

WS12

No. of statements:

Delegations: 14

Civil Society: 23

OSCE Inst./Int'l Org: 1

Rights of Reply: 10

Working session 12 was devoted to one of specifically selected topic rights of migrants.

The first introducer, Ms. Monami Maulik, international coordinator of the Global Coalition on Migration put the topic of the UN Global Compact for Safe, Regular and Orderly Migration (GCM) in the focus of her presentation. She stressed, that the GCM brings a unique opportunity for Member States to promote concrete policies that can shift public narrative on migration away of policy of fear, division and xenophobia towards human-rights-based approach. From the 'ground' perspective, it is clear for civil society, that migrants facing human right crisis which is exacerbated by criminalization, deterrence and externalization of borders. Policies should focus on ensuring regular and safe channels for migrants instead of dangerous journeys. Out of the 23 objectives of the GCM, Ms. Maulik highlight the following ones: end child detention, expand regular avenues for migration, searching community-based alternatives to detention, protect migrants in a vulnerable situation especially children, gender responsive policies needed, ensuring labor and fundamental rights to migrants, invest in sustainable development, strengthen data collection. Above these, civil society recommends States not to criminalize migrants or human rights defenders and establish firewalls, access to basic services and provide full labor rights to irregular migrants. Finally she mentioned three areas where the active leadership of participating States is needed; labor migration programs should be developed, combat xenophobia, racism and discrimination of migrants, put an emphasis on gender equality and the situation of women migrants.

The second introducer, Mr. Spyros Koulocheris, head of Legal Research for the Greek Council for Refugees reported on his practical experience with migrants. On the first place, all migrants seeking for legal status, formulated in a different way: they want security. He stressed that illegal migrants are more likely became victims of crimes (trafficking of human beings, smuggling). Also on the way of seeking for legalization they may loose their lives during dangerous journeys, they may be detained under inhumane conditions, their rights may be restricted. There are however positive example of programs but majority of them are time-limited and long term funding not secured. According to his analysis, the critical situation is caused by the lack of common policy of Member States or the non-implementation of legal framework. Also sometimes hate speech against migrants coming from high level Government officials. Mr. Koulocheris voiced his concern with regard to international organizations. Their messages are controversial; holistic approach is needed and the human dimension should be in the focus of all activities. He lastly said, that all should accept that migration is a human need and a natural historical phenomenon.

During the session 38 interventions were delivered, including 14 by participating States, 23 by non-governmental organizations and 1 from other OSCE institutions. In addition, 10 participating States exercised their right of reply.

The majority of participating States recognized, that the current mixed migration flows posing a challenge in the OSCE area. Many of them referred to the UN GCM as a positive step on the international level and expressed hope that it will help harmonizing the global actions. While several delegations mentioned the positive contribution migrant can make in the hosting society, others highlighted the security aspect of migration. One delegation specifically mentioned national security concerns. Participating States referred to the MC Decision No.3/16 on OSCE's Role in the Governance of Large Movements of Migrants and Refugees, adopted in the Hamburg ministerial, and appreciated the work of the OSCE structures in connection with this document. The contribution of the field operations along migration routes and ODIHR was also welcomed. Delegations urged the OSCE to synchronize its actions with other international actors (especially the UN) in order to avoid duplications.

The importance of the protection of the migrants was widely recognized by participating States and some NGO's as well. They emphasized that special attention should be given to the most vulnerable ones: women and children. One delegation asked for safe corridor for migrants in order to avoid dangerous journeys. The same participating State raised concerns with regard to the practice of separation of families. Many of those, taking the floor asked for gender sensitive migration policy. Many delegations and civil society underlined the importance of combatting hate speech, xenophobia and racism against migrants. Some found extremely harmful that politicians use hate speech without consequences. Several delegation suggested to use OSCE as a platform for the changing of good practices for example in the field of integration. One delegation reminded the importance of preserving the religious and cultural diversity of migrants.

A number of delegations made a presentation about development and implementation of their own national strategies and programs on refugees, IDPs and asylum seekers and reported on good practices.

Representative of the OSCE Parliamentary Assembly representative raised concerns in connection with discrimination on workplace which especially affect migrant women. Participating States should take steps to empower these women and promote their education.

The issue of crises in and around Ukraine and its impact on migration, including the aspect of forced migration, and IDP's as well as rights of those who left Ukraine was addressed in some civil society interventions. One NGO mentioned the difficulties of freedom of movement in the context of the South-Ossethia. One NGO highlighted the difficult situation of migrant sex-workers. Some NGO's raised the problems of Central-Asian economic migrants, and refugees from the Middle-East facing in OSCE and non-OSCE countries. One NGO presented its program with regard to integration of Muslims in CIS countries. Civil organizations (one also in the name of the Civic Solidarity Platform) expressed their concern of recent trends of participating States to limit the operation of NGOs including through attacks on NGOs by the media and politicians. One NGO highlighted the situation of polish migrants in Western European countries. Several civil organizations stressed the need that migrants respect the culture of host societies.

Recommendation to OSCE:

- OSCE should ensure complementarity with the UN and other regional organizations on migrant rights including refugees in order to strengthen synergies and avoid duplications.
- OSCE and ODIHR continue studying migration systems and collect good practices to collectively engage on addressing migrants issues including their integration.
- OSCE should empowering OSCE field Missions to play a supporting role.
- OSCE should prioritize the protection of host societies and not migrants and to re-examine concept on hate speech on migrants.
- OSCE should facilitate the recognition of Jazidis as refugees and prioritize them as such
- OSCE is recommended to support participating States to implement their commitments providing due attention to cultural and religious diversity of migrants.
- OSCE should elaborate on solutions for IDPs ensuring complementarity and avoid duplications with other organizations and should analyse conflict-cycle and migration.

Recommendations to the participating States:

- Participating States to fulfil their human dimension commitments in relation to migrants.
- Participating States encouraged to use OSCE, as a platform for dialogue and exchanging good practices.
- Participating States should use the expertise and support of ODIHR in the field of integration of migrants
- Participating States should terminate criminalize migrants or human rights defenders assisting them.
- Participating States should fight against/stop anti-migrant and xenophobic rhetoric.
- Special attention should be given to the protection of children and women.