



IOM International Organization for Migration
OIM Organisation Internationale pour les Migrations
OIM Organización Internacional para las Migraciones

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ANNEX

BACKGROUND ISSUES FOR DISCUSSION 17TH OSCE ECONOMIC AND ENVIRONMENTAL FORUM FIRST PREPARATORY CONFERENCE

Prague, 16-17 October 2008

Session I – Migration context and trends in the OSCE region (and the link with economic development, environmental degradation and security)

(A) Key migration trends in the OSCE region

- Different migration trends in the OSCE region: Immigration vs. emigration, push and pull factors. What defines a positive trend?
- The impacts, both economic and social, of new immigration trends on local society
- Measurable trends: different data collection systems in the OSCE region and advantages of standardizing collection, analysis and ultimately sharing
- Regional trends and overall migration indicators and their use in forecasting analysis for policy makers

(B) Contributions of migration – both legal and illegal¹ – to economic development

- Economic and social policies and their interdependence with migration and development
- Brain drain factor and its impact on the development of the country of origin (examples in the OSCE regions)
- Remittances and their impact on economic development (examples in the OSCE regions)
- Building bridges with Diasporas
- Integration of migrants into national labour markets
- Irregular migration and its effects on development at both origin and destination
- Regularization policies and their impact from the perspective of the host country (examples in the OSCE regions)

(C) Key migration policy options in the OSCE region

- What is really migration policy? Can it and should it be defined in writing?
- Advantages of national migration policies incl. examples of countries with already established migration policies: the basics “open or closed”?

¹ OSCE terminology refers to irregular migration as “illegal migration“. The session titles retain OSCE terminology whereas the sub-points will use the term irregular migration according to IOM preference.

- Regional and cross-regional approaches (i.e. coordination with other regional organizations and processes, such as EU, CIS, EurAsEC)
- Facilitating solutions: cluster approaches bringing together countries of origin and destination countries

(D) Impact of environmental degradation, including disasters, on migration

- The current and crucial environmental issues related to migration in the OSCE region
- Different level of national prevention strategies incl. linking environmental analysis to displacement forecast
- Protection and assistance of the displaced in the course of environmentally induced migration, incl. (re)integration support

Session II – Management of legal (regular) migration

(A) Types and channels of legal migration with a focus on labour

- Current EU acquis and ongoing policy discussions on types and channels of legal migration: different categories incl. employed and self-employed
- Types and channels of legal migration within the CIS
- Challenges connected to information/ data analysis and information exchange on the actual situation of migrants employed in the EU/OSCE region
- Bilateral contracts between receiving and sending countries to assure the inclusion of migrant workers into social security systems of host countries (and the challenges in relation to circular migration)
- Mission of labour attachés placed within embassies in destination countries

(B) Assessing labour market and employer needs in both countries of origin and destination with a view towards job-matching and coordination with admission policies/programmes

- Difficulties of forecasting labour shortages
- Structural, sectoral and geographical labour shortages
- Demographic factors
- Capacity building aimed at strengthening existing management capacities and tools of national employment services in countries of origin (study tours, formal and “on the job” training on policy-making, labour migration management, IT equipment, market research and job-matching system)
- Need for in-depth labour market assessments in countries of origin and destination, including sectoral and occupation-specific studies, to identify and respond to current and emerging needs for workers, both high- and low-skilled, taking into account also opportunities for skills upgrading based on the existing capacities and needs of migrants. What can governments do to facilitate such assessments?

(C) Addressing the discrepancies between the needs and policies/programmes for high skilled as opposed to lower skilled labour migrants

- National approaches in dealing with brain drain in the OSCE region
- Finding mechanisms for balancing interests of origin and destination countries to lessen negative aspects of high skill migration and avert brain drain by turning it into brain circulation
- Lack of programmes in destination countries for lower skilled workers despite growing labour market demand and the impact of this trend on irregular migration figures

- Need for gender-sensitive labour migration policies to prevent female migrants from being pushed into irregular working situations and informal sector; challenging as often programming has an aspect of gender discrimination i.e. only men/only women
- Provision of reintegration assistance to migrant workers upon their return to their native country

Session III – Protection of migrants in countries of origin, transit and destination, including gender aspects

(A) International norms and standards applying to migration management

- International human rights standards, including the Migrant Workers Convention
- Migration management assessments evaluating the compliance of the national legal framework with international norms and standards

(B) Ratification and implementation of national and international legal commitments

- Broad sovereign powers of state in determining nationality, admission, conditions of stay and removal of non-nationals
- Challenges related to the enforcement of legal commitments: easy to sign but then?
- Alignment with Human rights standards

(C) Regulation of employment agencies and combating illegal recruitment practices (effective employer sanctions for breaches of legislation) and exploitative working conditions

