



## Annex I: Description of the Action

<b>Title:</b>	Helping Belarus address the phenomenon of increasing numbers of irregular migrants	
<b>Location:</b>	EU Neighbourhood East Region Beneficiary country – Republic of Belarus	
<b>Duration:</b>	48 months	
<b>Donors:</b>	The European Union (EU) The IOM Development Fund (IDF)	
<b>Total eligible cost (A)</b>	EU contribution (B)	% of total eligible cost of the action (B/Ax100)
<b>Implementing organization:</b>	International Organization for Migration (IOM) Mission in Minsk, Belarus	
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<b>Website:</b>	<a href="http://www.iom.by">www.iom.by</a> / <a href="http://www.iom.int">www.iom.int</a>	
<b>Overall objectives</b>	1) To contribute to the strengthening and respect of human rights and fundamental freedoms in the area of irregular migration in Belarus 2) To contribute to the convergence of Belarus' normative framework with the EU's corresponding framework 3) To contribute to the facilitation of operational cooperation between the EU, EU Agencies, EU Member States and Belarus 4) To help increase security levels in the region and on the external EU border with Belarus	



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<b>Specific objective</b>	To support Belarus in the development and implementation of the country's irregular migration and asylum policies and strategies in order to bring them closer to EU and international standards and good practices
<b>Project components</b>	<p>1) Policy development and strengthening of legal, institutional and operational capacities</p> <p>2) Establishment of an Assisted Voluntary Return and Reintegration (AVRR) system for irregular migrants, those who have claimed asylum-pending or under appeal</p> <p>3) Establishment of Migrant Accommodation Centres (MACs) in line with EU and international standards and good practices</p>
<b>Partners</b>	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
<b>Target groups<sup>1</sup></b>	Policymakers, national experts involved in readmission, staff of the MoI, SBC, IOM, UNHCR, partner NGOs directly dealing with migrants and asylum-seekers; personnel of the newly established MACs
<b>Final beneficiaries<sup>2</sup></b>	<p>1) Migrants, especially most vulnerable ones, including irregular migrants, asylum-seekers and refugees</p> <p>2) Residents of Belarus, particularly of the border regions, who will benefit from the improved migration policy and infrastructure, resulting in increased security from the decrease in irregular migration</p>
<b>Expected results</b>	<p>1) A comprehensive legal, institutional and policy framework on managing irregular migration is developed and supported</p> <p>2) An Assisted Voluntary Return and Reintegration Programme for irregular migrants is designed and implemented</p> <p>3) Eight MACs are built or refurbished and integrated in the irregular migration management system</p> <p>4) The legal, institutional and policy framework on irregular migration is gender-sensitive</p>

<sup>1</sup> "Target groups" are the groups/entities who will be directly positively affected by the project at the Project Purpose level.

<sup>2</sup> "Final beneficiaries" are those who will benefit from the project in the long term at the level of the society or sector at large.



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## Summary

The project will support Belarus in the development and implementation of the country's irregular migration and asylum policies and strategies in order to bring them closer to EU and international standards and good practices.

The project will contribute to i) the strengthening and respect of human rights and fundamental freedoms in the area of irregular migration in Belarus; ii) convergence of Belarus' normative framework with the EU's corresponding framework; iii) facilitation of operational cooperation between the EU, EU Agencies, EU Member States and Belarus; iv) increased security levels in the region and on the external EU border with Belarus. The project will also assist the government to comply with its commitments under the Mobility Partnership and the future EU-Belarus Readmission Agreement and address the phenomenon of increased irregular migration flows through the territory of Belarus.

[REDACTED]

This project represents a comprehensive support programme in the area of migration management that will support the development and implementation of a fully-fledged **migration management framework** in Belarus, in line with international migrants' rights standards.

The project will encompass **strengthening of legal, institutional and operational capacities** of the Government in **Component 1** (e.g. legal interventions, policy advice on migration strategy development, division of responsibilities between state agencies, enhanced inter-service cooperation, and the development of a national referral system). Operationally, it will focus on the assessment of migration flows (including support to Belarus' databases on migration, collection of sex- and age-disaggregated statistical data) and include a number of capacity building activities, such as trainings and study trips, for immigration police and border guard officers interacting with migrants.

Moreover, under **Component 2**, a mechanism of **Assisted Voluntary Return and Reintegration** (AVRR) for irregular migrants will be developed and sustained that would provide training to the state officials on the AVRR concept to which IOM will be the main service provider. Within the project framework, assistance will be offered to those irregular migrants (up to 300<sup>3</sup>) who are willing to return home voluntarily and against whom no criminal proceedings have been instituted, nor has a decision been taken on forced deportation, unless such a decision is revoked. All returns will be implemented strictly following the IOM Guidance Notes and Standard Operating Procedures (SOPs), and applicable international law, including the principle of non-refoulement, human rights law, best interests of the child, and coordinated with each Country of Origin well in advance. Taking into account the vulnerability of the migrants, the provision of a cash grant will be provided prior to departure to the amount of EUR 500 for 100 migrants.

[REDACTED]



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Finally, under **Component 3**, the project will support the modernization and construction of several **Migrant Accommodation Centres (MACs)**, all being open or mixed type (i.e. having both open sections for asylum-seekers and closed ones for irregular migrants), administered by the MoI and SBC, based on international standards, good practices of EU Member States and taking into account the needs of persons with special needs and vulnerabilities.

It is expected that most or all of the MACs will be already existing immigration detention facilities, to be reconstructed within the project. Regarding the potential construction of a new MAC (either open or mixed type), this will be determined upon the results of the expert assessment in the inception phase of the project, fully in line with international standards. In any case, should IOM engage in the construction of a new MAC, this will be done on an exceptional basis only, i.e. without creating a precedent for the future. A pre-condition for this engagement will be the receipt of official confirmation from the Government of Belarus that the newly constructed MAC will not be a closed-type facility and will remain an open or mixed facility even after the project completion. The written confirmation shall likewise confirm that special attention will be paid to vulnerable cases, including children. In case the recommendations of the expert assessment indicate that instead of building a new MAC, priority should be given to the refurbishment of one or several already existing facilities, the construction of a MAC may be entirely taken out from the project, following the approval by the project Steering Committee.

The project will be in line with the direction given in IOM's internal instruction IN/228 (*Immigration Detention and Alternatives to Detention*) which states that IOM should promote workable alternatives to detention; support reform/improvements so that the beneficiary country uses detention only as a last resort; contribute to ensuring that if the beneficiary country considers that migrant detention is needed that acceptable detention conditions and accepted standards are met.

Within the framework of the project, a monitoring mechanism of the immigration detention facilities will be put in place enabling the project stakeholders, in particular IOM, [REDACTED] to inspect the living conditions of irregular migrants and asylum-seekers staying in those facilities, ensure compliance with existing SOPs designed for the MACs and advocate for migrants' rights and basic needs with the state authorities as well as through the Steering Committee. All project partners will have a guaranteed unrestricted access to the detention facilities that will be modernized or built anew, both in course of the project implementation and after its termination.

IOM will also work with the key policy-makers dealing with irregular migration and immigration detention in Belarus and advocate for the establishment of a presumption against detention in the national legislation and legally prescribing human rights-compliant alternatives to detention, so that detention is viewed as a last resort and is imposed only where less restrictive alternatives have been considered and found inadequate to meet legitimate purposes.

The need to comply with IOM's internal guidance as well as international standards (which the IOM internal guidance is based on) will be raised, and progress reported, at all relevant meetings with key project stakeholders. The standards and conclusions of the monitoring will



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also be highlighted at regular gatherings of the project expert groups and the Steering Committee, the latter serving, *inter alia*, as a monitoring, decision-making and evaluation tool to ensure that the project does not breach international standards and migrants' human rights.

During the project implementation based on the results of the assessment, IOM retains the right to modify the activities to be implemented within the framework of the project in line with expert recommendations and the Organization's own policies. IOM will implement all activities under the project in line with its Constitution, mandate, its policies, rules and regulations.

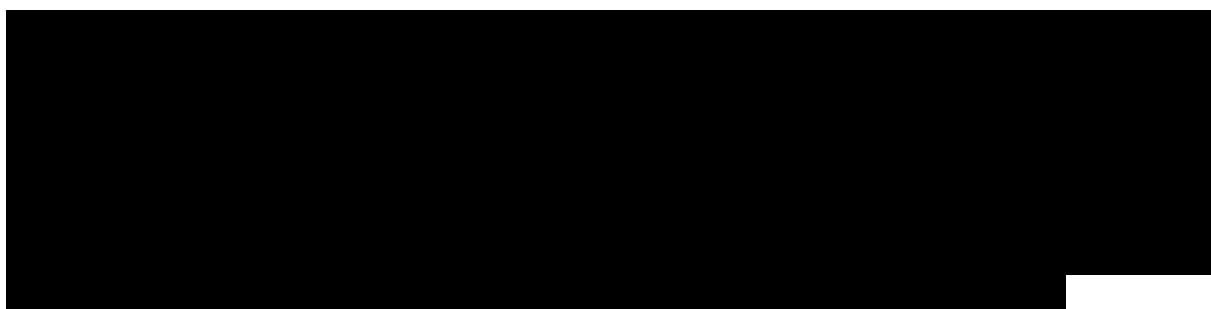


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## **1. BACKGROUND INFORMATION**

### **1.1. Irregular migration in Belarus**

The strategic location of Belarus at the crossroads of commercial and migratory routes between Russia, Ukraine and the EU makes it prone to irregular migration, migrant smuggling, human trafficking and related crimes.

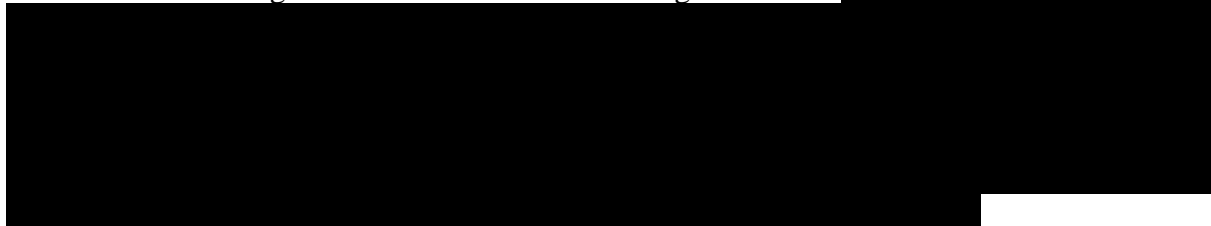


### **1.2. Readmission agreements of Belarus**



In line with the principles of readmission agreements Belarus needs to readmit irregular migrants sent back by the other countries.

The EU and Belarus are in the final phase of negotiations on two mobility-related agreements: a visa facilitation agreement and a readmission agreement.



The present project is funded by the EU in order to increase the capacity of the Government of Belarus to be able to effectively manage its international commitments.



