



IOM International Organization for Migration
OIM Organisation Internationale pour les Migrations
OIM Organización Internacional para las Migraciones



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

SUMMARY REPORT

Caribbean Regional Conference on the Protection of Vulnerable Persons in Mixed Migration Flows

Promoting Cooperation and Identification of Good Practices

**Nassau, The Commonwealth of The Bahamas
22-23 May 2013**



Photo 1 - Conference Group 22 May, 2013

Background

On 22 and 23 May 2013, the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR) convened the **Caribbean Regional Conference on the Protection of Vulnerable Persons in Mixed Migration Flows - Promoting Cooperation and Identification of Good Practices**, at the British Colonial Hilton in Nassau, The Commonwealth of The Bahamas.

The meeting brought together 98 representatives from Governments and civil society of the following countries and territories: Anguilla, Antigua and Barbuda, Aruba, The Bahamas, Barbados, Belize, the British Virgin Islands, the Cayman Islands, Cuba, Curaçao, Dominica, the Dominican Republic, Grenada,

Guyana, Haiti, Jamaica, Montserrat, St. Maarten, St. Kitts and Nevis, St. Lucia, St. Vincent and Grenadines, Suriname, Trinidad and Tobago, and the Turks and Caicos Islands. International and regional organizations, including the International Maritime Organization (IMO), the Organization of American States (OAS), the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Red Crescent Societies (IFRC), the World Health Organization (WHO), and the International Detention Coalition (IDC), also attended. The Conference was graciously hosted by the Government of the Commonwealth of The Bahamas, with generous financial support from the United States Department of State's Bureau of Population, Refugees, and Migration (PRM).

The Conference was aimed at: (1) fostering regional cooperation, inter-State dialogue and partnership and promoting a protection-sensitive and solution-oriented approach to mixed migration management in the region; (2) examining the challenges in the region and assisting States in addressing the protection needs of those traveling within mixed migration flows in a comprehensive manner, including asylum-seekers, refugees, migrants and other vulnerable categories; and (3) identifying and sharing good practices and experiences in managing mixed migration flows in the Caribbean.

The Conference focused on a range of mixed migration themes namely: (1) data collection and analysis of migration profiles; (2) protection-sensitive entry systems; rescue at sea operations, interception and disembarkation; (3) identification and protection of vulnerable persons within mixed migration flows, including victims of trafficking and unaccompanied minors; (4) international and regional cooperation mechanisms; and (5) access to solutions for refugees and other vulnerable groups, including assisted voluntary return and reintegration.

The Conference methodology included presentations by experts from international agencies and selected Governments, panel discussions and plenary sessions for each of the themes. Each session was led by a facilitator. IOM and UNHCR developed guidelines outlines to assist the facilitators and to guide the plenary discussions.

This report contains a summary of the key discussions and conclusions of the Conference. It is structured along the lines of the agenda topics. The Conference conclusions and the list of participants are annexed to this report.

Opening Ceremony

Prior to the opening ceremony, the Royal Bahamas Police Force Band played a number of instrumental songs. The Government of the Commonwealth of The Bahamas provided a Master of Ceremonies for the opening ceremony. Welcoming remarks were provided by IOM's Regional Director for North and Central America and the Caribbean, the US Embassy's Chargé d'Affaires, and UNHCR's Regional Representative for the US and the Caribbean. The Deputy Prime Minister and Acting Minister of the Ministry of Foreign Affairs and Immigration of the Commonwealth of the Bahamas provided the Keynote Address. Recurring topics that were featured in the remarks referenced the challenge of managing migration issues and the effective protection of persons in mixed flows in the region, the importance of identifying and addressing the needs of vulnerable persons, including those who are asylum-seekers, refugees, trafficked persons, unaccompanied minors and other vulnerable migrants, and the significance of regional and bilateral collaboration. A group photo was taken after the opening ceremony.

Overview - Strengthening cooperation and responses to mixed migratory flows in the Caribbean

In the first session, UNHCR and IOM gave their organizational perspectives on current practices in strengthening cooperation and responses to mixed migration flows. The presentations highlighted some of the current migration trends, modes and data. It was also recognized that cooperation is a means to

overcome challenges in addressing mixed migration flows. UNHCR recommended that effective protection safeguards be integrated in multilateral and bilateral agreements, that training and capacity building incorporate international refugee legal standards, that national good practices be replicated at the regional level, and suggested a number of initiatives that could foster regional cooperation. IOM suggested that countries should, in their approaches, manage the entire migration lifecycle, develop regional guidelines for protection, and build capacity comprehensively. In the ensuing plenary session, participants were keen to learn more about how to strengthen regional organizations and mechanisms to improve refugee protection and mixed migration management in the Caribbean. In this regard, the establishment of a regional consultative process for the Caribbean was mentioned for consideration.

