

WG M&I/Memo/Updated: 27.10.2017/Draft Outline Scope of Work

Discussion paper for WG meeting #1

BSPC Working Group on Migration & Integration

Scope of Work – Draft version/Work in Progress

0. Introduction

A

The 24th BSPC Resolution in 2015, the 25th BSPC Resolution in 2016 and the 26th BSPC Resolution in 2017 included sections on Migration and Integration, as follows:

- 1 Expressing against the background of the current situation their solidarity with the refugees which are forced to flee their homelands, being aware of the big challenge to secure a safe residence (2015);
- 2 to educate and integrate refugees into the labour market as soon as possible and to exchange experiences with best practice examples within the Baltic Sea Region. And also embed the social partners comprehensively and at an early stage in these efforts (2016) and
- 3 being convinced that the issues of Migration and Integration pose a tremendous challenge to all countries in the Baltic Sea Region as well as a great chance for their further development. Those issues call for intensive dialogue as well as close cooperation and coordinated policies also between the Baltic Sea States (2017).

The BSPC Standing Committee had intensive discussions on the situation of refugees in Europe and on the topics of migration and integration in its meetings on 6 November 2014 in Riga, on 28 January 2016 in Brussels, on 15 November 2016 in Hamburg, on 23 January 2017 in Brussels and on 28 April 2017 in Hamburg. The members of the Standing Committee reported on the different situations and discussions in the BSR member countries. It was pointed out, that this topic is of great significance and poses a tremendous challenge to all countries in the Baltic Sea region. The Standing Committee was highlighting that it is necessary to exchange views on own experiences, political approaches and perspectives among the parliamentarians

Working on migration and integration is furthermore one of the BSPC Priorities in 2017 - 2018, especially finding solutions based on mutual information and best practices.

In their speeches on Migration and Integration the 26th BSPC in Hamburg 2017 Pedro Roque, President of the Parliamentary Assembly of the Mediterranean, and Isabel Santos, Vice-President of OSCE PA and the Vice-Chair of the OSCE PA ad hoc Committee on Migration, pointed out, the only solution to cope with the migration challenge is more solidarity and more collaboration by cooperating closely on the regional, European and global level and to start having a dialogue on what type of migration policy can be developed together in Europe.

B

The purpose of this Scope of Work (SoW) is to provide a background and framework for deliberations on the scope and issues of Migration and Integration, as well as on the added-value and recommendations that the Working Group (WG) could deliver to deal with the challenges of migration and integration.

The draft SoW is a living document that will be adjusted and amended continuously. The SoW contains descriptions and analyses of relevant issues within the field of migration and integration, together with examples of practical efforts to promote integration of migrants. Input is gathered from topical external sources and can be added from the Homework carried out by the WG members themselves. This material constitutes the basis for the WG's assessment of possible action needs and political recommendations with regard to Migration & Integration.

The draft SoW could also serve as a template and raw material for the structure and content of the mid-way report and the final report of the WG.

1. Objective and Scope of the WG

The overarching objective of the Working Group is to elaborate political positions and recommendations pertaining to Migration & Integration. Strong emphasis should be placed on integration. Insights from previous BSPC Working Groups on Labour Mobility, Labour Market and Social Welfare as well as on Human Trafficking could be incorporated.

The scope of the Working Group should include, but not be limited to, areas such as

- A clear definition of which kinds of migration the WG would like to discuss (refugees, migrant workers, smuggling & trafficking etc.)
- Causes of flight
- Migration policy goals
- Governance guidelines
- Demographic development and migration;
- Status and trends in migration;
- Challenges of migration;
- Challenges of integration;
- Prospects of migration;
- Best-practice examples of integration.

The Working Group and its members should deepen the political attention on migration & integration, for instance by pursuing those issues in the parliaments of the members of the Working Group. Moreover, the Working Group should contribute to the exchange of knowledge and best practices within its area of responsibility. For this purpose, the Working Group should establish and maintain contacts with relevant institutions, organizations and other actors in the Baltic Sea Region and beyond.