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### 1.3. Current conditions for temporary accommodation of migrants in Belarus

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

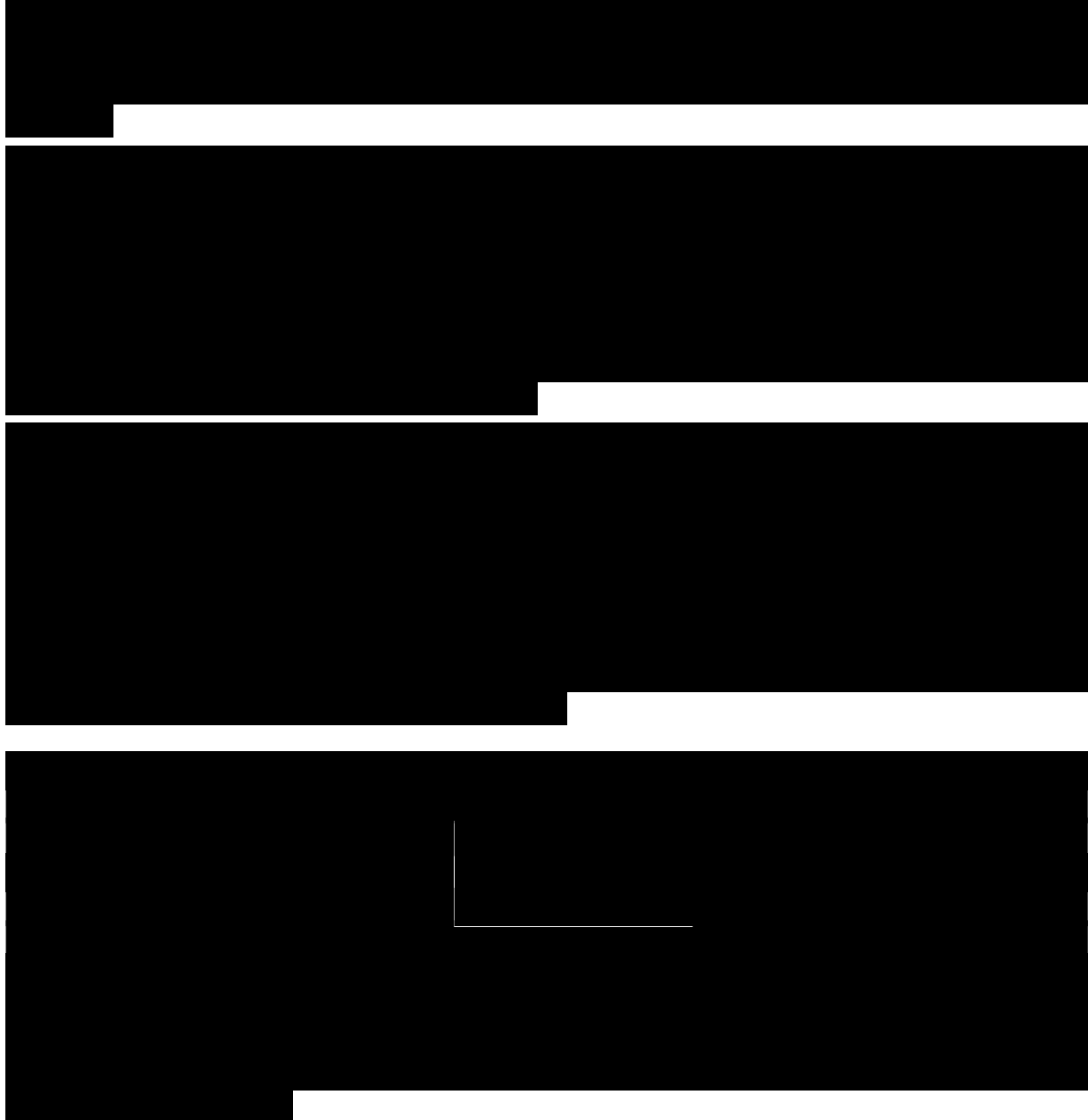
[REDACTED]





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#### 1.4. Regulatory framework of Belarus



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<sup>4</sup> Since the beginning of the AVR Programme in 2007, more than 700 migrants were counselled and almost 500 assisted in their voluntary return to the country of origin. In order to find a temporary solution and meet the humanitarian needs of migrants, whilst working towards a sustainable mechanism, in the course of this project, IOM will build on the already achieved outcomes and conduct the following measures.



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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

At the national level, the legal status of foreigners residing on the territory of Belarus, as well as the issues of detention and deportation of irregular migrants are regulated by the following legal instruments:

- *The Administrative Code*, which stipulates that MoI and SBC are the two entities entitled to carry out the administrative process and pass judgements on penalties (warnings, fines, deportation or a combination of these penalties) with regard to irregular migrants. The Code also defines general terms of detention: for up to 72 hours without a prosecutor's sanction and up to 10 days with the prosecutor's sanction. However, there are no terms limiting time for identity verification and deportation. Finally, the Code also envisages responsibility for trespassing the State Border (i.e. at unauthorized points, using counterfeit/false documents, etc.) and deportation and expulsion sanctions.
- *The Criminal Code*, which stipulates penal responsibility for violating terms of the entry ban and for organizing irregular migration (i.e. smuggling in persons). Besides, the Code identifies sanctions for employing irregular migrants (including illegal employment).
- *Law on the legal status* of foreign citizens and stateless persons in the Republic of Belarus;
- *Rules of stay* of foreign citizens and stateless persons in the Republic of Belarus;

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<sup>5</sup> As of September 2017, IOM has no active AVRR programme at the national level, and can only provide assistance to the most vulnerable cases on an ad hoc basis through the IOM HQ based *Humanitarian Assistance for Stranded Migrants Fund*. As for the Government's own capacity to provide AVRR support to the third-country nationals, it is almost non-existent.



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- *Regulations on the procedure of deportation* of foreign citizens and stateless persons adopted by the Council of Ministers;
- *Law on granting the refugee status, complementary protection, asylum and temporary protection* to foreign citizens and stateless persons in the Republic of Belarus alongside an instruction to it.

In addition there is a separate policy and legislative framework for border security and control that consists of several main instruments:

- The policy framework on border control and security is regulated by long-term *Strategy for the Development of the Belarus Border Guard Service* for 2008-2017;
- *Law on the State Border* of the Republic of Belarus;
- *Law on border agencies* of the Republic of Belarus;
- *Law on the procedures of departure* from the Republic of Belarus and entry to the Republic of Belarus.

### 1.5. Stakeholders

Issues related to irregular migration, including asylum, immigration detention and readmission, fall under the responsibility of several ministries and agencies in Belarus.

The main stakeholders dealing with immigration detention in Belarus are the Ministry of Interior (MoI) and the State Border Committee (SBC), as defined by the national law. Both agencies are entitled to carry out related administrative procedures with regard to irregular migrants and take respective decisions on their status as well as further action towards them (readmission, voluntary return, deportation etc.). In case there is a criminal action initiated against a person for violating the Penal Code, the respective documents are submitted by MoI and SBC to the court for final judgment.

The MoI is mostly dealing with irregular migrants apprehended inside the territory of Belarus, while the SBC's sphere of competence is persons detained at the border or in the border vicinity. The transfer of detainees from the SBC to MoI is done based on an internal order of MoI (e.g. when irregular migrants are intercepted in the border area with no detention facilities available or when the existing ones lack the capacity to accommodate the newly apprehended migrants).

The MoI and SBC will have the overall lead in the project from the beneficiary government's side and will be responsible for the registration of the project with the Government of Belarus; provision of all relevant institutional and expert support requested by IOM in order to fully meet the project objectives; and provide technical guidance to IOM in infrastructural works. They will also provide active support to all project activities, including active participation in all relevant project meetings, assessments, evaluations, trainings, study visits, field missions etc. Beneficiaries' participation will also be related but not limited to the revision of ToR for the procurement of equipment; construction/modernization of MACs; hardware procurement and other such activities, as requested by IOM.

Apart from the MoI and SBC, there is a number of other state organizations that may be involved in the detention of irregular migrants:

- *Prosecutor's Office* provides overall supervision of detention terms and conditions, including compliance with the national law. In cases the law enforcement agencies need more than 72 hours for identity verification, the prosecutor's sanction allows to extend the term for up to 10 days. This entity is also responsible for extradition issues;
- *Investigation Committee* takes over cases referred by SBC and MoI for criminal investigation and legal proceedings;
- *Ministry of Foreign Affairs*, in particular its Consular Department, provides assistance in identity verification of the third country nationals;
- *Ministries of Education and Labour and Social Protection* intervene in cases of detention of unaccompanied minors and families with children, including carrying out a legal guardian appointment procedures;
- *Ministry of Health* provides control over ensuring access to first medical aid for detained foreigners;
- *Local Courts, Municipal Courts and the Supreme Court* deal with appeals on administrative and criminal judgements.

The coordination of all these ministries is the responsibility of the Cabinet of Ministers of Belarus, including through a number of thematic inter-agency working groups. With regard to migration, as already mentioned, there is no special inter-agency working group dedicated to migration, including irregular migration. The topic is part of a wider thematic working group on combating organized crime. Hence, the project will propose *inter alia* setting up a special inter-agency working group on combating irregular migration, as this issue has become more acute at the national, regional as well as international level, and therefore requires special attention.

Apart from the state bodies mentioned above, international organizations and NGOs are also actively involved in migration-related matters in Belarus.

[REDACTED]

The MoU defines modalities of cooperation and identifies respective roles of the national actors and international organizations in the border monitoring process. The MoU foresees access to the detained migrants and visits for monitoring and counseling on asylum<sup>6</sup>, provision of medical and emergency aid (food, clothing, medicines) as well as assistance with voluntary return. In 2013, a similar document was signed with the MoI, thus providing an instrument for access and work with irregular migrants held at the MoI facilities.

The inter-agency cooperation mechanism, in place through the respective MoUs, will enable the concerned stakeholders to implement their respective activities within the project as well. This includes having unrestricted access to places of immigration detention; evaluation of the

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<sup>6</sup> The monitoring group consists of all members of MoU which are conducting regular monitoring and evaluation missions to the immigration detention facilities and prepare joint reports on the migrants' detention conditions, the compliance of the facilities with respective standards as well as provide recommendations for their improvement to the authorities.



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detention conditions and their compliance with international standards; implementation and enforcement of the SOPs, based on international standards; interviewing irregular migrants; providing them with information and assistance and others without the need to request specific permission from the Government, as they are already stipulated in the respective MoUs. During the expert assessment at the inception phase of the project, this mechanism and its effectiveness will be reviewed and, if needed, further elaborated.

## **2. THE ACTION**

### **2.1. Title**

Helping Belarus Address the Phenomenon of Increasing Numbers of Irregular Migrants

### **2.2. Location**

The action will be implemented across the territory of Belarus, but mainly in the regions and regional centers located close to the border with the EU member-states: Latvia, Lithuania and Poland.



### **2.3. Rationale**

The project will contribute to the development of a sustainable migration governance system in Belarus that would enable the country to effectively manage migration and deal with the challenges of irregular migration in an effective and humane way with due respect for the human rights of migrants. At all stages of the project implementation and in every specific activity, gender and human rights dimensions will be mainstreamed and upheld.

IOM will strive to support the Government of Belarus in improving the immigration detention conditions to ensure that migrants in Belarus are staying in humane conditions and are provided with access to the necessary support.

This is in line with IOM's Strategy (MC/INF/287<sup>7</sup>) which states that the Organization's work should focus *inter alia* on:

- enhancing the humane and orderly management of migration and the effective respect for the human rights of migrants in accordance with international law;
- offering expert advice, research, technical cooperation and operational assistance to States, intergovernmental and non-governmental organizations and other stakeholders, in order to build national capacities and facilitate international, regional and bilateral cooperation on migration matters;
- supporting States, migrants and communities in addressing the challenges of irregular migration, including through research and analysis into root causes, sharing information and spreading best practices, as well as facilitating development-focused solutions;

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<sup>7</sup> [https://www.iom.int/jahia/webdav/shared/shared/mainsite/about\\_iom/docs/res1150\\_en.pdf](https://www.iom.int/jahia/webdav/shared/shared/mainsite/about_iom/docs/res1150_en.pdf)



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- being a primary reference point for migration information, research, best practices, data collection, compatibility and sharing.
- undertaking programmes which facilitate the voluntary return and reintegration of refugees, displaced persons, migrants and other individuals in need of international migration services, in cooperation with other relevant international organizations as appropriate, and taking into account the needs and concerns of local communities.

