

Ministry of Migration and Displaced

**First National Review of the  
Global Compact for Safe, Orderly and Regular Migration in Iraq**

**September 2020**

**First: Methodology**

The Ministry of Migration and Displacement (MoMD) and the Ministry of Planning (MoP) reviewed the implementation of the Global Compact for Migration in Iraq. The review was coordinated by the Technical Working Group (TWG) on Migration, which was established with the technical support of the International Organization for Migration (IOM) to implement the provisions of the Global Compact for Migration. Member institutions have provided pertinent comments on the report, which was consolidated and developed by the MoMD, as the national focal point for the Global Compact.

The Technical Working Group (TWG) includes the Ministry of Migration and Displacement (MoMD), the Ministry of Planning (MoP), the Ministry of Labor and Social Affairs (MoLSA), the Ministry of Interior (MoI), the Ministry of Foreign Affairs (MoFA), the Ministry of Justice (MoJ), and the Central Bureau of Statistics. The TWG also includes the ministries of the Kurdistan Region of Iraq, including the Ministry of Interior (MoI), the Ministry of Planning (MoP), the Ministry of Labor and Social Affairs (MoLSA) and the Kurdistan Region Statistics Authority. These entities were responsible for collecting the information required for the national review. The recent efforts to implement the Global Compact in Iraq focused on developing a national policy framework, including the formulation of a National Migration Strategy (NMS). Therefore, this report focuses more on policy development than on providing services and migration data.

The process of review covered all the Global Compact goals, with a focus on those goals related to the rights of migrants and regular return. This focus is due to concerns about the challenges faced by Iraqis whose asylum applications have been rejected and who may be forced to return. In this regard, the review process indicated the need to consider the reasons that compel Iraqis to emigrate.

One of the challenges of the review was the lack of a centralized system for migration data. Currently, migration data is not standardized in Iraq. As the MoMD, we were able to obtain data on the number of Iraqis who reside abroad, but the data are approximate and do not indicate where they are located and the areas where they are distributed in those countries. Data on migrants within Iraq was not readily available for this report, including details on migrant workers.

The MoMD provided the most updated information for this review from its branches across all governorates of Iraq. Therefore, the information provided, including at the governorate level, is the most recent officially available information.

The MoMD, MoP and all member institutions of the TWG received technical support from IOM in preparing this review.

## **Second: Public Policy and the Favorable Environment**

Iraq has formulated a National Migration Strategy (NMS) that will serve as a comprehensive framework for migration policy in line with the Global Compact and National Development Plan for Iraq Vision 2030, to implement the national Sustainable Development Goals (SDGs). The NMS addresses Iraq Vision 2030 Goal 4.5, “Sustainable solutions for internal and external displacement and migration.” The strategy was developed by the TWG with technical support from IOM based on assessments of long-term Migration Governance Indicators (MGI) in Iraq, the national capacities for migration management and the national development goals.

During 2019 and 2020, Iraq has completed a comprehensive national migration profile, and found that the country is facing new migration dynamics since 2003. These factors include the increase in the number of Iraqi migrants abroad, new destination patterns for Iraqi emigrants, the continued presence of a migrant workforce in the country and new opportunities and challenges resulting from security, economic and environmental conditions. These trends have occurred within a national context of significant internal displacement because of the war against the Islamic State of Iraq and the Levant and the significant increase of the working age population. Reintegrating people into their communities has been identified as a major policy concern.

In 2019, Iraq undertook the Migration Governance Indicator (MGI) assessment in cooperation with IOM. This detailed exercise examined 90 aspects of national capacity for managing migration using international reference standards in six thematic areas. Iraq is the first country in the MENA region to have completed both the National Migration Profile (NMP) exercise and the MGI assessment. The NMP and the MGI assessment were among the main research exercises led by the TWG in support of national policy. Both research exercises formed the basis of the National Migration Strategy (NMS).

Under the 2012 Counter-Trafficking in Persons Law, the MoI established the Central Committee to Combat Human Trafficking. Since 2019, the Committee has been working with the United Nations Agency on Drugs and Crime and IOM to align national policy with the international standards of combating trafficking in persons and smuggling of migrants. The Committee works to strengthen the capacity of the judiciary and police to enforce the provisions of the Counter-Trafficking Law and the new Labour Law passed in 2015. As of 2013, the Government of Iraq has fully approved all the components of the Palermo Protocols.

The Government introduced the new sponsorship system for foreign workers under the Foreign Residency Law, which came into effect in 2017. The sponsored person is not allowed to be employed by anyone other than the sponsor. The new law is more detailed than the former one and is important for regulation of labour migration.

Since the establishment of the Border Points Commission (BPC) through the law passed in 2016, Iraq has made progress in adopting an integrated approach to border management. The BPC coordinates the strategic management of all customs, trade and security functions at the border and played a major role in managing public health controls during the COVID-19 pandemic.

## **Third: Progress on the Global Compact for Migration Goals**

The Government has mandated the MoMD to handle the affairs of migrants, internally displaced persons (IDP) and refugees, including by identifying solutions to their needs and

circumstances, securing their livelihoods and providing services in emergency conditions. The Ministry is the designated national focal point for the Global Compact for Migration. Therefore, the MoMD has a leadership and coordination role with regards to the implementation of the Global Compact for Migration.

The NMS draft highlights the following ten goals of the Global Compact as the goals that have special significance for Iraq: goals 1, 2, 3, 4, 11, 12, 14, 19, 21 and 23. These goals were chosen by the Ministerial Technical Working Group in 2020.

