

# Analysen Positionen Essays

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The article is a short version of the findings from a research carried out by the authors from May to September 2016 under the auspices of the Southeast Europe Association (SOG) in the framework of the German OSCE chairmanship in office 2016 and funded by the German Federal Foreign Office. The long version of the report is available on the SOG's website: [www.sogde.org](http://www.sogde.org).

## The OSCE's Response to the Migration and Refugee Crisis

**The impact of the opening and closing of the "Balkans route" on the work of the OSCE Missions in Albania, Bosnia & Herzegovina, Kosovo, Macedonia, Montenegro and Serbia**

### Summary

The migration crisis that hit Europe from the opening of the Balkans route in late summer 2015 to its purported closing in the beginning of 2016 has had a differential impact on the work of the field operations deployed by the Organisation for Security and Cooperation in Europe (OSCE) in Southeast Europe. The article provides an overview of the activities pursued by the OSCE field operations in the Western Balkans region in response to the migration crisis. It sheds light on the gradual involvement of the OSCE Secretariat in this area. Based on field research, it scrutinises the implications the migration crisis has had for OSCE field operations in terms of monitoring activities; reporting & liaising activities; promoting a human rights-based approach to the crisis; raising awareness at the community level; building local governance and civil society capacity; building policing capacity and addressing migration-related crime; as well as supporting research activities. The research presented here shall serve as a contribution to further analysis on how far the current developments have the potential to change the work of the OSCE and its field operations in Southeast Europe.

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# The OSCE's Response to the Migration and Refugee Crisis

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## ■ The OSCE area and migration

The developments facing the area of the Organisation for Security and Cooperation in Europe (OSCE) are at once the result of a global crisis and of the regional movements of people seeking international protection (or migrating for a broad variety of reasons). They represent only a fraction of the overall migration dynamic throughout the world. In 2015, the United Nations announced that worldwide displacement is at the highest level ever recorded – one in every 122 human beings is now a refugee or otherwise displaced. According to the UNHCR, 30 per cent of refugees worldwide are hosted by Turkey, Pakistan and Lebanon. Jordan, an OSCE Partner for Cooperation, is among the countries with the highest per capita ratio of refugees worldwide, amounting to 8.96 per cent of its population. Of the 20.2 million refugees worldwide, 86 per cent, reside in developing countries. Thus, south-south migration and especially the refugee flow is significantly larger than the south-north flow visible in the OSCE area. By comparison, as of February 2016 OSCE participating states hosted 3.5 million refugees, equivalent to 0.3 per cent of the overall population in the area, including 1.13 million arrivals in European Union countries since the beginning of 2015.

Southeast Europe is an area of connection and transit – today the region is the link between zones of war and instability in the near East and Central and Western Europe; obvious challenges stem from the dramatic events between spring 2015 and March 2016. The intertwined relationship of the region with both the south-eastern part of the OSCE area as well as with the EU and its member states captured broad attention with the *opening* and *closing* of the "Balkans route" between late summer 2015 and beginning of 2016. The events and development affected in particular the EU member states Greece as well as Macedonia and Serbia and indirectly the other countries in the Western Balkans region. In all of these countries the OSCE deploys field operations. These missions are in various ways concerned by the developments as they impact on the delivery of their mandates. Thanks to a project initiated by the Southeast Europe Association (SOG), the authors of this article were able to carry out research related to these field operations of the OSCE and gain a first-hand impression of challenges, activities and perspectives. In addition, given the importance

of the work of the political bodies of the OSCE, the research put their strategic considerations as a starting. This article will then provide an overview of the activities and results of the field research which was carried out between May and September 2016.

## The OSCE's response to the migration and refugee crisis

In the past few years, the OSCE Parliamentary Assembly has been particularly active in addressing the refugee and migration crisis that has affected Europe and the broader OSCE area. Already in 2013, it issued a special report on the humanitarian crisis in Syria.<sup>1</sup> The report provided an overview of the impact of Syrian refugees in key participating states, including Albania, Bosnia and Herzegovina, Macedonia, Montenegro and Serbia.

In 2014, the OSCE Parliamentary Assembly passed a resolution on the situation in the Middle East and its effect on the OSCE area,<sup>2</sup> in which it expressed its concern about the ongoing humanitarian crisis, the massive movement of refugees and the latter's potentially destabilising impact on the OSCE area. The resolution urged OSCE participating states to comply with their commitments in humanitarian matters, to offer the greatest possible assistance to Syrian refugees and to support the governments of Turkey and Jordan, which find themselves facing the brunt of the crisis. Likewise, in its resolution on the situation of refugees in the OSCE area,<sup>3</sup> the Parliamentary Assembly called upon OSCE participating states to work on a "more equitable sharing of the flow of refugees", to take action against human trafficking and to strengthen the protection of migrants' human rights.

