



**Regional Cooperation Framework as adopted by the National Coordinators
of the four Central Asian States (Republic of Kazakhstan, Kyrgyz Republic,
Republic of Tajikistan, Turkmenistan) at the National Coordinators' Meeting
on 07 September 2012**

1. Drivers of Displacement and Migration in Central Asia

Central Asia has a long history of complex population movements, including both voluntary migration and forced displacement. Countries in the region are still grappling with some of the consequences of the movements following the dissolution of the Soviet Union and establishment of independent Central Asian States. Resulting instability, persisting inter-ethnic tensions and conflicts over resources, in particular in the densely populated hotspot of Ferghana Valley, continue to trigger internal and cross-border movements within the region until today. Environmental degradation and high potential for natural disasters have been additional factors impacting mobility within Central Asia. Countries in the region are also home to refugees, in particular from neighbouring Afghanistan, and to a considerable stateless population.¹ Poverty, unemployment and growing disparities in economic and social development among Central Asian countries are likewise strong push factors indicating that there is potential for new large population movements.

Ongoing conflict and instability in Afghanistan has continuous spill-over effects on Central Asia. The envisaged handover of security by international forces in Afghanistan may trigger further mixed outflows from the country, including to Central Asia. It cannot be excluded that such potentially large-scale population movements may be utilised by traffickers, militants and other groups undeserving international protection to access Central Asia.

Unresolved problems resulting from past displacement in tandem with the challenges to properly receive newly arriving people with diverse profiles, motivations and needs, place a considerable strain on the governments. Often, they lack the capacity and resources to address these mixed movements of increasing scope and complexity.

However, in response to these challenges, countries of the region have also developed good practices on which new and forward looking approaches for current and emerging displacement situations can be built. Some of the most commendable ones include the large-scale naturalization programs in Kyrgyzstan and Turkmenistan following the displacement caused by civil war in Tajikistan, return and reintegration of ethnic Kazakhs (Oralmans) in Kazakhstan and region-wide efforts to resolve the long-standing problem

¹ See *Refugee Protection and Migration Dynamics in Central Asia*, background study for the Regional Conference on Refugee Protection and International Migration in Central Asia, March 2011. <http://www.unhcr.org/4ddf8459.html>

of statelessness, including the recent accession of Turkmenistan to the 1954 Convention relating to the Status of Stateless Persons.

2. Common Challenges and Benefits of Enhanced Regional Cooperation

The Regional Conference on Refugee Protection and International Migration in Central Asia, jointly organized by UNHCR, IOM and OSCE in Almaty on 15-16 March 2011, provided the opportunity to gain a better understanding of the complex migration dynamics in the region and to identify areas of common concern, including those where more cooperation is needed.

There was an inherent recognition among participants of the Conference that if not addressed properly and in a protection-sensitive manner, mixed movements raise a variety of challenges for persons on the move and States alike. In addition, they have similar political, security, economic and social implications for all countries along the migration route.

These include, inter alia:

- National security concerns (including efforts to combat terrorist and extremist threats)/protection of borders and territory
- Transnational crime, in particular human trafficking and smuggling
- Protection and assistance to persons involved in mixed movements in line with international standards and principles (asylum-seekers, refugees, victims of trafficking, unaccompanied/separated minors and other groups with specific needs)
- Irregular onward movements

The Almaty Declaration, unanimously adopted by participants at the Regional Conference, recognizes that these challenges require cooperative and comprehensive solutions responding to all aspects of mixed movements. Such responses would address the legitimate concerns of States both regarding their international obligations to provide protection and assistance to those in need, as well as to manage migration and address security challenges. States called for concerted efforts to address root causes of displacement, to provide solutions for displaced and marginalized groups in the region and to properly manage and address the needs of new arrivals. This can help to decrease incentives for irregular migration and associated crimes and serve national security imperatives, within the broader objective of ensuring regional stability and security. Furthermore, increased capacities and timely establishment of mechanisms and procedures for efficient management of mixed movements can help to ensure that adequate response mechanisms are in place in case of emergencies and mass influx situations.

The positive political momentum generated by the Conference creates a solid basis for action across the entire region. A set of action-oriented recommendations that emerged from Working Groups at the Conference serves as a basis for the development of a Regional Action Plan. As a starting point for further dialogue and enhanced regional

cooperation on issues of common concern and implementation of the Regional Action Plan, the Almaty Declaration proposes development of a Regional Cooperation Framework.

3. Proposal for the Regional Cooperation Framework to Address Mixed Movements in Central Asia

The primary objective of the Regional Cooperation Framework is to provide a platform and mechanism for follow up to the outcomes of the Regional Conference on Refugee Protection and International Migration in Central Asia, and the implementation of a Regional Action Plan. It seeks to foster regional dialogue and practical cooperation on issues of common concern in the area of refugee protection and international migration, and to build capacities of States and other stakeholders to respond to challenges raised by mixed movements in a more predictable, efficient and protection-sensitive manner.

