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Participants of the QIEE Phase II Mid-term Regional Conference, Tbilisi, November 2016

Mid-term Regional Conference of the QIEE, Phase II

UNHCR and participating governments meet to identify remaining challenges to asylum developments and joint way forward

The Quality Initiative of Asylum System in Eastern Europe and South Caucasus (QIEE) Phase II Mid-term regional conference took place in Tbilisi, Georgia on 15-16 November 2016. The event was attended by 70 participants from state migration authorities, border services, judges, UNHCR staff from Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine, representatives of FRONTEX, First Instance Court of Haarlem (Netherlands), Norwegian Immigration Appeals Board, UK Home Office (Immigration and Visa Service), representatives from US Embassy in Georgia and EU Delegation to Georgia. The conference gathered to evaluate the progress and challenges in building asylum in the region and jointly look for solutions.

The discussions at the conference were based on UNHCR background paper evaluating the asylum situation in the region.

During the conference, the participating governments had the opportunity to identify specific action points to significantly enhancing the response to the key obstacles identified. The participants also discussed the need for the eventual continuation of the QIEE or an appropriate alternative beyond 2017.

Ms. Kemlin Furley, Head, Policy & Field Support Unit of UNHCR Regional Bureau for Europe in Geneva, opened the conference on behalf of Mr. Vincent Cochetel, the Director of the Bureau. Having praised the achievements the governments of the participating countries have made during the QIEE, Kemlin noted that the need to

strengthen the independence of asylum in the region remains one of the most important remaining challenges. She stressed that building strong asylum systems heavily relies on sustainability of staffing involved, which has been difficult to achieve due to a significant 'brain drain' at the first instance authorities. She emphasized also



Ms. Kemlin Furley summed up the discussions, November 2016

that preservation of the non-political, non-discriminatory nature of asylum and increased integration opportunities in the region were key to sustainability of asylum system in Eastern Europe and required specific actions of the participating governments towards their achievement.

When assessing the achievements of QIEE process, the representatives of Armenia, Azerbaijan, Georgia, Moldova and Belarus noted legislative amendments in their respective countries. In particular, in Belarus, where the new law is to come into force in July 2017, the legislation improved access to asylum and appeal

procedures, while QIEE, as a whole, reinforced cooperation between the authorities and UNHCR, and enhanced the independence of the asylum authorities and the courts in decision-making. In Moldova the legislative changes increased the term of the complimentary protection status; implemented audio / video recording during the asylum interviews; created higher procedural guarantees particularly for the unaccompanied minors, and extended the validity period of the travel documents for recognized refugees. New protection measures introduced in the new legislation of Armenia enhanced the procedures for the identification of the vulnerable persons in close cooperation with border guards and established obligatory financial assistance to asylum-seekers. Azerbaijan is still awaiting the complimentary protection in the country, which will allow for wider access to protection to those in need of it. The new law on asylum in Georgia, coming into force in 2017 introduced temporary protection prima facie regime in the country for situations of mass influx among other changes.

Additionally, in Azerbaijan the government highly praises QIEE for the development of an electronic information database on RSD; closer cooperation and full access by UNHCR to the national procedure at all stages; and increased capacity of RSD staff achieved through EASO curriculum trainings on regional and national levels. QIEE in Armenia has also contributed to improved capacity of government new and experienced staff and improved capacity of the judiciary of all court instances through trainings and implementation of the distant learning course on the refugee law for judges. Among the most recent institutional developments at the MRA (Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees) in Georgia, Ms. Tamta Zaalishvili, Head of Quality Control Unit at the Asylum Department of the Ministry, mentioned the creation of RSD, Country of Origin Information (COI) and



Mr. Christoph Bierwirth addressed participants of the Regional Mid-term Conference, November 2016

Quality Control and Training Units. She also noted that QIEE process has improved international cooperation with various stakeholders in Georgia. For Ukraine the structural changes implemented through QIEE allowed the State Migration Service to limit the number of its regional units from 27 to 13, which allowed for larger specialisation and focus of the service. The government of Ukraine also praises the close cooperation with UNHCR



Mr. Petr Sinyavskiy, SMS of Ukraine, November 2016

achieved through the QIEE and such structural changes in the asylum system of Ukraine as creation of the COI Unit at the Asylum Department; creation of procedural instructions between the SMS and Border Guard Service of Ukraine to allow for closer cooperation in referral and access to procedure; creation of the free legal aid system, which provides the asylum seekers and refugees with the qualified legal assistance.

