

UN Sustainable Development Goals and the “Refugee Gap”: Leaving Refugees Behind?

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ABSTRACT

The Global Indicator Framework for the Sustainable Development Goals (SDGs) identifies seventeen goals with related targets and indicators of the 2030 Agenda for Sustainable Development, and only one target includes an explicit reference to migration processes and policies. Under Goal 10 “Reduce inequality within and among countries,” target 10.7 concerns the facilitation of “orderly, safe, regular and responsible migration, and mobility of people, which includes the implementation of planned and well-managed migration policies” that should be measured through four related indicators, three of which are potentially relevant to refugees. After exploring what the International Rescue Committee defines as “refugee gap” concerning SDGs (2019) in their report “Missing Persons: Refugees Left Out and Left Behind in SDGs,” this article reconfigures this gap as a multidimensional concept, and seeks to provide insights on which further steps could be undertaken to bridge it. The main analytical threads identified in this process include: 1) the partial availability of data concerning refugees’ progress towards SDGs due to current data disaggregation policies and practices; 2) the limited presence of refugees in voluntary reporting activities by States; and 3) the conceptual framework behind target 10.7, as well as the methodology used to measure progress of three (out of four) indicators toward this target. The focus on target 10.7 and related indicators is aimed at checking their ability to provide information on how refugees’ access to fundamental rights and well-being are taken into account in the

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assessment of so-called “well managed migration policies.” From a methodological point of view, our analysis has also been supported by semi-structured interviews with the main experts on the issue, having key roles both in the conceptualization of the SDG refugee gap and in the definition and proposal of three selected indicators. To conclude, this article will ask whether and to what extent the refugee gap is still present despite the inclusion of a new refugee dedicated indicator in 2020 and despite the UNHCR’s advocacy efforts to include the forcibly displaced dimension in disaggregation policies. Moreover, it will investigate how such a gap can potentially be closed and whether the definition of “well-managed migration policies” is sufficiently comprehensive, is able to involve refugees in the assessment of progress towards SDGs and is consistent with the SDGs-linked principle of “leaving no one behind.”

KEYWORDS: sustainable development goals, refugee gap, human rights, well-managed migration policies, indicators

1. INTRODUCTION

The 2030 Sustainable Development Goals (SDGs) Agenda, agreed in 2015, was centred on shared commitments to peace and prosperity, reduction of poverty and inequalities, economic growth, and improvement of health and education in the world over. This vision shared by all 193 UN Member States had the underlying critical objective to “Leave No One Behind,” with particular attention to “vulnerable populations,” such as refugees, internally displaced persons, and migrants.

Nevertheless, as stressed by the International Rescue Committee (IRC) (2019) in their report “Missing Persons: Refugees Left out and Left Behind in the SDGs”,¹ and acknowledged by the United Nations High Commissioner for Refugees (UNHCR) (2019),² refugees and other forcibly displaced people were de facto set aside, neglected and ignored. In particular, according to the IRC study, which was grounded on the analysis of Voluntary National Reports (VNRs) submitted by States in 2019 and focused on five selected SDGs,³ despite the inclusion in the SDG framework of an explicit reference to the “need to increase significantly the availability of high-quality, timely and reliable data disaggregated by [...] migratory status (target 17.18),” the availability of information on refugees’ progress in achieving SDGs was extremely limited, or even inexistent.⁴

As underlined by the IRC (2019), despite there being 25.9 million refugees in the world, they are not mentioned in any official SDG progress reports and they are not part of any national medium and long-term development plans. Out of 42 countries that, in 2019, submitted VNR, voluntarily drafted by different countries in order to report the state of the art concerning the achievement of SDGs, only 13 referred to

1 IRC (2019), *Missing Persons: Refugees Left Out and Left Behind in the SDG*, available at: <https://migrationdataportal.org/resource/missing-persons-refugees-left-out-and-left-behind-sdgs> [Accessed 18 May 2021].

2 UNHCR (2019), *Including Forced Displacement in the SDGs: A New Refugee Indicator*, available at: <https://www.unhcr.org/blogs/including-forced-displacement-in-the-sdgs-a-new-refugee-indicator/> (last visited 18 May 2021).

3 The four selected goals analysed in the IRC report *Missing Persons. Refugees left out and left behind in SDGs* (2019), were: Goal 1: Zero Poverty, Goal 2: Zero Hunger, Goal 4: Quality Education, Goal 5: Gender Equality, Goal 8: Decent Work and Economic Growth.

4 See p. 3, IRC (2019), *Missing Persons: Refugees Left Out and Left Behind in the SDG*, available at: <https://migrationdataportal.org/resource/missing-persons-refugees-left-out-and-left-behind-sdgs> (last visited 18 May 2021).

the well-being of refugees without including data to measure their progress toward the SDGs.⁵ This lack of refugees' *visibility* within the Voluntary National Reporting system is what the IRC epitomizes as the "SDG refugee gap."⁶

In parallel with the development of the SDG Agenda and starting with the 2016 New York Declaration on Refugees and Migrants,⁷ several steps were undertaken in the way of defining a global approach to refugee policies. First, through the adoption of the Comprehensive Refugee Response Framework (CRRF), and in December 2018, through the Global Compact on Refugees.⁸ The CRRF, defined in the framework of the 2016 New York Declaration for Refugees and Migrants, identified four main goals which were subsequently re-affirmed by the Global Compact on Refugees with the aim of strengthening the international response to large movements of refugees and protracted refugee situations. These were: 1) to ease the pressures on host countries; 2) to enhance refugee self-reliance; 3) to expand access to third-country solutions; and 4) to support conditions in countries of origin for return in safety and dignity. In December 2019, at the Global Refugee Forum in Geneva,⁹ States made pledges toward the goals of the Global Compact on Refugees (GCR).¹⁰ Prior, in July 2019, a dedicated indicator framework was defined by UNHCR in order to facilitate the measurement of progress in achieving the four goals set out by the CRRF and the GCR (2019).¹¹

Unfortunately, even if reciprocally referring to each other as deeply related processes, the GRC and SDG frameworks seem to follow separate pathways to investigate global refugee policies. They have different goals and therefore, different indicator frameworks and measurement tools. More specifically, as underlined by the IRC (2019), the draft indicators developed to measure progress against the recently adopted GCR were barely aligned with SDGs.¹² In fact, looking at UNHCR (2020) documents which set out the ways in which the SDGs and the GCR are aligned,¹³ it is possible to state that this alignment is more conceptual than empirical, since beyond the identification of corresponding thematic areas between the two frameworks, indicators are different and relevant data are not comparable.

- 5 A few countries, such as Uganda, Colombia, and Ethiopia, have started to align their action plans to meet the longer-term needs of refugees with their national development plans. However, actual plans also end up to excluding refugees. See, IRC (2019).
- 6 Samman, E. et al. 2018. *SDG progress: Fragility, crisis, and leaving no one behind*. Overseas Development Institute and International Rescue Committee, available at: <https://www.rescue.org/report/sdg-progress-fragility-crisis-and-leaving-no-one-behind> (last visited 18 May 2021).
- 7 UNHCR (2016), *The New York Declaration for Refugees and Migrants*, available at: <https://www.unhcr.org/new-york-declaration-for-refugees-and-migrants.html#compactonmigration> (last visited 18 May 2021).
- 8 UNHCR (2018), *The Global Compact on Refugees*, available at: <https://www.unhcr.org/ph/the-global-compact-on-refugees>, full text here: <https://www.unhcr.org/5c658aed4> (last visited 18 May 2021).
- 9 UNHCR (2019), *The Global Refugee Forum*, available at: <https://www.unhcr.org/global-refugee-forum.html> (last visited 18 May 2021).
- 10 UNHCR (2019), *Pledges and Contribution Dashboard*, available at: <https://globalcompactrefugees.org/channel/pledges-contributions> (last visited 18 May 2021).
- 11 UNHCR (2019b), *The Global Compact on Refugees, The indicator framework*. <https://www.unhcr.org/5cf907854.pdf> (last visited 18 May 2021).
- 12 See p. 3, IRC (2019), *Missing Persons: Refugees Left Out and Left Behind in the SDG*, available at: <https://migrationdataportal.org/resource/missing-persons-refugees-left-out-and-left-behind-sdgs> (last visited 18 May 2021).
- 13 UNHCR (2020), *The Sustainable Development Goals and the Global Compact on Refugees*, available at: <https://www.unhcr.org/5efcb5004.pdf> (last visited 18 May 2021).

The 2019 Global Sustainable Development Report, “The Future Is Now: Science for Achieving Sustainable Development” acknowledges that refugees are missing in the SDGs, but did not provide a clear plan to fill this gap.¹⁴ Whilst on the one hand, it identified data disaggregation policies by refugee status as a key tool to address this issue, it emphasised the need to define a refugee dedicated indicator to be added to the SDGs indicators framework. In the framework of 2020 Comprehensive Review Process of SDGs, which was conducted by the Inter-Agency and Expert Group on Sustainable Development Goal Indicators (IAEG-SDGs),¹⁵ new migration related indicators have been introduced, amongst which is a refugee dedicated indicator, referring to “the proportion of the population who are refugees, by country of origin” (10.7.4). Nevertheless, the way to give refugees an adequate significance and visibility in the SDG-related processes appears still to be long.

