



Serving and Protecting Together:
IOM/UNHCR Framework of Engagement

A. Background:

This broad framework of engagement between the International Organization for Migration (IOM) and the UN High Commissioner for Refugees (UNHCR) draws on the joint letter of 19 January 2019 (attached as an Annex), and on the ever-increasing and valued positive experiences of collaboration between the two entities in various countries, regions and at Headquarters. It does not aim to establish an all-encompassing and fully comprehensive agreement of engagement, but covers three critical areas where the two organizations are committed to continue strengthening ties and collaboration:

- Mixed Movements of Migrants and Refugees;
- Durable Solutions for IDPs; and
- Data.

While recognizing the operational realities and the de-centralized nature of the two organizations, both IOM and UNHCR equally value the importance of enabling a level of predictability in our responses which seek enhanced collaboration and coordination, for greater impact. This framework aims to support that continued journey and process of strengthening the ties between our two closely aligned and mutually supportive organizations.

Our work is and will continue to be done against the backdrop of a critically important and commonly shared vision: Together, we are stronger to better serve the people we aim to protect, assist, and for whom we seek solutions. Our people-centred approach and this common purpose will continue to guide us, with the aim of strengthening our collaboration and complementarity of actions.

B. Issues:

1. Mixed Movements of Migrants and Refugees

Both organizations acknowledge that there are situations which do not fall under the characterization of a mixed movement, and which would rather more directly trigger the leadership and mandate of the respective organization. Leadership in such contexts covers, amongst other issues strategic planning, engagement with States, data management, and responsibility for coordination of resource mobilization. At the same time, leadership in such situations also involves responsibility and accountability for inclusive coordination, drawing on the available resources and capacities. Equally, while the respective leadership and

coordination roles of UNHCR and IOM are clear in migrant or refugee flows, both agencies will ensure that effective mechanisms are in place to cater for the needs of a small number of migrants in refugee movements or a small number of refugees in migrant movements. Equally, IOM and UNHCR both recognize that appropriate and consistent use of terminology and definitions of migrants and refugees in internal and external documents is vital to the effective collaboration between the two organizations. IOM and UNHCR commit to engage with the view to issuing joint internal communication clarifying terminology as might be necessary to foster better coordination and collaboration.

As regards responses to situations of mixed movements, the commitments towards migrants and refugees made by States in the NY Declaration for Refugees and Migrants on 19 September 2016, which led to the adoption of the Global Compact on Refugees and the Global Compact for Safe, Orderly and Regular Migration, will continue to guide us. In particular, while noting that migrants and refugees are two distinct categories governed also by different frameworks, we recall that everyone is entitled to human rights and fundamental freedoms, which must be respected, protected, promoted and fulfilled.

Recognizing that refugees and migrants face many common protection risks, threats, and needs along commonly used routes at land, sea and air routes, IOM and UNHCR aim further to strengthen their collaboration to better enable a set of timely and effective humanitarian, human rights and protection responses, including through coordinated and more effective services and assistance.

In responding to mixed movements of migrants and refugees, IOM and UNHCR reaffirm their commitment, as privileged partners, to lead together by example, enhance inter-agency strategic planning, improve coordination efforts that will draw partners, including States, UN and civil society in the collective response and deliver better outcomes for the populations we respectively serve.

a) Coordination of situations of mixed movements:

IOM and UNHCR will seek to achieve effective co-leadership of the response and establish adequate coordination mechanisms inclusive of other relevant stakeholders, at country, regional or route-based levels. Such situations may arise as a result of acute emergency requiring immediate coordination or in the context of existing or slow onset developments with population movements building over time.

The presence and proportion of refugees and migrants as defined under international law will critically define whether a situation is a mixed movement or not¹. Other criteria can help steer the two organizations in identifying a mixed movement situation which would trigger the coordinated co-leadership in order to best respond. IOM and UNHCR will jointly consider the circumstances, such as:

- ✓ The scale of the crisis, including the number of affected countries and potentially affected individuals;

¹ For the purposes of this agreement, the definition of refugees includes that of the 1951 Convention Relating to the Status of Refugees, as well as the applicable regional definitions provided in the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, and the 1984 Cartagena Declaration on Refugees.

