



Office for Democratic Institutions and Human Rights

**OSCE HUMAN DIMENSION SEMINAR
ON
MIGRATION AND INTEGRATION**

CONSOLIDATED SUMMARY

Warsaw, 11-13 May 2005

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CONSOLIDATED SUMMARY

I. INTRODUCTION

The Human Dimension Seminar *on Migration and Integration* was held in Warsaw on 11-13 May 2005. The Seminar was organized by the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) in co-operation with the Slovenian Chairmanship of the OSCE.

The Seminar was the 21st in a series of specialized Human Dimension Seminars organized by the ODIHR in accordance with the decision of the CSCE Follow-up Meetings in Helsinki in 1992 and Budapest in 1994. The previous Seminars were devoted to the following issues: Tolerance (November 1992); Migration, including Refugees and Displaced Persons (April 1993); Case Studies on National Minorities Issues: Positive Results (May 1993); Free Media (November 1993); Migrant Workers (March 1994); Local Democracy (May 1994); Roma in the CSCE Region (September 1994); Building Blocks for Civic Society: Freedom of Association and NGOs (April 1995); Drafting of Human Rights Legislation (September 1995); Rule of Law (November/December 1995); Constitutional, Legal and Administrative Aspects of the Freedom of Religion (April 1996); Administration and Observation of Elections (April 1997); the Promotion of Women's Participation in Society (October 1997); Ombudsman and National Human Rights Protection Institutions (May 1998); Human Rights: the Role of Field Missions (April 1999); Children and Armed Conflict (May 2000); Election Processes (May 2001); Judicial Systems and Human Rights (April 2002); Participation of Women in Public and Economic Life (May 2003), and Democratic Institutions and Democratic Governance (May 2004).

The Human Dimension Seminar on Migration and Integration examined ways to ensure the protection of the human rights of migrants and the efficient and harmonious integration of legal migrants, to the benefit of both the receiving society and the migrants themselves. The main idea of the Seminar was to move beyond traditional discussions on costs and benefits of migration as mere cross-border movement, towards practical solutions for migrants already in the territory of the receiving countries.

The proposed approach was to discuss *integration of migrants* as a two-way process which affects both the newcomers and the host population. Therefore, discussions focused on the need for change in the receiving society, and the responsibility of the public institutions to open up society to newcomers, enabling them to participate fully in its political, socio-cultural and economic life, thus providing migrants with an opportunity of bringing benefits to the host country. On the other hand, the Seminar provided space for discussions of the responsibilities of migrants vis-à-vis the host community. The Seminar explored four key aspects of integration policies:

- cross-border and inter-agency co-operation on migration issues;
- the legal framework including questions related to non-discrimination and access to the labour market;

- participation of migrants in public life, including the role of NGOs and migrant organizations;
- socio-cultural aspects of integration which ensure that newcomers are not required to renounce their own identity, lifestyles and beliefs in order to adopt the identity of the receiving society, but may benefit from both.

The Seminar also contributed to the final preparation for the Thirteenth Meeting of the OSCE Economic Forum dedicated to the issues of demographic trends, migration and integration of persons belonging to national minorities which took place later in May 2005 in Prague.

The Seminar was not mandated to produce a negotiated text. A summary report prepared by the rapporteurs of the four working groups was presented at the closing plenary session. The recommendations – put forward by delegations of OSCE participating States and Partners for Co-operation, international organizations, and NGOs – are wide-ranging and addressed to the OSCE Institutions and Field Operations as well as the governments of the OSCE participating States. These recommendations have no official status and are not based on consensus; however, they serve as a useful indicator for the OSCE in setting priorities and refocusing its programmes aimed at protecting human rights of migrants and supporting their efficient integration. This report summarizes the main issues raised at the Seminar. Background materials and contributions can be accessed through the ODIHR website at: www.osce.org/odihhr.

II. CHAIR'S CONCLUSIONS

The Director of the ODIHR, Ambassador Christian Strohal, in his capacity as chairman of the Human Dimension Seminar, addressed the closing plenary session and presented a summary of conclusions and recommendations issued by the participants in the four working groups. He thanked all participants, in particular the keynote speakers, moderators, rapporteurs, and introducers, for their contributions to the discussions. Summarizing the conclusions and recommendations, the chairman stressed the need to explore ways to ensure concrete follow-up on these recommendations.

Conclusions

Conclusions on the specific topics of the working groups were presented, as well as conclusions regarding migration and integration as a whole.

Participants stressed the importance of the Seminar as a unique opportunity for sharing experiences and opinions from across the OSCE region. It provided an OSCE-wide forum for an exchange of ideas and lessons-learned between sending and receiving countries as well as between those countries which are undertaking their first steps towards the integration of migrants in their societies and countries which have been involved in this process for decades. Information was provided on the experiences of participating States which have recently undergone a transformation from emigration countries into immigration countries, as well as countries which have taken significant steps to address the presence of hundreds of thousands of irregular migrants on their territories or those countries considering similar measures in the near future.

Discussions indicated that no OSCE participating State can claim unqualified success in the area of migration and integration, that no society is free from discrimination, but all have room for developing and improving their integration policies and for promoting tolerance and

respect for others. Differences lie in the way authorities and civil societies act in order to prevent and combat discrimination and to ensure the harmonious integration of migrants into host societies.

Discussions focused on migrants themselves and on actions that States and non-state actors such as NGOs, trade unions, employer associations, and migrant organizations can take to improve the protection of the human rights of migrants and to facilitate integration.

There was general consensus that both sending and receiving countries stand to benefit from migration, provided that they take positive steps to combat discrimination and acts of intolerance against migrants and to ensure that conditions are created for integration without loss of identity.

Furthermore, participants agreed that a sound migration policy can be, and indeed should be, both *humane* and *pragmatic*. Humane in that the rights of migrants are effectively protected, and pragmatic in that receiving countries often fill niches in sectors of the economy where there is a shortage of domestic labour. Many participating States stated that they see no contradiction between pragmatic policies and full compliance with human rights standards.

Recognizing that inter-State co-operation is the very basis of efficient migration management, participants stressed the important role played by *foreign representations and consulates*, not only in establishing co-operation mechanisms between countries of origin and destination, but also in ensuring the protection of the rights of migrants, especially those facing problems in the receiving country.

In addition to cross-border dialogue, participants agreed that social dialogue between all actors is a key element for integration.

In particular, the discussions highlighted the crucial role of *civil society* in promoting integration and underlined the requirement to go beyond consultation with civil society to include awareness-raising on rights in order to address structural discrimination and institutionalized racism. Participants also acknowledged the important contribution of *migrant organizations* in facilitating dialogue and participation as well as their need for capacity development. Finally, participants discussed the critical role of *the media* in spreading information on migration issues and promoting a culture of tolerance and respect for diversity.

Particular emphasis was put on the difficulties encountered in ensuring the participation of *female migrants* in public life, due both to cultural reasons and to the widespread exploitation of this category of workers in the labour market. In this regard, participants agreed that when elaborating integration programmes, it is crucial to ensure the full and equal participation of women migrants in public life and society, and to address their specific needs and concerns, as well as to ensure adequate protection from violence and discrimination both at domestic and society levels. A generally accepted idea was that, without the integration of female migrants, overall integration could not be successful and that “parallel societies” would be created.

Strong opinions were expressed that, although the first goals of integration processes are preventing marginalization and exclusion, it should not stop here. Ideally, integration policies should be in place from the moment the migrant arrives in the country and should target both *permanent and temporary* migrants. Moreover, there is no logical end point for integration where migrants can be seen as fully integrated or a society classified as fully cohesive. Integration should be viewed as *a process* rather than a static goal. As recent events in the OSCE region have shown, successfully completed naturalization processes and granting of

citizenship by the receiving country might be a very important element of integration process, but definitely not an end in itself.

The *granting citizenship* to migrants in order to promote participation and integration was discussed at length. It was suggested that democratic and inclusive citizenship laws could be an effective tool to integrate migrants while allowing them to preserve their identity. Basic knowledge of the language, the culture and the institutions of the host country as well as the acceptance of its fundamental principles were stressed as necessary requirements for citizenship.

The provision of migrants with *relevant information* on their rights and obligations was mentioned as an essential measure to stimulate participation and integration, as well as the fact that the task of providing such information should be the shared responsibility of the sending and the receiving country. Moreover, the importance of *adequate and correct data* for the development of sound migration policies was stressed by several speakers.

Key determinants of integration are the engagement and participation of migrants in the social, political and public life of the host society. There are many measures that can be taken to foster integration such as language education, orientation to community services and health care, legislation against discrimination of migrants. But these alone are not sufficient. The *host societies also need to be educated* about the migrants, for example through improving the coverage of migration issues in the mass media or by bringing people of different background together in fields such as sport or music.

Many of these measures can be taken without special legislation in place, but legislative frameworks are important in ensuring that migrants do not fall victim to discriminatory practices and that migrants can associate freely and reunify with their families.

The process of developing migration legislation could promote democratic governance practices, provided that all the interested stakeholders are involved. The participants presented a number of examples where all actors, such as governmental agencies, employers, trade unions, and representatives of migrant communities and groups, are working together on developing relevant legislation. These processes in themselves promote cohesion and inclusion.

The ODIHR will use examples of this work in the migration field when developing its activities on democratic governance and legislative transparency.

Key recommendations

Recommendations to the OSCE participating States:

Co-operation frameworks supporting integration and protection of legal migrants:

- Participating States should establish formal and informal mechanisms between receiving and sending countries, on bilateral and regional levels, to ensure co-operation on migration management and to identify effective measures to facilitate the integration of migrants;
- Participating States which are countries of origin should make efforts to protect the rights of their citizens abroad and provide them with relevant information, also through the strengthening of their consular services;
- Participating States should share best practices on the legal aspects of integration, in particular, on migrant regularization programmes;

- Participating States should elaborate approaches to integration involving the receiving society, including authorities, employers, trade unions, the migrants themselves (through migrant interest groups) and other interested parties, in order to develop a set of shared solutions to which all can subscribe.

Participation in public life and society:

- Participating States should provide migrants with the opportunity to participate in the public life of the receiving society. They should consider measures, such as softening their citizenship laws, granting migrants the right to elect and be elected, particularly in local elections, and ensuring migrant participation in trade unions;
- Participating States should consider providing migrants with opportunities equal to those of nationals, prevent wage disparity and discrimination in the work place, as well as ensuring social security and health services to migrants;
- Participating States should improve the efficiency and transparency of their systems for granting work permits to migrants and for the registration of their places of residence;
- Participating States should foster economic empowerment through capacity-building programmes specially designed for migrants, as well as taking further measures to improve migrant language skills.

Integration of female migrants:

- Participating States should pay special attention, and undertake special efforts, to ensure the full inclusion of migrant women in integration processes and programmes and involve women in the development of integration policies and programmes;
- Participating States should undertake concrete measures to ensure the adequate protection of female migrants from violence and discrimination both at domestic and society levels.

Socio-cultural aspects of integration:

- Participating States should take measures to provide information to migrants in their own languages on all aspects of their civic rights and obligations. Migrant interest groups should play a crucial role in awareness-raising on specific issues, capacity-building and consultation in decision-making on issues related to migrants;
- Participating States should promote intra-and interfaith dialogue and make every effort to prevent and combat religious or belief-based discrimination in relation to migration.

Recommendations to the OSCE, its institutions and field operations:

- The OSCE should facilitate dialogue and co-operation between countries of origin and destination in search for mutually beneficial solutions to the issues of migration and integration;
- The ODIHR should build on and strengthen existing initiatives to establish inter-state data sharing mechanisms including data on cross-border migration, labour markets, legislative efforts and interstate agreements;
- The ODIHR should maintain an ongoing exchange of views with the OSCE High Commissioner on National Minorities in addressing issues related to new minorities and further develop the ODIHR Programme on Tolerance and non-Discrimination by including issues related to new minorities;
- The ODIHR should continue its activities in the area of religion and freedom of belief as one of the core priorities of the Organization and should continue to include specific aspects related to migration, as well as ensuring a gender perspective.

III. AGENDA

1. Opening of the Seminar
2. Opening plenary: keynote speeches
3. Discussions in four working groups
4. Closing plenary session: rapporteurs' summaries from working groups, conclusions of the Chair
5. Summing up and closing of the Seminar

IV. TIMETABLE AND OTHER ORGANIZATIONAL MODALITIES

1. The Seminar opened on Wednesday, 11 May 2005, at 10:00. It closed on Friday, 13 May 2005, at 17:30.
2. All plenary and working-group sessions were open to all participants.
3. The closing plenary session, on the afternoon of 13 May, focused on practical recommendations emerging from the four working-group sessions.
4. The plenary and working-group meetings took place in accordance with the Work Programme.
5. Ambassador Christian Strohal, Director of the ODIHR, chaired the plenary sessions.
6. Standard OSCE rules of procedure and working methods were applied at the Seminar.
7. Discussions were interpreted into all six working languages of the OSCE.

V. PARTICIPATION

The Seminar was attended by a total of 162 participants, including 96 delegates from 42 of the 55 OSCE participating States (Andorra, Armenia, Bosnia & Herzegovina, Hungary, Ireland, Iceland, the former Yugoslav Republic of Macedonia, Liechtenstein, Malta, Monaco, San Marino, Tajikistan and Turkmenistan were not represented). Six representatives of Partners and Mediterranean Partners for Co-operation (Republic of Korea, Egypt, Morocco, and Tunisia) were also present.

In addition, the following international organizations were represented: the Council of Europe, the International Labour Organization, the International Organization for Migration, MARRI Regional Centre, as well as UNHCR and the United Nation Mission in Kosovo.

The Seminar was attended by 17 representatives of OSCE institutions and missions and by 37 representatives of 34 non-governmental organizations.

VI. SUMMARY OF PROCEEDINGS

The Director of the ODIHR, Ambassador Christian Strohal, opened the Seminar. Welcoming remarks were made by **Ambassador Dr. Boris Frlec**, Head of the OSCE Task Force at the Ministry of Foreign Affairs of Slovenia, on behalf of the Slovenian Chairmanship of the OSCE as well as by **Mr. Piotr Switalski**, Deputy Foreign Minister of Poland.

The following keynote speakers addressed the opening plenary session:

Ms. Lidya Imanalieva, Ambassador Extraordinary and Plenipotentiary of the Kyrgyz Republic, Ambassador-at-large, Kyrgyz Republic;

Ambassador John de Fonblanque, Director of the Office of the OSCE High Commissioner on National Minorities.

Four consecutive working groups met during the Seminar. The topics were divided as follows.

Working Group I: Co-operative frameworks supporting integration and protection of legal migrants

Topics discussed included, *inter alia*:

- Improved co-operation between governments and civil societies of countries of destination and origin as an important measure to ensure the protection of migrant rights and better integration outcomes;
- The role of foreign representations and consulates of countries of origin in assisting the integration efforts of the receiving country and in establishing effective co-operative frameworks between the countries of origin and destination;
- Existing bilateral and multilateral co-operation mechanisms among the OSCE participating States in the field of migration and integration and the role the OSCE could play in supporting them.

Working Group II: Legal aspects of migration and integration of lawful migrants

Topics discussed included, *inter alia*:

- Implementation of OSCE commitments with respect to the fundamental human rights of migrants and their non-discrimination under the law;
- Rights of access to work, to family reunification and the freedom to choose one's place of residence as essential elements of integration policies;
- Exchange of practices for a more effective integration of legal migrants in host societies.

Working Group III: Participation of legal migrants in public life and society

Topics discussed included, *inter alia*:

- Participation of migrants in political movements, trade unions, non-governmental organizations, representation by mass media and access to national human rights institutions;

- Sharing of best practices for ensuring the participation of migrants in public life and society;
- Measures to ensure women's equal participation in public life, as well as to promote the non-discrimination of female migrants and their adequate protection from violence or exploitation;
- The role of migrant organizations, including ethnic communities and diasporas, in the integration of migrants into political processes.

Working Group IV: Socio-cultural aspects of integration

Topics discussed included, *inter alia*:

- Policies that enable migrants to build social networks and overcome barriers to participation in the host society, for example orientation programmes, and language training;
- The promotion of intercultural understanding and diversity management strategies targeted at social cohesion;
- The role of formal and informal education in instilling an understanding of, respect for, and openness to diversity;
- Measures to define, quantify and promote the benefits migrants and diversity bring to host societies and the respective roles of government and the media in these endeavours;
- The impact on migrants of racism, anti-Semitism and xenophobia in political discourse and the media as well as measures to encourage accountability for such public statements.

The Seminar also provided for informal side meetings during lunch breaks and after the working-group sessions (see Annex II). The side meetings were: *Exploitation in Western Europe: Trafficking or Fanning the Flames?*, convened by the Anti-Trafficking Programme of the OSCE ODIHR Human Rights Department; *Particular Problems of Roma in the Migration Trends across States*, convened by the ODIHR Contact Point for Roma and Sinti Issues; *Journey in a New Homeland* (play) and *Photo Voice. Living in Exile* (photo exhibition), both convened by the Association of Asylum Seekers in Poland.

The closing plenary meeting was chaired by the Director of the ODIHR, Ambassador Christian Strohal. The rapporteurs summarized the topics and the recommendations issued by the working groups. Closing keynote speeches were made by Prof. Rita Süßmuth, Member of the Global Commission on International Migration and former President of the German Bundestag, Prof. Blandine Kriegel, Chair of the Supreme Council for Integration and Special Representative of the President of the French Republic, and Mr. Marcin Świąćicki, Co-ordinator of OSCE Economic and Environmental Activities.

VII. RAPPORTEUR'S REPORTS

Following the opening of the Seminar, discussions took place in four working groups. The first working group focused on co-operative frameworks supporting the integration and protection of legal migrants. The second group was devoted to legal aspects of the migration and integration of legal migrants, whereas the third group concentrated on the participation of legal migrants in public life and society. Finally, the fourth group considered socio-cultural aspects of integration. The current report does not attempt to reproduce the full content of the debates but concentrates on recommendations formulated in the working groups. The

following recommendations were not formally adopted by Seminar participants and do not necessarily reflect the views of any participating State.

