

THE EASTERN REPUBLIC OF URUGUAY |
PROFILE 2020

MIGRATION GOVERNANCE INDICATORS



The opinions expressed in the report are those of the authors and do not necessarily reflect the views of the International Organization for Migration (IOM). The designations employed and the presentation of material throughout the report do not imply expression of any opinion whatsoever on the part of IOM concerning the legal status of any country, territory, city or area, or of its authorities, or concerning its frontiers or boundaries.

IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental organization, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and uphold the human dignity and well-being of migrants.

While efforts have been taken to verify the accuracy of this information, neither The Economist Intelligence Unit Ltd. nor its affiliates can accept any responsibility or liability for reliance by any person on this information.

Publisher: International Organization for Migration
17 route des Morillons
1211 Geneva 19
P.O. Box 17
Switzerland
Tel.: +41.22.717 91 11
Fax: +41.22.798 61 50
Email: hq@iom.int
Internet: www.iom.int

With research and analysis by



Required citation: International Organization for Migration (IOM), 2021. *Migration Governance Indicators Profile 2020 – The Eastern Republic of Uruguay*. IOM. Geneva.

© IOM 2021



Some rights reserved. This work is made available under the [Creative Commons Attribution-NonCommercial-NoDerivs 3.0 IGO License](https://creativecommons.org/licenses/by-nc-nd/3.0/igo/legalcode) (CC BY-NC-ND 3.0 IGO).*

For further specifications please see the [Copyright and Terms of Use](#).

This publication should not be used, published or redistributed for purposes primarily intended for or directed towards commercial advantage or monetary compensation, with the exception of educational purposes e.g. to be included in textbooks.

Permissions: Requests for commercial use or further rights and licensing should be submitted to publications@iom.int.

* <https://creativecommons.org/licenses/by-nc-nd/3.0/igo/legalcode>.

THE EASTERN REPUBLIC OF URUGUAY |
PROFILE 2020

MIGRATION GOVERNANCE INDICATORS

TABLE OF CONTENTS

OBJECTIVE // 6

INTRODUCTION // 7

CONCEPTUAL FRAMEWORK // 9

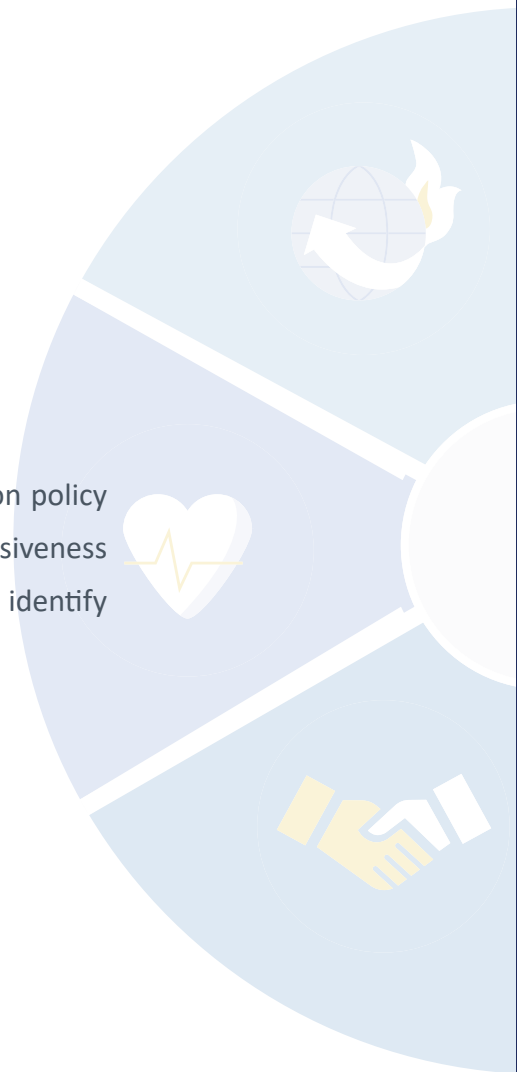
KEY FINDINGS // 10

KEY SOURCES // 23

ANNEXES // 27

OBJECTIVE

The MGI aims to support well-managed migration policy by helping countries assess the comprehensiveness of their migration governance structures and identify priorities on the way forward.



The MGI can be used to spark a discussion within governments, with other relevant stakeholders in the country, on their migration policy structures. It can help assess whether these structures, which have often been in place for several years, still address the main challenges and opportunities of today's reality.

INTRODUCTION

This is an era of unprecedented mobility, and the need to facilitate orderly, safe, regular and responsible migration and mobility is becoming increasingly relevant.¹ The need to face the challenges and to maximize the opportunities that this mobility brings has been recognized with the inclusion of migration in the 2030 Agenda for Sustainable Development, which highlights the positive contribution of migrants to inclusive growth and development. Migration is integrated in a number of Sustainable Development Goal (SDG) targets, such as ending modern slavery and addressing the vulnerability of migrant workers. However, the central reference to migration in the SDGs is Target 10.7 on facilitating “orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies”.²

The incorporation of Target 10.7 into the 2030 Agenda created the need to define “planned and well-managed migration policies”. This is why, in 2015, the International Organization for Migration (IOM) developed the Migration Governance Framework (MiGOF). This Framework offers a concise view of an ideal approach that allows a State to determine what it might need to govern migration well and in a way that suits its circumstances.³ The Framework was welcomed by IOM Member States in the same year.

In an effort to operationalize the MiGOF, IOM worked with The Economist Intelligence Unit to develop the Migration Governance Indicators (MGI), a standard set of approximately 90 indicators to assist countries in assessing their migration policies and advance the conversation on what well-governed migration might look like in practice.

The MGI helps countries identify good practices as well as areas with potential for further development and can offer insights on the policy levers that countries can use to develop their migration governance structures. However, the MGI recognizes that all countries have different realities, challenges and opportunities that relate to migration. Therefore, the MGI does not rank countries on the design or implementation of their migration policies. Finally, the MGI does not measure migration policy outcomes or institutional effectiveness. Instead, it takes stock of the migration-related policies in place and operates as a benchmarking framework that offers insights on policy measures that countries might want to consider as they progress towards good migration governance.

This country profile presents a summary of the well-developed areas of the migration governance structures of the Eastern Republic of Uruguay (hereinafter referred to as Uruguay), as well as the areas with potential for further development, as assessed by the MGI.⁴

¹ IOM Standing Committee on Programmes and Finance, seventeenth session (S/17/4 of 29 September 2015), article 2.

² IOM Council, 106th session, Migration Governance Framework (C/106/40 of 4 November 2015), page 1, footnote 1. Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

³ Ibid.

⁴ The MGI initiative is a policy-benchmarking programme led by IOM and implemented with the support of The Economist Intelligence Unit. Funding is provided by IOM's Member States.