- ✓ The complexity of the movement from the country and area of origin, including potential diverse and multi-layered drivers of displacement;
- ✓ The capacity of the national response by IOM and UNHCR in-country; and
- ✓ The national legislation and practice regarding refugees and migrants, and the capacity of the government and local actors for the response.

In coordinating a response to the identified mixed movement situations, IOM and UNHCR will look at efficiency gains, and in addition to division of labour and responsibilities, focus also on finding new ways of working together to establish appropriate structures and mechanisms, keeping the people and their needs and rights at the centre of the approach.

Building on the experience of the Coordination Platform for Refugees and Migrants from Venezuela (R4V model) and other existing models, IOM and UNHCR, in consultations with the EOSG as might be necessary, commit to co-lead effective and inclusive approach for comprehensive responses to specific situations of mixed movements. The co-leadership mechanisms or platform will enable:

- ✓ joint strategizing and planning;
- ✓ advocacy;
- ✓ programmatic interventions; and
- ✓ coordination on data and information management.

Where feasible and useful, each organization will designate a situation coordinator tasked with harnessing the expertise and resources of each organization and co-leading the establishment of the mixed movement platform in consultation with all stakeholders (i.e. States, UN, donors, NGOs and civil society). Both organizations will also consider thematic sectors and other coordination sub-structures to steer joint action on specific themes.

The sustainable engagement of other UN entities and RCs in the affected countries will be actively pursued.

b) Areas of Engagement:

- Joint Analysis, Planning and Response in areas of emergency assistance, protection and, where the context is conducive, of socio-economic and cultural integration of refugees and migrants:

IOM and UNHCR will jointly engage Government, UN, and civil society partners through **predictable and inclusive co-led strategic planning and coordinated response mechanisms**. Depending on the context, the scale of coordinated planning and response efforts will need to be adapted to and measured against any pre-existing coordination mechanisms.

The experience of the R4V will serve as an important model for joined up coordinated platforms co-led by IOM and UNHCR in response to mixed movements. The R4V brought together some 200 organizations from across the region, who, jointly with donor entities, provided a coherent and coordinated analysis, as well as needs-based strategic planning and response in the areas of emergency assistance, protection, and socio-economic and cultural integration of refugees and migrants from Venezuela in the main Latin American and Caribbean host countries. R4V also provided a platform for joint data collection, management and dissemination, as a crucial means to informing and revising the evidence-based approach

upon which the emergency preparedness and response was designed, implemented and monitored.

➤ **Joined-up Advocacy:**

IOM and UNHCR will strengthen synergies for **aligned, joined up, and strengthened advocacy** for the protection of human rights of migrants and refugees in situations of mixed movements, at the local-regional level, cross-regional dialogues, and global communications covering broadly the issues at hand as well as critical incidents. Both IOM and UNHCR's policy documents and guidance with bearing on mixed movements will be drafted acknowledging the presence and specific needs of refugees and migrants. Each organization commits to consult with the other in the preparation of these documents, without prejudice to their respective accountabilities.

Joint advocacy should also aim at expanding the ladder of solution options for migrants and refugees along the commitments made in the two Compacts.

Critical areas for joint advocacy to be pursued by IOM and UNHCR at global, route-based, regional, country-level will include, among others:

- ✓ Access to safe territory and relevant procedures in selected contexts;
- ✓ Ensuring adequate forms of protection, including protection against refoulement;
- ✓ Rescue at sea, followed by rapid and safe disembarkations;
- ✓ Timely and safe referrals for migrants and refugees vulnerable to violence, abuse, exploitation, neglect and deprivation, including victims of trafficking not able to return home;
- ✓ Promotion of alternatives to detention;
- ✓ Strengthened alternatives to unsafe cross-border movements which are gender and age-sensitive and grounded in a rights-based approach;
- ✓ Where applicable including based on regionally adopted laws and practices, advocacy for temporary regularization and legal stay alternatives for populations in mixed movements, ensuring minimum protection safeguards;
- ✓ Coordinated inputs/advocacy in existing regional dialogues on populations movements; and
- ✓ The return and sustainable reintegration of persons not in need of international protection in safety and dignity in line with human rights standards.