In 2015, the OSCE Parliamentary Assembly also passed a resolution calling for urgent action to address the tragedy of migrants dying while attempting to cross the Mediterranean.<sup>4</sup> This called for concerted, consistent and determined action to be taken by the United Nations to combat human trafficking activities in the Mediterranean, and encouraged Italy to make efforts for an EU humanitarian admittance plan in order to set up application desks in transit countries in the

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- 1 *OSCE Parliamentary Assembly*. 12 February 2013. Human Crisis in Syria: Special Report on the Impact of Syrian Refugees in the OSCE region. Available at <https://www.oscepa.org/documents/all-documents/documents-1/other-reports/humanitarian-crisis-in-syria/1528-2013-report-on-the-humanitarian-crisis-in-syria/file> [15.9.2016].
  - 2 *OSCE Parliamentary Assembly*. 2014. Resolution on the situation in the Middle East and its effect on the OSCE area. Available at <https://www.oscepa.org/meetings/annual-sessions/2013-istanbul-annual-session/2013-istanbul-final-declaration/1655-18> [15.9.2016].
  - 3 *OSCE Parliamentary Assembly*. 2014. Resolution on the situation of refugees in the OSCE area. Available at <https://www.oscepa.org/meetings/annual-sessions/2014-baku-annual-session/2014-baku-final-declaration/1859-15> [15.9.2016].
  - 4 *OSCE Parliamentary Assembly*. 2015. Resolution on Calling for urgent solutions to the tragedy of death in the Mediterranean. Available at <https://www.oscepa.org/meetings/annual-sessions/2015-annual-session-helsinki/2015-helsinki-final-declaration/2292-17> [15.9.2016].

southern Mediterranean which may receive asylum applications according to set quotas and resettlement procedures, and ensure migrants' safe passage without risking their lives.

The Parliamentary Assembly again addressed the migration crisis at its winter meeting in February 2015, its Helsinki annual session in July 2015 and its Ulaanbaatar autumn meeting in September 2015. Although migration-related issues are traditionally considered to lie within the economic and environmental dimension, it is the third committee of the Parliamentary Assembly (the General Committee on Democracy, Human Rights and Humanitarian Questions) that has increasingly taken up this issue. Several field visits by the third committee chair, vice-chair and rapporteur have been organised in the past two years to support the committee's work and approach to the crisis, acquire first hand information on the issue, raise its visibility and advocate for a better coordinated effort to resolving the crisis.<sup>5</sup>

On the World Refugee Day on 20 June 2015, OSCE parliamentarians called again on OSCE participating states to share responsibility in the ongoing crisis and to foster the integration of refugees and migrants into European societies. The third committee's chair, Isabel Santos, visited Lampedusa alongside a delegation of the OSCE's Special Representative and Co-ordinator for Combating Trafficking of Human Beings, Madina Jarbussynova.<sup>6</sup>

In November 2015, an expert panel meeting was organised in Warsaw to inform and support the planning of the OSCE Office for Democratic Institutions and Human Rights' (ODIHR) future activities relating to freedom of movement for migrants and the protection of their human rights. The conclusions and recommendations of the resulting report called on participating states to abide by their international and OSCE commitments<sup>7</sup> and stand up for migrants and asylum-seekers' rights. Proposed measures for this include enhancing access to information on social media, prioritising the protection of vulnerable groups and applying a gender-sensitive approach. The panel experts also recommended a series of technical improvements specifically relating to the corridor that conveys refugees and migrants from the southern part of the OSCE region to the north, starting with data-sharing among border administrations to facilitate entry and security clearance procedures – a field in which the OSCE and ODIHR could provide technical assistance.<sup>8</sup>

5 *OSCE Parliamentary Assembly* General Committee on Democracy, Human Rights and Humanitarian Questions. February 2016. Migration Crisis in the OSCE Area: Towards Greater OSCE Engagement. Available at <https://www.oscepa.org/documents/all-documents/winter-meetings/2016-vienna-1/reports-1/3159-migration-crisis-in-the-osce-area-3rd-committee-thematic-report-feb-2016/file> [20.9.2016].

6 *OSCE PA humanitarian Chair marks World Refugee Day in Lampedusa*. Available at <http://www.osce.org/pa/165491> [20.9.2016].

7 *ODIHR*. 21 January 2016. Summary Report – Migration Crisis in the OSCE Region: Safeguarding Rights of Asylum Seekers, Refugees and Other Persons in Need of Protection. Available at <http://www.osce.org/odihr/217616?download=true> [20.9.2016].