CONCEPTUAL FRAMEWORK

MiGOF

The IOM MiGOF sets out the essential elements to support planned and well-managed migration. It seeks to present, in a consolidated, coherent and comprehensive way, a set of three principles and three objectives which, if respected and fulfilled, would ensure that migration is humane, orderly, and benefits migrants and society.

PRINCIPLES

1. **Adherence** to international standards and fulfilment of migrants' rights.
2. **Formulates** policy using evidence and "whole-of-government" approach.
3. **Engages** with partners to address migration and related issues.

OBJECTIVES

1. **Advance** the socioeconomic well-being of migrants and society.
2. **Effectively** address the mobility dimensions of crises.
3. **Ensure** that migration takes place in a safe, orderly and dignified manner.

At the basis of

MGI

WHAT IT IS



A set of indicators that offers insights on policy levers that countries can use to strengthen their migration governance structures



A tool that identifies good practices and areas that could be further developed



A consultative process that advances dialogues on migration governance by clarifying what "well-governed migration" might look like in the context of SDG Target 10.7

Which supports the measurement of

WHAT IT IS NOT



Not a ranking of countries



Not assessing impacts of policies



Not prescriptive



TARGET 10.7

"Facilitate orderly, safe, regular and responsible migration and mobility of people, including through implementation of planned and **well-managed migration policies**."



KEY

FINDINGS

The MGI is composed of around 90 indicators grouped under the 6 different dimensions of migration governance that draw upon the MiGOF categories:



MIGRANTS'
RIGHTS
PAGE 12

Indicators in this domain look at the extent to which migrants have access to certain social services such as health, education and social security. It also looks at family reunification, access to work, and access to residency and citizenship. The international conventions signed and ratified are also included.



WHOLE-OF-GOVERNMENT
APPROACH
PAGE 14

Indicators in this area assess countries' institutional, legal and regulatory frameworks related to migration policies. This area also looks at the existence of national migration strategies that are in line with development objectives and overseas development efforts, as well as institutional transparency and coherence in relation to migration management.



PARTNERSHIPS
PAGE 16

This category focuses on countries' efforts to cooperate on migration-related issues with other States and with relevant non-governmental actors, including civil society organizations and the private sector.



WELL-BEING
OF MIGRANTS
PAGE 17

Indicators in this area assess countries' policies regarding the recognition of migrants' educational and professional qualifications, provisions regulating student migration and the existence of bilateral labour agreements between countries. Aspects of diaspora engagement in the country of origin and migrant remittances are also under this domain.



MOBILITY DIMENSION
OF CRISES
PAGE 19

This category looks at the type and level of preparedness of countries when they are faced with mobility dimensions of crises. The questions look at the processes in place for nationals and non-nationals both during and after disasters, including if humanitarian assistance is equally available to migrants as it is to citizens.



SAFE, ORDERLY
AND REGULAR
MIGRATION
PAGE 21

This area looks at countries' approach to migration management in terms of border control and enforcement policies, admission criteria for migrants, preparedness and resilience in the case of significant and unexpected migration flows, as well as the fight against trafficking in persons.



1

ADHERENCE TO INTERNATIONAL STANDARDS AND FULFILMENT OF MIGRANTS' RIGHTS

1.1. International conventions ratified

Table 1. Signature and ratification of international conventions

Convention name	Ratified
International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97)	Yes (1954)
United Nations Convention relating to the Status of Refugees (also known as Geneva Convention), 1951	Yes (1970)
United Nations conventions on statelessness, 1954 and 1961	Yes (2001)
ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	No
United Nations Convention on the Rights of the Child (CRC), 1989	Yes (1990)

1.2. Migration governance: Examples of well-developed areas

In Uruguay, non-nationals have the same status as nationals in areas such as health, education, social protection and work. Article 8 of the Migration Act (Legislative Act No. 18.250 of 2008) states that migrants and their family members shall enjoy rights to health, work, social security, housing and education on an equal footing with nationals, and that such rights shall be protected and safeguarded for nationals and non-nationals alike.

Non-nationals can register with the State health services free of charge (the National Health Fund and the State Health Services Administration) by presenting a valid identity card. Additional documentation may be required depending on the person's legal status in the country.⁵ Health services include primary care (basic, low-complexity health services, such as preventive care services) and secondary care (hospital care and treatment in different medical specialties), as well as emergency services. Furthermore, according to Article 7 of the General Education Act (Legislative Act No. 18.437 of 2008), all children are required to attend preschool (age 4 or 5) until middle school (roughly 14 years of age). Non-nationals can access vocational education on equal terms with Uruguayan citizens. Articles 9 and 11 of the Migration Act further provide that irregular status shall not be a barrier to access government services associated with migrants' rights to health and education.

Articles 16 and 17 of the Migration Act provide: "Migrants shall be entitled to equality of treatment with nationals when taking up work" and "The State shall take the necessary steps to ensure that migrants are not deprived of any of their rights protected in the labour legislation due to irregularities in their stay or employment." Migrants with permanent or temporary resident status, or those arriving for the purpose of family reunification, are allowed to pursue self-employment and, if they acquire legal citizenship,

⁵ For more information on enrolling with the State Health Services Administration (Administración de los Servicios de Salud del Estado, ASSE), see the section on "Extranjeros y retornados al país" (Non-nationals and returnees) (http://afiliaciones.asse.com.uy/prestaciones_detalle?id=P-5-extranjeros). With regard to enrolling with the National Health Fund (Fondo Nacional de Salud, FONASA), see the section on "Afiliación mutual trabajadores" (Registering to a mutual benefit fund) (www.bps.gub.uy/6486/afiliacion-mutual-trabajadores.html).

can access public-sector jobs⁶ under the same conditions as nationals. Employers can also hire migrants whose identity or residence documents are still being processed.

As a member of the Southern Common Market (Mercosur), Uruguay grants residence permits (which allow beneficiaries to legally work) to nationals of bloc countries (States parties and associated States). Migrants from non-Mercosur countries can request temporary residence permits. The State has a broad policy of allowing foreigners to stay in the national territory and provides a simple application procedure for both temporary and permanent residence.⁷ All non-nationals temporarily residing in Uruguay also have the right to apply for permanent residence on equal terms. Decree No. 394/009 of 2009 regulating the Migration Act states that migrants with temporary residence can become permanent residents in the Uruguayan territory.

Any migrant, regardless of visa or residence type, can apply for family reunification. Protection of the family is enshrined in Article 40 of the Constitution of 1967: “Family is the foundation upon which our society is built. The State shall ensure the moral and material stability of the family unit to provide the best possible upbringing for children within society.” The Migration Act makes specific reference to family reunification for all migrants in the country. Article 10 highlights: “The Uruguayan State shall guarantee the right of every migrant to family reunification with his or her parents, spouse, partner, unmarried children (if below the age of 18) or adult children living with disabilities, in accordance with Article 40 of the Constitution.”