The Regional Cooperation Framework is intended as a non-binding, yet comprehensive, inclusive and flexible tool to identify areas of common concern for all countries of the region and define ground for joint action. It does not substitute national responses, but complements them to harmonize approaches and address existing gaps by providing **opportunities for:**

- **More regular interactions and dialogue** among State representatives and other stakeholders including international and regional organizations and civil society in an informal environment that fosters trust and confidence
- **Sustained practical cooperation, including exchange of information, sharing of good practices and joint capacity building**
- **Development of a comprehensive and holistic approach** by establishing effective linkages between relevant political, security, developmental, humanitarian and human rights initiatives
- **Harmonization and coordination of responses** to different situations of mixed movements to eliminate discrepancies in standards of treatment and mitigate push and pull factors underlying irregular (onward) movements.
- **Identifying areas where more targeted support** is needed from international and regional organizations and other stakeholders, and allowing for better coordination of activities among these entities so as to minimize duplication of efforts and maximize the outcomes
- **Clarifying the roles and responsibilities of various stakeholders** and development of informal networks and channels of cooperation among different actors at different levels. Such networks and contacts can be particularly useful at operational level with particular value added in case of emergency situations.

The Regional Cooperation Framework consists of a set of Common Understandings that emerged from discussions at the Regional Conference and cover those areas where more coordinated and joint action at both national and regional levels can contribute to resolving the region's particular challenges. The Regional Cooperation Framework is complemented by the Regional Action Plan which proposes a menu of concrete actions to

be taken in these key areas of Common Understanding, based on suggestions developed by participants of the Conference, and along the lines of UNHCR's 10-Point Plan of Action.

4. Areas of Common Understanding

- *Managing Borders and Ensuring Security while Ensuring Protection*
- *Differentiated processes and procedures*
- *Viable solutions for different groups*
- *Developing legal migration opportunities and gender-sensitive migration policies*

4.1. Managing Borders and Ensuring Security while Ensuring Protection

Enhanced efforts to properly manage mixed movements are particularly relevant in today's age of heightened security threats and rising transnational crime. Effective border management, characterized by protection sensitive entry systems, as well as measures to prevent terrorist mobility, is key to preserving international protection needs while ensuring national security. It provides States with tools to control access to their territories in a way that meets their international protection obligations, decreases incentives for irregular movements, and at the same time allows for early identification of persons who may constitute security risks.

- *Data collection and analysis*

Mechanisms for systematic collection and analysis of data and information on mixed movements can help the Governments to assess the scope of these movements more accurately and to develop targeted responses that reflect the profiles and needs of different groups on the move.

Regional cooperation is particularly relevant in the area of data collection and exchange. Establishment of mechanisms for more consistent and compatible data collection and exchange among stakeholders in the region will enable States to better tailor their asylum and migration policies to the specific regional realities, and to craft adequate responses that correspond with the needs of persons with diverse profiles and adequately address security concerns.

- *Identification, profiling and referral mechanisms*

Establishment of effective identification and profiling mechanisms can help the Governments to better differentiate between different categories of persons on the move (including asylum-seekers, refugees, victims of trafficking, women and unaccompanied minors), to identify their particular needs and to refer them to appropriate procedures for further action. Strengthened cooperation among border guards, intelligence services and asylum/migration authorities, and well-functioning referral systems ensure that concerned persons are referred to relevant authorities and that action is taken in an appropriate and

timely manner. At the same time, these mechanisms will enable the Governments of the region to collect more precise information on the profiles of the persons entering and/or residing in their territory, and thereby contribute to the mitigation of potential security risks.

Regional capacity building activities and joint trainings, focusing on addressing specific protection challenges associated with mixed movements, will create opportunities for further cross-border cooperation on issues of common concern, and foster exchange of experiences and good practices.

4.2. Differentiated processes and procedures

Mixed movements are by definition composed of different persons with different needs. The challenge for States lies in their ability to develop differentiated responses according to their respective profiles and needs. This includes, inter alia, access to asylum systems for those in need of international protection, special protection mechanisms for victims of trafficking, procedures to identify women and girls at risk, procedures for unaccompanied minors, channels for regularization of migrants or for their orderly onward movement, and voluntary return for those without international protection needs.

