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**Agenda item 5: RMS 1 – A Centre for Advice, Research, Information Sharing and Analysis on Relevant Immigration Issues**

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**Proposed Recommendations**

The Board is invited to consider the recommendations proposed under each of the agenda items.

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**Purpose**

This paper provides an update on activities undertaken to advance Results Management Suite Output 1 where the Pacific Immigration Development Community (PIDC) provides a Centre for advice, research, information sharing and analysis on relevant immigration issues. Agenda items to be discussed include:

- a. PIDC Legislation Review Programme Update
- b. PIDC SOP Strengthening Programme Update
- c. Research - Regional Advanced Passenger Information Opportunities Report
- d. Research - PICT COVID-19 Immigration Border Control and Reopening of Borders
- e. PIDC Law Enforcement Intelligence Update

**a) PIDC Legislation Review Programme Update**

2. Robust, modern and streamlined policies and legislation are a fundamental prerequisite for effective, transparent and fair immigration procedures and frameworks. A key role of PIDC is supporting Member Countries and Territories to modernise and align domestic immigration legislation and Standard Operating Procedures (SOP) where appropriate to relevant international and regional standards and best practice.

3. Table 1 below provides a summary of the legislation review programme and where the respective countries assisted under PIDC's modernisation programme are at. While three-member countries are scheduled for support in the 2021/22 financial period including the Solomon Islands, Tuvalu and Niue, on-going work to finalise Samoa and Tonga's legislation review project continues.

*Table 1: Summary of Legislative Review Modernisation Project*

<b>Country</b>		<b>Legislation Review Project Update</b>
Solomon Islands (2021/22)	Immigration Act	- Resumption of Phase 1. First drafting instruction completed and provision of technical support provided to support Solomon Islands national consultations - Solomon Islands to recruit local Technical Assistant by end of November 2021 to coordinate national consultations

Tuvalu (2021/22)	Immigration Act	- Draft Immigration Bill and Draft Immigration Regulations completed
	Passport Act	- Legislation support to review Passport Act scheduled for quarter 3
Niue (2020/21)	Immigration Act	- Initial discussions on legislation review support initiated and support scheduled for quarter 4
Tonga (Ongoing)	Immigration Act	- Immigration Act Drafting Instructions completed - Ongoing discussions on recruitment of locally based legal drafter to support drafting of draft immigration bill
	Passport Act	- Drafting Instruction completed
Samoa (Ongoing)	Immigration Act	- Immigration Amendments enacted
	Regulations	- Development and drafting of regulations in its finalisation stage
FSM (Ongoing)	Immigration Act	- Drafting Instruction completed - Project currently on hold due to competing national priorities in FSM and any progress to next programme phase will be determined by the FSM government

#### **Proposed Recommendations**

The Board is invited to:

- (i) **note** the update provided by the Secretariat and the work undertaken to date; and
- (ii) **encourage** the Secretariat to continue working with members to progress the completion of their respective legislation modernisation programme.

#### **b) PIDC Standard Operating Procedures Strengthening Programme**

4. PIDC's SOPs modernisation programme was established to support members' document and streamline their business processes, and protect the organisations against knowledge loss while holding immigration officers accountable to their roles and responsibilities.

5. Prior to COVID-19, the SOP modernisation programme brought senior immigration officers to Apia, Samoa to develop and streamline their national immigration standard operating procedures through a one-week secondment programme. Seconded officers while in Apia developed and adapted national SOPs based on the PIDC Model SOP and domestic circumstances.

6. However, the emergence of COVID-19 forced PIDC to refine its SOP modernisation programme to adapt to the new operating landscape and subsequently developed a new online SOP programme. This modality has proven to provide better ongoing support for members, as online technical advice is easily accessible to members to guide them in developing their respective SOP drafts on an ongoing basis in addition to allowing the Secretariat to monitor the drafting progress of individual Members SOP. Nauru, Marshall Islands and Fiji are currently being provided online SOP technical support under this revamped support modality. While members reference the PIDC Model SOP to guide

drafting and developing their national SOPs, members ultimately determine their SOP templates based on national requirements.

