



# Report of the Expert Meeting on Border and Migration Management in Emergency Situations

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23-24 March 2017

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## EXECUTIVE SUMMARY

Man-made and natural disasters can cause complex mobility patterns and large-scale migration flows. Unusually big numbers of people fleeing from crisis can appear at the external borders of any country. How to ensure that the authorities – in the first instance the border authorities, but also immigration, police, customs, healthcare, armed forces – are prepared to respond appropriately to cross-border movements arising from disasters? How this response can guarantee protection of crisis-affected migrants and their human rights and interests while at the same time respecting national sovereignty and security?

Experts from the Eastern Partnership (EaP) countries, European Union (EU) member-states as well as Serbia and Turkey, international and non-governmental organizations gathered in Budapest on 23-24 March to share their experience and vision of emergency/humanitarian border management. The meeting was organized by Hungary and Moldova with support from the European Commission (EC) and the Mission of International Organization for Migration (IOM) in Ukraine.

Following the introductory words by Mr. Robert Rybicki from the EC, Mr. Matyas Hegyaljai, Deputy State Secretary for EU and International Affairs of the Ministry of Interior of Hungary and Ms. Olesia Cotoman from the Bureau for Migration and Asylum of the Ministry of Interior of the Republic of Moldova, IOM Ukraine provided an overview of the countries' national experiences related to migration and border management in emergency situations and preparatory measures applied by them.

First thematic session was devoted to international and national legal frameworks regulating border regime and migration in emergency situations. Dr. Vera Honuskova from the Charles University in Prague presented an overview of the international and EU legal frameworks while also reflecting whether these frameworks answer to protection needs and how sufficient this answer is. Dr. Boldizsar Nagy from the Central European University in Hungary argued whether the crisis which evolved in Europe in 2015 can be considered a European refugee crisis or rather a crisis of the European asylum and migration management system. Representatives of Moldova, Hungary and Romania highlighted changes having been introduced into their countries' legal acts in the context of the current migration crisis, including those regulating visa issuance, border crossing, asylum procedure.

During sessions II and III various changes related to emergency situations were discussed. The EC described institutional transformations within Frontex which became the European Border and Coast Guard Agency in October 2016. A speaker from Ukraine explained how organizational arrangements were adapted in 2014 to answer to the needs of the Ukrainian displaced population who sought protection in Poland. The meeting participants also had an opportunity to hear about infrastructural and technical changes made by Hungary, Italy, Bulgaria and Serbia at their borders.

The most voluminous session IV covered different modalities of cooperation and coordination between various actors and their respective roles in emergency situations at the national and international level. Dr. M. Murat Erdogan from the Hacettepe University in Turkey emphasized the need for scientific research on root causes and results of mass migration and presented findings of the research projects on forced migration and refugees conducted in Turkey. Representative of UNHCR spoke about the Agency's Refugee Coordination Model; EASO – about its support in the hotspots in Greece and Italy as well as good examples of cooperation with UNHCR; IOM – about the concept of humanitarian border management and good practices acquired by the Organization in the countries facing situations of mass influx of migrants; WHO – about the Organization's assistance to the countries including assessment of their health-system capacities to address public health aspects of migration.

Mr. Thomas Hackl from Caritas Romania and Ms. Aniko Bernat from TARKI Social Research Institute in Hungary described involvement of civilian organizations into relief work in the crisis circumstances: from grassroots initiatives to formal NGOs and to large charities often linked to a church.

Presenters were addressed with plentiful questions during the sessions and on the margins of the meeting which was natural in the context of the significance of the topic for the EU MS, EaP and third bordering countries.



23 March 2017 – Day 1

## Welcome and opening

**Mr. Robert Rybicki**, DG Migration and Home Affairs (DG HOME) of the European Commission, welcomed the meeting participants and thanked the hosting states – Hungary and Moldova – for making arrangements for the event and for involving quality speakers. Mr. Rybicki briefly outlined the scope and the agenda of the current meeting devoted to border and migration management in emergency situations. He noted that since the meeting is being expected to be packed with information, everyone will take home at least several ideas which will help to analyze national situation and policy.