Principles and standards of international refugee protection and national security considerations intersect and reinforce each other in many critical areas. Efforts to ensure national security and stability can contribute to diminishing some of the core causes for forced displacement and sustain the environment in which all persons, including refugees, enjoy safety and full exercise of their human rights. On the other hand, when duly applied, the legal, policy and operational instruments of refugee protection can yield strong dividends for national security. Fair and properly functioning asylum systems are effective ways for States to determine who deserves their protection and assistance in line with their obligations under international law, but also to identify and exclude those from international protection who may constitute security risks or attempt to abuse the asylum systems. In their efforts to deter terrorist mobility, States can further capitalize from this complementarity, including by putting in place secure systems for refugee records and data, issuance of identity and travel documents and arrangements for proper information and data sharing among appropriate authorities.

Overly restrictive asylum and migration policies introduced by one state of the region, and/or unequal standards of treatment across the region, can lead to (irregular) onward movements with protection implications for those on the move and security implications for all States along the migration route. Establishment of similar or standardized procedures for different groups of persons across the region can help to limit such push and pull factors underlying onward movements and thereby contribute to regional security and stability, as well as more equitable burden and responsibility sharing among States.

4.3. Viable solutions for different groups

Lack of adequate solutions, including low prospects for self-reliance and integration opportunities can become a push factor for many to resort to (irregular) onward movements. Extreme poverty and social exclusion likewise render marginalized groups vulnerable to exploitation by criminal groups and may serve as a breeding ground for radicalization and recruitment by extremist groups. Provision of solutions for different groups of persons on the move is therefore an important component of any efforts to stabilize populations and prevent irregular onward movements (from which human trafficking, smuggling and other undeserving groups benefit), within the broader objective to ensure regional security and stability.

- ***Integration of refugees, stateless persons, migrants and minorities***

Effective integration is an essential component of any comprehensive asylum and migration strategies. It can avoid unrest, tensions and conflict that are often the by-products or results of marginalization of certain groups and thereby contribute to more harmonious community relations. It is also a key factor in reducing regional instability and tensions among States. Integration can further ensure that the potential of refugees, stateless persons, migrants and minorities for the growth and development of the host communities is fully realized to the benefit of all.

Some of the core conditions for successful integration include the provision of appropriate legal and social status, creation of opportunities to seek legal employment and become self-reliant, and provision of access to education, healthcare and other services.

- ***Reintegration of returnees and returning labour migrants***

Reintegration into their home communities allows returning refugees (returnees) and migrants to lead productive lives upon return in dignity and thereby to facilitate the sustainability of returns. It is a comprehensive process with inter-connected social, political and economic aspects, which enables returning persons to attain self-sufficiency and the country of origin to make effective use of their skills and available resources for the benefit of the community as a whole. In the important example of Afghanistan, creating conditions conducive to sustainable return and reintegration must be part of a comprehensive framework that integrates humanitarian assistance and much-needed development interventions and approach.

4.4. Developing legal migration opportunities and gender-sensitive migration policies

Enhanced legal migration opportunities help to avoid irregular migration, which constitutes a serious challenge for all States in the region and renders migrants vulnerable to multiple risks, including exploitation, abuse, human trafficking and smuggling.

Enhanced legal migration channels can serve as an important engine for growth and development in both countries of origin and destination, and as a means of economic betterment for labour migrants and their families. They also help to reduce

unemployment (and related social tensions) and provide survival means for family members remaining in countries of origin, and at the same time contribute to strengthening the workforce and meeting labour market demands in countries of destination.

Gender-sensitive policies and initiatives are particularly important in light of the growing proportion of female migrant workers in the region. Protection of female migrant workers can be strengthened by developing a more comprehensive understanding of the demand for female labour migrants and the type of work and sectors they are engaged in, and then establishing legal migration channels to better meet this demand.

International migration is by definition a process that affects two or more States. Since the significant portion of labour migration takes place within or through the Central Asian region, **regional cooperation** is a pre-requisite for any efficient efforts to ensure orderly migration in a way that is beneficial for countries of origin and destination, and respectful of the rights and dignity of migrants. Greater harmonization and coordination of migration policies and practices among States can help to ensure that labour supply matches the labour market demand. Developing mechanisms for cooperation among States and other stakeholders to share and compare migration data can help to formulate more effective migration management policies and practices that are better tailored to respond to the quickly changing realities of the labour markets. Coordinated information campaigns help to counter the often unrealistic expectations of potential migrants.

5. Way forward/Next steps

National Consultations

In line with the bottom-up approach followed for the Regional Conference on Refugee Protection and International Migration in Central Asia, the national consultations could be reconvened in each country to present, discuss and further shape the proposal for the Regional Cooperation Framework and the Regional Action Plan at national level with the view to adapting these to the specific national contexts. National consultations could ensure an inclusive approach, involving all concerned stakeholders, including experts from relevant government entities, international and regional organizations and civil society.