Currently, the Global Indicator Framework for the SDGs¹⁶ identifies seventeen goals with related targets and indicators of the 2030 Agenda for Sustainable Development, and only Goal 10 includes an explicit reference to migration processes and policies. Target 10.7 concerns the facilitation of “orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.” It should be measured through four related indicators, three of which are potentially quite relevant to refugees: indicator 10.7.2., which concerns “the number of countries with migration policies that facilitate orderly, safe, regular and responsible migration and mobility of people”; indicator 10.7.3., which focuses on “the number of people who died or disappeared in the process of migration towards an international destination”¹⁷ and indicator 10.7.4. on the “proportion of the population who are refugees, by country of origin.”¹⁸

The indicator 10.7.4 is the only one which explicitly mentions refugees that has been added to SDG framework within the 2020 Comprehensive Review,¹⁹ following a joint proposal made by UNHCR and the Inter-Agency Expert Group on SDG (IAEG-SDGs).²⁰ According to the UNHCR, “the inclusion of this additional indicator ensures refugees are granted the specific importance accorded to them for the achievement of 2030 Agenda.”²¹

14 Independent Group of Scientists appointed by the UN Secretary-General (2019), *Global Sustainable Development Report 2019. The Future is Now: Science for Achieving Sustainable Development*, available at: https://sustainabledevelopment.un.org/content/documents/24797GSDR_report_2019.pdf (last visited 18 May 2021).

15 See IAEG-SDGs, “2020 Comprehensive Review Process”, available at: <https://unstats.un.org/sdgs/iaeg-sdgs/2020-comp-rev/> (last visited 18 May 2021).

16 SDG Indicators, *Global Indicator Framework for the Sustainable Development Goals and Targets of the 2030 Agenda for Sustainable Development*, available at: <https://unstats.un.org/sdgs/indicators/indicators-list/> (last visited 18 May 2021).

17 IAEG-SDGs (2020), *Comprehensive Review Proposals Submitted to the 51st session of the United Nations Statistical Commission for its consideration*, available at: <https://unstats.un.org/sdgs/iaeg-sdgs/2020-comprev/UNSC-proposal/> (last visited 18 May 2021).

18 UNHCR (2019), see footnote 3.

19 See footnote 17.

20 See the official website of Sustainable Development Goals, available at: <https://unstats.un.org/sdgs/> (last visited 18 May 2021).

21 UNHCR (2019), see footnote 3.

However, as highlighted by the United Nations Statistic Division (UNSTAT) and discussed in the following paragraphs, not all the indicators are conceptually clear, an internationally established methodology and standards are not always available, and lastly, data are not regularly produced by all the countries.²² Therefore, this article advances a re-definition of “refugee gap” concept concerning the SDGs as a multidimensional notion, and purports to provide insights on which further steps could be undertaken to bridge it. It asks whether and to what extent the refugee gap is still present despite the inclusion of a refugee dedicated indicator in 2020, and despite the UNHCR’s advocacy efforts to include the forcibly displaced dimension in disaggregation policies. Moreover, it will investigate whether the definition of “well-managed migration policies” is sufficiently comprehensive, able to include refugees in the assessment of progress towards SDGs, and consistent with the SDGs linked principle of “leaving no one behind.”

Considering the broader conceptualization of refugee well-being and their rights, it can be argued that data disaggregation by forced displacement of most of the SDGs, or at least of the 12 indicators selected by the UNHCR, would be able to provide an overview of refugee policies in a specific country.²³ Data disaggregation encompasses refugees’ access to education, employment, drinking water, housing, etc. However, what seems to be lacking is any data on the impact of migration policies on refugees’ rights during their journey (i.e., the right to leave, the right to *non-refoulement* as well as the right to have dignified access to the territory of a safe country and to asylum procedures), especially considering that migrants apprehended in extraterritorial contexts, at the border or confined in transit zones run a higher risk of human rights violations due to a greater lack of monitoring as well as stability and transparency of the procedures.

From a methodological perspective, beyond an in-depth analysis of available documents related to SDG framework, with particular attention to Goal 10, target 10.7 and related indicators, our analysis has been supported by interviews with experts on the issue, having key roles both in our proposed conceptualization of the SDG gap concerning refugees (i.e., representatives of the International Rescue Committee) and in the definition and proposal of three selected indicators (i.e., members of the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR)). Representatives of IOM, which is the co-custodian agency of indicators 10.7.2. and 10.7.3, as well as the UNHCR, which is the custodian agency for indicator 10.7.4, have been invited to discuss with us the main shortcomings of the current SDG framework concerning refugee representation, and to provide insights with a view to improving the condition of refugees involved in the migration policies of countries of origin, transit, and destination.

Starting from the IRC (2019) definition of refugee gap concerning SDGs, Section 1 of this article advances a multidimensional conceptualization of the gap as potentially made of different components, such as: 1) existing limits in the implementation of a data disaggregation strategy based on refugee status; 2) limited sensitiveness to

22 IRC (2019) see footnote 2.

23 See Section 1 for a list of these 12 selected indicators.

refugees both in target 10.7 and in the definition of “well-managed migration policies”; 3) methodological shortcomings in assessing the impact of these policies on the populations of concern and specifically on those who are in refugee-like situations.

Inspired by the VNRs assessment carried out by IRC in 2019, whose main outcome was the essential lack of explicit reference to “refugee well-being” in most of them, Section 2 of this article provides an analysis of VNRs submitted in 2020. Analysing the presence/absence of references to refugee well-being in VNRs helps assess States’ progress in incorporating refugees within voluntary national reporting processes, thereby exploring whether and to what extent there is still a “refugee gap.” In order to delimit the geographical scope of the VNRs analysis, we chose to focus on the most representative States, namely, top 10 refugee countries of origin and top 10 refugee hosting countries.

Section 3 will examine the disaggregation principle of SDG-related data relying, *inter alia*, on the *migratory status*. Indeed, despite the “migration status” is mentioned as being one of the criteria followed in the data disaggregation system concerning the whole framework, it was not clear whether and how the refugee status, or the “asylum seekers condition” was taken into account. Section 4 will critically call into question the concept of “planned and well managed migration policies” by analysing three indicators related to target 10.7 (10.7.2, 10.7.3, and 10.7.4),²⁴ with the aim to assess if they are effectively refugee-sensitive and what kind of information on SDG progress concerning refugees they are able to provide. Keeping as a background the previously identified shortcomings in the data collection process on refugee progress toward SDGs as well as the content and scope of target 10.7 and related indicators, Section 5 will put forward some proposals concerning the way refugees can be more effectively involved in the SDGs framework.

Although intervening into the ongoing debates on what Davis (2017) defines as “politics of data” goes beyond the scope of this contribution, they have been of great inspiration for our analysis. We believe that, far from being mere apolitical measuring instruments, indicators are “tools of governance”, in a context in which “the deployment of statistical measures tends to replace political debate with technical expertise”.²⁵ Undoubtedly, indicators exercise a “quiet”²⁶ and “global”²⁷ power, which materializes both at an epistemic and discursive level, through the selection, classification and ranking activities they are imagined to perform. International agencies involved in defining indicators have a key role in these knowledge production processes: they exercise what Robinson (2020) defines as “epistemic power”, by selecting what is count worthy and what is not, highlighting some aspects while

24 The indicator 10.7.1 “Recruitment cost borne by employee as a proportion of monthly income earned in country of destination” has not been included in our analysis as it focuses on “remittances”, as a key component in the “economic dimension” of migration processes.

25 Merry, S. E. (2011). Measuring the world: Indicators, human rights, and global governance. *Current Anthropology*, 52(S3), S83–S95.

26 S. E. Merry, K. E. Davis, & B. Kingsbury (eds.). *The Quiet Power of Indicators: Measuring Governance, Corruption, and Rule of Law*. Cambridge University Press, 2015.

27 K. Davis, A. Fisher, B. Kingsbury & S. E. Merry S. E. (eds.). *Governance by Indicators: Global Power through Classification and Rankings*. Oxford University Press, 2012.

obscuring others, and contributing to processes of objectivisation of determined realities, understandings, theories.

2. THE “SDG REFUGEE GAP” AS A MULTIDIMENSIONAL CONCEPT: PRELIMINARY OBSERVATIONS

Based on a comprehensive analysis of the whole SDGs framework, assessing the presence of references to “refugee well-being” in VNRs submitted by governments in 2019 and focusing on a number of selected goals, IRC highlighted the presence of an SDG “refugee gap.” In particular, IRC defined the “SDG refugee gap as ‘represented by a lack of data on refugee well-being, the exclusion of refugees from SDG monitoring frameworks and national reporting,’ and the failure to include refugees in national medium- and long-term development planning.”²⁸

IRC’s analysis focused on the following SDGs. Goal 1: Zero Poverty; Goal 2: Zero Hunger; Goal 4: Quality Education; Goal 5: Gender Equality; and Goal 8: Decent Work and Economic Growth. Lebanon and Ethiopia were the two identified case studies, mainly selected due to their nature of being hosting countries for large numbers of refugees and to their expressed commitment to long-term development-led approaches to addressing refugee needs and ensuring refugee well-being.²⁹

Key questions in the public discourse on refugees and SDGs with a view to overcoming the acknowledged refugee gap were mainly articulated around two issues. First, the lack of effective data disaggregation policies by refugee status, and the consequent informative gap on refugees’ progress towards SDGs; and second, the lack of a refugee dedicated indicator within the SDG framework, which was identified as a possible fundamental step in the overcoming of the acknowledged refugee-gap.