**Mr. Mátyás Hegyaljai**, Deputy State Secretary for EU and International Affairs, Ministry of Interior of Hungary, underlined the complexity of the management of emergency situations since it requires different legal regulations than under normal conditions, establishment of new organizational structures, temporary units within the existing institutional framework, special infrastructure and modern technical equipment, introduction of special forms of financial support. The current Panel meeting provides an opportunity to exchange the latest experience acquired by the participating institutions in the management of emergency situations in their respective countries.

**Ms. Olesea Cotoman**, Bureau for Migration and Asylum, Ministry of Interior of the Republic of Moldova, emphasized the importance of the topic selected for the current Panel meeting in the context of the observed globalization and migration trends in the world in general and in the European region in particular. In the past two years, mass migration has significantly increased in the direction of the European countries causing emergency situations. This prompts the countries to apply emergency border management measures which will be presented by the speakers and discussed by the participants during this Panel meeting.

**Ms. Yuliya Ryzhykh**, Mission of IOM in Ukraine, presented [the discussion paper](#) providing an overview of (i) emergency situations related to migration and border management, (ii) national legal framework for emergency situations related to migration and border management, and (iii) changes in migration and border management in the course of preparation or reaction to emergency situations (institutional, organizational, infrastructural etc). The paper was prepared based on the answers received from seven EU MS and five EaP countries to a questionnaire specifically designed for this purpose. [See the presentation “Border and Migration Management in Emergency Situations. Overview of the National Experiences of the EU MS and EaP countries”](#).

## Session I. National and international regulation of emergency situations

Moderator: Mr. Robert Rybicki, DG HOME of the European Commission

**Dr. Vera Honuskova**, Faculty of Law, Charles University, the Czech Republic, outlined the international and EU protection framework, particularly the 1951 Refugee Convention and 1967 Protocol, the Common European Asylum System (CEAS). Dr. Honuskova analyzed whether the legal frameworks mirror protection needs, whether they answer to these needs and if yes, whether such response is sufficient. Separately the following issues were covered: the legal status of wall construction along the national borders; shortcoming of the EU interpretation of the international protection framework; as well as historical retrospective of successful solutions in the situations of migration crisis. [See the presentation “International and EU Legal Framework for Protection of Forced Migrants in Mass Influx Situations and its Deficiencies”](#).

**Dr. Boldizsár Nagy**, Central European University, Hungary, reflected on the nature of the current crisis suggesting that this is rather a crisis of the European refugee policy than the European refugee crisis; the



countries in crisis are the source countries as well as the countries hosting the overwhelming majority of refugees (Lebanon, Jordan, Turkey). For the speaker's analysis of the malfunctioning of the CEAS, the causes of its failure, adequacy of the response to the crisis and the ways of its improvement, please see [the presentation "Crisis or Not? Adequate Response or Not? The EU in 2015-2017"](#).

**Ms. Tatiana Ciomas**, Bureau for Migration and Asylum, Ministry of Interior of the Republic of Moldova, described the preparatory measures adopted by the Moldovan authorities in the context of the European migration crisis and the situation related to IDPs in the neighboring Ukraine. Among those measures: annual assessment of the regional situation and risk analysis; identification of the parameters for potential intervention; development of the interagency management mechanism for emergency situations; strengthening capacities of the authorities in managing risk situations including through simulation trainings. For more detailed information please see [the presentation "National Law in the Sphere of Migration Management in Emergency Situation: the Republic of Moldova's Approach"](#).

**Dr. Réka Fülöp**, Immigration and Asylum Office of Hungary, listed the main legal changes adopted at several stages between 1 August 2015 and 1 June 2016 and provided detailed information on the currently applicable legal framework covering particularly the asylum procedure, including application for asylum, status determination, (non-)litigious judicial review as well as particularities of the asylum procedure applied at the border. Legal framework applicable in crisis situations caused by mass immigration was also explained. [See the presentation "The Hungarian Asylum Procedure. Changes in the National Legal Framework on Migration Management Resulting from Emergency Situations"](#).

**Mr. Emil Niculescu**, General Immigration Inspectorate of Romania, provided background information on how the migration crisis affected Romania prior to describing how the national legal framework was changed as a result of the emergency situation. The rationale for the changes was the necessity for the authorities to ensure urgent and efficient management of an influx of irregular immigrants and persons in need of protection at the Romanian borders and within the territory, including increased institutional capacity. [See the presentation "Changes in the Romanian Legal Framework on Migration Management Resulting from Emergency Situations"](#).