In the long term, the national consultations can also serve as a platform to revise and adapt the Regional Cooperation Framework and Action Plan, as required, in order to make these tools time-compliant and responsive to newly emerging concerns as they may arise.

Appointment of National Coordinators

In order to pave way for a more structured cooperation and to facilitate further follow-up activities and exchanges at an appropriate level, it is suggested that each country of the Central Asian region appoints a 'National Coordinator.' The National Coordinator would

need to have sufficient authority to convene national consultations and coordinate relevant activities at national level, in consultation with all concerned stakeholders. The National Coordinator would also represent the country in regional coordination meetings.

Regional meeting of National Coordinators and establishment of a regional network

Following the completion of the national consultations process, it is proposed to convene a regional meeting of National Coordinators with the aim to consolidate expert inputs generated at national level and further the discussions among partners at regional level with appropriate political leverage. It is expected that this meeting concludes with the final version of the Regional Cooperation Framework and Action Plan, as well as proposals for their operationalization and way forward.

Once the “Almaty Process” is effectively launched based on an agreed upon Regional Cooperation Framework and Regional Action Plan, regular meetings of National Coordinators would ensure systematic follow-up on important issues, necessary for ensuring the sustainability of common efforts.

Role of UNHCR and other international and regional agencies

UNHCR stands ready to act as a facilitator and to coordinate the efforts of States and civil society in the process of development of the Regional Cooperation Framework and Action Plan. Within its mandate, capacities and available resources, UNHCR offers to provide, as appropriate, necessary technical support, advice and guidance on how to best implement these tools with the aim to foster regional cooperation and build the capacity of concerned States and other stakeholders in addressing the complex challenges raised by mixed movements in a protection-sensitive manner that addresses both the legitimate concerns of States and protection needs of persons on the move.

Interested international and regional organizations with relevant mandates and expertise are invited to support the implementation of the Regional Cooperation Framework and Action Plan, and/or to join the core support group of the “Almaty Process.”

Annex: Draft Regional Action Plan

The Regional Action Plan below complements the Regional Cooperation Framework (RCF). It provides suggestions for concrete actions in the different areas of Common Understanding outlined in the RCF to guide Central Asian Governments and other relevant stakeholders in the implementation of the RCF.

The Action Plan is based on the Almaty Declaration and follows the broad framework of UNHCR's 10-Point Plan of Action on Refugee Protection and Mixed Migration. It includes recommendations made by participants in the plenary and the five working groups of the Regional Conference on Refugee Protection and International Migration in Central Asia. The Action Plan is structured around the four areas of understanding defined in the Regional Cooperation Framework. Each of its four sections outlines objectives, activities and expected outcomes. A box with selected practical examples and tools which have been developed in the region and elsewhere at the end of each section provides further guidance and invites relevant stakeholders to replicate and/or build on existing practices. Further good practices relevant to the practical implementation of UNHCR's 10-Point Plan of Action are compiled in UNHCR's 10-Point Plan compilation of practical examples.²

The Action Plan is addressed primarily to the Central Asian Governments, but it also includes activities which would benefit from an active engagement of international community and local civil society.

The menu of actions listed under each chapter is non-exhaustive and designed to address those challenges that are of common concern for most or all of the Central Asian countries from regional perspective. The Regional Action Plan will be reviewed and discussed with all relevant stakeholders at the forthcoming national consultations in each country, to adapt and further develop proposed actions with due regard to national specificities.

The Action Plan is a constantly evolving tool and will be regularly updated. Discussions at national consultations will be geared towards setting tentative timelines for the implementation of proposed activities, as well as identifying relevant actors to provide support therein.

² UN High Commissioner for Refugees, Refugee Protection and Mixed Migration: The 10-Point Plan in Action, February 2011, available at: <http://www.unhcr.org/refworld/docid/4d9430ea2.html>

I. Managing Borders and Ensuring Security While Ensuring Protection

Objectives:

- ✓ Develop an “integrated border management approach,” which combines enhanced border security with respect for the rights of people on the move, including the right to seek asylum.
- ✓ Build capacity of border, migration officials and civil society.
- ✓ Strengthen cooperation between relevant authorities at national level and between law enforcement agencies across the wider region, including through exchange of information and good practices.

(Relevant paragraphs of the Almaty Declaration: 2, 3, 7)

Implementation Actions/Activities:

Operational level:

- Establish mechanisms for consistent collection and exchange of data and information on migration flows at national and regional level.
- Establish/strengthen identification and profiling mechanisms³ to better distinguish among different categories of persons on the move and to identify their particular needs.
- Ensure that asylum-seekers and other persons with specific needs have access to interpretation, legal advice and information about their rights and available procedures.
- Establish/strengthen effective reporting and referral mechanisms to facilitate prompt exchange of information between border management officials and migration and asylum authorities and ensure that asylum-seekers are referred to appropriate authorities in a timely manner.
- Consider setting up mechanisms to provide protection in case of humanitarian emergencies/mass influx.