This strategy follows relevant international human rights legal framework. Specifically related to immigration detention, according to Article 9 of the International Covenant on Civil and Political Rights (ICCPR): “*No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.*” The Human Rights Committee has interpreted this right as implying that any measure imposing a restriction on this right “must be justified as reasonable, necessary and proportionate in light of the circumstances.” The law should establish the permissible grounds for detention and “define them with sufficient precision to avoid overly broad or arbitrary interpretation or application.”

Therefore, the detention of migrants in an irregular situation should be used as a measure of last resort and its necessity must be evaluated in each individual case separately. IOM will mainstream these principles of the international legal framework, standards and practices, respective EU laws and best practices, also reflected in IOM’s internal guidance, throughout the project. This includes advocating that reasons for migrants’ detention are well justified and clearly defined in law; are of limited scope and duration; proportionate; and the reasons for such detention are clearly communicated to migrants.

In the framework of this project, IOM will closely work with the Belarusian authorities at all levels to ensure that these standards are respected and duly reflected in the regulatory, institutional and operational framework. Key provisions of IOM’s internal guidance and instructions mentioned above, themselves reflecting international standards, practices and approaches, will be advocated for at every available opportunity, and will be part of the expert recommendations developed during the inception phase of the project. The observance of these standards will be monitored by the Steering Committee of the project.

The project will ensure that children are not detained *inter alia* by adopting appropriate alternatives to detention in the best interests of the child. In exceptional cases where children are detained, they will be housed with parents and under no circumstances will unaccompanied children be housed with unrelated adults. Similarly, women and men will be detained separately unless they belong to the same family.

As a result of the project, the conditions of irregular migrants’ detention will improve by staying in better accommodation facilities, developing and implementing human rights- and gender-sensitive SOPs, having access to medical assistance, competent legal aid and consular assistance, as well as receiving timely access to fair and efficient asylum procedures. The project will support multi-agency field monitoring visits to evaluate the detention conditions, as well as identifying and addressing any fundamental rights violations that may occur.



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Finally, the project aim to assist up to 300 irregular migrants, rejected asylum-seekers and persons who had withdrawn their applications for the refugee status, those under appeal and including most vulnerable (elderly, unaccompanied minors, victims of trafficking, migrants with health problems) in line with the international standards, IOM AVRR standards and practices, and existing best EU practices.

[REDACTED] herefore, this project aims to review Belarus' migration management framework in a comprehensive manner and, focusing on irregular migration in particular, ensure that relevant policy, regulatory and operational means, tools and capacities are in place for Belarus to cope with the rapidly changing and evolving migration situation in the country and wider region. All components will contribute to this aim and IOM will strive to inform not just the state migration authorities but also partner NGOs dealing with irregular migration challenges.

In all components, human rights and gender aspects will be mainstreamed horizontally as a cross-cutting issue.

## **2.4. Overall objectives**

- 1) To contribute to the strengthening and respect of human rights and fundamental freedoms in the area of irregular migration in Belarus
- 2) To contribute to the convergence of Belarus' normative framework with the EU's corresponding framework
- 3) To contribute to the facilitation of operational cooperation between the EU, EU Agencies, EU Member States and Belarus
- 4) To help increase security levels in the region and on the external EU border with Belarus

## **2.5. Specific objective**

To support Belarus in the development and implementation of the country's irregular migration and asylum policies and strategies in order to bring them closer to EU and international standards and good practices.

## **2.6. Project components**

The action encompasses the following three components, which will be implemented in parallel:



## **Component 1: Policy development and strengthening of institutional and operational capacities**

The first component aims at contributing to improving migration governance in Belarus, with a particular focus on irregular migration. Stronger migration governance will positively affect human security and security in general in Belarus and the wider Eastern Europe. As part of this process, existing regulatory frameworks for handling irregular migration will be reviewed, revised as necessary, and consolidated in a unified document. Referral mechanisms for managing irregular migration will be developed to address the currently persisting lack of formalized inter-agency and intra-service coordination and referral procedures. The project will also support the development of a national referral mechanism for irregular migrants returned from the EU under the foreseen EU-Belarus readmission agreement.

An extended migration profile of Belarus will be developed. The migration profile will contain most up-to-date, gender and age-disaggregated statistical data and other relevant information on the migration situation and trends in Belarus. It will be used to draft migration and border management risk analysis reports, to the extent possible based on the Frontex Common Integrated Risk Analysis Model (CIRAM), and contain risk analysis profiling to be used by border guards, immigration police and customs.

Support will also be provided to relevant training institutions such as the International Training Centre (ITC) of the MoI to strengthen their analytical and research capacities in the field of migration. This action will also include extensive trainings with participation of concerned policymakers, governmental and independent experts, academia, and civil society representatives, in order to strengthen *inter alia* the role of the civil society organizations in migration governance.

## **Component 2: Assisted Voluntary Return and Reintegration (AVRR) of irregular migrants**

The second component aims at developing relevant processes of an Assisted Voluntary Return and Reintegration (AVRR) system in Belarus. This component will also focus on informing the government authorities regarding the option of AVRR to be implemented by IOM. Practices and processes in the current system will be reviewed and recommendations for their revision will be developed in order to ensure the development of an effective AVRR system in Belarus.

An AVRR training programme will be implemented in coordination with the thematic specialist in IOM's Regional Office in Vienna. The AVRR training programme will aim at increasing informing and introducing the various components of IOM AVRR programmes to the Belarusian MoI and SBC officers dealing with voluntary return issues at both central and regional levels. The AVRR activities will include counselling, information provision, return and reintegration.

Information materials on the AVRR programme and procedures will be produced in English and Russian, as well as other languages if needed, and distributed at immigration detention facilities, border crossing points and other such places through the network of NGO partners



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involved in the project. All information materials, including SOPs clearly defining the role of each stakeholder in the process, as well as relevant documentation will be coordinated with the IOM's Regional Office in Vienna. Study visits and joint monitoring tours in coordination with RO Vienna may be organized.

In order to adhere to established humanitarian approaches and principles in working with vulnerable migrants, various types of assistance to the authorities and migrants are foreseen. They may include assistance with translation and identification of migrants (such as nationality, country of origin, identity and others) to assist the authorities. They may also entail legal aid, psychological support and emergency packages (clothes, sanitary goods, water and food) for the migrants. NGO partners [REDACTED] will be providing this type of direct assistance to migrants. Moreover, reintegration assistance in the form of cash grants will be offered to the vulnerable migrants returning home and provided prior to departure.

### **Component 3: Establishment of MACs in line with best international and EU standards**

Under the third component, IOM may renovate, depending on the results of the expert assessment in the initial phase of the project, three Migrant Accommodation Centres (MACs), operated by the MoI [REDACTED]. IOM may also rebuild and refurbish four MACs operated by the SBC [REDACTED] and, if advised by the international expert, may also construct one new MAC, presumably in [REDACTED]. All reconstructed or constructed facilities will be of mixed type with closed and open sections for irregular migrants and asylum-seekers respectively.

The proposition to select these particular locations was done by the governmental stakeholders based on the irregular migration trends in Belarus (such as the proximity of these centers to the state border and along the most popular irregular migration routes), and consequent needs and risk analysis. [REDACTED]

[REDACTED] However, based on the assessment to be conducted by an international expert in the inception phase of the project, the location of the centers, their type (open or mixed) and type of intervention needed (construction or refurbishment) may change. In fact, should the expert assessment recommend that resources be directed at refurbishment of existing facilities only, the component related to the construction of a new MAC may be deleted from the project, based on consultation with project counterparts and upon approval by the Steering Committee.

Preliminarily, each MAC is expected to have the capacity to accommodate between 30 to 50 irregular migrants and asylum-seekers at a time. The exact design of MACs will be identified in the inception phase of the project during the expert assessment and technical consultations. In defining the type, design and parameters of the reception (accommodation) facilities, IOM will strictly follow its own internal and other relevant international guidelines for immigration detention and migration reception facilities in order to guarantee, irrespective whether the facility is open or mixed, the respect for human rights of migrants, especially the most vulnerable ones. IOM will promote vulnerability-centric approach, combined with advocacy against any child detention. An external advisor will be hired to monitor and inspect the construction and operation of MACs in line with international standards for migrant detention.



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This component will also include study visits of concerned senior officials (policy makers and technical experts) to several EU and non-EU countries where such centres exist and meet international standards, in order to replicate these in Belarus.

Relevant training programmes will be developed and carried out to train personnel working in MACs. These trainings will include such topics as development of the code of conduct for law enforcement officers and other personnel interacting with migrants, gender awareness, relevant international and national legal framework and operational standards and procedures etc. Besides, [REDACTED] will deliver trainings on access to asylum and international protection. NGO partners, [REDACTED], will provide legal counselling and aid to migrants and direct assistance to the most vulnerable among them.

[REDACTED] The reason for setting up a completely new MAC is the perceived need for a MAC in this geographic area.

In all three components above, gender will be consistently mainstreamed to ensure gender-sensitive migration policies, laws and operations.

## **2.7. Project deliverables**

The project foresees the following deliverables:

**Deliverable 1: Assessment of irregular migration management in Belarus conducted; report with recommendations provided to the Government (Component 1):** The project will start with a comprehensive assessment of existing irregular migration related policies, the regulatory framework and capacity building needs of relevant Belarusian governmental stakeholders, and compare them with those existing in EU countries and internationally. The assessment will also evaluate the institutional and operational capacities of migration authorities of Belarus, focusing on irregular migration, and identify gaps and needs to be addressed within the project. Based on the findings of the assessment, concrete recommendations will be formulated and addressed to the GoB on modernizing the existing irregular migration framework to meet international standards and regulations.



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**Deliverable 2: Inter-agency taskforce(s) set up to meet on a regular basis to discuss the issues pertaining to the project implementation (Components 1, 2, 3):** In order to operationalize the recommendations contained in the assessment report, and ensure the involvement and cooperation of various agencies involved in migration matters, a special inter-agency expert taskforce (or taskforces) will be set up at the inter-ministerial level. It will consist of representatives of all structures involved in migration management in Belarus; national and international, governmental and non-governmental. This taskforce(s) will identify ways for operationalizing the proposed recommendations both at the policy and operational levels, and will come up with a plan for concrete steps and procedures for follow up. In order to guarantee that recommendations are operationalized, the taskforce meetings will be attended by senior officials of both the project beneficiaries and the institutions in charge of writing laws, such as the Ministry of Justice and the National Center for Law-Making Activity. Both will be consulted about the proposed changes and the actual implementation and operationalization of the amendments. The taskforce(s) will meet on a regular basis, as requested by the project management team, key stakeholders or as advised by the Steering Committee. The established taskforce(s) will represent a mechanism designed to implement recommendations and implement decisions at the operational level.

**Deliverable 3: Extended migration profile of Belarus developed and used for the development and implementation of effective migration policies and strategies on dealing with irregular migration (Component 1):** In order to support the development of evidence-based migration policies and strategies, and implementation of assessment recommendations, an Extended Migration Profile will be developed for Belarus. It will contain up-to-date analytical and statistical data on the current migration situation in Belarus, risks and challenges faced, as well as future trends. The content of the migration profile will be coordinated with the respective governmental actors and will be published and officially presented to the Government. To the extent possible, it will follow established IOM migration profile methodology, while taking into account the specificities of Belarus data collection, management and protection and the overall statistical system. The taskforce(s), consisting of migration and statistical experts, will further ensure that the information contained in the profile is regularly updated and used when developing national migration policies and revising the existing relevant migration databases.