Working Group I: Co-operative frameworks supporting integration and protection of legal migrants

Moderator: Mr. Andreas Halbach, Regional Representative, IOM Vienna

Rapporteur: Ms. Sandra Sachetti, Adviser, Permanent Representation of the Grand-Duchy of Luxembourg to the OSCE

Introducers: Mr. Luigi Swich, Deputy of the Vice Prefect, Office for International Relations, Ministry of Interior, Italy

Mr. Tolon Turganbayev, General Consul of the Kyrgyz Republic in Yekaterinburg (Russian Federation), Kyrgyz Republic

Discussion on co-operative frameworks supporting the integration and protection of legal migrants was based on country-specific examples and provided an opportunity to compare the different perspectives of countries of origin and of destination. Participants emphasized that inter-state cooperation is the basis of efficient migration management. Examples of existing and developing cooperative frameworks were provided, such as the Berne Initiative, whose goal is more effective migration management at the national, regional and international levels through improved coordination among States. In addition, the importance of adequate and accurate data on population movements in developing sound migration policies was stressed by several speakers.

The important role of foreign representations was highlighted, not only in terms of establishing co-operation mechanisms between countries of origin and destination, but also in ensuring the protection of the rights of migrants in the receiving country. Complex registration procedures in the countries of destination were mentioned as one factor which could drive migrants into an illegal status.

Furthermore, the value added that the OSCE could bring to the field of migration was highlighted by some participants who also underlined the role of the OSCE as a platform for comprehensive security. Examples were mentioned of ongoing projects being implemented by the ODIHR, Field Operations, the Conflict Prevention Centre and the relevant units of the OSCE Secretariat.

The following recommendations were put forward by the participants.

Recommendations to the OSCE participating States:

- to establish formal and informal mechanisms between receiving and sending countries on bilateral and regional levels to ensure co-operation on migration management and to identify applicable and effective measures to facilitate the integration of migrants;
- participating States which are countries of origin should make efforts to protect the rights of their citizens abroad and provide them with relevant information, also through the strengthening of their consular services;
- to share good practices on the legal aspects of integration, in particular, on migrant regularization programmes;

- to elaborate approaches to integration involving the receiving society, including governing authorities, employers, trade unions, the migrants themselves (through migrant interest groups) and other interested parties, in order to develop a set of shared solutions to which all can subscribe.

Recommendations to the OSCE institutions and field operations:

- The ODIHR should build on and strengthen existing initiatives to develop inter-state co-operation on migration issues and establish data sharing mechanisms including data relevant to labour markets, legislative efforts and interstate agreements.

Working Group II: Legal aspects of migration and integration of lawful migrants

Moderator: Dr. Vladimir Shkolnikov, Head of the Democratization Department, OSCE ODIHR

Rapporteur: Mr. Luis Francisco Martinez Montes, Counsellor, Permanent Mission of Spain to the OSCE

Introducer: Ms. Maria Luisa Casado, Senior Consultant on International Affairs, Directorate General for Immigration, Ministry of Labour and Social Affairs, Spain
Ms. Natalia Vlasova, Consultant of the Ministry of Health and Social Development, the Russian Federation

The session discussed legislation and the rules governing the status of migrants in the OSCE participating States and their practical implementation by relevant state institutions. The parameters for the discussion were set by the moderator. In particular he mentioned that legislation should be a codification of a concrete migration policy concept. As the experience of some OSCE participating States shows, such legislation needs to reflect the following notions: a) definition of a 'legal migrant' and categories of legal migrants; b) relevant enforcement mechanisms, and c) the rights and benefits of legal migrants.

In order to have a broad picture of the situation with regard to the legal status of migrants in the OSCE region, the introducers were invited to represent two important regions within the OSCE area. Ms. Casado, Senior Consultant at the Spanish Ministry of Labour and Social Affairs and Ms. Natalya Vlasova, Consultant of the Ministry of Health and Social Development of the Russian Federation presented the experience of their respective countries, facing the challenge posed by an extensive number of irregular migrants present on their territories. Another similarity between these two countries is the fact that both of them have recently undergone a transformation from being mostly *emigration* countries into *recipients* of massive migration flows.

Ms. Casado's contribution focused on Spanish migration policy and legislation as well as the recent process of regularisation of illegal immigrants. According to Ms. Casado, this process, which has been followed with great interest inside and outside Spain, was based on two postulates: 1) to combat exploitation and to ensure respect for the human rights of migrants, and 2) to take account of the needs of the Spanish economy for foreign labour. In only three months around 700,000 claims have been processed.

Ms. Natalia Vlasova described the current migration legislation in the Russian Federation, in particular legal aspects of migrant access to the labour market and of residence permits. Throughout the last decade and increasingly in the second half of 90s, labour migration into Russia, especially by irregular means, has been on the rise. Today the Russian Federation is

indisputably the main destination country in the post-Soviet region. Ms. Vlasova identified a number of potential solutions to the existing problems currently under discussion within the Russian government and society, such as a possible regularization process for some categories of irregular migrants.

The subsequent discussion among the Seminar participants focused on international standards in the field of protection of the rights of migrant workers and on the continuing exchange of experiences of individual OSCE participating States. A representative of the International Labour Organization gave an overview of international conventions relevant for migrant workers, such as the International Convention on the Protection of Rights of All Migrant Workers and Members of Their Families adopted in 1990 by the UN General Assembly. The ILO representative called upon the OSCE participating States to ratify the Convention if they have not yet done so.

Several participants explained in detail the situation in their countries and informed of recent changes in migration policies and legislation. Interventions also touched upon cross-cutting issues. Some participants raised the question of possible methods of categorizing migrants, based, for example, on nationality, economic needs, education or the security requirements of the host country. The question was also raised as to whether it is reasonable to base migration policies on forecasts of future trends, since, in most cases, these are unpredictable.

Participants also commented on the presentations made by introducers. As for the recent Spanish regularization process, some participants praised this experience as a best practice, especially taking into account the recent terrorist attacks in Madrid and the increasing reserves among the population regarding migrants and Muslims. Other participants, on the contrary, stressed that processes of regularization would always result in an undesirable pull effect.

The following recommendations were put forward by the participants.

Recommendations to the OSCE participating States:

- participating States should involve employers and employees, including migrants, in the process of the elaboration of national migration and integration policies;
- to involve employers in the practical implementation of integration programmes;
- to exchange information on migration management and integration programmes including national experiences of regularisation and practices regarding the legal status of migrants;
- to consider the possibility of concluding bilateral agreements in the field of labour migration and the protection of the rights of migrant workers;
- to uphold obligations arising from international instruments concerning migrants, in particular, to ensure equal opportunities, prevent wage disparities and discrimination in the workplace as well as providing social security and health services to migrants;
- to take into account the comprehensive system of ILO standards applicable to migrant workers and, in particular, Conventions 97 and 143 and the related recommendations.

Recommendations to OSCE institutions and field operations:

- The OSCE should consider organizing capacity-building training programmes for public agencies dealing with migration and integration;
- to further develop the ODIHR Programme on Tolerance and non-Discrimination by including issues related to new minorities;
- to raise awareness in the media about migration issues in order to avoid stereotyping and the stigmatisation of migrants;
- to generate discussion among the OSCE participating States on the specific requirements of programmes for the integration of both permanent and temporary migrants.

Working Group III: Participation of legal migrants in public life and society

Moderator: Prof. Mitja Žagar, Director of the Institute of Ethnic Studies, University of Ljubljana, Slovenia

Rapporteur: Mr. Mustafa Osman Turan, First Secretary, Permanent Mission of Turkey to the OSCE

Introducers: Mr. Ayhan Kaya, Director of the Centre for Migration Research, Istanbul Bilgi University, Turkey

Ms. Galina Vitkovskaya, Senior Fellow, Institute of Population Economic Projection, Academy of Sciences, the Russian Federation

The Working Group focused on the participation of legal migrants in public life as one of the key preconditions for facilitating integration. The debate was based on country-specific examples and best practices. Input from the different perspectives of sending and receiving countries allowed for substantive discussions.

Participants, in general, agreed that inclusion of migrants in decision-making processes through electoral participation as well as participation in consultative bodies, institutions and civil society has a positive effect on integration because it creates a sense of belonging, justice and confidence. In addition to emphasizing the benefits of participation, the importance was also stressed of devising strategies on when and how to materialize migrant participation and integration and which populations should be targeted by integration policies and measures. Providing information to migrants on their rights and obligations was mentioned as an essential measure to stimulate participation and integration.

The granting citizenship to migrants in order to promote participation and integration was discussed at length. It was suggested that democratic and inclusive citizenship laws which allow for dual citizenship could be an effective tool to integrate migrants while allowing them to preserve their identity. Basic knowledge of the language, culture and institutions of the host country as well as the acceptance of its fundamental principles were stressed as necessary requirements for citizenship. However, it was also argued that the focus should be on the integration and participation of non-citizen migrants immediately upon their arrival and throughout their stay to facilitate their inclusion, participation and full integration including their naturalization.

Participants acknowledged the important contribution of immigrant organizations in facilitating dialogue and participation as well as the need for capacity-building programs for them.

Particular emphasis was placed on the difficulties encountered in ensuring the participation of female migrants in public life, due to cultural reasons as well as to their exploitation in the labour market. A generally accepted idea was that integration could not be successful, and “parallel societies” would be created, without the effective integration of female migrants. One participant offered as a good practice the women-specific integration programmes designed for the particular practical needs of Muslim women. These courses, though in apparent contradiction with the basic principle of gender equality, would nevertheless be useful as a confidence-building and empowerment measures for women who might otherwise be segregated.

With regard to the rights of migrant workers, human rights and non-discrimination were highlighted as the basis for any sound framework. The role and advantages of Ombudsman institutions in protecting the rights of the migrants as well as in monitoring their situations were mentioned by several participants.

One participant mentioned as a good practice a *Concordat* in the United Kingdom concluded with the involvement of all interested parties, including migrant workers, employers and trade unions. This simple document would bring clarity regarding the rights and responsibilities of all parties, including an obligation for employers to finance and facilitate integration programs and activities.

With regard to the funding of integration programmes including language courses and vocational training, one participant outlined a practice of seeking the support of employers and suggested that this was a moral duty of employers as the prime beneficiaries of the services provided by migrant workers. Another participant expressed a preference for placing the tax burden with the migrants themselves rather than with the employers.

The following recommendations were put forward by the participants.

Recommendations to the OSCE participating States:

- to establish legal frameworks aimed at preventing structural and institutional discrimination against migrants, which seriously jeopardize participation;
- to establish interstate dialogue between sending and receiving States as well as social dialogue between trade unions, employers and government when dealing with problems of migrant workers;
- to provide the opportunity for economic empowerment through capacity-building programmes designed for migrants;
- to consider providing migrants with the right to elect and be elected particularly in local elections;
- to liberalize citizenship laws and consider granting dual citizenship as an efficient means of facilitating integration while preserving the identity of migrants;
- to pay special attention, and undertake special efforts, to ensure the inclusion of migrant women in integration programmes. This should encompass the involvement of women in the development of policies and programmes;
- to take into account the special role women can play in the prevention of and fight against religious or belief-based discrimination, intolerance or violence and to

undertake to ensure the involvement of women representing religions or beliefs in countries of origin as well as the country of destination in the promotion of intra- and interfaith dialogue;

- to provide easily accessible and understandable information to migrants in their own languages on all aspects of their civic rights and obligations, including the labour market, housing, health and community services as well as civic and political participation. Awareness-raising should be among the central activities in the process of integration;
- to encourage and support media in the language of migrants;
- to provide the necessary legal framework for migrants participation in trade unions;
- to simplify procedures for releasing work permits or documents to the migrants;
- to co-operate closely with migrant interest groups for the purposes of awareness-raising on specific issues, capacity-building and consultation in decision-making on issues related to migrants.

Recommendations to the OSCE institutions and field operations:

- The ODIHR should continue its activities in the area of religion and freedom of belief as one of the core priorities of the Organization and should continue to include specific aspects related to migration, as well as ensuring a gender perspective;
- The OSCE, in cooperation with other relevant international organizations, should facilitate dialogue and cooperation between countries of origin and host countries in the search for co-operative solutions to migration-related problems;
- The OSCE should initiate a process for developing a document on principles of integration which promote inclusion.

Working Group IV: Socio-cultural aspects of integration

Moderator: Dr. Anastasia Crickley, Personal Representative of OSCE Chairman-in-Office on Combating Racism, Xenophobia and Discrimination also focusing on Intolerance and Discrimination against Christians and Members of Other Religions

Rapporteur: Dr. Eltje Aderhold, Counsellor, Permanent Mission of the Federal Republic of Germany to the OSCE

Introducers: Ms. Phoebe Griffith, Senior Research Associate, Foreign Policy Centre, London, United Kingdom
Mr. August Gächter, Centre for Social Innovation, Vienna, Austria

The debate on the socio-cultural aspects of migration and integration was based on a common understanding that sound migration policies are inextricably linked to issues of integration. Contributions acknowledged that migration and the socio-cultural integration of migrants have to be perceived and addressed not as a problem but as an opportunity for economic growth and enrichment of the receiving societies as a whole.

Participants highlighted the important role of government authorities in ensuring humane and efficient reception procedures in the countries of destination and pointed to negative attitudes of officials as a major impediment towards integration. Migrant reception procedures should encompass health care, education as well as other public services. Best practices in capacity-building and the education of migrants in OSCE participating States were exchanged.

The discussions also focused on the crucial role of the civil society in promoting socio-cultural integration and underlined that its activities should go beyond consultations and include awareness-raising on migrants' rights in order to overcome institutionalized discrimination. The participants emphasized the role of the media in disseminating information on migration issues and in promoting a culture of tolerance and respect for diversity.

Finally, the debate also revealed gaps and difficulties in the elaboration of common standards for measuring and evaluating the efficiency of integration policies, especially of their socio-cultural aspects.

The following recommendations were put forward by the participants.

Recommendations to the OSCE participating States:

- to take measures to provide information to migrants in their own languages on all aspects of their civic rights and obligations. Migrant interest groups should play a crucial role in awareness-raising on specific issues, capacity-building and consultation in decision-making on issues related to migrants;
- to promote intra-and interfaith dialogue and make every effort to prevent and combat religious or belief-based discrimination in relation to migration;
- to take further measures to improve the language skills of migrants and to provide quality vocational training designed to meet the needs of migrants.

Recommendations to the OSCE institutions and field operations:

- The ODIHR should maintain an ongoing exchange of views with the OSCE High Commissioner on National Minorities in addressing issues related to new minorities and further develop the ODIHR Programme on Tolerance and non-Discrimination by including issues related to new minorities;
- The ODIHR should continue its activities in the area of religion and freedom of belief as one of the core priorities of the Organization and should continue to include specific aspects related to migration, as well as ensuring a gender perspective.

ANNEX I



HUMAN DIMENSION S E M I N A R

MIGRATION AND INTEGRATION

Warsaw, 11-13 May 2005

ANNOTATED AGENDA

I. Background

The Human Dimension Seminars are organised by the OSCE/ODIHR in accordance with the decisions of the CSCE Summits in Helsinki (1992) and Budapest (1994). The 2005 Human Dimension Seminar will be devoted to the topic of *Migration and Integration* in accordance with PC Decisions No. 657 of 19 January 2005 (PC.DEC/657) and No. 667 of 7 April 2005 (PC.DEC/667/Corr.1).

Migration is an issue that has been of concern for the CSCE/OSCE since its inception. In the Helsinki Final Act and a number of follow-up documents, the CSCE participating States addressed various aspects of migration, including human contacts and family reunification. Furthermore, in the Concluding Document of Vienna at the Third Follow-up Meeting in 1989, the participating States emphasised the need *‘to respect fully the right of everyone to freedom of movement and residence within the borders of each State’*¹. The importance of migration in the CSCE process was reiterated in 1990 in the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE as the participating States affirmed *‘that freer movement and contacts among their citizens are important in the context of the protection and promotion of human rights and fundamental freedoms’*².

In 1994 the notion of **integration** of migrants first appeared in CSCE/OSCE documents when, in the CSCE Summit Declaration in Budapest, the OSCE participating States committed themselves to *‘continue to promote the integration of migrant workers in the societies in which they are lawfully residing’* and recognised that *‘a successful process of integration also depends on its active pursuit by the migrants themselves and decided therefore to encourage them in this regard’*³.

The issue was taken up again in December 2003 during the OSCE Ministerial Council in Maastricht. In accordance with paragraph 11 of the OSCE Maastricht Ministerial Council Decision No 4/03 on Tolerance and Non-Discrimination, the ODIHR has been called to reinforce its activities aimed at *‘combating discrimination against migrant workers and at*

¹ Concluding Document of Vienna – the Third Follow-up Meeting, 1989 (‘Questions Relating to Security in Europe’, paragraph 20).

² Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990 (paragraph 19).

³ CSCE Summit Declaration, Budapest, 1994 (‘Towards a Genuine Partnership in a New Era, Decisions, Chapter VIII, paragraph 31).

facilitating the integration of migrant workers into the societies in which they are legally residing'.

In 2004 the issue of tolerance and non-discrimination was one of the priorities for the OSCE and a number of OSCE-wide fora were organized to discuss the promotion of tolerance and non-discrimination, including *the OSCE Conference on anti-Semitism* in Berlin in April 2004, *the OSCE Meeting on the Relationship between Racist, Xenophobic and anti-Semitic Propaganda on the Internet and Hate Crimes* in Paris in June 2004, and *the OSCE Conference on Tolerance and the Fight against Racism, Xenophobia and Discrimination* in Brussels in September 2004. The Brussels conference, in particular, addressed, *inter alia*, the issues of non-discrimination and protection of migrant workers in the OSCE area.

At the OSCE Ministerial Council in Sofia in December 2004, the OSCE participating States committed themselves to '*take steps, in conformity with their domestic law and international obligations, against discrimination, intolerance and xenophobia against migrants and migrant workers*', as well as to '*consider undertaking activities to raise public awareness of the enriching contribution of migrants and migrant workers into society*'⁴.

Following the Sofia Ministerial Council Decision, the OSCE Chairman-in-Office appointed three Personal Representatives as part of the OSCE's overall fight in combating discrimination and promoting tolerance. Dr. Anastasia Crickley was appointed as Personal Representative on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions, Dr. Gert Weisskirchen became the Personal Representative on Combating anti-Semitism, and Ambassador Ömür Orhun was appointed as Personal Representative on Combating Intolerance and Discrimination against Muslims.

