Summary with conclusions


2. The aim of the meeting was to achieve concrete and practical results and, if possible, to develop action points for joint follow-up on challenges related to “Mixed migration flows through the South East European region”. This topic was identified as a priority in consultations prior to the meeting, and the focus of the discussion was both on irregular flows as well as on protection needs. The meeting provided for sharing of experience and information during plenary sessions as well as break-out sessions for the identification of challenges, priorities, good practices and concrete cooperation possibilities.

3. The Working Group meeting gathered representatives from Afghanistan, Albania, Armenia, Australia, Austria, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Denmark, Estonia, Georgia, Greece, Hungary, the former Yugoslav Republic of Macedonia, Pakistan, Poland, Romania, Russian Federation, Serbia, Spain, Switzerland, Turkey and Ukraine as well as the Croatian Red Cross, the European Asylum Support Office (EASO), the European External Action Service, Frontex, the International Organization for Migration (IOM), the Organization for Security and Co-operation in Europe (OSCE), the United Nations High Commissioner for Refugees and the International Centre for Migration Policy Development as the Secretariat of the Budapest Process.

4. The topic of the meeting was considered both timely and important, and the meeting catered for active participation and discussions. After the opening of the meeting, speakers from Denmark as the Presidency of the European Union, the European Union Delegation to Croatia and Poland - representing the Prague Process - shared their observations on the policy framework and related developments. Denmark, in its capacity of Presidency of the EU, shared information about the “EU Action on Migratory Pressures - A Strategic Response” (to be adopted on 26 April 2012), and invited the Working Group to take inspiration from this document for possible sub-actions in the South East European Region. The Budapest Process was considered as a useful structure to support the implementation of the action plan.
5. After the introductory session, Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia and Serbia presented the current situation regarding mixed migration flows including irregular flows and protection needs, as well as challenges and priorities for the future. Most South East European countries have noted a sharp increase in apprehension and asylum figures, a significant change in structure of the migration flows, and an increasing problem with secondary and recurrent movements of asylum seekers.

6. The representatives of Afghanistan and Pakistan shared their experiences with mixed migration flows from the perspective of the Silk Routes countries. Pakistan noted that there are several international frameworks for cooperation and announced their plans to establish “link offices” of the Ministry of Interior/Police in London, Ankara, Athens and Teheran. Within the Ministry of Interior, a “Migration Management Cell” has been established, focusing on research, information collection, analysis of data for generating policy parameters and coordination of results. Afghanistan explained that its inhabitants are faced with difficult security situations and a lack of development, especially of rural areas and underlined the importance they attach to capacity building in the area of migration governance, development of a comprehensive migration strategy and the need for skills training of Afghan labour. Returns to Afghanistan work in practice, however further measures to support voluntary repatriation are needed. In this regard, there should be an emphasis on sustainable return and reintegration.

7. UNHCR held a presentation focusing on protection needs in mixed migration flows, highlighting the importance of offering differentiated procedures to ensure that all persons with genuine protection needs are detected. Safeguards must also be ensured when implementing return and readmission decisions and removal should be supported by incentives. The importance to support the building asylum systems in the region was also underlined. Other aspects mentioned was the need to find in country solutions, resettle timely and address root causes.

8. Also EASO, Frontex and IOM gave accounts of their relevant experience in this field. At the open invitation to all participants, and in addition to previous speakers, also Greece, Hungary, Romania and Spain shared their perspectives.

9. From presentations and discussions, the following observations and challenges can be noted:

a) Changes in the structures of migration flows through South East Europe are caused by migration challenges in countries of origin, including the Silk Routes region, as well as due to the effects of the Arab Spring. EU developments have further spurred changes, for example the recent visa liberalisation between the EU and the Western Balkans as well as EU and Schengen enlargements. When Croatia becomes an EU member, the external land borders of the Union will again change and this will have effects on migration flows. The visa liberalisation between the EU and Western Balkans also caused asylum applications from this region in the EU to rise temporarily, following mitigating measures however, numbers are expected to again decrease.

b) A few particularly vulnerable border regions of relevance for the current topic were identified; between Turkey and Greece, between the former Yugoslav Republic of Macedonia and Greece, between Croatia and Slovenia and between Hungary and Serbia (whereof the latter has recently evolved to become the second most affected land border of the EU). Countries at these land borders are faced with very high numbers of migrants.
c) Countries in the SEE region noted that asylum seekers leave during procedures in order to reach more preferred destinations. Furthermore, persons that are returned are often apprehended again, leading to situations whereby the same individual might appear in procedures several times. Problems were also reported with persons overstaying their legal right to stay.

d) It was acknowledged that the South East European countries are increasingly becoming countries of destination of migration flows. Considering the higher migration pressures from certain regions in Asia and Africa, this trend can be expected to continue in the future. The capacity of the South East European countries to receive and host asylum seekers and migrants must therefore be strengthened.

e) Most countries noted a challenge in relation to establishing the true identity of migrants and asylum seekers. There is a lack of expertise as well as of equipment to ensure sufficient identification. Some persons claim to have another nationality than they really have and increasingly genuine documents are fraudulently used by persons other than the authorised bearer. Furthermore, it is also common that persons hold genuine documents based on false information and falsified supporting (breeder) documents. Possible responses would be improved cooperation within the region and with countries of origin, strengthening the administrative capacity of the countries issuing such documents and the increased use of biometric identifiers.

f) The need for efficient and, when needed, accelerated asylum procedures was also mentioned.

