



SELECTED BACKGROUND DOCUMENTS

CARIBBEAN REGIONAL CONFERENCE ON THE PROTECTION OF VULNERABLE PERSONS IN MIXED MIGRATION FLOWS

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NASSAU, THE BAHAMAS

International Legal Instruments

- United Nations General Assembly, *Convention Relating to the Status of Refugees*, 28 July 1951, and available at: http://treaties.un.org/pages/ViewDetailsII.aspx?src=TREATY&mtdsg_no=V-2&chapter=5&Temp=mtdsg2&lang=en
- United Nations General Assembly, *Protocol Relating to the Status of Refugees*, 31 January 1967, available at: http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=V-5&chapter=5&lang=en
- United Nations General Assembly, *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, 26 June 1987, available at: http://treaties.un.org/Pages/ViewDetails.aspx?mtdsg_no=IV-9&chapter=4&lang=en
- United Nations General Assembly, *Convention on the Rights of the Child*, *United Nations*, 2 September 1990, available at: http://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=iv-11&chapter=4&lang=en
- United Nations General Assembly, *International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families*, 1 July 2003, available at: http://treaties.un.org/Pages/ViewDetails.aspx?mtdsg_no=IV-13&chapter=4&lang=en
- United Nations General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 15 November 2000, available at: <http://www.unhcr.org/refworld/docid/4720706c0.html>



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- **United Nations General Assembly, *UN Protocol against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention against Transnational Organized Crime*, 2000, available at:**
http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_smug_eng.pdf
- **UNHCR and International Maritime Organization, *Rescue at Sea: A guide to principles and practices as applied to migrants and refugees*, available at:**
<http://www.unhcr.org/450037d34.html>
- **United Nations General Assembly, *Universal Declaration of Human Rights* , adopted 10 December 1948 available at:**
<http://www.ohchr.org/en/udhr/pages/introduction.aspx>
- **United Nations General Assembly, *International Convention on the Elimination of All Forms of Racial Discrimination*, 4 January 1969, available at:** <http://www.ohchr.org/Documents/ProfessionalInterest/cerd.pdf>
- **United Nations General Assembly, *International Covenant on Civil and Political* 23 March 1976, available at:**
<http://www.ohchr.org/Documents/ProfessionalInterest/ccpr.pdf>
- **United Nations General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 3 January 1976, available at:**
http://treaties.un.org/Pages/ViewDetails.aspx?mtdsg_no=IV-3&chapter=4&lang=en
- **International Labour Organization, *Convention Concerning Decent Work for Domestic Workers*, 16 June 2011, available at:**
http://www.ilo.org/brussels/WCMS_157836/lang--en/index.htm
- **United Nations Office of the High Commissioner for Human Rights (OHCHR), *CCPR General Comment No. 15: The Position of Aliens Under the Covenant*, 11 April 1986, available at:**
<http://www.unhcr.ch/tbs/doc.nsf/0/bc561aa81bc5d86ec12563ed004aaa1b>
- **OHCHR, *CRC General Comment No. 6 (2005): Treatment of Unaccompanied and Separated Children Outside their Country of Origin* , 3 June 2005, available at:**
<http://www.unhcr.ch/tbs/doc.nsf/%28symbol%29/CRC.GC.2005.6.En?OpenDocument>



United Nations High Commissioner for Refugees (UNHCR) 10-Point Plan on Mixed Migration and Refugee Protection

- UNHCR, *Refugee Protection and Mixed Migration: The 10-Point Plan in action*, February 2011, available at: <http://www.unhcr.org/refworld/docid/4d9430ea2.html>
- UNHCR, *Regional Conferences on Refugee Protection and International Migration in Central America, Western Africa, Eastern Africa and Asia - Selected Conference Materials*, June 2011, available at: <http://www.unhcr.org/4f323cf19.html>
- UNHCR, *High Commissioner's Dialogue on Protection Challenges - Protection Gaps and Responses*, 2010, available at: <http://www.unhcr.org/4d0732389.html>
- UNHCR, *Refugee Protection and Mixed Migration: A 10-Point Plan of Action*, Rev.1, 17 January 2007, available at: <http://www.unhcr.org/refworld/docid/45b0c09b2.html>

Mixed Migration and Protection of Vulnerable Persons

1. Identifying and providing international protection

- UNHCR, *High Commissioner's Dialogue on Protection Challenges - Discussion Paper: Refugee Protection and Durable Solutions in the Context of International Migration*, 2007, available at: <http://www.unhcr.org/4742a6b72.html>
- UNHCR, *Protecting Trafficked Persons in the Americas: A Refugee Law Perspective*, May 2010, available at: <http://www.unhcr.org/refworld/docid/4bf0f11e2.html>
- UNHCR, *Asylum Processes (Fair and Efficient Asylum Procedures), Global Consultations on International Protection*, 31 May 2001, available at: <http://www.unhcr.org/refworld/docid/3b36f2fca.html>
- UNHCR, *Reception of Asylum-Seekers, Including Standards of Treatment, in the Context of Individual Asylum Systems*, 4 September 2001", available at: <http://www.unhcr.org/refworld/docid/3bfa81864.html>
- UNHCR, *Guidelines on International Protection No. 7: The Application of Article 1 A(2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees to Victims of Trafficking and Persons At Risk of Being Trafficked*, 7 April 2006, available at: <http://www.unhcr.org/refworld/docid/443679fa4.html>



