ICMPD
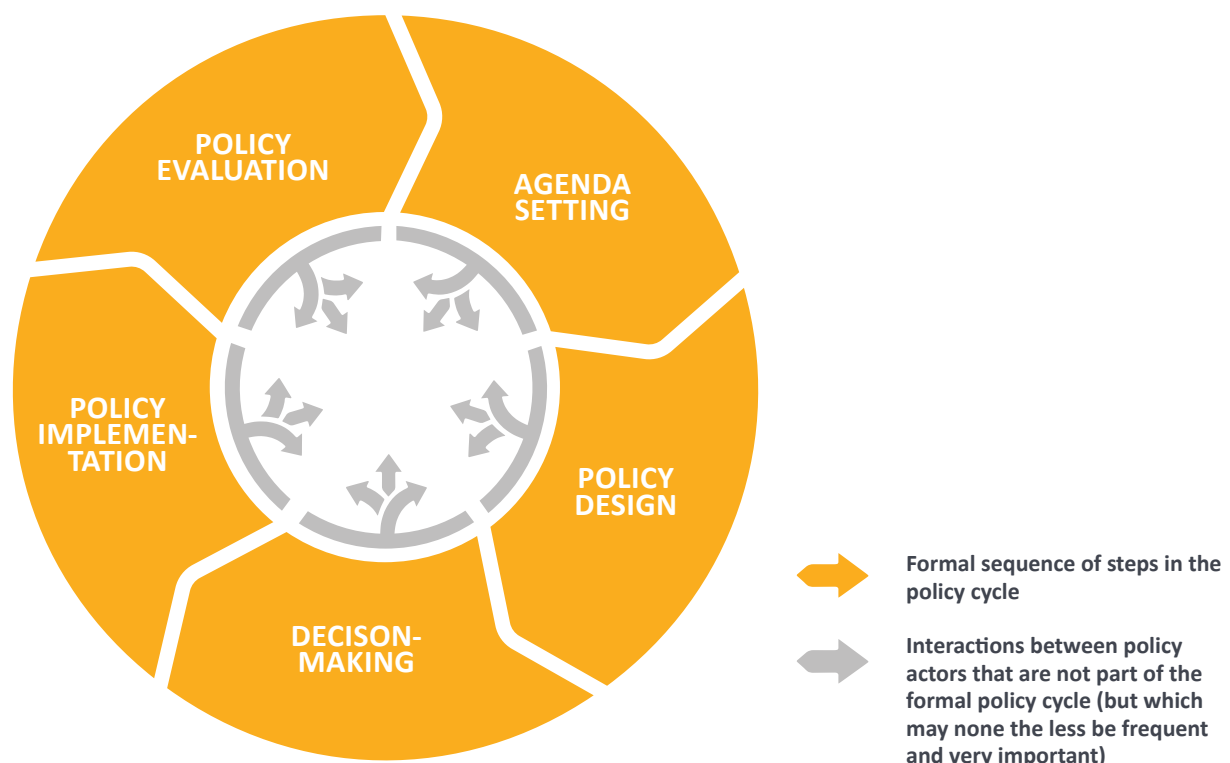International Centre for
Migration Policy Development

THE MIGRATION POLICY CYCLE: MAKING THE CASE FOR COHERENT, INCLUSIVE AND EVIDENCE-INFORMED POLICY-MAKING

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INTRODUCTION

Constantly changing migration patterns push many countries to continuously introduce new or to adapt existing migration policies. The corresponding policy-making processes, however, rarely follow the 'ideal' policy cycles. They are disrupted or influenced by upcoming elections, public opinion or crises. Today, migration policies are often developed in a highly politicized environment, and in many areas of migration policy there are still considerable 'gaps' between research findings and stakeholder positions, as well as actual policy responses.