The State has entered into social security agreements with other countries for the portability of rights and entitlements, including old-age pensions. Uruguay’s Social Security Bank is a member of the Ibero-American Multilateral Agreement on Social Security and has social security agreements with more than 30 countries. These agreements include Uruguay’s participation in Mercosur and dual entitlement arrangements between Uruguay and various European countries.

Uruguay has adopted policy measures to combat hate crimes, violence, xenophobia and discrimination against migrants. The Migration Act ensures “the right to equal treatment with nationals as subjects of rights and obligations”. The Anti-Racism, Xenophobia and Discrimination Act (Legislative Act No. 17.817 of 2004) established the Honorary Commission against Racism, Xenophobia and All Other Forms of Discrimination, which proposes national policies and practical steps to prevent all forms of discrimination. The country’s national migration policy also directly addresses the issue of discrimination in the Migration Policy Framework Document for Uruguay (*Documento Marco sobre Política Migratoria en Uruguay*). As provided in Resolution No. 576/016 of August 2016, paragraph 3: “Uruguayan migration policy shall encourage activities in different areas and at different levels to ensure coexistence and a society free from xenophobia, racism, and racial discrimination or any other form of discrimination.”

⁶ This is provided by Article 5 of Legislative Act No. 19121.

⁷ Certain foreign citizens from non-Mercosur countries can request permanent or temporary residence depending on which economic activity they are carrying out. Nationals of the States parties and associated States of Mercosur can apply to the Ministry of Foreign Affairs for permanent residence, or to the Department of Migration for temporary residence.



2

FORMULATES POLICY USING EVIDENCE AND WHOLE-OF-GOVERNMENT APPROACH

2.1. Migration governance: Examples of well-developed areas

There is a permanent mechanism at the national level for interministerial coordination on migration issues. The Migration Act established the National Migration Board (Junta Nacional de Migración, JNM) to function as a body advising and coordinating the Government's migration policies. JNM is comprised of members from the following State departments: Office of the President of the Republic, Ministry of Foreign Affairs, Ministry of the Interior, Ministry of Labour and Social Security, and Ministry of Social Development. The responsibilities of the Board include proposing migration policies, carrying out coordination efforts at the intergovernmental level, promoting decision-making and implementing integration initiatives. The Board is permanently chaired by an official from the Ministry of Foreign Affairs, who is assisted by an Executive Secretariat whose role is to plan, supervise and coordinate the implementation of the technical and administrative support activities required for the Board's functions. JNM usually meets once a month and holds several extraordinary sessions each year.

The Ministry of Foreign Affairs is also tasked with publishing information on the Uruguayan Government's migration policies and initiatives. In line with Article 73 of the Migration Act, the Directorate General for Consular Affairs and Liaison (Dirección General para Asuntos Consulares y Vinculación, DGCV), a department of the Ministry of Foreign Affairs, is tasked with coordinating national policies on liaison and repatriation. The DGCV develops liaison policies on behalf of the Ministry of Foreign Affairs. The DGCV has been tasked with maintaining regular communication with consultative councils and associations of Uruguayans abroad, organizations formally recognized in the Migration Act as representing the Uruguayan diaspora and promoting relations with Uruguayan nationals in all aspects.

Uruguay has national legislation regulating immigration and emigration. The Migration Act applies to the "admission, entry, stay and departure of persons in the national territory". The decree regulating the Migration Act sets out the specific conditions applicable to entry, departure and stay, as well as relations with Uruguayans abroad. It also establishes a legal framework that guarantees migrants access to and enjoyment of the rights to health, work, social services and education on an equal footing with nationals.

Uruguay has a comprehensive national strategy for migration. In September 2016, the Uruguayan Government issued the Migration Policy Framework Document for Uruguay, which was developed by JNM in cooperation with various ministries, agencies and State actors involved in migration issues – such as the Ministry of Education and Culture, the State Health Services Administration (Administración de los Servicios de Salud del Estado, ASSE) and the Uruguayan Parliament. The document sets out objectives, principles and general strategic guidelines for the State's migration policy in the short, medium and long term. The general principles underlying the policy are respect for human rights, non-discrimination, social integration, respect for diversity, gender equality and the comprehensive protection of migrants. Each chapter of the document describes policies relating to retention, repatriation, and immigration and liaison. Each chapter sets out recent achievements, implementation goals and strategic guidelines for each policy area.

It is important to note that Uruguay's national migration strategy (which is based on the Migration Policy Framework Document for Uruguay) is gender sensitive. Since gender equality is one of the guiding principles of its migration policy, Uruguay is committed to incorporating "a cross-cutting gender perspective [that] pays particular attention to the different difficulties faced by men and women in their migratory processes, historical power inequalities and all forms of violence against women".

The strategy places particular emphasis on the protection of women's rights (work, maternity, and sexual and reproductive health and rights, among others) as well as the protection of victims of violence.

The integration of migrants is also one of the fundamental issues included in the national migration strategy. Uruguay is looking to facilitate access to migrant rights and their integration into society. Related achievements include the reference guide *Living in Uruguay* (developed jointly by the Ministry of Foreign Affairs and IOM) and work on the Positive Immigration campaign. The latter was an inter-agency effort led by the Ministry of Foreign Affairs with support in creative design and guidelines from the National Directorate of Publications and Printed Matter (Centro de Información Oficial), as well as the backing of IOM and JNM. Since 2019, the Department of Migration (Dirección Nacional de Migración, DNM) has offered a help centre for questions on migration and online procedures, where migrants can seek advice on any State procedure they need to carry out, start the procedure online and check their status.

Other highlights include information and rights-awareness workshops for migrants on labour rights, education, health and access to documentation. The ASSE and the Ministry of Education and Culture have also organized events to raise awareness of health and education rights. These activities were held in Montevideo in 2018 and then repeated in the border cities of Chuy and Rivera in 2019.

In recent years, Uruguay has strengthened its ties with departmental governments to produce decentralized policies, with particular attention to areas with the highest reception of recent immigration and municipalities located in border areas. JNM has taken these dynamics into account in its annual workplans by setting up working sessions aimed at: (a) promoting dialogue between local, departmental and national stakeholders to determine the realities and dynamics of migration in each region and area (with respect to the national migration strategy); (b) analysing together the challenges and opportunities of addressing and protecting the rights of recently arrived migrants; and (c) evaluating and improving institutional responses and coordination. Representatives from civil society, academia, the business sector and national authorities have also participated in these meetings. JNM has convened in two border departments, Rivera and Rocha, and the department of Canelones in the country's south. In the past few years, departmental governments – such as the municipal authorities of Montevideo, Rivera and Rocha – have included migration issues in their work agendas and developed areas for specific action. Municipality B, with the highest migrant population, has played a particularly important role within the municipal authority of Montevideo.