8 *Ibid.*

However, in December 2015, the Foreign Ministers of the OSCE participating states failed to reach an agreement on a draft decision that would have updated a previous Ministerial Council Decision of December 2009 (MC.DEC/5/09).<sup>9</sup> Under the co-ordinated Swiss and Serbian OSCE chairmanships, the Special Representative for the Western Balkans, Ambassador Gerard Stoudmann, encouraged all field missions in Southeast Europe to continue strengthening their co-operation, as they all faced new challenges emerging from the flow of refugees. His additional proposal that field missions develop areas of regional co-operation failed to find sufficient support.<sup>10</sup>

Following a decision taken by the OSCE Parliamentary Assembly's Standing Committee on 25 February 2016 in Vienna, the OSCE Parliamentary Assembly's Ad Hoc Committee on Migration was created, with Swiss parliamentarian Filippo Lombardi serving as its Chair.<sup>11</sup> A focal point in the Assembly's work in the field of migration in all three OSCE dimensions, the Ad Hoc Committee also has the task of recommending policy that will enhance the role of the OSCE in the field of migration and improve the protection of refugees and migrants. Following its establishment, the Ad Hoc Committee made its first field visit to Calais, France, on 11 May 2016. It also travelled to Sicily in September 2016 and plans further visits to Turkey and Greece in the months to come. These fact-finding missions are instrumental for the elaboration of policy reports and recommendations; they direct a spotlight on the consequences of migration mismanagement and highlight the OSCE's ability to address the multifaceted challenges posed by mixed migration.<sup>12</sup>

Following its winter meeting in February 2016, the third Committee of the OSCE Parliamentary Assembly issued a new report on the role of the OSCE in the migration crisis.<sup>13</sup> The report starts by arguing that the ongoing migration crisis could in fact serve to mitigate the effects of Europe's ageing and shrinking population. It claims, furthermore, that failure to integrate refugees from Syria in the labour market would be a waste of their brainpower. The report then delves into the role that the OSCE could play in tackling the migration crisis. Specifically, it recommends that the organisation works to enhance the coherence of its various approaches in that field; makes more effective use of its second-dimension platforms so as to share lessons learned and develops best practices for the integration of migrants and refugees in

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- 9 OSCE. 4 December 2015. 22nd meeting of the Ministerial Council. Statements and declarations by the Ministerial Council; Decisions of the Ministerial Council; Statements by delegations; Reports to the Ministerial Council. 2015. Available at <http://www.osce.org/mc/230741?download=true> [20.9.2016].
- 10 Strengthening regional co-operation in Western Balkans one of key 2015 priorities, says OSCE Chairperson Dačić on visit to Mission to Serbia. Available at <http://www.osce.org/cio/137716> [20.9.2016] and Interview in Belgrade.
- 11 OSCE Parliamentary Assembly. n.d. Ad Hoc Committee on migration. Available at <https://www.osce-pa.org/about-osce-pa/parliamentary-committees-groups/other-committees-groups/226-ad-hoc-committee-on-migration> [20.9.2016].
- 12 OSCE Press Release. 9.9.2016. In visit to Sicily, members of OSCE PA migration committee reiterate calls for greater responsibility-sharing. Available at <http://www.osce.org/pa/263371> [15.9.2016]
- 13 OSCE Parliamentary Assembly General Committee on Democracy, Human Rights and Humanitarian Questions. February 2016, op. cit.

the labour market; relies more on the input and experience of OSCE field operations; establishes a thematic field mission on migration with a region-wide portfolio to enhance regional co-operation in that area; and enhances co-operation with OSCE partners for co-operation and partner organisations.<sup>14</sup>

On 10 May 2016, an event was held in Athens by the OSCE and the Hellenic Foundation for European and Foreign Policy on the topic of the migration and refugee crisis and its impact on European security.<sup>15</sup> The conference discussed the security implications of mass movements of people at the regional and sub-regional levels, the role of international organisations, and co-operation and co-ordination among relevant actors. The participants stressed that the phenomenon of migration will most likely be an issue for decades to come and called for the pursuit of long-term solutions.

In June 2016, the OSCE Parliamentary Assembly's General Committee on Economic Affairs, Science, Technology and Environment also issued a report on the migration crisis.<sup>16</sup> The Committee criticised growth of demagoguery in political discourse in many European countries and called instead for an "open discussion about migration, based on the economic evidence that in a globalized world [...] facilitating the movement of skills and talents allows unlocking the economic potential of labour mobility". Furthermore, according to the report, labour mobility is "part of the solution to address the talent shortages and encourage innovation". In its substance, the report underlines the need to adopt a more comprehensive approach towards migration and look for policy solutions that strengthen the objectives of the OSCE in all of its three baskets simultaneously.