Figure 1: The Migration Policy Cycle

POLICY EVALUATION

AGENDA SETTING

POLICY DESIGN

DECISON-MAKING

POLICY IMPLEMEN-TATION

Formal sequence of steps in the policy cycle

Interactions between policy actors that are not part of the formal policy cycle (but which may none the less be frequent and very important)

Model based on Buonanno, L., and Nugent, N., Policies and Policy Processes of the European Union, Palgrave, 2013

Against this background, a recent ICMPD report[1] looked at migration policy development processes - often described as a cycle comprised of different stages: agenda-setting, policy formulation, decision-making, implementation and evaluation, institutional structures and mechanisms to support them, as well as factors that might challenge the migration policy cycle. It highlights the importance of defining policy objectives and developing policy options informed by evidence, and ensuring policy coherence as well as stakeholder involvement to create ownership and inform the process at all stages. Structures that facilitate inter-institutional coordination and ongoing dialogue with relevant stakeholders, as well as a combination of internal and external research structures, are considered being particularly beneficial in this context.

The following sections present the main **challenges encountered at each stage of the policy cycle** and describe **institutional set-ups and processes** that can help mitigate them by ensuring coherent, inclusive and evidence-informed policy-making.

AGENDA-SETTING AND POLICY DESIGN

At the stage of agenda-setting, a problem is identified that requires a solution. This is formally done for example, through manifestos of political parties or governmental programs, usually influenced by the media, interest groups and/or results of referenda. Once a policy issue is on the agenda, a policy proposal is developed (designed) that addresses this problem. This process should ideally follow an inclusive and an evidence-informed approach to ensure that migration policy proposals are based on facts rather than lobbying and purely political considerations, enjoy ownership by relevant stakeholders, and are coherent with other policy areas that affect or are affected by migration.

Figure 2: Policy design

POLICY ANALYSIS + STAKEHOLDER CONSULTATIONS → POLICY DESIGN

How to facilitate coherent and inclusive policy-making?

Migration policy development processes are characterised by a multitude of actors that have a stake in policy development processes, and their potentially diverging positions. Due to the cross-cutting nature of the migration phenomenon, migration policies (e.g. integration, labour migration) need to be **coordinated and compatible with a wide range of other sectoral policies**, at all levels of governance,

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1 The Migration Policy Cycle and Migration Crisis Response. A Comparative Report Covering Germany, Italy, Russia, Sweden and the United Kingdom, ICMPD 2019. The report is based on desk research, internal input papers prepared by national policy experts, complementary information collected during study visits to Germany (March 2018), Sweden (July 2018) and Italy (February 2019), as well as subsequent analysis.

to safeguard against policy incoherence and negative impacts. Relevant sectoral policies include education, employment, the economy, social affairs, public security and development.

In addition to governmental stakeholders, many non-governmental actors are affected by migration policies or play a role in their implementation. This includes the private sector, employers' representatives, trade unions, NGOs, welfare associations and migrants' associations, whose involvement in policy development processes can be ensured through stakeholder consultations. **Stakeholder consultations are usually carried out in three phases:**

1. Establishing the consultation strategy, which involves the definition of objectives, target groups and adequate consultation tools;

2. Conducting consultation work, which involves announcing and carrying out consultations and analysing the results; and

3. Informing policy-making.

Graph 3: The stakeholder consultation process

Source: own elaboration, based on Hauser, F. [Ed.], Quality of Public Administration. A Toolbox for Practitioners, Luxembourg: Publications Office of the European Union, 2017.

In this process, it is not only a challenge for policy-makers to identify the relevant stakeholders and carry out consultations, but also to process their inputs and reconcile diverging positions. This process is often further hampered by limited capacities or resources. It is always at the discretion of the policy-makers to what degree information generated by the consultations is taken into account during the development of new policies, not least because policy proposals are often negotiated and decided on based on compromises between diverging political positions.

In the countries covered by the aforementioned report, different approaches to mechanisms for stakeholder consultations as well as for inter-institutional coordination and decision-making were in place. The degree to which the **migration policy development process** is **coordinated within the government** varies significantly across countries and depends on the systems in place. **Stakeholder consultations** are often not a formal requirement and conducted only for the purpose of preparing major policy proposals. In **Sweden**, for example, inter-institutional coordination is quite advanced and almost all government decisions are made collectively, rather than by a single minister. In the constitutionally established referral system, relevant bodies are invited to comment on the basis of reports that have been produced by official inquiries in preparation of legislative proposals. These referral instances include a wide range of central and local government agencies, interest groups, NGOs, academia and other relevant stakeholders. During the consultative phase of the Swedish referral system, workshops, conferences, panel discussions and other meetings can be organised at various levels to gather inputs.