In 2018, in the framework of IAEDG-SDGs workstream on disaggregation, the UNHCR and the Joint IDP Profiling Service (JIPS) as part of the Expert Group on Refugee and IDP Statistics (EGRIS), submitted the International Recommendations on Refugee Statistics (2018) providing recommendations to harmonise and improve the overall quality of statistics on forcibly displaced populations.³⁰ A further step in the same direction was undertaken in December 2020, when UNHCR, JIPS and STATS4SD identified 12 priority SDG indicators recommended to be disaggregated by forced displacement.³¹ They were ascribable to 3 key policy areas, namely: 1) basic needs and

28 IRC (2019), p. 1.

29 IRC (2019), p. 6.

30 EGRIS (2018), *International Recommendations on Refugee Statistics*, available at: <https://www.jips.org/jips-publication/international-recommendations-on-refugee-statistics/> (last visited 18 May 2021).

31 UNHCR, JIPS, STATS4SD (2020) *Data Disaggregation of SDG Indicators by Forced Displacement*, available at: <https://www.jips.org/jips-publication/data-disaggregation-of-sdg-indicators-by-forced-displacement-dec2020/> (page 7). These 12 SDG indicators are: 1. Prevalence of stunting among children under 5 years of age (2.2.1); 2. Proportion of births attended by skilled health personnel (3.1.2); 3. Proportion of population using safely managed drinking water services (6.1.1); 4. Proportion of urban population living in slums, informal settlements, or inadequate housing (11.1.1); 5. Proportion of population living below the national poverty line by sex and age (1.2.1); 6. Proportion of children and young people (a) in grades 2/3; (b) at the end of primary; and (c) at the end of lower secondary achieving at least a minimum proficiency level in (i) reading and (ii) mathematics, by sex (4.1.1); 7. Proportion of population with access to electricity (7.1.1); 8. Proportion of informal employment in total employment, by sector and sex (8.3.1); 9. Unemployment rate, by sex, age and persons with disabilities (8.5.2); 10. Proportion of total adult population with secure tenure rights to land, (a) with legally recognized

living conditions; 2) livelihoods and economic self-reliance; and 3) civil, political, and legal rights.

Against these efforts, possible obstacles in pursuing the recommended actions were represented by the wideness of the SDG framework, the limited data collection capacity of States and finally, the voluntary-based nature of the political progress towards SDGs, of which reporting activities were an interesting litmus test.

As recognized by UNHCR in 2019, a further possible tool for improving refugees’ involvement in the SDGs framework would be the inclusion of an indicator relating directly to refugees.³² Therefore, after an initial proposal of a dedicated goal (SDG 10 “Reduce inequality within and among countries”), its target 10.7 was introduced to assess the facilitation of “orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.” Target 10.7 remains the only one which explicitly addresses migration-related issues.

Looking at the whole SDGs framework, we consider it useful to re-define the “refugee gap” as a concept made up of three essential components. The first one concerns the lack of available information on refugee well-being, which is mainly due to the lack of available disaggregated data and refugees’ progress in achieving SDGs. The second one regards the notion of “well managed migration policies” and its limited sensitiveness to refugee specific situations. In particular, we believe that a sufficiently refugee sensitive definition of well-managed migration policy should be able to take into account the plight of refugees, in particular with regard to access to the territory of a safe country and access to asylum procedures. Finally, a third component of the refugee gap concerns the methodology through which target 10.7 is assessed, due to the limited capacity of the three selected indicators (10.7.2, 10.7.3 and 10.7.4) to give an account of the impact of well-managed migration policies on the rights and well-being of refugees.

The following Sections will give an overview of these three components of the refugee gap, in order to re-assess whether and to what extent a refugee gap is still existing, to identify possible additional challenges, and to share insights on possible steps toward the realization of the “leave no one behind” principle.

3. THE MARGINAL ROLE OF REFUGEE WELL-BEING/REFUGEE RIGHTS IN VNRS 2020

An interesting litmus test of refugee inclusion in SDG monitoring process is represented by the Voluntary National Reports. Between 2016 and 2019, 158 countries have conducted voluntary national reviews at the High-Level Political Forum (HLPF),³³ whilst respectively, 47 and 12 showed an expression of interest in submitting VNR for 2020 and 2021.

IRC carried out an analysis of the 42 VNRs submitted in 2019 and found that “not one of them included socioeconomic data on refugees” progress towards SDGs’

documentation, and (b) who perceive their rights to land as secure, by sex and type of tenure (1.4.2); 11. Proportion of population that feel safe walking alone around the area they live (16.1.4); 12. Proportion of children under 5 years of age whose births have been registered with a civil authority, by age (16.9.1).

32 UNHCR (2019).

33 SDGs, *High Level Political Forum, Voluntary National Reviews*, available at: <https://sustainabledevelopment.un.org/hlpf/2019#vnrs> (last visited 18 May 2021).

and that “while 41 out of 42 countries that submitted VNRs in 2019 mentioned the ‘Leave No One Behind’ commitment, only 13 mentioned refugees as meriting specific attention.”³⁴ In addition, IRC focused on 15 countries hosting the largest refugee population that have submitted VNRs since 2016 and found that 10 of them do not mention the needs of refugees.³⁵

As discussed during the interviews with IRC representatives, the VNRs analysis on refugee well-being was carried out through an in-depth observation of how refugees were mentioned by States: mere references to refugees as “elements of the context” of a determined country, or as specific burden for national policies, were not considered as effective “references to refugees’ needs or refugees’ well-being.”³⁶

In order to bring forward the work already undertaken by IRC in analyzing VNRs, this paper updates the picture to 2020, and in addition to the existing data on the largest refugee hosting countries, includes data about the 10 largest refugee producing countries. The analysis will also comprise countries that never submitted VNRs, as the lack of submission indicates somehow the very partial availability of data and the scarce progress toward SDGs. The limited presence or complete lack of data on refugees in the voluntary reporting activities by the different countries with reference to the achieved results towards the SDGs, would provide an evidence-based picture of the persistency, despite the inclusion of new indicators, of what IRC conceptualized as “refugee gap.”

In order to give an evidence-based account of the very limited visibility of refugees in the national voluntary reporting process, reports submitted by the top ten refugee producing countries and top ten refugee hosting countries have been synthesized in two tables (Table 1 and Table 2). According to UNHCR (2020)³⁷ in 2019, the top ten refugee producing countries were: Syria, Venezuela, Afghanistan, South Sudan, Myanmar, Somalia, Democratic Republic of Congo, Sudan, Central African Republic, and Eritrea. Reports are available for only 6 of 10 countries and amongst them only 4 include very limited references to refugees (Table 1). However, according to the methodology used by IRC, it is possible to observe that none of the top 10 refugee producing countries include references to refugee-needs in their 2019 VNRs. More specifically, Afghanistan mentions refugees as part of the context, with a reference to the presence of refugees returned from Pakistan and Iran; Democratic Republic of Congo only remarks the possibility for refugees to have access to bank services; Sudan emphasizes the “presence of large numbers of refugees” as a contextual factor; and Central African Republic refers to refugees in neighboring countries.

A similar lack of explicit and meaningful references to refugee population characterizes VNRs by top ten refugee hosting countries (Table 2). The UN Refugee Agency, in 2019, identified top ten refugee hosting countries as follows: Turkey, Colombia, Pakistan, Uganda, Germany, Sudan, Islamic Republic of Iran, Lebanon,

34 IRC (2019).

35 See, IRC, 2019.

36 Interview with IRC staff member.

37 Data collected and shared by UNHCR (2020), *Global Trends on Forced displacement in 2019*, available at: <https://www.unhcr.org/globaltrends2019/> (last visited 18 May 2021). During the identification of the relevant countries a number of discrepancies amongst data provided by UNHCR and other reliable sources—as IOM and Amnesty International—have been observed.

Table 1. Voluntary National Reports on SDGs achievement and refugees: top 10 refugee producing countries

Top 10 Producing Countries	People displaced across borders by COO	VNR by availability	Year of the report	Reference to refugees' needs/refugee well-being	Major addressed issues
Syria	6,617,000	Yes, Arabic only	2020	No	
Venezuela	3,675,500	Yes	2016	No	
Afghanistan	2,728,900	Yes	2017	3	Returned from Pakistan and Iran; Pace related issues in the countries, Afghan refugees
South Sudan	2,234,800	N/A			
Myanmar	1,078,300	N/A			
Somalia	905,100	N/A			
Democratic Republic of Congo	807,400	Yes	2020	3	Refugee access to bank services
Sudan	734,900	Yes	2018	2 times	“Presence of large number of refugees”
Central African Republic	610,200	Yes	2020	1	Refugees in neighbouring countries
Eritrea	505,100	N/A			

³Even internally displaced persons (IDPs) seem not being mentioned (“nazih dakhiliaan” has been used as keyword in the research).