The government officials also agreed with UNHCR that despite numerous achievements, major gaps remain in the region. The most prominent gaps in the national asylum systems include the need for legislative reforms to adhere to international standards, need for closer cooperation between state authorities involved in asylum; need for continued capacity building through ad hoc trainings, systematization of the trainings for the newly recruited staff, border-guards, judges, lawyers and other actors of the procedure; challenge of finding interpretation for all the instances of the procedure; need for enhanced training and experience-building of the judiciary involved in asylum; national security influence on the asylum procedures; issues of integration; lack of systematic asylum databases and high staff turnover.

During the thematic breakout sessions on second day of the conference, the participants discussed and proposed recommendations to the issues of relevance to first instance: namely professional burnout and vicarious trauma and difficulties working with most vulnerable applicants. Border officials focused on difficulties in the

process of identification, registration and referral procedures of asylum-seekers from the borders. Scope of application of court review within the six countries of the QIEE, and means of reinforcing the independence of judiciary especially as concerns the cases evoking national security issues, were among the subjects discussed by the judges.

In conclusion, the participants and UNHCR offered recommendations for further implementation per each target audience of QIEE: first instance authorities, Judges and Border officials. The judges re-emphasized that judicial safeguards provide for full protection of the rights of refugees and asylum-seekers. They also noted that the main concerns for the judges of the region include poor quality of legal representation in the asylum proceedings and limited access of a lawyer to classified information in cases involving national security concerns; difficulty with evidence assessment in cases of asylum; heavy workload of administrative judges due to automatic distribution of cases among the judges and lack of specialisation; lack of qualified interpretation and limited experience with asylum cases in many courts of the region. The judges reinforced the need for continuous training and capacity-building with participation of lawyers in the QIEE on national and regional levels.

The border officials reported that improvement of implementation of identification and referral procedures, on their end, requires amendments to the legislation; regular trainings and seminars on asylum for border guards; and possible involvement of the prosecutors as a target audience of QIEE.

The representatives of asylum authorities suggested a number of solutions that could be taken up by the authorities and UNHCR to improve the quality of working environment and mental health of the adjudicators. These include official communication channels between officers and heads of unit; trainings and workshops for new staff; incentives to improve motivation of the staff such as international events, larger specialisation in a particular field etc.; development of the checklists for identification of vulnerable groups through QIEE to facilitate the work with such applicants.

In conclusion, both UNHCR and the government officials emphasized the importance of holding similar events and unequivocal benefits of the implementation of the activities under the QIEE as a whole as means for resolving joint problems in the region. Government officials confirmed their interest and importance of the continuation of the Initiative into the future with possible involvement of additional target audiences, such as legal practitioners and national security personnel, where possible. The participants have come to a joint conclusion to continue fruitful cooperation under the auspices of the project in 2018.

In response to the event, UNHCR has committed to continue the QIEE project with the involvement of lawyers, in addition to border officials, judges, and first instance adjudicators, and is working with the participating governments on the identification of priorities and action plans for further implementation in line with the main challenges identified by both UNHCR and the participating countries.



Ms. Kemlin Furley summed up the discussions, November 2016



COI COUNTRY OF ORIGIN INFORMATION

COI updates by Russian Refworld

In 2016 the UNHCR Russian Refworld in collaboration with the UNHCR Global Learning Center (GLC) facilitated six country of origin information (COI) webinars. Each gathered about 35 participants – representatives of NGOs, judges, civil servants and UNHCR staff from Eastern Europe and Central Asia.