*Table 2: Summary of SOP Modernisation Programme*

<b>Country</b>	<b>Standard Operating Procedures Project Update</b>
Nauru	<ul style="list-style-type: none"> <li>- Nauru has never had a Standard Operating Procedure and developed its new SOP from a zero draft</li> <li>- National Immigration SOPs Gap Analysis report completed</li> <li>- Nauru’s Draft SOP has been completed and is now currently undergoing national approval processes</li> </ul>
Fiji	<ul style="list-style-type: none"> <li>- Fiji National Immigration SOPs Gap Analysis report completed</li> <li>- Fiji has adopted a two tiered SOP approach with the development of (i) SOP Process charting for all Thematic Areas; and (ii) SOP Handbook</li> <li>- The SOP Handbook provides details to the departments procedure while the SOP process flow chart summarises procedural process flow of the different sections thematic functions</li> </ul>
Marshall Islands	<ul style="list-style-type: none"> <li>- RMI national Immigration SOPs Gap Analysis report completed</li> <li>- RMI currently reviewing draft SOP with ongoing consultations with the PIDC Technical expert</li> </ul>
Samoa	<ul style="list-style-type: none"> <li>- PIDC Secretariat has reached out to finalise a meeting date to discuss this proposed support activity which at the request of Samoa has been set primarily around supporting Information collection and Intelligence development</li> </ul>

**Proposed Recommendations**

The Board is invited to:

- (i) **note** the update provided by the Secretariat and the work undertaken to date; and
- (ii) **encourage** the Secretariat to continue working with respective members to finalise their draft SOP.

**c) Research – Regional Advanced Passenger Information Opportunities Report**

7. Access to Advanced Passenger Information (API) is a high priority for the international community as it substantially strengthens the ability of border agencies to understand the identity and intent of individual travellers thereby also identifying the levels of risk these travellers pose. API can be used to greatly enhance national, regional, and global border and transportation security, countering irregular migration, transnational-crime, terrorism, and possibly helping with health screening.

8. As part of its 2020/2021 Work Plan, PIDC Secretariat engaged Coordinated Border Solutions (CBS) after a competitive tender process to explore possible opportunities for PIDC members to access API. The Draft Report (draft attached as Annex One) was completed in October 2021 drawing upon extensive research into international and regional best practice with similar arrangements, consultation with a range of government and non-government stakeholders in the Pacific and elsewhere, and the broad experience of the CBS authors. In addition to the 19 Recommendations detailed in the report for PIDC to consider, the report outlines:

- (a) Possible models for the implementation of API by PIDC Members;
- (b) Implementation pathways with or without a national BMS;
- (c) The means of integration with assessment tools and international law enforcement databases;
- (d) Possible opportunities for cost and resource sharing amongst the PIDC membership to enable broad implementation; and
- (e) Suggested enabling amendments to the Immigration legislation of PICTs to provide the legal authority for the introduction of API.

9. Given the complexity of the report and the importance of this issue to Members, the Secretariat proposes that the report and recommendations (attached) be referred to the Information Sharing Working Group (ISWG) for its review and consideration.

#### **Proposed Recommendations**

The Board is invited to:

- (i) **note** the draft report submitted by CBS on Regional Advanced Passenger Information Opportunities and the 19 recommendations contained in the document; and
- (ii) **task** the ISWG to consider the report in further detail and report back to the Board on their findings regarding the 19 Recommendations.

#### **d) Research – PICT COVID-19 Immigration Border Control and Reopening of Borders**

10. One of the major current policy drivers for immigration and border control across the world has been the reopening of borders after the international travel restrictions brought about by COVID-19. In the Pacific Islands, several countries have set a date for reopening of borders in a limited manner while others have yet to do so. In discussions with all PIDC Members, what is evident is that any efforts to reopen borders in a safe and secure manner will be a complex exercise often with many rapidly moving parts.

11. In preparation for the eventual lifting of these international travel restrictions across the entire region, PIDC is developing an information product designed specifically for Pacific Island Countries and Territories (PICTs) that will focus on providing guidance to Immigration Directors and their Agencies on key legal, policy and operational actions and processes that will need to be considered. The product is aimed to support PIDC Members prepare for the multi-agency engagement that is envisaged will occur when these discussions on reopening

borders commence. This work will also support and contribute to the Pacific Islands Forum Technical Working Group for Pacific COVID-19 Vaccination Certificates for Cross Border Travel that was established subsequently.

