



United States Mission to the OSCE

Session 5: Migrant Workers; Refugees and Displaced Persons; Treatment of Citizens of Other Participating States

As prepared for delivery by Erika Schlager
to the OSCE Human Dimension Implementation Meeting
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Mr./Madam Moderator,

Many of the issues we can discuss under this broadening migration rubric are, in OSCE terms, cross-dimensional. Migrant workers and their integration have traditionally been covered as an economic issue, while the displacement of persons – both internally and across borders – can be related to natural or environmental events, but can frequently be the result of armed conflicts or persecution. In turn, migration itself causes a number economic effects and security concerns, especially given the threat of terrorism. This cross-dimensional nature of migration was acknowledged in the related decision taken at the Ljubljana Ministerial.

Nevertheless, it is right to consider these concerns here as well, in the human dimension. No matter what events prompt a person to move from one place to another, that human person retains his or her inherent dignity from which, as we all agreed in the Helsinki Final Act, human rights and fundamental freedoms derive.

The United States, like Canada and several other OSCE participating States, is known as a country made up largely of immigrants. This is not just a statement about our history; the number of foreign-born individuals living in the United States is believed today to be around 37 million and the highest proportion of the total U.S. population since the early 20th century. Roughly one-third of this number represent naturalized citizens; another third are legal permanent residents and aliens who are otherwise legally present. Included among them are the tens of thousands of refugees who have been admitted into the United States each year from around the globe.

The remaining third are unauthorized, or illegal, residents. Their presence has led to a consensus on the need for reform of our immigration laws, but that consensus breaks down on what direction such reform should take. As their intention might not necessarily be to remain permanently, but to find temporary employment, the presence of unauthorized persons also affects the debate on the more than 100,000 non-immigrant visas that are issued each year for the legal employment of foreign citizens for the agricultural and other sectors of the American economy. This debate includes not only restrictions on guest worker entry but also the eligibility of such persons to government programs and assistance.

As the United States has become more diverse, we have also learned, despite resistance by some, to embrace the newcomers who contribute to this diversity. Unfortunately, over the years, discomfort with existing ethnic, racial and religious diversity, as well as the prospect of opening up to additional newcomers, has become evident in several OSCE States.

Obstacles placed in the way of returns in south-eastern Europe, for example, have led to less diverse populations in some participating States. While a large number of Serbs who fled Croatia in 1995 have been able to return, the legal framework for resolving property restitution and tenancy claims has discouraged others who might also want to return. Increased political volatility in Bosnia-Herzegovina also threatens further returns in that country, where the worst ethnic cleansing in the OSCE's history took place from 1992 to 1995. The United States regrets the fact that the commitment to solve remaining population displacement by the end of 2006, expressed in the 2005 Sarajevo Ministerial Declaration on Refugee Return and Integration, has not been fulfilled.

Displacement remains a major problem for Kosovo as well, and the U.S. government is committed to facilitating the return of Serbs, Roma and others who fled in 1999 by insisting on greater security, freedom of movement and protection of property. The sooner a determination is made on Kosovo's status, the sooner the provisions relating to minority concerns can be implemented, which, like participation in Kosovo institutions, would further facilitate return.

In the South Caucasus, governments should continue to work to accommodate those displaced by regional conflicts. We hope, in particular, that Armenian and Azerbaijani authorities will continue to address the housing, health and other critical needs of refugees and internally-displaced persons in their respective national development plans. We are also watching with interest how Georgia fulfills its commitments regarding the return of Meskhetian Turks, and we continue to strongly advocate for the safe and dignified return of refugees and internally displaced persons to Georgia's Abkhazia region. We note with regret the Russian Federation's decision of last year to selectively harass ethnic Georgians and to deport numerous other Georgian citizens from Russia. The majority of the 3800-4000 Georgians who, according to the Georgian parliamentary ad hoc Investigatory Commission Studying Actions Carried Out by the Russian Federation Against Georgian Citizens, were deported have not been able to return. We urge the government of the Russian Federation to make every appropriate effort to see that the cases of persons seeking refuge from persecution are given proper judicial consideration, and that individuals are not subjected to deportation solely on the basis of political considerations.

We note that the UN High Commissioner for Refugees' office in Moscow reported earlier this year that due to intensified housing reconstruction, the number of displaced persons from Russia's Chechnya region, has been reduced to about 15,000, down from an estimated 250,000 two years ago. This is very welcome news.

In Central Asia, the United States is concerned about reports of the forcible return of Uighur Muslims to China and urges these governments to refrain from these actions. We would also encourage ODIHR and the various OSCE missions to monitor this situation closely.

Lastly, we encourage Spain to address the situation of unaccompanied migrant children in the Canary Islands. In response to the unprecedented arrival of unaccompanied children by boat from Africa in recent years, authorities in the Canary Islands have opened four emergency centers to provide care for several hundred children. We urge the Government of Spain to identify a durable solution in addressing the fate of these children as soon as possible after their arrival.

Beyond the humanitarian aspects of migration, we also need to address the root causes of conflict, be they economic, environmental or security-related. Ideally, people should find opportunity to sustain a livelihood and to feel safe and secure in their country of origin. In addition, there needs to be a continued focus on the particular vulnerability of child and women migrants, who may get less pay and job security while facing more harassment and abuse.