The first three webinars dedicated to the countries of origin (Afghanistan and Syria) were conducted in July and September 2016 and offered an overview of precarious situation in both countries in regards to well-founded fear of persecution of applicants originating from there. On November 22 the webinar on the methodology of COI research offered the participants an opportunity to examine in detail the role of COI in the RSD procedure, main principles of working with COI, COI quality standards and COI research methodology using the Russian Refworld database.

Webinars on the updated [UNHCR Position on Returns to Iraq](#), that followed, provided an in-depth overview of the current severe risks to the Iraqi population and lack of internal flight alternatives inside the country. An explanatory webinar on [UNHCR Guideline on International Protection no. 12 on Claims for Refugee Status Related to Situations of Armed Conflict and Violence Under Article 1A\(2\) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees and the Regional Refugee Definitions](#), during which the participants were explained the need for broader interpretation of Article 1A of 1951 Convention in regards to situations of armed conflict and individualized risks of persecution for persons originating from countries and areas of generalized violence.

The 2016 experience with this form of training has shown its effectiveness, as confirmed by the increasing interest among the participants and the feedback during the follow-up surveys. The results of the survey indicated that the audience remained interested in the webinars and needed more focused presentations complemented with specific examples on Afghanistan, Somalia, Ukraine to name a few. In response to these requests, the team organized an updated presentation on Afghanistan in March 2017 and will continue with COI updates on Somalia and Ukraine later this spring.

In the near future the Russian translations of UNHCR positions on Pakistan ([UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Members of Religious Minorities from Pakistan](#)), also latest COI on Iraq and Syria ([Relevant Country of Origin Information to Assist with the Application of UNHCR's Country Guidance on Syria: "Illegal Exit" from Syria and Related Issues for Determining the International Protection Needs of Asylum-Seekers from Syria](#)) and Helsinki Committee CREDO Vol. 2, as well as numerous cases of the ECtHR, will be available on the RRW.

Please follow the information on the updated COI of relevance and announcement of webinars on QIEE page: www.facebook.com/UNHCRQIEE

Source — RPSU

COI Updates at the Mid-term Conference

An overview of the relevant aspects of the COI on Iraq and Syria were presented during the final session of the QIEE Mid-term Conference.

Ms. Gabriela Wengert (UNHCR) described the precarious situation in Iraq, whereby many Iraqis leaving their country of origin and falling under particular risk profiles should be considered to be at risk of persecution. Many of the risk profiles relate to the actual or imputed political opinion from different parties to the conflict often based on place of origin / habitual residence or ethnic / religious background. In light of the massive new internal displacement, coupled with a large-scale humanitarian crisis, mounting sectarian tensions and reported access restrictions, UNHCR advocates that no Internal Flight Alternative (IFA) is currently applicable in the context of Iraq.

Ms. Agata Bialczyk (UNHCR) also emphasized that similarly to the situation in Iraq, the conflict in Syria also remains characterised by imputing a political opinion or affiliation to larger groups of people, including families, tribes, religious or ethnic groups or whole towns, villages or neighbourhoods by various actors to the conflict. According to UNHCR nearly all parts of Syria remain embroiled in violence and no major changes or improvements have occurred in the country warranting lesser need for international protection of applicants fleeing the war in Syria.

Source — RPSU

JUDICIAL UPDATES

Judicial Outcomes of the Mid-term Conference

During the Session II of the Mid-term Regional Conference **Mr. Samuel Boutruche** (UNHCR) in his presentation, noted that the two courts of ECtHR and CJEU, while different in nature — one a human rights regional court, not competent to explicitly comment on asylum, and the other a specialized regional court, whose jurisdiction includes matters of asylum in the EU — both reflect on each other's case law and represent the general trends and issues in asylum in the larger European region. He has provided a brief overview of the caselaw of both courts relevant for various stages of the asylum procedure: access to territory; scope and quality of risk assessment and responsibility of the Applicant and the State within the asylum procedures.