The ODIHR's *tolerance and non-discrimination* programme, which was established in 2004 following the Maastricht Ministerial Council Decision, provides support to participating States in implementing their OSCE commitments and in strengthening their efforts to respond to and combat hate crimes and violent manifestations of intolerance. The programme also aims to strengthen civil society's capacity to respond to hate-motivated crimes and incidents. In relation to tolerance and non-discrimination, the ODIHR's activities are focused on the following areas: legislative assistance; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

In pursuing the implementation of the aforementioned commitments and decisions, the OSCE has been active in addressing the issues of migration and integration in the region. Looking at the topic from the *human dimension perspective*, the OSCE/ODIHR is implementing a number of specific programmes aimed at protecting the human rights of migrants as well as promoting intra-state and inter-state co-operation to facilitate their efficient integration into receiving societies.

Following the call of the OSCE Maastricht Ministerial Council in 2003, the ODIHR reinforced its activities in the field of combating discrimination against migrant workers. In particular, the ODIHR has been assisting the participating States in developing bilateral and multilateral co-operation mechanisms in the field of *labour migration and protection of human rights of migrant workers* as well as in elaborating specialised training programmes for law-enforcement agencies in this field. Moreover, since 1998 the ODIHR has been

⁴ Decision No.12/04 of the OSCE Ministerial Council in Sofia on Tolerance and Fight against Racism, Xenophobia and Discrimination, December 2004.

assisting several OSCE participating States in overcoming the Cold War-era legacy of restrictions *on freedom of internal movement and free choice of the place of residence* for citizens, migrants legally residing in the country and foreigners travelling for personal and professional reasons.

The ODIHR also promotes the active participation of migrants in the public life of receiving countries through its work in the field of *democratic governance*. In particular, the ODIHR is focusing on increasing public awareness of the mechanisms and benefits of participatory democracy as well as of more efficient involvement of civil society in decision-making processes, including input into the legislative process. In the framework of ODIHR *legislative support* to participating States, expert analysis of international standards on migration and domestic migration legislation of twelve of the OSCE's participating States has been conducted and was made available on the *Legislationline.org* website at the end of 2004. The analysis focused on introducing the aspects of immigration laws and policy, migrant rights and entitlements, discrimination of migrants and on international co-operation with regard to migration. In addition, legislation concerning migration has been collected from most of the OSCE participating States. In the field of *gender equality*, the ODIHR is implementing the 2004 OSCE Action Plan for the Promotion of Gender Equality, and a number of programmes aimed at increased participation of women in democratic processes, facilitating dialogue between the government and the civil society to address gender aspects of migration and integration of migrants and to raise awareness of the specific needs and concerns of female migrants.

The ODIHR *Contact Point on Roma and Sinti Issues* is continuously working on various forms and trends of across-State-boundary movements of different groups and persons belonging to the Roma and Sinti populations. Throughout the OSCE area the ODIHR/CPRSI supports field projects and networking among NGOs in countries and places of origin and in the host countries of Roma and Sinti migrants, as well as the participation of interested NGOs in inter-governmental programs addressing particular aspects and categories of Roma and Sinti migrants. Finally, the issue of integration of internal migrants is addressed through ODIHR activities on *internal displacement*, with, in particular, the OSCE Supplementary Human Dimension Meeting in November 2004 dedicated to discussions of potential practical measures the OSCE institutions and participating States can take to alleviate the plight of IDPs in the OSCE area.

Among other institutions of the OSCE, a highly important role in promoting integration respecting diversity is played by the *OSCE High Commissioner on National Minorities*. The starting point for the High Commissioner's policy of promoting integration respecting diversity is the OSCE's comprehensive approach to security. His mandate requires him to be an instrument of conflict prevention by identifying and by finding ways to reduce tensions arising from minority issues. The mandate rests on the premise, whose truth has been demonstrated again and again in recent years, that problems concerning the relationship between the majority and minorities are one major source of international conflicts as well as instability within states. Social tensions arising from minority issues, and, more specifically, from the exclusion of groups or communities from the benefits of society, exist in many states and can lead to serious incidents of violence. Failure to deal adequately with these tensions can lead to a vicious circle in which isolation and alienation reduce the benefits of belonging to the State, leading to further isolation and deprivation, which can in the end provide a breeding ground for crime and even terrorism. The aim of integration is a State which all groups consider their common home, where all individuals are able to interact freely, in which all have equal opportunities to participate and to benefit and in which the causes of tensions arising from minority issues will have been eliminated. Integration avoids the extremes of forced assimilation on the one hand and separatism on the other hand. To assist him to

develop suitable policies, the High Commissioner has invited international experts to draw up a series of recommendations on minority issues (education – The Hague, 1996; language issues – Oslo, 1998; participation in public life – Lund, 1999; and language use in broadcasting – 2003).

The complex phenomenon of migration needs to be addressed in a comprehensive manner. Bearing this in mind, the Slovenian Chairmanship, having chosen “Migration-Integration” as its overall theme, decided for a cross-dimensional approach. In addition to being examined as part of the OSCE’s Human Dimension, this issue is also being discussed within the Economic and Environmental Dimension and in the context of developing the Border Security Management Concept.

Finally, the issues of migration and integration are an integral part of the everyday activities of a number of the *OSCE field presences* which work on labour migration, anti-trafficking, protection of internally displaced persons, and other issues related to participation of migrants in the political, economic and social life of the country of their residence.

II. Aims

The 2005 Human Dimension Seminar on *Migration and Integration* will provide an opportunity for this OSCE-wide discussion forum to examine ways to ensure protection of the rights of migrants and an efficient and harmonious integration of legal migrants, to the benefit of both the receiving society and the migrants themselves. The discussion of concepts and challenges, expert presentations and sharing of experiences between experts from OSCE participating States, international organizations and NGOs working on migration, protection and integration issues is expected to contribute significantly to this endeavour.

The idea of the seminar is to move beyond traditional discussions on the costs and benefits of migration as merely a cross-border movement, towards looking for practical solutions for migrants already in the territory of the receiving countries. The proposed approach is to discuss *integration of migrants* as a two-way process which affects both the newcomers and the host population. Therefore, it is expected that the discussions would be focused on the need for change in the receiving society in this process, and the responsibility of the public institutions to open up society to newcomers, enabling them to participate fully in its political, socio-cultural and economic life, thus providing migrants with an opportunity of bringing benefits to the host country. It appears that not all countries in the OSCE region make systematic efforts to protect the rights of migrants and to integrate immigrants and refugees into their social and political fabric and fewer still can claim success. When such deficiencies coexist with incomplete economic incorporation, migrants and refugees are marginalised. Entrenched marginalisation leads the host community to view immigrants as consumers of public assets, as social and political liabilities, and even as threats to the central identity of the society and its security, rather than as potential resources. For migrants it can lead to their ill-treatment by the host community and, at worst, their exploitation.

On the other hand, it is clear that the newcomers have a duty to respect the values and the identity of the receiving society and to make a genuine effort to integrate and to be integrated. It is a process of mutual acceptance and tolerance⁵. Therefore, the Seminar will provide space for discussions of the responsibilities of migrants vis-à-vis the host community. At the same

⁵ *The European Inclusion Index. Is Europe ready for the globalisation of people? Framework Document.* By Mark Leonard and Phoebe Griffith working with Kate Arthurs and Richard Tite. The Foreign Policy Centre in association with the British Council and Sciences Po., October 2003. For the full text, please refer to <http://fpc.org.uk>.

time, the experiences of many OSCE participating States shows that successful integration is possible only if adequate legal and socio-economic frameworks are established to ensure that newcomers do not have to renounce their own identity, lifestyles and beliefs in order to adopt the identity of the receiving society, but may benefit from both. In this regard, co-operation both at the intra-state level, between the civil society, ethnic communities or diasporas, mass media and the government, and at the inter-state level, between the countries of origin and destination of migrants, is of vital importance.

The Seminar will discuss relevant experiences and recommendations in four Working Groups dealing respectively with questions related to co-operation at domestic and international levels, the legal framework of integration processes, participation of migrants in public life as well as socio-cultural aspects of integration. The Seminar will also seek to build on the conclusions of the relevant session of the OSCE Conference on Tolerance and the Fight against Racism, Xenophobia and Discrimination, which took place on 13-14 September 2004 in Brussels as well as for strategies to implement Decision No. 12/04 of the Sofia Ministerial Council on Tolerance and Non-Discrimination. Finally, the Seminar will serve in the preparation for the upcoming Thirteenth Meeting of the OSCE Economic Forum dedicated to the issues of demographic trends, migration and integration of the persons belonging to national minorities, to take place 23-27 May 2005 in Prague.

All documents related to the Seminar are available at the ODIHR website (<http://www.osce.org/odihr>) under *Events calendar*.

III. Participation

Representatives of the OSCE participating States, OSCE institutions and field missions, inter-governmental and non-governmental organisations will participate in the Seminar.

The participation of representatives of government agencies dealing with the issues of migration and integration within the OSCE participating States, the media as well as the specialised NGOs working on the issues related to the protection of the rights of migrants, integration, tolerance and non-discrimination will be particularly encouraged. In this regard, participating States are requested to publicise the Seminar widely and to include wherever possible such representatives in their delegations who can contribute most to the discussions.

The Mediterranean Partners for Co-operation as well as the Partners for Co-operation are warmly invited to attend and share their views and ideas on migration and integration-related problems facing the OSCE region.

All participants are encouraged to submit in advance written interventions on their respective work and proposals regarding the subject of the Seminar, which will be distributed to delegates. Participants are also encouraged to make brief oral interventions during the Seminar. While prepared interventions are welcomed during the Plenary Sessions, free-flowing discussions and exchanges are encouraged during the Working Group sessions.

IV. Organization

The venue for the Seminar is the "Sofitel Victoria" Hotel in Warsaw, ul. Krolewska 11.

The Seminar will open on Wednesday 11 May 2005 at 10.00 a.m. It will close on Friday 13 May 2005 at 05.30 p.m.

V. WORKPLAN

Wednesday 11 May 2005

10.00 - 13.00 Opening Plenary Session

Welcome and introduction from the Seminar Chair

Amb. Christian Strohal

Director of the OSCE/ODIHR

Welcoming remarks

Mr. Piotr Switalski

Deputy Foreign Minister

Republic of Poland

Amb. Dr. Boris Frlec

Head of the OSCE Task Force

Ministry of Foreign Affairs

Republic of Slovenia

Keynote Speakers

Ms. Lidya Imanalieva

Ambassador Extraordinary and Plenipotentiary of the Kyrgyz Republic

Ambassador-at-large

Kyrgyz Republic

Amb. John de Fonblanque

Director

Office of the OSCE High Commissioner on National Minorities

15.00 - 18.00 Working Group I:

Co-operative frameworks supporting integration and protection of legal migrants

Moderator: **Mr. Andreas Halbach**
Regional Representative
IOM Vienna

Introducers: **Mr. Luigi Swich**
Deputy of the Vice Prefect
Office for International Relations
Ministry of Interior
Italy

Mr. Tolon Turganbayev
General Consul of the Kyrgyz Republic
in Yekaterinburg, the Russian Federation
Kyrgyz Republic

Rapporteur: Ms. Sandra Sacchetti

Adviser

Permanent Representation of the Grand-Duchy of Luxembourg to the OSCE

Larger-scale immigrant populations are a reality in most parts of the OSCE region. In many OSCE participating States, the percentage of legal residents who are foreign-born has reached double-digits. For some OSCE participating States migration is a phenomenon that has become a part of their national identities, with societies viewed as “melting pots”. For others, migration is a phenomenon to which an effective policy response needs to be developed. For some participating States, migration is taking place in the context of the newly-gained independence, and is combined with a challenge of building institutions required to meet their OSCE commitments. In particular, a number of countries in the OSCE region have only recently become recipients of extensive migration flows and are gradually undergoing the process of adapting their policies and societies to the new realities. Clearly, migration is now a social and economic phenomenon of the first order in the OSCE region, with a positive and negative potential which the participating States cannot afford to ignore. No country in the OSCE region is - or needs to be - alone in facing the challenge of managing migration, protecting the rights of and integrating its migrants.

In this regard, improved *co-operation between governments and civil societies of countries of destination and origin* is required to protect the rights of migrants and obtain better integration outcomes. Countries of origin are impacted deeply by migration and are concerned about the welfare and hope for the eventual return of many of their emigrants. Co-operation could create a “win-win” situation for host countries, countries of origin, and for migrant communities.

Along with civil society groups and migrant organizations, *foreign representations and consulates of the countries of origin* are instrumental in assisting the receiving country in its integration efforts. In particular, diplomatic offices can play a pivotal role in establishing effective co-operative frameworks between the countries of origin and destination, as well as ensuring protection of the rights of migrants in the territory of the receiving country. On the one hand, one of the key objectives of their everyday work consists in facilitating contacts between migrants and their families and communities in their countries of origin. On the other hand, in partnership with the civil society, they are well-equipped to facilitate the dialogue between migrants and the receiving country, for example, through advice and assistance to migrants in protecting and claiming their rights, as well as through addressing the problems encountered by migrants with the receiving country’s relevant authorities.

The working group will highlight examples of co-operation between countries of origin and destination in order to disseminate these cases throughout the OSCE. Participants will discuss existing ***bilateral and multilateral co-operation mechanisms*** among the OSCE participating States in the field of migration and integration, from formal frameworks, such as *inter-state agreements*, to the numerous *regional and sub-regional fora* which have developed in recent years in the OSCE region. This working group will provide an opportunity to review and exchange information on the aims of these fora and the role the OSCE could play in supporting them. Finally, it is hoped that a common understanding will emerge across the OSCE participating States of the barriers to integration and of effective steps to address them using the OSCE as a platform for inter-state co-operation.

Thursday 12 May 2005

**10.00 - 13.00 Working Group II:
Legal aspects of migration and integration of lawful migrants**

Moderator: Dr. Vladimir Shkolnikov
Head of Democratization Department
OSCE/ODIHR

Introducer: Ms. Maria Luisa Casado
Senior Consultant on International Affairs
Directorate General for Immigration
Ministry of Labour and Social Affairs
Spain

Ms. Natalia Vlasova
Consultant of the Ministry of Health and Social Development
The Russian Federation

Rapporteur: Mr. Luis Francisco Martinez Montes
Counsellor
Permanent Mission of Spain to the OSCE

It is widely believed that secure legal status and transparent rules regarding rights and duties of migrants are particularly important factors in achieving positive integration outcomes for both migrants and the host society. This working group will discuss the situation with regard to existing legislation in the OSCE region governing the legal status of migrants, as well as questions of access to justice, and practical implementation of, the respective legal provisions.

For social integration and cohesion, it is essential that migrants enjoy full human rights and have access to the legal system on equal terms with the nationals of the host country. Participants of this working group will review the implementation of the OSCE commitments with respect to the *fundamental human rights of migrants and their non-discrimination under the law*, contained in number of important OSCE documents. In particular, already in the Helsinki Final Act, the participating States committed themselves to '*ensure equality of rights between migrant workers and nationals of the host countries with regard to conditions of employment and work and to social security, and to endeavour to ensure that migrant workers may enjoy satisfactory living conditions, especially housing conditions*'⁶. In the Concluding Document of Vienna at the Third Follow-up Meeting in 1989, the OSCE participating States agreed to '*ensure human rights and fundamental freedoms to everyone within their territory and subject to their jurisdiction, without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status*' as well as to '*ensure that no individual exercising, expressing the intention to exercise or seeking to exercise these rights and freedoms or any member of his family, will as a consequence be discriminated against in any manner*'⁷. Finally, in the Helsinki Summit Declaration in 1992, the participating States reiterated that '*human rights and fundamental freedoms are universal, that they are also enjoyed by migrant workers*

⁶ Helsinki Final Act, 1975 ('Economic and Social Aspects of Migrant Labour', paragraph 3).

⁷ Concluding Document of Vienna – the Third Follow-up Meeting, 1989 ('Questions relating to Security in Europe', paragraphs 13.7 and 13.8).

wherever they live’ and stressed that ‘the importance of implementing all CSCE commitments on migrant workers and their families lawfully residing in the participating States’⁸.

The working group will also discuss existing national legal frameworks which provide migrants with a secure legal status, rights and responsibilities reflecting temporary or permanent status, and access to the rights which promote integration, including *employment, family reunification and freedom to choose one’s place of residence*.

Clearly, **access to work** for legal migrants should be a central part of any integration policy. It is not only an important means for migrants to return benefits to the society, but is also fundamental to personal development and expression. Participation in the labour market is a critical way to build up social networks, learn the language and become embedded in local society⁹.

The right to **family reunification** is, by itself, an indispensable instrument of integration. Moreover, the OSCE also has an extensive set of commitments with respect to reunification of families, contained mainly in the Helsinki Final Act (1975) and the Concluding Documents of Madrid (1983) and Vienna (1989). In particular, the participating States committed themselves to ‘*deal in a positive and humanitarian spirit with the applications of persons who wish to be reunited with members of their family*’ and to ‘*take appropriate care with regard to employment for persons from other participating States who take up permanent residence in that State in connection with family reunification with its citizens and see that they are afforded opportunities equal to those enjoyed by its own citizens for education, medical assistance and social security*’¹⁰. In addition, in accordance with paragraph 41 of the Concluding Document of Vienna, ‘*the participating States will (...) consider favourably applications for family reunification as well as family contacts and visits involving migrant workers from other participating States legally residing in the host countries*’¹¹.

In addition, participants will discuss the **freedom to choose one’s place of residence** which, in accordance with international human rights standards, should be guaranteed by receiving countries to every migrant legally residing on its territory. Procedures for registration of migrants as the key element of legal frameworks for integration of migrants will also be discussed.

Finally, the working group will provide an opportunity for exchange of experiences and practices for a more effective integration of legal migrants in host societies. In particular, recent changes of legislation in some OSCE participating States aimed at facilitating the legal aspects of integration will be highlighted.

⁸ Concluding Document of Helsinki – the Fourth Follow-up Meeting, 1992 (‘Enhanced commitments and co-operation in the Human Dimension’, paragraph 36).

