Budapest Process
6th Working Group on the Silk Routes Region
Islamabad, 8 – 9 June 2015

Summary/conclusions

1. On 8-9 June 2015, the 6th meeting of the Budapest Process Working Group on the Silk Routes Region was held in Islamabad, Pakistan.

2. The Working Group meeting gathered 62 participants from 21 countries – Afghanistan, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Bulgaria, Czech Republic, Georgia, Hungary, Iran, Iraq, Kyrgyz Republic, Moldova, the Netherlands, Norway, Pakistan, Poland, Switzerland, Turkey and the United Kingdom – as well as the Economic Cooperation Organisation (ECO), the European Commission, FRONTEX, the International Centre for Migration Policy Development, (ICMPD), the International Labour Organisation (ILO), the International Organization for Migration (IOM), the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Office on Drugs and Crime (UNODC).

3. The first day of the meeting started with introductory remarks by Pakistan (host), Turkey (Chair of the BP and the Working Group), Afghanistan (Co-chair of the Working Group), Hungary (Co-chair of the BP) and the European Commission. Pakistan stressed the importance of dissemination of information and awareness-raising among the public on irregular migration and highlighted the need for the establishment of Migration Information Centres as well as victim reception centres. Turkey underlined that the Silk Routes Region Working Group provides the right forum to launch concrete initiatives on irregular migration, migrant smuggling and trafficking in human beings in the region. However, sustainable management of irregular migration will only be achieved if the economic, political and social aspects of irregular migration are successfully addressed through, for example, strengthening economic ties with, and promoting investments in, source countries. It is not efficient to put all the responsibility for irregular migration on countries of origin and transit. Afghanistan underlined that maintaining peace and restoring security remains a challenge. Instability provides a fertile ground for illicit activities such as migrant smuggling and human trafficking. Hungary referred to the need for new, more effective and coherent approaches to address the issue of irregular migration, that recognise both the concerns of states in this respect and the need to protect the rights of irregular migrants. Adding to this, the European Commission referred to the need to put concrete initiatives in place in the Silk Routes Region, by which the success of the Working Group would be measured.

4. Following the welcome addresses, two introductory presentations were delivered on the overview of irregular migration and migration related crime in the Silk Routes Region by UNODC (flows and trends) and UNHCR (protection needs). Some of the important points highlighted were:
i. In dealing with irregular migration and migration related crime, it is important to adopt the international legal instruments. All Silk Routes countries ratified the UN Convention against Transnational Organized Crime (UNTOC), except Iran who only signed it and all five ratified UN Convention against Corruption (UNCAC). Iraq is the only one of the five Silk Routes countries that ratified the two supplementary protocols of the UNTOC: the protocol to prevent, suppress and punish trafficking in persons, especially women and children, and the protocol against the smuggling of migrants by land, sea and air. Afghanistan signed the additional protocol on trafficking.

ii. Legislative, policy and procedural reforms are necessary to step up efforts in addressing irregular migration.

iii. Joint trainings and investigations provide useful tools as well as asset seizures to disrupt the financial flows of criminal syndicates in combating irregular migration.

iv. Awareness raising amongst potential migrants as well as information sharing at regional, national and global level remains important and needed.

v. Developing referral mechanisms for victims of trafficking as well as returned migrants are essential to avoid repeated vulnerability.

vi. As regards international protection needs, the absence of a legal framework for refugee protection at national level is a major problem in the region. There is also a need for urban refugee policies as most refugees in the region are living in (semi-)urban settings.

5. In the first panel discussion on irregular migration and return of irregular migrants chaired by IOM, presentations were made by Pakistan and the European Commission as concerns assessment, analysis, prevention and responses, main challenges and priorities.

i. Pakistan referred to several factors that influence the response to irregular migration negatively such as difficulties in gathering evidence, lack of cross border intelligence, absence of reception centres and lack of adequate infrastructure among others.

ii. IOM highlighted that protection of migrants in distress, saving lives, facilitation of more venues for safe and regular migration and promoting development are current priorities.

iii. The European Commission underlined that return is an area that needs to be legally governed, for example through readmission agreements, which also serves to curb irregular migration. Sometimes there is lack of resources, attention and capacity on behalf of the countries of origin for effectively managing returns. This very often contributes to the fact that returned migrants do not manage to settle back into their country and try to leave again through irregular means. It is therefore important to create conditions in their home communities which will encourage potential migrants to stay.
6. In the second panel discussion on smuggling of migrants chaired by UNODC, presentations were delivered by Afghanistan and Hungary looking at characteristics of migrant smuggling in the Silk Routes Region and combating criminal networks – police cooperation.

i. UNODC referred to the 5P model: prevention, protection, partnership, pursuing and prosecution are key areas in identifying and assisting the vulnerable individuals and communities, in victim protection, early identification and disruption of criminal networks and corrupt officials and in increasing convictions in line with human rights principles.

ii. Police cooperation should include on informal channels of information sharing as well as formal information requests, joint trainings prelude top joint operations, standardisation of trainings for law enforcement authorities, proactive and reactive policing models and sharing of evidence to help secure prosecution across jurisdictions.

iii. Afghanistan mentioned the difficulty in making a distinction between migrant smuggling and human trafficking and also in identifying the linkages of these crimes with money laundering. Thus, special laws on money laundering and on regulating mutual legal assistance are needed.

iv. Hungary presented a regional joint crime analytical and investigation project among a number of EU countries as a model for cross-border police cooperation. This project provides for a joint analysis and investigation group to prosecute criminal networks of migrant smuggling across borders, joint deployment of police units and joint operations as well as daily sharing of information and alignment regarding the situation along the borders.

v. Frontex underlined that border management is not the only solution regarding irregular migration because most people move for legitimate reasons. It is important to facilitate bona fide travellers while putting resources in prosecuting criminals.