Goal 2, “Reducing the negative and structural factors that compel people to leave their country of origin” is the most important goal for Iraq. The Iraqi government defeated ISIL on 9 December 2017, and the number of Iraqis who were forced to leave the country decreased dramatically with this victory. However, enormous security and economic challenges remain. For example, the National Housing Policy of the Ministry of Construction and Housing specified that Iraq had a housing deficit of 2 million units in 2010. After its victory over ISIL, Iraq must now progress in all dimensions of national recovery, including housing reconstruction and infrastructure reconstruction, ensuring electricity provision, clean water, restoring good governance, etc. The government is addressing the push and structural factors of migration through the Iraq Vision 2030 plan. The vision of the plan is to “empower Iraqis in a safe country and a united society with a diversified economy, sustainable environment, justice and good governance.”

Goals 3, 4, 12 and 14 are related to measures that are taken by the government of Iraq to facilitate the dignified return and reintegration of Iraqis abroad, especially those who lack legal residency and identification documents. In this regard, the MoMD sends ministry officials to Iraqi embassies abroad to support the management of complex return cases, such as when Iraqis are denied asylum applications and their Iraqi identity and intention to return to Iraq are not verified.

The MoMD supervises the establishment of community councils in Turkey, Iran and other countries where large numbers of Iraqis are present. This is to facilitate communication and agreements with groups of all denominations and competencies. The Ministry will understand the communities’ needs and enlist expatriate Iraqis to contribute to achieving the National Sustainable Development goals.

Goal 21, “Cooperation in facilitating safe and dignified return and re-admission, as well as stable reintegration,” is important to Iraq. Reintegration is important for both Iraqi migrants returning from abroad and for internally displaced Iraqis. Reintegration requires many national capacities to address barriers at the local, regional and national levels.

At the level of service provision to individuals, the MoMD coordinates the organization of vocational training courses with MoLSA for returnees according to their qualifications, skills and preferences, and provides a special session on life skills to facilitate their reintegration after return. The MoMD has professional support programmes for Iraqis who return to Iraq.

Goal 23 relates to the partnerships and actions taken by the Government of Iraq to enhance international cooperation. The Ministry of Foreign Affairs (MoFA) and the MoMD seek to fulfill Iraq's obligations under the EU-Iraq Partnership and Cooperation Agreement, which is an important legal framework aimed at expanding discussions and dialogue on activating the voluntary return of rejected asylum seekers, and supporting the rights of those who wish to return with education, psychosocial and professional support services.

To boost cooperation between the European Union and Iraq under the Agreement, the MoMD is in the process of opening offices within Iraqi embassies in countries hosting the largest number of Iraqis to enhance support for embassy staff in handling complex cases of return. The MoMD has an action plan to facilitate the return of Iraqis whose asylum applications have been rejected and assist them in integration and social reconciliation in their original areas of residence in cooperation with its main partners. The MoMD, MoFA and MoLSA have provided operational support for Iraqis who voluntarily return from European Union countries during the Covid-19 pandemic.

One of the good practices used by the TWG is that of integrating migration research and policy development into a coherent framework. This integration helped in creating consensus and a common understanding between the various governmental institutions that should work together. For example, the migration profile for Iraq that was developed by the TWG provided evidence about changing migration trends in Iraq. It contains accurate information and data taken from official sources in the Government that clarify important information about migration flows. This is the first reference document for government institutions that can be used to set policies and take decisions required for the migration portfolio.

The most tangible successes that can be achieved in international cooperation in the field of migration are the dialogues that the MoMD holds with officials in countries hosting large numbers of Iraqis. These dialogues serve the spirit and goal of implementing and following up the mission of the Global Compact to secure safe, orderly and regular migration. In these dialogues, the MoMD seeks to consult with the authorities of the host country and the Iraqis themselves, including those whose asylum applications have been rejected, and aims to find balanced solutions that respect the rights and obligations of all concerned parties.

With regards to the gaps and challenges, these are the dialogues and agreements that the Government conducts with countries that have not signed the Global Compact, and where there are many Iraqi refugees, such as in Italy and Australia. This means discussing the goals of the Global Compact with these countries requires identifying other common frameworks.

#### **Fourth: Means of Implementation**

There are some steps that we seek to use to mobilize the means of implementing the Global Compact, including identifying officials in the MoMD and forming working groups with other government institutions to implement the Global Compact, as well as accrediting partner international organizations such as IOM to assist in the mobilization process. However, the MoMD currently lacks the financial resources that we believe are necessary to achieve the Global Compact goals.

The most important challenge facing the implementation of the Global Compact in Iraq is the combination of the challenges that the country faces, including COVID-19, the deteriorating economic situation and ongoing push and structural factors that force Iraqis to emigrate. In addition to financial resources, building technical capacity within the executive ministries is critical for the Government to achieve its goals under the Global Compact. In this regard, the MoMD receives valuable technical support from IOM, including staff training, policy formulation and development of referral mechanisms.

**Fifth: The following steps**

The outcomes of this review will be published with the support and approval of various ministries, senior members of the TWG and the Minister of Migration and Displacement. We will seek to make additional decisions, including a broader representation of Iraqi officials, to participate in the first International Forum for Migration Review in 2022.

The MoMD would like to see the rapid formalization of the National Migration Strategy (NMS) as a major policy framework for implementing the Global Compact for Migration in Iraq, because the NMS draft has adopted the most important goals of the Global Compact and contributes to achieving the National Sustainable Development goals in Iraq.