Uruguay's rules and regulations on migration are clear and transparent. The Government publishes guidance on rules and regulations on an informational website with links to a guide for immigrants, information for Uruguayans returning to the country, job offers, and guides to the health, education and justice systems.⁸ The websites of JNM and the Ministry of Foreign Affairs also provide clear information on migration regulations.

Finally, migration data (outside data provided in the national census) is collected and published on a regular basis. The DNM (2019) publishes monthly statistics on entries into the country, granted residence visas, and authorized and denied visas. The Ministry of Foreign Affairs and JNM (2019a) also publish statistics on residence, returns and repatriation on a regular basis.

⁸ See www.gub.uy/migracion.

3

ENGAGES WITH PARTNERS TO ADDRESS
MIGRATION AND RELATED ISSUES

3.1. Migration governance: Examples of well-developed areas

Uruguay has signed memorandums of understanding on migration with several countries.⁹ In 2016, Chile and Uruguay signed a bilateral free-trade agreement that includes labour mobility provisions. In 2018, the Dominican Republic and Uruguay signed three agreements relating to migration, air services, and business and investment. In 2019, the Uruguayan Government opened a second round of migration talks with Cuba to promote safe, orderly and regular migration. In the same year, it held the Second Session of the Mexico–Uruguay Consular and Migration Issues Consultation Mechanism.

Uruguay is a member State of the Southern Common Market (Mercosur), whose goals include the promotion of human mobility, economic integration and free trade among South American countries. Uruguay is also a member of the South American Conference on Migration (SACM), commonly referred to as the Lima Process. SACM aims to provide a platform for consultations for South American countries in the primary areas of development, diasporas, rights of migrants, integration, information exchange, migration statistics, counter-trafficking and counter-smuggling.

Uruguay formally involves civil society organizations and the Uruguayan diaspora in agenda-setting and the implementation of migration-related issues. The Advisory Council on Migration (Consejo Consultivo Asesor de Migraciones, CCAM), which was established under Article 26 of the Migration Act, brings together social and trade union organizations specializing in migration issues and the promotion and defence of the human rights of migrants. CCAM contributes to the development of migration policy in coordination with the National Migration Board (JNM) and promotes programmes and campaigns on migration issues. CCAM considers public participation of nationals abroad as key to its policy-drafting process and therefore invites a representative of the Uruguayan diaspora from among the advisory boards and associations of Uruguayans abroad to join its sessions.

The Directorate General for Consular Affairs and Liaison (DGCV) is the governmental entity in charge of liaising with Uruguayan populations residing abroad. The DGCV works with advisory boards and organizations formally recognized in the Migration Act as associations representing Uruguayans abroad. Since 2015, the World Meeting of Advisory Councils and Associations of Uruguayans Abroad has met every two years in Uruguay, with the last congress held in 2019.

3.2. Areas with potential for further development

The Migration Policy Framework Document for Uruguay describes efforts to engage with the private sector on migration-related issues and underlines the importance of the private sector in helping to achieve national migration targets. Although each of the agencies involved in JNM has direct channels of communication with different social partners to discuss migration-related issues, further efforts are needed for formal and regular collaborations. Greater synergy is needed between the public and private sectors to implement specific and comprehensive programmes that target the migrant population.

⁹ Treaties are available in online format. See the Ministry of Foreign Affairs' public database of international treaties to which Uruguay is a signatory (<https://tratados.mrree.gub.uy>).



4

ADVANCES THE SOCIOECONOMIC WELL-BEING OF MIGRANTS AND SOCIETY

4.1. Migration governance: Examples of well-developed areas

Uruguay collects labour market data disaggregated by migration status and sex. The National Institute of Statistics carries out a yearly Continuous Household Survey, which is the country's main source of updated information on migration. The survey reveals information that includes the sex and age composition of foreign-born residents in Uruguay, as well as the extent of recent immigration (immigrants residing in the country for less than five years) and their situation in the labour market disaggregated by different variables. The Ministry of Labour and Social Security also publishes statistics on the country's labour market. The most recent study into immigrants and returnees entitled "Occupational status of immigrants and returnees in Uruguay and labour market conditions" (*Condición de actividad de inmigrantes y retornados en Uruguay y coyuntura del mercado de trabajo*) was published in 2014 and includes data disaggregated by migration status and sex.

As it stands, the majority of migrants are nationals of Southern Common Market (Mercosur) countries and must submit basic documentation to be awarded residence and the right to work.¹⁰ For nationals from other countries, Uruguay operates a consular visa system, and certain countries' citizens require visas to enter.¹¹ When a visa is needed, Uruguay provides information on requirements according to nationality and reason of entry into the country.¹² It also sets similar rules when issuing temporary residence permits. For example, there are different categories of temporary residence, including permits for scientific, research, teaching, professional, academic, technical, athletic, artistic, business, study or religious purposes, among others, as well as permits for migrants under the age of 18 and the parents of those in these categories. Each of these categories has specific requirements.

To foster decent working conditions for migrant workers, Uruguay has acceded to the main international instruments for the protection of human rights – including those specifically relating to migrant workers – and has incorporated them into its national legislation. It also takes part in all leading institutionalized bilateral and multilateral, subregional, and regional forums for dialogue and negotiation and has signed agreements focused on labour mobility and international cooperation.

Facilitating foreigners' access to residence and identity documents, administrative compliance, and awareness of available workers' training and capacity-building is key to ensuring their access to decent work and that they are on equal terms with nationals.¹³ An example of this can be seen in the Uruguayan legislation on private employment agencies, which sets out comprehensive safeguards for working conditions and employment in line with the company where the worker provides his or her services, whether in the public or private sector. According to Article 18 of Decree No. 137/016, which regulates Legislative Act No. 17.692 (Ratification of the International Labour Convention No. 181), migrant workers recruited or placed by private employment agencies enjoy adequate protection to prevent abuses, which may entail suspension or revocation of the concerned agency's operating licence. The Department of Employment, which operates under the Ministry of Labour and Social Security, has also introduced public

¹⁰ You will first be asked to demonstrate your nationality by providing a valid identity document, a certificate issued or approved by a Uruguayan vaccination agency stating your current vaccination status (for residence procedures processed by the Department of Migration) and, for those over 18, proof that you do not possess a criminal record (in your country of origin and in the countries where you have resided in the last five years). More information is available at <https://migracion.minterior.gub.uy/index.php/92-tramites/tramites-de-residencias/1264-informacion-sobre-residencia-temporaria-mercursosur>.

¹¹ More information on consular visas is available at https://migracion.minterior.gub.uy/index.php?option=com_content&view=article&id=1280.

¹² Decree No. 356/086 introduces seven types of consular visas: tourist visas, business visas, work visas, study visas, family reunification visas, humanitarian and emergency visas, and visas for national or international congresses, conventions, and seminars.