Capacity Building:

- Build capacity of border management officials, asylum/migration authorities and civil society through joint trainings, workshops and seminars at national and regional levels, focusing on addressing specific challenges associated with mixed movements, as well as developing specific psychosocial skills.
- Develop practical tools to assist entry officials in identification, profiling and referral of arrivals. This may include: protection toolkits; operational guidelines/manuals and standard operating procedures, outlining the major (protection) responsibilities, and providing practical guidance on how to identify and respond to the needs of asylum-seekers/refugees and other persons with specific needs; lists of countries and/or groups with specific protection needs; questionnaires regarding specific protection risks.

³ By “profiling” mechanisms, UNHCR means a non-binding process that precedes any formal status determination procedures and aims to identify the needs of, and differentiate between, categories of persons travelling as part of mixed movements as soon as possible after they arrive in the host State.

- Expand and regularly update the general training curricula for entry officials to include a simplified overview of all applicable rules and regulations regarding entry and referral.
- Streamline human rights and refugee law education into relevant general training curricula.
- Conduct specific trainings on protection sensitive border management in the context of mass influx (consider experiences from other regions, such as Cote d'Ivoire and Libya crises).
- Increase infrastructural capacity at the borders (technical equipment, facilities such as interview rooms, etc.)

Cooperation and Coordination:

- Operationalize cooperation among border and asylum/migration officials at national level, including through agreements/memoranda of understanding clarifying roles, responsibilities and working methodologies.
- Create independent border monitoring mechanisms (wherever possible, consider including UNHCR/a civil society organization).
- Conduct study tours to countries with well-developed entry systems and border procedures (i.e. Central and Eastern Europe) and/or invite practitioners from these countries to participate in capacity building initiatives to share relevant experience.

Expected Outcomes:

- ✓ Measures to protect borders, combat transnational crime, prevent terrorist mobility and ensure national security are undertaken in line with international standards.
- ✓ Linkages between security and international protection regime are utilized for the benefit of mitigated security threats and strengthened national security
- ✓ Persons in need of international protection are identified in a timely manner and referred to competent authorities
- ✓ Potential for irregular migration is decreased.

Selected effective practices and tools to consider:

- ❖ Memorandum of Understanding and Cooperation between the Border Forces of the State National Security Committee of the Kyrgyz Republic and UNHCR
- ❖ Tripartite Memoranda of Understanding on Border Management with National Border Guards, National NGOs and UNHCR in Central Europe
- ❖ Protection-sensitive border legislation in Eastern Europe (Belarus, Moldova)
- ❖ Frontex training materials and capacity building programmes
- ❖ Border Management Strategy and its Implementation Plan of the Republic of Tajikistan
- ❖ Joint trainings for Tajik and Afghan border management officials conducted by IOM
- ❖ The EU Border Management Programme for Central Asia (BOMCA)
- ❖ Specialized courses and seminars provided by the OSCE Border Management Staff College
- ❖ Ashgabat Declaration and Plan of Action
- ❖ UNHCR Protection Training Manual for European Border and Entry Officials

II. Differentiated Processes and Procedures

Objectives:

- ✓ Develop and strengthen legal and policy frameworks for the protection of refugees, children, women and girls at heightened risk, trafficked persons and other persons with specific needs, and take measures to ensure their full and effective implementation in line with international norms and standards.
- ✓ Ensure that basic needs of arrivals are met and that all persons have access to appropriate processes and procedures.
- ✓ Benefit from the complementarity between international protection regime and national security imperatives, including by utilizing fair and well-functioning asylum systems and proper application of relevant legal, policy and operational instruments of refugee protection to determine who deserves protection and to identify and exclude those who may constitute security risks.
- ✓ Enhance the quality and efficiency of asylum procedures, including by development of specific tools and building the capacity of asylum authorities.
- ✓ Strengthen and better coordinate national and regional anti-trafficking initiatives of state and non-state actors.
- ✓ Ensure that all children on the move, regardless of their status, receive immediate and unconditional protection and assistance.
- ✓ Build the capacity of national civil society actors, seek and utilize their involvement in provision of services and assistance to different groups.