**Deliverable 4: Capacity building programme developed, state migration authorities' capacities in migration management enhanced (Component 1):** In order to ensure that a sustainable capacity building programme exists for Belarusian migration agencies, such as the MoI, SBC and others, a comprehensive gender- and human rights-sensitive training programme will be developed. Training modules on various aspects of migration management, including but not limited to readmission, identification of irregular migrants, immigration detention, information about AVRR, document security, risk analysis and access to asylum, will be developed. Exact topics will be identified and determined during the inception phase of the project. Training packages will be developed, consisting of trainers and trainees' manuals, complete with handbooks, powerpoint presentations, exercises and



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tests. Based on the materials developed, a series of capacity building trainings will be conducted on different aspects of migration management. The information learned during the trainings will be further rolled out to a wider group of staff working with migrants. The trainings will be supplemented by a regional seminar on identification of migrants, a national readmission workshop and a study trip on accelerated readmission [REDACTED]

[REDACTED] During these events, project beneficiaries, mainly SBC officers, will be familiarized with best international practices in the sphere of readmission, in particular accelerated readmission at the border, as well as identification of irregular migrants.

**Deliverable 5: Rollout of the capacity building programme for the MoI and SBC staff**

**(Component 1):** In order to ensure the multiplier effect of the trainings, the project will provide limited support to the roll-out and implementation of further trainings by trained MoI and SBC officers. The Steering Committee will ensure that the training modules developed under the project will be institutionalized by means of inclusion in the curriculum of the respective training institutions of the MoI and SBC. A significant part of the trainings will be conducted in the premises of the ITC for Combating Irregular Migration and Trafficking operated by the Academy of Interior Affairs. The project will utilize the existing analytical capacity and expertise accumulated by the Center in the development of the training programme and conducting the trainings.

**Deliverable 6: Five study visits on various aspects of managing irregular migration conducted (Components 1, 2, 3):**

Parallel to the development of a comprehensive training programme, a series of five thematic study visits to EU Member States will be organized for the representatives of the key state stakeholders and, if relevant, [REDACTED] in order to familiarize them with the best practices in irregular migration responses in the EU countries. Each study visit will be dedicated to a particular topic (for example, MACs, readmission, AVRR) but at the same time they will encompass other migration-related issues as well. The participants will be able to explore how the migration management system functions in other countries, what challenges other countries face and how they overcome them. The participants will also be familiarized with the existing policies and regulatory frameworks; pay site visits to open- and closed-type reception facilities for migrants; observe how they operate and in what conditions migrants live there; and how international organizations and NGOs assist migrants living in those centers. One of the study visits will be conducted in the form of an on-site training at the existing EU MAC for the MoI and SBC officials responsible for running the future MACs in Belarus. As a result of each visit, a report will be compiled by participating officials on the outcomes and findings of the study visit. The conclusions will be presented to the relevant taskforce and further circulated among the concerned migration agencies. The lessons learned during the study visits will be incorporated into the training modules developed within the project.



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**Deliverable 7: The capacity of migration authorities increased to set up and operationalize national AVRR system, migrants receive assistance in voluntary return (Component 2):** Part of the initial assessment (as presented in Deliverable 1) will be dedicated to the issues of immigration detention, readmission and voluntary return of third-country nationals to their countries of origin. The assessment will analyze the systems currently in place and their compliance with international standards. The assessment will lead to the elaboration of recommendations for the development of a national AVRR system in Belarus. The taskforce created within the project will further consider how to include a national AVRR system in the national legislative, institutional and operational framework. IOM, as the main international agency dealing with AVRR issues, will provide expertise to the taskforce on how such a system can be best created. This deliverable will lead to the design of the AVRR framework in Belarus, as well as support in a dignified return home. It is envisaged that up to 300 migrants will benefit from AVRR assistance within the project, including return home and reintegration grants. The assistance provided within the AVRR component will include the following:

- Eligibility assessment and counseling
- Dissemination of information on the AVRR option availability;
- IOM-UNHCR-SBC-MoI coordination of referrals and return counselling;
- Return information and counselling for potential and actual applicants;
- Interviewing;
- Registration and processing of AVR application and record of voluntary nature of return;
- Verification of documentation and arranging for appropriate travel documentation for migrants wishing to return, in close collaboration with countries of transit and origin, including assistance in obtaining transit visas, as required;
- Preparation of travel, including determination of itinerary and booking;
- Ticketing;
- Coordination with transit IOM missions;
- Coordination with IOM missions in countries of origin on arrival assistance, and, when needed, informing relatives of the returnee, provision of country information etc.
- Departure assistance at airports;
- Pre-departure medical checks and, if needed, medical escorting;
- Disbursement of small return allowances in cash;
- Provision of reinstallation grants or getting in touch with IOM missions in countries of origin for effecting the payment.

**Deliverable 8: Partner NGOs provide legal and humanitarian assistance to most vulnerable migrants (Component 2):** This activity envisages delivery of direct humanitarian assistance by the partner NGOs in the form of food, hygiene packages, clothes and medical, psychosocial and legal support to those migrants who are identified as being in need of





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assistance. The exact scope and type of assistance will be determined on a case-by-case basis by the concerned NGO staff, in close consultation with IOM. Field monitoring visits to the detention facilities will be arranged to monitor the detention conditions of migrants, identify potential vulnerable migrants, including victims of trafficking, as well as asylum-seekers, and decide on the type and scope of assistance to be provided in each individual vulnerable case. Such assistance will be available to migrants throughout the project implementation period, irrespective of whether they are placed in an open or closed center or included in the AVRR programme.

**Deliverable 9: Migrant Accommodation Centres (MACs) renovated and/or built, equipped and made fully operational (Component 3):** This activity envisages infrastructural support to Belarus in preparation for the implementation of a Readmission Agreement with the EU. The project will support the modernization of immigration detention facilities under the responsibility of the MoI and SBC, which currently do not correspond to acceptable conditions for the reception of migrants. It is expected that a number of MACs will be reconstructed, and will fully correspond to international standards and IOM's own guidelines and recommendations for the design and operation of such facilities. All MACs to be reconstructed or constructed within the project framework will be provided with necessary equipment, furniture, vehicle and staff training (see Deliverable 12) in order to ensure their readiness for full-scale operation.

It is expected that all MACs to be reconstructed or built under this project will have closed and open sections for irregular migrants and asylum-seekers respectively. The exact setup of the centers will be determined during the inception phase of the project following expert assessment and consultations with all project partners. External expertise will be hired to advise on the standards in the MAC construction and operation.

**Deliverable 10: Gender- and human rights-sensitive Standards Operating Procedures (SOPs) for MACs developed and institutionalized (Component 3):** Gender- and human rights-sensitive SOPs for the MAC's operation and management will be developed by an international expert, working closely with the relevant inter-ministerial taskforce. The SOPs will describe the roles and responsibilities of the staff working in the MACs. The SOPs will also address the rights of migrants and gender aspects of immigration detention, the access of international organizations and NGOs to MACs for monitoring purposes and provision of assistance to migrants held there. Once developed and presented to the authorities, the SOPs will be officially institutionalized by the MoI and SBC and become a manual for the staff of the centers for their daily use.

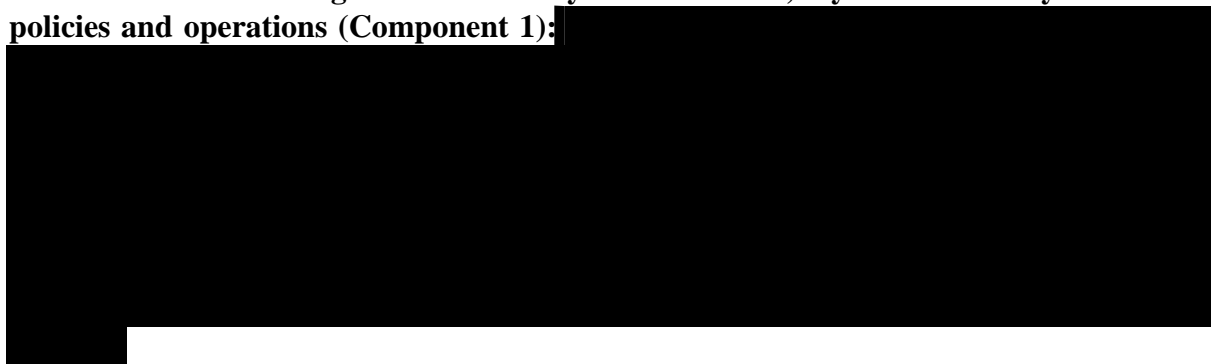
**Deliverable 11: Technical assistance provided to state authorities and NGOs in the area of irregular migration, including migrant assistance (Component 3):** Apart from the modernization of the current reception system of Belarus, the project will provide technical assistance in the area of irregular migration, including migrant assistance, to the migration management authorities, such as MoI and SBC; NGOs working with migrants; and training



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institutions, such as the ITC for Combating Irregular Migration and Trafficking in Persons. The concrete themes of technical support and type of equipment to be provided will be identified during the inception phase of the project as part of the assessment (Deliverable 1). Apart from this, MoI officers working with migrants will be provided with special “migration control” jackets as part of their service uniform, so that they are easily identifiable as the ones working with migrants rather than conducting regular law enforcement (police) operations.

**Deliverable 12: Trainings on access to asylum conducted, asylum issues duly reflected in policies and operations (Component 1):**



**Deliverable 13: Information campaign conducted, information materials disseminated among the public, media and migrants (Component 3):** Apart from strengthening the capacity of the Government and NGOs, the project will also raise the awareness of the wider public, including mass media, on the issues pertaining to migration and migrants. Through a number of information campaign activities to be conducted *inter alia* through social networks and the media, the public will be kept aware of the goals and developments of the project. The campaign will also work towards a positive narrative of migration, thus enhancing the perception of migrants in Belarus, including those in irregular situation and asylum seekers. Part of the information materials will be specifically designed for migrants staying in MACs and will inform them of their status according to the Belarusian legislation, their rights, obligations and options such as AVRR, access to asylum and other such issues.



## 2.8. Detailed description of activities

The project will consist of three interrelated components, each divided into specific activities that will complement each other, be carried out in parallel and result in concrete deliverables. Each component will include a series of capacity building and technical assistance activities aimed to empower and increase capacity of the state officials and NGOs to handle various aspects of migration management, as well as provide direct assistance to vulnerable migrants. A thorough needs assessment will precede the allocation of resources for each specific project activity.

### **Inception phase**

Project Management Team (PMT) Set-Up: A PMT will be formed consisting of the IOM project manager, specialists responsible for each project component, project assistants, as well as administrative and finance staff. IOM will approach the project stakeholders with a request to appoint focal points in their organization for the implementation of the action. Once appointed, the focal points will be part of the PMT and relevant taskforces.

Registration of the project with the Government of Belarus: The national body responsible for the project implementation, the MoI and SBC, with the support from IOM and, if needed, other stakeholders, will prepare a set of documents necessary to obtain the state registration and consequently register the project with the Ministry of Economy.

Steering Committee's formation: Once the registration is obtained, the parties will set up the project Steering Committee, consisting of senior officials from each organization involved, including the donors. The first Steering Committee meeting will take place during the inception phase of the project, during which IOM will present the project implementation plan and modalities.