¹³ With regard to access to documentation, Uruguay's regulatory framework (Decree No. 118/018) bestows on the Ministry of Social Development the power to ask the competent authorities in migration matters to grant legal residence to foreign nationals who are in the territory in a particularly vulnerable situation. This regulation intends to facilitate the path to regular status, protecting the fundamental rights of migrants and putting them on an equal footing with nationals, a guiding principle emerging from Legislative Act No. 18250 of 2008.

employment services. These services are offered free of charge to all those working in Uruguay, and include the coordination of labour supply and demand, along with the provision of guidance and training. These services play an important role in facilitating workers' geographical mobility and establishing an information system that allows countries to monitor the activity of agencies. Another entity of the Ministry of Labour and Social Security, the General Labour Inspectorate, also plays a key role by not only identifying those companies that employ migrant workers with irregular migration status and/or in conditions of informality, but also recognizing and reporting situations of abuse and exploitation, human trafficking, and migrant smuggling.

Uruguay has also developed mechanisms to protect the rights of its citizens working abroad. The Ministry of Foreign Affairs maintains regular contact with Uruguayan citizens abroad by placing its staff throughout the network of Uruguayan consulates. Consular officials and agents currently provide a range of services to nationals abroad, including passport and permit processing for nationals under 18 years of age, apostille and legalization of documents, and issuance of various identity and civil status documents, among others. There are also mobile consulate services for Uruguayans who live far from consular offices and find it difficult to reach them.

Uruguay's tertiary education system is open to international students on an equal basis with Uruguayan nationals, including free tuition. Students from Mercosur countries are covered by the regional free movement mechanism established by Mercosur. Students from other countries can apply for residence and have access to university education on equal terms with nationals. Student visas as defined in Article 34 of the Migration Act do not impose restrictions on the ability to work. To enrol in the social security system, students need only apply for a temporary residence permit and receive a document number.

Uruguay promotes gender equality for migrants in the workforce. The Equal Treatment and Opportunities for Both Sexes in the Workplace Act (Legislative Act No. 16.045 of 1989) establishes the principle of equal treatment and opportunities for both sexes in employment, prohibiting any discrimination that violates this principle, regardless of the sector of activity. This principle applies to all migrants in the country pursuant to Article 1 of the Migration Act. Paragraph 6 of the Migration Policy Framework Document for Uruguay also refers to gender equality as one of the general principles that guide and govern migration policy, including access to the labour market.

The Government has several formal bilateral labour agreements in place. One of these is an agreement with Australia on working holidays, which aims to promote an exchange of experience and knowledge between young students from the two countries. This agreement allows travellers between 18 and 30 years old to stay in the country as tourists for a period of up to one year while carrying out remunerated activities during that period. Uruguay has similar agreements with France, Germany, the Netherlands, New Zealand and Sweden.

4.2. Areas with potential for further development

Uruguay is making efforts to extend social security coverage to all those living in situations of dependency and has conducted a national assessment to monitor labour demand, but this assessment did not cover migrant demand. The Ministry of Labour and Social Security carries out a yearly study into labour demand, identifying the economic sectors with labour shortages. The Uruguayan National Development Strategy 2050 models the labour market in line with a variety of different immigration and emigration scenarios. There are no specific studies yet into the effects of emigration on the local labour market.



5

EFFECTIVELY ADDRESSES THE
MOBILITY DIMENSIONS OF CRISES

5.1. Migration governance: Examples of well-developed areas

The Government has a national strategy in place for preventing and tackling the impact of displacement resulting from disasters. The National Emergency System (Sistema Nacional de Emergencias, SINAIE) is the government agency responsible for risk reduction, emergency response, and recovery. In February 2020, SINAIE released a publication entitled *Guide for Coordinating Displacement in Humanitarian Crisis* (*Guía para la coordinación del desplazamiento de personas en la acción humanitaria*), which it produced jointly with IOM. The Guide takes new international standards into account for humanitarian assistance and national regulations. Uruguay also has a contingency plan for handling large-scale population movements in times of crisis. Uruguay is at high risk of floods and has in place contingency plans for movements of people during such situations.

SINAIE's Communications Department recently launched an initiative aimed at improving universal accessibility and helping to raise awareness among people living with disabilities, who are often more at risk, on how to best take care of themselves, of those around them and of their communities in an emergency situation. It has also developed initiatives to improve information-sharing, such as producing materials for inclusive awareness-raising campaigns.¹⁴

Uruguay has developed strategies to address migration movements caused by environmental degradation and the adverse effects of climate change. In October 2019, the Government published the National Environmental Plan, which promotes sustainable development, citizens' awareness of environmental issues, and an environmental justice framework. The Plan aims to halve the number of people at risk. The Government will place greater emphasis on population-based risks to the environment by conducting risk assessments and keeping open the possibility of resettlement.

The Government seeks to maintain an active and close exchange with nationals living abroad through its consular network, which allows residents outside the country to voluntarily register.¹⁵ It has also developed measures to assist citizens living abroad in times of crisis. Notably, the Directorate General for Consular Affairs and Liaison (DGCVA) has developed a guide containing general recommendations in emergencies abroad (Ministry of Foreign Affairs, n.d.a).

Risk management regulations address recovery processes but do not specifically include migration issues. Post-crisis migrants' rights are guaranteed by the Constitution and the Migration Act. Article 7 of the Constitution guarantees all inhabitants, without distinction, the "right to protection in the enjoyment of their lives, liberty, security, employment and property".

Uruguay can exempt non-nationals whose respective countries of origin are in crisis from ordinary immigration procedures. Most notably, it can award refugee status on the basis of the Refugee Act (Legislative Act No. 18.076). Both the Refugee Act and the Migration Act offer the possibility of initiating a refugee claim if a non-national has no valid identification. Refugee procedures are free of charge and must be done in person, in writing or verbally – in Montevideo, in the territory of the country or at the border.

¹⁴ The National Emergency System recently produced an accessible version of Family Guide to Risk Management, one of the most widely used awareness-raising materials (www.gub.uy/sistema-nacional-emergencias/comunicacion/publicaciones/guia-familiar-para-reduccion-riesgos-version-accesible-online/guia). It has also produced an awareness-raising campaign called "Good preparation makes all the difference", with 20 short video clips that are inclusive and accessible with subtitles, Uruguayan Sign Language, and voice-over. More information is available at www.gub.uy/sistema-nacional-emergencias/comunicacion/noticias/prepararse-hace-diferencia-0.

¹⁵ According to the Ministry of Foreign Affairs, there are 526,000 Uruguayans registered as living abroad. More information is available at www.gub.uy/ministerio-relaciones-exteriores/comunicacion/publicaciones/numero-aproximado-compatriotas-residentes-exterior.

5.2. Areas with potential for further development

SINAE implements a whole-of-government approach to disaster risk management, a process in which it coordinates various authorities to reduce, prevent, respond to, and support rehabilitation and recovery from emergencies and disasters. However, there is no evidence at the national level of specific measures being made to assist non-nationals before, during and after crises. Planning documents consider people living in vulnerable situations, but do not specifically address non-nationals in the country. The same is true of the General Coordination Protocol, which sets out operational guidelines for communication with people affected by disasters, along with vulnerable groups, but it does not address non-nationals.