Implementation Actions/Activities:

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| ➤ Ensure that asylum procedures and special protection mechanisms for victims of trafficking are sensitive to age, gender and diversity. |
| ➤ Provide information to all arrivals on their rights and obligations in the host country, available services and legal options (including asylum procedures). |
| ➤ Harmonize standards of treatment across the region by introducing similar or standardized procedures for different groups with a view to limiting push and pull factors of (irregular) onward movements. |

Refugee Protection and Asylum Systems:

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| ➤ Review and amend, as necessary, national legislative, regulatory and institutional frameworks to bring them in line with international protection standards and norms. |
| ➤ Conduct assessments of how competent national asylum authorities process asylum claims and address the identified gaps with a view to improving the quality, fairness and efficiency of asylum procedures. |
| ➤ Based on the outcomes of the assessments of asylum procedures, identify specific training needs of relevant caseworkers and decision-makers, and conduct individual on-the-job training. |

➤ Organize national, bilateral and/or regional thematic trainings, seminars and workshops focusing on common challenges and exchange of practices aimed at strengthening asylum systems in the context of mixed movements.
➤ Conduct study tours to Central/Eastern European countries to exchange experience and identify good practices.
➤ Develop case management and procedural tools to increase the efficiency of the asylum process including by undertaking caseload analysis, analysing country of origin information, and developing appropriate accelerated procedures with full respect for the principle of non-refoulement.
➤ Develop coordinated systems for collection and utilization of accurate, impartial and up-to-date country of origin information in Russian language, drawn from a variety of credible sources.
➤ Establish open reception centres for asylum-seekers and refugees, where their basic needs can be met and asylum claims processed.
➤ Establish mechanisms (develop regulations) for directing persons without international refugee protection needs to appropriate alternative mechanisms (such as those for regularization of their stay, assisted voluntary return or for legal onward migration) to reduce the pressure on asylum systems and to contribute to fairer and more efficient procedures for asylum-seekers.
➤ Promote inclusive application of the 1951 Convention and international refugee law. This includes the principle of <i>non-refoulement</i> and a comprehensive set of rights enabling refugees to achieve self-reliance and integrate in their country of residence.
➤ Consider adopting an extended refugee definition (such as for example those contained in the Cartagena Declaration on Refugees or the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa).

Prevention of Trafficking, Protection of Victims, Prosecution of Perpetrators:

➤ Provide adequate training to national law enforcement officials and other professionals likely to encounter victims of trafficking, such as teachers and medical personnel, to enhance their capacity to identify victims of trafficking, and engage these actors in prevention strategies.
➤ Introduce amendments to applicable labour legislation, so as to allow labour inspectors to conduct unannounced and ad-hoc visits to working places, and engage labour inspectors in efforts to identify victims of trafficking and labour exploitation.
➤ Establish a coordinated mechanism for the referral of victims of trafficking who might have an asylum claim to competent asylum authorities.
➤ Include modules on international refugee law into national training programs on trafficking for relevant national authorities to ensure that international protection needs are identified and addressed, in compliance with the principle of non-refoulement and non-penalization of refugees.
➤ Establish mechanisms for referral of rejected asylum-seekers who have been trafficked to appropriate support mechanisms. Seek and implement safe solutions for victims of trafficking, based on individual case assessment.
➤ Invite Interpol and other entities with specialized expertise to provide advice and to

participate in trafficking investigations, including the prosecution of perpetrators.
➤ Conduct awareness-raising activities to disseminate information among general public to alert to different modalities of human trafficking and associated risks.
➤ Conduct joint regional capacity building initiatives and coordinated information and awareness raising campaigns with a view to harmonizing and strengthening anti-trafficking prevention measures.
➤ Establish a unified anti-trafficking hotline for the Central Asian region.

Child Protection Systems:

➤ Incorporate specific protection safeguards for refugee children into registration and profiling mechanisms.
➤ Undertake measures to ensure that the specific protection needs of child victims of trafficking, asylum-seeking children and unaccompanied/separated minors are addressed, including through conducting formal determination of the best interest of the child and a systematic assessment of the child's international protection needs.
➤ Guarantee access of all children, including children of refugees and seasonal labour migrants, to primary and secondary education.
➤ Establish mechanisms for monitoring rigorous implementation of legislation prohibiting child labour.

Women and Girls at Risk:

➤ Develop specific tools for identification of women and girls at risk, and put in place appropriate procedures to address their specific protection and assistance needs.
➤ Establish coordinated prevention and response mechanisms to address sexual and gender based violence.

Cooperation and Coordination:

➤ Establish well-functioning cross-referral systems between different processes and coordination mechanisms between all relevant actors (governmental agencies, civil society, international organizations, social workers, healthcare providers);
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Expected Outcomes:

- ✓ Tailored and differentiated responses are provided to all persons involved in mixed movements according to their respective needs and profiles.
- ✓ Access to asylum procedures is ensured to all regardless of nationality.
- ✓ Number of unfounded asylum applications is reduced.
- ✓ National security concerns in the context of mixed movements are addressed, including through fair and properly functioning asylum systems and appropriate application of relevant policy, legal and operational tools of refugee protection.
- ✓ Regional cooperation and coordination of efforts to prevent trafficking, protect victims and prosecute perpetrators are strengthened.
- ✓ Potential for irregular (onward) migration is decreased due to the availability of differentiated processes and procedures across all countries of the region.