The UK's Cabinet government requires the Home Secretary to secure the support of, or at least consult with, other Cabinet ministers about policy changes. Inter-departmental meetings and bilateral meetings between ministers and their special advisors facilitate the day-to-day coordination between relevant government departments. However, migration policy-making is centralised and policy proposals are initiated by the Home Office.

Germany recognises the complex nature of migration and the fact that the function of the Federal Commissioner for Migration, Integration and Refugees is placed in the Chancellery equips the Commissioner with a coordinating function. For instance, the Federal Commissioner had a coordinating role in the consultative process that led to the development of the National Action Plan on Integration. This process was organised through ten thematic dialogue fora (covering topics such as education, culture, sports and language learning), in which a wide range of relevant stakeholders were consulted. Generally, the Federal Commissioner has an important role in advising public authorities on migration and integration issues.

In countries with federal structures or regions, where there is a high degree of political autonomy, vertical coordination mechanisms between different levels of governance play a particularly strong role in addition to horizontal forms of coordination. In Italy, for example, the National Coordinating Group and Regional Coordinating Groups were institutionalised through the adoption of a National Operational Plan (*Conferenza Unificata Stato – Regioni – Autonomie Locali*) in July 2014.

In addition to holding punctual stakeholder consultations, as informative discussions about specific policy proposals, ongoing dialogue with civil society organisations may help develop and maintain beneficial relationships for policy development processes. A good example of this is the German Islam Conference, which involves three levels of governance as well as umbrella associations representing Muslim communities in Germany, mosque associations and the broader Muslim civil society, and has the aim of developing recommendations for various policy areas.

How can challenges to evidence production be overcome?

The situation regarding evidence-informed policy development processes portrays itself as equally challenging. Difficulties mainly concern two issues: the production of timely, objective, and unbiased evidence and policy analysis, and the uptake and absorption of the results by policy-makers in the policy-making process. **Graph 4** describes the process of conducting policy analysis below.

Graph 4: **The process of conducting policy analysis**

| Framing and understanding the problem | Collecting and describing the evidence | Interpreting (analysing) the evidence | Formulating recommendations and outlining the policy options |

Source: Own elaboration, based on Milovanovitch, M., Guide to Policy Analysis, European Training Foundation, 2018.

Unbiased information is often not produced in a timely manner for the initial stages of the policy cycle; big research projects carried out within academic/scientific research structures may take several years to produce results. Moreover, findings are not always presented in a format that is easily accessible or digestible to policy-makers, and actual discussions and open dialogue between researchers and policy-makers are often limited. Findings produced through in-house structures within the relevant ministries may, in contrast, be able to produce results more quickly, but may also lack the independence necessary for unbiased analysis.

In regards to the uptake of evidence by policy-makers, policy-making is also often influenced by the politics of policy-making, underlying assumptions, vested interests and compromises between political positions, which in most cases get in the way of purely evidence-informed policy development. Situations in which research results are complex, incomplete or even contradictory, or in which measured effects cannot be directly applied to a policy intervention, may reinforce this effect. What counts as 'evidence' and how to interpret it is therefore often contested.

In order to ensure that evidence is available to policy-makers, most countries covered by the report have put in place combined structures within and outside the administrations, which reflect specific advantages and disadvantages. **In-house structures** may be able to react more quickly and carry greater awareness of the policy-makers' needs, while **external structures** may have higher degrees of specialisation and independence. In some cases, seeking external expertise may serve as a political advantage in the case of envisaged policy shifts or conflicting positions.

The choice of whether to draw on internal or external expertise is often made on a case-to-case basis depending on the nature, complexity, strategic importance and sensitivity of a topic, as well as on organisational routines and standard practices. In Sweden, for example, **official inquiries** are carried out **in preparation of legislative proposals** and either commissioned to experts within or outside the ministry concerned (or a combination of both), depending on the complexity of the issue, as part of the constitutionally established referral system. The same factors influence the decision on the use of **policy assessment tools**. Research[2] shows that because advanced policy assessment tools[3] are more complex and have less predictable outcomes, they tend to be used in more forward-looking and depoliticised policy areas, whereas simpler policy assessment tools are applied in day-to-day policy-making contexts (Table 1).