## Session II. Institutional and organizational changes in the entities managing emergency situations

Moderator: Mr. István Samu, Ministry of Interior of Hungary

**Mr. Robert Rybicki**, DG HOME of the European Commission, spoke about the recent institutional changes of the European Border and Coast Guard (Frontex), such as new elements in risk analysis and vulnerability assessment, conducting of operations, assisting with returns, situation monitoring, cooperation with non-EU countries and international organizations, combatting cross-border crime, conducting research and innovation, trainings as well as regarding respect for fundamental rights. [Please see the presentation "Institutional Change of Frontex"](#).

**Mr. Yevhenii Khomiak**, State Border Guard Service of Ukraine, presented a case when special arrangements were set up by the border guard services of Ukraine and Poland to facilitate cross-border movement of Ukrainian citizens fleeing from the occupied territories and the zone of the anti-terrorist operation who were seeking international protection in Poland. For the details of the achieved arrangements for outward movement of these persons as well as readmission of those who were denied refugee status please see [the presentation "Facilitation of Crossing the Ukrainian-Polish Border by the Ukrainian Citizens Originating from the Occupied Territories, who Decided to Seek International Protection in Poland"](#).



### Session III. Infrastructural and technical aspects ensuring safety and security

Moderator: Ms. Tatiana Ciumas, Bureau for Migration and Asylum, Ministry of Interior of the Republic of Moldova

**Dr. László Balázs**, National Police Headquarters of Hungary, delivered a presentation on infrastructure and technical means of border closure as well as establishment of transit zones illustrated by images of the infrastructural objects, equipment and explanations of the organization and functioning of the transit zones. Transit zones have been set up on designated border crossing points where irregular migrants can submit their applications for asylum and the admissibility of asylum claims is to be examined.

**Ms. Carmen Cosentino**, Ministry of Interior of Italy, delivered an informative presentation describing the system of so called Hotspots (the term 'Hotspot' refers to both a facility and a procedure) established in Italy for registration and identification of migrants at the points of their arrival. For more information about the individual modules in the Hotspots, including health screening and early identification of vulnerabilities, security checks, provision of accurate information, identification, fingerprinting, medical examination, their operation sequence, staff and methods of teamwork, standard operating procedures please see [the presentation "The Italian Hotspots System"](#).

**Ms. Borislava Borisova**, Border Police General Directorate of Bulgaria, introduced to the meeting participants infrastructural and technical changes adopted by the Bulgarian authorities and illustrated the migration situation in the country which led to the said changes. In particular the following border surveillance systems (BSS) were in the focus of the presentation: integrated BSS along the coastline "Blue Border" (including its coastal and sea components), integrated BSS along the border with Turkey, automated system for technical surveillance at the border with Serbia. [See the presentation "Infrastructural and Technical Aspects Ensuring Safety and Security. Bulgaria's Experience with Border Management and Addressing the Migration Crisis"](#).

**Ms. Ivana Mcilwaine**, Border Police Directorate, Ministry of Interior of Serbia, presented the results of the relevant trainings conducted for the Serbian border police officers and police officers. The presentation also covered the following issues: the role of border police, international commitments, agreements, governance, operations, information management and information technology as well as information on trafficking in human beings, indicators of migrant smuggling, intelligence gathering and data for border police. [See the presentation "Humanitarian Border Management – Standard Operating Procedures. Serbia Response to Mass Irregular Migration"](#).

24 March 2017 – Day 2

### Session IV. Cooperation among stakeholders involved in the management of emergency situations

Moderator: Mr. István Samu, Ministry of Interior, Hungary

**Dr. M. Murat Erdoğan**, Department of Political Science and Public Administration, Hacettepe University, Turkey, prepared an extensive overview of the studies on Syrian refugees in Turkey and their findings. For more details on the numbers of Syrian refugees in Turkey which has now become the biggest refugee-hosting country in the world, distribution of the refugees across the country, demography of Syrians in Turkey, their educational status, including Syrian students at the Turkish universities, health services for Syrians, their employment status, social acceptance in the Turkish society please see [the presentation "Research Projects on Forced Migration and Refugees"](#).



**Mr. Jon P. Hoisaeter**, Deputy Regional Representative for Central Europe, UNHCR, shared the Agency's approach to coordination of the response to emergency situations. The speaker defined the emergency situation, listed the starting points for the response, emergency response levels and respective resources to be mobilized at each level, described the UNHCR preparedness package and the Refugee Coordination Model (RCM), Regional Refugee and Migration Response Plan for Europe for 2017, indicated the sources of the UNHCR population statistics and budget overview. [See the presentation "Coordination and Cooperation in Emergency Response – a UNHCR Perspective"](#).