The OSCE's Informal Working Group Focusing on the Issue of Migration and Refugee Flows has also made a valuable contribution. The Working Group was tasked by the 2016 German OSCE Chairmanship with analysing existing OSCE tools for addressing migration challenges, identifying viable entry points for the OSCE and providing recommendations on the way forward. The work of the Informal Working Group was informed by a report issued by the Parliamentary Assembly in February 2016. The Informal Working Group's findings and recommendations were presented at a special meeting of the Permanent Council on 20 July 2016.<sup>17</sup> They included the need to appoint a Special Representative on Migration to co-ordinate the OSCE's work on migration and refugees – someone who can work in collaboration with other special representatives, use the organisation's convening power to bring together participating

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- 14 The report also makes recommendations to OSCE participating states and EU member states specifically.
- 15 OSCE News. 13.5.2016. Implications of migration and refugee crisis for the European security discussed at OSCE-ELIAMEP event in Athens. Available at: <http://www.osce.org/sg/239911> [20.9.2016].
- 16 OSCE Parliamentary Assembly. 2000. Report for the General Committee on economic affairs, science, technology and environment. PA(00)II E rev. 1.
- 17 OSCE Press Release. 20.7.2016. Assembly's work on migration presented to the OSCE Ambassadors. Available at <http://www.osce.org/pa/255471> [20.9.2016].

states and partners (both internally and externally), and synchronise efforts in all three dimensions of security.

## **The response of OSCE field missions to the migration crisis in Southeast Europe**

The migration crisis has been and remains a source of concern for all OSCE field missions in Southeast Europe. The massive influx of migrants has been identified as a potentially destabilising phenomenon that could jeopardise regional security and hinder post-conflict transition. The crisis, however, has not affected all countries in the region in the same manner. Serbia and Macedonia were certainly on the frontline, as were the field missions in Belgrade and Skopje, which viewed the migration crisis as creating a new set of cross-dimensional challenges requiring urgent action. In other words, these missions could not deal with the migration crisis as part of their ordinary working routines, but would have to create new initiatives to address it. Kosovo, Albania, Montenegro and Bosnia and Herzegovina, by contrast, were barely affected by the crisis, largely for topographical reasons. In interviews with staff posted in those countries, the sentiment they expressed was first and foremost one of relief: The missions would not have to prioritise the issue; although they would have to make some preliminary assessments (as part of their routine work), they believed that no further preparation was needed unless the crisis was to hit their host country. In a word, they followed a "business as usual" approach. These missions, interestingly, expressed little concern for the challenges faced by Serbia and Macedonia and their OSCE field missions. Although OSCE field missions in the region readily defined the crisis as regional and transnational, in practice, their response was obviously shaped by more traditional, country-centric views – which is in line with their mandate. That may explain the lack of regional engagement to address the migration crisis on the part of OSCE field missions, and of course, also why the level of engagement of field missions in the region varied so much across the region.

### **Monitoring activities**

The migration crisis triggered an increase of cross-border monitoring activities by most OSCE field missions. With the visa liberalisation process approaching completion for most Western Balkan countries, the EU started to withdraw its support for integrated border management (IBM). Borders were deemed "functional". The migration crisis, however, showed that this ability to function in "normal times" did not rule out failure in times of crisis. OSCE monitoring activities in Serbia, for instance, indicated that border checkpoints at the heart of the crisis were understaffed, suffered from high levels of corruption and lacked the appropriate equipment to respond.<sup>18</sup> Such information, acquired through the physical presence of OSCE officers in the field and their regular encounters with local actors, was key in

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<sup>18</sup> Interview at the OSCE mission to Serbia.

allowing the missions to gain a sense of what was likely to happen. The missions in Belgrade and Skopje decisively relied on information provided by the officers in their efforts to provide a "flexible, demand-driven response", including at short notice.

While the Belgrade-based OSCE Mission to Serbia could rely on its presence in south Serbia (it has an office in Bujanovac) to monitor Serbia's southern border with greater intensity, the OSCE Mission to Skopje organised its activities from the capital. At the beginning of the crisis, one team from the mission's police development unit (PDU) and one team from the mission's monitoring unit (MU) visited the border areas once a week. Following the gradual tightening of Macedonia's border regulations between November 2015 and February 2016, one PDU team was deployed to the southern border at Gevgelija three to four times a week, and this presence was further strengthened with two PDU teams deployed on a regular basis in Gevgelija from March 2016. The PDU teams occasionally stayed in the field overnight. In the meantime, similar visits were made to the northern border. The intensity of these monitoring activities only declined from May 2016, with the mission reducing its number of visits to Gevgelija, for instance, to one or two per week.<sup>19</sup> In the near future, monitoring activities will be facilitated by the office recently opened in Gevgelija, which consists of a container installed in the camp.