Appointment of inter-agency taskforce(s) for the implementation of specific activities: Upon the decision of the project Steering Committee, a taskforce (or several taskforces) will be formed and responsible for the implementation of various project components. These taskforces will consist of experts of all key stakeholders and international experts, and will be responsible for the policy and strategy formulation and capacity building components of the action; identify the direction of work at the technical level; provide expertise for specific activities of the project; and engage in consultations with the Government on various aspects of individual project components. The Terms of Reference (ToR) the taskforce(s) will be developed jointly by the PMT and key governmental counterparts.

Organization of a kick off press conference for the media: Following the first Steering Committee meeting, a press conference for the mass media will be held in order to inform the wide public about the launch of the project and its anticipated activities and results. More press conferences will be organized in course of the project in order to inform the wider public about the project's progress and achievements. The decision to hold such a press conference will be taken by the PMT in consultation with other stakeholders, including the donors.

## **Implementation phase**

### **Component 1: Policy development and strengthening of institutional and operational capacities**

Recruitment of an international expert for policy, regulatory and operational framework development (Deliverable 1): Prior to the implementation of activities pertaining to this component, an open call will be announced for international expert services to analyse the existing legislative, regulatory and operational framework on the issue of migration management in Belarus, with a specific focus on irregular migration. Once selected, the expert will conduct a desk research and conduct a series of field visits to Belarus to meet with the key stakeholders involved in the policy and decision-making to gather additional information, opinions and trends to inform the assessment report.

Assessment report on the policy and regulatory framework in Belarus (Deliverable 1): The expert will compile a comprehensive gaps and needs analysis assessment report by reviewing current migration-related laws, policies and operational capacities. He/she will also formulate recommendations for legal amendments for the Belarusian laws to be in line with international standards and practices. This report, once finalized based on feedback from IOM and the GoB, will be published and disseminated among all concerned stakeholders including senior level officials.

Development of training modules and organization of trainings and study trips to EU (Deliverables 4-6): The assessment report will *inter alia* identify concrete needs for improvement in the domain of irregular migration in Belarus. Based on the findings of this report a number of thematic training modules on various aspects of irregular migration (such as, for example, gender sensitive interviewing techniques, identification of migrants, risk profiling, international standards for migrants' detention, AVRRE etc.) will be developed that will be used during a series of capacity building trainings. The trainings, alongside thematic study trips to EU, each being dedicated to one particular topic (to be determined during the implementation period), will aim to increase the capacity of the concerned policymakers, governmental staff and, if necessary, representatives of the academia and NGOs, on the existing gaps in the national migration-related legislation and its practical implementation, alongside recommended measures to improve it. It is planned to train over the course of the project up to 200 MoI and SBC officers dealing with irregular migration and related issues who will then pass their knowledge to their colleagues in the field.

Trainings and ToTs on access to asylum and asylum procedures (Deliverables 4-5): The trainings will target the SBC and MoI personnel from the regions directly working with irregular migrants and asylum seekers on a daily basis, including personnel working in the SBC and the MoI immigration detention facilities. The training programme will include a series of seminars and workshops aimed at the familiarization of the personnel with the international standards of refugee protection, namely access to the territory and refugee status determination (RSD) procedure; competence within the framework of state RSD procedure; general protection issues; human rights of migrants and refugees; and various types of

assistance provided by NGOs. The training programme will include the development of thematic training modules; a series of ToTs for selected law-enforcement officers held at the ITC in Minsk; and a number of regional and local awareness-raising and on-site training events in order to cover a larger number of SBC and MoI staff.

Study visit on access to asylum and asylum procedures (Deliverable 6): The in-country capacity building training programme supported by [REDACTED] will be complemented with a thematic study visit to the EU for the representatives of key stakeholders, including NGOs, on best practices in access to asylum and asylum procedures in a selected EU country. Although the visit will be dedicated to the issues of asylum, it will encompass other migration related issues as well. The participants will be able to explore how the migration management system functions in other countries, what challenges they face and how they overcome them. They will be familiarized with the existing policies and regulatory frameworks; pay site visits to open and closed type reception facilities for migrants. see how they operate and in what conditions migrants live there; and how international organizations and NGOs help them.

Development of Extended Migration Profile for Belarus (Deliverable 3): An external expert, working closely with the national migration authorities and using the IOM migration profile methodology, will develop the country's Extended Migration Profile – a comprehensive document reflecting the current migration situation in Belarus, analysing potential future trends and threats and means to address them. This document will be widely used by the state authorities in their everyday work in the area of migration management.

Refurbishment of and equipment for the ITC (Deliverable 11): This activity will cover modernization, refurbishment and equipping of the ITC for Combating Irregular Migration and Trafficking working under the umbrella of the Academy of the MoI of Belarus and supported by IOM. The ITC is a leading training institution in this sphere in the region where law enforcement officers from Belarus and many other countries are trained on the issues of handling irregular migration and trafficking crimes.

## **Component 2: Assisted Voluntary Return and Reintegration (AVRR) of irregular migrants**

Hiring an international expert and conducting assessment on AVRR (Deliverable 7): IOM will launch a call for applications to hire an international expert to conduct an inception assessment (Deliverable 1). As noted above, the activity will also entail an assessment of the Belarusian voluntary return system. Specifically, the assessment will examine the issue of AVRR of third-country nationals with irregular status in Belarus back to their countries of origin. The expert (possibly the same expert as hired for Deliverable 1) will analyse the existing voluntary return practices in Belarus, if any, compare them to practices found in EU Member States and come up with recommendations in line with international standards.

Trainings on AVRR (Deliverable 4): Based on findings of the assessment, a training course on AVRR will be developed and a number of trainings will be conducted for the state officials responsible for the return of irregular migrants coordination with the Regional Office in Vienna.



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Organization of a study visit on AVRR to an EU Member State (Deliverable 6): Following the implementation of trainings, at least one thematic study visit to EU Member States with a well-developed AVRR system will be implemented. Other study visits, although concentrating on different aspects of readmission, will also touch upon the issues of dignified and AVRR.

Delivery of direct assistance to most vulnerable migrants (Deliverable 8): Apart from capacity building aspects, this component also envisages rendering direct assistance to the most vulnerable categories of migrants, especially the elderly, persons with disabilities and unaccompanied minors. It will include the whole spectrum of services necessary for the AVRR but also assistance with translation, identification, medical and psychosocial support and humanitarian packages. IOM will render AVRR services to the most vulnerable cases of migrants willing to return home. It is expected that at least 1000 persons will benefit from receiving various types of direct assistance within the framework of this component.

### **Component 3: Establishment of Migrant Accommodation Centers (MACs) in line with best EU and international standards**

Development of human rights and gender sensitive SOPs for MACs operation (Deliverable 10): Within this activity, IOM will develop SOPs for the operation of MACs, using international standards and guidelines as reference. Once developed, these SOPs will be presented to the national stakeholders for their review and feedback. Upon finalization, they will be used as a training tool during capacity building activities within the project, as well as at current migrant reception facilities and future MACs to ensure respect for migrants' rights and compliance with international standards and practices. The SOPs will pay specific attention to gender issues, as well as the rights and needs of most vulnerable migrants, such as unaccompanied minors, persons with disabilities, the elders and others. They will also address access of international organizations and NGOs to immigration detention centers to monitor MACs' operation and compliance with international standards.

Field monitoring visits to immigration detention facilities (Deliverables 8, 10): The above trainings will be combined with monitoring visits to border units and detachments of the SBC, and immigration detention facilities of the MoI and the SBC, including MACs to be established within this project. The visits, jointly operated by IOM and [REDACTED], also involving partner NGO, MoI and SBC representatives as members of the monitoring group, will aim at raising awareness among detained irregular migrants about their rights in accordance with international standards and Belarus' national legislation, including the right to apply for asylum; unrestricted access to RSD procedure; and benefits they are entitled to in case they apply for asylum in Belarus. The inter-agency team comprising of all project partners will ensure that all identified vulnerabilities and gaps in protection are addressed and followed up, paying particular attention to children. The MoI and SBC, as the two entities operating all immigration detention facilities in Belarus, will provide all the necessary support, *inter alia* at the political level, to ensure unrestricted access of IOM, [REDACTED] and partner NGO representatives to these facilities and migrants/asylum-seekers accommodated there, in order to monitor the immigration detention conditions and MACs' compliance with the internationally accepted norms and standards. Wherever needed, IOM and [REDACTED] will



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provide their recommendations to MoI and SBC on improving the immigration detention conditions of migrants and asylum-seekers and compliance with international standards.

Study visits on MAC operation and maintenance (Deliverable 6): Additionally, a number of study visits to the EU will be dedicated *inter alia* to the issue of MACs' operation. Participants of the study visits, representing the MoI, SBC and NGOs working with migrants, will be able to familiarize themselves with the reception conditions in these Centers as well as study different aspects of their effective operation and maintenance, with an emphasis on compliance with international standards.

Mainstreaming human rights, gender, diversity and SGBV (Deliverables 8-10): Human rights, gender and diversity issues as well as SGBV identification and response will be mainstreamed in training and capacity building activities as important cross-cutting concerns. For example, project activities aimed at the development and rollout of human rights and gender-sensitive SOPs for the management of MACs will focus at raising the level of knowledge and professional skills of the MoI and the SBC personnel, so that they could more efficiently identify and respond to cases of human rights violations (including SGBV) among irregular migrants and asylum-seekers. The gender component of the project will mainstream access to protection and specialized services, particular for SGBV victims. The identified victims will be referred to competent state or NGO service providers (such as BYCWA) for assistance and professional advice.

Equipment provided to MoI, SBC and partner NGOs involved in various aspects of readmission (Deliverable 11): Equipment will be provided to migration authorities and border guard units in charge of readmission, as well as NGOs working with migrants.

[REDACTED]

The exact scope of the equipment to be provided to MoI, SBC and NGOs will be identified during the inception phase of the project when the specific technical needs of all stakeholders will be identified jointly by the PMT and concerned stakeholders.

Reconstruction and building of MACs (Deliverable 9): Depending on the outcomes of the expert assessment, IOM may renovate

[REDACTED]

all being of mixed type. Each center will have safe space for women, families, children and provide a range of targeted services including psychosocial assistance, health care, legal aid and humanitarian assistance. IOM and its partners will have regular access to the immigration detention facilities in order to monitor compliance with international standards and to provide assistance to migrants.



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Awareness raising among migrants (Deliverable 13): Awareness raising information materials and handouts intended for irregular migrants and asylum-seekers will be prepared and disseminated during monitoring visits to immigration detention facilities, border detachments and immigration police offices. The publications will provide useful and concise information on the rights of migrants in Belarus, possibility to apply for protection or asylum in Belarus, the kind of assistance available, necessary contact details, extracts from the relevant legislation and other such information.

### **3. IMPLEMENTATION MODALITY AND PROJECT MANAGEMENT STRUCTURES**

#### **3.1. Implementation modality**

This action shall be implemented through indirect management by the IOM in accordance with Article 58(1)(c) of the Regulation (EU, Euratom) No 966/2012. IOM has successfully passed the *ex-ante* seven pillars assessment in accordance with Article 61(1) of Regulation (EU, Euratom) No 966/2012.

IOM Belarus will be able to use its internal expertise in running a variety of migration, border and customs-related initiatives in the past; a wide experience in organizing and facilitating events, including round tables, workshops, study trips, trainings and conference; and procurement tenders, with administration and finance fully aligned with the European Commission's financial norms and regulations.

