



UN Network on Migration in Iraq Terms of Reference

Updated December 2020

Background

On 10-11 December 2018, recalling the New York Declaration for Refugees and Migrants¹ and determined to make an important contribution to enhanced cooperation on international migration in all its dimensions, Member States endorsed the Global Compact for Safe, Orderly and Regular Migration (GCM).² The Global Compact sets out a range of principles, commitments and understandings among Member States regarding international migration in all its dimensions.³ It rests on international law, respects the purposes and principles of the UN Charter and is rooted in the 2030 Agenda for Sustainable Development.⁴

The UN Secretary-General established a UN Network on Migration (Network) at the global level to ensure effective, timely and coordinated system-wide support to Member States in the implementation of the GCM.⁵ In carrying out its mandate, the Network will prioritize the rights and wellbeing of migrants and their communities of destination, origin, and transit. It will place emphasis on those issues where a common UN system approach would add value and from which results and impact can be readily gauged. In Iraq, the UN established a national Network to ensure coordinated UN Country Team (UNCT)-wide support to the Government of Iraq (GoI) and relevant national non-governmental stakeholders in implementing the GCM and other relevant policies. The UN Migration Network in Iraq will seek to tailor its support to the GoI towards contributing to the achievement of the Sustainable Development Goals (SDGs) and the United Nations Sustainable Development Cooperation Framework (UNSDCF) vision in light of the decision of GoI at the UN General Assembly in December 2018 to vote in favour of the GCM.

UN Network on Migration in Iraq

¹ New York Declaration for Refugees and Migrants: [A/RES/71/1](#)

² Global Compact for Safe, Orderly and Regular Migration: [A/RES/73/195](#)

³ The UN General Assembly endorsed the GCM with a recorded vote of 152 votes in favor to 5 against, with 12 abstentions.

⁴ In SDG target 10.7 of the Sustainable Development Goals (SDGs), Member States pledged to “facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.”

⁵ Format and organizational aspects of the international migration review forums for the GCM: [A/RES/73/326 5](#)

The Network will work to coordinate UN agencies, in collaboration with relevant national coordination mechanisms such as the GoI Technical Working Group on migration, non-governmental organizations (NGOs), civil society organizations (CSOs) and a range of other interested stakeholders such as workers' and employers' organizations, in supporting the GoI to implement the GCM in Iraq. The Network will take note of the National Migration Strategy, which references the GCM, SDGs and the Iraq Vision 2030 national development plan.⁶ Whilst tailored to local needs and priorities, the terms of reference (ToRs) of the Network in Iraq are fully aligned with the ToRs of the global Network.

Objectives

1. The objectives of the UN Network on Migration in Iraq are to:

- Ensure effective, timely, coordinated UN system-wide support to the GoI in its implementation, follow-up and review of the GCM, for the rights and wellbeing of all migrants and their communities of destination, origin, and transit;
- Support coherent action by the UN system in support of achieving the objectives of the GCM and addressing key migration issues in Iraq, such as, *inter alia*, legislation and policy development, counter-trafficking in human beings, root causes of displacement, migrant health, training and capacity building, collection and reporting of migration data, etc.;
- Promote the ratification and application of relevant international and regional norms and standards relating to migration and the protection of the human rights of migrants, and engagement with relevant UN human rights mechanisms;
- Identify priority areas and mobilize funds for joint programming (delivering as one), including joint research, advocacy, programs, etc., to support implementation of the GCM;
- Act as a source of ideas, tools, reliable data and information, analysis, and policy guidance on migration issues, including through the capacity-building mechanism established in the GCM;
- Provide leadership to mobilize coordinated and collaborative action on migration by the UNCT, including by speaking with one voice as appropriate, in accordance with the UN Charter, international law, and the mandates and technical expertise of relevant UN system entities;
- Invite the Iraqi Ministry of Migration and Displaced (MoMD) and other relevant Ministries, such as the Ministry of Planning (MoP), Ministry of Interior (Mol), Ministry of Foreign Affairs (MoFA), Ministry of Labour and Social Affairs (MoLSA), Ministry of Justice (MoJ) and relevant Ministries of the Kurdistan Regional Government (KRG) to attend biannual meetings as well as ad-hoc meetings when needed;
- Engage with external partners, including migrants, civil society, local authorities and communities, the private sector, employers' and workers' organizations, trade unions, parliamentarians,

⁶ The objective of the National Migration Strategy in Iraq is "to strengthen migration management for the socioeconomic benefit of Iraq while upholding the human rights of migrants within and outside the country."