In Bosnia and Herzegovina, the mission monitored the migration crisis less intensively and, above all, at greater distance. It sought to assess how a possible change in the main route used by migrants could affect the country, but this assessment was primarily based on second-hand information provided by the authorities or through information acquired as part of routine work. More specifically, in Brčko, a newly deployed OSCE human rights officer (a position created in summer 2015) researched the possible impact of the migration crisis in her area of responsibility. Meetings with local authorities led her to the conclusion that these were unprepared. In the rest of the country, the mission was ready to make use of the Temporary Presences Mechanism, which had been created in 2014 to allow the swift and lasting deployment of OSCE officers in the field (stationed in offices rented at short notice for the purpose).

In Kosovo and Albania, the field missions similarly sought to assess the level of preparedness of local authorities following a potential shift in the migration route. In Kosovo, the mission noted that the authorities had conceived a kind of emergency plan, but it did not reinforce its monitoring capacity in this area. In Albania, the presence became more attentive to cross-border movements, but it did not deploy teams of monitors on the ground working specifically on migration (as this would have placed too much strain on limited resources). And while the OSCE mission in Pristina did have officers monitoring the work of municipalities on migration matters, they were not deployed in response to the migration crisis, but only monitored the

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19 *OSCE Mission to Skopje*. 10 June 2016. Update on Activities in the Area of Migrant / Refugee Crisis. SEC.FR/444/16/Rev.1.



reintegration of Kosovo migrants who had been (in)voluntarily repatriated after their exodus in 2014/2015.

### Reporting and liaising activities

The migration crisis led to an expansion of OSCE field missions' reporting and liaising activities. In addition to the usual reporting tasks, in spring 2016, the mission to Serbia published a background report on the migration crisis.<sup>20</sup> A rare occurrence in the reporting work of OSCE field missions, this kind of report covers a broad set of issues, reviews key developments and scrutinises the role of the mission in relation to them. In the background report of March 2016, the mission presented an overview of the migration-related situation in Serbia, its challenges and ramifications and reviewed the activities it had so far undertaken "to assist the host country in integrating a human rights approach into its management system" in the field of migration.<sup>21</sup> In specific terms, the report took stock of recent developments in the number of migrants and refugees, identified the responses of the host country (e.g. the creation of a migration working group in Serbia), identified regional and bilateral implications (e.g. the likelihood that regional tensions could be exacerbated), and identified a series of challenges and threats. For instance, it noted that with the closing of the Balkans route, "there are strong indications that the current situation might increase the risk of migrant smuggling and trafficking in human beings by international organised networks".<sup>22</sup> Drawn up on the initiative of the field mission, the report was transmitted to the Permanent Council in Vienna. Some heads of delegation allegedly expressed a strong interest in this initiative. The mission to Skopje likewise produced a fairly comprehensive background report on its activities in the area of the migrant and refugee crisis.<sup>23</sup> This report provided a timeline of migration-related events in the country as well as a list of activities undertaken by the mission in fields such as anti-trafficking, monitoring and policing.

Additional reports have been produced on particular events (e.g. the mission to Serbia produced a spot report on the incidents in Horgoš in 2015 to raise awareness with the Permanent Council) or particular issues (e.g. the mission to Skopje produced a report on migration-related trafficking of human beings in May 2016, based on joint research carried out with the Macedonian police in Tabanovce). Whether broad or more focused in scope, these reports were not the result of requests from Vienna – although OSCE participating states welcomed them and parallel briefings were organised to inform key actors about their content (e.g. in February 2016 with the police representatives of the Visegrád countries, as the Balkans route was being closed). Rather, they were largely self-generated initiatives on the part of the missions. Such reports have only been produced for Serbia and Macedonia; nor have OSCE field missions produced a report covering the entire region. The missions in

20 *OSCE Mission to Serbia*. 31 March 2016. Background Report. Baseline analysis, project and non-project activities in the field of migration. SEC.FR/230/16.

21 *Ibid.*

22 *Ibid.*

23 *OSCE Mission to Skopje*. 10 June 2016, op. cit.

Tirana, Sarajevo, Pristina and Podgorica have not issued reports focusing on migration, but have only reported on migration occasionally as part of their routine reporting activities.