IOM has been selected to implement this action because of its capacity. IOM has successfully implemented a number of migration and border management projects in the past, targeting the development and institutionalization of comprehensive border, customs and migration management systems. IOM projects worldwide enhanced operational capacity of border guards, immigration authorities and customs in the area of border management, improved the effectiveness of controls, provided the migration authorities with up-to-date equipment, management systems and trainings. IOM has accumulated extensive experience in implementing similar projects in Belarus and elsewhere and will use its global experience and expertise in implementing this complex multi-component action.

#### **3.2. Implementing organisation(s)**

The action will be implemented by the IOM Mission in Minsk, Belarus. IOM will be responsible for the implementation of all three components of the action.

IOM can build on its long-term relationship with the project beneficiaries, which is particularly important in Belarus, and has already successfully implemented other projects in close partnership with the EU Delegation in Belarus<sup>8</sup>. Moreover, thanks to IOM's familiarity

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<sup>8</sup> Namely "Strengthening surveillance capacity on the green and blue border between Belarus and Ukraine"





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with the project registration procedures with the Ministry of Economy of Belarus, occasionally complicated and time-consuming, the project activities will be able to start without significant delay.

IOM will be responsible for the whole spectrum of project management related work, such as planning, inception, implementation, contracting, reporting and financial management. IOM will set up a Project Management Team (PMT), directly in charge of the project implementation, convene the Steering Committee, responsible for strategic planning and decision-making, and regularly report to the Donor on the project progress and obstacles faced, if any.

IOM strongly relies on the expertise and support of the Technical Specialists based in the IOM Regional Office in Vienna and IOM's Migrant Assistance Division and Immigration and Border Management Divisions in IOM Headquarters in Geneva, providing technical expertise and support in the field of migration policies, institutional reform, assistance to migrants, procedures, training and information management. The aforementioned Divisions and the Technical Specialists in particular have accumulated vast experience in the implementation of migration and border management projects globally, including the Eastern Partnership region.

[REDACTED] Reports from such activities will be incorporated into the donor reports.

NGOs selected as partners in this project will be dealing with rendering humanitarian assistance to vulnerable migrants. IOM will closely cooperate with, and coordinate the activities of, [REDACTED]

[REDACTED] to maximize project positive outcome for vulnerable categories of migrants through utilizing the relevant expertise of the named NGOs in humanitarian, social and psychosocial assistance; legal consultations and advice; and preventing and addressing SGBV issues.

Under the current project, the roles, functions and responsibilities of international organizations and NGOs were distributed in accordance with their mandates and capacities as follows:

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(SURCAP Phases 1 and 2) and “Support to the creation of an electronic system of pre-arrival information exchange between the customs authorities of Belarus and Ukraine” (PRINEX)



[REDACTED]

- IOM – will manage the provision of assistance within the voluntary return framework including dissemination of AVRR information, counselling, support in obtaining travel documentation, pre-departure “fit-to-travel” medical screening, temporary accommodation, travel arrangements and ticketing, departure, transit and arrival assistance, disbursement of small reintegration cash grants.

The above mentioned NGOs as Grant Beneficiaries will conduct their respective activities within the project framework.

In the framework of the project, [REDACTED] involvement will be focused on protection monitoring activities and relevant trainings for the SBC, MoI, MACs and NGO personnel with an overall goal to ensure that access to asylum is preserved. Accordingly, relevant needs and vulnerabilities, such as sexual and gender-based violence (SGBV) issues among asylum seekers and irregular migrants are identified and addressed.

[REDACTED]

[REDACTED] will utilize the relevant expertise of the named NGOs in humanitarian, social and psychosocial assistance; legal consultations and advice; and preventing and addressing SGBV issues.

[REDACTED]

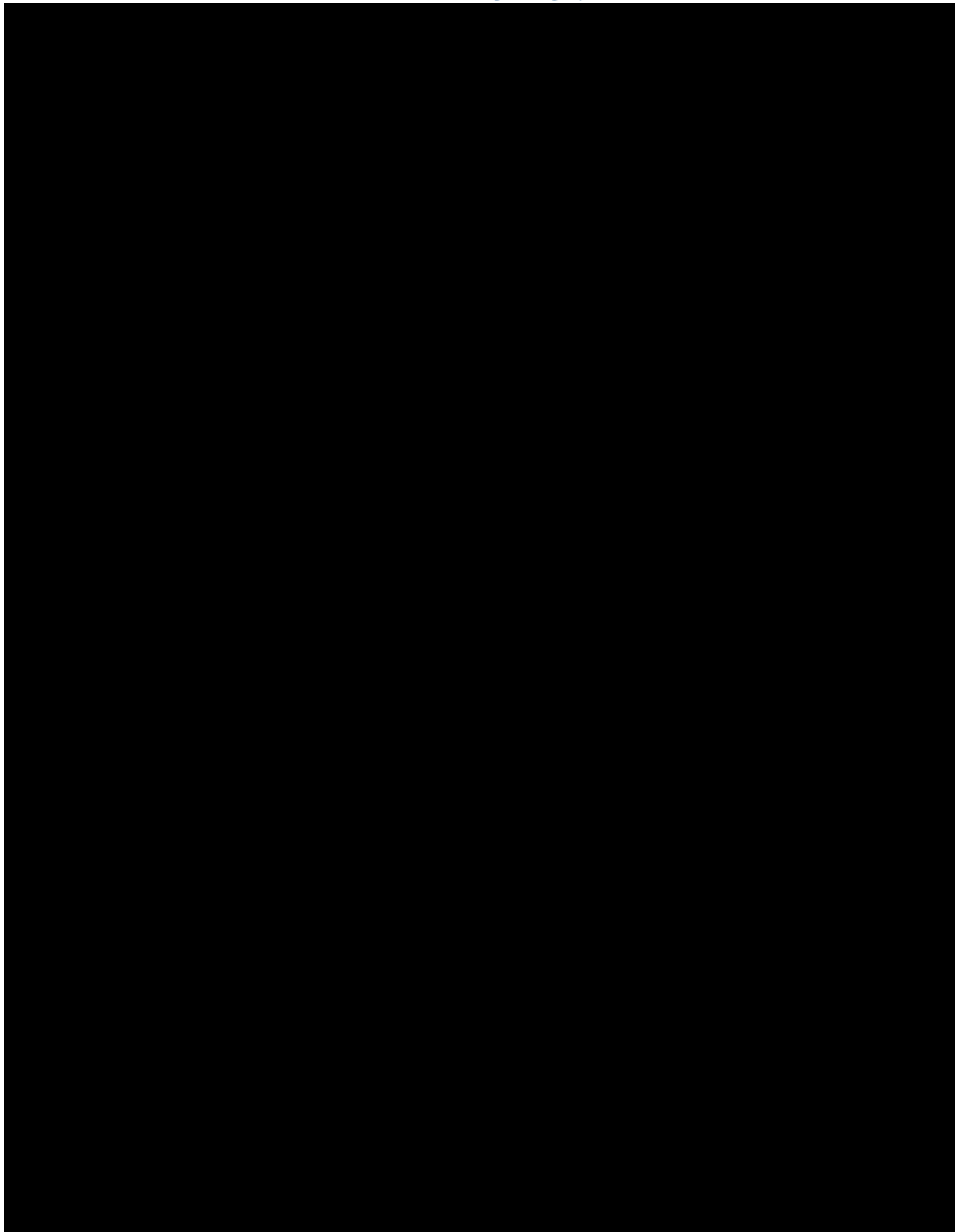
[REDACTED]

[REDACTED]





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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

### 3.4. Steering Committee

A project Steering Committee will be established and will be responsible for the strategic direction of the project and making strategic decisions, in order to implement the project in the most efficient and productive way.

[REDACTED]

The Steering Committee will meet every six months. However, if needed, *ad hoc* meetings may be convened to resolve urgent issues related to the project implementation.

The Steering Committee will elaborate and agree on the Action Plan, indicating timeframes and required input/contribution from all involved agencies, set up strategic milestones for the upcoming implementation period (until the next Steering Committee meeting), and ensure commitment by all project partners for the timely implementation of the Action.

Upon the decision of the Steering Committee there will be formed a Working Group of the project in charge of the technical aspects of the project implementation that will meet on an *ad hoc* basis.

### **3.5. Working group(s)**

The Steering Committee will form a Working Group for the day-to-day oversight of practical implementation of project activities. The Working Group, set up by the decision of the Steering Committee, will include representatives of PMT project focal points representing benefiting agencies and will meet on a regular basis. The Working Group will be delegated with responsibilities for the practical implementation of decisions, adopted by the Steering Committee, ensuring that all activities are carried out in the most effective way.

### **3.6. Task Force(s)**

In addition to the Working Group, taskforce(s) may be formed, comprised of the national specialists and, if necessary, external experts, that will meet and carry out specific tasks, implementing recommendations of various assessment, studies or the decisions of the Steering Committee. IOM PMT will be responsible for administrative and logistical arrangements related to the operation of the above project bodies.

### **3.7. Administrative management**

[REDACTED] moreover, IOM Regional Offices in Vienna and Brussels, as well as IOM Administrative Center in Manila, provide administrative and technical support to IOM country offices to assist them in the fulfillment of contractual obligations and overall compliance with EU requirements.

The project management will be carried out in full compliance with IOM's internal standards and policies, which correspond to those adopted in the EU, as well as the provisions of the Framework Agreement between the EU and IOM laying down the administrative and financial arrangements for their cooperation.