National Human Rights Institutions, the International Red Cross and Red Crescent Movement, academia, the media and other relevant stakeholders;

Working Principles

2. In its work, the Network will be guided by the following principles:

- **Accountability:** The Network and its members have the responsibility to implement their decisions as agreed and will be accountable to the UN Resident Coordinator (RC), and UNCT;
- **Human rights-based, gender-responsive and child-sensitive approach:** The Network will uphold and advocate the laws and principles to respect, protect, and fulfil the human rights of all migrants and their communities, especially those in the most vulnerable situations;
- **Coherence:** The Network will draw from the mandates, technical expertise and experience of relevant entities within the UN system in supporting GCM implementation and promoting the overall coherence of the system's work on migration;
- **Unity of purpose:** All members of the Network will be jointly committed to its success, placing emphasis on the added value of their coordinated work and of collaborating to achieve common goals;
- **Efficiency:** The Network will be fully aligned with existing UN system coordination mechanisms and will adopt a streamlined and efficient approach in all its activities;
- **Inclusivity:** The Network, in its own working methods and in engaging others, will operate in an inclusive, systematic, predictable, and transparent manner;
- **Results-oriented:** The Network, through its annual workplan, will focus on supporting the progress of the GoI towards achieving implementation of the GCM;
- **Agility:** The Network will regularly review – both formally and informally – and where necessary recalibrate its methods and the focus of its work to ensure its impact is maximized.

Membership and Structure

3. The Network will consist of those members of the UN system who wish to be a part of it and for whom migration is of relevance to their mandates.
4. The initial membership of the global Network is indicated in Annex I. All global members resident in Iraq are members of the Network in Iraq.
5. IOM will serve as the Coordinator and Secretariat of all constituent parts of the Network.
6. The Network can include Working Groups and participation of other partners upon the agreement of the Coordinator, in consultation with other relevant members of the Network.

7. In carrying out its objectives, the Network will foster close collaboration with UNCT and other existing and/or future coordination mechanisms, such as the Durable Solutions Working Group (DSWG) and UNSDCF Priority Working Groups (PWGs).

Meeting Frequency

8. The Network will meet on a quarterly basis.
9. The Network Coordinator or RC can call for extraordinary meetings of the Network when necessary.
10. The Network will meet biannually with the GoI and other relevant government agencies. These meetings will be co-chaired by the RC and the GoI.

Decision-making

11. The Network will endeavour to take all decisions by consensus. In instances where there is no consensus, the following steps shall be taken:
 - The Coordinator will work with members of the Network, as advisable, to agree on an effective, timely and principled way forward;
 - Should this fail, the Coordinator will refer the matter to the RC;
 - All decisions will be taken in full respect of the mandates of Network members;
 - The Network may adopt any additional working methods as necessary.

Coordinator

12. In line with the global Network TOR, the Coordinator of the Network in Iraq is IOM. The Chief of Mission of IOM Iraq or his/her designee will serve in this capacity.
13. The Network Coordinator will have primary responsibility for:
 - Convening and ensuring the smooth functioning of the Network, including the capacity building mechanism, and ensuring effective collaboration with existing coordination mechanisms and stakeholders;
 - Working with Network members to identify priorities and opportunities for action by the Network, focusing on the added value of coordinated work;
 - Briefing the UNCT, relevant UN system coordination structures such as the Regional UN Migration Network and other stakeholders on the activities of the Network;
 - Delivering joint statements in the name of the Network on specific issues at the request of its membership and after clearance on the content of the intervention by the Network membership.