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- **UNHCR, *Guidelines on International Protection No. 8: Child Asylum Claims under Articles 1(A)2 and 1(F) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees*, 22 December 2009, available at:** <http://www.unhcr.org/refworld/docid/4b2f4f6d2.html>
- **UNHCR, *Procedural Standards for Refugee Status Determination Under UNHCR's Mandate*, 20 November 2003, available at:** <http://www.unhcr.org/refworld/docid/42d66dd84.html>
- **UNHCR, *Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees*, December 2011, available at:** <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=4f33c8d92>

2. **Migration Management**

- **UNHCR and IOM, UN High Commissioner for Refugees, *Protecting Refugees and Other Persons on the Move in the ECOWAS Space*, January 2011, available at:** <http://www.unhcr.org/refworld/docid/4e54961d2.html>
- **IOM, *International Dialogue on Migration Challenges of Irregular Migration: Addressing Mixed Migration Flows Discussion Note*, 7 November 2008, available at** http://www.iom.int/jahia/webdav/shared/shared/mainsite/about_iom/en/council/96/MC_INF_294.pdf
- **IOM, *Irregular Migration and Mixed Flows: IOM's Approach*, 19 October 2009, available at:** <http://www.iom.int/jahia/webdav/shared/shared/mainsite/microsites/IDM/workshops/human-rights-migration-november-2009/MC-INF-297-Irregular-Migration-and-Mixed-Flows.pdf>
- **IOM, *Border Management and the Role of IOM*, 2009, available at:** <http://www.unhcr.org/4bf64ca39.html>
- **IOM, *International Migration Law and Policies in the Mediterranean Context*, 2009, available at:** http://publications.iom.int/bookstore/index.php?main_page=product_info&cPath=1&products_id=505
- **IOM, *Protecting Refugees and Other Persons on the Move in the ECOWAS Sphere*, 2011, available at:** http://publications.iom.int/bookstore/index.php?main_page=product_info&cPath=1&products_id=722
- **IFRC, *International Federation of Red Cross and Red Crescent Societies (IFRC) Policy on Migration*, 2009, available at:** http://www.ifrc.org/PageFiles/89395/Migration%20Policy_EN.pdf



- UNHCR and IOM, *Global Consultations on International Protection/Third Track: Refugee Protection and Migration Control: Perspectives from UNHCR and IOM*, 31 May 2001, <http://www.unhcr.org/refworld/docid/3b3701b813.html>

3. *Maritime Protection*

- UNHCR, *Advisory Opinion on the Extraterritorial Application of Non-Refoulement Obligations under the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol*, 26 January 2007, available at: <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=45f17a1a4>
- UNHCR, *Rescue at Sea, Stowaways and Maritime Interception: Selected Reference Materials*, December 2011, available at: <http://www.unhcr.org/refworld/docid/4ee087492.html>
- UNHCR, *UNHCR: Refugees and Asylum-Seekers in Distress at Sea - how best to respond? Expert Meeting, Djibouti, 8 - 10 November 2011, Summary Conclusions*, 5 December 2011; and *Annex I- Model Framework for Cooperation following Rescue at Sea Operations involving Refugees and Asylum-Seekers (Model Framework)*, 5 December 2011, available at: <http://www.unhcr.org/refworld/docid/4ede0d392.html>
- UNHCR, *UNHCR: Refugees and Asylum-Seekers in Distress at Sea - how best to respond?, Expert Meeting, Djibouti, 8 - 10 November 2011, Background Paper*, October 2011, available at: <http://www.unhcr.org/refworld/docid/4ec211762.html>
- UNHCR and IMO, *Rescue at Sea - A Guide to Principles and Practice as Applied to Migrants and Refugees*, September 2006, available at: <http://www.unhcr.org/refworld/docid/45b8d1e54.html>

4. *Human Trafficking*

- UNHCR and IOM, *Developing Standards Operating Procedures to Facilitate the Protection of Trafficked Persons*, December 2009, available at: <http://swigea56.hcrnet.ch/refworld/docid/4b5876442.html>
- UNHCR, *Refugee Protection and Human Trafficking. Selected Legal Reference Materials*, December 2008, available at: <http://www.unhcr.org/refworld/docid/498705862.html>
- UNHCR, *Human Trafficking and Refugee Protection: UNHCR's Perspective*, September 2009, available at: <http://www.unhcr.org/refworld/docid/4ae17da12.html>
- IOM, *The IOM Handbook on Direct Assistance for Victims of Trafficking*, 2007, available at:



http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/main/site/published_docs/books/CT%20handbook.pdf