2. Defining Migrants and Refugees

With more than 65 million people forcibly displaced globally and boat crossings of the Mediterranean still regularly in the headlines, the terms 'refugee' and 'migrant' are frequently used interchangeably in media and public discourse. According to the UN High Commissioner for Refugees (UNHCR), the two terms have distinct and different meanings¹:

Refugees are persons fleeing armed conflict or persecution. There were 21.3 million of them worldwide at the end of 2015. Their situation is often so perilous and intolerable that they cross national borders to seek safety in nearby countries, and thus become internationally recognized as "refugees" with access to assistance from states, UNHCR, and other organizations. They are so recognized precisely because it is too dangerous for them to return home, and they need sanctuary elsewhere. These are people for whom denial of asylum has potentially deadly consequences.

Refugees are defined and protected in international law. The 1951 Refugee Convention and its 1967 Protocol as well as other legal texts, such as the 1969 OAU Refugee Convention, remain the cornerstone of modern refugee protection. The legal principles they enshrine have permeated into countless other international, regional, and national laws and practices. The 1951 Convention defines who is a refugee and outlines the basic rights which states should afford to refugees. One of the most fundamental principles laid down in international law is that refugees should not be expelled or returned to situations where their life and freedom would be under threat.

The protection of refugees has many aspects. These include safety from being returned to the dangers they have fled; access to asylum procedures that are fair and efficient; and measures to ensure that their basic human rights are respected to allow them to live in dignity and safety while helping them to find a longer-term solution. States bear the primary responsibility for this protection.

Migrants choose to move not because of a direct threat of persecution, but mainly to improve their lives by finding work, or in some cases for education, family reunion, or other reasons. Unlike refugees who cannot safely return home, migrants face no such impediment to return. If they choose to return home, they will continue to receive the protection of their government.

According to the UNHCR, the distinction is important for individual governments. Countries deal with migrants under their own immigration laws and processes. Countries deal with refugees through norms of refugee protection and asylum that are defined in both national legislation and international law. Countries have specific responsibilities towards anyone seeking asylum on their territories or at their borders. Conflating refugees and migrants could have serious consequences for the lives and safety of refugees. Blurring the two terms takes attention away from the specific legal protections refugees require. It could undermine public support for refugees and the institution of asylum.

¹ See: <http://www.unhcr.org/news/latest/2016/7/55df0e556/unhcr-viewpoint-refugee-migrant-right.html>

and: <http://www.oecd.org/els/international-migration-outlook-1999124x.htm>

3. Status and Trends in Migration and Flight

At the end of 2016 more than 65,5 million people were forcibly displaced worldwide, 22,5 million of them are **refugees**. 55 % of the refugees worldwide came from three countries: South Sudan 1,4 million, Afghanistan 2,5 million and Syria 5,5 million. Over half of the 22,5 million refugees are under the age of 18. More than 60 % of the refugees worldwide are Internally Displaced Persons (IDP), forcibly displaced in their own country. (Figures published by the UNHCR on the 19th of June 2017.)²

The following stats are extracted from the United Nations Department of Economic and Social Affairs/Population Division's report "International Migration Report 2015"³:

The number of international **migrants** worldwide has continued to grow rapidly over the past fifteen years reaching 244 million in 2015, up from 222 million in 2010 and 173 million in 2000.

Nearly two thirds of all international migrants live in Europe (76 million) or Asia (75 million). Northern America hosted the third largest number of international migrants (54 million), followed by Africa (21 million), Latin America and the Caribbean (9 million) and Oceania (8 million).

Between 2000 and 2015, positive net migration contributed to 42 per cent of the population growth in Northern America and 32 per cent in Oceania. In Europe the size of the population would have fallen between 2000 and 2015 in the absence of positive net migration.

4. Causes of flight and migration

- poverty
- crisis and wars
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5. Migration policy goals concerning among others

- integration of women, children and juveniles in terms of
 - safety
 - education
 - work
- prevention of terror and recruitment of terrorists in our nations
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² <http://www.bpb.de/politik/hintergrund-aktuell/250498/weltfluechtlingstag-20-06-2017> and <http://www.unhcr.org/figures-at-a-glance.html>

³ See:

<http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2015.pdf> , <http://gmdac.iom.int/global-migration-trends-factsheet> and <http://gmdac.iom.int/oecd-iom-and-undes-organise-first-international-forum-migration-statistics>

6. Governance guidelines regarding among others

- welcoming culture
- joint standards
- joint political messages
- conditions in the countries of arrival (like housing ...)
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7. Demographic development and migration

