

**FIFTEENTH COORDINATION MEETING ON
INTERNATIONAL MIGRATION**

Population Division
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**CONTRIBUTION
TO THE FIFTEENTH COORDINATION MEETING ON INTERNATIONAL MIGRATION¹**

Organization for Security and Co-operation in Europe (OSCE)

¹ The views expressed in the paper do not imply the expression of any opinion on the part of the United Nations Secretariat.

A. THE OSCE COMMITMENTS AND MANDATE IN THE FIELD OF MIGRATION GOVERNANCE

As the largest regional security arrangement under Chapter VIII of the UN Charter, gathering 57 participating States, the Organization for Security and Co-operation in Europe (OSCE) offers a broad-based platform for dialogue on key policy issues spanning politico-military, economic-environmental, and human-rights aspects of security. The international movement of people was already addressed in the Organization's founding document, the 1975 Helsinki Final Act. The principles enshrined in this document paved the way for the adoption of a number of specific OSCE commitments that refer to migration governance in a comprehensive way and confirm the need for a systematic, inclusive, and evidence-based dialogue on migration at the international, regional and local levels.¹

The OSCE provides an inclusive forum for political and policy dialogue on migration management. This is particularly relevant given the 2030 Sustainable Development Agenda and the 2016 *New York Declaration for Refugees and Migrants* that launched intergovernmental negotiations to develop a *Global Compact for Safe, Orderly and Regular Migration* for adoption in 2018. These multilateral processes offer a significant opportunity for the OSCE to support the implementation of those Sustainable Development Goals that are relevant to its mandate and to facilitate and support the consensus-building process towards the adoption of the Global Compact for Migration.

OSCE migration commitments have primarily been framed in the economic dimension, with a focus on the linkages between migration and economic growth and stability. In particular, MC Decision No. 2/05 on Migration and MC Decision No. 5/09 on Migration Management emphasize how migration can contribute to economic growth and stability, and address key aspects of good migration governance such as legal and orderly migration, protection of migrants' personal and social welfare, attention to recruitment practices, provision of vocational training as well as equality of rights between migrant workers and nationals regarding conditions of employment and social security.

Against the backdrop of a refugee crisis of historic proportions and unprecedented movements of people into and across the OSCE area from other regions, the OSCE has focused with renewed interest on the issue of the movement of people, reviewing existing OSCE mandates, activities, and partnerships. A report – “*Towards Comprehensive Governance of Migration and Refugee Flows*” – was issued in July 2016 by the Swiss Chair of the OSCE's Informal Working Group on the Issue of Migration and Refugee Flows to guide a discussion with internal and external stakeholders. The report was shared with the UN leadership. The OSCE Secretary General subsequently addressed the UN Summit in New York on September 19.

The process culminated in the December 2016 adoption of Ministerial Council Decision No. 3/16, which for the first time focuses on the *OSCE's Role in the Governance of Large Movements of Migrants and Refugees*. This decision, together with Ministerial Council Decision No. 4/16 on *Strengthening Good Governance and Promoting Connectivity*, reflects the need for a multi-layered approach to migration, entailing specific actions to address large movements of persons, as well as long-term approaches to uphold labour standards for all workers in increasingly interconnected labour markets.

The Austrian 2017 OSCE Chairmanship aims at further discussing migration-related issues in all three dimensions of the OSCE throughout the year and will cooperate with UNHCR, IOM and other international organizations. A special emphasis will be put on labour migration and combatting human trafficking.

Areas where the OSCE Secretariat, Institutions and Field Operations can make a tangible contribution in the field of migration governance include: promoting effective labour migration governance with specific attention to gender aspects of legal migration schemes; protecting the human rights of migrants and refugees; fostering tolerance and non-discrimination and promoting integration;

combatting migration-related crimes, including human trafficking and migrant smuggling; promoting co-operative, human rights-conscious and effective border management; and tackling the link between migration and environmental challenges. Some of the Organization's specific assets include: its comprehensive approach to security, which enables it to address cross-cutting issues in a holistic way; its flexibility and ability to adapt; its geographic scope covering most of the northern hemisphere over three continents; its field presences in countries undergoing transition processes; its Mediterranean and Asian Partnerships; and its long-standing co-operation with relevant organizations, particularly the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), the International Labour Organization (ILO), the United Nations High Commissioner for Human Rights (UNHCHR), the United Nations Office on Drugs and Crime (UNODC) – as well as civil society organizations.

B. 2016-2017 ACTIVITIES TO SUPPORT MIGRATION-RELATED GOALS OF THE UN 2030
SUSTAINABLE DEVELOPMENT AGENDA

The following is a concise and selective summary of activities carried out in 2016 and planned for 2017 that are relevant to the SDGs related to migration.