➤ **Co-led Coordination and Delivery of Programmatic Interventions based on coordinated data and information management:**

A range of programmatic interventions in line with the efforts linked to the joined-up advocacy referenced above can and will be pursued in a coordinated manner between IOM and UNHCR. These include coordinated direct response by one of the two organizations, or by a partner coordinated under the jointly-led Platform to respond to the situation of a mixed movement. Drawing on various positive joined-up activities globally, IOM and UNHCR have and will continue to engage, for example, in:

- ✓ Establishing/reinforcing one-stop shop through joint-teams, including at borders, for screening, counselling and referring people on the move, including for services to individuals on the move in need of protection/solution;

- ✓ Coordinated capacity building efforts for NGOs and local authorities to provide services in areas out of reach;
- ✓ Joint training and capacity building of local State authorities, including border police, coast guards, and other service providers as required, including on protection-sensitive border management;
- ✓ Joint route-based approaches to awareness-raising about dangerous journeys, with strengthened communication with communities;
- ✓ Joint data collection, analysis and dissemination;
- ✓ Strengthened data systems to enable two-way referrals and sharing of data with adequate protection safeguards; and
- ✓ Production of joint research and sharing of research agendas, also to enable strengthened joint advocacy, as well as mapping/forecasting of onward and mixed movements.

2. Durable Solutions for IDPs

With global internal displacement at an unprecedented level, IOM and UNHCR recognize that multi-stakeholder efforts to advance durable solutions for the internally displaced have never been more critical. The two organizations recall that the Guiding Principles on Internal Displacement clearly articulate that IDPs have the right to a durable solution and often require assistance in their efforts, with Guiding Principles 28-30 setting out the rights of IDPs to durable solutions, the responsibilities of national authorities, and the role of humanitarian and development actors to assist in reaching a durable solution. Importantly, IOM and UNHCR are guided by Principle 28, which specifically affirms that authorities have the primary duty and responsibility to establish conditions and provide the necessary means that allow IDPs to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country.

In pursuing coordinated and supportive efforts in this area, IOM and UNHCR also recall that the IASC Framework on Durable Solutions which operationalizes the Guiding Principles focuses on three solutions (sustainable reintegration at the place of origin, sustainable local integration and sustainable integration in another part of the country), with the following eight conditions:

- ✓ long-term safety, security, and freedom of movement;
- ✓ adequate standard of living;
- ✓ access to employment and livelihoods;
- ✓ restoration of housing land and property;
- ✓ access to documentation;
- ✓ family reunification;
- ✓ participation in public affairs; and
- ✓ access to effective remedies and justice.

IOM and UNHCR commit to jointly addressing these conditions which reflect the multiple dimensions of displacement, while recognizing that the attainment of durable solutions is a humanitarian, peacebuilding, and development challenge and importantly, the primacy of state responsibility.

IOM and UNHCR thus have a shared commitment to prioritize the pursuit of safe, secure, and dignified durable solutions for IDPs and to support development strategies through solutions-oriented policies and practice, in support of State authorities. Both organizations recognize the importance of ensuring that UN leadership can effectively support States to spearhead the solutions agenda for IDPs with a humanitarian, development and peacebuilding lens and to avoid ad hoc and unpredictable UN action on solutions. Equally, both organizations are committed to the full participation of IDPs and hosts in the planning and management of their solutions.

The work of both organizations fit within this vision, recognizing their unique and complimentary expertise at the technical and programmatic levels in supporting the attainment of durable solutions for IDPs, and the importance of collaboration to ensure coherence, predictability, and maximized support to Resident/Humanitarian Coordinators in their effort to lead the development of strategies with national authorities as jointly committed in the UNSG's Action Agenda.

Against this background, IOM and UNHCR undertake to identify, articulate, and systematize their collaboration to better address the long-term needs of IDPs they are charged to serve, and to drive the operational and policy-related elements of solutions working closely with the Secretary-General's Special Adviser on Solutions to Internal Displacement.