- Perception of interdependencies
- to take appropriate joint steps
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8. Challenges and prospects of refugees, migration & integration

Past BSPC Working Groups on Labour Mobility, Labour Market and Social Welfare as well as on Human Trafficking partially dealt already with the challenges and topics of migration & integration. In its final report to the 18th Baltic Sea Parliamentary Conference in Nyborg in 2009, the BSPC WG "Labour Market and Social Welfare" wrote, for instance:

In the Working Group's discussions, it became apparent that cross-border labour markets can contribute to improving employment opportunities and to dynamic regional development, which benefits the economy, business and employees. Such markets promote flexibility, open up options for experiencing different working conditions, resolving conflicts in different ways, and conveying other hierarchical structures, cultures and values.

All the same, challenges exist, like information deficits, imbalances between freedoms and rights on the labour market, uneven regional developments, demographic challenges, labour shortages, labour deficits in certain professions and various economic sectors, migration of young and qualified employees, illegal labour, wage dumping and working conditions, social-security issues when working in two countries, rehabilitation options, unemployment-benefit issues in the case of casual work, vocational training, taxation of companies employing temps, lack of language skills, poor traffic infrastructures, deficits in the social dialogue between government, authorities, companies and trade unions, etc.

Experience has shown that, when a decision is taken to seek work in another country or even in a neighbouring country, a whole host of questions emerge for employees, but also for employers. In the social area, these concern social-security issues, all the way from health, long-term care and accident to unemployment and pension insurance. Labour-law questions, like protection against unlawful dismissal, collective wage agreements or employee rights in a company, play a similarly large role. To this must be added – against a backdrop of different fiscal regulations – questions of tax law. Other subjects include the specific statutory social benefits, e.g. for children or families.

Some regions and countries have already responded in recent years by setting up information centres, info points, Internet platforms or cross-border commuter projects. In other areas, comparable initiatives do not exist.

Views of the WG

The WG members have pointed out a number of challenges and prospects with regard to migration & integration.⁴

(to be added)

9. Action to tackle migration & integration

(This section will contain the analyses of the WG on what needs to be done to tackle migration & integration)

Some possible examples of different forms of supportive measures in various fields are:

- Political: ...
- Legal: ...
- Financial: ...
- Organizational: ...
- Practical: ...
- Educational: ...
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10. Political Recommendations

(This section will constitute the quintessence of the WG´s work: The political recommendations on M&I)

The goal of the WG is to present a set of political recommendations and best practice examples on the subject of M&I. The first part of the political recommendations will be presented to the 27th BSPC in 2018. The final and consolidated recommendations will be submitted to the 28th BSPC in 2019.

The political recommendations of a BSPC WG constitute an expression of the political views and positions of parliamentarians from the entire Baltic Sea Region. It is essential that the recommendations focus on the political added-value that parliamentarians can bring to the process of tackling M&I. The political recommendations are a tool with which MPs can exert political pressure on the governments to take steps to deal with the challenges.

The Working Group on Migration & Integration calls on the Governments of the Baltic Sea Region, the CBSS and the EU to:

/Recommendations 1, 2, 3, 4, 5, 6, 7...../

⁴ The text in this section is a consolidated summary of answers provided by the WG members to the WG Homework.

11. Meeting Plan

1st Meeting 4-5 December 2017, Hamburg

- Constituting the group
- Defining "migration" and the working group's scope of work
- Presentations by

Aydan Özoğuz, Minister of State and Commissioner of the

Federal Government for Migration, Refugees and Integration;

Ulrich Weinbrunner, Head of the Staff Unit for Social Cohesion and Integration
in the Federal Ministry of Interior and

Bernd Hemingway, Deputy Director General of the CBSS (tbc)

- Adoption of a programme of work (this document).

2nd Meeting, date tbc (spring 2018), venue tbc (Stockholm?)

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3rd Meeting, date tbc (spring/summer 2018), venue tbc

- Preparing the Mid-term report to the 27th Baltic Sea Parliamentary Conference in Mariehamn 26-28 August 2018.
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4th Meeting, date tbc (fall 2018), venue tbc

- Planning the final report
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5th Meeting, date tbc (spring 2019), venue tbc

- Theme(s): to be decided
- Policy recommendations with regard to migration & integration
- Preparing the Final report to the 28th Baltic Sea Parliamentary Conferences in 2019.
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