

EEF.GAL/13/09
20 May 2009

ENGLISH only

Address by Ambassador Janez Lenarčič

Director of the OSCE Office for Democratic Institutions
and Human Rights (ODIHR)

17th OSCE Economic and Environmental Forum

Athens 18-20 May 2009

Session I: Managing migration in a changing global environment



Check against delivery!

Excellencies,

Ladies and Gentlemen,

Thank you for inviting me to address this Forum. I am particularly pleased to speak on this topic today as *Migration-Integration* has been one of the overall themes of the Slovenian Chairmanship of the OSCE four years ago. It continues to be an issue that demonstrates the need for a cross-dimensional approach to security. Allow me to elaborate on this notion in the course of my remarks, with particular focus on the human rights of migrants, and taking into account the negative impact of the global economic crisis.

Let me start by putting forward two thoughts.

First, mobility has enormously increased across the globe, to an unprecedented degree. This is a result largely of macro-political transformations, along with progress in transportation and technology. Never before has there been such a diversity among migrant communities who now originate from all the regions in the world.

Second, developed economies fuelled by the free movement of goods, services and investments rely heavily on mobile migrant workers. This is true for both lower and highly-skilled ones.

Yet, while international recruitment looks favourably at highly-skilled migrants, low-skilled migrants are often seen as unwanted. They are often seen as burden rather than an asset. In times of economic crisis, it is therefore often those who suffer disproportionately, with economic downturns impacting on their wages, working conditions and their employment status.

When jobs become scarce, there is a strong temptation in host societies to blame migrant workers. False accusations of “foreign workers” taking away jobs abound. Slogans “Jobs only for national workers” appear in the media and at demonstrations. Today, within the OSCE region, many migrants and migrant groups experience not only unequal access to rights but they are overtly discriminated against in societies where xenophobia is on the rise.

As the repercussions of the economic crisis threaten to undermine our efforts to build more open and tolerant societies -- as called for in OSCE commitments -- we have a particular responsibility to protect the rights of the most vulnerable. Migrant workers, by all accounts, are among the most vulnerable groups in society. This is a shared responsibility of both countries of origin and countries of destination.

Globalisation is not only an economic phenomenon. It is also a process with important political and social consequences. We need to respond to economic insecurities with solidarity, not by scapegoating immigrants. The answer to this lies in not only efficient, but also humane migration management, with human rights at its centre – as foreseen by a number of OSCE documents, starting with the Helsinki Final Act of 1975 [*Chapter 6, Economic and social aspects of migrant labour*].

Since the adoption of the Helsinki Final Act, the OSCE family has come a long way. Ministers have recognised in Ljubljana in 2005 that successful integration policies that include the “protection of human rights and fundamental freedoms are a factor in promoting stability and cohesion” within societies. In this regard, I share the view that migrants are best protected by the equal application of national labour laws: in the sphere of employment, they have to be treated equally to national workers. As the Council of Europe has pointed out numerous times, we cannot tolerate inequalities that lead to the exploitation of migrants. The substitution of

national workers by less well protected immigrants leads to a general deterioration of working conditions, with detrimental effects on social cohesion.

In the same vein, legislative frameworks are important in ensuring that migrants do not fall victim to discriminatory practices. Well-established specialised institutions of law enforcement and an easily accessible support system for victims of discrimination and exploitation are additional key pillars to protect migrants' rights.

If we want to achieve true integration of migrants, we need to enhance the respect for their rights, for their dignity and their equal treatment. One way of doing this is for politicians to speak out against racist violence and xenophobia targeted at migrants and for States to effectively prosecute perpetrators of violent acts. I should recall here that the tenets and commitments pertaining to tolerance and non-discrimination are valid also in periods of economic fluctuation.

+

Recognising these challenges, the OSCE participating States have asked ODIHR to assist them in developing migration policies and conducting migration-related research, with the aim of providing a forum for dialogue between countries of origin and destination.

The OSCE Ministerial Council in Maastricht in 2003 called upon ODIHR to reinforce its activities in respect of combating discrimination against migrant workers and facilitating the integration of migrant workers into the societies in which they are legally residing. Answering to this call, ODIHR has provided assistance to develop efficient and humane migration management policies on the national and regional level.

This Forum and especially today's session provides a platform for the OSCE States to discuss good practices of bilateral and regional agreements and national solutions. It is my belief that no OSCE State can claim unqualified success in the area of migration, no society is free from discrimination, and all have room for developing anti-discrimination policies and for promoting tolerance and respect for others.

I would like us all to remember that migration is part of our economic and social reality. Not only will it not cease because of the economic crisis, but it can be one of the solutions for a more dynamic and efficient economy. What remains our conviction is that migrant workers, whose contribution to a destination country's economy was embraced in the years of booming economy, should not suffer disproportionately in times of economic slump. And, in particular, their human rights must be protected vigorously.

It is in light of the spike in incidents that we have witnessed, and the increasing vulnerability of migrants that we observe, that I would suggest that we review the commitments relevant for the human rights of migrants and, on this basis, further develop the existing ones. In this regard, my Office stands ready to assist the OSCE Chairmanship in its preparations for the Ministerial Council in Athens. We equally look forward to closely co-operating on these pertinent issues with the participating States, with the OSCE Coordinator on Economic and Environmental Affairs and with other institutions represented here.

In conclusion, I would like to offer three recommendations:

- participating States could use current circumstances, and try to improve implementation of existing commitments, including by reviewing their legislation, whereby ODIHR is ready to offer its assistance;

- politicians, in particular governments, should speak up against discrimination and xenophobia; by not doing so, the platform is left empty for populists and demagogic ideas;
- participating States could review the OSCE commitments and look into possibility to develop new ones.

Thank you.