**Mr. István Ördög**, EASO, commenced his presentation by describing the mission of EASO, its financial and human resources capacities and moved further to the EASO's focus points which include permanent support to the EU member states, special and emergency support, support to the Hotspots, information and analysis support, support to third countries. More information on EASO's activities in Greece and Italy, good examples of cooperation with UNHCR and other organizations are contained in [the presentation "Cooperation with International Organisations"](#).

**Ms. Livia Styp-Rekowska**, Regional Office of IOM in Vienna, Austria, presented the concept of humanitarian border management (HBM) which is the border management framework adapted to migration crisis situations and how it differs from 'traditional' border management, its place in the IOM's Migration Crisis Operational Framework. Further on the speaker analyzed the HBM cycle consisting of several stages: preparation and planning, response, and 'evaluate and learn' phase. Good practices from various countries facing situations of mass influx were also shared with the meeting participants. [See the presentation "Humanitarian Border Management"](#).

#### **Session IV. Cooperation among stakeholders involved in the management of emergency situations (cont.)**

Moderator: Ms. Olesea Cotoman, Bureau for Migration and Asylum, Ministry of Interior of the Republic of Moldova

**Mr. Thomas Hackl**, Caritas Romania, talked about how Caritas' global presence and its grass-rooted structure frames the Organization's way to craft their emergency responses. Caritas is normally already present when an emergency hits a community. And Caritas always stays during and after it. Caritas' emergency responses are not limited to the short-term basic needs. They are designed to accompany the victims of the emergency until they feel that they have recovered the spiritual and material elements that enable them to live a dignified life. Caritas accompanies the people in need until their needs have been dealt with in a sustainable way that takes their integral development into account.

**Ms. Anikó Bernát**, TÁRKI Social Research Institute, showcased analysis of the involvement of the civil society in assisting asylum seekers in Hungary during the crisis. The researcher briefly outlined the context of the refugee crisis in the EU and in Hungary, named the types of civilian organizations involved, including new grassroots initiatives, established NGOs and large charities, highlighted evolving conflicts and dilemmas faced by the groups/organizations, motivation of volunteers, the role and use of media, possibilities for the groups/organizations to be mobilized in other situations. [See the presentation "The Evolution of Civilian Initiatives Assisting Asylum Seekers During the Refugee Crisis in Hungary in 2015"](#).

**Dr. Ledia Lazeri**, World Health Organization Representative in Hungary, on behalf of **Dr. Santino Severoni**, Coordinator Public Health and Migration, Division of Policy and Governance for Health and Well-being, World Health Organization Regional Office for Europe, elaborated on the four elements of the Migration and Health Programme, namely: technical assistance provided also through assessment of countries' health-system capacity to address the public health aspects of migration; health information and evidence aimed at improvement the availability of good quality data on public health and migration for development of evidence-informed policies and interventions; advocacy and communication



implemented through the WHO/Europe website, quarterly newsletter, policy briefs on diverse public health aspects of migration, infographics; and policy development. For more information please see [the presentation “Health System Capacity to Manage Large Influxes of Migrants”](#).

## Summary and closure

**Mr. Robert Rybicki**, DG HOME of the European Commission, expressed appreciation to the countries organizing the meeting and announced that starting from the next Panel meeting to be held in Yerevan, Armenia the meetings’ format will be redesigned to include a more interactive capacity building session.

**Ms. Olesea Cotoman**, Bureau for Migration and Asylum, Ministry of Interior of the Republic of Moldova, noted that the two-day meeting brought in interesting discussions, an opportunity to learn from each other and hear about good practices. Ms. Cotoman thanked the national delegations, speakers, the Hungarian colleagues.

**Mr. István Samu**, Ministry of Interior of Hungary, on behalf of the Ministry of Interior sincerely thanked the presenters, participants and interpreters, and reiterated that the staff of the Ministry of Interior and other governmental agencies is eager to see the meeting participants in Budapest in the future.

*All the presentations mentioned in this report as well as all the materials related to the meeting can be found on [the Panel website](#). The presentations are accessible to logged-in users only.*

