UN Network on Migration in Kosovo[1]

Terms of Reference

BACKGROUND

In his December 2017 report, entitled "Making Migration Work for All", the UN Secretary General outline his vision on strengthening the UN system's coordination on migration, to enable the UN to act as a source of ideas and policy guidance, as well as convener, for the implementation of the New York Declaration for Refugees and Migrants and the GCM to be adopted in 2018.[2]

Following extensive system-wide consultations and the proposal by the Deputy Secretary-General and the Special Representative of the Secretary-General for International Migration, the Secretary-General decided, at a meeting of the Executive Committee on 23 May 2018, to establish a UN Network on Migration, as a successor to the Global Migration Group, to ensure effective, coordinated system-wide support to the implementation of the GCM.

In the GCM, Member States "welcome the decision of the Secretary-General to establish a UN Network on migration to ensure effective and coherent system-wide support to implementation, including the capacity-building mechanism, as well as follow-up and review of the Global Compact, in response to the needs of the Member States. (para 44-45 GCM)" The GCM further notes that a) IOM will serve as the coordinator and secretariat of the Network; b) the Network will fully draw from the technical expertise and experience of relevant entities within the UN system; and c) the work of the Network will be fully aligned with existing coordination mechanisms and the repositioning of the UN Development System.

In 2019, a Start-Up Fund for Safe, Orderly and Regular Migration (Migration MPTF)[3] to support Member States in their implementation of the GCM was established.

Migration is a cross-cutting issue across the 2030 Agenda, relevant to all 17 of the Sustainable Development Goals. The central reference to migration is made in Target 10.7 to facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies, which appears under Goal 10 to reduce inequality within and among countries. Further, the SDG's motto to "leave no one behind" is a clear call for sustainable development to be inclusive, including for migrants.

MISSION STATEMENT

In Kosovo, migration is characterized by high levels of outward migration. Many people go abroad, mostly to Western European countries, in search for work, education or for family reunification reasons. Migration may cause imbalances in the demographic structures of society specifically in terms of age and gender. On the other hand, labour migration and socio-economic interactions with Kosovo's diaspora influence the economic opportunities and

---

[1] All references to Kosovo should be understood to be in the context of United Nations Security Council resolution 1244 (1999).
[2] A 72/643, "Making Migration Work for All", *Report of the Secretary-General*, 12 December 2017, para 70, p.17.
[3] http://mptf.undp.org/factsheet/fund/MIG00.

the improvement of welfare of Kosovo residents. Remittances constitute over 15 % of Kosovo's GDP, however, they are mostly used for consumption. There is a need to establish effective policies for diaspora engagement and implement them on a meaningful scale.

Kosovo has also been affected by the influx of migrants and refugees along the Eastern Mediterranean route and is a transit territory for diverse categories of migrants trying to reach the European Union. It is still in the process of developing a fully effective and protection-sensitive entry system within the context of mixed migration flows.

Therefore, the UN Kosovo Team (UNKT)[4] has decided to establish the local UN Network on Migration[5] to ensure coordinated UN Kosovo Team- wide support to the Kosovo authorities in implementing the GCM and other relevant policies.

Whilst being tailored to local needs and priorities, the terms of reference (ToRs) of the UN Network on Migration in Kosovo are fully aligned with the global Network ToRs.

In its work, the Network will uphold the international principles of Human Rights, Migrants' Rights, Children's Rights, Women's Rights and labour rights, in accordance with the UN Charter, international law, international labour standards, the Agenda 2030 for Sustainable Development and the GCM. Implementation of Network activities will be guided by the following working principles:

• Accountability: The Network and its members have the responsibility to implement their decisions as agreed and will be accountable to the UN Development Coordinator (UN DC)[6], and UNKT;

• Human rights-based, gender-responsive and child-sensitive approach: The Network will uphold and advocate the laws and principles for the respect, protection, and fulfilment of the human and labour rights of all migrants, especially those in vulnerable situations, and communities in countries of origin, transit and destination countries;

• Rights-based approach to labour migration: The Network will promote migrant workers' right to obtain decent and productive work in conditions of freedom, equity, security, and human dignity.

• Coherence: The Network will draw from the mandate, technical expertise and experience of relevant entities within the UNKT in supporting GCM implementation and promoting the overall coherence of the UN'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;

---

[4] UN Kosovo Team is an equivalent of UN Country Team
[5] Herein after referred to also as "the Network".
[6] Equivalent of UN Resident Coordinator

• Results-oriented: The Network, through its annual work plan, will focus on supporting the progress of the GoK 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; and

• Confidentiality and data protection: The Network will uphold the principles of confidentiality and data protection in its interventions.