Bangladesh, Ethiopia.³⁸ In this case, VNRs are mostly available except for one country and 3 of 9 reports do not include any reference to refugees. The remaining countries address the refugee issue as follows: Turkey dedicate a paragraph to policies for refugees under temporary protection; Uganda mainly refers to refugees' access to water, sanitation and to the 2017 Solidarity Summit on refugees; and Lebanon briefly mentions the presence of Palestinian refugees and the provision of “basic services” to Syrian refugees by the Civil Society Organizations, which means a lack of direct involvement of the government in refugee protection. Reference to refugees by Germany and Sudan is not meaningful, as in the first case it concerns ODA (official development assistance expenses) and in the second case it consists in the mere

38 UNHCR (2014) The top 20 countries to have granted protection to refugees in 21st century, <https://www.unhcr.org/56655f4e0.pdf>.

Table 2. Voluntary National Reports on SDGs achievement and refugees: top 10 refugee hosting countries

Top 10 Hosting countries	People displaced across borders by HC	VNR Availability	Year	Reference to refugees	Major addressed issues
Turkey	3,759,500	Yes	2016 2019	No 16 times (a dedicated paragraph)	Policies for refugees under temporary protection
Colombia	1,771,900	Yes	2016	No	Wash and sanitation related issues, table p. 68) 2017 Solidarity Summit on refugees Refugee Population Expense related issues (ODA-official development assistance, p. 10) “Presence of large number of refugees”
Pakistan	1,419,600	Yes	2019	No	
Uganda	1,359,500	Yes	2016	1 time (2016)	
			2020	10 times (2020)	
Germany	1,146,700	Yes	2016	1 time	Expense related issues (ODA-official development assistance, p. 10)
Sudan	1,055,500	Yes	2018	2 times	“Presence of large number of refugees”
Islamic Republic of Iran	979,400	N/A			
Lebanon	916,200	Yes	2018	5 times	Palestinian refugees—Civil Society Organizations providing “basic services” to Syrian refugees
Bangladesh	854,800	Yes	2017	No	
Ethiopia	733,100	Yes	2017	No	

^aExpression of interest by States for Voluntary National Report submission in 2021.

acknowledgment of the presence of large number of refugees, without any reference to dedicated policies aimed at achieving standards in line with the SDGs.

According to interviewees (IOM, UNHCR), the SDGs VNR system, being “voluntary”, is far from providing a comprehensive review concerning all SDGs and possible population categories. According to interviewed experts, much depends on the “lack of capacity” of different States to collect and analyse thematic data on SDG,

so that, for many of them, the inclusion of refugees in their voluntary reports is definitely not a priority.³⁹

4. THE DISAGGREGATION LOGIC IN DATA COLLECTION PROCESS ON SDGS: REFUGEES LEFT OUT FROM THE “MIGRATION STATUS” CRITERION

As mentioned above, an important tool for the effective inclusion of refugees in the SDG system might have been represented by the disaggregation principle of SDG-related data by, *inter alia*, the *migratory status*, including the refugee status (UNHCR, 2019) which is stressed in Goal 17 “Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development” in the section on “data, monitoring and accountability.” In particular, with regard to target 17.18, 2020 was set as a deadline to “enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to significantly increase the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts.”⁴⁰ However, as underlined by IRC⁴¹ and as acknowledged by UNHCR (2019), “there was agreement that the indicators should be disaggregated by characteristics such as ‘migratory status’, including by refugee status (although not necessarily internally displaced people (IDPs)), but the track record in doing so was poor.”⁴²

In some cases, lack of refugee inclusion in the monitoring of progress toward the SDGs is due to limited capacity of the National Statistics Offices (NSO) or lack of mandate to collect and disaggregate data on refugees. In other cases, governments exclude refugees from their actual plans to pre-empt potential complaints against preferential treatment to foreigners in comparison to citizens living in similar conditions of vulnerability and poverty.⁴³ In addition, as emerged during the interviews with selected experts,⁴⁴ the presence of “migratory status” amongst dimensions for disaggregation is not *per se* a sufficient tool to assure the availability of data referable to refugees. For instance, the “migratory status” under Goal 17 could possibly be identified as a variable that could, in turn, boil down to different definitions, such as “asylum seeker, refugee, working migrant, etc.” However, the reality is quite different and much more complex. The “migratory status” criterion could only promote the availability of disaggregated data for the wide category of “persons on the move,” without giving any information on reasons behind the migration pathway, and on how many persons of the target population are refugees.

39 Interviews with IOM and UNHCR staff members.

40 SDG Indicators, *Global Indicator Framework for the Sustainable Development Goals and Targets of the 2030 Agenda for Sustainable Development*, see p. 21, available at: <https://unstats.un.org/sdgs/indicators/indicators-list/> (last visited 18 May 2021).

41 IRC (2019).

42 UNHCR (2019).

42 UNHCR (2019).

43 IRC (2019).

44 Interviews with UNHCR and OIM staff members.

According to information collected during the interviews,⁴⁵ the inclusion of “refugee status” amongst disaggregation criteria was one of the main advocacy lines of UNHCR concerning the SDG framework. Notwithstanding, the proposal has been accepted only very recently. Therefore, the public information on the UNHCR-led advocacy process is very limited and the formal inclusion of the “refugee status” criterion amongst those mentioned under goal 17, target 17.18 on data disaggregation, has not taken place yet.

From a formal perspective, this would be a significant step towards the progressive closure of the refugee gap. However, a lot of work still seems to be needed in terms of systematic data collection on refugees concerning all the SDGs: insufficient information is available on the enforcement mechanisms of these SDGs, thus making it difficult to understand the reasons why States should be motivated in achieving these goals. Additionally, what are if any, the political, legal, and financial mechanisms which should somehow “push” or “motivate” governments to implement more coherent and systematic data collection policies?

According to the interviews we conducted with UNHCR officers, the lack of “refugee status” amongst disaggregation criteria was one of the principal shortcomings in the data collection on refugees regarding all SDGs. Reportedly, against a background characterized by a general limited availability of data concerning refugees in most countries, it was not possible to extrapolate data referable to refugees through the disaggregation for migration status.

The inclusion of the refugee status as a dimension of the migratory status was widely discussed with custodian agencies. But the general idea was that migration was only migration, it had a dedicated working group, while forcibly displaced was a sort of asterisk. It was not very much considered. Then after a lot of work on this issue we managed to push for the disaggregation of migration dimension, and to make refugee status be considered as an autonomous dimension. The problem persists because [refugee status] is not one of the mandatory dimensions yet.⁴⁶

Interviews with UNHCR representative helped us better understand the advocacy process aimed at addressing this issue:

Over the past months we worked a lot on the data disaggregation issue, in order to make the forcibly displaced dimension be considered as relevant for the States. [In the SDG indicator framework] there were these mandatory fields for disaggregation, which were age, gender, and others, including migration status but forcibly displaced was not seen as a priority for disaggregation. Maybe, since there are 240 indicators, if we disaggregate all of them by 10 dimensions, for 200 countries, the database could become unmanageable. Because of this we proposed to identify a few priority indicators, and made a selection of 12, those which we considered more relevant and significant to

45 Interview with UNHCR staff member.

46 Interview with UNHCR staff member.

assess refugee integration and well-being in the countries of asylum. So, we included our proposal in a document, which was then shared with the Statistical Commission, recommended to the SDGs custodian agencies, and to the States to prioritize the data collection on these indicators.

The identification of 12 priority goals for disaggregation by refugee status was an important step in the direction of filling the refugee gap. However, the voluntary nature of reporting activities on SDGs remains an open issue: governments can discretionally choose the goals they want to focus on and, obviously, the dimensions by which disaggregate collected data.

5. THE CONCEPT OF “PLANNED AND WELL MANAGED MIGRATION POLICIES” (TARGET 10.7): IS IT “REFUGEE-SENSITIVE”?

In the framework of goal 10 “Reduced Inequality,” target 10.7. is to “Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.” In 2018,⁴⁷ in order to measure the progress toward this goal/target, two indicators were defined: 10.7.1. “Recruitment cost borne by employee as a proportion of monthly income earned in country of destination” and 10.7.2. concerning the “number of countries with migration policies to facilitate orderly, safe, regular and responsible migration and mobility of people.”

In March 2020, with the Comprehensive Revision Process by IAGD-SDGs, two new indicators were introduced: 10.7.3. concerning the “Number of people who died or disappeared in the process of immigration towards an international destination” and the 10.7.4. which focuses on the “Proportion of the population who are refugees, by country of origin.” According to the last revision (28 December 2020) of the UNSTAT “tier classification system” of SDG related indicators, which was initially adopted in October 2018,⁴⁸ indicators 10.7.3 and 10.7.4 have graduated into Tier I, while 10.7.2. still remains into Tier II (Table 3).⁴⁹

According to the Tier Classification system, Tier 1 indicators are conceptually clear, have an internationally established methodology, standards are available, and data are regularly produced for at least 50 per cent of countries and of the population in every region where the indicator is relevant. By contrast, despite the indicators for Tier 2 are conceptually clear and have an internationally established methodology and availability of standards, data are not regularly produced by countries.⁵⁰

In the following Sections, we will provide a more in-depth analysis of the three selected indicators, with a view to question if they are able to fill such “refugee gap.”