12. To undertake this work, the Secretariat after a competitive bidding process engaged Coordinated Border Solutions. As part of the project, CBS will:

- (a) Identify Key Immigration considerations for PIDC members in reopening borders for PICTs;
- (b) Discuss primary roles and functions of Immigration Agencies in preparation for, and during reopening of borders;
- (c) Highlight Key Stakeholders that will need to be consulted as part of the reopening of borders process;
- (d) Provide in-depth information on:
  - (i) COVID-19 vaccination certification and travel documents;
  - (ii) Best practices around Quarantine Free Travel (QFT) and travel bubbles;
- (e) Provide a set of recommendations on steps to be undertaken by PICTs to reopen borders based on consultations with countries that have established Quarantine Free Travel processes in the region;
- (f) Provide draft PIDC Model SOPs for COVID-19 Border Processing at national Ports of Entry; and
- (g) Support the Secretariat to provide regular updates to the Information Product for a period of six months.

The Secretariat will provide an update on the progress of this activity at the Board Meeting.

#### **Proposed Recommendations**

The Board is invited to:

- (i) **note** the update provided by the Secretariat regarding the PIDC Research on PICT COVID-19 Immigration Border Control and Reopening of Borders; and
- (ii) **task** the Secretariat to support the implementation of this important activity.

#### **e) PIDC Law Enforcement Intelligence Update**

13. The Secretariat has continued to coordinate the collection and circulation of intelligence reports across the membership undertaking analysis of country reports to develop monthly immigration intelligence bulletins and alerts specifically for members and partner agencies in the Asia/Pacific region. However, during the reporting period, the closure of international borders across the Pacific has significantly reduced the international movement of people across the region leading to the reduction in information exchange amongst members. This has presented PIDC with a new challenge of maintaining its intelligence network and culture of sharing information in the current operating climate where there is not a lot of information to share on irregular people movements.

14. To maintain PIDC members support to information exchange initiatives, the Secretariat intends to promote an online intelligence monthly briefing forum for National Contact Points (NCP's) and National Administrators (NA) to discuss current and forecasted people movement trends in the region that members are to be alerted to. The proposed monthly regional online platform is intended to: (a) alert members to latest irregular movement trends in the Pacific and internationally; (b) promote sharing of experiences and information; and (c) strengthen PIDC's intelligence network.

*Table 3: Summary of Intelligence Products: July 2020 – November 2021*

<b>PIDC Intelligence Products</b>	<b>July 2020 – June 2021</b>	<b>July 2021 – November 2021</b>
PIDC Intelligence Bulletin	10	1
PIDC Alerts	8	1
Request for Information Template <i>(Started in September 2020. Separated RFI from Alert)</i>	14	4

15. While the Secretariat has been able to reengage National Contact Points back into the APAN system as outlined in the registered user's summary in table 4, there is still more work needed to advocate its use as a secure platform to share information throughout the members. There are a number of initiatives that the Secretariat will be rolling out in the next quarter with the aim of strengthening members use of the APAN system including: (a) an APAN online training programme; (b) supporting members to use APAN as a network sharing platform where regional membership data are stored; and (c) shifting PIDC secure/classified information into APAN for registered membership access.

*Table 4: Summary of APAN Access and Users*

<u>Pacific Immigration National Contact Points Members</u>			
<b>Year: January – December 2020</b>		<b>Year: January 2021 – Current Date</b>	
<b>Total Users: 20</b>		<b>Total Users: 25</b>	
<b>Active</b>	<b>Inactive</b>	<b>Active</b>	<b>Inactive</b>
6	14	11	14

16. The roll out of another online training programme on the use of the APAN system and the active circulation of online products into the APAN shift should increase membership use of the APAN platform in addition to raising confidence amongst members on APAN as a secure information sharing platform.

#### **Proposed Recommendations**

The Board is invited to:

- (i) **note** the update provided by the Secretariat and the work undertaken to date; and
- (ii) **encourage** members to continue sharing information with the Secretariat and membership and work with the Secretariat to strengthen their internal capacity to share information in real time.