SINAE's Communications Department has operational guidelines on how to communicate with citizens before, during and after emergencies. Information is shared over various media such as radio, telephone, SMS and social media – and in various formats. However, there are no specific protocols for communication with non-nationals.



6

ENSURES THAT MIGRATION TAKES PLACE IN A SAFE, ORDERLY AND REGULAR MANNER

6.1. Migration governance: Examples of well-developed areas

The Migration Act provides that the Department of Migration (DNM), in the Ministry of the Interior portfolio, is responsible for “controlling and overseeing the entry, stay and departure of persons from the country, in compliance with the laws and regulations in force, as well as declaring irregular the entry or stay of foreigners who cannot prove their migration status in the country”. The DNM is equipped with electronic systems to monitor overstaying. In 2018, the DNM purchased 11 new servers to upgrade the speed of its immigration monitoring system.

The DNM regularly trains its border guards on the technical aspects of their role, and provides further training in languages, gender equality, human trafficking and migrant smuggling (with the support of IOM), and cultural factors. An example of this is an annual migration workshop that brings all staff up to date with the latest migration regulations.

Article 1 of the Migration Act provides that immigrants should enjoy the same rights as nationals, including the right “to due process and access to justice”. Furthermore, Article 12 of the Constitution states: “No person shall be convicted or imprisoned without due process of law and a legal sentence.” Similarly, according to Uruguayan migration legislation, the policy applied to a person in transit is the same as for any inhabitant in Uruguay, regardless of his or her legal status.

The Uruguayan Government has a clear visa policy. The Ministry of Foreign Affairs runs a webpage called “Migration”, which sets out options and visa requirements for people who want to go to the country.

The number of people returning to Uruguay over the last decade has been significant. The Migration Policy Framework Document for Uruguay mentions that “the Uruguayan State has established a general public policy facilitating and simplifying the return process for thousands of Uruguayans”. Achievements of this policy include the creation of the Return and Reception Office, the modernization of consular regulations to adapt to new realities, and advances in development and inter-institutional coordination promoted by the National Migration Board (JNM). Uruguayans returning from abroad after a stay of more than two years outside the territory can apply to the Return and Reception Office for entitlements resulting from agreements that the Ministry of Foreign Affairs has signed with other public entities. Such entitlements include the right to full, free public health coverage for one year; landline, mobile and Internet plans for 90 days; and a rental guarantee. The returnee is also allowed to bring one vehicle into the country without paying customs duties.¹⁶

Uruguay has a national strategy in place for preventing and prosecuting human trafficking. Decree No. 304/2015 established the Inter-institutional Roundtable on the Prevention and Combating of Trafficking in Persons, which is made up of representatives from public institutions and civil society organizations. In 2018, the Roundtable approved the National Plan of Action for the Prevention and Combating of Human Trafficking 2018–2020. The Plan sets out operational guidelines on the themes of prevention, combat, protection, and coordination, and includes a core gender perspective and a human rights approach.

¹⁶ This applies to the importation of motor vehicles by Uruguayans who have been abroad for at least two years and whose return entitles them to the benefits established under Article 76 of Legislative Act No. 18250, Decree No. 330/008, Article 121 of Legislative Act No. 18996, and Article 159 of Legislative Act No. 19149. For more information, see www.gub.uy/tramites/ingreso-automotores-uruguayos-retornan-pais.

In August 2018, the Government passed the Prevention and Combating of Human Trafficking Act (Legislative Act No. 19.643). This Act provides that the National Council for the Prevention and Combating of Human Trafficking and Exploitation is the leading entity responsible for drafting and approving public policy in this area. With the support of IOM, the Council is currently planning an inter-institutional protocol for action in cases of trafficking and exploitation of nationals and migrants.

At the international level, Uruguay has formal cooperation agreements with other countries, which include the prevention and combat of human trafficking. It is also negotiating specific agreements in the field with various countries.

Uruguay has measures in place to prevent the labour exploitation of migrants. The Ministry of Labour and Social Security offers a service wherein workers can complain to the General Inspectorate of Labour and Social Security about any irregularity in the terms of their employment. For a worker to report a violation in the workplace, he or she must submit a written statement to the General Labour and Social Security Inspectorate, which has inspection staff that provide personalized advice on facts and circumstances that could form the basis of a rights violation. The Ministry of Labour and Social Security, together with the Ministry of Social Development and civil society actors, has also provided workshops for migrant workers and victims of trafficking to offer advice and employment guidance.

Uruguay has a humanitarian and human rights-based policy that aims at ensuring protection for migrants in transit or at the border. The Migration Act recognizes “the right to equal treatment with nationals as subjects of rights and obligations” (Article 7). The Migration Policy Framework Document for Uruguay also stipulates: “Uruguayan migration policy shall encourage activities in different areas and at different levels to ensure coexistence and a society free from xenophobia, racism, and racial discrimination or any other form of discrimination. Policies with this aim in mind shall have regard to ethnic and racial aspects and pay particular attention to the increasing diversification of recent immigration.”

Furthermore, Uruguay has systems in place to track and identify missing migrants on national territory. Procedures to investigate international fugitives are regulated by the INTERPOL General Secretariat. The General Directorate for the Fight against Organized Crime and the Uruguayan National Police are part of INTERPOL as the highest international security organization.

6.2. Areas with potential for further development

Uruguay does not regularly publish information on its activities to combat human trafficking. The Government does not systematically report data on its efforts to enforce anti-trafficking laws, nor does it have a comprehensive system for tracking cases being heard in the courts. The National Women’s Institute (Inmujeres) publishes press releases on gender issues (including human trafficking), although not on a regular basis.



KEY SOURCES

Department of Migration (DNM)

- 2019 Anuario 2019. Available at <https://migracion.minterior.gub.uy/index.php/estadisticas/anuario-2019>.

Inter-institutional Roundtable on the Prevention and Combating of Trafficking in Persons

- 2018 *Plan Nacional de Acción para la Prevención y Combate a la Trata de Personas 2018–2020*. Montevideo. Available at www.gub.uy/secretaria-derechos-humanos/sites/secretaria-derechos-humanos/files/documentos/publicaciones/Plan%20Nacional%20de%20Acci%C3%B3n%20para%20la%20Prevenci%C3%B3n%20y%20Combate%20a%20la%20Trata%20de%20Personas%202018-2020.pdf.

International Organization for Migration (IOM)

- 2013 Uruguay presenta la campaña de información “Migración positiva”. 24 May. Available at www.iom.int/es/news/uruguay-presenta-la-campana-de-informacion-migracion-positiva.