⁹ *Migration, Integration and Citizenship: Lessons from Around the World*, by Sacha Chan Kam, Phoebe Griffith, Mark Leonard. The Foreign Policy Centre, UK, 2002. For the full text, please refer to <http://fpc.org.uk>.

¹⁰ Helsinki Final Act, 1975 (‘Human Contacts, (b) Reunification of families’, paragraphs 1 and 9).

¹¹ Concluding Document of Vienna – the Third Follow-up Meeting, 1989 (‘Co-operation in the Field of Economics, of Science and Technology and of the Environment’, paragraph 41).

15:00 – 18:00 Working Group III:
Participation of legal migrants in public life and society

Moderator: **Prof. Mitja Žagar**
Director of the Institute for Ethnic Studies
University of Ljubljana
Slovenia

Introducers: **Mr. Ayhan Kaya**
Director of the Centre for Migration Research,
Istanbul Bilgi University
Turkey

Ms. Galina Vitkovskaya
Senior Fellow, Institute of Population Economic Projection
Academy of Sciences
The Russian Federation

Rapporteur: **Mr. Mustafa Osman Turan**
First Secretary
Permanent Mission of Turkey to the OSCE

Democratic legitimacy requires equitable participation of all groups of society in public life. The contribution of legally residing migrants to a country's prosperity further justifies their right to influence public debates and political decisions in the country of their residence. Participation in public life best qualifies migrants to become full members of the receiving society.

Participation in *political movements, trade unions, non-governmental organizations representation by mass media* and *access to national human rights institutions* are, on the one hand, an integral part of migrants' ability to influence decision-making processes at political and societal levels, on the other hand, indicators of the success of integration process, and of the extent to which newcomers are engaging with the receiving society and are willing to participate in its structures.

The working group aims at engaging the OSCE participating States, non-governmental organizations and international organizations in sharing experiences and good practices which enabled migrants to voice their views and contribute productively to the public debate and the decision-making process, as an essential element of civic participation. Participants will have an opportunity to exchange information on how the participating States ensure that migrant communities are able to play a part in providing feedback to both countries of origin and to host countries as well as to make referrals to social services, as appropriate.

About half of the world's migrants are women. Immigrant women often suffer from multiple forms of discrimination due to their gender and ethnic origins, both at home and in the host society, including job segregation often in unregulated forms of work, unequal pay, gender-based violence and exploitation. Participants will discuss measures to ensure *women's equal participation* in public life, as well as to promote *non-discrimination of female migrants and their adequate protection from violence or exploitation*.

Migrant organizations constitute an important tool for the integration of migrants into political processes since they are instrumental in voicing migrants' demands and concerns, as well as constituting the basis for dialogue between different groups in society and the

authorities¹². Therefore, participants will discuss the role of migrant organizations, including ethnic communities/diasporas, as intermediaries between the newcomers and the host society. They will also discuss ways to ensure that co-operation between different communities is built on mutual confidence - a critical factor for supporting integration and maintaining social cohesion.

Friday 13 May 2005

**10.00 - 13.00 Working Group IV:
Socio-cultural aspects of integration**

Moderator: **Dr. Anastasia Crickley**
Personal Representative
of OSCE Chairman-in-Office on Combating Racism,
Xenophobia and Discrimination also focusing on Intolerance
and Discrimination against Christians and Members of Other Religions

Introducers: **Ms. Phoebe Griffith**
Senior Research Associate
The Foreign Policy Centre
London

Mr. August Gächter
Centre for Social Innovation
Vienna

Rapporteur: **Dr. Eltje Aderhold**
Counsellor
Permanent Mission of the Federal Republic of Germany to the OSCE

Discrimination and ***intolerance*** represent a challenge to democratic societies built upon the principles of respect and equal rights. Where discrimination becomes entrenched or institutionalised, we often witness the social and cultural exclusion of groups from participation in 'mainstream' society.

Integration is often presented as a one-way process: the need for a newcomer to learn the language, norms and customs of the host community. But for integration to work the host community needs to play a role by creating an open and welcoming environment.

This working group will identify measures that respond to the needs of migrants (orientation programmes, language training), enable them to build social networks and overcome barriers to participation in the host society.

Successful integration also depends on policies and practices that move beyond a mere tolerance of diversity towards those that foster ***respect for diversity***. The task is to establish social cohesion through the promotion of intercultural understanding *and* diversity management strategies.

¹² Council of Europe, Parliamentary Assembly. Participation of immigrants and foreign residents in political life in the Council of Europe member states. Doc. 8916. 22 December 2000. Report of the Committee on Migration, Refugees and Demography.

Participants will discuss the role of formal and informal *education* in instilling an understanding and respect of, and openness to diversity. Emphasis will be given to initiatives that highlight commonalities between groups, facilitate cross-community bridge-building, and enable migrants to form social networks – an important stepping stone to integration. The session will also address the importance of *diversity management strategies*, specifically the need to *measure* the integration and inclusion of newcomers using social and economic criteria in order to fill in information gaps and provide tools for policy development.

While it is important to provide migrants with tools to navigate and adapt to the host society, it is also vital to provide at the same time, *opportunities* to participate in and contribute to the host community. Recognizing and encouraging the positive contribution of migrants to their host society encourages a mutual perception of migrants as active participants in a collective enterprise. Promoting the benefits migrants bring is also vital to changing public attitudes towards newcomers (such as fears that migrants compete for scarce jobs, resources and burden the state).

Participants will discuss ways to define, measure and promote the benefits that migrants and diversity bring to host societies, the role of governments and media in fostering appreciation for these contributions, and policies that provide opportunities for newcomers to contribute the resources they bring with them.

The use of racist, anti-Semitic and xenophobic arguments and expressions has become increasingly common-place in political discourse and in the media. This trend both affects and reflects public opinion and official policies towards migrants. Given the influence of public officials in this regard, participants will discuss the impact of such discourse on migrants, examine those groups that have been specifically targeted, and identify measures to promote accountability for public statements.

14.30 - 17.30 Closing Plenary Session

Rapporteurs' Summaries from Working Groups

Statements from Delegations

Closing remarks

Prof. Blandine Kriegel

Chair of the Supreme Council for Integration
Special Representative of the President of the Republic
France

Prof. Rita Süssmuth

Member, Global Commission on International Migration
Former President of the German Bundestag
Germany

Mr. Marcin Świąćicki, Co-ordinator of OSCE Economic
and Environmental Activities

Amb. Christian Strohal

Director of the OSCE/ODIHR

Closing of the Seminar

ANNEX II



HUMAN DIMENSION S E M I N A R

Migration and Integration

Warsaw, 11-13 May 2005

AGENDA OF SIDE EVENTS

The Helsinki Document of 1992 (Chapter IV) called for increasing the openness of OSCE activities and expanding the role of NGOs. In particular, in paragraph (15) of Chapter IV the participating States decided to facilitate during CSCE meetings informal discussion meetings between representatives of the participating States and of NGOs, and to provide encouragement to NGOs organizing seminars on OSCE-related issues. In line with this decision, NGOs, governments and other participants are encouraged to organize side meetings at the Human Dimension Seminar on relevant issues of their choice.

The side meetings below have been exclusively organized and scheduled at the request of participants of the Human Dimension Seminar. The annotated agenda and content for each meeting was prepared by the organization convening the meeting and does not necessarily reflect the views of the OSCE, or the ODIHR.

Wednesday 11 May	Thursday 12 May	Friday 13 May
<i>TITLE: Particular problems of Roma in the migration trends across states</i> <i>Convenor: ODIHR Contact Point for Roma and Sinti Issues</i> <i>Room: Meeting Room 2</i> <i>Time: 13:15-14:45</i>	<i>TITLE: Exploitation in Western Europe: Trafficking or fanning the flames?</i> <i>Convenor: Human Rights Department: Anti-Trafficking Programme</i> <i>Room: Meeting room 2</i> <i>Time: 13:15-14:45</i>	

<p><i>TITLE: Photo Voice “Living in exile”</i></p> <p><i>Convenor: Association of Asylum-Seekers</i></p> <p><i>Room: Balcony, first floor</i></p> <p><i>Time: official opening at 18:00</i></p>	<p><i>TITLE: Play “Journeys in a new homeland”</i></p> <p><i>Convenor: Association of Asylum-Seekers</i></p> <p><i>Room: Opera Room</i></p> <p><i>Time: 18:15-19:15</i></p>	
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‘Exploitation in Western Europe: Trafficking or fanning the flames?’

Convenor: Human Rights Department: Anti-Trafficking Programme
Date: Thursday, 12 May 2005
Time: 13:15-14:45
Venue: Meeting room 2
Contact person: Shivaun Scanlan, Shivaun.Scanlan@osce.org

Panellists:

1. Mr. Serge Du Croq, Platform for International Cooperation on Undocumented Migrants (PICUM). The organisation has recently conducted research on the exploitation of irregular status migrants in Western Europe in different sectors.
2. Ms. Sissel Brodal, European Civic Forum (NGO) – Network of ‘sans papiers’ in Europe. The organisation has recently conducted research on the exploitation of migrants in the agricultural sector in Western Europe.
3. Ms. Doro Winkler, FIZ, Consultative Centre for Trafficked and Migrant Women in Switzerland.

Introduction

Material hardship and perceived opportunities for work abroad are cited as the most common factors driving the migration plans of many victims of trafficking in the OSCE region. An increasing demand for informalised and unprotected forms of work, linked to new global economic transformations, is seen to be contributing to increasing irregular movement which brings in its wake many victims of trafficking. Current research estimates that irregular immigrants account for one third to one half of new entrants to developed countries.

Many irregular migrants find employment but some observers posit that migrants in Europe resemble a slave labour force, existing on the margins and fenced in by society. Trafficking for sexual exploitation is already well documented in the OSCE region. New research indicates that forced labour exploitation also exists in a number of sectors in Europe including agriculture and food processing, small manufacturing, domestic/care work and hotels and restaurants. The factors contributing to such exploitation and the manner of its organisation are now demanding attention. The labelling of those affected as alternately trafficked victims or illegal migrants has consequences both for those involved in the exploitation and the State.

This side event will bring together a number of practitioners that will explore the factors contributing to and the different manifestations of exploitation in Western Europe. It will provide an overview of the risks taken, particularly by migrant women, in seeking irregular forms of work in Western Europe and discuss ways in which current approaches to trafficking can be strengthened to provide protection from human rights violations.

Particular problems of Roma in the migration trends across states

Convenor: ODIHR Contact Point for Roma and Sinti Issues
Date: Wednesday, 11 May 2005
Time: 13:15-14:45
Venue: Meeting room 2
Contact person: Nicolae Gheorghe, Nicolae.Gheorghe@odihr.pl
Dan Pavel Doghi, Dan.Doghi@odihr.pl

Panelists:

1. ODIHR CPRSI: Nicolae Gheorghe: Introduction
2. Saimir Mile: "Good examples of integration of recent Roma migrants in France; needs for future and role of Roma NGOs";
3. Margareta Matache: "Initiatives to tackle migration of Roma -Romanian case"
4. Gianfranco D'eramo, UNMIK
5. Presentation of the report "'Roma Youth and Alternatives to Migration"

Journeys in a new homeland

Convenor: Association of Asylum-Seekers
Date: Thursday, 12 May 2005
Time: 18:15-19:15
Venue: Opera Room
Contact person: Simon Mol, assref@hotmail.com

Written from an insider's point of view, *Journeys in a New Homeland* highlights the ordeal that asylum seekers/migrants have to go through in the process of waiting for a decision from the host country. The play does more than throw light on the process of struggling to re-establish in a new society. The playwright even makes a bold attempt to outline the cause of conflicts that eventually force innocent victims to flee into exile.

Length: 50 minute.

Author: Simon Mol: www.simonmol.com

Actors: *Exile*; the theatre group of the Association of Refugees and Asylum Seekers in Poland. The group is made of over 15 actors (professionals & amateurs), drawn from over 7 different countries including Poles.

Photo Voice. Living in exile

Convenor: *Association of Asylum-Seekers*
Date: *11-13 May, 2005*
Venue: *Balcony*
Contact person: *Simon Mol, assref@hotmail.com*

“Living in exile” is a photo exhibition focusing on aspects of integration by migrants and refugees in the Polish and other European societies. Most of the photos were taken by the press department of “Voice of exile”— the bilingual/bimonthly magazine published by the Association of Refugees in Poland. Taken mainly in the years 2003, 2004 and 2005, the photos record diverse phases and faces of integration and were shot during international and local conferences, cultural performances and informal events.

ANNEX III



HUMAN DIMENSION S E M I N A R

MIGRATION AND INTEGRATION

11-13 May 2005

INFORMATION ON SPEAKERS AND MODERATORS

Opening Plenary Session

Keynote speakers:

- **Ms. Lidya Imanaliev**a, Ambassador Extraordinary and Plenipotentiary of the Kyrgyz Republic, Ambassador-at-large, Kyrgyz Republic

Ms. Lidya A. Imanaliyeva holds a postgraduate degree from the University of Warsaw (1988-1992). She joined the Ministry of Foreign Affairs of the Kyrgyz Republic in 1993 as the Deputy Head of the Department of Europe and USA, then served as the Head of Department of Europe and the Russian Federation. From 1997 to 1999 she was working at the Embassy of the Kyrgyz Republic in Belarus. In 1999 she was appointed Head of Department of CIS in the MFA of the Kyrgyz Republic. Having worked at different diplomatic posts, she substantially contributed to the development of bilateral and multilateral co-operation between the Kyrgyz Republic, CIS countries and the EU. As an expert in international relations, she has extensive experience in representing the Kyrgyz Republic at meetings and conferences organized by the OSCE, as well as meetings of the Executive Secretariat of CIS countries.

In August 2002 she was designated Deputy Minister of Foreign Affairs of the Kyrgyz Republic. Presently, she serves as Ambassador Extraordinary and Plenipotentiary of the Kyrgyz Republic and Ambassador-at-large.

- **Ambassador John de Fonblanque**, Director, Office of the OSCE High Commissioner on National Minorities

Ambassador John Robert de Fonblanque is a graduate of Cambridge (MA) and London School of Economics (MSc). He had started his professional career working in the Foreign & Commonwealth Office. He has extensive experience working with the United Kingdom Diplomatic Service, representing UK in different countries of the world, including Indonesia, where he served as the second secretary from 1969 to 1972, the European Communities in Brussels, where he represented the United Kingdom from 1972 to 1977. As of 1977 he served as Principal at HM Treasury (Nationalised Industry Financing) of Cabinet Office. For many years he was affiliated with the Foreign & Commonwealth Office, in different sections:

Rhodesia Department, Zimbabwe Unit, European Community Department (Internal), Assistant Under-Secretary of State (Director for Global issues) and Director for Europe.

In 1999 he was designated Ambassador and Head of UK delegation to OSCE, Vienna. In February 2004 Mr. John de Fonblanque was designated the Director of OSCE's Office of the High Commissioner on National Minorities.

Working Group I: Co-operative frameworks supporting integration and protection of legal migrants

Moderator: Mr. Andreas Halbach, Regional Representative, IOM Vienna

Mr. Andreas Halbach graduated from Universities of Munich, Geneva and Munster, and holds a degree in law (Juristisches Staatsexamen 1971). He is also a Master of International Administration having graduated from the School for International Training, Vermont, USA. He joined International Organization for Migration (IOM) in 1979 as Operations Assistant in Kuala Lumpur. In the next 25 year he served at IOM missions worldwide, including IOM Khartoum (Sudan) and as the Chief of IOM Missions in San Salvador and Croatia. From 1998 he holds the position of the Regional Representative of IOM Vienna Mission.

Introducers:

- **Mr. Luigi Swich**, Deputy of the Vice Prefect, Office for International Relations, Ministry of Interior, Italy

Mr. Luigi Swich joined the Ministry of the Interior (Prefectorial Corps) in 1994, and worked at the Prefetturas¹³ of Brescia, Lodi and Piacenza. During this period, he collaborated in national and international operations of civil protection and humanitarian emergencies (Kosovo-Albania 1999). In 2003, he joined the Minister's Cabinet at the Ministry of the Interior and since then had been working at the International Relations Bureau.

He actively participated in the proceedings of the Italian semester of Presidency of the European Union preparation, in particular, the International Conference on «Inter-faith Dialogue – a social cohesion factor in Europe and an instrument of peace in the Mediterranean area» (Rome, 2003). He gave a presentation on «Some aspects of Italian legislation on immigration» in the framework of the ODHIR Human Dimension Implementation Meeting (Warsaw, 2003). He also participated in the 1st and 2nd Preparatory Seminars of the 13th OSCE Economic Forum, held in Trieste (November 2004) and in Almaty (January 2005) respectively, where he presented «The Italian experience on immigration: new migration regime & migrants' integration».

- **Mr. Tolon Turganbayev**, General Consul of the Kyrgyz Republic in Yekaterinburg (the Russian Federation), Kyrgyz Republic

Mr. Tolon Turganbayev joined the Ministry of Foreign Affairs of the Kyrgyz Republic in 1994 and served as Deputy Head of Consular Department of Ministry of Foreign Affairs of the Kyrgyz Republic. Later he was appointed Head of Consular Department. From 1997 till 2000 he served as adviser at the embassy of the Kyrgyz Republic in the Federal Republic of

¹³ *Prefettura* in Italy is the highest Government Authority in the province.

Germany. From 2000 to 2003 he was Head of Migration Service under the Ministry of Foreign Affairs of the Kyrgyz Republic. An experienced diplomat, Mr. Turganbayev is an expert on migration, refugees and citizenship issues. As of 2003, Tolon Turganbayev serves as General Consul of the Kyrgyz Republic in Yekaterinburg, the Russian Federation. As an expert on migration issues, he participated in different international conferences and meetings organized by OSCE ODIHR, IOM, UNHCR and other international organizations.

Working Group II: Legal aspects of migration and integration of lawful migrants

Moderator: Dr. Vladimir Shkolnikov, Head of Democratization Department, OSCE ODIHR

In May 2004 Dr. Vladimir Shkolnikov has been appointed Head of ODIHR Democratization Department. Dr. Shkolnikov joined the OSCE ODIHR as adviser on migration issues in 1995 after completing a Ph.D. in Russian and Eurasian Studies at the RAND Corporation's Graduate School. He previously served as resident research consultant on Soviet/Post-Soviet Affairs at the RAND Corporation's offices in the Netherlands and the USA. He authored several papers on issues of democratization and migration.

