



MARRI - Migration, Asylum, Refugees Regional Initiative  
**STABILITY PACT**  
FOR SOUTH EASTERN EUROPE

Brussels, 30 April 2004

## **MARRI - THE WAY AHEAD IN 2004/2005**

### **1. MARRI Regional Forum**

#### **Launch and Political Endorsement**

The first meeting of the MARRI Regional Forum was convened by the SEECP in Herceg Novi, Montenegro, 5 - 6 April 2004. The ministerial SEECP meeting decided to establish a political and professional Regional Forum for the five SAp countries (Ministerial Declaration). The Regional Forum will be composed of Ministers and Senior Officials responsible for migration, asylum, border management, visa and refugee return or settlement. It will aim at exchanging information, experiences, lessons learned, best practices as well as to discuss and resolve issues of common interest and concern and develop a common vision for the region. For further information please see the attached Joint Statement of the meeting in Montenegro.

#### **Presidency**

At the meeting it was decided by consensus that from 1 April 2004 to 31 March 2005 Albania would hold the Presidency of the Regional Forum. In the period from 1 April 2005 - 31 March 2006, the Presidency of the Forum will be held by Serbia-Montenegro, through the Republic of Montenegro.

#### **Frequency and level of meetings**

The meeting agreed that the Regional Forum should organize two meetings (two days) per year. There will be a one-day high-level meeting per year for ministers and senior officials followed by one-day expert meeting. In the second yearly meeting the first day should be an expert meeting and the second day a meeting for sub-committees/working groups.

#### **Procedure to appoint an executive secretary**

An executive secretary to the Regional Forum shall be appointed as soon as possible. It was agreed that the Presidency of the Regional Forum together with the Friends of the Regional Forum, currently represented by the Chairman Soren Jessen-Petersen, would nominate an executive secretary. The Political Directors of SEECP should officials the decision/appointment. The relation of the executive secretary to the regional center will need to be clarified.

### **Competence of the Regional Forum**

The meetings of the Forum shall take place at an informal level; i.e. the Forum and its sub-committees will provide a platform for internal consultations and recommendations, but without binding decisions being taken by the Forum. The authority of taking decisions remains with the national governments.

### **Institutional Framework**

The Regional Forum shall work within the framework of SEECP, but with separate meetings (Regional Forum) for the five SAp countries and with its own presidency based upon rotation among the five SAp countries.

### **Relations with International Institutions, Member States of the Stability Pact and International Organizations**

The Regional Forum will seek support and advice of the International Community through “the Friends of the Regional Forum” which should be convened by the Presidency of the Regional Forum twice per year. The “Friends of the Regional Forum” will supercede the previous MARRI steering committee.

### **Relations with the Stability Pact**

As consequence of the transfer of responsibility from the Stability Pact to regional ownership, the Forum and the Regional Center are not part of the Stability Pact. However the Regional Forum and the Regional Center shall have a special link to the Stability Pact as “associated initiative to the Stability Pact” and thereby being invited to the Stability Pact Regional Table Meetings. In these meetings the Regional Forum and the Regional Center will inform the Stability Pact about the ongoing activities. A Liaison Officer responsible for the liaison between the Stability Pact and the Regional Forum/Regional Center shall be assigned to the Stability Pact in Brussels.

### **MOU for the Regional Forum**

The MARRI Secretariat will draft a MOU in close cooperation with experts selected from the SAp countries and the Presidency to cover all legal aspects needed to operate the Regional Forum and the Regional Center. In accordance with the decision of the meeting, the five SAp countries should sign this MOU not later than 30 June 2004.

## **2. MARRI Regional Center**

During the Regional Forum meeting it was also decided to establish an administrative/supportive structure - the MARRI Regional Centre- to support the Forum. This Regional Centre will be located in Skopje and the Government of Macedonia will provide facilities, running costs and the required institutional framework for the centre. It was agreed that the Regional Centre should be composed of a majority of experts from the region.

### **Overall Objective - Purpose**

The MARRI Regional Centre shall function as the administrative and supporting structure/Secretariat for the MARRI Regional Forum. The MARRI Regional Forum shall aim at developing regional ownership of the issues defined in the MARRI Programme of Action at the political level and the Regional Centre shall be the practical tool to support this ownership.