47 Eighth meeting of the IAEG-SDGs, 5–8 Nov 2018, Stockholm, Sweden, available at: <https://unstats.un.org/sdgs/meetings/iaeg-sdgs-meeting-08/> (last visited 18 May 2021).

48 IAEG-SDGs (2020), *Tiers Classification for Global SDGs Indicators*, available at: <https://unstats.un.org/sdgs/iaeg-sdgs/tier-classification/> (last visited 18 May 2021).

49 IAEG-SDGs (2020).

50 IAEG-SDGs (2020).

Table 3. Migration related target and indicators in the tier classification system^a

Target	Indicator	Custodian agency(ies)	Partner agency(ies)	Tier classification	Notes
10.7. Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies	10.7.1. Recruitment cost borne by employee as a proportion of monthly income earned in a country of destination	ILO, World Bank		Tier II	
	10.7.2. Number of countries with migration policies that facilitate orderly, safe, regular and responsible migration and mobility of people	DESA, Population Division, IOM	World Bank, Global Migration Group, UNHCR, UNODC, OECD	Tier II	
	10.7.3. Number of people who died or disappeared in the process of migration towards an international destination	IOM		Tier I	Data availability renewed in Nov. 2020 (classified as Tier I) Refinement of the indicator name approved by the IAEG-SDGs on 13.03 and 2.02 2020. /Final approval pending the 52nd session of the Statistical Commission. UNSC 51 addition included in the 2020 comprehensive review
	10.7.4. Proportion of the population who are refugees by country of origin	UNHCR		Tier I	Data availability reviewed in Nov.2020 (classified as Tier I) UNSC 51 addition included in the 2020 comprehensive review

^aIAEG-SDGs (2020), p. 17.

5.1. Number of countries with migration policies to facilitate orderly, safe, regular, and responsible migration and mobility of people (Indicator 10.7.2)

IOM and the Population Division of UNDESA as custodian agencies of indicator 10.7.2., have developed a methodology to measure “the number of countries having well-managed migration policies.”⁵¹ This indicator is based on an assessment of six policy domains found in the Migration Governance Framework (MiGOF),⁵² the conceptual framework adopted by the IOM’s Council in November 2015 whose key monitoring tool is the so-called “Inquiry” (*United Nations Twelfth Inquiry among Governments on Population and Development – Module III*), which consists of a questionnaire that can be filled by governments on a voluntary basis.⁵³ The results of this assessment can also be used by governments to report on their progress toward the achievement of target 10.7., as well as other migration-related targets.⁵⁴

The MiGOF’s key principles are: 1) Adherence to international standards and fulfillment of migrants’ rights; 2) Formulating policy using evidence and a “whole-of-government” approach⁵⁵; and 3) engagement with partners to address migration and related issues.⁵⁶ On the basis of these principles, the MiGOF identifies 3 objectives which should be reached through what is defined as “good migration governance”: 1) Advance the socio-economic well-being of migrants and society; 2) effectively address the mobility dimensions of crises; and 3) Ensure that migration takes place in a safe, orderly and dignified manner.⁵⁷ Having a deeper look into these three components, the first is about addressing economic root causes of migration, the second one concerns the provision of humanitarian responses to refugee crisis, and the third one has, as its main focus, the so-called counter-trafficking and anti-smuggling activities.

With regard to the first goal, according to IOM, “Governing migration well would therefore mean promoting stability, education and employment opportunities and reducing the drivers of forced migration, by promoting resilience, thereby enabling individuals to make the choice between staying or migrating.”⁵⁸ In fact, based on the assumption that even the eradication of forced migration drivers would not stop migration movements, “migration and related law and policy therefore need to be

51 UNSTAT (2019), Indicator 10.7.2. metadata, available at: <https://unstats.un.org/sdgs/metadata/files/Metadata-10-07-02.pdf> (last visited 18 May 2021).

52 IOM (2020), Migration Governance Framework, available at https://www.iom.int/sites/default/files/about-iom/migof_brochure_a4_en.pdf (last accessed 18 May 2021).

53 United Nations Twelfth Inquiry among governments on population and development, *Module III—International Migration*, available at: <https://www.un.org/development/desa/pd/themes/population-policies/inquiry12> and https://www.un.org/development/desa/pd/sites/www.un.org.development.desa.pd/files/un_12th_inquiry_module_iii_international_migration_en.pdf (last visited 18 May 2021).

54 Migration data portal, *Migration and Development, Sustainable Development Goals*, available at: <https://migrationdataportal.org/themes/sustainable-development-goals-sdgs-0> (last visited 18 May 2021).

55 The concept of “whole of government approach” refers to the implication of all ministries with responsibilities touching on the movement of people, which is considered an essential component in a good migration governance. See p. 2, IOM (2020), note 53.

56 IOM (2020), Migration Governance Framework, available at https://www.iom.int/sites/default/files/about-iom/migof_brochure_a4_en.pdf (last visited 18 May 2021).

57 IOM (2020).

58 *Ibid.*

designed to also foster strong socioeconomic outcomes for migrants and communities of origin, transit and destination.”⁵⁹

While the first objective of “well managed migration policies” is mainly focused on the “economic determinants” or “economic relevance” of migration processes, the second objective is much more focused on forced migration, refugees, displaced persons and is built around the dimension of “crisis.” In these crises, several precise responsibilities are attributed to States, which should: a) prevent and prepare for crisis; b) support migrants, displaced persons and communities affected by crises in accordance with humanitarian principles; c) and promote durable solutions to end displacement.⁶⁰

Finally, the third objective better defines the meaning of “safe and orderly” migration as a path in which risks associated with the movement of people are mitigated through: a) the application of effective cross-border health measures, and b) the strengthening of public health strategies to prevent the spread of disease and protect the health of migrants and society, as well as c) the detection of irregular migration and the prohibition of illegal cross-border activity through the collaboration amongst migration and border agencies, national and international justice, and security agencies. In particular, regarding this third objective, it is outlined how these agencies should collect, analyze and use information intelligence to combat terrorism as well as trafficking in persons, smuggling in migrants and other transborder criminal activities.

Analyzing the MIGOF conceptual framework from a socio-legal perspective it is possible to identify at least two possible areas of concern for forcibly displaced populations. The first one is related to the very formulation of the second goal: “effectively address the mobility dimension of crises.” In particular, being its definition articulated around the concept of crisis, it risks leading to counterproductive effects in terms of emergency approach to human mobilities, forced displacements and related policies. Another possible area of concern lies within the conceptualization of the third goal “ensure that migration takes place in a safe, orderly and dignified manner,” which is supposed to be reached also through “the detection of irregular migration and the prohibition of illegal cross-border activity.” As it is well known, in the case of refugees, the possibility to irregularly cross a border can sometimes be the only chance to survive, therefore a well-managed and sufficiently safe migration policy should mandatorily be respectful of the right to leave and the right to seek asylum abroad.

With regard to indicator 10.7.2, the main data collection tool for the SDGs is the so called “Inquiry”: United Nations 12th Inquiry Among Governments on Population and Development, whose Module III is on “International Migration.” It includes a number of “closed answer” questions dedicated to States, which are required to indicate the state of the art regarding 4 research areas: a) migration governance, b) migrant rights and integration, c) migration and development, d) forced migration.⁶¹

59 IOM (2020) *Ibid.*

60 *Ibid.*

61 United Nations Twelfth Inquiry among governments on population and development, *Module III – International Migration*, available at: <https://www.un.org/development/desa/pd/themes/population-policies/inquiry12> and https://www.un.org/development/desa/pd/sites/www.un.org.development.desa.pd/files/un_12th_inquiry_module_iii_international_migration_en.pdf (last visited 18 May 2021).

In this forced migration related research area, governments are required to provide information on the implementation of possible measures to respond to refugees and other persons forcibly displaced across international borders,⁶² such as: a) a system for receiving, processing and identifying those forced to flee across international borders; b) contingency planning for displaced populations in terms of basic needs, such as food, sanitation, education, and medical care; c) specific measures to provide assistance to citizens residing abroad in countries in crisis or post-crisis situations; d) a national disaster risk reduction strategy with specific provisions for addressing the displacement impact of disasters; and e) grant permission for temporary stay or temporary protection for those forcibly displaced across international borders and those unable to return.

From a purely methodological perspective and keeping in mind what we previously defined as “refugee gap,” it is possible to identify at least one weakness. Being mainly a government-centered research tool (as the Inquiry is fully based on a self-assessment carried out by governments themselves on their own conducts), it does not allow an impact assessment of State migration policies. Moreover, while it is able to offer a descriptive and detailed overview of the political and legal tools as well as the mechanisms used by different States to ensure “well managed migration policies,” which also entail the containment of irregular migratory flows, much less attention is given to the impact of those policies on the rights of migrants, including refugees, who might have no alternative to irregularly fleeing their country relying on smugglers and dangerous journeys to seek protection or a better life abroad. As one of the UNHCR experts we interviewed argued:

The formulation of “well-managed migration data” has the inevitable consequence to be a bit centred on the management process. [. . .] The tool reflects the political will of States to formulate an indicator based on the concept of “well-managed” and IOM has found a good formulation of “well-managed”, which the countries can re-interpret on a national basis. As a matter of fact, the countries have very different migration realities, and it would have been difficult to find a more specific formulation. I think that the indicator is quite comprehensive and looks at all the aspects of well managed migration policies. But what is lacking in this formulation is that the methodology does not allow to assess the impact of these policies on migrants. This is due to the very nature of the indicator. The indicator assesses if the policies are well-managed, but this does not mean that it is able to take into account, the impact of these policies [. . .] and the situation of migrants in the country. But I think this is a matter of political will, and given the variety of priority and context, it is not surprising at all.⁶³

According to the IOM interviewee, more than a mere matter of methodology, the configuration of indicator 10.7.2 and of its research tool could be improved through a transformation in the “political will” behind it: as it is, it does not provide any

62 See point 3.15 of the Inquiry.

63 Interview with IOM staff member.

information on the possible impact of migration policies on refugees' living conditions, but maybe, it is not even conceived to provide such information.