Secretariat

14. The Secretariat will be staffed by IOM and would also be open to secondments from UN system partners.
15. The Secretariat will be responsible for servicing the work of the Network.
16. The Network Secretariat functions would include:
 - Providing support to all constituent parts of the Network in the discharge of their functions, including support to the Coordinator in overseeing coherent country-level Network support and providing overall guidance to the work of the Network;
 - Supporting collaboration between all constituent parts of the Network and between the Network members and existing UN system coordination mechanisms, as well as external partners;
 - Collating and suggesting issues for action within the Network;
 - Coordinating the preparation of a regular work plan for the Network, in line with inputs from Network members;
 - Facilitating the Network's support to the capacity building mechanism;
 - Overseeing the preparation of the Network's reporting to the RC, based on inputs from Network members;
 - Facilitating preparations for the meetings of the Network;
 - Facilitating the Network's support to the Gol in the effective implementation, follow-up and review of the GCM, including in the International Migration Review Forum established in the GCM;
 - Timely dissemination of minutes and records of meetings and decisions taken;
 - Monitoring the implementation of decisions.

Network

17. Participation level of Network members will be Deputies/Senior Program Managers or their designated representatives.
18. Network members will contribute to the design and implementation of the Network's objectives, promote coherence on migration within the UN system, and provide input and advice to the Coordinator, including on strategic priorities.

19. Network members may serve as chair or co-chair of the Network's Working Groups and participate in them as members. They will be consulted on the focus, composition and review of the Working Groups.
20. Network members will be jointly responsible for the Network attaining its objectives and adhering to its working principles. They could provide, as appropriate, technical and/or human resources to the Network's Secretariat.

Working Groups

21. Working Groups, including their focus, composition and chair, can be developed over time as needs and opportunities emerge.
22. The composition of Working Groups will be drawn from Network members and other partners, as relevant. Chairing or co-chairing will be open to all Working Group members.

Capacity Building Mechanism

23. The Network will endeavour to make use of the capacity building mechanism called for in the GCM.⁷ To this end, the global UN Network on Migration established:
 - a connection hub that facilitates demand-driven, tailor-made and integrated solutions;
 - a global knowledge platform as an online open data source;
 - a start-up fund for initial financing to realize project-oriented solutions.
24. The Network will consider submitting innovative funding proposals in line with its objectives to the Start-up Fund for Safe, Orderly and Regular Migration, also known as the Migration Multi-Partner Trust Fund (MMPTF).⁸
25. The MMPTF key criteria for assessing, selecting, monitoring and evaluating joint programs are the ten guiding principles of the GCM. These principles are indicated in Annex II.
26. The Network will endeavour to contribute lessons learned and best practice developed in Iraq to the global knowledge platform.

⁷ Global Compact for Safe, Orderly and Regular Migration (operative paragraph 43): [A/RES/73/195](#). The mechanism may be accessed online at <https://migrationnetwork.un.org>.

⁸ The Migration Multi-Partner Trust Fund (MMPTF) is a pooled funding instrument administered by the UNDP Multi-Partner Trust Fund (MPTF) Office.

Annex I: UN Network on Network membership (global)

Chief Executives Board Secretariat (CEB)

Department of Economic and Social Affairs (DESA) *

Department of Public Information (DPI)

Food and Agriculture Organization (FAO)

Inter-Agency Standing Committee Secretariat (IASC)

International Fund for Agricultural Development (IFAD)

International Labour Organization (ILO) *

International Maritime Organization (IMO)

International Organization for Migration (IOM) *

Joint United Nations Programme on HIV/AIDS (UNAIDS)

Multi-Partner Trust Fund Office (MPTFO)

Office for the Coordination of Humanitarian Affairs (OCHA)

Office of the High Commissioner for Human Rights (OHCHR) *

Office of the Special Representative of the Secretary-General for International Migration (OSRSG)*

Peacebuilding Support Office (PBSO)

United Nations Alliance of Civilizations (UNAoC)

United Nations Children's Fund (UNICEF) *

United Nations Conference for Trade and Development (UNCTAD)

United Nations Development Programme (UNDP) *

United Nations Economic, Social and Cultural Organization (UNESCO)

United Nations Economic Commission for Africa (UNECA)

United Nations Economic Commission for Latin America and the Caribbean (UNECLAC)

United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP)

