

Keynote Address by Ms. Laura Thompson, IOM Deputy Director General

Regional Conference on Refugee Protection and International Migration:

Mixed Movements and Irregular Migration in Central Asia

Almaty, 15th March 2011

Honorable Minister of Labour and Social Protection,

Distinguished Representatives of UNHCR, OSCE and UNRCCA,

Excellencies,

Ladies and Gentlemen,

Let me begin by thanking the Honorable Minister of Labour and Social Protection and the Government of Kazakhstan for the warm welcome extended to all of us. We appreciate the leadership of the Kazakh government in convening this conference, which addresses complex regional migration challenges and will promote strategies to cope with these challenges. IOM is honored to contribute to the organization of this meeting in cooperation with UNHCR and OSCE. It is a reminder of our close and fruitful cooperation across the region in the framework of the 1996 Geneva Conference and its Plan of Action that came to its conclusion in 2005.

I would like to welcome Ms. Erika Feller, UNHCR Assistant High Commissioner for Protection. Collaboration between UNHCR and IOM on this conference demonstrates the shared conviction of both organizations that the challenges presented by mixed movements are best tackled in partnership. I would also like to extend a warm welcome

- to the OSCE delegation, led by Mr. Goran Svilanovic, the Coordinator for Economic and Environmental Activities;
- to the UN Special Representative Mr. Miroslav Jenca, who heads the UN Regional Center for Preventive Diplomacy in Central Asia;
- and to the other partner agencies – IFRC, ICRC, UNICEF, UNDP, USAID, DFID.

Cooperation among governments is vital when addressing migration issues. It is a pleasure to welcome high level delegations from the countries of the region and beyond as well as from the Eurasian Economic Community.

The participation of non-government organizations is particularly welcome. Civil society engagement is an essential for a comprehensive response to mixed migration movements and I look forward to its vital contribution in our discussions.

Equally, I welcome the diplomatic community, with my thanks for its support to the Conference itself, - and with my hopes for an effective follow up on the outcomes of the Conference.

Ladies and gentlemen,

The notion that migration flows are “mixed” is not a new one. Migration occurs for diverse reasons and is one of the oldest adaptation strategies of humankind. Globalization prompted higher mobility. The search for personal or economic security leads people to migrate farther afield and take greater risks. As a result, economic or environmental migrants as well as refugees and asylum seekers use common routes and means, and often the same smuggling rings to reach their destinations. Mixed flows increasingly challenge policy makers and societies at national, regional and global levels.

Central Asia in particular has a long experience with mixed movements. Hundreds of thousands of migrants move from Afghanistan, Tajikistan, Kyrgyzstan, and Uzbekistan to Kazakhstan, the Russian Federation and beyond. Some are refugees and asylum-seekers. The majority are labor migrants in search of economic opportunities. Conflicts, unemployment, human rights abuses, poor governance, and extreme poverty: the lack of development in general – not to mention climate change and environmental degradation – are the typical push factors.

The majority of migrants in mixed flows do not fit any established specific legal protection category, such as that of a refugee or trafficked person. Not all migrants in a mixed group are vulnerable, but any such group is likely to include persons in need of protection and assistance, such as victims of violence and abuse at home and en route who require special attention. It is also important to note, however, that all migrants are entitled to protection of their human rights, regardless of their legal status in the country of residence.

Equally legitimate, in an era where the threats of terrorism and extremism are real, are government concerns to minimize security risks that come with population movements. However, the overwhelming majority of migrants in mixed movements have no ill intentions and pose no security risk. Borders closures, arbitrary detention and mass expulsions do not stop migration: more often, they push migrants underground and into the hands of smugglers and traffickers.

Mixed migration calls for differentiated responses. IOM’s 12- point Strategy offers an operational framework that provides relevant solutions. Its premise calls for a comprehensive approach across all relevant sectors, including economy, labour market, human rights, social participation and cohesion, security, health, etc. It also recognizes that migration governance remains largely within the sovereign realm of States, except where international instruments, such as the Refugee Convention or relevant ILO Conventions, dictate otherwise. Outside their ambit, the essential tools to manage migration across borders are dialogue, partnership and exchange of good practice.

Since 1992, a variety of issues have been addressed. With a view towards development, IOM works with labor migrants, who constitute by far the largest segment of migration flows in Central Asia. Major programme components are inter-state dialogue, harmonization of policies between sending and receiving countries; recognition by governments and societies of the contributions of labor migrants; enhanced use of remittance; and direct assistance through Migration Support Centers.