In our view this is not completely true: not only the very formulation of an indicator is a matter of political will, but also the choice of a certain methodology to calculate it, has a political salience. As widely highlighted in policy evaluation studies, an effective assessment of the quality/goodness of a policy within which the concept of "well-management" should fall, should not prescind from their impact assessment.⁶⁴ A completely government-centered approach both in the formulation of a target/indicator and in the definition of the methodology to calculate them, cannot truly give an account of how much well-managed a policy is. Comments by UNHCR on the issue which have been collected during the interviews, went in the same direction:

To be honest, I have my concerns on the methodology, and on how do they calculate this indicator. There are some limits concerning the impact assessment [of these policies]. In practice, they [the governments] make a self-assessment.⁶⁵

The issue of "self-assessment" which is carried out through the Inquiry is probably the most significant weakness of the methodology to calculate indicator 10.7.2. In particular, the Inquiry can be compiled on a voluntary basis, and being limited to identify the existence or inexistence of determinate political/procedural/legal tools of migration governance, without assessing the impact of this governance on migrants.

5.2. Number of people who died or disappeared in the process of immigration towards an international destination (Indicator 10.7.3)

Indicator 10.7.3. has, as a conceptual background, the IOM Missing Migrant Project. The MMP data include migrants (regardless of their legal status) who have died at the external borders of States or in the process of migration towards an international destination.⁶⁶ As underlined by the UN Migration Agency,⁶⁷ MMP selection of data is primarily dependent on secondary sources of information and can provide some insight into the safety or otherwise of routes.⁶⁸

The lack of availability of disaggregated data based on the legal status of migrants highlights the difficulties in giving an account of the refugees' presence with regard to both the general definition and counting of missing migrants. This limit brings

64 References of policies evaluation (to be included).

65 Interview with UNHCR staff member.

66 Deaths in refugee housing, immigration detention centres or camps are excluded. The MMP data also exclude deaths that occur during deportation or after forced return to a migrant's homeland or third country, as well as deaths more loosely connected with migrants' precarious or irregular status, such as those resulting from labour exploitation or resulting from lack of access to health care.

67 UNSTAT (2020), *Indicator 10.7.3. Metadata*, available at: <https://unstats.un.org/sdgs/metadata/files/Metadata-10-07-03.pdf> (last visited 18 May 2021).

68 Amongst these secondary sources of information have to be included governmental and non-governmental stakeholders, NGOs, associations, and individuals.

with it a consequential gap in carrying out a proper assessment of safety and well-management of migration policies for refugees.

I think that there is a huge gap concerning refugees. This is absolutely true, both in the specific circumstances in which we are investigating deaths and concerning migrants more generally. In fact, within our database, we do not or better, we really can't differentiate between those people who are seeking asylum, those who would like to seek asylum and those who are moving for other reasons. We cannot investigate on it for different reasons. And then, as you know, taking the border as perspective, there is a concept which became more and more popular in academia: during migration, people very often are moving in and out from borders, by crossing to near contexts, more than by doing longer journeys. I think this is true across the world.⁶⁹

Regarding the above-mentioned tier classification system, indicator 10.7.3., which results to be under Tier I, has been assessed as having a sufficiently clear methodology and data availability. However, its interpretative framework does not look very clear-cut, and the relationship between indicator 10.7.3 and target 10.7,⁷⁰ which it should contribute to assess, looks quite blurred. In other words, the nexus amongst data collected by IOM MMP and different States who would be responsible to implement well-managed migration policies, does not appear to be sufficiently direct. During the interviews, we asked IOM representatives to clarify how data concerning missing migrants, who possibly lost their lives during a border crossing, can contribute to indicate if migration policies implemented by a certain State are well-managed, or sufficiently safe. We asked how the country of reference is de facto identified, but the custodian agency itself outlined the existing difficulties in doing it:

We categorize locations in several data sets, so we include both the location of departure and death. But is important to keep in mind that in overseas journeys or when dead is happening at the border, it is hard to say this is one country and. . .that is all. So, the location of death is categorized in a few different ways, in a specific geographical, geo-localization point, and the country of origin too, so this is not the UN statistics division regions, because we have the Mediterranean, or the UN-Mexico border and because these areas is where we see a particular pattern of deaths in the data.

Since information about migrants who die (or go missing) in countries of destination or residence are not traced by the MMP, it is not clear if the indicator 10.7.3. should be meant as referring to departure or transit countries, or maybe to both. Therefore, even if carried out in cooperation with countries of destination, policies aimed at stemming irregular flows of migrants (in line with indicator 10.7.2) preventing their departure and/or arrival to the would-be host State are assessed only against

69 Interview with IOM staff member.

70 Target 10.7 reads as follows: “Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.”

the State of origin or transit. Likewise, whether policies of containment and externalization of migration controls result in the death of migrants and refugees on the move (indicator 10.7.3), this would be counted only as a failure of the migration management system of the countries of origin or transit.

As outlined in Section 3, indicator 10.7.3 refers only to migrants who lost their life at the border of a country of departure or transit. Therefore, such data do not provide information on the safety and well-management of migration policies in all countries which are inevitably involved in the migratory process. For example, a group of Ivorian nationals who wish to seek asylum in Europe drawn in the Mediterranean either because of lack of intervention by Maltese and Italian authorities, that had knowledge of the distress event, or because of a fatal accident caused by the disproportionate use of force by Libyan authorities called by their European colleagues to “rescue” and pull-back the refugees against their will. In case of death of these persons during the sea-crossing from Libya to Malta/Italy, which country/countries are the data of indicator 10.7.3 accountable for? How do these data contribute to appraise the sufficient/not-sufficient safety and well-management of migration policies of countries of origin/transit/destination, as encompassed in target 10.7? Unfortunately, these questions remain open, by highlighting a research gap concerning the possibility to assess the impact of border and migration management policies on the lives of refugees.

5.3. Proportion of the population who are refugees, by country of origin (10.7.4)

In 2020, the indicator 10.7.4 “Proportion of the population who are refugees by country of origin” was proposed by UNHCR (custodian agency) and included in the SDGs indicator framework. The initial proposal which had, as a background and rationale, both the 2016 New York Declaration for Refugees and Migrants⁷¹ and the 2030 Agenda for Sustainable Development was related to Goal 16, Access to Justice, in relation to target 16.3 “Promote the rule of law at the national and international levels and ensure equal access to justice for all.” In particular, the New York Declaration, as the main reference for the Global Compact for Migration, highlighted the relevance of accurate data collection processes on migration phenomena, by underlining the need of disaggregating them “by sex and age and include information on regular and irregular flows, the economic impacts of migration and refugee movements, human trafficking, the needs of refugees, migrants and host communities and other issues.”⁷² In addition, the 2030 Agenda (para 23) recognized the relevance of “meeting the needs of refugees, internally displaced persons and migrants, on the

71 The New York Declaration was adopted by the UN General Assembly in September 2016.

72 The Paragraph 2.4 of the Declaration states that Member States will “make efforts to collect accurate information regarding large movements of refugees and migrants, [...] take measures to identify correctly their nationalities, as well as their reasons for movement [and] to identify those who are seeking international protection as refugees.” Moreover, paragraph 2.19 recognizes “the importance of improved data collection, particularly by national authorities” and commits to “enhance international cooperation to this end, including through capacity- building, financial support and technical assistance.”

basis that they are among the most vulnerable,⁷³ and asked Member States to “strengthen support and meet the special needs of people living in areas affected by complex humanitarian emergencies.”

In the initial proposal of the refugee-dedicated indicator, UNHCR highlighted the connection of the proposed indicator with Goal 16 “Access to justice” as follows: SDG 16 claims to seek to reduce “the horrors which are a result of armed conflict or other forms of violence within societies.”⁷⁴ In addition, from a more general perspective after highlighting the lack of indicators monitoring the number of populations being forcibly displaced outside their country of origin at a global level, UNHCR highlighted how the “omission of indicators on refugees and internally displaced people” would have been both inconsistent with the specific importance accorded to them in the 2030 Agenda, and an obstacle for the fulfillment of the pledge of “leaving no one behind.”⁷⁵

Anyway, the indicator concerning the “proportion of the population who are refugees” which had been originally proposed as related to target 16.3. “access to justice for all” was finally included in the SDGs indicator framework under Goal 10 “reduce inequality,” target 10.7 “facilitate orderly, safe, and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies.”