Areas of collaboration in this field will include joint and/or coordinated:

- ✓ outreach and planning under the RC/HC's lead with host governments;
- ✓ engagement of the UNCT and HCT members on inclusion of internally displaced and returnees in sectoral response for prevention and solutions, including in education, health, water/sanitation, housing, livelihoods, social protection, as well as climate adaptation;
- ✓ comprehensive needs analysis and tracking of multi-sectoral conditions in areas where IDPs may settle after displacement;
- ✓ resource mobilization (including joint proposals to UN pooled funding mechanisms);
- ✓ advocacy and communication with more synchronized engagement with IFIs/MDBs, the private sector, as well as development, peace, climate and DRR actors.

Moreover, IOM and UNHCR will support the Special Adviser and the Steering Group by continuing to support and engage through the GP2.0 Global Platform on Internal Displacement, together with OCHA and UNDP, including through support to secretarial functions and the knowledge repository, including on solutions. UNHCR and IOM will co-lead the GP2.0 Global Platform workstreams to advance the workplan and strategic vision in support of jointly identified solutions.

3. Data

Given the criticality of data and State accountability in the first instance, IOM and UNHCR reiterate their commitment to continue in their joint endeavours to responsibly capacitate, where necessary, the competent national authorities to gradually assume the responsibility for population data management. This will remain an important overarching objective of both organizations.

IOM and UNHCR attach utmost importance to data reliability, data integrity, ethics, data responsibility and innovation. Both organizations commit to pursue alignment and complementarity in the field of data and information management, and will aim to address existing data gaps through an enhanced, better resourced and more predictable partnership and collaboration – working off each other’s data strengths and contributions. This includes a commitment to work towards the interoperability of respective data systems where applicable, with full and appropriate data protection consideration as well as due regard to the evidence, standards and guidance for improved statistics per recommendations from the Expert Group on Refugee, Internally Displaced Persons and Statelessness Statistics (EGRISS). IOM and UNHCR also commit to the principle of responsible and open data, with the release of anonymized data alongside relevant metadata for external use.

a) In Migrant or Refugee Situations:

In line with respective mandates, IOM will be responsible for ensuring identity management and population data for migrant situations, while UNHCR will be responsible for refugee situations.

Such work assumes primary responsibility for coordinating and remaining accountable for:

- ✓ Data collection/acquisition;
- ✓ Data verification methods;
- ✓ Production of information management tools;
- ✓ Data analysis; and
- ✓ Dissemination of data.

Both organizations reiterate their commitment to enable an inclusive coordinated response. This entails a commitment from each lead to consider the expertise and capacity of the other, including at the start of any crisis situation, in coordinating data collection and analysis. The common objective, under the coordinated lead, will be to enable the production of the best information management system and products for decision-making, programme response, and advocacy, while using most effectively available resources, including IOM’s Displacement Tracking Matrix (DTM) and UNHCR’s PRIMES, protection monitoring and survey series.

Through such an inclusive coordinated role, accountability on data, including in the public sphere, will be retained by the lead organization, noting that where appropriate, joint products may be released.

b) In Mixed Movement Situations:

In mixed movement situations of migrants and refugees, using available and relevant data management tools, IOM and UNHCR agree to develop joint or complementary data collection/acquisition mechanisms, and dissemination strategies for joint data products on populations in mixed movements. The “R4V population data management protocol” constitutes a good practice which should be considered in all mixed movements situations in developing joint data and information management products.

If in some situations, in particular where States can take the lead and/or both organizations do not find the R4V model replicable, IOM and UNHCR commit to meet without delay to agree on supportive data coordination mechanism. In such situations, both agencies commit to move incrementally towards developing joint analysis and joint information products. In this regard, joint data teams, where feasible, can be established to foster this culture of working together and to acknowledge each organization's contribution and value in data and information management.

With the view to best establish and use common tools to support coherence in the assessment of profiles and needs of individuals in mixed movements, IOM and UNHCR will work together, including through:

- ✓ Joint data teams at the national or regional level, where deemed useful;
- ✓ Joint and/or complementary needs assessments, including on the multi-causal factors that contribute to the decision to move, at the individual, household, and community level in mixed movements;
- ✓ Greater disaggregated and demographic data collection and reporting;
- ✓ Joint data gathering on land routes and reasons for onward movement;
- ✓ Increased use of available flow monitoring tools, with agreed upon minimum standards, with involvement of protection teams; and
- ✓ Greater interoperability of various IOM and UNHCR systems, including in case management systems.

c) In Internal Displacement Situations:

IOM and UNHCR recall the primary responsibility of States in data gathering in situations of internal displacement, and commit to supporting the Government in this regard in a coordinated manner, and in line with internationally agreed standards.