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#### **4. SUSTAINABILITY**

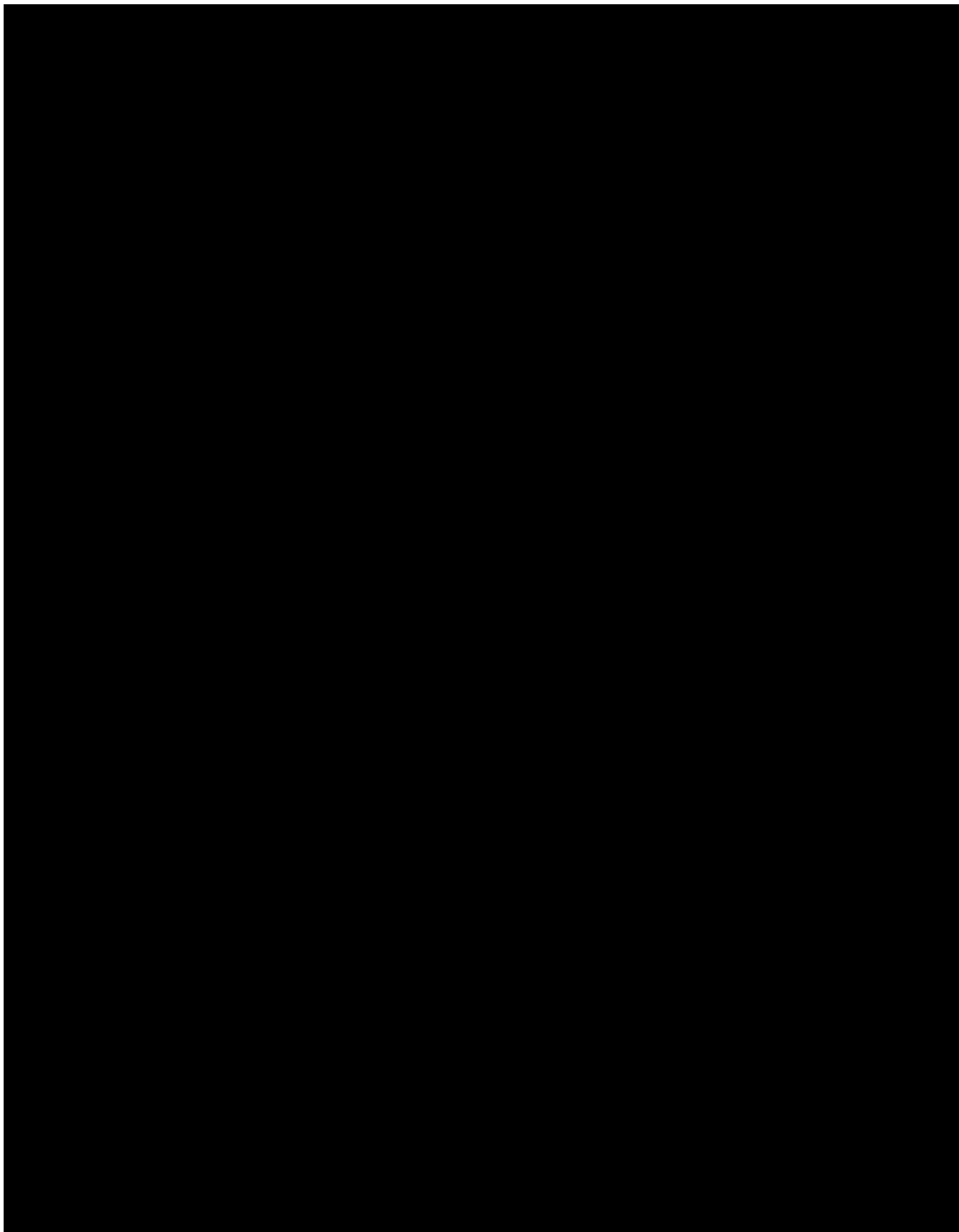
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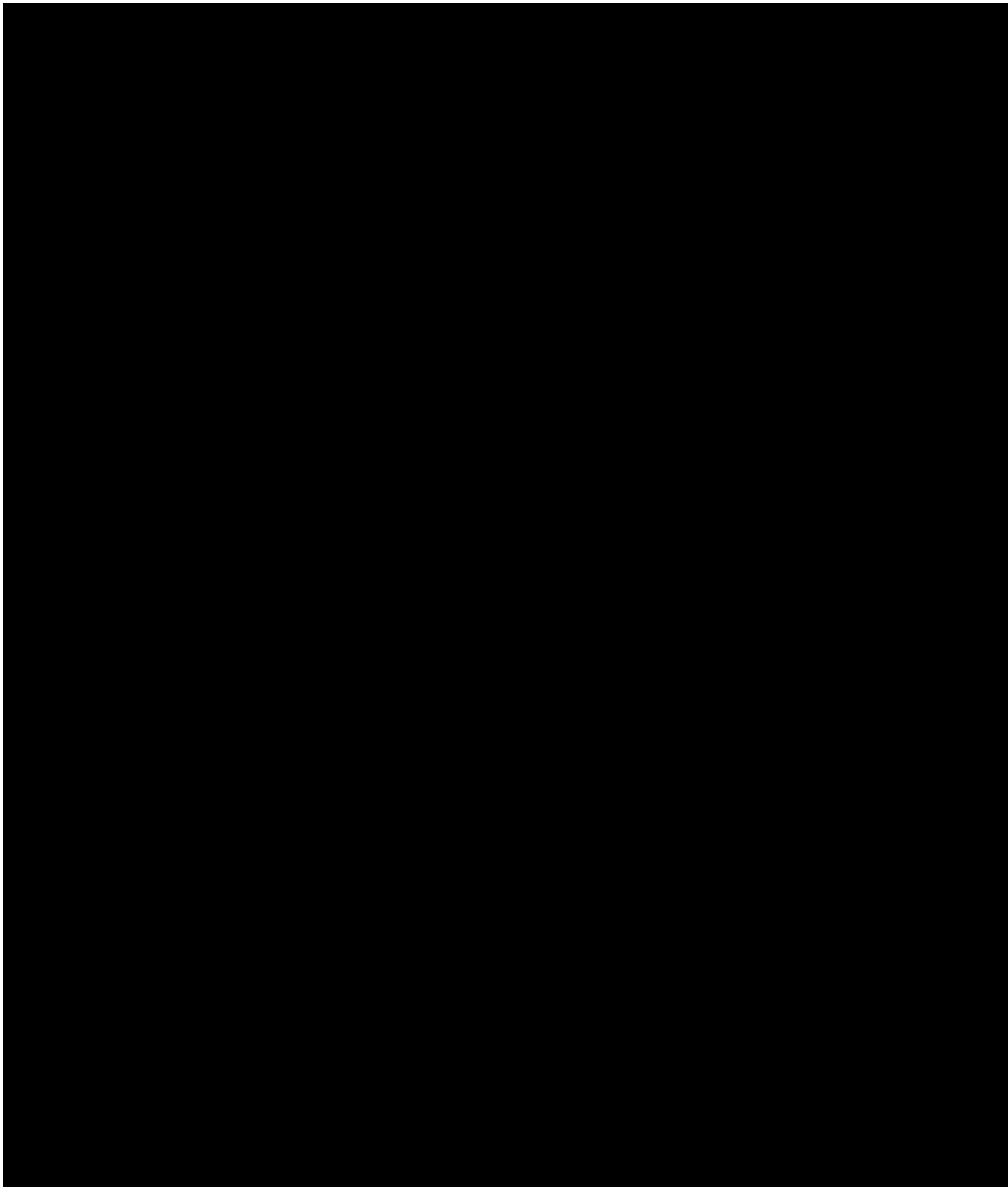


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#### **4.2. Links between soft activities and investments**

The government will contribute to the project by organizing ToTs for the staff of MoI and SBC, as well as providing premises at ITC for the organization of capacity building activities.

It is expected that lessons learned from the project's capacity building components, such as expert reports, thematic trainings and study tours, will be translated into practice and operationalized in the work of the country's MACs and managing irregular migration as a whole.

By the end of the project, all products, including equipment, training curricula and manuals developed, will be handed over to the respective authorities. The materials to be developed within the project, some of which may be available in English, may be further used in other countries where similar projects are planned or implemented.

### **4.3. Project sustainability**

The project is designed and will be implemented in such a way as to encourage beneficiaries to take full ownership of the individual activities through their direct involvement in and full commitment to the action, and thus ensure sustainability of the project beyond the implementation period. It is expected that project outputs related to the analysis of legislation, regulatory and operational frameworks and mechanisms, containing specific recommendations to the government, will further be utilized by the latter in revising the existing policies and strategies, and developing frameworks that are in line with international practices.

Throughout the project implementation, specific attention will be paid to involving all stakeholders in the development and planning of the activities, implementation modalities, monitoring and evaluation of the capability of national and local authorities in order to continue the procedures and processes when the project is closed. To this end, building institutional capacity of the migration and border authorities will remain at the forefront of all project activities and decisions to ensure that project deliverables are sustainable.

The project progress will be regularly monitored and validated by the Steering Committee as well as by the authorities of Belarus, who will be kept informed and updated on the progress and positive achievements of the action.

MACs to be reconstructed, equipped and possibly constructed within the framework of this project will be put on the balance of the respective authorities and will be from then on operated by them without any financial support from outside [REDACTED]

Capacity building activities, aimed at the national and local officials, both policymakers and law-enforcers, will follow the ToT modality, enabling the already trained personnel to consequently train their colleagues.

All project publications will be circulated amongst the relevant stakeholders to maintain institutional memory, creating synergies with the training and infrastructure activities.



Project results will be handed over to the governmental partners. Multiple levels of staff in the project will be engaged to support institutional memory in case of staff turnover. The involved state agencies will incorporate project outcomes into their own work plans and strategies.

Moreover, it is expected that as a result of the project the government will be capacitated to implement its own AVRR programme based on best practices learned within the project.

Upon successful completion of the project, the experience, good practices and lessons learned can be widely shared and promoted via the existing IOM network worldwide and by project partners within the region, such as during policy and technical meetings of international assistance projects, during various international cross-border fora and other events. IOM will further share and transfer to other interested countries the experience learned during the project implementation and the information on project outcomes.

#### **4.4 EU horizontal policies and cross-cutting issues**

The project is being financed under the European Neighborhood Policy Instrument funded through the Multiannual Indicative Programme for EU support to Belarus (2014-2017). It follows the EU priority of “Complementary Support for Capacity Development” aimed to “provide specific assistance for the implementation of priority commitments deriving from future possible EU agreements and the dialogue on mobility.”

The action will contribute to improving good governance (particularly ownership, equity, transparency and anti-corruption) through strengthening the partner agencies’ capacities.

#### **4.5 Gender Mainstreaming**

The project will contribute to better governance by strengthening the country’s capacity in managing migration flows in humane and professional way. In doing so, it will apply a gender-sensitive approach as to the equal involvement of female staff in the participation in the project events, as well as in the migration management domain in general.

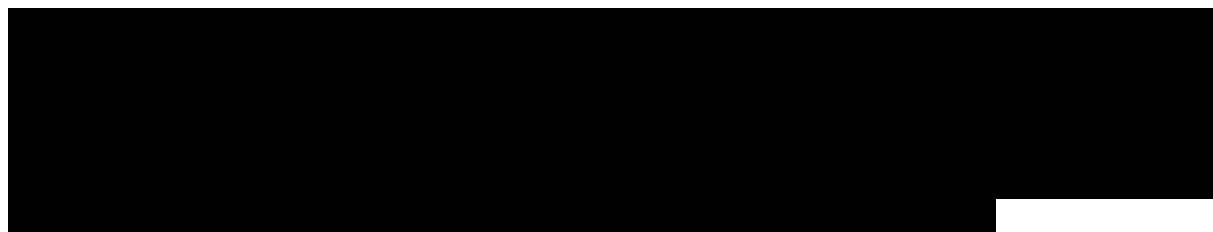
As stated in the IOM Council Document, C/106/INF/8/Rev.1, *IOM Gender Equality Policy*, adopted by the IOM Council in November 2015, IOM is committed to identify and address the needs of all beneficiaries of IOM projects and services. The policy reiterates the Organization’s commitment to safe, humane and orderly migration for all, regardless of sex and gender, and establishes the formal structure and accountabilities for IOM’s work on gender and migration.

Back in 1995, IOM recognized the central importance of equal opportunity and treatment for migrants. This guiding principle is just as important for the Organization today. [REDACTED] codified its commitment “to ensuring that the particular needs of all migrant women are identified, taken into consideration and addressed by IOM projects and services.” In 2009, IOM reiterated that bedrock principle in the document entitled “*The human rights of migrants* – [REDACTED] which cited the



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Organization's gender policies and affirmed that "IOM protects the human rights of migrants in a gender sensitive manner."



As part of the planning for this project, IOM has conducted a preliminary gender analysis to explore the gender aspects of the planned initiatives. At the moment, migration-related policies, legislation and operations do not take into account any gender-related aspects. Migration-related data are incomplete and not always gender- and age-segregated. The needs of men, women, boys and girls are inadequately addressed in reception centers currently run by the GoB; detained migrants stay with persons against whom criminal proceedings have been initiated; families tend to be separated; children stay with youth offenders; needs of sexual minorities are ignored. Given the almost total absence of tools related to addressing irregular migration, readmission, government-run AVR and MACs, including limited staff capacities and governmental facilities, gender is inadequately addressed at all levels – policy, regulation and operation.

Gender issues will be mainstreamed throughout the project's implementation: the assessments conducted within the project will look into the gender aspect of migration management in Belarus, especially irregular migration; recommendations formulated in the expert reports will address gender issues as well; the training packages for MoI and SBC will contain modules on gender mainstreaming in related activities; the SOPs for MACs will be developed in a gender-sensitive way addressing the specific needs of detained women; the problem of SGBV will be a particular focus of the project.