Another impact of the migration crisis on the activities of OSCE field missions in the Western Balkans has been the (limited) intensification of their strategic co-operation on migration matters. This has particularly been true of the missions to Serbia and Skopje, and to a lesser extent of the presence in Albania. Co-operation between the missions was not formally organized, and took mostly place through informal meetings, at different levels and on an ad hoc basis. In November 2015, for instance, the heads of OSCE missions to Serbia and Skopje organised a joint visit to the One-Stop Centre in Preševo and to the Tabanovce transit station in Macedonia to "observe migrant management procedures and to discuss further cooperation".<sup>24</sup> This initiative was described as "part of the enhanced information-sharing between the two field operations affected by the crisis".<sup>25</sup> Likewise, in February 2016, the heads of the OSCE mission to Skopje and the OSCE presence in Albania met to discuss the latest developments in the migration crisis and the possibility that closing the Balkans route could result in an influx of migrants to Albania. During the meeting, it was agreed to explore the option of conducting joint working-level meetings on the crisis.<sup>26</sup> At the management level again, OSCE meetings in Vienna offered the opportunity for OSCE heads of mission in the region to convene and discuss cooperation on migration-related matters, e.g. within the scope of the Permanent Council special session of 20 July 2016.

The migration crisis ultimately led to the intensification of relations between OSCE field missions in the region and the offices of international organisations and INGOs active in the field of migration. Regular briefings were organised by UNHCR-Serbia and other UN agencies, as well as the EU, which the OSCE mission to Serbia attended. The primary object of these meetings was to discuss the migration crisis. In Macedonia, meetings were held every week with representatives of the government, UN agencies (UNHCR, UNICEF, and others), as well as a wide range of INGO and NGO representatives (Save the Children, Red Cross, the Macedonian Young Lawyers Association, and more). These were attended by the migration focal point and other OSCE officers. Similar meetings have been organised in other Balkans countries for the same purpose, and OSCE field missions have participated. In Montenegro, the practice of regularly discussing the migration crisis started when the Balkans route was closed. The primary purpose of these meetings was to exchange information about the current situation in the country and discuss the activities being pursued by the various actors. Although no international actor took full control of the agenda, the UNHCR clearly played the leading role, at least in Serbia.

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24 *OSCE Mission to Serbia*. 31 March 2016, op. cit.

25 Cit. SEC.FR/444/16/Rev.1.

26 Ibid.

### **Promoting a human rights-based approach to the crisis**

OSCE field missions have been active in promoting a human rights-based approach to the migration crisis. They have, for instance, supported the development of a regional network of civil society organisations (CSOs) working on human rights protection. The work of the network, which was created in 2010, includes the field of forced and voluntary migration. The network facilitates the regular exchange of information between CSOs, provides legal analyses and serves as the basis for joint advocacy action at the national and international levels. From November 2015 onwards, OSCE field missions in the region have supported the organisation of workshops on migration and international human rights law within this network. The mission to Serbia, moreover, supported the translation into English of a 2015 report on human rights in Serbia by the Belgrade Centre for Human Rights, which assesses Serbia's compliance with international standards on the treatment of asylum seekers.<sup>27</sup>

OSCE field missions in the region also supported the organisation by other international bodies of regional meetings on the same issues. For instance, in 2015, they supported an international conference featuring ombudsmen and women and representatives of national human rights institutions from the Mediterranean, the Western Balkans and other European regions, which resulted in the adoption of a joint declaration.<sup>28</sup> Likewise, they supported the organisation of an international conference of ombudsmen and women in Tirana in September 2016 entitled "Challenges for Ombudsman Institutions with respect to mixed migratory flows". This conference ended with the adoption of the "Tirana Declaration on Migration", which will be forwarded to the United Nations for consideration.

Finally, OSCE field missions in the region helped to organise and participated in a two-day expert conference on "Safeguarding Rights of Asylum Seekers, Refugees and Other Persons in Need", organised by ODIHR in Warsaw in November 2015. The aim of the conference was to identify good practices in the treatment of asylum seekers and others and to promote policy measures in line with international law, international human rights law, OSCE commitments and other international standards.

### **Raising awareness at the community level**

OSCE missions, most notably in Serbia, have undertaken a number of activities to raise public awareness at the community level in response to the migration crisis. The mission in Serbia co-operated with civil society representatives in southern Serbia (e.g. with the Preševo Youth Office) to promote a positive attitude towards migrants and refugees in the local population. In November and December 2015, it supported "Titulli", an "independent, bilingual, online-based local media outlet in

27 *The Belgrade Centre for Human Rights*. Human Rights in Serbia 2015. Available at <http://www.bgcentar.org.rs/bgcentar/eng-lat/wp-content/uploads/2013/04/Human-Rights-in-Serbia-2015.pdf> [13.11.2016].