- 1) Protection of labour rights of migrant workers, particularly of women and facilitation of orderly, safe, regular migration through well-managed migration policies

The OSCE has long-standing expertise in this area. Manuals and Handbooks on comprehensive labour migration management and gender-sensitive labour migration policies have been developed by OCEEA and the OSCE Office for Democratic Institutions and Human Rights (ODIHR) together with IOM and ILO. In 2016, numerous trainings and workshops were carried out both jointly with IOM and ILO and individually by ODIHR, including on the topic of migrant integration. In 2017, OCEEA and ODIHR plan to reinforce these capacity-building efforts. In addition, OCEEA will carry out fact-finding, needs-assessment scoping missions for tailored assistance to selected governments in the field of labour migration.

- 2) Legal identity, including birth registration

ODIHR provides support to OSCE participating States in reforming their civil registration and civil identification systems, conducting research and collecting good practices. The Office participates in the work of the UN-facilitated Global Civil Registration and Vital Statistics Group created to advance existing international civil registration standards and to support implementation. In response to calls from the expert community to contribute to improved information-sharing on good practices in this area, ODIHR, in partnership with the OSCE Transnational Threat Department/Anti-Terrorism Unit (TNTD/ATU), is developing a Compendium of Good Practices in Identity Management to support exchange of good practices in civil registration and civil identification; it is expected to be completed by the end of 2017.

- 3) Elimination of human trafficking

The OSCE Office of the Special Representative for Combatting Trafficking in Human Beings (OSR/CTHB) is mandated to prevent human trafficking and protect its victims, including supporting the prosecution of traffickers and illicit intermediaries who facilitate the transport, transfer and exploitation of victims. The annual conference of the *Alliance against Trafficking in Persons* provides a platform for dialogue and political awareness-raising on key issues related to the fight against trafficking. The OSR/CTHB provides policy advice to governments on anti-trafficking legislation and practices through regular country visits. In co-operation with ODIHR and other OSCE structures, the OSR/CTHB provides guidance on effective approaches to addressing critical challenges in anti-trafficking through policy papers, surveys, manuals and innovative projects.

4) Disaggregation of data (by migratory status, etc.)

The OCEEA has undertaken pilot work in this area in Central Asia, producing the publication “*Towards evidence-based migration policies*” in 2016. In 2017, ODIHR plans to publish research and data on various aspects of migrant integration (e.g., civic and political participation of migrants) and organize expert workshops on this topic.

5) Strengthened resilience and adaptive capacity to climate-related hazards (including environmentally induced migration)

In 2017, a regional workshop on climate change and security organized by the OCEEA Environmental Co-operation Unit (ECU) for the OSCE Mediterranean Partner countries (Algeria, Egypt, Jordan, Israel, Morocco, and Tunisia) and relevant Western Balkan countries will explore opportunities for cooperation and joint action in addressing climate change as one of the contributing factors to migration, and explore opportunities for co-operation and joint action. The ECU is also exploring co-operation with the Union for the Mediterranean in this area.

6) Scholarships for study abroad

Migration and Youth is one of the priorities of the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA). Pursuing legal channels to migrate for studying purposes or to access apprenticeships and on-the-job learning opportunities will be an area of research and action in 2017.

C. 2016-2016 INITIATIVES TO SUPPORT THE NEW YORK DECLARATION FOR REFUGEES AND MIGRANTS

The New York Declaration states that “*regional consultations in support of the negotiations would be desirable, including through existing consultative processes and mechanisms*”. On 14 December 2016, International Migrants’ Day, the OSCE organized together with IOM a panel discussion titled “*Towards a Global Compact for Safe, Orderly and Regular Migration: A Regional Perspective*” to explore synergies going forward. The discussion benefitted from the participation of the OSCE Secretary General, the IOM Deputy Director, representatives of the German 2016 OSCE Chairmanship, OSCE participating States, international organizations, NGOs, and think tanks. A summary of the discussion will be made public in early 2017. Periodic briefings on the state of play of on-going negotiations on the Global Compact will be convened throughout 2017, including via social media, to update the OSCE participating States and Partners for Co-operation on their progress. The OSCE will closely co-ordinate and consult with UNDESA, GFMD, IOM and ILO.

ANNEX II of the *Declaration* echoes the mandate of the OCEEA in the economic, social, and environmental dimension. The OCEEA will proactively contribute its expertise on labour migration governance in the OSCE area to support international negotiations and deliberations towards a Global Compact for Migration.