Introducers:

- **Ms. Maria Luisa Casado**, Senior Consultant on International Affairs, Directorate General for Immigration, Ministry of Labour and Social Affairs, Spain

As a Senior Consultant on International Affairs, Maria Luisa Casado works in close co-operation with many international organizations and is involved in the activities related to a wide range of immigration issues at national and EU levels. She is Head of the Spanish delegation to the Committee for Immigration and Asylum, established by the European Commission, member of the Steering Group and Senior Official in Inter Governmental Consultations (IGC) on Asylum and Migration policies in Europe, North America and Australia. As the representative of the Directorate for Immigration, Ms. Casado attends various meetings and congresses organized by EU Presidencies, Berne Initiative, Global Commission on International Migration, Council of Europe groups on immigrant's rights, European Committee on Migration and others.

In her long professional career in Spanish administration, she has also worked in the fields of active employment policies, adult training, job counselling, participated as Spanish representative in various committees of the EU on the issues related to freedom of movement of workers, transparency and recognition of qualifications and skills as well as European Employment Strategy.

- **Ms. Natalia Vlasova**, Consultant of the Ministry of Health and Social Development, the Russian Federation

As a consultant of the Ministry of Health and Social Development of the Russian Federation, Ms. Vlasova is specialized in labour market issues and employment of foreign labour force. She has extensive experience in management and policy development in the area of population employment. From 1993 till 1997 Natalia Vlasova had worked as Deputy Head of Division of the Federal Service of Employment of the Russian Federation. 1997-2000 she was Deputy Head of Department of Population Employment in the Ministry of Labour and Social Development of the Russian Federation. Ms. Vlasova developed expertise on the issues of labour immigration into the Russian Federation at the time when the Ministry of Labour and

Social Development assumed responsibilities for allocating of quotas for foreign labour force. She is in charge of the issues related to the legal status of foreign migrant workers in the Russian Federation. She also works on the development of legislation in the field of labour migration. A range of regulatory legal documents related to the field of allocating quotas in the Russian Federation have been prepared with her involvement. As an expert on labour migration issues, Ms. Vlasova is involved in the implementation of different projects in this area. Presently, she is the co-ordinator of an inter-agency working group created under the auspices of the Office of the Commissioner for Human Rights in the Russian Federation. This working group is elaborating the concept of regularization of illegal migrant workers residing in the Russian Federation. Ms. Vlasova is the author of many publications in area of migration and labour market.

Working Group III: Participation of legal migrants in public life and society

Moderator: Prof. Mitja Žagar, Director of the Institute for Ethnic Studies, University of Ljubljana, Republic of Slovenia

Prof. Mitja Žagar is a Research Councillor and Director of the Institute for Ethnic Studies in Ljubljana, Slovenia, and Associate Professor at the Faculty of Social Sciences (comparative government and politics, ethnic studies) as well as the Faculty of Law (international law, good neighbourhood relations), University of Ljubljana. Being a lawyer and a political scientist, his main areas of research and academic interest are Constitutional and Comparative Constitutional Law, Comparative Political Systems and Government, International (Public) Law, Human Rights, International Relations, Political Science, Ethnic Studies and Conflict and Peace Studies (conflict management and resolution). In the past decade he was focusing, inter alia, on transition in Eastern and South Eastern Europe and democratic reforms and ethnic relations in the region. He has authored a range of publications on those topics in Slovenia and abroad, and was a visiting scholar and professor at foreign universities and research institutes (USA, Italy, Norway). Among recent publications, he co-authored a book “The former Yugoslavia's diverse peoples: A reference sourcebook” (with Matjaž Klemenčič, Santa Barbara, Ca.: ABC-CLIO, 2004), and co-edited a book “The changing faces of federalism: Institutional reconfiguration in Europe from East to West” (with Sergio Ortino and Vojtech Mastny, Manchester, UK, New York: Manchester University Press, 2005).

He worked as an invited expert in the UN (UNESCO, UNDP, and United Nations Research Institute for Social Development (UNRISD), Council of Europe and OSCE and was co-chairing the Task Force on Human Rights and Minorities of the Stability Pact for South Eastern Europe (2000-2003). He was a member of the expert group of the Constitutional Commission of the Parliament (Assembly) of the Republic of Slovenia (1987-1991) and was among the drafters of the bilateral agreement on the protection of national minorities between the Republic of Slovenia and Republic of Hungary.

Introducers:

- **Prof. Ayhan Kaya**, Director of the Centre for Migration Research, Istanbul Bilgi University, Turkey

Prof. Ayhan Kaya is a lecturer at the Department of International Relations, and head of the Centres for Migration Research and European Studies at Istanbul Bilgi University. Prof. Kaya specializes in Euro-Turks in Germany and France, Circassian diaspora in Turkey, and the construction and articulation of modern diasporic identities. He received his PhD and MSc degrees at the University of Warwick. He has a wide range of publications, such as “Sicher in

Kreuzberg: Constructing Diasporas”, published in two languages, English (Bielefeld: Transkript verlag, 2001) and Turkish (Istanbul: Buke Yayınları, 2000), as well as various articles on Berlin-Turkish youth cultures, ethnic-based political participation strategies of German-Turks, Berlin-Alevis, historians’ debate in Germany, identity debates and Circassian diaspora in Turkey. In addition, Prof. Kaya translated “Ethnic Groups and Boundaries” by Fredrik Barth and “Citizenship and Social Classes” by T. H. Marshall and Tom Bottomore; co-edited a book “Issues Without Borders: Migration, Citizenship, Human Rights, Global Justice, Gender and Security” (Istanbul, Baglam Publishing House, in Turkish, 2003); and recently has been working on Circassian diaspora in Turkey in collaboration with the Population Council Meawards, as well as on ethnicity, globalisation, citizenship, diaspora nationalism, international migration, German-Turks. He recently conducted a 18-month-research project with Ferhat Kentel, entitled “Euro-Turks: A Bridge, or a Breach, between Turkey and the European Union” sponsored by the Open Society Institute and Heinrich Böll Foundation. The findings of this qualitative and quantitative research were published by the Centre for European Policy Studies (CEPS, Brussels), and also might be found online at <http://cms.bilgi.edu.tr>. Prof. Kaya has been lately involved in the establishment of the Centre for Migration Research and the Centre for European Studies at Istanbul Bilgi University. He is also the member of the Committee of Experts of the Emigration Countries of the Council of Europe.

- **Ms. Galina Vitkovskaya**, Senior Fellow, Institute of Population Economic Projection, Academy of Sciences, the Russian Federation

Ms. Galina Vitkovskaya graduated from Political Economy Department of Moscow State University in 1975. In 1975-1988 she worked at the Institute for Labour Studies in Moscow, from 1988 until present she is a Senior Researcher of the Laboratory on Migration Issues of the Centre of Demography and Human Ecology of the Russian Academy of Sciences. In addition to the scientific work in the Russian Academy of Science, she carries out other analytical researches in the area of migration. From 1994 to 2001 she was a Co-director of the Programme on Migration and Citizenship in the Carnegie Moscow Center of the Carnegie Endowment for International Peace (Washington, USA). From 2001 she works as a research co-ordinator of the Moscow Migration Research Programme in the Moscow Mission of the International Organization for Migration. From 1998 she is a member of the Independent Research Council on Migration of the CIS and Baltic States. For years she was a member of various inter-agency working groups on migration policy development and governmental programmes in the Russian Federation. From 2004 she is a member of the inter-agency working group created under the auspices of the Commissioner for Human Rights in the Russian Federation. This working group is elaborating the concept of regularization of illegal migrant workers residing in the Russian Federation. Main fields of scientific interest of Ms. Vitkovskaya are migration policy and migration social problems in the post-soviet space. She is an author of the more than 60 publications on migration issues, including 5 books and brochures, 12 publications appeared outside of the countries of the former USSR (in the UK, USA, France etc.).

Working Group IV: Socio-cultural aspects of integration

Moderator: Dr. Anastasia Crickley, Personal Representative of OSCE Chairman-in-Office on Combating Racism, Xenophobia and Discrimination also focusing on Intolerance and Discrimination against Christians and Members of Other Religions

Dr. Anastasia Crickley was recently appointed as Personal Representative to the Chairman-in-Office of the OSCE on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions. She is a Chairperson of the National Consultative Committee on Racism and Interculturalism (NCCRI), a partnership of NGOs and state sector interest, which acts as an expert and advisory body towards addressing racism and promoting interculturalism. She was also elected as the first chairwoman of the European Union Monitoring Centre on Racism and Xenophobia (EUMC) based in Vienna in 2004, and was previously a founder member and Irish delegate to the European Network on Racism, an EU wide NGO.

Dr. Crickley has been involved for the past two decades in the Irish community sector through the Community Workers Co-operative and previously through the Community Platform and was active in negotiations to secure community sector participation in social partnership. She is a board member of Area Development Management Ltd., the company responsible for managing and supporting a number of national community programmes including the Local Development and Social Inclusion Programmes. In the 1970s Anastasia worked at the Irish Centre in Camden Town, London with Irish emigrants and on her return to Ireland in 1982 was instrumental in setting up the Irish Commission for Prisoners Overseas. More recently she has been actively involved in developing responses to the issues faced by immigrants in Ireland, especially through the Migrants Rights Centre Ireland. As a lecturer at the Centre for Applied Social Studies, National University of Ireland, Maynooth she has played a leading role in the development of professional education and training schemes for community and youth. A key feature of the programmes is commitment to participation by students from the disadvantaged and marginalized communities including migrants. She is a member of the Governing Authority of the University and has played an active role in promoting equality, diversity and interculturalism on campus.

Dr. Crickley has also been appointed to the Council of State by the President of Ireland, Ms. Mary Mc Aleese.

Introducers:

- **Ms. Phoebe Griffith**, Senior Research Associate, The Foreign Policy Centre, London

Ms. Phoebe Griffith is a Senior Research Associate of the Foreign Policy Centre. She has authored and edited a number of publications on migration and identity including 'Rethinking Britishness' (ed.) and 'Migration, Integration and Citizenship: Lessons from around the world'. Ms. Griffith was one of the members of the team behind the 'European Civic Citizenship and Inclusion Index', a programme launched by a group of leading European think tanks, academic institutions and NGOs. She has acted as an advisor to the UK Foreign Office's Global Opportunity Fund and has also authored a number of articles on international development and democracy promotion. At present, she is a Senior Development Manager at the Barrow Cadbury Trust, a leading UK foundation. She is responsible for developing the trust's agendas on asylum and migration, as well as on global exchange. Ms. Griffith studied Modern Languages at Oxford University and Latin American Politics and Development at London University.

- **Mr. August Gächter**, Senior Researcher at the Centre for Social Innovation, Vienna

Since 1990, Mr. August Gächter has carried out or participated in over 30 studies on the integration of immigrants commissioned by various Austrian government agencies, NGOs, the European Union, the European Foundation for the Improvement of Living and Working Conditions (Dublin), the European Monitoring Centre on Racism and Xenophobia and the International Labour Organization (ILO). As a consultant to the ILO he has worked on issues including ‘brain drain’ and discrimination against migrants in Bulgaria, Italy, and Sweden. On behalf of the ILO, he has also contributed to the work by the Council of Europe, the OHCHR and UNESCO.

Over the past 10 years, he has taught university courses covering migration, integration, development and the nexus between them at the University of Vienna and the University of Klagenfurt. He has made a large number of presentations, either as an individual speaker or a panel member at public events, in schools, and as part of further education for teachers, trade unionists, public officials, social workers and counsellors in various European countries. He has also contributed to academic conferences both in Europe and North America and worked as a researcher in Ghana, the Netherlands, the United Kingdom, and the U.S. He has published widely on issues relating to identifying discrimination against Migrants, achieving equality and ‘good practices’.

Closing Plenary Session

- **Prof. Blandine Kriegel**, Chair of the Supreme Council for Integration, Special Representative of the President of the Republic, France

In 2002 Prof. Blandine Kriegel was designated a Representative to the President of the French Republic. Presently, she is Chairwoman of the High Council for Integration. Prof. Kriegel was also a member of various National Commissions such as: Representative to Mr. JJ. Aillagon, Secretary of Arts and Communications, on violence on television, National Commission of Thought about Justice, National Commission for the Radical Reform of Culture, National Advisory Committee of Ethics, Representative to Mr Jack Lang, Secretary of National Education, on postgraduate degrees and professional training, National Commission for the Criminal Trial Reform etc.

Prof. Blandine Kriegel holds a postgraduate diploma in philosophy. She has extensive academic background and has taught moral and political philosophy in the Universities of Paris and Lyon. Prof. Kriegel has also served as a visiting lecturer in major universities abroad, including Harvard, Georgetown, Florence, Moscow, Berlin and others. She is affiliated with a few scientific international institutes and societies involved in law and political science. Prof. Kriegel is the author of several books on political philosophy, including *The State and the Rule of Law* (1979), *Path to the State* (1986), *Human Rights and Natural Law* (1986), *Philosophy of the Republic* (2000) and *Violence on Television* (2003). Prof. Kriegel holds various distinctions for her achievements; she was awarded the title of l’Officier de la Legion d’Honneur.

- **Prof. Rita Süßmuth**, Member, Global Commission on International Migration, Former President of the German Bundestag, Germany

Prof. Rita Süßmuth is the former President of the German Federal Parliament and the former Federal Minister for Family Affairs, Women, Youth and Health.

Prof. Süßmuth served as the Chair of the Independent Council of Experts on Migration and Integration, appointed by the German Government from May 2003 to December 2004. She is also a member of the Steering Committee, "Intercultural Conflict and Societal Integration" at the Social Science Research Center Berlin and holds a series of other assignments and memberships with national and international bodies. From 2000 to 2001, Prof. Süßmuth presided over the Independent Commission on Migration to Germany, which resulted in the July 2001 report on "Steering Migration and Fostering Integration".

Prof. Süßmuth has a long distinguished political and academic career. She held several senior positions including Vice President of the OSCE Parliamentary Assembly and Member of the German Federal Parliament. She had also served as the Director of the Research Institute "Woman and Society" and the Professor of International Comparative Educational Science at the Universities of Bochum and Dortmund.

- **Dr. Marcin Świąćicki**, Co-ordinator of OSCE Economic and Environmental Activities

Dr. Świąćicki is a former Member of the Parliament of the Republic of Poland (1989-1991, 1993-1996), a former Minister of Foreign Economic Relations of the Republic of Poland (1989-1991), a former Deputy Minister of Economy of the Republic of Poland (1999-2000) and a former Mayor of Warsaw (1994-1999). He had also served as Advisor on Economic Reforms to the President of the Republic of Lithuania, as well as advised the Government of Ukraine and the Council of Europe on various issues.

In February 2002, Dr. Świąćicki was designated Co-ordinator of OSCE Economic and Environmental Activities.

ANNEX IV



HUMAN DIMENSION

S E M I N A R

MIGRATION AND INTEGRATION

11-13 May 2005

OUTLINES OF KEYNOTE SPEECHES AND INTRODUCTORY REMARKS

Opening Plenary Session

Keynote speakers:

- **Ms. Lidiya Imanalieva**, Ambassador Extraordinary and Plenipotentiary of the Kyrgyz Republic, Ambassador-at-Large, Kyrgyz Republic

In the past two decades the countries of Eastern Europe and Central Asia faced new policy challenges arising from the changing geopolitical environment. In particular, migration flows have intensified between these countries in the absence of policy and legal frameworks for migration management and protection of migrants. Main trends of migration in the region included repatriation of deported nations, increased numbers of IDPs and refugees, as well as growing labour migration flows. Subsequently, there is a need for comprehensive policy co-ordination and elaboration of adequate co-operation frameworks between the new countries of destination and countries of origin. Unfortunately, risks associated with migratory processes often lead to increasingly stringent regulatory regimes and negative implications for the legal status of migrants. Moreover, such measures frequently contradict the interests of both receiving country and country of origin. In this respect, bilateral and multilateral initiatives between countries of origin and destination should be supported for developing mutually beneficial migration policies. International organizations should continue and expand their existing efforts in this field.

- **Ambassador John de Fonblanque**, Director, Office of the OSCE High Commissioner on National Minorities

The integration of persons belonging to National Minorities is central to the work of the HCNM. Experience over 12 years has led to the conclusion that in the majority of cases faced by the High Commissioner, a policy based on integration which respects the minority's right to maintain its own identity, as distinct from policies based on assimilation or separation, is likely to be the best way of avoiding tensions, which could lead to conflict. Migrants differ from minorities in important respects, but the problem, which needs to be tackled, namely exclusion, and the means of tackling it, namely the promotion of participation, largely overlap. There is also overlap in the international legal frameworks setting out the relevant norms and standards in the two cases.

Integration aims at creating a sense of belonging to a common home in which the cultures of minorities are respected and in which all have an opportunity to participate on an equal basis. The key building blocks of integration are political participation, economic and social participation and cultural participation. Education and the media are the key means for promoting participation. Integration is a crucial instrument for managing diversity and combating exclusion and an OSCE debate aimed at refining and developing a shared concept of integration would have real value.

Working Group I: Co-operative frameworks supporting integration and protection of legal migrants

Introducers:

- **Mr. Luigi Swich**, Deputy of the Vice Prefect, Office for International Relations, Ministry of Interior, Italy

In the last century Italy made a transition from being one of the main countries of origin of migratory flows in Europe to a country of destination. In this respect, migration policy of Italy, as well as of other EU countries, faces new challenges in the view of increasing immigration. Migration and integration policy issues will be discussed in the European context using the Italian experience as a practical example. Current Italian migration policy is based on three cornerstones, including integrated border management, regulation of legal migration flows through agreements between the involved countries and development aid to the countries of origin and transit. The presentation will focus on the mechanisms for management of legal migration on the EU level, Euro-African initiatives and bilateral agreements with countries of origin, as well as on the Italian experience and policy initiatives with regard to integration of migrants.