Ministry of Foreign Affairs

- 2015 Plan Estratégico. Available at www.gub.uy/ministerio-relaciones-exteriores/sites/ministerio-relaciones-exteriores/files/2018-10/bases%2Bpara%2Bla%2Bpolitica%2Bexterior%2Bdel%2Buruguay.pdf.
- 2016 Cancilleres de Uruguay y Chile suscriben Tratado de Libre Comercio. 13 October. Available at www.gub.uy/ministerio-relaciones-exteriores/comunicacion/noticias/cancilleres-de-uruguay-y-chile-suscriben-tratado-de-libre-comercio.
- 2018 Firma de acuerdos con República Dominicana. 14 November. Available at www.gub.uy/ministerio-relaciones-exteriores/comunicacion/noticias/firma-de-acuerdos-con-republica-dominicana.
- n.d.a Asistencia al compatriota. Available at www.gub.uy/ministerio-relaciones-exteriores/tematica/asistencia-al-compatriota-1.
- n.d.b Asuntos consulares y vinculación con uruguayos en el exterior. Available at www.gub.uy/ministerio-relaciones-exteriores/asuntos-consulares-vinculacion-uruguayos-exterior.
- n.d.c Beneficios para compatriotas que retornan. Available at www.gub.uy/ministerio-relaciones-exteriores/node/830.
- n.d.d Migración. Available at www.gub.uy/migracion.
- n.d.e Retornar a Uruguay. Available at www.gub.uy/ministerio-relaciones-exteriores/retornar-uruguay.
- n.d.f Vinculación con el exterior. Available at www.gub.uy/ministerio-relaciones-exteriores/vinculacion-exterior.
- n.d.g Vivir en Uruguay: Guía de Apoyo al Inmigrante. Available at www.gub.uy/ministerio-relaciones-exteriores/sites/ministerio-relaciones-exteriores/files/documentos/publicaciones/Guia_Vivir_en_Uruguay.pdf.

Ministry of Labour and Social Security

- 2021 Contratación de trabajadores extranjeros bajo régimen de dependencia laboral. 2 March. Available at www.gub.uy/ministerio-trabajo-seguridad-social/politicas-y-gestion/contratacion-trabajadores-extranjeros-bajo-regimen-dependencia-laboral.
- n.d. Estadísticas. Available at www.gub.uy/ministerio-trabajo-seguridad-social/estadisticas.

Ministry of Social Development

- 2019a Recomendaciones generales para compatriotas en situaciones de emergencia en el exterior. 19 February. Available at www.gub.uy/ministerio-relaciones-exteriores/comunicacion/publicaciones/recomendaciones-generales-para-compatriotas-en-situaciones-de-emergencia.
- 2019b Reconocimiento a instituciones y organismos públicos que han contribuido en favor de uruguayos residentes en el exterior. 17 October. Available at www.gub.uy/ministerio-relaciones-exteriores/comunicacion/noticias/reconocimiento-instituciones-organismos-publicos-han-contribuido-favor-0.
- 2019c Visas para ingresar a Uruguay. 25 March. Available at www.gub.uy/ministerio-relaciones-exteriores/comunicacion/publicaciones/visas-para-ingresar-uruguay.
- 2020 Retorno de uruguayos y bienvenida. 23 October. Available at www.gub.uy/tramites/retorno-uruguayos-bienvenida.
- n.d. Género. Available at www.gub.uy/ministerio-desarrollo-social/genero.

Ministry of the Interior

- n.d. Trámites de residencia. Available at https://migracion.minterior.gub.uy/index.php?option=com_content&view=category&id=92.

National Directorate of Publications and Printed Matter

- 2018 En Uruguay existe una ley que reconoce la igualdad de derechos de los extranjeros migrantes con los uruguayos. Available at www.impo.com.uy/migracion/.
- 2020 En Uruguay contás con una ley que garantiza tu derecho a la educación. Available at www.impo.com.uy/educacion/.

National Emergency System (SINAE)

- 2019a Comunicación. 15 August. Available at www.gub.uy/sistema-nacional-emergencias/node/722.
- 2019b Planes y protocolos. 1 March. Available at www.gub.uy/sistema-nacional-emergencias/comunicacion/publicaciones/planes-protocolos.
- 2019c Política Nacional de Gestión Integral de Riesgos de Emergencias y Desastres en Uruguay (2019–2030). Available at www.gub.uy/sistema-nacional-emergencias/institucional/plan-estrategico.
- n.d. Gestión integral de riesgos. Available at www.gub.uy/sistema-nacional-emergencias/gestion-integral-riesgos.

National Environment, Water and Climate Change Secretariat

- 2019 El Plan Nacional Ambiental ya es un hecho. Available at www.gub.uy/secretaria-nacional-ambiente-agua-cambio-climatico/comunicacion/noticias/plan-nacional-ambiental-ya-es-hecho.

National Institute of Statistics

- n.d. Encuesta Continua de Hogares. Available at www.ine.gub.uy/encuesta-continua-de-hogares1.

National Migration Board (JNM)

- 2017a Normativa. Available at www.jnm.gub.uy/institucional/normativa.html.
- 2017b Uruguay sede de la XVII Conferencia Suramericana sobre Migraciones. 16 November. Available at www.jnm.gub.uy/noticias/37-uruguay-sede-de-la-xvii-conferencia-suramericana-sobre-migraciones.html.
- 2018a Visita de representantes de la Junta Nacional de Migración al Departamento de Rocha. 2 August. Available at www.gub.uy/ministerio-relaciones-exteriores/comunicacion/comunicados/6018-visita-representantes-junta-nacional-migracion-departamento-rocha.
- 2018b Sesión de la Junta Nacional de Migración en Rivera y Santa Ana do Livramento. 25 October. Available at www.jnm.gub.uy/noticias/71-sesion-de-la-junta-nacional-de-migracion-en-rivera-y-santa-ana-do-livramento.html.
- 2019a Documentos. 26 September. Available at www.jnm.gub.uy/documentos.html.
- 2019b II ronda de conversaciones migratorias Uruguay–Cuba. 13 May. Available at www.jnm.gub.uy/noticias/81-ii-ronda-de-conversaciones-migratorias-uruguay-cuba.html.
- n.d.a Consejo Consultivo Asesor de Migración – CCAM. Available at www.jnm.gub.uy/sociedad-civil/ccam.html.
- n.d.b Misión y cometidos. Available at www.jnm.gub.uy/institucional/mision-y-cometidos.html.

Office of the United Nations High Commissioner for Refugees (UNHCR)

- n.d. Guía para solicitantes de la condición de refugiado en Uruguay. Available at www.acnur.org/5b05b7534.pdf.

Social Security Institute

- n.d. Afiliación mutual trabajadores. Available at www.bps.gub.uy/6486/afiliacion-mutual-trabajadores.html.

South American Conference on Migration (SACM)

- n.d. Inicio. Available at <http://csm-osumi.org/>.