2 M. Nilsson & A. Jordan, J. Turnpenny, J. Hertin, B. Nykvist, D. Russel, (2008): The use and non-use of policy appraisal tools in public policy making: An analysis of three European countries and the European Union, Policy Sciences [N.B: the analysis covers the European Commission as well as Germany, Sweden and the UK].
3 Simpler tools include for example checklists, questionnaires, impact tables, process steps, more formal tools include scenario techniques, cost-benefit-analysis, risk assessment and multi-criteria analysis, and advanced tools include, for example, computer-based modelling, simulation or optimization exercises.

Table 1: Types of policy assessment tools

Simple tools	Formal tools	Advanced tools
• checklists	• scenario techniques	• computer-based modelling
• questionnaires	• cost-benefit-analysis	• simulation exercises
• impact tables	• risk assessment	
• process steps	• multi-criteria analysis	

Source: Own elaboration, based on M. Nilsson & A. Jordan, J. Turnpenny, J. Hertin, B. Nykvist, D. Russel, (2008): The use and non-use of policy appraisal tools in public policy making: An analysis of three European countries and the European Union, Policy Sciences

Internal structures for evidence production might include research departments in relevant ministries, such as the UK Home Office Science Group. **External structures for evidence production** include largely independent, government-funded committees, such as the UK's Migration Advisory Committee, the Swedish Migration Studies Delegation, or *ad hoc* structures put in place for a limited duration of time and for a specific purpose, such as the Independent Commission for Migration in Germany. The Independent Commission for Migration in Germany, for instance, represented a wide range of interest groups, such as employers' associations, unions, churches, the media, city associations and academia and ultimately influenced the adoption of the new migration law of 2005 with its policy recommendations.

In addition, **innovative examples** can be found in the combined approach of a dedicated migration research institute and research network, such as the German Centre for Integration and Migration Research, set up at the Berlin Institute for Integration and Migration at the Humboldt University Berlin in the aftermath of the 2015 migration and refugee crisis. It takes the legal form of an association with its board members representing the federal states (*Länder*), universities and other relevant institutions. Beyond these government-funded structures, other fully independent bodies, such as research institutes and think tanks, produce independent migration research and analysis to inform public and policy debates and the media.

Decision-Making and Implementation

Once a policy proposal is on the table, a decision needs to be taken. For that purpose, the policy-maker must identify whether the policy proposal requires executive or legislative approval. As a matter of good practice, political support and consensus has been sought and acceptable costs have been determined beforehand. Once decided, a convincing narrative for the new policy in question is essential in order to ensure acceptance among the general population prior to and during implementation.

A range of factors has an impact on policy implementation, including (in)consistency of policy approaches, (un)realistic goal- setting, (in)sufficient allocations of time or money, (a lack of) ownership of relevant stakeholders or their omission in the implementation process - either by not involving them in the policy development process at all or by not taking into account their expert positions -, (a lack of) coordination among those in charge of policy implementation, (in)adequate strategies for outreach to the beneficiaries and frequent policy changes. Furthermore, if local or cultural specificities are not properly considered, it may lead to a limited response of target groups.