- **Mr. Tolon Turganbayev**, General Consul of the Kyrgyz Republic in Yekaterinburg (the Russian Federation), Kyrgyz Republic

The growing labour migration flows in the CIS states have become an increasingly important issue in bilateral and multilateral relations between the countries of the region. The presentation will identify the most significant factors fostering labour migration in the region, its main directions and impact for countries of destination and origin. In addition, an overview of problems the migrants are facing in the countries of destination will be presented. In this respect, foreign representations of the countries of origin are in a position to play an instrumental role in ensuring protection of the rights of migrants on the territory of the receiving country and establishing co-operation mechanisms between countries of origin and destination. Such potential role of foreign representations of the countries of origins will be illustrated by the experience of consulates of the Kyrgyz Republic abroad and practical examples of their involvement in establishing and fostering co-operation on labour migration issues between countries of origin and destination, civil society and international organizations.

Working Group II: Legal aspects of migration and integration of lawful migrants

Introducers:

- **Mr. Maria Luisa Casado**, Senior Consultant on International Affairs, Directorate General for Immigration, Ministry of Labour and Social Affairs, Spain

New trends in migration management

- Recent changes in legislation (Constitutional Law on Rights and Liberties of Aliens in Spain and their Social Integration adopted in 2000 and modified several times, the last amendment dates from 22 December 2003);
- New policy-making framework (since 18 April 2004, the Secretariat of State for Immigration and Emigration under the Ministry of Labour and Social Affairs officially became the government institution responsible for development of Spanish migration policy. The Directorate General for Immigration, formerly based in the Ministry of Home Affairs (Interior) has been transferred to the aforementioned Secretariat of State;
- Urgent measures to process 400 000 “old” files including working and residence permits as well as family reunification cases;
- New Alien Regulation (adopted on 7 January 2005, implementing the 2000 Constitutional Law);
- Main features of the recent regularisation process;
- Inter-state cooperation in managing economic migration (bilateral agreements on labour migration issues; voluntary return plan).

Immigration and human rights

- Irregular migrants entitled to free medical care and compulsory education;
- Free legal assistance to irregular migrants in matters related to their situation as foreigners;
- Unaccompanied minors: free legal custody.
- Regular migrant workers being subject to the Spanish Statute for Workers, with the same rights and responsibilities as Spanish workers, including the right to vocational training, unemployment benefits, pension schemes, etc;
- Family reunification: before and after the relevant EU Directive;
- Response by Spanish authorities and judiciary to cases of racism and xenophobia (Instructions by the Secretariat of State for Security prohibiting to disclose nationality of offenders and promoting fair treatment by the media; Spanish Observatory for Racism and Xenophobia and future Council for Equality and Non Discrimination based on racial or ethnic origin; Spanish Forum for Immigrants Social Integration);
- European Union framework programme on Solidarity and Management of Migration Flows for the period 2007-2013.

- **Ms. Natalia Vlasova**, Consultant of the Ministry of Health and Social Development, the Russian Federation

This presentation will review main legal provisions regulating the legal status of different categories of lawful migrants, in particular the legal aspects of migrants' access to the labour market and intergovernmental co-operation of the CIS countries in the area of labour migration.

In this regard, the presentation will touch upon the issue of freedom of movement of migrant workers within the Common Economic Area, Eurasian Economic Community, and the Union State between the Russian Federation and Belarus.

Taking into consideration a very large scale of illegal labour migration into the Russian Federation, mainly from the CIS countries, this presentation will aim at identifying concrete solutions in order to substantially reduce the number of labour migrants without legal status, as well as the role that international organizations, including the OSCE, could play in addressing this problem.

Working Group III: Participation of legal migrants in public life and society

Introducers:

- **Mr. Ayhan Kaya**, Director of the Centre for Migration Research, Istanbul Bilgi University, Turkey

I shall claim that international migrants are active and reflexive transnational agents, responding positively to inclusionary citizenship regimes based on jus soli principle. The attribution of citizenship can very well be an efficient integration tool. Immigrants attain the fullest degree of political rights if they become citizens of their country of settlement. Granting migrants the right to elect and to stand as a candidate on top of their social, civil and cultural rights (civic citizenship, or denizenship) has a great potential to prompt them to wither away from mobilizing themselves along with ethnic, cultural, religious and traditional lines, and thus to mobilize themselves along with the political parties of the country they reside in. Representation of migrants in local, national and EU parliaments seems to extensively contribute to closing the gap in their misrepresentation in public space. Migrants should not be kept away from the public sphere and invited by the legal system to form apolitical communities (Gemeinschaften) in their private sphere; they should be encouraged by the state to form interest groups.

Active participation of migrants in local and general elections should be encouraged through some capacity-building measures and information campaigns. In order to do so, the networks offered by immigrant organisations may be relied on. On the other hand, political parties should also refrain from using anti-immigrant rhetoric in their public pronouncements and election campaigns. For instance, constructing a rather democratic liberal discourse vis-à-vis migrants and developing social outreach projects for migrants, the German Social Democratic Party (SPD) has recently attracted around 30 % of the German-Turks.

Another issue to be taken into account in terms of integration of migrants along with the institution of citizenship is the issue of double citizenship. Granting migrants the right to citizenship may not be enough though. Some migrants do not seek naturalization because they would lose citizenship if their country of origin, or because they would give up hereditary

titles or the right to own immovable there. Thus, introduction of double citizenship becomes a necessity in order to be able to politically integrate migrants.

- **Ms. Galina Vitkovskaya**, Senior Fellow, Institute of Population Economic Projection, Academy of Sciences, the Russian Federation

- Situation of labour immigrants in the Russian Federation, the main receiving country in the post soviet region; key obstacles for their integration and participation in public life, as well as causes of their discrimination and violation of their rights by the authorities;
- Response by the society to the non-integration of migrant workers being an obstacle for their integration; problems of non-tolerance and discrimination;
- Information and language-related obstacles for integration of migrant workers;
- Specific situation and needs of female migrants, in particular, necessity for protecting women migrants from discrimination, exploitation and violence, both at domestic as well as society and state levels;
- Role and activities of diasporas and non-governmental organizations in promoting integration of labour immigrants and their socio-political mobilization;
- Creation of trade unions of migrant workers, migration centres for migrant workers and commercial projects on leasing of foreign labour force as a response by the Russian society and business sector to shortcomings of migration legislation and lack of programmes on integration of migrant workers;
- Inter-agency working group under the Office of the Commissioner for Human Rights of the Russian Federation elaborating the concept of regularization of illegal migrant workers as the first step towards the real co-operation between the state and the civil society in addressing problems of integration of labour immigrants.

Working Group IV: Socio-cultural aspects of integration

Introducers:

- **Ms. Phoebe Griffith**, Senior Research Associate, the Foreign Policy Centre, London

This presentation will seek to analyse the key challenges facing UK policymakers and draw lessons for the rest of Europe.

Government response to the challenge has been framed around two key concepts: ‘community cohesion’ and ‘managed migration’. While seemingly coherent, the narratives have been response strategies to manage public opinion following landmark events – September 11th, Northern riots of 2001, Chinese cockle pickers, Sangatte, etc. The justification is that a) migrants need to demonstrate their commitment to Britain (citizenship lessons, English, etc) and b) that if people feel that they are under siege by migrants they will become more hostile. The belief is that management will be the key to both opening the host population’s minds to diversity and to ensure that newcomers are integrated.

However, the strategy has failed to respond to the key challenge: the clash between diversity and the reality of segregation. Key groups do not engage with the efforts of government to define what it means to be British – Muslims, white working class English and youth – often creating an explosive combination. Hardened rhetoric on migration has so far failed in managing public opinion – making the mainstream harder to access.

UK experience is useful for rest of Europe. A broadly successful country which has more experience than most and is dealing with legacy of problems – what can the new migration countries learn from this? Can they manage integration better once migration becomes a reality?

- **Mr. August Gächter**, Centre for Social Innovation, Vienna

Countries across the OSCE region will continue to receive new migrants. Often, both, migrants and the receiving society assume the stay will be of (very) limited duration and integration will not be necessary. This tends, more often than not, to be an illusion.

Starting from a consideration of what the challenges for both the migrants and the receiving society are, a case will be made for systematically creating competence in receiving migrants. An outline will be given of what reception competence consists of, who should develop it, and where and when it needs to be applied. The basic proposal is that immigration can be made more productive and immigration capacity can be enhanced, if a critical mass of reception competence is created and applied by organizations and authorities in the receiving society.

Closing Plenary Session

- **Mr. Marcin Świącicki**, Co-ordinator of OSCE Economic and Environmental Activities

This year the OSCE Economic Forum is devoted to the topic of *Demographic Trends, Migration and Integrating Persons belonging to National Minorities*. Whereas the Human Dimension Seminar reviews the issues of human rights of legal migrants, the OSCE Economic Forum and its preparatory seminars review the economic and environmental aspects of migration. In order to maximize the benefits of migration both for the migrants and the receiving society, there is a need for close linkage between human rights and economic dimension.

Migration often results mutual gains both for the country of destination through availability of cheaper labour and hence wider opportunities for consumers, and for the country of origin through remittances and investments. Legal migration is to be preferred since it ensures tax revenues for public budget, contributions to insurance funds, and prevents unfair competition for jobs. Restrictions on immigration that do not correspond to the demand for labor contribute to illegal immigration, formation of an informal sector of the economy and facilitate trafficking in human beings and other illegal activities. Therefore, improved forms of managed migrations should be promoted by the OSCE.

Finally, the suggestions of the preparatory seminars to the OSCE Economic Forum will be discussed. Integration is a key issue that will also be tackled at the OSCE Economic Forum.

ANNEX V



HUMAN DIMENSION

S E M I N A R

MIGRATION AND INTEGRATION

11-13 May 2005

KEYNOTE SPEECHES

Ms. Lidiya Imanalieva, Ambassador Extraordinary and Plenipotentiary of the Kyrgyz Republic, Ambassador-at-Large, Kyrgyz Republic

It is a great pleasure to welcome all participants of the seminar and express the hope that the presentations, exchange of experiences, results of the discussions and conclusions will be further used in our everyday activities on the enhancement and optimisation of migration processes.

In the 1990s crucial political, military, economic and ideological transformations have taken place and became especially evident in the countries of Central Asia and Eastern Europe. Following the disintegration of the USSR, a new geopolitical situation has emerged in the countries of the Central Asia. It brought about new challenges, regarding first of all the necessity to preserve and foster territorial integrity and independence, achievement of political stability, development of the democratic society, establishment of the market economy through active participation in the global development process.

New independent States faced an avalanche of problems, the resolution of which has been a very difficult task. Migration was one of these problems. This situation required the use of new approaches for the development of migration policy.

Intensification of migratory flows is a distinctive feature of the globalisation process. It represents consequences of growing instability of demographic development and international labour market, increasing disparity between economic development of countries and regions, as well as other global, including political, changes. Participation of the post-Soviet countries in international development process has influenced the emergence and development of the above-mentioned international trends on their territories. Cross-border migration has become a serious problem for the CIS countries, for which they were not ready and which has brought about a number of negative consequences. It was accompanied by the breakdown of the existing cultural, economic and information links between the CIS countries.

In the second half of the twentieth century the nature and the structure of migration have been significantly altered. This is reflected not only in a quantitative increase of migration flows, but also in qualitative changes of migration process, development of economic migration,

increase of illegal immigration, broadening of quantitative and geographical scope of forced migration, as well as in the ambiguity of national migration policies.

Migration has always been accompanied by significant international transformations. International migration is an integral part of all theories and models of globalisation and is both the cause and the result of globalisation.

International migration, despite having smaller scope than internal migration, determines future development of migratory movements both in the world at large and in particular countries and regions.

While examining the phenomenon of international migration and its tendencies, it is possible to distinguish the following patterns:

- broadening of geographical scope and quantitative increase of migration flows;
- qualitative changes of migration process; growing level of professional qualifications of migrants, evolving labour migration, intensification of illegal migration as well as broadening of geographic scope and volume of forced migration;
- ambiguous and inconsistent national migration policies.

The end of the USSR posed the new actors of international relations – the new independent States – in front of the inevitability of sovereign participation in globalisation development process. In the 90s, the territory of the former USSR represented a combination of all migration trends, which resulted from global transformations in different spheres of society, having identical patterns but varied intensity.

While evaluating the character and results of migration process on the territory of the former USSR, it is possible to distinguish the following patterns, which are inherent to this region: 1) repatriation of previously the deported nations, 2) growing numbers of forced displacement and refugees, leaving neighbouring countries due to threatening or discriminatory circumstances, 3) intensification of labour migration, accompanied by the growing number of illegal migrants, 4) emigration of the Russian-speaking population from the CIS countries to the Russian Federation.

Such intensification of migratory process and its qualitative evolution required that the new States elaborate comprehensive migration policies.

The CIS countries have created rather solid regulatory frameworks in the area of migration management at all levels: international, regional, bilateral and national level policy initiatives. However, the disconnection and differences between national regulatory frameworks in the area of migration make ineffective all attempts to establish a comprehensive system of migration management in the CIS region. In this case, the main condition for the establishment of an effective migration system among the post-Soviet countries is the harmonisation of migration legislation and closer integration, based upon both bilateral and multilateral co-operation.

When the Central Asian countries gained their independence, they have actively started to engage in the global processes. The geopolitical situation has undergone drastic changes in the region. The declaration of independence by five countries of the Central Asia, civil war in Tajikistan, growth of political instability, economic problems and the deterioration of the ecological situation have influenced the intensification of displacement both in the region, and within these countries.

In particular, these processes have significantly influenced migration situation in Kyrgyzstan. Nowadays in the Kyrgyz Republic it is possible to distinguish the following migration patterns:

- emigration of Russian-speaking repatriates; repatriation and recurrent movement of repatriates forms the basis of migration in Kyrgyzstan;
- migration flows within the country, ecological and labour migration;
- flows of refugees and persons in the conditions similar to those of refugees;
- illegal migration (including illegal transit);
Kyrgyzstan is the centre of transit of persons in the South-Eastern direction, which is favoured by weakened enforcement of country's legislation in this area and lack of control on the borders;
- emigration of formerly deported nations, including the Germans, the Turks and the Koreans;
- repatriation of the ethnic Kyrgyz population;
- external labour migration; major countries of destination of Kyrgyz migrants are the Russian Federation, most notably Ural and Siberia Regions, and Kazakhstan.

A short analysis of principles of international migration has shown that international migration has recently acquired a universal character, and, in particular, that migration of the population has contributed to the progress of globalisation.

An overview of socio-political transformations both global and CIS-wide, makes it possible to formulate the conclusion, according to which the entry of the countries of the Central Asia into international politics as independent States will require their active and sovereign participation in the global development process. Globalisation of international migration is determined by the involvement of nearly all countries in the world in this process and the establishment of a so-called *nation of migrants*. Therefore, the intensification of migration flows is an inevitable phenomenon on the territory of the present Central Asia.

I would like to mention some concrete examples of activities carried out by the Kyrgyz labour migrants living abroad.

It is a well-known fact that the Russian Federation is the most important country of destination for our labour migrants. Due to the existence of steady migration stereotypes among the majority of the population and well-established practices of illegal entry, stay, labour and commercial activity, as well as the lack of registration, it is impossible to obtain accurate and complete data on quantity, destinations, volume and composition of migrant population.

According to official estimates of the Ministry of Foreign Affairs of the Russian Federation, as of 1 January 2005, 20 thousand citizens of Kyrgyzstan have had permanent and 80 thousand temporary residence permits. Nevertheless, according to the Embassy of the Kyrgyz Republic in the Russian Federation there are some 300 thousand Kyrgyz citizens working in the country and only 11 thousand of them actually have official work permits. Our citizens exercise labour, entrepreneurial and commercial activities mostly in the Ural and Siberia Federal Districts, in Moscow and in the Moscow region as well as in Samara. Stable, in quantitative terms, communities of ethnic Kyrgyzs exist in the markets of the biggest cities of the Russian Federation. According to the information available, market centres in Moscow, Yekaterinburg, Samara, Omsk, Krasnoyarsk, Novosibirsk, Chelyabinsk, Irkutsk number each 1 to 5 thousand Kyrgyz nationals.

Our citizens working or exercising commercial activities in Russia can be divided into 3 major categories: 1) permanent or temporary residents, 2) employed, 3) entrepreneurs – “shuttler traders”.

The number of labour migrants of the first category rises due to the introduction in the Russian Federation of strict regulatory measures. Taking into account the present situation and in order to benefit from legal protection, more and more Kyrgyz citizens register with consular sections of the Embassy and ask for residence permits. The number of migrants of the second category varies subject to seasonal, construction or agricultural works. The third category represents the majority of migrants from Kyrgyzstan; the time of their stay on the territory of the Russian Federation varies from a couple of weeks to several months.

In order to estimate the volume of migrants, the International Organisation for Migration has launched an international project “Creation of a database of all types of migration mobility of the population”. The Law on External Migration has been amended envisaging the introduction of migration cards. The issue of the implementation of the TACIS project on establishment of Migration Inspectorate is being examined. It aims at preventing activities of the private enterprises involved in illegal employment of citizens abroad.

The Migration Department carries out task-oriented and active information campaigns on labour migration issues. A number of press conferences have been organised, and very often, mass media publish interviews of Migration Department’s representatives on the mentioned issues. Moreover, the Migration Department has established a hotline.

A so-called *security passport of a migrant* has been published in Kyrgyz and Russian languages. This passport is a useful tool for migrants going to the Russian Federation and describes in detail legislative requirements of the Russian Federation on the issues of labour activity of foreigners, rules governing the entry and stay on its territory. It also provides addresses of consulates, where a citizen in need can seek protection and obtain information.

Finally, I would like to make some conclusions.

In a number of young countries, to which the countries of the Central Asia belong and in which the process of formation and stabilisation of socio-economic and democratic development is yet to be finished, migration has acquired a predominantly spontaneous nature. It has become an independent and significantly destabilising factor, as a rule, affecting dynamic development of the countries of Central Asia.