The challenge of determining the scope of the risk assessment has been numerously elaborated upon by the ECtHR jurisprudence. It establishes that the individual circumstances are to be assessed in addition to the general situation in the country of origin. This rule, however, is to be put aside in two situations. Cases of membership of a persecuted minority ([Salah Sheekh v. The Netherlands](#)), when an individual cannot be reasonably requested to prove individualized persecution, but simple proof of belonging to such minority is sufficient to establish individualized risk and need for group protection; and situations of generalized

violence of exceptional intensity, when one is not required or be reasonably able to prove individualized targeting in situations of extreme violence, which violate Art 3 of ECHR ([Sufi and Elmi v the United Kingdom](#)). Furthermore, recent ECtHR judgement of [F.G. v Sweden](#) also establishes that the government has a positive obligation to assess all the grounds to ensure full protection regardless of what the applicant requests during Refugee Status Determination (RSD) procedure.

The quality of risk assessment as per the jurisprudence of both courts entails the responsibility of the state to conduct independent and close scrutiny as per Art 3 of ECHR with “vigilance and care”. As to the rules of evidence, ECtHR has explicitly stated that the initial responsibility to prove the claim lies with the asylum-seeker, while the state is responsible for assessment of general situation in the country of origin and assessment of validity of documentary evidences. The courts confirmed that the benefit of the doubt for non-material elements is expected to be awarded to the applicant. Moreover, the CJEU not only restates the requirement of the shared burden of proof but also assigns a larger obligation on the state authorities that are better placed than the applicant to collect evidences.

Source — RPSU

IN BRIEF

Alternative Forms of Admission in the Region

An unaccompanied child from Sudan was granted refugee status and asylum in Armenia by the decision of the State Migration Service of the Ministry of Territorial Administration and Development of Armenia in December 2016. Recognition is based on the definition of the 1951 Convention with reference to the grounds of nationality and [imputed] political opinion. Originating from Sudan and habitually resident in a country in the Middle East, the young promising refugee student was issued an Armenian visa, based on a scholarship at an international school in Armenia.

The advantages of this kind of admission are quality education and good prospects for the future for the refugees. State, for its part, shows its good will to contribute to international burden sharing in finding long-term solutions for refugees.

The scholarships are offered in the context of the ‘100 lives’ project initiated by an IDEa Foundation and its founders, representatives of Armenian diaspora, which, in close cooperation with UNHCR, has also recently commenced assistance projects for the persons displaced from Syria seeking protection in Armenia.

It is the first case of an alternative form of admission to Armenia for a refugee of non-Armenian background, promoting the access of refugees to quality education and ultimately a durable solution -- one of the principal goals of international protection. This case is seen as a helpful precedent and showed the openness of the Armenian Government to consider alternative forms of admission in very specific cases.

Source — UNHCR Armenia

Collaborative Activities with EASO

Successful cooperation between UNHCR and European Asylum Support Office (EASO) continues to show positive trends. At the end of 2016-early 2017 UNHCR organized four EASO module rollouts: regional Train-of-Trainers Workshop (ToT) on Evidence Assessment and national trainings on Exclusion in Minsk, Chisinau and Kyiv.

Overall, in the course of 2016 UNHCR has trained 60 national trainers on Exclusion, Interviewing Vulnerable Persons, and Evidence Assessment in the QIEE region, who then trained during the national rollouts of EASO modules in their national asylum authorities throughout the year. In March 2017 UNHCR held its regional Train-of-Trainers Workshop (ToT) on EASO Reception module for reception professionals and border officials in late March in Tbilisi, Georgia, which will train some 20 national trainers from Eastern Europe and Western Balkans, who will then organize the trainings in their respective countries.