- IOM, *Caring for Trafficked Persons: Guidance for Health Providers*, 2009, available at:
http://publications.iom.int/bookstore/index.php?main_page=product_info&products_id=510&zenid=80a760746ebc2c9162454dd05f528d82
- IOM, *Exploratory Assessment on Trafficking in Persons in the Caribbean Region*, 2010, available at:
http://publications.iom.int/bookstore/index.php?main_page=product_info&cPath=1&products_id=704
- IOM, *Caribbean Counter-Trafficking Model Legislation and Explanatory Guidelines*, 2008, available at:
http://publications.iom.int/bookstore/index.php?main_page=product_info&cPath=47&products_id=310
- UNODC, *Model Law against Trafficking in Persons*, 2009, available at:
http://www.unodc.org/documents/human-trafficking/UNODC_Model_Law_on_Trafficking_in_Persons.pdf
- OHCHR, *Recommended Principles and Guidelines on Human Rights and Human Trafficking*, Commentary, 2010, available at:
http://www.ohchr.org/Documents/Publications/Commentary_Human_Trafficking_en.pdf

5. Women

- UNHCR, *Handbook for the Protection of Women and Girls*, January 2008, available at: <http://www.unhcr.org/refworld/docid/47cfc2962.html>
- UNHCR, *Sexual and Gender-Based Violence Against Refugees, Returnees and Internally Displaced Persons. Guidelines for Prevention and Response*, May 2003, available at:
<http://www.unhcr.org/refworld/docid/3edcd0661.html>

6. Children

- IOM, *Unaccompanied Children on the Move*, 2011, available at:
http://publications.iom.int/bookstore/index.php?main_page=product_info&cPath=41_7&products_id=764
- IOM, *Children on the Move*, 2013, available at:
http://publications.iom.int/bookstore/index.php?main_page=product_info&cPath=41_7&products_id=936

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- IOM, *A Framework and Recommendations for Action on Children Affected by Migration*, 2010, available at: http://publications.iom.int/bookstore/index.php?main_page=product_info&cPath=1&products_id=607
- UNHCR, *A Framework for the Protection of Children*, 26 June 2012, available at: <http://www.unhcr.org/50f6cf0b9.pdf>
- UNHCR, *Field Handbook for the Implementation of UNHCR BID Guidelines*, August 2011, available at: <http://www.unhcr.org/refworld/docid/4e4a57d02.html>
- UNHCR, *The Heightened Risk Identification Tool and User's Guide*, June 2010, available at: <http://www.unhcr.org/refworld/docid/4c46c6860.html>
- UNHCR, *Guidelines on Determining the Best Interests of the Child*, 2008, available at: <http://www.unhcr.org/refworld/docid/48480c342.html>
- UNICEF, *Migration and Children*, 2006, available at: <http://www.unhcr.org/4bf6881b9.html>
- OHCHR Committee on the Rights of the Child, *Observation General No. 6, Treatment of Unaccompanied and Separated Children Outside their Country of Origin*, 2005, available at: <http://www.unhcr.org/4bf6881b9.html>

7. International Cooperation and Regional Approaches

- UNHCR, *UNHCR: International Cooperation to Share Burdens and Responsibilities, Expert Meeting, Amman, Jordan, 27-28 June 2011, Summary Conclusions*, June 2011, available at: <http://www.unhcr.org/refworld/docid/4e9fed232.html>
- UNHCR, *International Cooperation to Share Burden and Responsibilities, Expert Meeting, Amman, Jordan, 27-28 June 2011, Discussion Paper*, June 2011, available at: <http://www.unhcr.org/refworld/docid/4e533bc02.html>
- UNHCR, *Regional Cooperative Approach to Address Refugees, Asylum Seekers and Irregular Movement*, November 2011, available at: <http://www.unhcr.org/refworld/docid/4e92d7c32.html>

8. Detention

- UNHCR, *Detention Guidelines: Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention*, 2012, available at: <http://www.unhcr.org/505b10ee9.html>



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9. *Solutions in the Context of Mixed Migration*

- UNHCR, *Resettlement Handbook*, July 2011, available at: <http://www.unhcr.org/refworld/docid/4e786d392.html>
- UNHCR, *Baseline Standard Operating Procedures on Resettlement*, 1 January 2008, available at: <http://swigea56.hcrnet.ch/refworld/docid/48b6997d2.html>
- UNHCR, *2012-2016 Education Summary*, January 2012, available at: <http://www.unhcr.org/4af7e71d9.html>
- UNHCR and ILO, *Labour Mobility for Refugees: Workshop in Geneva, 11 - 12 September 2012 - Summary Conclusions*, 25 October 2012, available at: <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=508e4fa72>

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