In the predominantly difficult conditions of migration situation in this region, various priorities, strategies and mechanisms of their implementation are being chosen, which generally correspond with the national interests and aim at ensuring a civilised character of its development. In this context, migration process, which plays an undoubtedly positive role, represents more and more means of transit of significant threats and a source of increased risk. Growing concern of our neighbouring countries regarding intensification of terrorism, drug trafficking, trade in arms, trafficking of human beings for the purpose of forced labour and prostitution brings about the need to elaborate and implement adequate measures.

This leads to more stringent migration regimes and complications for the legal status of the foreign citizens in the countries of destination. Very often, measures and their conditions contradict the interests of the parties, which were historically, and in this given moment are migration partners. The lack of labour potential in some countries cannot be compensated by its abundance in others by means of migration. At the same time, a favourable geopolitical

situation of developing countries represents both a source and cause of “immigration expansion”.

The mentioned developments of migration situation are intensified by the movement of population within given countries, e.g. in Kyrgyzstan and Kazakhstan. Substantial migration flows from border regions and territories rich in natural resources, which have advantageous strategic position, as well as from rural areas, villages and small towns brings about both *disurbanisation* of the country at large and *hyperurbanisation* without creation of agglomerations analogous to the capital cities.

In order to solve these and other most important problems, appearing in the context of dynamically changing conditions, there is a need of an increased consolidation and co-ordination of efforts of the community as a whole. Positive experience of countries, which have attained superior level of development and management of migratory mobility of population, is priceless. Modification of migration processes also requires consideration, ranking and inclusion of adjacent spheres of activity, which serve as basic factors for the determination of migration mobility of the population. All these factors oblige existing methodologies, approaches and ideas to elaborate policies, strategies and priorities aimed not only at the present period, but also at the foreseeable future.

In order to achieve these goals, it is essential to foster co-operation in the area of migration policy and practice, primarily, by means of harmonisation of legislation of the states, presented in this seminar, as well as elaboration of model legislative acts and strategies aimed at regulating migration flows both at international and national levels.

Structured technical and consultative assistance of international organisations is one of the major preconditions for the success. Therefore, I call upon all representatives of the international organisations to provide due assistance in the implementation of adopted decisions, projects and programmes aimed at ensuring the management of the migration flows.

Let me express confidence that this seminar will be highly productive and its recommendations will represent valuable contribution to the improvement of migration situation and the increase of the effectiveness of management of migration processes both at global and regional levels.

In particular, I would like to point out active work of the OSCE and its ODIHR in the area of migration and integration in the region of Central Asia. In the course of the last four years, ODIHR in co-operation with IOM, ILO, United Nations High Commissioner for Refugees, and a number of NGOs and with the helpful co-ordination of the Centre for Migration and Refugee Issues in the Central Asia, the office of which is located in Kyrgyzstan's capital city Bishkek, has carried out a number of research projects in the field of labour migration of citizens of Central Asian countries in the Russian Federation, and provided assistance in the implementation of international and regional pilot projects aimed at regulating labour migration. During sub-regional conferences on labour migration in March 2001 and in October 2003 in Dushanbe, Seminar in July 2003 at the Issyk-Kul Lake on Cross-border Co-operation and Migration Legislation and the Fourth Meeting of Issyk-Kul Dialogue of the International Conference on Migration Policy of the Countries of the Central Asia, Caucasus, Middle East in the context of IOM with the participation of the EU, OSCE ODIHR has played an active role in discussion of key problems in the area of labour migration and participated in all stages of its resolution, from consultations to financial assistance.

We are grateful to the OSCE ODIHR, which in co-operation with the Regional Centre for Migration and Refugee Issues in the Central Asia and the Academy of Sciences of the Russian Federation and the Kyrgyz General Consulate in Ural Federal District has launched studies on the example of Kyrgyzstan and Sverdlovsk Region, recommendations of which have had a positive influence on the resolution of problems of labour migration in the region. Literally ten days ago, the second stage of the project, has started, and significant attention will be paid to the efforts aimed at solving the problems of legal stay of my compatriots in the Russian Federation.

In conclusion, allow me to express my gratitude to the organisers of the present seminar for a high level of the preparatory work and creation of conditions ensuring productive discussion. I would like to wish all participants of the seminar further achievements in the optimisation of migration processes.

Ambassador John de Fonblanque, Director, Office of the OSCE High Commissioner on National Minorities

Let me begin by expressing my thanks, on behalf of the High Commissioner on National Minorities, to the organizers of this conference for their invitation to address you today on the issue of **integration**, a subject which is central to our work.

This is a topical issue. Whether and how to integrate different groups into our society is at the heart of current political debate in many OSCE countries. It is also a wide-ranging issue. The societies of OSCE participating States have always been diverse and have always comprised many different ethnic, religious, linguistic and other minorities. Multi-ethnic and multi-cultural States are the norm rather than the exception. The ethnically pure nation state is a myth – and a dangerous one. This diversity of our societies has been increasing over the last decades as a result of increasing migration. In the past **national minorities** have added variety to the societies of participating States; now migration, which is itself increasing as a result of globalization, is adding to the cultural, religious, linguistic and ethnic mix of our societies. In some countries the **migrants** who arrived in the last 30 to 40 years now outnumber the persons belonging to national minorities. Demographic factors which are already causing shortages of labour in some OSCE participating States will ensure that migration continues to grow. We had better learn to embrace diversity because, whether we like it or not, our societies are becoming increasingly ethnically, religiously, culturally and linguistically diverse.

If we are to preserve and strengthen open, democratic and – importantly – stable and peaceful societies, **diversity needs to be managed**. The first step is to acknowledge that diversity is here to stay because it brings important benefits – a first step which some parts of our societies are only hesitantly prepared to take. The second is to develop a harmonious society which all groups consider to be their common home, in which the main causes of interethnic tensions are eliminated. This is where the High Commissioner's experience in dealing with National minorities issues is relevant. This has shown that the best way to build such a society is through a policy of integration respecting the will of minorities to preserve their identity and aimed at creating a society in which all have equal opportunities to participate, to contribute and to benefit. In short a policy of **integration respecting diversity**. Before describing this concept in more detail, I would like to explain why experience of integrating minorities is also relevant to migrants.

There are important differences between migrant communities and national minorities but there is also much in common. In particular there is a large overlap between the problems

both groups face and the methods of resolving them. Whatever the differences there are practical lessons to be learned from comparing the experiences of those dealing with these issues.

The **problems** both groups face are the problems of political, economic, social and cultural exclusion. Migrants and persons belonging to national minorities confronted with racism, intolerance or xenophobia feel that they are being denied the benefits of belonging, such as political representation, social acceptance and access to particular types of jobs or promotions. This may be on grounds of ethnicity but it may also be on grounds of skin colour, religion, language or simply their choice of food or dress. Exclusion is not confined to minorities and migrants – nationals too can find themselves in pockets of deprivation.

Exclusion damages not just those excluded but the **society as a whole**. A society cannot realise its full potential unless all its members have equal opportunities for development and participation. Enabling all to realise their potential is a test of good governance. Excluded groups are likely to impose disproportionate costs on society for example this costs of dealing with crime and ill-health. A society in which all participate is not just more prosperous but can enrich the lives of all by enabling them to participate in a variety of cultures. It is also less likely to be a breeding ground for extremism. People from excluded groups who are disproportionately un- or underemployed and who face intolerance and discrimination, can react by developing extremist views in opposition to the society in which they live. This may provoke reactions by parts of the majority population which can be dangerous and can easily escalate, as events in the Netherlands showed when the murder of filmmaker Theo van Gogh was followed by arson attacks on Mosques and Islamic schools.

If the problems of exclusion are broadly the same, whether we are dealing with national minorities or migrants or other excluded groups, so are the **methods of resolving** these problems. It is the experience of the High Commissioner over many years and in many different situations that normally the best way to manage cultural, ethnic and religious diversity in society is through a policy of integration respecting diversity, which avoids the extremes of assimilation on the one hand (which, if it is not voluntary, is ruled out by applicable international law); and separation on the other. Separation can take a number of different forms, some of which, such as South African apartheid, infringe universal human rights; and most of which involve risks to national stability and international security.

A policy of promoting integration, whether of established or new minorities, involves encouraging participation in the life of the State, which includes:

- participation in political and public life,
- participation in economic and social life and,
- participation in the wider cultural life of the State, while at the same time encouraging the maintenance of the minority's own culture.

The key instruments for promoting these kinds of participation are: **education** and the **media**, which can be used to overcome exclusion (or, to reinforce isolation and tensions between groups).

The **participation** of persons belonging to minorities **in the political and public life** of the State is essential for the development of a sense of engagement in the State, of being stakeholders in it and of having responsibilities to it. If they perceive that they have an effective voice and that their problems and concerns are dealt with by the State in an equitable manner, they will have no reason to look elsewhere for the solution of their problems. Participation also involves equitable representation of minorities not just in the law-making bodies of the State but also in the judiciary and in the executive, including the public administration. Equitable representation in the judiciary is particularly important in order to

avoid perceptions of bias against the minority in the courts. Minority representation in the Police can greatly facilitate the handling of tensions on minority issues. Political participation matters not just at central level but also at the local level, where many of the decisions directly relating to minority interests are taken.

Participation in the **economic and social life** of the State is also essential for the development of a **sense of engagement** in the life of the State. States need to ensure that persons from minorities benefit and perceive that they benefit from Government economic and social policies on an equitable and non discriminatory basis. This means first of all that they should benefit from a fair share of employment opportunities, both those provided directly by the State in the public sector and those provided by the private sector with support from the State. Second they should receive a fair share of benefits from other government policies such as education, health and housing. A policy of non discrimination may not be enough. Where there is a gap to be closed special measures may be not only justified but required to enable deprived groups to catch up with the general level. The integration of persons belonging to minorities will often require such measures in order to break out of the cycle of deprivation and alienation.

Participation in cultural life, is important both for minorities and majorities as a way of developing a genuinely multi-cultural society in which all groups share and which appreciates diversity. It can also be a valuable means of exploring difference and developing shared values.

Education is the essential means for equipping minority children to participate in all aspects of the life of the State and is therefore crucial to integration. Without a good quality education, including the development of real fluency in using the State language, members of minority groups will be unable to participate effectively in the political and economic life of the State. They may even fail to qualify for higher education. Many of the High Commissioner's projects are aimed at strengthening skills in the use of the State Language. Education in the mother tongue, particularly in the early years, is also important both for the educational development of children from minorities and for the maintenance of their culture. The curriculum should also enable children from minorities to continue to develop their knowledge of their own language culture, history, and religion as well as learning about other cultures. A multi-ethnic State needs a multi-cultural curriculum which will ensure that the majority as well as the minorities learn about each other's history and cultures. Education also has an important role in developing socialization skills. Ethnically segregated education can all too easily lead to hostile attitudes developing towards other ethnic groups. One very effective way of enabling minority children to acquire the necessary linguistic skills is through the development of bilingual or multilingual education, which has proved highly successful in some countries and could have advantages in other parts of the OSCE.

The media also plays an important part in promoting integration and participation, by keeping people informed about the current affairs of the State. Minorities need access to the media, particularly TV and radio broadcasting, in a language they can understand if they are to participate in the political life of the state.

I have argued that the problems of minorities and migrants and the solutions to these problems overlap. Let me turn now to a more controversial question – the extent to which the fundamental rights and international law applying to these two groups overlap. There are indeed important differences, such as the body of legislation on migrant workers which does not apply to established minorities. However the starting point for the protection of minorities is the fundamental human right to equality before the law and **protection against discrimination** and the duty of states to uphold that right for everyone within their

jurisdiction. This is applicable to all individuals and all groups, including immigrants who are not yet citizens of the state. This protection has been further strengthened by the entry into force on the 1st of April of this year of Protocol 12 additional to the European Convention on Human Rights. Moreover, the international normative framework for the protection of minorities has evolved with the adoption of a series of key instruments, such as the Council of Europe's Framework Convention which do not, *prima facie*, distinguish between protection afforded to traditional and new minorities. Indeed, the explicit limitation of protection in 3 articles of the Framework Convention to persons belonging to minorities which have "traditionally inhabited an area": can be taken to imply that its other provisions apply to all minorities.

The point I would like to underline is that under international law the duty of States to protect fundamental human rights and freedoms, including minority rights, likewise applies to all persons resident on their territories, whether citizens or not. (The only exceptions to this rule in the major human rights treaties are limited and clearly defined, such as the right to vote.) The risks of exclusion leading to alienation or isolation and to tensions between minorities and majorities are not confined to citizens. Indeed such tensions may well be exacerbated by the absence of citizenship. There is therefore a strong case on practical as well as human rights grounds for extending a policy of integration to all.

I said at the beginning that we welcomed discussion of integration in a context which includes new minorities as well as established minorities. I have set out some of the key components of the policy of integration respecting diversity which the High Commissioner has developed over twelve years. I have suggested that the basic principles of integration apply to migrants and, indeed, other excluded groups as well as national minorities.

I would further suggest that such a pragmatic approach which focuses on the practical solutions that are needed for a successful integration policy can lead to new approaches and insights. In addition to this human dimension seminar, integration is on the agenda of the 2005 Economic Forum which will take place in Prague in two weeks time. The EU held its first summit ever on Integration Policy in November of last year and the European Commission is developing an Integration Handbook in cooperation with the EU Member States. The **Council of Europe** has for a long time been active in promoting a policy of integration and social cohesion as an essential condition for a democratic society and for sustainable development through the activities of different bodies and institutions, notably the European Commission against Racism and Intolerance (ECRI) and the Advisory Committee on the implementation of the Framework Convention for the Protection of National Minorities. **Participating States** too are developing new approaches to the issue of integration, for example in the British Government's recently published "Strategy for Promoting Race Equality and Community Cohesion".

In conclusion, Mr./Ms. Chairman, I suggest that the reason why there is so much interest in integration is because it is, indeed, a vital instrument for tackling a range of problems which we currently face. This is why it would be appropriate and useful for the OSCE to develop a statement of the basic principles of integration which could be incorporated into the acquis. This idea was proposed at the recent Economic Dimension Seminar at Kiev and is due to be pursued at the forthcoming Economic Forum in Prague. I hope that this seminar will contribute to the elaboration of such a statement of principles and will be able to conclude that, from the point of view of the human dimension too, it would constitute a valuable addition to the OSCE's body of norms and standards.

ANNEX VI



HUMAN DIMENSION S E M I N A R

MIGRATION AND INTEGRATION

11-13 May 2005

OPENING REMARKS

Ambassador Dr. Boris Frlec, Head of the OSCE Task Force, MFA, Ljubljana

The Slovenian Chairmanship would like to express its gratitude to Poland as the host state and its appreciation to the Office for Democratic Institutions and Human Rights (ODIHR) for the immense work invested in the organization of this seminar.

This year marks the 30th anniversary of the signing of the Helsinki Final Act, which laid the foundations for CSCE and connected security with economic issues and human rights. The CSCE participating States addressed different aspects of migration, including human contacts and family reunification, moreover, this document provided a basis for the development of co-operation also in the migration management among participating States.

The OSCE today is the largest regional security organization under Chapter VIII of the UN Charter, with 55 participating States from Europe, North America, Caucasus and Central Asia. 2005 is also the year of reform, revitalization and rebalance for the OSCE. Apart from EU and NATO enlargements, integration, globalization and new security threats have altered the agenda of the OSCE. In his recent report entitled "In Larger Freedom", UN Secretary General Kofi Annan mentions the link between development, security and human rights. Due to new security challenges, a comprehensive approach to security implies the need for reciprocity of economic development and security - in this sense not only security from organized crime and terrorist attacks but above all social and economic security. The OSCE already focuses part of its activities on assistance to countries' capacity-building to improve governance, rule of law and to strengthen the fight against corruption. Human rights and security issues are so complex and diverse that a holistic approach is needed, also in relation to migration and integration. We are happy to state that a comprehensive manner has always been the perspective and a strong point of the OSCE. Its activities relate to all three dimensions of security - the human (comprising human rights, democratization and rule of law), the politico-military and the economic-environmental.

I would like to recall that on 23-27 May the 13th OSCE Economic Forum will take place in Prague. Until now there have been three preparatory seminars for the Forum; the last two dealt with migration from an economic, environmental and security perspective and with integrating persons belonging to national minorities from economic and other perspectives. In both cases the conclusions were that the integration of immigrants and national minorities is

an issue of human rights and the best way of combating tensions, while the key to integration is participation in economic and social life of the host society.

In the framework of the Political-Military Dimension migration issues will be addressed in the "Seminar on Cross-Border Crime: Fighting Illegal Migration", which is due to be held in Slovenia on 13-15 June 2005, as one of the seminars of the Ohrid Follow-up Process in South-East Europe. This activity aims to expand the current and envisaged national training of the Border Police in fighting cross-border crime and, by focusing on this, to develop joint training measures and methods at the cross-border level in order to develop regional operational measures to combat cross-border crime.

We would all agree that migration is a normal social and economic phenomenon not only in the OSCE region but worldwide. States have developed and applied or are developing different approaches and concepts for dealing with migration, which is true both for countries of origin (emigrant societies) and for countries of destination (immigrant societies). For example, some host societies have chosen the "melting pot model", while others decided for multicultural approach or integration policies.

Yet, the legal aspects of migration and integration of legal migrants is the basis of any discussion and future consideration of these issues. The rights of legal migrants and their integration can be enhanced by secure legal status and clear rights and duties. Rules should be transparent and should not change in the face of daily politics. This seminar will deal with co-operative frameworks supporting integration and protection of legal migrants and with the legal aspects of migration and integration of lawful migrants in order to improve the existing legal instruments and exchange experience. The ODIHR's tolerance and non-discrimination programme, established in 2004, already functions in this sense.

Xenophobia is not a recent phenomenon – it has been present since the beginning of mankind. Today, it is often the result of changing conditions in host societies and unsuccessful integration of immigrants into social and economic life in the target countries. Marginalization of immigrants has led to dangerous problems and social tensions in the past years even in affluent societies, sometimes also in cases of second or third generation legal immigrants. Even more, isolation and resentment felt by migrants can result in crime and terrorism. A significant part of this seminar will be devoted to the participation of legal migrants in public life and society and with the socio-cultural aspects of integration, since we must seriously deal with this problem without hesitation.