EASO-based trainings not only increase the capacity of the government officials in various areas related to asylum procedures, but lead to systemic changes in the asylum legislation and its implementation in their countries. One such example of systemic change was



initiated during the national rollout of EASO Exclusion module in Ukraine. The Ukrainian law currently does not include an exclusion procedure. As the result of the workshop, the State Migration Service (SMS) and UNHCR agreed to close this gap by jointly drafting and distributing an exclusion instruction to the regional branches of the SMS. The instruction will allow for a more comprehensive and systematic approach to exclusion assessments in the country. It will also set the basis for cooperation between Security Services, SMS, Interpol and other agencies involved in providing evidence and assessing exclusion cases in the context of asylum. SMS also agreed that the status of persons, who cannot be returned after exclusion (risk of violation of Art. 3 of ECHR, Rule 39 applied) should also be regulated through the amendments of the current legislation. UNHCR very much welcomes such developments and stands ready to work with the government authorities in drafting and implementing of the instructions.

Source — RPSU

Overview of QIEE Regional Training Activities in 2016

In the course of 2016, UNHCR, within the auspices of QIEE, trained some 60 national trainers on EASO modules on Exclusion, Evidence Assessment and Interviewing Vulnerable Persons (IVP). Two representatives of the Border authorities from Moldova and Ukraine took part in FRONTEX-delivered Training-of-Trainers (ToT) workshops and have been certified as FRONTEX trainers to deliver similar workshops in the region in 2017. Two study visits allowed some forty participants from first instance authorities, border guard services and judiciary to get better acquainted with the format of asylum system in Sweden and the work of the Council of Europe and specifically, European Court of Human Rights in Strasbourg. Some 30 judges from Eastern Europe and Central Asia had an opportunity to attend the regional chapter conference of the International Association of Refugee Law Judges (IARLJ), and participate in a one-day training on some of the key aspects of adjudication of asylum claims in court context. Also first in the series of regional thematic RSD-related meetings, devoted this

time to assessment of credibility in asylum context was held in Kyiv, Ukraine. It gathered some 30 government officials, lawyers and UNHCR staff from the region. As noted earlier in this issue, the regional Mid-Term Conference of QIEE also offered specific targeted training to some seventy participants representing each of the groups participating in the project and UNHCR staff.

The Russian Refworld team working under the QIEE project conducted four Country of Origin webinars on key states that trained around 60 government staff, NGOs and UNHCR in Eastern Europe and Central Asia. The Russian Refworld has translated and uploaded some seventy documents in Russian, including COI reports, policy documents and case-law. Due to increased publicity and training the database in 2016 acquired some 61,000 users, who completed roughly 100,000 sessions during the course of 2016.

Source — RPSU

Workshop on Addressing National Security Concerns without Undermining Refugee Protection in Kyiv

As the result of the close cooperation with the State Migration Service (SMS), UNHCR is aware of the recent increase of asylum-seekers with complicated profiles. Such cases seeking asylum in Ukraine include foreign nationals, who participated in Anti-terrorist operations (ATO) in Ukraine and persons charged with serious crimes by their countries of origin. Such cases usually require very close cooperation between different government entities that are not necessarily involved in the asylum-related matters on daily basis, but play a role in the protection of borders, national security and extradition procedures. The SMS thus approached UNHCR with the suggestion to co-host a workshop, which could bring together all the actors involved in dealing with these cases. SMS also requested that UNHCR provides an overview of international standards applicable to exclusion procedures and determination of the civilian character of asylum during the workshop.

The workshop held on 15 December 2016 in Kyiv was co-organised and co-chaired by UNHCR and the SMS. It gathered thirty-five participants from Security Service of Ukraine, the Ministry of Interior, the Ombudsman's Office, the State Border Guard Administration, the General Prosecutor's Office, the Military Prosecutor's Office, the National Guard, the Ukrainian Bureau for Interpol, the Criminal Police, Ministry of Justice, UNHCR

implementing partner organisations, UNHCR and State Migration Service of Ukraine.

Two international experts: Ms. Sibylle Kapferer, Head of the Protection and National Security Service of UNHCR Department for International Protection and Mr. Peter Stockholder, Head of Regional Protection Support Unit, UNHCR Bureau for Europe, covered the international standards in regards to exclusion and preserving the civilian character of asylum and the role UNHCR plays in safeguarding such standards.