Graph 5: **Factors influencing the success of policy implementation**
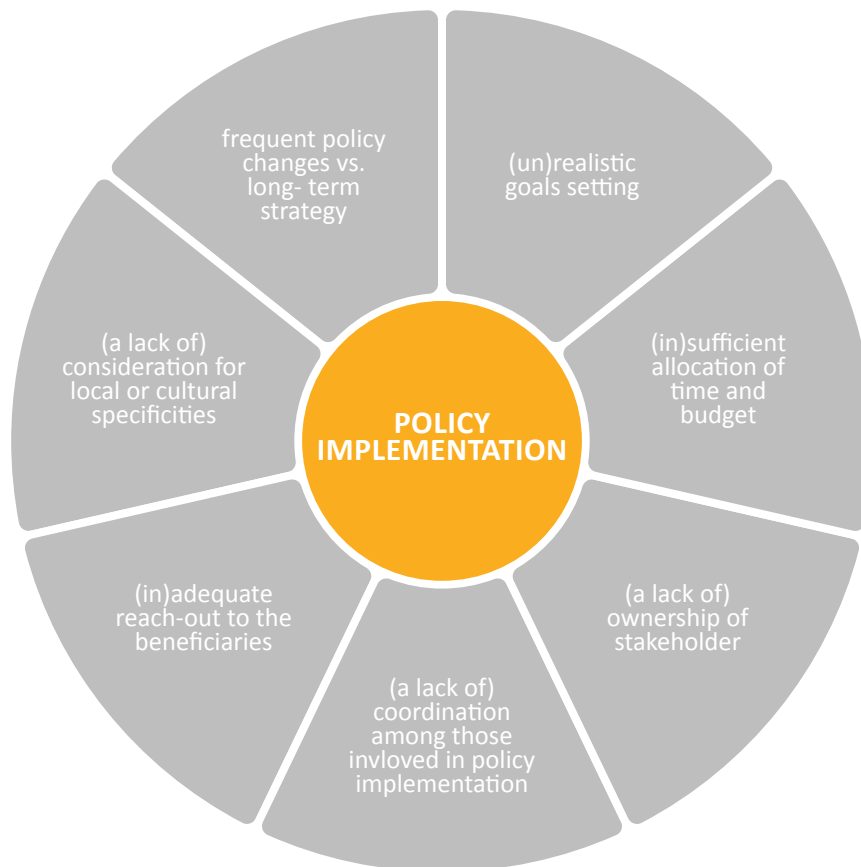

In negative terms these factors may lead to significant challenges in the policy implementation process. In order to mitigate such challenges, stakeholders foreseen to play a role in policy implementation should be involved at an early stage of the policy-making process. This will ensure both their ownership and active role in the process. It is also crucial to take the expertise of local stakeholders and representatives of the target group(s) into account during the process. **Action plans may help ensure a common understanding of priorities, account for the roles of different stakeholders, allocate a budget and set a time-frame for achieving a policy goal or objective.**

Monitoring, Evaluation and Learning

Monitoring, evaluation and learning is essential to complete the policy cycle, identify whether and how well the policy instrument responds to policy needs, and determine accordingly whether to maintain, adapt or terminate it. Independent and consistent monitoring, evaluation and learning mechanisms for policy development purposes are few and far between. However, by not evaluating policies one loses the opportunity to learn from, change and improve existing policies in the next policy cycle when evaluation results should feed back into agenda setting and policy design. This may lead to achieving less than optimal policy results and allow unintended policy side effects to go unrecognised.

Graph 6: **The role of monitoring, evaluation and learning in the policy cycle**
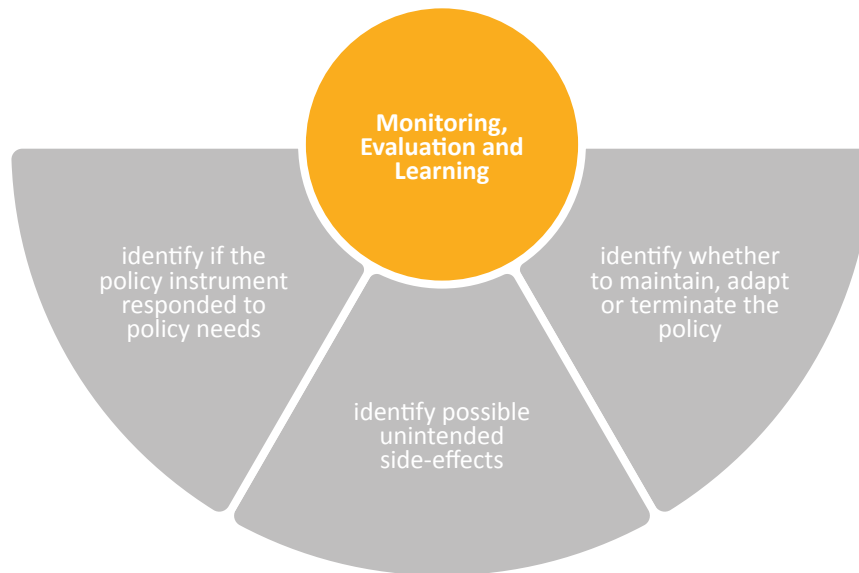
Challenges to monitoring, evaluation and learning include the lack of resources or technical knowledge to identify gaps within a system, the lack of common sets of indicators (that would ensure comparability), or the lack of control groups that would allow the application of changes directly to the policy rather than other influencing factors.