I would like to reiterate Education is an important part of the process of integration, whether from the legal or from the socio-cultural aspects. As follow-up to various last year's OSCE events regarding the issues of tolerance and non-discrimination, the CiO appointed three Personal Representatives earlier this year, as part of the OSCE fight in combating discrimination and promoting tolerance. Furthermore, by the Sofia Ministerial Council Decision on tolerance and non-discrimination, the participating States obliged themselves to take measures "against discrimination, intolerance and xenophobia, against migrants and migrant workers" and to raise public awareness of the enriching contribution of migrants and migrant workers into society."

In relation to migration today, we mostly concentrate on its economic and social aspects, more seldom do we hear about it from the gender point of view. Migration of women is an issue that we should not neglect. According to UN statistics, as of 2000, 49% of all international migrants were females, who have increasingly become part of worker flows moving to become the principal wage earners for their families. (Third Coordination Meeting

on International Migration, Department of Economic and Social Affairs, UN Secretariat, October 2004).

Migration has become an overwhelming phenomenon with an overall effect. We have learnt that we must deal with the management of migration together. This seminar can give new ideas and proposals for better co-operation between participating States and between governments and civil societies of both target societies and societies of origin. Last but not least, international organizations should share experience and know-how among each other. Migration today should not lead to loss for any society.

Managing of migrations requires concerted activities in countries of origin and countries of destination. Activities in countries of origin should not be directed just in providing relevant information to potential migrants, but should also focus on the improvement of social and economic conditions and possibilities in these environments and on their sustainable development. More effort should be made in providing better chances for people's future in their environments. It is evident that countries of origin themselves cannot resolve these problems and need the assistance of the international community and more developed countries.

However, regardless how successful development in every region will be there will always be some migration – conditioned by individual aspirations of future migrants and their perception of their future life. Also countries need migration for diverse reasons, among which the needs of their economies are most evident. Traditionally, developed countries needed additional workforce and developing countries were eager to receive revenues from their emigrants. Demographic trends that we can observe worldwide put these issues also in some “new” perspectives – although not unknown in the past, when different regions were struggling with depopulation or overpopulation.

For these reasons it is necessary to deal with migrations and their management. An important component of these activities and policies should be awareness-raising that would contribute to the better information and knowledge on and understanding of migrations and diversity, which are key conditions also for a successful equal integration of immigrants. This will require that both the protection and adequate integration of persons belonging to national minorities and the protection and integration of migrants are further developed in a way that will take into account their specific situations, needs and interests.

We are confident that the results of this seminar will allow that the OSCE would address the issues of migration and integration more effectively and that participating States will take concrete steps to manage migration and integration of migrants into the societies.

Dr. Piotr Świtalski, Undersecretary of State of the Ministry of Foreign Affairs of the Republic of Poland

On behalf of the Government of the Republic of Poland I would like to warmly welcome you in Warsaw at the Human Dimension Seminar on Migration and Integration.

This seminar takes place in a specific moment. Next Monday and Tuesday the Third Summit of the Council of Europe will discuss, among other things, the Council future activities within the context of profound changes in the continent, and interaction with main partners on the European and global scene. A similar debate on how to respond to the new challenges is currently taking place also on other fora, including the OSCE.

The activities of this Organization during the last fifteen years can be seen as quite successful. Its recognizable achievements in human dimension, including the activity of the Office for Democratic Institutions and Human Rights constitute an integral and important part of this success. And this is one of the reasons why the OSCE expertise and experience in this field as well as the position and the role of all the institutions involved in human dimension activities should not be put into question, but further developed.

However, as you all know, the present situation within the Organization cannot be regarded as satisfactory. The OSCE, despite its undeniable successes is under heavy criticism. Three points are often mentioned as its main weaknesses.

First, geographical imbalance. Critics say that the Organization's activities are concentrated on the areas "east of Vienna", while the subjects that the OSCE tackle should be applicable to all participating States.

Second, thematic imbalance. It is argued that there is too much emphasis put on the OSCE's work in human dimension and that a better balance between activities of the three Helsinki baskets is required. It is suggested that the OSCE should concentrate more on the problems that have multidimensional character involving not only human dimension, but also political and economic ones.

The third point concerns apparent duplication of efforts. Critics claim that the OSCE should better co-ordinate its work, both internally, and externally with other organizations and institutions. They underline that there is still too much competition and redundancy, leading to ineffective use of resources.

The truth lies somewhere in between and events like today's human dimension seminar can serve as the best example that the critic is not fully justified.

Migration and integration is not only a problem of countries "east of Vienna", it affects all of us. The migration movements across the borders that are being monitored throughout the whole Europe and Northern America show that there is practically no country in the OSCE region free from flow of immigrants, migrants and refugees.

Likewise, migration and integration is not only a human dimension issue – it has a strong economic component. Economic and environmental consequences of migration will be extensively discussed during the Thirteen Economic Forum in Prague later this month. Moreover, other aspects of migration are also discussed in the context of the OSCE Border Security and Management Concept.

Finally, a lot of activities in the area of integration and migration are already undertaken by other international organizations like the International Organization for Migration, the Council of Europe and non-governmental organizations. It is encouraging that representatives of those organizations are present and will contribute to our debate.

What is the meaning of all this? In my view it means, that choosing migration and integration as one of this years priorities, the Slovenian Chairmanship already adequately responded to the needs and expectations of the number of the OSCE participating States. It is an important and topical issue with clear security implications. It is also an example that a comprehensive and multidimensional approach as well as cooperation with other organizations is needed to find acceptable and lasting solution to the problems we face.

The OSCE has a solid record in dealing with the issue of migration and integration. The Helsinki Final Act already contained references to economic aspect of migration, as well as

human contacts and family reunification. The OSCE commitments in this area are further developed in subsequent documents and decisions of the Organization.

The Office for Democratic Institutions and Human Rights plays a special role in implementation of these decisions. The Office assists participating States in developing policies and facilitates exchange of information. The ODIHR runs also a number of specific programs and projects aimed at protecting human rights of migrants. Pilot research projects were launched in the Russian Federation and Kyrgyzstan to assess regional co-operation on labour migration and protecting the rights of migrants. Together with the IOM, the Office promoted international co-operation and exchange of migration information by assisting in the elaboration of data-sharing mechanisms.

The challenge now is to specify the OSCE's role in present circumstances, in particular to identify the areas, in which OSCE can reinforce and complement efforts of other organizations.

Ladies and Gentlemen, this task lies in your hands. I am convinced that concrete ideas for possible further OSCE engagement in the area of migration and integration will emerge from your debate. Such ideas are needed to solve particular problems, being a subject of your deliberations, but they are also needed in a broader context of institutional discussion. I wish you fruitful, open and lively debate.

Ambassador Christian Strohal, Director of the OSCE Office for Democratic Institutions and Human Rights (ODIHR)

A year ago, almost to the day, we gathered here to discuss *Democratic Institutions and Democratic Governance* and how to ensure an authentic democratic process.

The subject of today's seminar is in fact a follow up. This time we are focusing on *cohesion* being a key element of a democratic society. Cohesion based on equal participation and representation of all individuals of any social, ethnic, gender and religious backgrounds, including *migrants*.

We all would agree that a cohesive society relies on more than just equal opportunities for all. It relies on social conditions that enable people from all backgrounds to feel and to be included in society and to share an identity.

Migration and immigration are some of the most hotly debated issues in Europe. Too often the immigration debate has turned into a stand-off between those who favour '*assimilation*' - the duty of newcomers to adapt the values, culture, and norms of the 'host society' -, and those who advocate an approach based on '*multiculturalism*' -a framework which protects the rights of different ethnic or religious groups.

Focusing instead on **integration** enables us to move beyond this debate, and to develop a common and inclusive approach. An approach deriving from a society which is built around rights and responsibilities and promotes commonalities rather than differences.

In a diverse society, inevitably there will be differences in values and ambitions. But the respect for freedom means that no one set of cultural values should be rated higher than another – with one exception: respect for human rights and the rule of law, both essential elements of a democratic society.

As you know, this year's OSCE Chairmanship, Slovenia, had chosen the topic of *Migration-Integration* as its overall theme. In other words, the Slovenian Chairmanship proposes to address the issue in a comprehensive manner, through all the three dimensions of the OSCE, from the political, economic and human rights points of view.

Today's Seminar is an important element in this comprehensive approach: to address the complex issue of integration of migrants from the human dimension perspective. This means, in essence, to discuss how to best ensure the protection of the human rights of migrants and their efficient and harmonious integration, to the benefit of both the receiving society and the migrants themselves.

While this is a new approach for the OSCE and a first for a HD Seminar, the issue of *migration* has been on the agenda of the OSCE from its CSCE beginning, in the Helsinki Final Act. We only have to take a look at the compilation of commitments to remind ourselves of this fact.

Since then, the OSCE has addressed a number of migration-related topics, such as family reunification, labour migration, plight of refugees, Internally Displaced Persons and formerly deported peoples. This clearly testifies to the fact that this is a dynamic and rich topic which has numerous demographic, economic, and security connotations.

Yet, the human dimension is at the core of it all: it is individual human beings that we are talking about, human beings who make a move, human beings who seek a new home, human beings who need a new community to belong to. And it is precisely these factors which all too often remain elusive:

Social divisions and inequality are in part due to the lack of rights experienced by many immigrants, especially in the early stages of settlement, or lack of effective protection of their human rights. It is essential for social integration that immigrants enjoy full human rights and have equal access to the legal system.

But we have to look beyond legal safeguards. Migrant groups being marginalized benefits no one. Marginalized groups harbor resentment; and at the same time society develops the feeling that these groups threaten its identity. This leads, all too often, to a vicious cycle of even more marginalization. Integration is clearly the way to deal with this marginalization.

There are many ways to move towards integration. We hope that in the next three days we can identify and specify some of these. At ODIHR we are supporting governments and societies on a number of aspects of integration: Improving systems of population registration, enabling access to social benefits and programmes for all legal residents, combating hate crimes, or programmes to ensure that everyone gets a fair trial in a court of law – in all of this, we are contributing, in one way or another, to strengthening inclusive, cohesive democratic societies.

The proposed approach for this Seminar is to look at integration of migrants as a two-way process, which affects both migrants and the receiving society. It is not simply adapting newcomers to the host society; it's also about adapting the society to be able to open up to newcomers. Therefore, we look forward to discussions of those responsibilities that migrants have vis-à-vis the host society as well as legal, political and socio-cultural frameworks that the host society should create to ensure their integration.

Four working groups will provide an opportunity to review experiences of OSCE participating States on the issues of inter-state and intra-state co-operation, on issues of legal

status and human rights of migrants, on participation of legal migrants in public life, and on socio-cultural aspects of integration, including issues of tolerance and non-discrimination.

We all have something to learn from each other. There is migration and there are migrants in all corners of the OSCE region. No participating State is a migration-free zone. Migration affects everybody, also beyond the OSCE area, and we look particularly at the active participation of our Mediterranean Partners for Cooperation in our debate. Our deepening ties and interdependence bring more migration, not less.

This Seminar will contribute to a vision of how to move forward. We want to bring the results of your work to the Economic forum, the Human Dimension Implementation Meeting, and to the Chairmanship's preparations for the Ministerial Council. I wish you three interesting and productive days.

ANNEX VII

INDEX OF DOCUMENTS DISTRIBUTED DURING THE SEMINAR¹⁴

List generated automatically by the ODIHR Documents Distribution System for Conferences

OSCE Participating States	
Albania	WG 2 - Legal aspects of migration and integration of lawful migrants 23. Statement on migration in Albania. [English, 2 pages]
Germany	Closing plenary session 36. Closing remarks by Prof. Rita Sussmuth, Global Commission on International Migration. [English, 2 pages]
Italy	WG 1 - Co-operative frameworks supporting intergation and protection of legal migrants 8. Presentation by Mr. Luigi Swich on "Migration, integration and employment. The Italian experience in the European context". [English, 17 pages ; English, 7 pages]
Kazakhstan	Opening plenary session 15. Statement by Ambassador-at-large Ms. Madina Dzharbussynova. [Russian, 5 pages] WG 2 - Legal aspects of migration and integration of lawful migrants 13. Statement by Ms. Saule Mektepbayeva, National Center on Human Rights. [Russian, 4 pages] WG 3 - Participation of legal migrants in public life and society 14. Statement by Ms. Saule Mektepbayeva, National Center on Human Rights. [Russian, 3 pages] Written contributions 12. Statement by Ms. Symbat Nurseitova, Committee on Migration on " Aspects of migration processess in Kazakhstan". [Russian, 4 pages]
Luxembourg / European Union	Opening plenary session 9. Opening Statement. [French, 3 pages] Closing plenary session 40. Closing statement. [French, 3 pages] Written contributions 10. Information on the European Commission's "Handbook on Integration for policy-makers and practitioners". [English, 1 page]
Norway	WG 4 - Socio-cultural aspects of integration 37. Statement on migration and integration. [English, 1 page]
Poland	Opening plenary session 17. Welcoming Address by Dr Piotr Switalski, Undersecretary of State, MFA. [English, 3 pages]
Slovenia / Chairmanship	Opening plenary session 7. Opening statement by Ambassador dr. Boris Frlec, Head of the OSCE Task Force, MFA, Ljubljana. [English, 6 pages]
Spain	WG 2 - Legal aspects of migration and integration of lawful migrants 19. Introductory note by Ms. Maria Luisa Casado on "Irregular vs. regular immigration in Spain". [English, 6 pages]
Turkey	Opening plenary session 24. Opening statement. [English, 3 pages]
United Kingdom	Written contributions 16. "Improving Opportunity, Strangthening Society: The Government's strategy to

¹⁴ Please note that the first number appearing on the list refers to the registration number under which the documents were distributed during the Seminar.

	<p>increase race equality and community cohesion". [English, 53 pages]</p> <p>39. "Controlling our borders: Making migration work for Britain" - Five year strategy for asylum and immigration. [English, 48 pages]</p>
United States of America	<p>WG 4 - Socio-cultural aspects of integration</p> <p>44. Statement by Ambassador Stephan M. Minikes. [English, 3 pages]</p>

OSCE Mediterranean Partners for Co-operation

Morocco	<p>WG 1 - Co-operative frameworks supporting intergation and protection of legal migrants</p> <p>33. Intervention by Dr. Mohiedine el Kadiri. [French, 2 pages]</p>
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OSCE Institutions

OSCE ODIHR	<p>Background Documents</p> <ol style="list-style-type: none"> 1. Annotated Agenda. [English, 13 pages; Russian, 17 pages] 2. Outlines of Keynote Speeches and Introductory Remarks. [English, 7 pages; Russian, 8 pages] 3. Side Events Timetable. [English, 4 pages; Russian, 1 page] 4. OSCE Commitments relating to Migration and Integration. [English, 18 pages; Russian, 20 pages] 5. Information on Speakers and Moderators. [English, 9 pages; Russian, 10 pages] <p>Opening plenary session</p> <ol style="list-style-type: none"> 6. Opening remarks by Ambassador Christian Strohal, Director of the ODIHR. [English, 4 pages] <p>Written contributions</p> <ol style="list-style-type: none"> 42. Declaration of NGOs - Bucharest, February 6-9. 2003. [English, 2 pages] 43. The Sibiu Statement regarding the International Migration of Roma and Combating Trafficking in Human Beings. [English, 5 pages] <p>Conference administration</p> <ol style="list-style-type: none"> 18. Provisional List of Participants. [English, 25 pages] 38. List of Participants. [English, 21 pages]
OSCE Office of the High Commissioner on National Minorities	<p>Opening plenary session</p> <ol style="list-style-type: none"> 11. Keynote speech by Ambassador John de Fonblanque on "The Integration of Migrants and Minorities: a common approach". [English, 6 pages]

International Organizations

Council of Europe	<p>WG 4 - Socio-cultural aspects of integration</p> <ol style="list-style-type: none"> 22. Extracts from CoE Recommendations relating to the education of migrants (1970-2001). [English, 7 pages] <p>Written contributions</p> <ol style="list-style-type: none"> 28. Written contribution on "Diversity and cohesion: new challenges for the integration of immigrants and minorities". [English, 121 pages; Russian, 143 pages; French, 137 pages] 29. "Towards a Migration Management Strategy" by European Committee on Migration (CDMG). [English, 23 pages; French, 30 pages; Russian, 30 pages] 30. Final Declaration of the 7th Conference of Ministers Responsible for Migration Affairs, Helsinki, 16-17 September 2002. [English, 8 pages; French, 9 pages; Russian, 9 pages] 31. Measurement and indicators of integration, Community Relations. [English, 179 pages] 32. "Community and ethnic relations in Europe". Final report of the Community Relations Project. [English, 94 pages]
International Labour Organization	<p>Written contributions</p> <ol style="list-style-type: none"> 34. Resolution concerning a fair deal for migrant workers in a global economy, 92nd Session of ILO.. [English, 10 pages]
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Non-Governmental Organizations

Centre for Migration Research, Istanbul Bilgi University	<p>WG 3 - Participation of legal migrants in public life and society</p> <p>21. Introductory speech by Assoc. Professor Ayhan Kaya - Citizenship as a tool for integration.. [English, 6 pages]</p>
Centre for Social Innovation	<p>WG 4 - Socio-cultural aspects of integration</p> <p>25. Introductory presentation by Mr. August Gachter. [English, 16 pages]</p>
Internet Centre Anti Racism Europe (ICARE)	<p>WG 4 - Socio-cultural aspects of integration</p> <p>27. Intervention by Ronald Eissens. [English, 1 page]</p>
La Voix des Roms	<p>Side Event: "Particular problems of Roma in the migration trends across states"</p> <p>20. The Rromani NGOs act against gypsophobia in French television - Documents related to the TV programme "Delinquency: the route of the Roms", France 5 channel. [French, 22 pages]</p> <p>Written contributions</p> <p>35. Declaration de Varsovie concernant la Migration Internationale des Roms. [English, 4 pages; French, 20 pages]</p>
Romani CRISS	<p>Written contributions</p> <p>41. Initiatives to tackle migration of Roma - Romanian case - statement. [English, 3 pages]</p>
TONG	<p>WG 3 - Participation of legal migrants in public life and society</p> <p>26. Presentation by Ms. Valentina V. Chupik on "Why we must speak about illegal migration". [English, 12 pages]</p>