Natural disasters and mobility

The second session focused on “natural disasters and mobility” and how data is collected, analyzed, and shared when there is a natural disaster (hurricane, flood, earthquake, volcano eruption) that prompts mobility (internal and external displacement, relocation, and/or migration) and in the context of mixed migration flows and arrivals. IFRC, IOM, and the Government of Haiti presented on this topic. The IFRC’s Disaster Management Information System (DMIS) and IOM’s Displacement Tracking Matrix (which collects data through field teams, call centres, drones, and Blackberry entry) offered two “good practice” examples for data collection and analysis. The presentation given by Haiti outlined some of the challenges faced when responding to natural disasters and shared good national practices, such as the establishment of the national committee for risk and disaster management (SNGRD).

The following points were emphasized during plenary discussion: data collection is a critical component for improving community resilience and government responses, the need to incorporate disaster risk management in all levels of public planning, including steps for regional and international cooperation, the importance of starting with the most basic data collection (how many, where and who) at the earliest stage possible, the need to incorporate protection safeguards, and the need to define roles and responsibilities for data collection and analysis. Participants were particularly interested in the use and cost of the small drones for data collection on emergencies and natural disasters and the role of the Caribbean Disaster Emergency Management Agency (CDEMA).

Protection-sensitive entry systems and access to territory

The topic of the third session was “protection-sensitive entry systems and access to territory for asylum-seekers, refugees, migrants, and other persons with specific needs.” UNHCR, the International Detention Coalition (IDC), and the Government of Belize were the panel presenters. UNHCR provided an overview of protection sensitive borders and entry-systems, the relevant legal obligations for the protection of refugees, asylum-seekers and other persons, and the main elements of UNHCR’s *10 Point Plan of Action on Refugee Protection and Mixed Migration*. The IDC elaborated on the international legal obligations for immigration detention and its exceptional nature, alternatives to detention, and shared current good practices. The Government of Belize explained its national context and current challenges, its institutional mechanisms, such the established A-TIPS Committee, and the existing legal and operational frameworks for specific categories of vulnerable persons involved in mixed migration, including refugees and trafficked persons.

This panel session emphasized the need for identification and referral mechanisms and differentiated procedures and processes for persons arriving as part of mixed migratory flows (e.g. asylum-seekers and refugees, trafficked persons, unaccompanied or separated children), enacting appropriate legislative frameworks for refugees and vulnerable migrants, as well as for the criminalization and prosecution of traffickers and smugglers, and stressed that vulnerable persons should not be in detention unless there are exceptional circumstances. Comments in the plenary discussion focused on the need for research in

transit countries on the causes, dynamics and patterns of migration flows in the Caribbean, to explore how alternatives to detention could be implemented in the region, and the need to enhance capacity building and training for all actors, at both regional and national level, specifically law enforcement officials who would most likely encounter vulnerable persons at points of entry.

Rescue at sea operations, interception and disembarkation

The second day began with a panel session on “rescue at sea operations, interception and disembarkation: screening, identification and referral mechanisms for mixed arrivals in the region.” The presentations by the IMO, the Government of The Commonwealth of The Bahamas, UNHCR, and the Government of Turks and Caicos Islands explored the current challenges, experiences, and the existing legal, operational and cooperative frameworks for screening, identification, and referral mechanisms of mixed maritime arrivals. IMO’s presentation highlighted relevant international legal instruments, their background (rescue at sea situations), and their signatory status in the region, as well as activities undertaken by IMO and its *Model Memorandum of Understanding* for cooperation. The presentation by The Bahamas featured the national context, including its challenges, experiences and cooperation with the U.S. and Turks and Caicos Islands on interception and disembarkation, and its current screening and referral procedures for mixed maritime arrivals, including asylum-seekers and refugees.