28 Declaration on the protection and promotion of the rights of refugees and migrants. 2015, op. cit.

south Serbia"<sup>29</sup> by providing content for a series of articles and photo galleries on migration-related topics. This initiative was very well received by the public, as media coverage in Serbia has generally been sympathetic to the plight of those caught up in the migration crisis.

In Bosnia and Herzegovina, the mission helped to organise a conference at the Faculty of Law in Banja Luka on the possibility of Bosnia and Herzegovina's transformation from a country that exports migrants into one that welcomes them. The mission also declared itself ready to engage in dialogue with local communities to ease tensions related to the influx of migrants. An effective platform for such dialogue exists in the form of the 19 local "coalitions against hate crime", which were set up with the support of the OSCE. These bring together citizens of all ages and local leaders from different faith and ethnic groups. In Macedonia and the other countries of the region, no mention was made of activities aimed at raising awareness.

### **Local governance and civil society capacity-building**

In Serbia and Macedonia, a number of activities have been launched to reinforce the capacities of local authorities or civil society. In Serbia, the mission has assisted local administrations in areas hit by mounting migration pressures in identifying viable traffic-management solutions (e.g. facilitating dialogue among local authorities and the UNHCR). In Macedonia, the mission will train a total of 60 frontline workers – social workers and NGO activists – in 2016. They are being deployed at border entry-points and transit centres to enhance the early and proactive identification of victims, especially among high-risk groups (unaccompanied minors, migrants, refugees, asylum seekers, victims of violence) by frontline social workers.

In a similar vein, the mission to Skopje sought to enhance access to justice and legal aid for victims of trafficking by advancing a multi-year project: Nearly 20 lawyers will be trained in representing and providing free legal aid to victims. This will enable them to receive hands-on experience through direct involvement in legal processes in ongoing cases of human trafficking and smuggling. Likewise, in June-July 2015, the mission to Skopje took steps to strengthen the capacity of professionals to address cases of people-trafficking and smuggling and apply the principle of non-punishment of victims, contributing to the training of more than 50 judges, prosecutors and law-enforcement officers.

### **Capacity-building in policing and addressing migration-related crime**

Some missions have also responded to the migration crisis by becoming more active in the field of police development. The mission to Serbia, for instance, ran an extra-budgetary project entitled "Mobile Police Station", which aimed to support communities by providing assistance and training to local police forces. Similar projects are ongoing in Macedonia: The mission to Skopje already provided training to more than 100 police officers, mainly from the border police, on the fight against organised

<sup>29</sup> Interview at the OSCE mission to Serbia.

crime and transnational threats. The scope of the training is not limited to, but includes migration-related aspects of police work (in particular anti-trafficking and anti-smuggling measures). For instance, from May 2015 to March 2016, courses were delivered in co-operation with international partners on topics that included profiling and searching tactics, green-border observation training, and basic and advanced identification of falsified documents. In Bosnia and Herzegovina, the chief of police in Brčko expressed her interest in similar training activities, but owing to relatively low numbers of migrants arriving, the mission in Sarajevo did not follow up on her request. In Albania, the mission assisted the border police by providing computers to five border points with the explicit aim of boosting the capacity of local officers to address a possible increase in the numbers of migrants arriving.

These capacity-building measures in the field of (border) police development seek to address the issue of migration-related crime. With the closing of the Balkans route, smuggling and trafficking activities, already thriving at the onset of the crisis, have intensified in the region, and crimes related to illegal migration have become a real problem. Refugees and economic migrants, making up the mixed flows of migrants entering or transiting Western Balkan states, are indeed highly vulnerable to exploitation and human trafficking. Some missions have therefore committed resources to projects addressing this issue. For instance, in Albania, an 18-month project entitled "Protection of children from trafficking, exploitation and irregular migration" was launched in January 2016. The project primarily targets Albanian would-be emigrants by informing them about legal obligations, promoting children's vocational education in remote areas and offering scholarships. Another project, launched in June 2016 by the OSCE Special Representative for Combating Trafficking in Human Beings, targets all migrants entering or transiting through OSCE participating states or partners for co-operation. Entitled "Combating trafficking in human beings along migration routes", this two-year extra-budgetary initiative is supported by the mission to Skopje, and other OSCE field presences in the region. It will involve a total of 200 officials from various institutions in the region, with the aim of enhancing the capacity of participating states from the region and beyond to rapidly identify victims and effectively prosecute traffickers, thus strengthening the overall criminal justice response along these routes.