United Nations Economic and Social Commission for Western Asia (UNESCWA)

United Nations Economic Commission for Europe (UNECE)

United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)

United Nations Environment (UNE)

United Nations High Commissioner for Refugees (UNHCR) *

United Nations Human Settlements Programme (UN Habitat)

United Nations Industrial Development Organization (UNIDO)

United Nations Institute for Training and Research (UNITAR)

United Nations Office on Drugs and Crime (UNODC) *

United Nations Population Fund (UNFPA)

United Nations Sustainable Development Group (UNSDG) Secretariat

United Nations University (UNU)

World Food Programme (WFP)

World Bank

World Health Organization (WHO)

*** Network's Executive Committee**

Annex II: The ten guiding principles of the Global Compact for Migration (GCM)⁹

- a) **People-centred.** The Global Compact carries a strong human dimension, inherent to the migration experience itself. It promotes the well-being of migrants and the members of communities in countries of origin, transit and destination. As a result, the Global Compact places individuals at its core;
- b) **International cooperation.** The Global Compact is a non-legally binding cooperative framework that recognizes that no State can address migration on its own because of the inherently transnational nature of the phenomenon. It requires international, regional and bilateral cooperation and dialogue. Its authority rests on its consensual nature, credibility, collective ownership, joint implementation, follow-up and review;
- c) **National sovereignty.** The Global Compact reaffirms the sovereign right of States to determine their national migration policy and their prerogative to govern migration within their jurisdiction, in conformity with international law. Within their sovereign jurisdiction, States may distinguish between regular and irregular migration status, including as they determine their legislative and policy measures for the implementation of the Global Compact, taking into account different national realities, policies, priorities and requirements for entry, residence and work, in accordance with international law;
- d) **Rule of law and due process.** The Global Compact recognizes that respect for the rule of law, due process and access to justice are fundamental to all aspects of migration governance. This means that the State, public and private institutions and entities, as well as persons themselves, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and are consistent with international law;
- e) **Sustainable development.** The Global Compact is rooted in the 2030 Agenda for Sustainable Development, and builds upon its recognition that migration is a multidimensional reality of major relevance for the sustainable development of countries of origin, transit and destination, which requires coherent and comprehensive responses. Migration contributes to positive development outcomes and to realizing the goals of the 2030 Agenda for Sustainable Development, especially when it is properly managed. The Global Compact aims to leverage the potential of migration for the achievement of all Sustainable Development Goals, as well as the impact this achievement will have on migration in the future;
- f) **Human rights.** The Global Compact is based on international human rights law and upholds the principles of non-regression and non-discrimination. By implementing the Global Compact, we ensure effective respect for and protection and fulfilment of the human rights of all migrants, regardless of their migration status, across all stages of the migration cycle. We also reaffirm the commitment to eliminate all forms of discrimination, including racism, xenophobia and intolerance, against migrants and their families;
- g) **Gender-responsive.** The Global Compact ensures that the human rights of women, men, girls and boys are respected at all stages of migration, that their specific needs are properly understood and addressed and that they are empowered as agents of change. It mainstreams a gender perspective and promotes gender equality and the empowerment of all women and girls, recognizing their independence, agency and leadership in order to move away from addressing migrant women primarily through a lens of victimhood;
- h) **Child-sensitive.** The Global Compact promotes existing international legal obligations in relation to the rights of the child, and upholds the principle of the best interests of the child at all times, as a primary consideration in all situations concerning children in the context of international migration, including unaccompanied and separated children;
- i) **Whole-of-government approach.** The Global Compact considers that migration is a multidimensional reality that cannot be addressed by one government policy sector alone. To develop and implement effective migration policies and practices, a whole-of-government approach is needed to ensure horizontal and vertical policy coherence across all sectors and levels of government;
- j) **Whole-of-society approach.** The Global Compact promotes broad multi-stakeholder partnerships to address migration in all its dimensions by including migrants, diasporas, local communities, civil society, academia, the private sector, parliamentarians, trade unions, national human rights institutions, the media and other relevant stakeholders in migration governance.

⁹ Global Compact for Safe, Orderly and Regular Migration (operative paragraph 15): [A/RES/73/195](#)