7. In the third panel discussion on trafficking in human beings chaired by ICMPD, presentations were given by Bangladesh, Iraq and Turkey focusing on prevention and combatting of trafficking in persons, addressing root causes and protection and support to trafficked persons.

i. ICMPD referred to the need to address the root causes of human trafficking such as poverty and lack of security (push factors) as well as the impact of (social) media and transport hubs (pull factors). Practice shows that the development of an adequate legal framework and of national referral mechanisms, establishing common terminology, stepping up national and international cooperation, identification of vulnerable groups, regulation of employment and travel agencies and their inspection and provision of protection and support to trafficked persons are effective methods to combat human trafficking.

ii. Bangladesh presented its comprehensive efforts in the area of THB such as the National Plan of Action, the anti-trafficking police monitoring cell and district monitoring cells, the 2012 act on the prevention and suppression of human trafficking, capacity building and training of the law enforcement authorities, identification and repatriation of trafficked victims, integration of trafficked victims
with livelihood support and monitoring the place of departure of overseas Bangladeshis by the relevant Ministry.

iii. Iraq is presently occupied with the extreme IDP situation in the country. The lack of security, economic difficulties, sexual violence and increasing and repeated displacement make many people vulnerable to human trafficking in Iraq at the moment. The government endeavours to step up its efforts by establishing special investigation courts, special houses/shelters for the victims and special training for the law enforcement agencies.

iv. Turkey presented its efforts in the area of THB such as the helpline (hotline) established for victims of trafficking, media campaigns (mainly TV spots) on the helpline in the countries of origin of the victims, working with the civil society and the development of national referral mechanisms under the guidance of the National Task Force on THB.

8. In the following session ICMPD presented the pilot project “Initiating Regional Police Cooperation – Silk Routes Region and Turkey under the project “Support for the Silk Routes Partnership for Migration” as the implementing body. The objective of the project is to strengthen mutual regional assistance in police cooperation with special focus on prevention, detection and fighting migrant smuggling and trafficking in human beings and enhanced border management. The project will start in July 2015. All five Silk Routes countries expressed an interest in joining the project.

9. The subsequent discussion focused on regional cooperation as regards data collection, data sharing and data analysis in the field of irregular migration and migration related crime and concrete proposals to strengthen mutual regional assistance in police cooperation.

   i. The fight of criminal networks involved in human trafficking and migrant smuggling is a key priority for the Silk Routes Region. With its transnational dimension and its links to other criminal activities, such as money laundering, countries proposed to strengthen joint intelligence analysis units, increase cooperation between border guards and increase victim awareness through (social) media and local platforms, such as community leaders and at transportation hubs. The Silk Routes countries emphasised their interest in participating in the Regional Police Cooperation Pilot Project in order to initiate increased regional cooperation among law enforcement agencies using a practical, peer to peer, approach.

10. In summary of main ideas and interventions during the two days, the following points can be mentioned:

   i. Addressing root causes of migrant smuggling and human trafficking, though very challenging, cannot be neglected and should be carried out through various means including enhancing education and establishing skills development programmes.

   ii. Establishing an adequate national legal framework and developing policy framework are prerequisites in addressing irregular migration. Legislative, policy and procedural reforms are needed in this regard in the Silk Routes countries.
iii. Raising awareness about these matters amongst potential migrants is an area that needs further attention and efforts in all the five Silk Routes countries.

iv. National and international cooperation including sharing of data and joint operations as well as trainings are considered essential in curbing irregular migration effectively.

v. It is important to see the links between migrant smuggling and human trafficking and other types of crimes, especially with terrorism financing and money laundering. Improved financial investigations appear indispensable in giving an adequate response to irregular migration, in particular in prosecuting organised criminal groups instead of individuals for less severe types of crimes.

vi. A functioning return system is important for the credibility and acceptance of a generous asylum policy as well as visa facilitation.

11. There was a final address to the plenary by Ms. Martha Cygan, Director, Strategy and Delivery Steering Directorate, Directorate General Migration and Home Affairs, European Commission. Emphasising the importance the European Union puts on the Budapest Process as a platform which facilitates the migration dialogue with the Silk Routes countries, Ms. Cygan underlined the risks irregular migration puts on liberty, people, dignity and family. Preventing and reducing irregular migration channels is therefore a big responsibility for all countries of origin, transit and destination.

12. The Chair thanked all participating countries for their engagement and contributions and entrusted the Secretariat with the task of summarising discussions and conclusions as well as to circulate results.