Moreover, during the implementation of various project activities (such as Steering Committee meetings, study trips, trainings, field missions etc.), IOM will advocate for an equal representation of men and women at these events in order to observe and promote a gender balanced approach. Given the institutional barriers to gender balance and equal representation

IOM will take extra steps to enable the participation of female staff in activities. This includes, for example, proactive search for and identification of qualified female personnel who can be further trained and become experts and trainers of their own. It may also encompass advocacy vis-à-vis GoB counterparts to include female personnel in the various Working Groups and taskforces in order to ensure that gender-related issues are properly reflected in the discussions and outputs, and other such initiatives.

The project does not aim to contribute to the fulfilment of any particular global, regional or national gender strategy or policy, however, it will proactively take into account any gender-related standards in the planned project activities, such as in the design of the MACs and assistance to the SGBV victims and other vulnerable groups. Making Belarus' policy, legal



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and operational framework, as related to irregular migration, gender-sensitive, is one of the expected results of the framework. Likewise, the results matrix, to be designed in the inception phase of the project, will include gender-related outcomes, outputs, activities and indicators.



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## **5. MONITORING AND EVALUATION**

### **5.1. Day-to-day follow up**

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and a major part of IOM's responsibilities. IOM will establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress and final reports. Every report will provide an accurate account of implementation of the action, difficulties encountered, challenges faced, changes introduced, as well as the degree of achievement of its results as measured by corresponding indicators, using the logical framework matrix as a reference. The report will be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action's implementation.

IOM will arrange regular Steering Committee, Working Group and taskforce meetings involving all relevant project stakeholders. At various levels, these meetings will provide an opportunity for the concerned stakeholders to regularly review the progress achieved and take corrective action, as and when necessary.

### **5.2. Internal/external monitoring**

The project is expected to be subject to both external (EU Results Oriented Monitoring, ROM) and internal (IOM) monitoring.

IOM will provide assistance to the European Commission to undertake any additional project monitoring visits both through its own staff and through independent consultants recruited directly by the European Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the European Commission for implementing such reviews) if such requests are made to IOM by the European Commission.

### **5.3. Evaluation and audit**

In course of the project implementation the progress towards achieving the overall objective will be regularly monitored and evaluated by IOM. The decision to carry out mid-term and final evaluation, as well as the ToR of those evaluations, will be taken by the Steering Committee.

IOM-led evaluation will focus on evaluating the project from the perspective of relevance, effectiveness, efficiency, impact and sustainability. It will aim to examine whether the approaches and practical implementation modalities enabled IOM to effectively implement the project activities and attain its objectives. It will also serve to analyze if the project had the intended impact and if the results have the potential to remain sustainable upon the project's cessation. Finally, the evaluation will also aim to identify good practices and lessons learnt, as well as any gaps to be addressed in potential future interventions. Special emphasis will be placed on the effectiveness and impact of interventions aimed at building human rights-

sensitive and international obligations-compliant system for readmission and migrant reception.



Additionally, considering the importance and sensitivity of the Action, an *ex-post* evaluation of this project may be carried out via independent consultants contracted by the European Commission for accountability and learning purposes.

IOM will actively collaborate with the evaluation experts, provide them with all necessary information and documentation, as well as access to the project premises and activities. The evaluation report will be shared with the partner country and other key stakeholders.

IOM and the European Commission, via its Delegation in Minsk, will analyze the conclusions and recommendations of the evaluators and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any remedial adjustments necessary, including, if indicated, the reorientation of the project.

The evaluation report(s) shall be shared with the partner country and other key stakeholders. IOM and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

## **6. COMMUNICATION AND VISIBILITY**

### **6.1. EU visibility**

All materials and publications, produced within the framework of the project, and all equipment procured and infrastructure set up, will clearly display EU and IDF visual identity (logos), as appropriate.

Messages that respective materials or equipment were developed or supplied with the support of the EU and IDF will be clearly displayed. EU and IDF logos will be placed on all project materials, including manuals, SOPs, training and study visit agendas, information campaign and others.

EU and IDF representatives, as appropriate, will be invited to attend all major project activities, such as Steering Committee meetings, trainings, workshops and visibility events, such as press conferences and launches of information campaigns. The EU and IDF flags and logos will be prominently displayed, as appropriate, at all public events.



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In all official statements relating to the project, a clear reference to EU and IDF funding will be made. All press and communications activities will be closely coordinated with and cleared by the EU Delegation in Minsk.



## 6.2 Communication

A separate Communication and Visibility Plan is presented in Annex VI, and will make an integral component of the project. The Plan is designed to contribute to the following objectives:

- Ensure target groups' understanding of the difference between an irregular migrant and a asylum-seeker/refugee, as well as key project-related terminology (AVRR, readmission, etc.) with the view to achieve proper communication and dissemination of credible information
- Raise awareness among target groups on the main achievements of the project in developing and implementing the country's irregular migration and asylum policies and strategies in compliance with international and EU standards
- Promote positive narrative of migration among the general public and mass-media, focusing on migrants' rights.

Due regard will be given to the sensitive nature of the project. As such, visibility and communication measures may be adjusted in the course of project implementation based on prior agreement among all concerned stakeholders.



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## 7. INDICATIVE TIMETABLE

Name of activity								
PMT setup	X							
Opening/closing ceremonies	X							X
Steering Committee meetings	X	X	X	X	X	X	X	X
Working Group meetings	X	X	X	X	X	X	X	X
Taskforce meetings (ad hoc)	X	X	X	X	X	X	X	X
Press-conference for mass media		X					X	
Assessment of irregular migration management in Belarus	X							
Extended migration profile for Belarus developed		X	X					
Gender-sensitive SOPs for MACs operation developed			X	X				
Training modules on different aspects of irregular migration developed		X	X	X				
Study visits on different aspects of irregular migration to EU	X	X	X		X		X	
Monitoring visits to migrant detention facilities	X	X	X	X	X	X	X	X
Trainings on various aspects of readmission and irregular migration	X	X	X	X	X	X	X	X
AVRR assistance to vulnerable migrants, including reintegration assistance	X	X	X	X	X	X	X	X
Delivery of direct assistance to most vulnerable migrants	X	X	X	X	X	X	X	X
Regional seminar on identification of migrants		X						
National readmission workshop	X							
Information campaign for the public	X	X	X	X	X	X	X	X
Consultations for migrants	X	X	X	X	X	X	X	X
Procurement of equipment, IT hardware and other materials for MoI, SBC, partner NGOs		X	X	X	X			



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Procurement of a minivan for project management team	X	X						
Procurement of 7 minivans for MACs							X	X
Modernization of ITC		X	X	X	X	X		
Reconstruction, building and equipping of eight MACs		X	X	X	X	X	X	X
SGBV mainstreaming	X	X	X	X	X	X	X	X
Evaluation and monitoring of the progress by IOM's Regional Office					X			



## 8. INDICATIVE LOGFRAME MATRIX

The activities, the expected outputs and all the indicators, targets and baselines included in the logframe matrix are indicative and may be updated during the implementation of the action, no amendment being required to the financing decision. When it is not possible to determine the outputs of an action at formulation stage, intermediary outcomes should be presented and the outputs defined during inception of the overall programme and its components. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for including the activities as well as new columns for intermediary targets (milestones) for the output and outcome indicators whenever it is relevant for monitoring and reporting purposes. Note also that indicators should be disaggregated by sex whenever relevant.

### Results Matrix

	Results chain	Indicators	Baselines (incl. reference year)	Targets (incl. reference year)	Sources and means of verification	Assumption s
Overall objectives: Impact	<p>To contribute to the strengthening of human rights and fundamental freedoms aspects in the area of irregular migration</p> <p>To contribute to the convergence of Belarus' normative framework towards the EU's corresponding framework</p> <p>To contribute to the facilitation of operational cooperation between the EU, EU Agencies, EU Member States and Belarus</p>	<p>Number of media reports; number of changes in Belarus' normative frameworks towards EU and international standards; number of policy dialogue meetings held; number of cases of irregular migrants detected; number of migrants accommodated; number of third-country migrants readmitted from the EU</p>	<p>Baseline study at the beginning of the project describing situation</p>	<p>End-of-the-project study describing situation</p>	<p>Media reports; European Commission reports; Belarus government reports; baseline studies</p>	<p>n/a</p>



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	To help increase security levels in the region and on the external EU border					
<b>Specific objective: Outcome(s)</b>	To support Belarus in the development and implementation of the country's irregular migration and asylum policies and strategies in order to bring them closer to best EU and international standards and practices	<p>Number of changes introduced in adopted policy documents and legislative acts commented on by project experts</p> <p>Number of migrants supported under the Assisted Voluntary Return and Reintegration (AVRR) Programme</p> <p>Number of Migrants' Accommodation Centres (MAC) established</p>	<p>0</p> <p>0</p> <p>0</p>		<p>2 assessments (baseline and end-of-project); 2 ROM missions; 1 mid-term evaluation; interviews with beneficiaries</p>	<p>Beneficiary country has the willingness to reform its migration and asylum policies in line with international standards</p>
<b>Outputs</b>	A comprehensive legal and institutional policy framework programme on managing irregular	Number of policy advice consultations delivered	0		Two baseline studies, media reports, operative	The beneficiary country



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	migration has been developed and implemented	A legal and institutional policy framework programme developed, gender-streamlined and implemented	0		reports of the beneficiaries (if available); attendance lists of training participants; project progress reports; tender documentation, MAC assessment study; ROM reports; mid-term evaluation	will make sufficient numbers of appropriate qualified personnel available for project activities
	An Assisted Voluntary Return and Reintegration (AVRR) Programme for irregular migrants is designed and implemented	Number of study visits for senior officials (policy makers) and technical experts	0			
	Several Migrants Accommodation Centres (MAC) are built or refurbished and integrated in the irregular migration management system	Number of trainings organised	0			
	Legal, institutional and policy framework on irregular migration is gender-streamlined	One set of gender -sensitive standard operating procedures (SOPs)	0			
		All funds allocated for the AVRR Programme spent	0 EUR			
		One assessment study on number of MAC, their location, conditions and needs	0			
						Project participants of the beneficiary country will keep working in their institutions for sufficient time so that the skills and knowledge obtained can be properly applied and transferred to



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		Number of MACs built	0			colleagues
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Activities	<p>Assessment of irregular migration management in Belarus conducted</p> <p>Extended migration profile developed</p> <p>Trainings on various aspects of readmission conducted</p> <p>Study trips to EU MS on readmission conducted</p> <p>Gender-sensitive SOPs for MACs developed</p> <p>300 irregular migrants receive AVRR assistance</p> <p>1000 vulnerable migrants receive direct humanitarian assistance</p> <p>Technical equipment provided to project partners (MoI, SBC, partner NGOs)</p> <p>[REDACTED]</p> <p>Information campaign conducted</p>	<p><b>Means:</b></p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	<p><i>Factors outside project management's control that may impact on the output-outcome linkage.</i></p> <p>The only feasible factor outside of the PMT's control that would have a major negative impact on the smooth implementation of the action would be deterioration of the Belarus-EU relations leading to the Government's decision not to sign readmission agreement with the EU and/or not to implement the project activities.</p> <p>However, the latter is very unlikely to happen as the Government of Belarus has numerously reinstated its commitment to sign readmission agreement with the EU and has already signed the Financing Agreement on the implementation of the project, thus having bound itself with concrete and clear commitments regarding the political support of the project at all stages of implementation.</p>
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