Also, Mr. Jan Römer, the Legal Adviser, International Committee of the Red Cross, Representation in Ukraine, participated in the workshop and made a presentation about the *non-refoulement* principle in light of international humanitarian and human rights instruments. The State Migration Service presented details on the profiles of asylum-seekers, as well as details about challenges they face in consideration of their claims.

The workshop also promoted closer cooperation of different authorities on sensitive asylum cases and was considered to be a success in this regard by all parties involved.

Source — UNHCR Ukraine



Workshop on FHRP, Stefan Voda, Moldova, 2016

Cooperation with FRONTEX within the Auspices of QIEE

On 17 February 2017 a workshop on Fundamental Human Rights Protection

for thirty staff of

the Border Police Department (BPD) of Moldova and civil society representatives was held by UNHCR-Moldova at the town of Stefan Voda in Moldova. Mr. Adrian Lazaroaia – FRONTEX expert and police trainer at the Police Academy “Alexandru Ioan Cuza” from Bucharest, Romania trained the participants on key principles of fundamental rights in relation to the identification and referral role of the border guards in the context of

asylum. The training also covered the main aspects of interview techniques applicable to working with potential asylum-seekers. The lively debates among the BPD staff demonstrated the need to address the issues, raised at the workshop. The workshop was second in the series of national events organized with the participation and support of FRONTEX within the auspices of the QIEE-II project. Similar trainings are planned in other countries of the project for the remainder 2017. FRONTEX is also expected to participate in two regional events for border officials planned for this year as well as, similarly to 2016, they will provide their guidance and expertise during the regional conference scheduled to take place in early 2018.

Source — UNHCR Moldova

QIEE for Lawyers and Judicial Assistants

On December 7, 2016, UNHCR Moldova and National Institute of Justice in Moldova held a training on the primary concepts in assessing applicability of Article 1 A of 1951 Convention on Refugees for 27 judicial assistants and civil society representatives in Moldova. Presentations on Interview Techniques in the asylum procedure and elements of refugee definition were provided by UNHCR and Law Centre of Advocates. The participants have acquired the knowledge and skills on



Inclusion Clauses training, Chisinau, December 2016

how to apply five reasons under Art. 1A and differentiate between persecution and discrimination. Case studies permitted the participants to reflect on the kind of questions that should be addressed during the RSD interviews. Additional trainings for judicial assistants are being planned for implementation throughout the region in 2017.

In December 2016, UNHCR-Moldova also held a training for legal representatives, members of the National Legal Aid Council of Moldova. The training focused on issues pertaining to assessment of credibility, particularities of interviewing within the context of asylum and ECtHR caselaw relevant to assessment of claims and state responsibility within the asylum procedures. Additionally, the participants were provided a guidance on the scope and application of Interim Measures under Rule 39 of the Rules of the Court in Strasbourg. The training of lawyers was one of the first conducted within the auspices of the QIEE project and paved the way to larger inclusion of legal practitioners in the project, as per the requests of the government participants at the QIEE Mid-Term Conference in Tbilisi in November 2016.

Source — UNHCR Moldova

ProGres v4 Registration Database

Deployment of the new version of UNHCR proGres registration database (proGres v 4) took place at UNHCR-Ukraine in November-December 2016. During the deployment phase selected UNHCR and partner staff were trained on specific proGres v4 modules (registration, assistance, legal and physical protection, child protection, SGBV, resettlement).

The new database will allow for detailed and timely updated individual information, which will subsequently help to ensure better planning for provision of assistance and identification of durable solutions for UNHCR persons of concern.

UNHCR office also introduced the database to the State Migration Service of Ukraine so that SMS could consider the possibility of using it for government use for registration in the asylum procedures, since no state asylum database currently exists. Unfortunately, the government decided that they would not be able to use the externally developed database due to internal limitations to state agencies in Ukraine. However,



UNHCR's biometric registration system launched in Malaysia, 2006

UNHCR proceeded with involving government counterparts in the relevant training events on the usage of proGres v4 with the purpose of introducing the database to the SMS for possible replication in the future.