g) Access to sufficient interpreters for relevant languages to carry out procedures, considering the new nationalities among asylum seekers, was also noted as a challenge. Suggestions were made to learn from experiences of the GDISC countries in the framework of the ‘interpreter’s pool’.

h) It was pointed out that in many cases criminal groups are exploiting migrants and that measures must be strengthened against such criminal organisations. Links to other types of organised crime should also be considered.

i) When dealing with mixed migration flows it is important to offer differentiated procedures in order to detect all persons with genuine protection needs.

j) There is furthermore a need to ensure special protection for vulnerable groups. For example for minors there must be adapted procedures and hosting facilities.

k) In addition, it is important to address the root causes of migration, improve in-country solutions and increase timely resettlement of persons in need. Furthermore, incentives in countries of origin to facilitate return should be enhanced.

10. After stock-taking regarding mixed migration flows in the South East European Region, the second day of the meeting concentrated on defining good practices and practical cooperation possibilities in break-out working sessions.

11. Working Table I on “Irregular migration and Return” was chaired by Serbia. Ukraine gave a presentation on irregular migration. The following practical cooperation opportunities were proposed by the participants:

a) Joint border activities between the countries of the South East Europe region, as well as with neighbouring regions should be increased. Based on already existing and successful practices joint border patrols should be organised. Also cross border police cooperation should be continued.
b) Cooperation on the elaboration and negotiation of readmission agreements with important countries of origin would be helpful.

c) Cooperation on the institution of efficient return procedures. Furthermore cooperation on projects giving return and reintegration assistance could also be considered.

d) The possibility to organising joint return flights from the region should be considered.

e) Systems for cooperation on early warning should be fully used to ensure better sharing of information on trends and profiles of migrants.

f) On the issue of establishing identities of migrants, the countries of South East Europe could work towards connecting data bases with biometric identifiers (in line with relevant regulations and standards on data protection).

g) The countries of the region could share expertise on document security and organise joint trainings with document specialists.

h) The South East European countries could strengthen cooperation between their embassies in relevant countries of origin and also assist each other using the existing embassy network in regions of relevance.

i) It should be considered if cooperation regarding the use of EU funds could be increased and better used (for example for capacity building projects).

j) Existing cooperation structures should also be fully used (Southeast European Law Enforcement Center (SELEC), Europol etc.).

k) An interpreter’s pool (based upon the good practices of GDISC) could be set up to help the countries of the region to share interpreters for carrying out procedures.

2. Working Table II on “Protection needs” was chaired by UNHCR. OSCE and the Red Cross Croatia gave presentations. All participants shared their good practices and priorities and the following practical cooperation opportunities were proposed:

a) The countries of the region and other stakeholders should increase cooperation to strengthen asylum systems in order to ensure that protection needs are met. Strengthened and sufficient asylum systems would encourage people to stay in the region instead of moving on to other countries. The UNHCR 10-point plan of action on refugee protection and mixed migration provides very useful guidance in this regard.

b) It would also be important to engage civil society and NGOs in asylum and protection cooperation. For example, NGOs can give important assistance in the asylum procedure to provide basic services.

c) It would be important to keep the citizen and residents in SEE informed about legal possibilities of migration and travel to the EU. Migration Information Centres in the South East European countries as well as employment offices in the ministries of labour should also be used for this purpose. The countries of the region could also consider joint information campaigns in countries of origin.

d) In the field of cooperation on security and border management also the aspect of treatment of third country nationals at the borders should be covered, taking into account existing projects and studies in this field (i.e. the project “Treatment of third
country nationals at EU's external borders” initiated and funded by the European Union Agency for Fundamental Rights (FRA).

e) The countries of the region should also increase cooperation on data collection, sharing of information as well as joint analysis of statistical information.

f) Gender equality of migration management is an important aspect of cooperation and it is important to realise the vulnerability and protection needs of this group. The importance of welcoming societies was underlined.

g) A holistic approach should be taken in migration management and cooperation between countries of origin, transit and destination including issues of importance to all partners. Examples of such cooperation are migration and mobility partnerships.

12. The following conclusions were made;

a) A comprehensive approach is needed to address the issue of mixed migration flows. The full range of legal, administrative and cooperation tools should be considered when discussing possible actions. Cooperation is necessary on national, regional and international levels with all countries along the relevant migration routes.

b) A regional approach is needed to deal with mixed migration flows in the South East European region. For this purpose it was requested that the Budapest Process Working Group on the South East Region should meet regularly and at the least annually.

c) Furthermore, considering the very practical nature of the work of this working group as well as for purposes of continuous coordination, a special mechanism - such as a smaller expert group to meet more regularly and operationally – under the umbrella of the Working Group, could be considered.

d) A consistent and comprehensive approach, coordinated with other important initiatives, is needed to deal with mixed migration flows. In the spirit of the proposal of the Danish EU Presidency, the Working Group will endeavor to use the cooperation action points presented above for finding possible solutions and answers needed in the next period for dealing with mixed migration flows in South East Europe. Identifying possible financial instruments is of crucial importance for concrete realisation of the mutual cooperation implementation process in this area. Options and possible solutions in this direction, for the way forward, will be explored and developed by the chair and shared with the participants by September 2012.

13. The Chair thanked all participating countries for their active participation and entrusted the Secretariat with the task of summarising discussions and conclusions as well as to circulate results. Participants thanked Croatia for the warm hospitality as host and chair of the meeting.