- Pre-licensing checks and on-the-spot inspections
- Enforcement measures (from warnings to penal sanctions)
- Training of public service and law enforcement officials
- Safeguards for guaranteeing basic human rights of irregular migrants, taking into account gender and age (e.g. minors) aspects

(D) Information on legal migration channels/requirements and other support services

- Provision of legal counseling to migrants prior and post arrival (Migrant Information Resource Centres)
- Pre-departure orientation and training services for migrant workers including cultural, language and vocational training
- Linkages of (national) employment information between sending and receiving countries; co-operation between employment bureaus

Session IV – Circular migration and return policies

(A) Temporary and circular migration policies and their linkages with return migration

- Guaranteeing the respect of the rights of the migrants in the destination countries
- Capacity building for officials of national employment agencies in countries of origin for managing temporary and circular migration (training of trainers, skills and technical capacities for conducting research on labour market needs in host countries, job-matching system)
- Ensuring the return of migrants to the country of origin (pre-departure orientation training for selected migrant workers, including rights and duties and return commitments; organization of transport to host country and back, exit border controls, reporting, rotation systems, financial incentives to return, deportation)
- Facilitating the return process through counseling during the pre-return phase to assist the migrants to prepare psychologically and financially for the return, thereby complementing pre-departure counseling and training

- Facilitating reintegration and promoting local development in the country of origin through collective initiatives and channeling of resources: development of investment schemes for remittances, matching grant schemes, and the possibility for legal circularity which take into account newly acquired skills
- Evaluating the success of existing circular migration schemes, identifying effective practices, and building on experiences of success

(B) Achievements and challenges from the perspective of origin, transit and destination countries

- Joint efforts between origin and destination countries for ensuring the sustainability of the return (assisted voluntary return and reintegration programmes, assistance for the development of local infrastructures, mechanisms of reintegration, provision of local community assistance)
- Linking return migration with national development policies in origin countries and enhancing cooperation with development agencies in host countries
- Sustainable return of specific categories of migrants (i.e. highly qualified migrants and involvement of the business community in the process)

(C) Policies, practices and agreements for return and repatriation

- EU directive on return
- Preference should be given to voluntary return over forced return
- Readmission agreements: their evolution and initial experiences of mutual agreements (Examples from the OSCE region, such as the EC agreements with Albania, Russia, Moldova, Ukraine)
- Best practices in obtaining travel documents/identification necessary for return and involvement of consular authorities in the process
- Detention prior to removal: standards and procedures, as well as ensuring humane treatment of migrants and guaranteeing their basic rights

(D) Ways to further strengthen cooperation and dialogue between origin and destination countries

- Exchange of statistical information between origin and destination countries
- Regular meetings between practitioners on return
- Challenges of future Visa Information Systems

Session V – Border management co-operation to facilitate labour mobility and combat illegal migration

(A) Border management to facilitate legal migration and discourage illegal migration

- Border management in the OSCE region: the challenges
- Passport, visa and identity document management - issuing, verification, validation (including compliance with ICAO Travel Document Security Standards for manufacture) and forensic and immigration control

(B) Co-operation experiences and new developments

- Different level of data sharing in border management among different countries
- Automated border checks and “registered traveler”
- Biometrics in border management

(C) Inter-agency co-operation at the border (between immigration, customs and veterinary officials)

- Good practices and potential hurdles
- Practical examples from the OSCE region
- Considerations at the regional level: can coordinated border and migration management reduce irregular flows?

Session VI – Combating criminal networks, smuggling of migrants and trafficking of human beings

(A) Co-operation areas and measures in combating smuggling of migrants and trafficking in human beings - national and inter-state police, border guards and other law enforcement agencies

- Trafficking in Human Beings: forms of exploitation, and relationship to migration
- Trafficking in Human Beings versus Human Smuggling
- Challenges to Combating Trafficking in Human Beings
- Cooperation between actors in the criminal justice system and with the institutes of civil society
- International cooperation in Combating Trafficking in Human Beings investigations

(B) Exchange of experience on good practices and effective policies in combating criminal networks

- Effective regulation of the recruitment of migrant workers (with monitoring and enforcement mechanism)
- Border and visa policy
- Sanctions against those who facilitate illegal migration

(C) Inter-state judicial cooperation, implementation of controls and penal sanctions

- Mutual legal assistance
- Speeding up of the extradition process
- Examples of successful joint investigations

(D) Joint cross-border investigation teams to dismantle facilitators' networks

- Successful operations
- Links between the networks and their modus operandi
- Joint European teams and the experience of INTERPOL

Session VII – Prospects for closer inter-state and regional co-operation to develop comprehensive, effective and secure migration management approaches

(A) Elements guaranteeing regional cooperation

(B) Successful migration management approaches

(C) Lessons learned and recommendations from previous sessions

(D) The way ahead and the role of the OSCE. Co-operation with other national and international actors