Where States do not yet have the needed capacities in data gathering on IDP populations, IOM and UNHCR agree to strengthen their collaboration to cover both stocks and flow IDP data, including under existing Protection Clusters and drawing on resources of other partners as well. Specifically, and where useful, IOM and UNHCR will:

- ✓ Work together, including under the cluster leaderships where appropriate, to ensure triangulation and validation of relevant data, while, where applicable, recognizing and attributing existing expertise and resources such as IOM's DTM, and UNHCR's IDP enrollment as well as protection monitoring and analysis tools;
- ✓ Develop bilateral coordination procedures in approaching IDP data activities, including in relation to support to government;
- ✓ Develop and standardize joint UNHCR-IOM sectoral and cross-sectoral assessments which would allow more in-depth data collection and analysis; and
- ✓ Agree on reporting formats and approaches to standardize communications, if and when needed.

As regards specifically data for solutions for IDPs, IOM and UNHCR commit to:

- ✓ Strengthening coordination of analysis of internal displacement data, research, and the development of a common and system-wide methodology to collect and analyse evidence related to solutions;

- ✓ Jointly complementing, in collaboration with others, humanitarian data with socio-economic/development data, leveraging existing DTM and the Joint Data Center resources in support of the RC/UNCT; and
- ✓ Jointly disseminating data and evidence to raise awareness in the search for solutions.

C. Implementation and Follow-up

IOM and UNHCR are committed, in coordination with States and other partners, to continue collaborating and engaging effectively together, as privileged partners to better serve people of concern to both organizations.

The positive leadership and cooperative engagement between the Director General and the High Commissioner set the tone and spirit with which we will continue to engage. Together with their respective Chiefs of Staff, the two Principals will follow through on implementation of this broad Framework, and will consult/meet formally at regular intervals on its implementation. The two Principals engage to task senior managers to assume responsibility for the implementation of specific aspects of this Framework.

Field operations can and should trigger Regional and Headquarters' consultations, as might be necessary, in case of any concerns which might arise in the operationalization of this Framework or otherwise. The two Chiefs of Staff, in the first instance, will aim to address the concerns towards a mutually acceptable solution – elevating it to the DG/HC as and when might be required.

IOM and UNHCR also recognize the importance of concretely guiding and supporting operations in implementing this Framework. Good practices from across different regions will be actively gathered, documented and disseminated, and a joint evaluation of some of the coordinated programmes, in particular the joint platforms, can also be envisioned at an appropriate time. The two Chiefs of Staff and other senior leaderships undertake to carry out targeted joint missions to support implementation and address any issues as might be necessary, also in order to further develop and disseminate good practices and ensure continued positive implementation of this Framework.

The DG and HC will equally aim at having joint missions to the field, to continue leading by example to show how we can better coordinate and complement each other, and are better together for the benefit of all those we serve.



Antonio Vitorino
Director General
IOM

Geneva, Switzerland
30 June 2022



Filippo Grandi
High Commissioner for Refugees
UNHCR

Geneva, Switzerland
30 June 2022

25 January 2019

Dear colleagues,

We write on the heels of the adoption of the Global Compact for Safe, Orderly and Regular Migration (GCM) and of the Global Compact on Refugees (GCR). They have given us the needed momentum to start 2019 with a new vision of close and effective collaboration between our two organizations. This vision is set out against the backdrop of what has equally been articulated in the GCM, and which we reiterate here, that “[R]efugees and migrants are entitled to the same universal human rights and fundamental freedoms, which must be respected, protected and fulfilled at all times. However, migrants and refugees are distinct groups governed by separate legal frameworks.” We wish to reiterate at the outset our appreciation of the distinct roles and responsibilities of IOM and UNHCR, which would in turn enable the right operational responses for positive engagement between the two organizations.