While in the original narrative⁷⁶ of indicator 16.3.3, it was somewhat clear that the increase in the proportion of refugee population should have been able to provide information on the weakness of the rule of law in the country of origin, not equally clear was the sort of information which the indicator could provide concerning the well-management of migration policies.

This was the problem which always emerged in our discussions. [If the indicator is moved under goal 10], which is the target to reach? Is it to increase the number of refugees or to decrease it? Because from the perspective of migration policies you would like that more countries of asylum do accept a major number of refugees, while from a “rule of law perspective” it was easier to define the goal and target: the number of refugees was indicator of the countries with more problems of public security, war, and weak rule of law, so the target was to reduce the number of refugees.

The process behind this change in the collocation of the indicator on refugees, was discussed during our interviews: in this regard, the UNHCR outlined the lack of a proper place for discussion, since the decision to move it under goal 10 was communicated in the frame of the comprehensive consultations which followed the proposal.

73 UNSTAT (2019), *Indicator 10.7.4. Metadata*, available at: <https://unstats.un.org/sdgs/metadata/files/Metadata-10-07-04.pdf> (last visited 18 May 2021).

74 Indicator proposal template and metadata are not anymore available on the web but on file with the authors.

75 UNHCR (2019)

76 See note 72.

There has not been a proper discussion on this change. During the final discussion on the acceptance of new indicators, UNSD stated that our indicator was approved but under goal 10 instead of goal 16. And at that point, nobody objected anything. So, we changed a bit the narrative and the description of the metadata, but in general it remained as it was. [...] We changed the narrative in order to ensure consistency: before there was a reference to the rule of law, and now there is not. [...] In my view is now a bit hybrid because it was born with an idea behind it, but then it was moved. To be honest, I do not see a so relevant relationship with migration policy. However, the fact of having a dedicated indicator does not solve the problem [of the refugee-gap] in any case.

Therefore, as acknowledged by the UNHCR and as already highlighted for indicator 10.7.3, it is still unclear how the “proportion of the population who are refugees” should indicate the existence/lack of planned and well managed migration policies in view of facilitating orderly, safe, and responsible migration and mobility of people, and which kind of countries (i.e., countries of origin, transit countries, destination countries) it should be accountable for.

Moreover, what is now indicator 10.7.4 had been initially proposed as to be included under Goal 16 “Access to justice” and more specifically under target 16.3 “Access to civil justice” to provide information on the “rule of law” in countries of origin. A high percentage of refugees from a certain country, would have indicated the weakness of its rule of law, inadequate access to civil, political and social rights as well as a limited capability of the State to protect its citizens. Moving this indicator from goal 16 “Access to justice” to goal 10 “Address inequality” (and more specifically, target 10.7. “well managed migration policies”), the initial target of the indicator which would have been the “country of origin” was completely shifted to the “hosting country,” where the presence of well managed reception and integration policies should have been assessed.

However, as confirmed in our interviews with experts,⁷⁷ how the percentage of refugee population by country of origin could have contributed to the assessment of the presence/absence of “well managed migration policies” remains undefined (for example, no data on reception conditions in the host countries are collected for the purpose of the SDGs review), thus leading us to conclude that the relationship between indicator 10.7.4 and target 10.7 has not been thoroughly thought-out from the outset.

One of the questionable elements of the migration-related indicators under target 10.7 is their limited scope. Indeed, they exclude from the overall evaluation the (would-be) countries of arrival, even though they are increasingly actively engaged in policies of migration control. For instance, they cooperate with countries of origin and transit, either through measures of externalization of borders, extraterritorial direct and indirect pushbacks, as well as non-entrée practices (e.g., restrictive visa policies, carrier sanctions) that migrants and refugees inevitably attempt to circumvent by choosing even more dangerous (not to say deadly) routes with the assistance of

77 Interview with UNHCR staff member.

smugglers and/or traffickers. It thus remains to be seen whether cooperative policies of containment of irregular flows of refugees in lack of legal and safe pathways to reach safety abroad can be construed as “planned and well-managed migration policies” able to “facilitate orderly, safe, regular and responsible migration and mobility of people” in line with target 10.7.

6. HOW NOT TO LEAVE REFUGEES BEHIND? EXPLORING SOME PROPOSALS

Based on the foregoing and without any of claim of exhaustiveness, this section puts forward some proposals, with a view of not leaving refugees behind in the SDG framework. These proposals will be articulated around three main threads: 1) data disaggregation by refugee status; 2) the refugee-dedicated indicator (10.7.4), its target of reference and the methodology behind it; and 3) the possibility to include a new indicator, which would be able to provide more information on how access to asylum takes place in practice.

Against the background characterized by the very limited availability of disaggregated data by refugee status to measure progress towards SDGs, the advocacy effort carried out by UNHCR, and the methodological recommendations on refugee statistics provided by EGRIS are particularly important. Due to the amplitude of the SDG framework, we believe that the identification of 12 goals which should be prioritized in data disaggregation process represents a first turning point which should encourage States to increase their efforts in the direction of collecting and disaggregating data in order to include forcibly displaced populations. However, the voluntary basis on which data collection and reporting process by States takes place continues to constitute a significant obstacle: in particular, the fact that forcibly displacement does not fall within mandatory dimensions for disaggregation should definitely be overcome, in order to push States to focus their attention on refugee-like populations and internally displaced persons, with a view not to leave them behind.

A second line along which it would be possible to foster the inclusion of refugees in the SDG framework concerns target 10.7, which is articulated around the concept of “well-managed migration policies.” The state of the art foresees its measurement through four indicators, three of which could be re-defined in a more refugee sensitive manner. Keeping as a background the current definition of well-managed migration policies,⁷⁸ with regard to indicator 10.7.2., it would be desirable to go beyond the government-centred assessment approach entailed by the Inquiry. Indeed, while this approach is able to provide an overview of the measures adopted by States to manage migration,⁷⁹ it does not give any information on their impact on the rights of refugees. While the availability of disaggregated data by refugee status concerning the whole SDGs framework or at least the 12 indicators selected by UNHCR would

78 The definition of well-managed migration policies is included in IOM (2020), *Migration Governance Framework*, available at: https://www.iom.int/sites/default/files/about-iom/migof_brochure_a4_en.pdf (last visited 18 May 2021).

79 As outlined before the Inquiry adopts a self-assessment approach, in which States are called to declare the presence/absence of political/legal tools of migration governance.

already be available to provide information on refugee wellbeing, what remains uncovered is the delicate phase of access to the territory and to the asylum procedure.

A possible technical and methodological proposal on how to include an impact evaluation amongst the goals of the indicator exceeds the scope of this article. However, we believe that the introduction of new measurement tools, able to give account of the impact of these policies in terms of migrant and refugee rights, might be an added value that we leave to policy makers to discuss. Therefore, going beyond the mere existence of legal and policy tools to manage migration flows, future research could explore the importance of evaluating the main impact of migration policies in terms of access to rights and integration of the target population.

Regarding indicators 10.7.3 and 10.7.4 which respectively concern the number of persons who have lost their lives or are missing during migratory journeys, and the percentage of refugees on the total population by country of origin, we think it should be clarified what they exactly indicate with the expression “well-managed migration policies.” The mechanisms behind the identification of accountable countries for dead and missing migrants as countries which do not have sufficiently safe, and therefore well-managed migration policies should be made more explicit. A similar discourse can be done about the possible relationship between the increase/decrease of refugee population (indicator 10.7.4) and the presence/absence of well-managed migration policies (target 10.7). The mere calculation of the number of refugees as a proportion of the population of the country of origin does not give any information on the extent to which migration policies are well-managed within each host country. Even calculating the number of refugees by nationality in each host country would not say much on the appropriate management of migration policies within this State. More refugees do not automatically imply that better migration policies are already in place, but rather that a need exists to promptly enforce well-managed and refugee-sensitive migration policies, not more, not less.

From our point of view, the strength is really data disaggregation. It is only there that we then can see, and we can understand, what’s happening, if refugees are more integrated, if they have their well-being. That is where we really concentrate our efforts. But since there was the possibility of including an indicator, at least that would make it more, in some way, visible. . .we made the proposal. In fact, the indicator did not give the possibility to measure anything too new in the end because we calculate the number of refugees every year, the data is already available, it was only to put it as a flag, to say that even that should be considered in the SDGs.⁸⁰

Continuing to strengthen data disaggregation by refugee status in relation to the other SDGs (and the 12 priority indicators identified by UNHCR, which do not include Goal 10) does not solve the primary issue concerning refugees’ safe and prompt access to territory and to asylum procedures to avoid *refoulement* to dangerous countries of origin or transit. Therefore, a possible contribution to the potential

80 Interview with UNHCR staff member.

progressive closure of the refugee gap could be the inclusion, within the SDGs framework, of a dedicated focus on border management procedures which are an essential corollary to the wider definition of migration policies.

Either a dedicated focus within indicator 10.7.2 on border procedures or the insertion of a new indicator under target 10.7 might contribute to shed light on the fact that refugees often travel in mixed flows and are apprehended while attempting to irregularly cross sea and land borders, in transit zones, and in situations of emergency with massive arrivals of mixed influxes. Therefore, restrictive migration controls in the framework of border and migration management policies aimed at combatting irregular flows can also end up affecting the rights of people genuinely in need of protection.