UNHCR outlined existing policy and operational challenges regarding irregular maritime movements, the international legal regime governing rescue at sea and interception, and a number of tools that have been developed to respond in a collaborative manner to the international protection needs of those travelling within irregular sea movements. In particular, UNHCR introduced the *Model Framework for Cooperation following Rescue at Sea Operations involving Asylum-seekers and Refugees* for further consideration as a practical management tool that could be customized to the realities in the Caribbean. The final presentation for this panel was by the Government of the Turks and Caicos Islands (TCI). TCI outlined its current challenges, practices and responses to address maritime arrivals, its current operational tools and procedures, and its bilateral and regional partnerships within the region for prevention, interception, disembarkation and screening. Bilateral and regional partnership was TCI’s key message because rescue at sea operations are complicated and there are limited human and financial resources.

Comments in the plenary session centered on border management tools (joint operations, radar, etc.), the protection issues of vulnerable persons in mixed maritime flows, information sharing, the need to articulate clear roles and responsibilities, strengthening capacity, training and resource mobilization.

Protection of victims of trafficking and other vulnerable groups within mixed migration flows

The “protection of victims of trafficking and other vulnerable groups within mixed migration flows” was topic of the second session, with presentations by IOM, UNHCR, and the Government of Jamaica. IOM defined key terms (e.g. victim of trafficking, unaccompanied minor) and explained how screening helps to determine the different categories of vulnerable persons and their immediate needs. In its presentation, UNHCR elaborated on the intersection between international refugee protection and human trafficking, UNHCR’s involvement in the topic, the criteria under which trafficked persons qualify for refugee status, and the ways in which UNHCR can assist. The presentation by the Government of Jamaica provided examples of how a country can address the various categories of vulnerable persons involved in mixed migration flows. In particular, the Government of Jamaica provided an overview of its legal framework, as well as its current policy, procedures, and institutional mechanisms, such the Inter-Ministerial Working Group and the National Task Force against Trafficking in Persons Sub-Committee, and its efforts to increase public awareness. Questions and answers in the plenary session were focused on children’s issues.

Solutions for refugees and other vulnerable groups, including assisted voluntary return and reintegration

The last panel session for the Conference was dedicated to “Solutions for refugees and other vulnerable groups, including assisted voluntary return and reintegration.” The Government of the Dominican Republic, UNHCR, and IOM presented. The presentation by the Government of the Dominican Republic described the national context, highlighting how it responds to vulnerable migrants in the Dominican Republic, including assisted voluntary returns programs, and to Dominicans who have become vulnerable when abroad. The presentation by UNHCR focused on the durable solutions for refugees (i.e. voluntary return, local integration or resettlement) in the context of mixed migration and UNHCR’s role in this regard. Options for non-refugees who are vulnerable migrants (such as victims of trafficking, stranded migrants) were featured in IOM’s presentation. An IOM video that focused on one aspect – reintegration in the home country – was watched.

Conclusions

In concluding the conference, the participants had an opportunity to discuss and review some of the key topics that were featured in the presentations and plenary sessions. In a plenary session that was facilitated by IFRC, the participants revised the text describing the key topics presented and agreed to take action in helping to achieve next steps. The Conference participants underscored the need to enhance regional cooperation and partnership to improve the management of mixed migration flows, recognizing the unique and diverse character of the Caribbean, and identified possible next steps in relation to the following three key topics: (1) enhancing regional cooperation and partnership; (2) enhancing national and regional capacities; and (3) identifying solutions. The Conference conclusions are annexed to this report as Annex 1. Also attached, as Annex 2, is the draft text that was presented to the participants for discussion and feedback during the concluding plenary session. Annex 3 contains the list of participants and contact information.

For the closing ceremony, remarks were given by the Government of the Commonwealth of The Bahamas, UNHCR, and IOM. The conference ended with the participants completing an evaluation. Fifty-two participants completed and returned the evaluation. Most of the participants rated the conference overall between ‘good,’ ‘very good,’ and ‘excellent.’ Some participants remarked that it would have been better to have more discussion time during the conference. Many participants thought that legislation, policy, or procedures to screen for vulnerable persons in mixed migration flows were the next important steps that their country should pursue. Cooperation with other stakeholders and briefing stakeholders about the conference and the tools that were featured in the presentations were some frequently referenced practices and initiatives that participants said they intended to implement in their own work.