It is against this background that we are writing today to set out clearly our joint vision of engagement, to the benefit of refugees and migrants alike. IOM is committed to ensuring that international refugee law is respected, and will continue to appreciate and respect the distinct terminologies and categorizations of persons on the move. Refugees and those in need of international protection, as defined under international refugee law, fall under the mandate of UNHCR, and IOM will continue to support and partner up with UNHCR to support the UN refugee agency in effectively carrying out its mandate. This includes UNHCR’s supervisory responsibility in terms of defining who is a refugee under international law. In an ever-increasing political climate of restrictive approaches to refugee protection, UNHCR and IOM will stand together to ensure that UNHCR’s mandated responsibilities, notably its international protection function, are not jeopardized with alternative terminologies and definitions being pursued, with resulting limited rights whether on arrival or on return considerations. At the same time, both organizations recognize that growing numbers of migrants suffer from abuse and unnecessary hardship along their migratory journey, which in some circumstances may require the granting of alternative protection arrangements. We will seek to support jointly such comprehensive responses. UNHCR recognizes IOM’s lead in supporting migrants in vulnerable situations.

Proper and effective operational approaches, with respective coordination responsibilities, will need to flow from this distinct terminology. While refugees and migrants at times move along the same routes, not all movements are mixed. Where those are predominantly composed of refugees, the operational response must be one where UNHCR is able to carry out its mandated lead responsibility – including where others might not wish to have the individuals recognized as refugees or in need of international protection. We cannot allow ourselves to be perceived as divided on this core issue, at the expense of international refugee protection and effective protection of human rights. This will be particularly critical in voluntary repatriation operations, where limited protection space in certain states might lead to calls on early and premature returns without needed safeguards. IOM is committed to working under UNHCR’s leadership in any possible return operation engaging refugees. Where caseloads are predominantly composed of migrants, the operational response will be led by IOM, with the support of UNHCR and other partners as required. Both organizations will retain responsibilities for those identified to be of their concern. Where the movements are of a mixed nature,

IOM and UNHCR – drawing on a growing number of positive field examples – will work hand-in-hand in establishing and co-leading Refugees and Migrants Coordination Platforms for effective coordination. IOM and UNHCR will also discuss and engage on these mechanisms with other humanitarian partners to ensure broad support.

IOM and UNHCR are committed to continue to expand on their operational partnerships in situations of mixed movements, including in the critical area of data gathering and sharing. We will work together, including at the Headquarters level, to agree on the best approaches to advance this critical area where proper knowledge is crucially important. We have agreed to set up a technical working group to advance this work.

Per our joint letter of 6 July 2018 to all staff, together with the Emergency Relief Coordinator and the UNDP Administrator, we have also agreed to continue working together for the protection of and assistance to internally displaced persons, where we both play a critical role jointly with Member States and humanitarian partners. This commitment equally extends to our work in the area of climate change and disaster displacement, noting the tremendous challenges in this regard requiring collaborative approaches, bringing our respective expertise to the fore in continued active partnership with the Platform on Disaster Displacement. Both the GCM and the GCR address the complex challenges which arise from such situations, and will inevitably see our two organizations actively engaged as appropriate.

Finally, and also in line with the GCM and GCR, coordination of efforts to strengthen national systems to respond to the rights and needs of persons on the move, whether in the area of migration, asylum, or IDP situations, will be important going forward for better use of respective resources and expertise. Under the coordination role of IOM, UNHCR will fully engage in the UN Migration Network established to enable coordinated UN support to States in implementing the GCM objectives. UNHCR will be seconding a colleague to the Secretariat of the Network, which is housed in IOM and reporting to the Director-General. In line with the GCR and in particular the Asylum Capacity Support Group to be established, UNHCR will lead efforts to build national asylum capacities and in the area of resettlement and complementary pathways for refugees, including through the development of a three-year resettlement and complementary pathways strategy, in which IOM will play a key role, both in its development and implementation.

There are important challenges ahead, but we must – together – rise to them in a collaborative spirit and fully in line with the principles and approaches which we have set out above for our two organizations. We count on your cooperation, with us and with one-another, as there is no doubt in our minds that we are better united than divided in these challenging times. To help support this collaborative approach, we have appointed our respective Chiefs of Staff to liaise closely and actively if any issues of concern were to arise.

With all our good wishes for a happy and healthy 2019.

Yours sincerely,



António Vitorino
Director-General
International Organisation for Migration



Filippo Grandi
United Nations High Commissioner for Refugees