OBJECTIVES

To implement its mission, the UN Network on Migration in Kosovo commits to carry out the following duties:

1. Ensure effective, timely, coordinated UN Kosovo team-wide support to Kosovo authorities in their implementation, follow-up and review of the GCM, for the rights and wellbeing of all migrants and their communities of destination, origin, and transit;

2. Support coherent action by the UNKT, including coordination and linkage with regional and global initiatives in support of GCM implementation;

3. Prepare an annual work plan, which will be aligned with the United Nations Sustainable Development Cooperation Framework (UNSDCF), to support of the GCM implementation and mainstreaming of migration into Kosovo's developmental agenda;

4. 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;

5. Ensure that Network actions promote the gender-sensitive migration management, the ratification, implementation, domestication and the 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[7];

6. Provide leadership to mobilize coordinated and collaborative action on migration by the UNKT, including by speaking with one voice as appropriate, in accordance with the UN Charter, international/ local laws, and mandates/ technical expertise of relevant UNKT entities;

7. In carrying out these objectives, the Network will foster close collaboration within the UNKT, and with UNMIK and other existing/ and or future coordination mechanisms (including ones on the UNSDCF, United Nations Integrated Strategic Framework (ISF), COVID-19 Socio-Economic Recovery Plan (SERP), Human Rights, Gender Equality and so on), local coordination mechanisms on migration addressing migration-related issues, actively seeking out synergies, complementarity and avoiding duplication;

8. Engage and collaborate with external partners including migrants, civil society, migrant and diaspora organizations, local authorities and communities, the private sector, employers' and workers' organizations, parliamentarians, human rights-based organizations, trade union/employers' association, academia, the media and

---

[7] Including both the Charter-based and Treaty-based mechanisms of the UN Human Rights system. See, https://www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx

other relevant stakeholders at local levels to feed into local, regional and global processes for the purpose of fostering a whole of society approach to migration governance as stipulated in the GCM;

9.   Update and exchange on migration issues and practices with the UN Network on Migration at the global and regional level, relevant Kosovo stakeholders and UNKT on a regular basis.

COMPOSITION AND MEMBERSHIP

UN Network on Migration in Kosovo 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 mandate. An indicative list is provided in Annex I.

UN Network on Migration in Kosovo is chaired by two permanent Co-Chairs: the UN Development Coordinator and the Head of IOM, and one rotating co-chair, Representative of a UN Agency. The alternating Co-Chair shall serve for a period of one calendar year, after completion of which the UNKT will re-appoint a new rotating co-chair. A maximum of one-year term by each agency will ensure that all agencies have the opportunity to co-chair, and deliver on the SG's request

The Co-Chairs may request the attendance of other participants as special invitees/experts, as needed and in relation to any special considerations discussed at the Network, and to ensure a whole-of society, whole-of-government and a 360-degree approach to advancing the GCM objectives.

ROLE AND ORGANIZATIONAL ARRANGEMENTS

The Co-Chairs are responsible for:

a.   Convening meetings;

b.   Identifying specialized resources to assist the UN Network on Migration in Kosovo in discharging its duties in the most competent manner;

c.   Reporting on the activities of the UN Network on Migration in Kosovo to the UNKT on a quarterly basis, including on but not limited to:

i.   Performance with respect to the implementation of joint interventions related to the GCM;

ii.   Process of nationalization of the Sustainable Development Goals (SDGs) relevant to migration.

IOM will serve as a Secretariat and will be responsible for:

a.   Coordinating the schedule of the Network meetings;

b.   Producing and disseminating minutes from the Network meetings;

c.   Coordinate the preparation of the Network, in close collaboration with the Network members;

d.   Coordinate the timely preparation of the Network periodic reports to UNKT;

e.   Overseeing the timely distribution of relevant documentation to the Network members;

f.   Ensuring that files of documentation pertaining to the submissions and meetings are complete.

The Members of the UN Network in Migration in Kosovo are responsible for:

a.   Contributing to the discussions of the Network;

b.   Supporting key activities of the Network as outlined under the objectives above.

c.   Supporting resource mobilisation and partnership building.

The UNKT will review advice by the UN KMN and may follow or not follow specific recommendations and in the case of non-acceptance, document the motivation for this decision.

•   The UN Network on Migration in Kosovo will develop annual workplans outlining its priorities for a given period.

•   The Network will meet quarterly or as often as necessary to carry out their responsibilities and as convened by the Chairperson.

•   Based on needs, Network meetings including Donors, CSOs, Academia, Media or other relevant actors may be organized.

•   The UN Network on Migration in Kosovo updates the UNKT on a regular (bi-annual) and on-demand basis.

ANNEXES

UN Migration Network in Kosovo Membership List