Selected effective practices and tools to consider:

Refugee Protection and Asylum systems

- ❖ Asylum Systems Quality Assurance and Evaluation Mechanism Project in Central and Eastern Europe
- ❖ Reception Centre for Asylum-Seekers in Bishkek/Kyrgyzstan
- ❖ Working Group on Asylum and Refugee-Related Matters in Kazakhstan (composed of representatives of the Migration Police Committee of the Ministry of Interior, Ministry of Foreign Affairs and UNHCR)
- ❖ The Heightened Risk Identification Tool (HRIT), UNHCR
- ❖ Extended refugee definition in the 2002 Law of the Kyrgyz Republic on Refugees

Special protection mechanisms for trafficked persons

- ❖ Direct Assistance for Victims of Trafficking Handbook, IOM
- ❖ National Referral Mechanisms: Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook, OSCE and ODIHR

Child protection systems

- ❖ Manual on exchange of information and best practices on first reception, protection and treatment of unaccompanied minors, IOM

III. Viable Solutions for Different Groups

Objectives:

- ✓ Pursue a comprehensive approach to finding appropriate durable solutions for refugees and others in need of international protection. Ensure availability of solutions for both new arrivals and old caseloads, with a view to stabilizing these populations and preventing further displacement.
- ✓ Ensure access of refugees, stateless persons, returnees, minorities and returning labour migrants to basic services and enable them to fully exercise all their rights.
- ✓ Create opportunities for legal employment and self-reliance of these groups.
- ✓ Support harmonious community relations and adopt relevant conflict prevention measures, in particular in areas with multi-ethnic population.

(Relevant paragraphs of the Almaty Declaration: 1, 6)

Implementation Actions/Activities:

Integration of refugees, stateless persons and minorities:

➤ Establish/strengthen mechanisms for provision of adequate documentation to asylum-seekers, refugees and stateless persons so as to enable them to register their claims, access the courts and exercise their rights.
➤ Issue Convention Travel Documents (CTDs) for recognized refugees.
➤ Incorporate provisions for local integration of refugees into national legal frameworks. Support local integration, in particular of long-staying refugees, for whom voluntary repatriation is not feasible, and who are already well-integrated in their host communities.
➤ Adopt simplified and accelerated naturalization procedures for refugees, in line with the 1951 Convention.
➤ Lift restrictions on movement/settlement of refugees.
➤ Develop and implement programmes aimed at facilitating the access of refugees and stateless persons to legal employment opportunities, housing, medical services and education (including language courses).
➤ Provide language courses for refugee children to overcome the language barriers.
➤ In cooperation with civil society organizations, support and strengthen community mobilization and self-reliance of refugees and stateless persons.
➤ Engage in regional dialogue to share experience and practices on integration and to harmonize standards of treatment across the region so as to prevent (irregular) onward movements.
➤ Facilitate sustainable voluntary return for those who are neither in need of international protection nor have compelling humanitarian reasons to stay in the host country and who wish to return to their countries of origin.
➤ Strengthen inter-state cooperation on statelessness status determination procedures
➤ Harmonize relevant national policies and introduce necessary legislative changes to legal frameworks on citizenship/statelessness.

➤ Adopt, regularly review and implement national action plans on the reduction and prevention of statelessness.
➤ Implement the outcomes of the Regional Conference on Statelessness convened in Ashgabat in December 2009.
➤ Facilitate integration of minorities, including by supporting ethnic and cultural diversity and promoting inter-ethnic dialogue, with a view to improving relations between communities and preventing tensions that may result in displacement.
➤ Conduct awareness-raising campaigns aimed at countering racism, xenophobia and hate crimes. Sensitize local populations and media with a view to reducing negative public perceptions of asylum-seekers, refugees and migrant workers.

Reintegration of returnees and returning migrants:

➤ Develop and implement comprehensive national policies on reintegration of returnees and returning migrants, addressing all aspects of life upon return, including access to healthcare, education, housing and income generating programmes and activities.
➤ Simplify and expedite existing procedures for restoration of documentation and exercise of property rights.
➤ Establish specialized centers for returning migrants and refugees. Functions of such centers would include: provision of information and counselling in the areas of education, healthcare, welfare systems, management of savings, business development investment and employment.
➤ With active engagement of civil society, develop programmes aimed at provision of specialized (vocational) trainings, as well as micro-credit schemes and other banking products and financial services for returning migrants and refugees.
➤ Facilitate access to medical care, including voluntary, confidential and free-of-charge medical check-ups for transmittable diseases, such as tuberculosis and HIV/AIDS.
➤ Provide professional psycho-social counselling, rehabilitation services and assistance to returnees, with particular attention to women and children.

