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Conclusions

International Conference

“One Year of Migration Strategy in Georgia: Progress and Way Forward”

30 April 2014, Tbilisi

On 30 April, 2014, an International Conference “One Year of Migration Strategy in Georgia: Progress and Way Forward” was held in Tbilisi, Georgia. The conference was organised in cooperation between the Secretariat of the State Commission on Migration Issues (SCMI) and the International Centre for Migration Policy Development (ICMPD) supported by the EU-funded ENIGMMA (Enhancing Georgia’s Migration Management) project. The conference was dedicated to the current developments in Georgia in the field of migration; in particular, with regard to the implementation of the National Migration Strategy: achieved progress, identified challenges and planned activities. The Conference gathered representatives of the Georgian state institutions – members of the SCMI, Delegation of the European Union to Georgia, Member States of the European Union, international and non-governmental organisations, academia and other stakeholders.

Background: development and implementation of the Migration Strategy

The Migration Strategy, elaborated by SCMI working group, with the support of the EU experts, was approved by the Government of Georgia on March 15, 2013. The preamble of this document envisages that “*managing migration is one of the country’s top priorities*”, taking into account “*Georgia’s geo-political location*” and *general migration phenomenon which has “a great impact on a country’s social-economic development, its security and stability”*.

The purpose of this cornerstone document in the field of migration in Georgia is to improve the management of migration processes, which implies:

- Strengthening the fight against irregular migration, including trafficking in human beings and smuggling of migrants;
- Supporting legal migration to and from Georgia;
- Ensuring protection of migrants’ rights and fundamental freedoms;
- Enhancing state development through maximising the benefits of migration and minimising the negative impact of migration on the social, economic and demographic situation in the country.
- Supporting reintegration process of returning migrants;
- Further development of international protection system.

Consequently, the Migration Strategy was enforced by a concrete Action Plan, with a vast number of activities to be implemented in 2013-2015.

During the Conference, the implementing agencies of the Migration Strategy shared information on the progress achieved and discussed the challenges identified during the implementation of the Strategy and its Action Plan.

In general, the achievements in the implementation of the Strategy were assessed positively by the participants of the Conference. The representatives of the European Union Delegation to Georgia have underlined that progress in the area of migration management has a positive effect on the evaluation of the EU-Georgia Visa Liberalisation Action Plan; it was also stressed that EU is ready to continue cooperation and support to Georgia in this area.

The participants of the Conference have highlighted the following main achievements in the Strategy implementation:

- The respective **Action plan** for the implementation of the Strategy has been adopted by SCMI in June 2013; the respective amendments to the plan are under elaboration and/or being done in accordance with the results of monitoring undertaken by the Secretariat;
- **New Law on the Legal Status of Aliens and Stateless Persons** has been elaborated by SCMI working group and adopted by the Parliament of Georgia on 15 March 2014. The Law will come into force in on 1 September 2014. The aim of the Law is to: regulate the migratory inflows in accordance with international standards; create legal guarantees for aliens lawfully residing in Georgia and stateless persons; to protect the human rights of migrants; to promote cooperation between Georgia and foreign states in economic, cultural, educational and scientific fields; to harmonise Georgian legislation with the EU *acquis*, international treaties and customary law; and to promote international cooperation in preventing illegal migration. Based on the interests of the state, the objective of the new Law is to determine the legal basis and procedures for the arrival of foreigners to Georgia, as well as their stay in and departure from Georgia's territory. In addition, the Law aims to fill the existing gaps in the legislation on migration; in particular with regard to the procedures for the deportation of foreigners. The respective **by-laws** needed for the implementation of the plan are under development. In accordance with the new regulations, established by the new law, existing migration strategy 2013-2015 will be amended
- As one of the measures taken in order to facilitate and guarantee the implementation of the above Law, an **accommodation center** for illegally residing migrants is under construction. The centre will be administrated by the Ministry of Internal Affairs;
- Due to increased **cooperation and coordination within the SCMI**, thematic overlap and duplications with regard to the implementation of functions under responsibility of the respective state agencies have been reduced. Moreover, the Secretariat has initiated and implements the monitoring and coordination of the inter/national projects and other initiatives in the area of migration which enables efficient use of existing resources;
- A concept of **information campaigns** in the field of legal migration has been developed and put into practice, based of which preparing a migration textbook is planned with the support of the ENIGMMA project;
- **Memorandum of Understanding** between the SCMI and Tbilisi Ivane Javakhishvili State University is signed. The document prepared within the EU funded GoVAC

project with the help of ICMPD, provides with the legal basis for cooperation between Academia and state institutions in the area of migration;