Southern Common Market (Mercosur)

- n.d. Residencia en el Mercosur. Available at www.mercosur.int/ciudadanos/residir/.

State Health Services Administration (ASSE)

- n.d.a ¿Cómo me afilio? Available at <http://afiliaciones.asse.com.uy/web/guest/prestacion>.
 n.d.b Extranjeros y retornados al país. Available at http://afiliaciones.asse.com.uy/prestaciones_detail?id=P-5-extranjeros.

United States Department of State

- 2019 Trafficking in persons report: Uruguay. Available at www.state.gov/reports/2019-trafficking-in-persons-report-2/uruguay/.

Uruguay, Government of

- 1967 Constitución de la República. Available at www.impo.com.uy/bases/constitucion/1967-1967.
 1970 Ley No. 13.882. Available at www.impo.com.uy/bases/leyes-originales/13882-1970.
 1989 Ley No. 16.045 – Ley sobre Igualdad de Trato y Oportunidades para Ambos Sexos en la Actividad Laboral. Available at www.impo.com.uy/bases/leyes/16045-1989.
 2006 Ley No. 18.076 – Ley de Refugiados. Available at www.impo.com.uy/bases/leyes/18076-2006.
 2008a Ley No. 18.250 – Ley de Migraciones. Available at www.impo.com.uy/bases/leyes/18250-2008.
 2008b Ley No. 18.437 – Ley General de Educación. Available at www.impo.com.uy/bases/leyes/18437-2008.
 2009 Decreto No. 394/009 (Reglamentación de la Ley No. 18.250 – Ley de Migraciones). Available at www.impo.com.uy/bases/decretos/394-2009.
 2014 Ley No. 19.210 – Ley de Inclusión Financiera. Available at www.impo.com.uy/bases/leyes/19210-2014.
 2016a Resolución No. 576/016 – Documento Marco sobre Política Migratoria en Uruguay. Available at www.impo.com.uy/bases/resoluciones-originales/576-2016.
 2016b Decreto No. 137/016 – Reglamentación del Funcionamiento de las Agencias de Empleo Privadas y Derogación del Decreto 384/979. Available at www.impo.com.uy/bases/decretos/137-2016.
 2017 Ley No. 19.535. Available at www.impo.com.uy/bases/leyes-originales/19535-2017.
 2018a Ley No. 19.643 – Ley de Prevención y Combate de la Trata de Personas: Modificaciones al Código Penal. Available at www.impo.com.uy/bases/leyes/19643-2018.
 2018b Decreto No. 356/018 – Reglamentación del Art. 30 de la Ley 18.250, Ley de Migraciones. Available at www.impo.com.uy/bases/decretos/356-2018/1.
 2019a Estrategia Nacional de Desarrollo Uruguay 2050. Available at <https://observatorioplanificacion.cepal.org/es/planes/estrategia-nacional-de-desarrollo-uruguay-2050>.
 2019b Sistema Nacional de Emergencias presentó publicaciones vinculadas a gestión integral de riesgos. Available at www.presidencia.gub.uy/comunicacion/comunicacionnoticias/sinae-presento-publicaciones-vinculadas-gestion-integral-de-los-riesgos.
 2020a Afiliación a ASSE. 20 October. Available at www.gub.uy/tramites/afiliacion-asse.
 2020b Residencia permanente para nacionales del Mercosur (Estados Parte y Asociados) y extranjeros familiares de uruguayos. Available at www.gub.uy/tramites/residencia-permanente-nacionales-mercotur-estados-parte-asociados-extranjeros-familiares-uruguayos.



ANNEXES

MiGOF: Migration Governance Framework¹⁷

In an attempt to define the concept of “well-managed migration policies”, the International Organization for Migration (IOM) devised a Migration Governance Framework (MiGOF), which was welcomed by the IOM Council in November 2015. For the purposes of the Migration Governance Framework, IOM defines governance as “the traditions and institutions by which authority on migration, mobility and nationality in a country is exercised, including the capacity of the government to effectively formulate and implement sound policies in these areas”.

The Framework sets out the essential elements of “good migration governance” – 3 principles and 3 objectives which, if respected and fulfilled, would ensure that migration is humane, safe and orderly, and that it provides benefits for migrants and societies.¹⁸ IOM’s view is that a migration system promotes migration and human mobility that is humane and orderly and benefits migrants and society:

When it:

- (i) Adheres to international standards and fulfils migrants’ rights;
- (ii) Formulates policy using evidence and a “whole-of government” approach;
- (iii) Engages with partners to address migration and related issues.

As it seeks to:

- (i) Advance the socioeconomic well-being of migrants and society;
- (ii) Effectively address the mobility dimensions of crises;
- (iii) Ensure that migration takes place in a safe, orderly and dignified manner.

The MiGOF does NOT create new standards or norms. In drafting the Framework, IOM relied on its expertise and analytical work, as well as on existing commitments, non-binding declarations and statements. It does NOT address global migration governance that is the international architecture for dealing with issues related to migration and human mobility. Instead, the focus is on the governance and management of migration from the point of view of the State as the primary actor. It does NOT propose one model for all States. The Framework presents a “high road” or ideal version of migration governance, to which States can aspire.

The MiGOF is based on the understanding that, as the primary actor in migration, mobility and nationality affairs, a State retains the sovereign right to determine who enters and stays in its territory and under what conditions, within the framework of international law. Other actors – citizens, migrants, international organizations, the private sector, unions, non-governmental organizations, community organizations, religious organizations and academia – contribute to migration governance through their interaction with States and each other.

¹⁷ IOM Council, Migration Governance Framework, 106th session, C/106/40 (4 November 2015). Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

¹⁸ Migration Governance Framework infosheet (2016). Available at <https://publications.iom.int/books/migration-governance-framework>.

The MGI process



1

Launch of the MGI process

The first step of the process is to explain what the MGI entails to key government officials, in order to ensure full understanding of the project and complete buy-in.



2

Data collection

The second step of the process is to start the collection and analysis of data, based on about 90 indicators grounded in the 6 dimensions of the MiGOF. A migration governance profile based on the analysis of the findings is then drafted and shared with the government counterparts.



3

Interministerial consultation

The third step of the process is to convene an interministerial consultation where all relevant ministries and other stakeholders discuss the good practices and main areas that could be developed further as identified in the draft migration governance profile, as well as priorities on the way forward. It is also an opportunity for them to comment and provide suggestions on the draft profile.



4

Publication of the report on the Global Migration Data Portal

After the migration governance profiles are finalized and vetted by government counterparts, they are published on the Global Migration Data Portal¹⁹ and uploaded on the IOM Online Bookstore.²⁰

¹⁹ You can find the profiles at <https://migrationdataportal.org/overviews/mgi#0>.

²⁰ Please see <https://publications.iom.int/>.



www.migrationdataportal.org/mgi

 @IOM

 @UNmigration

 @UNmigration

 MGI@iom.int