Mixed flows carry also victims of human trafficking. IOM was the first organization to raise the trafficking issue in Central Asia and direct the attention of governments to the illegal export of

their citizens abroad. Numerous projects continue to aim at the prevention of trafficking and better regional co-operation; at strengthening capacities of partners in governments and civil society; at a better public understanding of migration and exploitation. IOM also works directly to protect, rehabilitate and re-integrate trafficking victims.

Refugees and asylum seekers represent a significant segment of mixed migration flows in the region. UNHCR has already talked about that aspect.

Five cross-cutting themes are essential programming ingredients:

- Migration governance with special attention to corruption;
- Protection of migrant rights, both within and outside the work place;
- Cooperation with civil society partners to implement projects;
- Special attention to women, who are particularly vulnerable throughout the migration process;
- And finally migration health issues.

At the pre-migration stage, it is essential to generate awareness of the rights and obligations of both migrants and states in order to manage expectations. Many migrants are unaware of the practical, legal, social and economic consequences of moving to another country. Intending migrants need to have complete and accurate information about legal migration options as well as the hazards and consequences of irregular migration, in particular the risk of trafficking for sexual and labor exploitation. In Central Asia for example, Migrant Resource Centres, operated jointly by IOM and local governments, and targeted information campaigns have been used to increase awareness among communities of migrants or potential migrants.

At the receiving end, law enforcement and service providers need to be able to cope with any sudden or sizeable inflows in terms of humanitarian assistance and status determination. With the most acute welfare needs addressed, screening should be conducted claims for refugee status and for indicators of trafficking. Especially asylum seekers, trafficking victims, minors and those with medical conditions may be distressed or traumatized by their experiences. Respect for their human rights, dignity and well-being should be a central concern. Equally, “stranded migrants” without regular status in transit or destination countries require not only humanitarian assistance, but inter-state cooperation, not least to avoid situations in which they are pushed back and forth between countries.

Post-arrival, a range of issues requires close attention. UNHCR has already emphasized the need for access to sound asylum systems. Protection of the general human rights of migrants and their labour rights, and access to legal redress for violations another area that needs strengthening. Likewise, unaccompanied minors and trafficking victims have specific rights and needs. With mixed flows, a case-by-case approach is essential to identify the most appropriate procedures and solutions. While their status is being processed, migrants should have access to health care, education and other social services. Good practice models also include specialized consular assistance for affected migrants.

Public perception and the treatment of migrants and refugees in the media plays a crucial role for their temporary or long term integration into society. Protection obligations, labour market needs and humanitarian concerns tend to get overshadowed by security concerns, xenophobia and social exclusion.

Refugees benefit from a special protection regime. For other migrants with an irregular status, regularization and access to the labour market can be an effective if controversial integration method. Regularization is usually considered a pull factor for more migrants. The power of pull, however, pales against the overriding push of poverty and unemployment. Regularization is also a reality check.

States and societies have a legal and moral obligation to accept refugees and asylum seekers. They may have no obligation, but nevertheless an interest in the right treatment of the other segment of mixed flows, namely the labour migrants.

In conclusion, let me summarize:

Managing mixed flows means balancing refugee protection obligations with migration management objectives. It will facilitate orderly and humane migration in order to meet the needs of individual countries, regional economies and mobile populations. It aims at reducing forced and irregular migration. But above all, it seeks to restore the element of choice to individuals and governments.

The emergency dimension of mixed flows calls for nuanced responses to varying protection and humanitarian needs. In addressing the broader scope of mixed flows, there are opportunities for wider policy and programme options to reduce human suffering and harness the benefits of migration.

Mixed flows challenge a range of national stakeholders. No single ministry, international or non-governmental organization can face that challenge alone. Core human rights are at stake and labour market, social, development, health or environmental issues need to be considered. National coordination and regional cooperation are of the essence. Most mixed flows take place at the regional level and the benefits of continuous inter-state cooperation can not be emphasized enough. It includes political and technical cooperation, information exchanges, systematic data management, and above all the sharing of responsibilities, burdens and benefits.

IOM's 12-Point Strategy and UNHCR's 10-Point Plan offer a solid and comprehensive framework, a compass for charting a common path.

Ladies and gentlemen,

Like UNHCR, IOM celebrates its 60th anniversary this year. Both organizations are children of the Second World War and have gone pretty much their own ways for some time. Globalization and mobility, forced or unforced, are bringing them again into closer partnership to assist migrants and refugees, to serve societies and governments, to promote rights and responsibilities,

and to make the most and the best of humankind's oldest adaptation strategy, which is migration. OSCE has joined the partnership in this region at the occasion of the 1996 Geneva Conference and has strengthened it ever since with its overarching focus on cooperation and stability.

I am certain that this Regional Conference on Refugee Protection and International Migration will promote strong cooperation towards sharing burdens and benefits and wish you success for your deliberations.

Thank you for your attention.