The *Declaration’s* principles related to the protection of vulnerable groups (particularly “*refugees and migrants in large movements [who] are at greater risk of being trafficked and of being subjected to forced labour*” – including children) and combating xenophobia, racism and discrimination against refugees and migrants intersect the core mandates and activities of the OSR/CTHB and ODIHR. In 2017, OSR/CTHB and ODIHR plan to carry out numerous activities in these areas, including: the annual meeting marking International Migrants’ Day; the 17th OSCE *Alliance against Trafficking in Persons* conference, which will focus on the vulnerabilities of child migrants, especially unaccompanied minors (OSR/CTHB); a Handbook on using financial investigations to help dismantle trafficking networks (OSR/CTHB); trainings on hate crimes for law enforcement and prosecutors, including the implementation of

the two-year EU-funded project “*Building a Comprehensive Criminal Justice Response to Hate Crime*” (ODIHR).

Annex: A concise outline of OSCE mandates in the field of migration governance

- The Office of the Coordinator for OSCE Economic and Environmental Activities (OCEEA) is tasked with assisting participating States in developing effective migration policies, particularly in the areas of comprehensive labor migration management, with special attention to women migrant workers, as well as migration data collection and harmonization. The OCEEA is also tasked with contributing to international efforts to assess the impact of environmental degradation, which might be magnified by climate change, on migratory pressures to ensure better preparedness.
- The Office for Democratic Institutions and Human Rights (ODIHR) promotes the development and implementation of legal and regulatory frameworks that respect and promote the rights of migrants and refugees, including the most vulnerable groups, such as victims of trafficking. ODIHR also promotes tolerance and non-discrimination and tackles hate crimes, including against migrants and refugees.
- The Conflict Prevention Center (CPC) has been tasked with the protection of persons at risk of displacement or already affected by it in all phases of the conflict cycle, including through cooperation with specialized agencies like UNHCR.²
- The Office of the Special Representative and Coordinator for Combating Trafficking in Human Beings (OSR/CTHB) is mandated to prevent human trafficking and to protect trafficking victims involved in vulnerable migration processes, including through support for the prosecution of illicit intermediaries who facilitate the transport, transfer and exploitation of victims.³
- The Transnational Threats Department, which includes units for Strategic Police Matters, Border Security and Management, and Action against Terrorism, address migration-related crimes – in particular human trafficking and migrant smuggling⁴; possible links between terrorism, especially terrorism financing, and migration-related crimes; and human rights compliant border management and travel document security – as an integral part of an overall strategic approach to migration management related challenges.⁵
- The Gender Section is tasked with addressing the specific aspirations and vulnerabilities of migrant women and mainstreaming a gender approach throughout OSCE migration-related activities.⁶
- The OSCE High Commissioner on National Minorities and the OSCE Representative on Freedom of the Media focus on the impact of large migration movements on inter-ethnic relations while promoting fact-based reporting and an informed public debate.
- From the Western Balkans to Central Asia, OSCE Field Operations deserve special attention for their work with host country governments and civil society organizations, as well as with migrants themselves, particularly in situation of distress. OSCE Field Operations have been increasingly involved in migration-related matters, reflecting the diversity of local priorities and needs. Activities have included: reporting from border crossing points, following local developments from an early-warning/conflict prevention standpoint, promoting information sharing and dialogue facilitation initiatives, capacity-building in planning and implementing labour migration schemes, and support to the development of assistance systems to vulnerable groups, particularly victims of trafficking.

¹ OSCE/ILO, *Strengthening migration governance - Implementation of OSCE Commitments related to migration by OSCE participating States*, 2 November 2009, <<http://www.osce.org/eea/72021>>

² See, among other texts, Ministerial Council Decision on *Elements of the Conflict Cycle, Related to Enhancing the OSCE's Capabilities in Early Warning, Early Action, Dialogue Facilitation and Mediation Support, and Post-Conflict Rehabilitation* (MC.DEC/3/11)

³ See, among other texts, *Action Plan to Combat Trafficking in Human Beings* (PC.DEC/577)

⁴ *OSCE Strategic Framework for Police-Related Activities* (PC.DC/1049); *OSCE Consolidated Framework for the Fight Against Terrorism* (PC.DEC/1063)

⁵ *Border Security and Management Concept. Framework for Co-operation by the participating States* (MC.DEC/2/05)

⁶ Among relevant documents: 2004 OSCE *Action Plan for the Promotion of Gender Equality*, (MC. DEC/14/04); Ministerial Council Decision on *Preventing and Combating Violence against Women* (MC. DEC/15/05); Ministerial Council Decision on *Women's Participation in Political and Public Life* (MC.DEC/7/09); Ministerial Council Decision on *Promoting Equal Opportunity for Women in the Economic sphere* (MC.DEC/10/11); Ministerial Council Decision on *Preventing and Combating Violence against Women* (MC.DEC/7/14)