Annex 1

Caribbean Regional Conference on the Protection of Vulnerable Persons in Mixed Migration Flows
Promoting Cooperation and Identification of Good Practices
Nassau, The Commonwealth of The Bahamas - 22-23 May 2013

CONFERENCE CONCLUSIONS

Conference participants, recognizing the unique and diverse character of the Caribbean, underscored the need to enhance regional cooperation and partnership in order to respect international and regional protection standards and to improve the management of mixed migration flows in the Caribbean

KEY TOPICS	POSSIBLE NEXT STEPS
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Enhancing Regional Cooperation

<p>Delegates agreed to recommend that consideration be given to working together to establish a regional consultative process; and highlighted the need for such tools as:</p>	<ul style="list-style-type: none"> • Guidelines for the efficient treatment and protection of refugees and vulnerable migrants within mixed flows • Data collection and analysis that are in line with international legal standards and instruments applicable to refugees and vulnerable migrants • <i>A Model Framework for Co-operation following Rescue at Sea Operations involving Refugees and Asylum-seekers</i>, taking into account the regional specificities, to clarify roles and responsibilities related to rescue-at-sea and disembarkation • Differentiated procedures for refugees, asylum-seekers and vulnerable migrants, including victims of trafficking and unaccompanied children
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Enhancing National and Regional Capacities

<p>Delegates agreed to recommend that consideration be given to enhancing national and regional capacities to effectively manage mixed migration flows, through action such as:</p>	<ul style="list-style-type: none"> • Training and capacity building programs and curricula • Legislative frameworks to: <ul style="list-style-type: none"> ○ Protect refugees, asylum-seekers and vulnerable migrants; and ○ Criminalize and prosecute traffickers and smugglers. • Identification and referral mechanisms at entry points for the different categories of persons in mixed migration • Sharing best practices • Mobilization of adequate resources
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Identifying Solutions

<p>Delegates agreed to recommend that consideration be given to exploring mechanisms to more effectively identify solutions for refugees and vulnerable migrants within mixed flows, such as:</p>	<ul style="list-style-type: none"> • Protection safeguards in multilateral and bilateral agreements • Recognizing that refugees and other vulnerable persons should be informed of their rights and responsibilities in relation to all solutions • Better public awareness of the realities of mixed migration flows
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Annex 2

This chart reflects the key topics and possible next steps that were presented to the participants for discussion and feedback during the Conference's concluding plenary

CONFERENCE CONCLUSIONS	
<i>Conference participants, recognizing the unique and diverse character of the Caribbean, underscored the need to enhance regional cooperation and partnership in order to respect international and regional protection standards and to improve the management of mixed migration flows in the Caribbean</i>	
KEY TOPICS	POSSIBLE NEXT STEPS
Enhancing Regional Cooperation	
Delegates agreed to recommend to States to consider working together to establish a regional consultative process and highlighted the need for such tools as:	<ul style="list-style-type: none"> • Guidelines for the efficient treatment and protection of refugees and vulnerable migrants within mixed flows • Data collection and analysis that are in line with international legal standards and instruments applicable to refugees and vulnerable migrants • <i>A Model Framework for Co-operation following Rescue at Sea Operations involving Refugees and Asylum-seekers</i>, taking into account the regional specificities, to clarify roles and responsibilities related to rescue-at-sea and disembarkation • Differentiated procedures for refugees, asylum-seekers and vulnerable migrants, including victims of trafficking and unaccompanied children
Enhancing National and Regional Capacities	
Delegates agreed to recommend to States to consider enhancing national and regional capacities to effectively manage mixed migration flows, through action such as:	<ul style="list-style-type: none"> • Training and capacity building programs and curricula • Legislative frameworks to: <ul style="list-style-type: none"> ○ Protect refugees, asylum-seekers and vulnerable migrants; and ○ Criminalize and prosecute traffickers and smugglers • Identification and referral mechanisms at entry points for the different categories of persons in mixed migration • Sharing best practices • Mobilization of adequate resources
Identifying Solutions	
Delegates agreed to recommend to States to consider exploring how to more effectively identify solutions for refugees and vulnerable migrants within mixed flows, such as:	<ul style="list-style-type: none"> • Protection safeguards in multilateral and bilateral agreements • Recognizing that refugees and other vulnerable persons should be informed of their rights and responsibilities in relation to all solutions • Better public awareness of the realities of mixed migration flows

Annex 3

Caribbean Regional Conference on the Protection of Vulnerable Persons in Mixed Migration Flows

Promoting Cooperation and Identification of Good Practices

Nassau, The Commonwealth of The Bahamas - 22-23 May 2013

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