Similar to the structures of evidence production, monitoring and evaluation can be undertaken by actors both from within and external to an administration. Usually, the institutions in charge of migration policies carry out ongoing monitoring. In Germany, for example, the Federal Agency for Migration and Refugees monitors migration for a large set of legal categories of migrants, defined by the migration law of 2005. These results are published in an annual migration report, along with information on migration policy changes.

In some cases, dedicated institutions are in charge of monitoring and reporting on migration issues. In the UK, for example, the Independent Chief Inspector of Borders and Immigration is responsible for monitoring and reporting the efficiency and effectiveness of the Home Office's immigration, asylum and border functions.

In other cases, monitoring and evaluation in the field of migration is carried out within the general monitoring and evaluation structures, like the national audit offices. Parliamentary Committees may also play a role, such as departmental select committees in the UK House of Commons.

Effective monitoring and evaluation needs to be based on the – often neglected – development of **indicators** that can **help measure the effects of policy programmes and increase their comparability at a supra-national level**. In Germany, for example, integration indicators were developed as part of the

National Integration Plan[4]. In this context, national statistics institutes play an important role for data production and analysis. In federal structures, the production of statistics can also be devolved to the state level, as is the case in Germany, where statistics are produced by the *Länder*. At the supra-national level, statistical data is also produced by international organisations.

Additionally, independent researchers, academia or think tanks can complement monitoring and evaluation efforts with their research findings. Furthermore, the media plays a role in facilitating public discussions on migration policies and their evaluation results. Some countries, however, lack monitoring and evaluation mechanisms, so policy-makers likely miss out on important possibilities to improve their legal and policy frameworks.

RECOMMENDATIONS

In a highly politicized environment, policy-making often results in a balancing act between political priorities and an inclusive, evidence-informed and comprehensive approach to policy-making in line with the policy cycle. The following recommendations are considered to contribute to achieving such a balance:

- **Ensuring that institutional structures reflect the multidimensional reality of migration.** Structures have an important impact on how migration policy is developed. The institutional architecture should facilitate an integrated government response to migration by putting inter-institutional coordination and decision-making mechanisms in place. This involves co-ordination with institutions dealing with relevant sectoral policies and coordination with other levels of governance, including the global, regional and local levels.

- **Early involvement of relevant stakeholders**. The early involvement of stakeholders who will be affected by a policy proposal, involved in its implementation or are knowledgeable on the subject matter helps ensure both their ownership and their expert input. Stakeholder consultations are recommended as a means to achieve this. In addition, permanent dialogue structures with relevant actors facilitate ongoing exchange through all stages of the policy cycle.

- **Putting in place structures needed for evidence production**. In an evidence-informed approach to migration policy-making, the policy-maker needs readily available and accessible evidence in the form of policy analysis, official statistics, studies, surveys, panels and other research. For this purpose, it is important to put in place a combination of internal and external research structures that are able to respond quickly and provide high-quality, objective evidence.

- **Putting in place monitoring and evaluation mechanisms**. Sound monitoring and evaluation mechanisms are essential for continuous improvement of policy responses. Similar to evidence production, monitoring and evaluation is ideally carried out both within the agencies in charge and by independent structures. To be effective, indicators and comprehensive data collection mechanisms are vital.

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4 National Integration Plan – New paths-new opportunities, issued/published by: The Federal Government Commissioner for Migration, Refugees and Integration (Status July 2007). This National Integration Plan later turned into the National Action Plan on Integration

RELATED PUBLICATION

This policy brief is based on the report The Migration Policy Cycle and Migration Crisis Response. A Comparative Report Covering Germany, Italy, Russia, Sweden and the United Kingdom (2019) (EN, TR), produced in the context of the 'Supporting Migration Policy Development in Turkey (MIND) project, co-financed by the European Union and the Republic of Turkey.

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