- Significant progress has been achieved in the area of **reintegration, refugee and humanitarian protection**. For instance, the mobility centers continue their activities with the assistance of the European Union. This greatly supports and facilitates reintegration process in Georgia. A special unit which will deal with the collection, documentation and analysis of the country of origin information has been established which will ensure high quality of the asylum decision making process in Georgia;
- **Circular migration** initiatives are undertaken by the Georgian Government, including a partnership pilot project on circular migration scheme implemented through the cooperation of Centre for International Migration and Development and PSDA/SCMI Secretariat. It was agreed by the participants of the Conference that measures related to the circular migration agreements have to be closely and carefully monitored and evaluated;
- Closer and more efficient cooperation with **Georgian diaspora**, which in the nearest future will be supported by the Global diaspora network;
- Initiation of the discussion on the **labour migration regulation** in Georgia.

Way forward: Conclusions and Recommendations

While recognising and appreciating the importance of the Migration Strategy and achievements in its implementation, the participants of the Conference have also acknowledged some critical remarks and still existing gaps in the migration management. The discussion and statements made by the respective state institutions' representatives allowed the Conference to provide the following recommendations for the development of the new Migration Strategy of Georgia:

1. From the mid-term strategy document to the long-term strategic vision on migration management in Georgia

Existing Migration Strategy is doubtless an important strategic document; however, it reflects only mid-term priorities in the field of migration. Moreover, the Strategy mainly reflects the priorities in the field of migration which are related to the alignment of the Georgian legislation and practice with the EU *acquis*, in particular, taking into account the assistance and expertise, provided by the EU experts during the elaboration of this document. Therefore, the Conference agreed that new Migration Strategy shall represent **long-term vision on migration management** which will reflect and analyse the **priorities of the Georgian state and society** echoed by new realities. This will also require active involvement of the civil society sector in the development of the Strategy and its public discussion.

2. Migration Strategy as integrated part of the Georgian policy in various fields

Recently, different strategies were approved in Georgia or are under elaboration and will be approved in the nearest future. Many of them have influence on the priorities of Georgian Government in the field of migration management. Taking this into account, the Conference agreed that new migration strategy should take into account and analyse the **nexus between Migration Strategy and other related strategic documents**, as for instance, the National Strategy for Human Rights, Integrated Border Management Strategy, Diaspora Strategy, etc.

3. Directions of the new Migration Strategy: policy level

Some principles of the current Migration Strategy are formulated rather as actions or activities. In addition to the main directions of the existing migration strategy, new one, for 2016-2020 should be based on **more concrete level principles** which will guide the executive agencies through the respective action plan which will specify short-, mid- and long-term activities and goals. The inter-agency and international cooperation, including cooperation with the countries of origin and transit of immigrants' and countries of destination of Georgian migrants, shall become one of the core principles of the new Migration strategy.

4. Directions of the new Migration Strategy: topics

The new Migration Strategy might cover some new policy directions (e.g. internal migration and environmental migration) and state actors which were not considered in the current Strategy (e.g. Ministry of Labour, Social and Health Affairs). Social, legal, and demographic research implemented on the state level in close relation with the SCMI shall become one of the core elements for decision making in the field of migration management. In brief, the following priority topics related to migration management shall be covered and reflected in the new strategy:

- **Labour migration to and from Georgia.** This field shall deal with efficient and transparent regulation of the labour migration to Georgia which would take into account specific needs and situation of the Georgian labour market, protection and respect to migrants' rights at the territory of Georgia, etc. On the other hand, cooperation with countries of destination of Georgian labour migrants shall be enhanced, seeking to improve protection of the social and labour rights and transfer of social rights back to Georgia; Georgia shall continue efforts with regard to inform its citizens about migration benefit and migration-related risks. Forecasts on possible consequences of the labour migration from Georgia to internal labour market, demographic and social situation in Georgia shall be carried out and shared with the respective state agencies and general public periodically.
- Respect and protection of **human rights** shall become a basis for **integration programmes** in Georgia, which also will promote tolerance to ethnic diversity in the country;
- Measures related to the **fight against trafficking in human beings** shall include specific directions with regard to the labour exploitation of Georgian citizens abroad and migrants in Georgia;
- While further strengthening **protection mechanisms** in Georgia, nexus between international protection, national protection, protection and support to IDPs, and protection of environmental migrants shall be researched and established;
- Implementation of the transparent and efficient **visa policy** and further strengthening of efforts related to fight against **irregular migration and migration-related crimes** with full respect to the migrants' human rights and fundamental freedoms;
- Further strengthening of the ties between **Georgian diaspora** and Georgian state based on mutual support and cooperation;
- Involvement of **regional actors** in the migration management which will help to reflect Georgia's priorities in the field of migration in a more efficient way.

Tbilisi, April 30, 2014