The need for government-run up-to-date asylum databases remains key in the region. While the installation of v4 continues to UNHCR offices in South Caucasus, Belarus and possibly in Moldova later in 2017, UNHCR continues introducing the database to the governments in the region for their possible use or replication in the future.

Source — UNHCR Ukraine

Adoption of the Law on International Protection in Georgia

On 1 December 2016, the newly elected Parliament of Georgia adopted the new Law of Georgia on International Protection. The new Law entered into force on 1 February 2017.

The Law introduces number of positive changes and consequently brings refugee legislation in Georgia closer to international standards. The law specifies general principles and strengthens procedural safeguards at all stages of asylum procedure. It includes more specific provisions on the asylum procedures and 19 Annexes (different forms and standard operating procedures (SOPs)/by-laws) that are to accompany its entry into force.

The by-laws define the rules for reception of asylum-seekers, registration and consideration of applications for

international protection, as well as humanitarian status and temporary protection. Now persons arriving in Georgia in the event of a mass influx will be granted temporary protection status by the decision of the Ministry. Procedures of cessation, cancellation and revocation of refugee and humanitarian status, as well as strong safeguards during suspension, discontinuation or reopening of asylum applications are also included in the Law. The new law also elaborates more on rights and freedoms of asylum-seekers, refugees and other persons in need of international protection, providing them with more favourable protection space and specifies responsibilities of relevant state agencies in Georgia.

Source — UNHCR Georgia

On **1 February 2017**, the new Law of Georgia on International Protection entered into force. The Law on International Protection was drafted by the MRA in close cooperation with UNHCR.

Cooperation with External Actors Under Mobility Partnership Projects in Azerbaijan

The government of Azerbaijan is currently considering the amendment to the current law to include the subsidiary protection in it. Representatives of the relevant government institutions, international and non-governmental organizations in Azerbaijan, asylum-related institutions from the Netherlands and Poland, International Centre for Migration Policy Development (ICMPD) and UNHCR gathered on November 22, 2016 under the Component 4 (related to of the asylum decision making procedure) of the EU-funded MOBILAZE

project. The aim of the workshop was to raise awareness on subsidiary protection by analysing the experience of implementing the regime in other countries involved in the training.

Additionally, UNHCR has closely collaborated with ICMPD and International Association for Refugee Law Judges (IARLJ) in holding a two-day capacity building Training for Judges on Asylum Protection in December 2016. The training given by key legal judicial experts, including the current President of IARLJ, Belgian Asylum Court Judge, Ms. Katelijne Declerck, focused on legal provisions regulating the commitment to non-refoulement, procedural guarantees for asylum-seekers during the court procedure, examination of inclusion cases, burden of proof, credibility and assessment of evidence. Similar initiatives with the involvement of partner organisations and entities are being planned in Azerbaijan for implementation in 2017 with the goal to reduce duplication and ensure sustainable capacity building of asylum system in the country.

Source—UNHCR Azerbaijan



Participants of the Awareness raising workshop, Baku, 2016

Joint Armenia-Georgia Monitoring Visit to Bagratashen and Sadakhlo BCPs

In line with the established practice, a joint monitoring visit to Bagratashen (Armenia) and Sadakhlo (Georgia) border crossing points (BCPs) of Armenia and Georgia took place on 16 November 2016.

The newly reconstructed Bagratashen BCP is the second BCP in Armenia which has a holding facility for foreigners (including asylum-seekers) crossing the border irregularly. According to the border officials, the BCP was reconstructed according to the European standards and currently provides modern facilities and technical equipment. UNHCR has already delivered technical assistance for the training room at the BCP and identified technical assistance needs for the holding facility.

As a result of the reconstruction, the staff of the BCP was expanded with 50–60 border guards newly assigned, and more are expected.

The visit was followed by a training for border guards and Passport and Visas Department officials of Bagratashen and Gogavan BCPs. During the training, representatives of both BCPs raised the need to enhance the knowledge of English language, needed by the border officials for communication with foreigners, including potential asylum-seekers, approaching the BCP.