### **Goals - Functions**

1. The Regional Center shall work at the regional level in the SAp countries in the field of asylum, migration, border management, visa regime and sustainable solutions for refugees. It will in particular focus on efforts to strengthen the management of population movements in the areas of migration, asylum and refugee issues
2. The Regional Forum shall in its work guide the Regional Center. The Centre shall report on its work to the Forum.
3. The Regional Center shall initiate, facilitate and co-ordinate activities approved by the Regional Forum at regional level.
4. The Regional Center shall facilitate the establishment of legislation, institutional building, capacity building and information exchange in the region in line with the Thessaloniki Agenda in order to meet international and European standards.
5. The Regional Center shall contribute to the harmonization of legislation and systems in line with European standards.

### **Activities**

1. Facilitate the development of training programs at regional level in the field of asylum, migration, etc
2. Contribute to the development of partnership arrangements, and co-operation and exchange of information between the SAp countries and neighboring countries to combat irregular migration.
3. Promote, in co-operation with UNHCR and ACCORD, the access to high quality country of origin information.
4. Support the development of a region-wide information technology system - Regional Information Exchange - to manage population movements.
5. Promote, in co-operation with SPOC and others, the development of data protection legislation in the region.
6. Contribute to the establishment of a regional pool of interpreters and regional counsellors.
7. Contribute to the successful implementation of the Ohrid Border process.
8. Facilitate the development of a harmonized visa policy and a visa free area in the region.
9. Facilitate the development of the initiative "Access to Rights and Citizenship".
10. Support the finalization and implementation of National Action Plans.

### **Transfer to the region**

Preparations for the transfer and negotiations with host country government on the financial contribution, hosting arrangements, provision of privileges and immunities, organisational requirements, and other issues from May - September 2004.

1. Establishment of MARRI Centre in the region tentatively around October 2004.

2. At least 1 MARRI International official and the Executive Secretary will be identified in order to start working in Skopje by latest October 2004.
3. In the period October - December 2004 the main tasks of the MARRI officials in the host country will primarily be the following:
4. Organization of the staffing of the Center through Secondments from the SAP countries. Salaries may initially have to be subsidized.
5. Organization of the groundwork to make the office operational: Refurbishing of the office, organization and purchase of furniture, computers, telephone and Internet connection, etc.
6. The MARRI Center should be fully operational by January 2005.

### **Planned staff set up for the MARRI Center**

#### *Composition of the staff as from 1 October 2004*

- 1 Head of the Center
- 1 Executive Secretary for the Regional Forum (regional)
- 1 Administrative assistant (national)
- 1 Driver/messenger (national)

#### *Additional staff as from 1 January 2005*

- 3-5 experts in the field of asylum and migration and displacement seconded by the Sap countries to the MARRI Centre. International financial contributions to cover travel and daily assistance allowances of the national experts and to subsidise their salaries are considered in the budget.
- 1 expert should be particularly tasked to co-ordinate the work in the Regional Information Exchange initiative and the Access to Rights project.

#### Contributions from the Hosting Country, as from 1 October 2004 and onwards

- Office space for 8 persons: 1 reception, 7 office rooms, 1 meeting room, 1 kitchen. Estimated total surface: 200 m<sup>2</sup>.
- Rent for office paid by hosting country or office space provided free of charge.
- Running costs for the office.
- Salaries for the Executive Secretary of the Regional Forum (covered for the first year by the donors) and Driver.
- Running costs for the vehicle.
- Immunities and privileges for staff provided by hosting country.

#### **Contributions from the donors**

- Salary subsidies for the national experts
- Travel costs for the national experts
- Salary for the Executive Secretary of the Regional Forum for the first year
- Vehicle
- Removal costs from Vienna to the region
- Support to the Western Balkan Regional Forum
- Support to the operational activities/meetings

### **3. Evolution of current MARRI Structures**

## **Steering Committee and Chairman**

The Regional Forum will seek support and advice of the International Community through "the Friends of the Regional Forum" which should be convened by the Presidency of the Regional Forum twice per year. The "Friends of the Regional Forum" will supercede the previous MARRI Steering committee. It is suggested that the current chairman of the Steering Committee, Mr. Soren Jessen-Petersen is confirmed as chairman of the "Friends of the Regional Forum" Meeting until the end of the year to ensure the necessary continuity

## **MARRI Offices**

Considering the staff situation in Vienna and the financial implications of running the MARRI office in Vienna, until the transfer in September-October, it was decided that the MARRI secretariat in Vienna will terminate its activities by 30 June 2004 and that the office will be closed on the same day.

As the Head of MARRI Secretariat, Anders Westerberg, is leaving MARRI by 31 May 2004, Sweden has been asked to replace him by a new secondee. It is expected that the new secondee will be identified and assigned in order to support the establishment of the Regional Center as planned. The secretariat in Vienna will be responsible for all necessary arrangements for the smooth closing of the Vienna office.

