitted as part of the ongoing review of the implementation of the GCM.

Recommendation 5: More broadly apply the approach to measuring governance gaps to other existing indicator sets.

While the AdMiGov indicators have been developed to address existing gaps in the literature, the approach to governance gaps could have broader applicability and service to further develop other existing data sets that only measure policies on paper. In the future the AdMiGov indicators can also be further refined and developed, and new areas of focus included.

RESEARCH PARAMETERS

The development of the AdMiGov indicators followed a carefully designed research strategy: 1) conceptualisation; 2) operationalisation; 3) piloting.

1. Conceptualisation

During the conceptualisation phase, the existing body of indicators measuring different aspects of migration governance was examined in order to identify relevant gaps (Pasetti 2019). The indicators of IOM turned out promising to build on. Furthermore, the concept of good migration governance was further elaborated in order to develop a clear analytical framework upon which the indicators could be built (Figure 3). This included breaking down the concept of governance into relevant elements (actors, actions, relations and resources) and stages (formulation, promulgation,

implementation and evaluation). Following this, three areas of migration governance were selected for closer examination: entry, exit and temporary and circular migration. Finally, to assess the ‘goodness’ of migration governance, normative and instrumental criteria were developed. Normative criteria include the extent to which the policy or practice is in alignment with global norms as encapsulated in the Global Compact for Safe, Orderly and Regular Migration, the Global Compact on Refugees and Agenda 2030 and the Sustainable Development Goals. In terms of instrumental criteria, we focused primarily on the notion of ‘effectiveness’ by developing indicators that would capture the extent to which data and evidence is used regularly to assess the extent to which systems are in place to measure the outcomes of migration governance practices.

2. Operationalisation

Building on the analytical framework, the existing body of indicators was carefully reviewed to identify relevant questions that could be brought into the AdMiGov indicators. This exercise was complemented by the inductive development of indicators to address identified gaps. Following this, a series of consultations was organized with the AdMiGov project staff to critically review and discuss the initial set of indicators, informed by observations from the project’s fieldwork. This led to the significant refinement of the indicators, and the further elaboration of new indicators to better capture the project’s overall goal of promoting good migration governance. The refined set of indicators was subsequently developed into a questionnaire that could be pilot tested in three countries (Pasetti and Lebon-McGregor, 2021).

3. Piloting

The AdMiGov indicators were piloted in the Netherlands, Spain and Turkey between February and October 2022. The choice of these three countries, while presenting limitations to the comparability of the indicators, offered us the chance to test the indicators in three distinct contexts: Spain as a country on the borders of the EU; the Netherlands as a Northern EU state; and Turkey as a non-EU transit and destination country. The pilot allowed us to test and review the initial set of indicators and guidelines which led to their further refinement (Lebon-McGregor, Pasetti, Ike and Diker (2022). It also allowed us to present the first preliminary results of the application of AdMiGov indicators to demonstrate their broader applicability to actors interested in pursuing good migration governance (Pasetti and Lebon-McGregor, 2023).

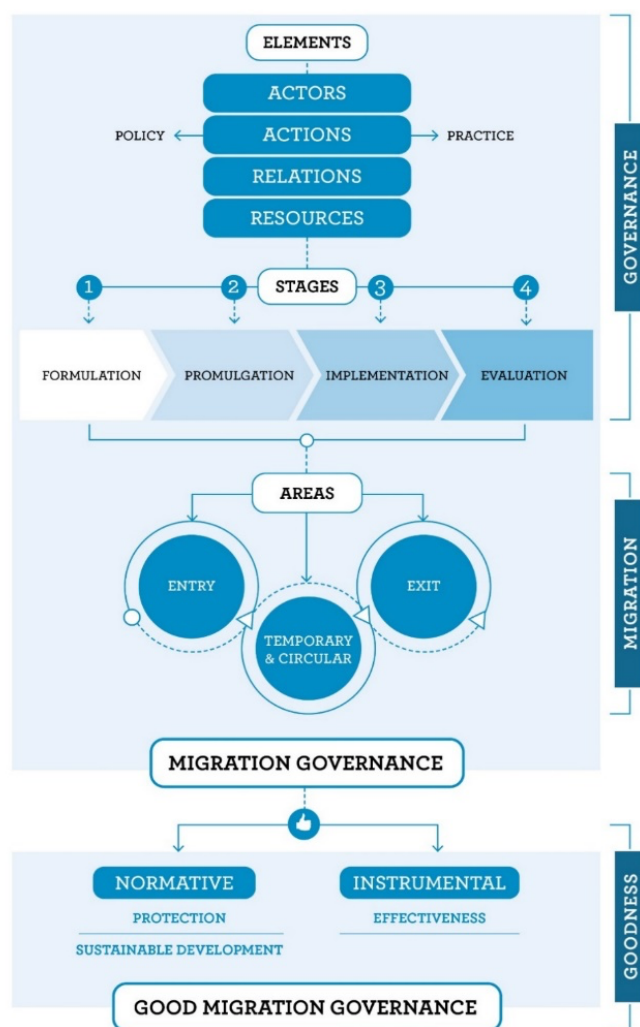


Figure 3 AdMiGov Conceptualisation of Good Migration Governance

PROJECT IDENTITY

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| PROJECT NAME | ADVANCING ALTERNATIVE MIGRATION GOVERNANCE (ADMIGOV). |
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| WEBSITE | https://admigov.eu/ |
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| FURTHER READING | <p>Francesco Pasetti (2019) <i>Measuring 'good' migration governance in turbulent times, a critical state of the art</i>. AdMiGov Deliverable 7.1, Barcelona: CIDOB.</p> <p>Francesco Pasetti and Elaine Lebon-McGregor (2021) <i>Draft list of indicators and guidance notes</i>. AdMiGov Deliverable 7.2. Maastricht/Barcelona: University of Maastricht/CIDOB.</p> <p>Elaine Lebon-McGregor, Francesco Pasetti, Niels Ike, Eleni Diker (2022) <i>Piloting Indicators in the Netherlands, Spain and Turkey</i>. AdMiGov Deliverable 7.3. Maastricht/Barcelona: University of Maastricht/CIDOB.</p> <p>Francesco Pasetti and Elaine Lebon-McGregor (2023) <i>D7.4 Measuring Good Migration Governance with an Indicator Approach</i>, AdMiGov Deliverable D7.4. Barcelona/Maastricht: CIDOB/University of Maastricht.</p> |