Joint Armenia-Georgia Monitoring Visit , November 2006

As mentioned above, the visit is not the first one of joint monitoring activities between Armenia and Georgia. Such format of monitoring allows for joint identification of key needs and development of joint plans to improve the work of the crossing points. International asylum support organisations, including UNHCR stand ready to assist and participate in similar activities to enforce cooperation and implementation in the field.

Source — UNHCR Armenia

Establishing the Referral Procedure for Border Officials in Armenia

The Government Decision on establishing the procedure issued for implementation by the border guard troops of the National Security Service of Armenia, the Republic of Armenia Police and the administration of the detention facilities in Armenia was issued in late 2016. The Decision sets out the procedure for receiving asylum requests and referring them to the authorized agencies. It lays out the responsibilities of the staff of penitentiary institutions in terms of receiving, registering and transferring asylum requests to the designated body.

Unfortunately, the Department of Penitentiary Institutions of the Ministry of Justice was not consulted in the preparatory stages of the drafting. Remaining

uncertainties in the current wording create a risk that potential asylum-seekers may not be properly identified and referred, which could result in refoulement.

UNHCR has identified a number of issues not regulated by the Decision, including principles of non-refoulement, family unity, confidentiality, treatment of persons with specific needs, access of SMS, UNHCR and its partners' staff to potential asylum-seekers, including those in holding facilities. UNHCR will work to support the Government in addressing these gaps.

Source — UNHCR Armenia

2017 CALENDAR

CALENDAR OF REGIONAL ACTIVITIES QIEE-II

January	
EASO Reception Module (in English)	Online, 16 January
February	
Webinar on Iraq (in Russian)	Online, 9 February
EASO ToT on Reception Module (in English)	Malta, 14-17 February
Webinar on Guidelines no. 12 (in Russian)	Online, 23 February
March	
Webinar on Afghanistan (in Russian)	Online, 10 March
EASO Reception Module (in Russian)	Online, 14 March
EASO ToT on Reception Module (in Russian)	Tbilisi, Georgia, 28-29 March
April	
Workshop on COI in RSD Procedures	Tbilisi, Georgia, 25-26 April
May	
Regional conference for Border Guards and study visit	Chisinau, Moldova, 16-18 May
June	
EASO Inclusion Module (in Russian)	Online, 7 June
Regional Conference for Judges	Tbilisi, Georgia, 13-15 June
COI webinar (in Russian)	Online, 29 June
July	
EASO ToT on Inclusion Module (in Russian)	Minsk, Belarus, 5-7 July
COI webinar (in Russian)	Online, 11 July
September	
Study visit to Croatia	Zagreb, Croatia, 5-7 September
Workshop on Quality Assurance Mechanisms and Training in Asylum Context (for EASO – certified trainers in the region)	Kyiv, Ukraine, 19-21 September
October	
Regional ToT Frontex Manual on Fundamental Human Rights	Tbilisi, Georgia, 3-5 October
EASO Module for Managers (in English)	Online, 9 October
EASO Module for Managers (in Russian)	Online, 9 October
Study Visit for Delegation of Judges to German Courts	Mannheim, Karlsruhe, Germany, 17-19 October
Qualification for international Protection workshop for Judges	Malta, 19-20 October
November	
Conference on Refugee Law for State Legal Aid	Chisinau, Moldova, 31 October — 2 November
EASO Module Sexual and Gender Identity (in English)	Online, 6 November
EASO ToT on Managers Module (in English)	Malta, 7-8 November
EASO Module Sexual and Gender Identity (in Russian)	Online, 13 November
EASO ToT on Managers Module (in Russian)	Tbilisi, Georgia, 14-16 November
December	
EASO ToT on Sexual and Gender Identity (in English)	Malta, 5-6 December
EASO ToT on Sexual and Gender Identity (in Russian)	Tbilisi, Georgia, 12-14 December