In the period 1 July - 30 September the MARRI Liaison Office in Brussels will be in charge of all MARRI activities and will be responsible for the transfer of the Secretariat to the Region. The MARRI Head of Office in Brussels, Mr. Kilian Kleinschmidt, will remain in this position until the end of 2004. The current liaison officer position (change of incumbent Daria Nashat due to departure) supported by Switzerland will be maintained throughout 2005.

## **4. Evolution and Background of current MARRI Activities**

### **National Action Plans**

The National Action Plans for *Croatia and Macedonia* are finalized, adopted and under implementation. The countries involved in respective MARRI Country Teams take an active part in the implementation. In Macedonia training of staff is supported by Sweden and drafting of a new Law on Migration is supported by Norway. MARRI actively supports the Country Team meetings. In Croatia EU is financing twinning type projects between Germany and Croatia in the field of integrated Border Management and Asylum.

In *Bosnia and Herzegovina* the Country Team adopted the NAP on 28 January 2004. The plan was approved by the Council of Ministers on 4 April 2004. The Country Teams will meet in May 2004 to discuss the implementation of the plan.

MARRI initiated and co-ordinated the reorganization of the Country Team for *Serbia and Montenegro*. This resulted in a meeting with the team in Podgorica 21 January 2004. It was decided to develop separate NAPs for Serbia and Montenegro, but to develop one joint preamble with the principles and elements common for both plans. A first draft of the plan for Montenegro and of the preamble will be discussed by the Country Team at the next meeting.

*Albania* was visited by MARRI in November 2003 to prepare for convening of the Country Team. This meeting will take place on 15 March 2004 and with the active support on the spot

by a senior official seconded by the Netherlands at the urging of MARRI the NAP is expected to be finalized in October 2004.

### **Workshops on Illegal Migration**

*1. Workshop with Sap countries and Accession countries– Exchange of Information and lessons learned in the field of reducing irregular migration.*

Financed by the Government of Norway and being implemented by the International Organization for Migration

Activities:

- Identification of officials in the Accession Countries of Central Europe who work in the field of irregular migration and have the required expertise and knowledge of systems dealing with irregular migration, migration and legislation. This is an important first step, as these officials from the Accession Countries will set the pace for successful development of migration management in the countries of the Western Balkans. Status ongoing.
- The second phase of the project involves the gathering of existing legislation in the field of irregular migration in the five SAP countries in four broad categories: 1) Asylum & Refugee Protection, 2) Border Control (ports of entry), 3) Smuggling & Trafficking, 4) Labour Migration. Once collected, IOM will categorize the information and data and prepare a background information paper to support the discussions during the workshop. Status: March-April 2004.
- The MARRI Secretariat, in close co-operation with IOM and the supporting governments, will chair a four-day workshop (Country and City to be decided). Planned for June 2004.
- An informal summary of the workshop proceedings will be published by IOM and distributed among all participants, together with a report on follow up recommendations. Planned for July 2004.

*2. Workshop on Irregular Migration – Setting up of a regional mechanism to support negotiations with source countries, transit countries and countries of destination with the aim to reduce irregular migration.*

Executing arrangements:

The project is funded by Norway.

IOM will be responsible for the project management, and provide advisory, liaison and consultation services to government counterparts and participants. It will provide the required logistical support for the meetings (expertise, administrative and secretarial support, as well as the organization of travel, accommodation and payment of per diems).

Activities:

Planned Activities. Status Ongoing. First Workshop planned for September-October

- IOM identifies in close co-operation with the concerned authorities of the five SAP countries, the concerned source, transit and destination countries along a particular migration route, which should be invited for the meetings. (March-April 2004)
- Each participating government identifies, in consultation with IOM, the participants, who should be few, knowledgeable, representative and empowered to discuss the

subject of irregular migration and return of rejected asylum seekers and irregular migrants (April 2004).

- IOM conducts consultations and liaises with all representatives of participating states and agrees with the timeframes and a calendar of meetings (May-June 2004)

Further IOM will (July–September 2004):

- Arrange the venue, and organize the logistics for the meetings, including accommodation, international and in-country transportation, recruits interpreters, etc,
- Prepare background information on migration issues in the region,
- Facilitate the discussions during the meetings,
- Prepare and distributes reports and documents, and
- Assist on the follow-up arrangements.

### **Access to Rights**

The Access to rights program aims at achieving *unimpeded and non-discriminatory access* to all those still displaced citizens of the region (5 SAP countries) to their basic human, economic and social rights in the five years to come and eventually expand to larger groups of vulnerable citizens in the region.