In fact, the refugee gap is also made of selective choices on what to count and what not, and of related consequences in terms of politics of visibility, which make some issues visible while others are obscured.⁸¹ For example, in the SDGs indicator framework, those who are daily pushed back at the borders to unsafe countries of origin and transit, prevented from accessing the territory of a safe country, and those who do not have access to asylum justice (including an effective remedy)⁸² remain “uncounted.”⁸³

7. CONCLUDING REMARKS

Starting from the definition of SDG “refugee gap” proposed by the International Rescue Committee (2019), this article has identified shortcomings related to the data collection process, and a significant lack of availability on disaggregated data by refugee status. Moreover, a limited presence of refugees in national reporting systems, which are filled on a voluntary basis and in political planning processes, can also be recorded.⁸⁴ Despite the efforts to bridge the refugee gap, especially through the inclusion of “refugee status” amongst the disaggregation criteria and the proposal of new refugee and migrant related indicators in the SDGs framework, such a gap is still present. Timely, reliable, and impactful data on migration will thus offer some help to guide policy makers in implementing evidence-based policies and plans of action to manage migration aspects of the SDGs in compliance with human rights to ensure no one (including refugees) is left behind.

Being inspired by IRC work and after advancing a more comprehensive and multidimensional definition of the “refugee-gap” concerning SDGs, this article has examined the different dimensions of this gap, by outlining the limited refugee-sensitiveness of 1) data disaggregation processes concerning SDGs, 2) voluntary reporting activities by States, and 3) the conceptual framework of target 10.7 and the methodology of its indicators. It has then attempted to provide an overview of the possible fields for improvement, in view of a more inclusive approach concerning refugees in the SDGs framework. In so doing, this article has also shed light on the efforts made by the custodian agencies of refugees and migrants related targets to fill

81 S. L. Davis S. L. The uncounted: politics of data and visibility in global health. *The International Journal of Human Rights*, 21(8), 2017, 1144–1163.

82 M. O’ Sullivan & D. Stevens (eds.), *States, the Law and Access to Refugee Protection: Fortresses and Fairness*. Bloomsbury Publishing, 2017.

83 On the concept of “uncounted” see amongst the others, S. L. Davis, S. L. “The uncounted: politics of data”.

84 Interview with IOM staff member.

what was defined a “refugee gap.” The main focuses of this analysis have been data disaggregation policies, national reporting activities, and target 10.7, which is dedicated to migration policies, and comprises the recently added indicator on refugees. Moving the refugee-dedicated indicator (“the proportion of the population who are refugees, by country of origin”) from Goal 16, focused on the rule of law, to Goal 10, which is about reducing inequalities, signifies moving the target away from access to human rights and asylum justice, to make it purely a “migration and development issue.”

As target 10.7 has border management and surveillance as a priority, it does not come as a surprise that it refers to “well-managed” (rather than either “good,” “safe,” or “human rights-oriented”) migration policies. Being focused on State action, and sovereignty in the management of borders, target 10.7 does not consider the agency of refugees in starting and completing a journey to seek and claim asylum in a safe country. As a consequence, the characterization of “well-managed migration policies” does not encompass the ultimate stage of refugees’ travels, namely safe access to territory and to asylum procedures.

Despite its wide and comprehensive scope, target 10.7 is one of the most nebulous targets as it leaves uncertain the attention accorded to refugees within State migration policies. Indeed, while refugee-like’ situations involve a lack of national protection, they are inextricably interlinked with issues equally relevant to the migration context, such as border management (including through extraterritorial policies of deterrence and containment of migratory flows aimed at preventing access to territory and asylum procedures—thus increasing the risk of *refoulement*).

This target is of relevance to the Migration Compact (adopted on 19 December 2018) whose framing stems from the UN development system having target 10.7 of the SDG as one of its main references.⁸⁵ However, the Migration Compact changed the language from “orderly, safe, regular and *responsible* migration” to “safe, orderly and regular migration.” Such a loss does not have a merely terminological significance, as it questionably neglects that safe, orderly, and regular migration must also be “responsible.”⁸⁶ While “safety” must include the safe delivery of human rights, the notion of “orderly” excludes actions that are arbitrary and contrary to the principle of the rule of law. Likewise, “regular” migration excludes State action that arbitrarily disregard rules on the entry and residence of migrants. As suggested by Guild, the concept of “responsible” migration policies means “States would be obliged to temper their claims to State sovereignty in pursuit of border control objectives. States’ actions must be responsible not only in respect of other States and people, but also in respect of their international human rights commitments.”⁸⁷

Acting consistently with human rights both at the national level and in terms of international cooperation also implies respect for both the principle of non-discrimination and the right to leave any country, including one’s own, which is a fundamental precondition to the enjoyment of other rights, such as the right to seek

85 Global Compact for Safe, Orderly and Regular Migration, UN doc A/RES/73/195 (19 December 2018).

86 Guild E. (2018), The UN Global Compact for Safe, Orderly and Regular Migration: What Place for Human Rights?, IJRL 2018, 3.

87 Guild (2018), *ibid.*

asylum and the right not to be subjected to torture and other inhuman and degrading treatment. In this regard, the Refugee Compact, adopted on 2 August 2018,⁸⁸ aims to foster more predictable and equitable responsibility sharing when it comes to large-scale refugee flows and protracted displacement by finding effective solutions for those who need protection, such as resettlement and other legal pathways to safety.⁸⁹

During our interviews we have also tried to understand what mechanisms could foster a major engagement of States in achieving SDGs by leaving no one behind, and what factors could push States to pursue these goals considering the voluntary nature of data collection, reporting activities and policy planning. However, without finding a univocal response by different experts, it seems this research has opened more questions than it has answered. Overall, the main field for improvement, in the direction of not leaving refugees behind in the achievement of SDG is the data disaggregation by refugee status, as advocated by UNHCR. However, the voluntary nature of the whole SDGs framework seems to be the most significant shortcoming. Against this background, we proposed, as a possible contribution to the potential progressive closure of the refugee gap, the inclusion, within the SDGs framework, of a dedicated focus on border management procedures, which must be considered essential components of “well-managed migration policies.”

To conclude, even if not legally binding, the 2030 Sustainable Development Agenda provides a benchmark of the current standing of migrants’ rights.⁹⁰ Indeed, it explicitly indicates that the agreed goals “seek to realize human rights” (Preamble) and “envisage a world of universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination.” While the targets are aspirational and global, the Agenda is grounded in the Universal Declaration of Human Rights and other international instruments relating to human rights and international law.⁹¹ More specifically, States commit to its implementation in a spirit of solidarity and mutual trust accepting to “cooperate internationally to ensure safe, orderly and regular migration involving full respect for human rights and the humane treatment of migrants regardless of migration status, of refugees and of displaced persons.”⁹²

As international migration is, by its very nature, a cross-border phenomenon, it requires that international cooperation and well-managed migration policies consider that vulnerabilities do not only arise as a result of conditions in countries of origin or in countries of destination. They also depend on migrants’ increasingly dangerous routes and on abuses perpetrated by smugglers or traffickers during these strenuous journeys.⁹³ Refugees and their numbers are a moving target themselves. People, for example, cease to be recognizable as refugees as they get long-term residence status

88 Global Compact on Refugees, UN doc A/73/12 (Part II) (2 August 2018)

89 Jane McAdam, *The Global Compacts on Refugees and Migration: A New Era for International Protection?* IJRL 2018, 572.

90 M. Panizzon, *COVID-19 was a Big Test for UN Migration Initiatives. Did they Succeed?* 2021, available at: (last visited 18 May 2021).

91 Agenda 2030, paras 10 and 19, available at: <https://sdgs.un.org/2030agenda> (last visited 18 May 2021).

92 *Ibid.*, para 29. See also, paras 39 and 73.

93 M.K. Solomon & S. Sheldon, *The Global Compact for Migration: From the Sustainable Development Goals to a Comprehensive Agreement on Safe, Orderly and Regular Migration*, IJRL, 2018, 588–89.

or citizenship or move to another country on a work visa. The journey (its duration and vicissitudes) becomes therefore an essential part of the life of a displaced person and as such cannot be sidelined by the 2030 SDGs Agenda. Indeed, a “well-managed migration policy,” which orderly, safely, regularly, and responsibly considers the plight of refugees and their well-being, should not be focused on curbing irregular flows only. On the contrary, it should give account of the effort of the States in compliance with the principle of solidarity and fair sharing of responsibilities not to endanger the life of people on the move, thus guaranteeing protection from *refoulement* as well as access to fair and effective asylum procedures for those most in need.

To conclude, our work seems to confirm Merry’s reading of indicators as “witchcrafts,”⁹⁴ whose epistemic power can materialize through opposite pathways: if, on the one hand, they can promote social justice and reform strategies around the world, on the other side, they can be tools of “depoliticization,” able both to promote processes of technocratic objectification of complex issues, such as human mobility, and to discourage democratic debates and related struggles for rights and justice. Looking deeper into global migration indicator frameworks can also be of great help in challenging possible mainstream conceptualizations and narratives, as well as existing politics of visibility, by highlighting possible “missing discourses.” The individual right to leave one’s own country in order to seek and find protection—also through irregular border crossings, if no other options are available—and the related whole of guarantees and human rights standards which needs to be fulfilled, can still be considered amongst them.