Response mechanisms for other persons with protection needs

➤ Initiate discussions on the protection needs of persons falling outside the scope of the 1951 Convention, such as those affected by natural disasters and environmental degradation. Consider developing appropriate response mechanisms for these persons, including timely provision of assistance, relocation and (re)integration, with a view to preventing further displacement and irregular onward movements.
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Expected Outcomes:

- ✓ Refugees, stateless persons, returnees, minorities and returning labour migrants are (re)integrated in their communities; enjoy access to services, opportunities for self-reliance and full exercise of their rights.
- ✓ Potential of refugees, returnees, stateless persons and returning migrants to the growth and development of their communities is fully realized to the benefit of all.
- ✓ Equal standards of treatment and availability of solutions across the region contribute to reduced tensions and prevention of (irregular) onward movements with associated risks of human trafficking and smuggling, and stabilize populations.

Selected effective practices and tools to consider:

- ❖ Accession of Turkmenistan to the [1954 Convention relating to the Status of Stateless Persons](#).
- ❖ Naturalization of refugees and stateless persons in Turkmenistan.
- ❖ Large-scale naturalization programmes in Kyrgyzstan and Turkmenistan following the displacement caused by civil war in Tajikistan.
- ❖ Reform of nationality legislation in Kyrgyzstan.
- ❖ Naturalization of former Soviet Union citizens through legislative amendments in Kyrgyzstan.
- ❖ Policies and programs aimed at reintegration of Oralmans in Kazakhstan.
- ❖ Bilateral agreements on simplified procedures for the acquisition of citizenship between Tajikistan and Kyrgyzstan.
- ❖ Regional Local Integration Project in Belarus, Moldova and Ukraine.
- ❖ Disaster response mechanisms in Kyrgyzstan following the 2003 landslide in Kara-Taryk, and in Kazakhstan after the 2003 Zhambyl earthquake.
- ❖ 1992 Law on the Social Protection of the Populations Suffering from the Consequences of the Ecological Disaster in the Aral Zone, Kazakhstan.

IV. Developing Legal Migration Opportunities and Gender-Sensitive Migration Policies

Objectives:

- ✓ Strengthen and expand legal migration channels and mechanisms at national, bilateral and regional levels.
- ✓ Create avenues for regularization of migrants in host countries or migration options that facilitate orderly onward movement.
- ✓ Ensure effective implementation of existing regional agreements governing the movement of people.
- ✓ Pursue a human rights based approach in providing appropriate protection and assistance to migrants.
- ✓ Harmonize and coordinate migration policies and practices in countries of origin and destination to ensure that labour supply matches labour demand.

(Relevant paragraphs of the Almaty Declaration: 3, 4, 6)

Implementation Actions/Activities:

➤ Conduct regional labour market assessments in countries of origin and destination.
➤ Actively engage civil society in provision of services to migrants and conducting information and awareness raising campaigns.
➤ Establish clear procedures for registration, licensing and regulation of private recruitment agencies (PRA's) and engage these entities in developing circular migration programs.
➤ Design and conclude bilateral permanent, temporary or circular migrant admission schemes and programs.
➤ Issue work permits directly to migrant workers.
➤ Introduce simplified procedures for issuing work permits to highly skilled labour migrants.
➤ Establish a patent system aimed at legalization of low-skilled migrants.
➤ Develop mechanisms for sharing and comparison of migration data both within relevant stakeholders at national level and among the countries of the region.
➤ Conduct coordinated information campaigns to manage expectations of potential migrants, including provision of information on legal migration options, legal requirements regarding registration and work permits, as well as their rights and responsibilities in host countries.

Gender-sensitive migration policies:

➤ Design and implement mechanisms for gender-disaggregated data collection and develop a better understanding of demand for female labour migrants and type of work and sectors they are engaged in.
➤ Mainstream gender considerations into analyses, development and implementation of migration laws and policies.

- Conduct gender-impact assessments whenever new laws and policies are adopted.

Expected Outcomes:

- ✓ Migrant workers can fully exercise their rights and enjoy better protection from exploitation, abuse and violation of their human rights.
- ✓ Greater opportunities to move legally reduce incentives to resort to illegal employment and irregular migration and decrease associated risks of human trafficking and smuggling.
- ✓ Enhanced legal migration channels help to reduce unemployment and social tensions in countries of origin, and contribute to growth and development in countries of destination.

Selected effective practices and tools to consider:

- ❖ Ratification of the 1990 UN International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families by Kyrgyzstan and Tajikistan.
- ❖ Information and Resource Centres for Labour Migrants in Tajikistan.