#### *Objectives*

- Identification of shortcomings and gaps in the legal framework, the relevant implementation instruments and the level of access of the citizens to these with specific attention to property rights, social rights such as pensions, health and education, employment and citizenship.
- Agreement and consensus on the status, gaps and adequate action through a consultative process on national and regional level, bringing state and non-state actors, including civil society, to cooperate.
- Introduction and implementation of sustainable national and regional mechanisms for monitoring and reporting on the progress of implementation.

As a result of extensive consultations with governments, international organizations and civil society, a first project proposal has been developed. It outlines the necessary steps and proposes to establish a research team (1-2 persons) and a project team (2-3 persons). The facilitator for the program is the Danish Refugee Council (DRC). Initial funding has been secured from Ireland. Denmark and the European Commission (Regional CARDS Funds) have informed that they also consider financially supporting the program. The programme will be supervised from Brussels until the full capacity of the regional center in Skopje has been established.

### **Regional Information Exchange**

For the management of population movements, safe cross border data exchange is a core issue. Following a request from the states concerned, MARRI, in close coordination with other relevant partners, established the Regional Information Exchange (RIE) Initiative, which aims to find means and ways to fill identified gaps in information management and exchange and data protection.

Since its launch early summer 2003, the RIE Initiative continues paving the way for secure and efficient management of data related to displaced populations including cross border exchange. While the objective of this program is regional data exchange, it also includes a strong capacity building component for the national level and promotion of data protection legislation. In addition, at the national level RIE assists in the transfer of data previously managed by international players to the national governments (so far Bosnia Herzegovina).

At the first ministerial Regional Forum meeting on 5 April 2004, the RIE initiative that has established its own project implementation capacity, received re-confirmation for its political and operational aims. The programme will be supervised from Brussels until 31 until the full capacity of the regional center in Skopje has been established.

### **Housing Policy and Finance**

The Housing Sector will be maintained in the context of the Stability Pact as an independent sector throughout 2005, but administratively move from MARRI to WT II.

In order to develop sustainable structures supporting the development of Housing Policy and Finance two pillars have been developed and will be implemented in 2004-2005:

#### *1. Regularization and Upgrading of Informal Settlements*

Due to the strong social, ecological and economic dimension of informal settlement regularization, it is increasingly recognized that regularization and upgrading of informally-developed settlements in and around the major urban centers will have to be a chief part of any housing programme in South Eastern Europe during the next 5-10 years.

The Stability Pact/MARRI aims at supporting existing efforts to regularize informal settlements and to follow-up on the conclusions of the “World Bank/CEB High level ministerial housing conference under the auspices of the Stability Pact” (Paris, 23-24 April 2003) as well as on the outcome of last year’s “OSCE Working Regional Roundtable on Formalizing Informal Settlements” (Pristina/Kosovo, 30-31 October 2003).

The Stability Pact/MARRI suggests a regional two-level approach to catalyse the creation of policy frameworks, programmes and institution-building at the national level as well as supporting capacity building to improve policy- and project implementation at the municipal level.

In this context, the Stability Pact will (a) conduct a regional sector capacity assessment (focusing on the capability of capacity-building institutions for the sector) in May/June 2004, (b) develop and promote a concept to establish a regional capacity building instrument in July/August 2004 and (c) organize a regional “Conference on Regularisation and Upgrading of Informal Settlements in SEE” on 28 Sept - 01 Oct 2004.

#### *2. Establishment Of Structures For The Financing Of Housing Construction And Redevelopment In Eastern And South-eastern Europe*

Efficient financing structures for housing construction and redevelopment in Eastern and South-Eastern Europe are urgently necessary to meet the existing demand for long-term capital at favourable interest rates for the construction of social housing, privately organized construction of housing for rent and owner-occupation, the redevelopment of storey buildings, urban renewal and the establishment of owner-occupied housing.

There is seen to be a particular need for the short-term availability of finance for housing construction and redevelopment in the region. It must be on hand even before the legal framework conditions of Western European standard have been attained. The establishment of financing structures, which is worked for as a priority, entails development of legal security (protection of rights of ownership, protection of transactions, enforceability of legal claims, banking supervision, etc.) and the creation of an institutional structure (institutional network of local implementation in financing, construction industry, promoters, etc.).

A prerequisite for the establishment of financing structures for housing construction and redevelopment in Eastern and South-Eastern Europe is a new institution or the affiliation of an existing institution (in the form of a "housing construction bank"). A first-class rating is essential for the financing structures to be workable. To achieve this, corresponding guarantees have to be produced.

A working group will present its findings and recommendations to the SCSP before the Regional Table meeting in Portoroz/Slovenia