OSCE field missions, furthermore, have supported the creation of joint operational platforms as a means to increase trust, enhance the exchange of information and promote convergence between police, customs and other departments across the borders of Western Balkan states. They supported, for instance, the establishment, about two years ago, of bilateral information exchange centres (JIEC) between Albania and Kosovo, and Macedonia and Montenegro as well as plans to establish trilateral JIECs between Kosovo, Albania, and Montenegro and Albania, Greece and Italy. Similar centres have already been established in other Western Balkan countries – often on the initiative of the OSCE. They enable law enforcement officers from different countries to meet physically to discuss relevant issues, and can therefore easily be leveraged to strengthen the fight against migration-related crime. Likewise, the mission to Skopje sought to facilitate the establishment of a

common Greek-Macedonian contact centre through various channels, but its attempt has so far not been successful, due to the naming issue.

Finally, OSCE field missions have helped to organise or have participated in various workshops, meetings and conferences for regional law enforcement officers on combating migration-related crime. By fostering cross-border co-operation in that area, OSCE field missions seek to encourage the exchange of best practices, enhance communication and thereby increase the effectiveness of anti-trafficking and anti-smuggling measures. In September 2016, for instance, the mission to Montenegro helped to organise a workshop on irregular migration and migration-related crimes. The workshop was initiated by the OSCE Secretariat and supported by the International Organization for Migration (IOM). Similarly, the mission to Serbia organised a workshop in co-operation with the IOM and the United Nations Office on Drugs and Crime (UNODC) in November 2015 with a focus on crimes related to irregular migration in the Western Balkans. It also supported the participation of representatives from Serbia's Ministry of the Interior in a regional meeting of law enforcement authorities on transnational organised crime, including migrant smuggling, held in Skopje.

In April 2016, the mission supported the organisation of regional meetings of police officers involved in migration-related crimes and trafficking in human beings. The initiative, initially launched by Hungary, was joined by Serbia and Macedonia and supported by the OSCE missions to Serbia and Skopje. These two OSCE missions pushed to widen the geographical scope of these law enforcement meetings. They also looked for ways to institutionalise them. This led to the establishment of a regional platform that provides logistical and technical assistance to meetings of law enforcement authorities in the region designed to address operational issues. Likewise, OSCE field missions recently supported the organisation of a bilateral meeting between Macedonian and Albanian law enforcement authorities, a regional meeting of Western Balkans national anti-trafficking co-ordinators focusing on unaccompanied migrant minors (May 2016), a regional meeting of anti-trafficking national contact points and NGO representatives (September 2016), and a regional meeting of the heads of law enforcement departments from Western Balkan countries and beyond (October 2016). Support for these meetings is not unusual in the work of OSCE field missions – it is part of their ordinary anti-trafficking work. But the potential or actual increase in migration-related crime has placed migration high on the agenda of anti-trafficking co-operation. This increase is reflected in the work of OSCE field missions.

### **Support for research activities**

The migration crisis led to a marginal increase in the missions' interest in or support for research activities. In November 2015, the mission to Serbia, for instance, provided logistical support for Professor Mark Latonero's research on the use of new technologies in migration issues for the organisation of a series of consultative meetings with key actors in Serbia. Similarly, in its new 2015-2020 strategy on Countering Violent Extremism (CVE), the mission in Bosnia and Herzegovina identified the need to

increase support for research on the role of Salafist movements in the country. Although CVE and migration are always separate in the missions' programmes, responses to both overlap in fundamental ways.

## Conclusion

In the past year and further, the OSCE has produced a series of documents related specifically to the migration crisis and field missions have unfolded a broad variety of activities. A first overview of findings, not meant to be exhaustive, but rather responsive to current developments may help in gathering "fresh" ideas and impressions that could inform future work of the OSCE. The approach and role of the missions in the region during the period under review differed considerably although their mandates are similarly limited in flexibility. What can be observed that migration related developments in the host countries are addressed from various angles in a largely experimental manner? Despite the limitations in flexibility and funding to react to unforeseen developments, one can observe a proactive approach, not least to support the host country authorities. Although most European states have conceptualised migration also as a security issue, the overall impression during the research was that the issue rather belonged to the European Union than to the OSCE. In this respect, the specific situation of the Western Balkan countries in relation to the European Union continues to merit closer consideration of the particular challenges confronted by the OSCE field operations. The research presented here shall serve as a contribution for such further analysis on how far the current developments have the potential to change the work of the OSCE and its field missions in Southeast Europe.