

COMPILATION OF WRITTEN RECOMMENDATIONS

(Covering Working Sessions 16-17)

This compilation contains recommendations submitted to the HDIM Documentation Centre in accordance with the established procedure. The compilation is organized by Working Sessions and by what was submitted by Delegations / International Organizations / NGOs to participating States and, separately, to OSCE Institutions / Field Missions or other International Organizations. Recommendations are compiled in original language. This compilation contains recommendations from all documents received at the HDIM Documentation Centre by the end of Working Session 17; documents received after this time will be included later in the Consolidated Summary.

Thursday, 3 October 2013

WORKING SESSION 16: Humanitarian issues and other commitments II

Recommendations to participating States

Ukrainian Independent Maritime Trade Union

- Our union propose to ODIHR OSCE, to any other interested OSCE institutions, national governments, NGO of OSCE region to cooperate with ILO and IMO in a way of establishing the modern standards of seafarers` right such as MLC-2006, to struggle against violation the common, labor and social rights of seafarers and to struggle and prevent the seafarers` discrimination in OSCE region. Coherent organizational and programmatic OSCE mechanisms must be created.

Center for Support of International Protection

Recommendations:

Taking into account the large scale of external labor migration and its significant impact on the economic and social stability in the Kyrgyz Republic, the Government of the Kyrgyz Republic and the authorized bodies in the area of migration should:

- Take timely actions to effectively manage migration processes. One of the measures should be to establish a separate and stably operating administrative body in the Kyrgyz Republic dealing with issues of labour migration and oriented at the processes of external migration from Kyrgyzstan.
- Pay attention to pre departure preparedness of labour migrants consisting of such components as:
 - Providing consultations to labour migrants on the issues of employment and carrying out labour activities, pension, medical insurance and health care and providing the main information about a host country.
 - Medical examination of labour migrants prior to the departure from the country to assess their risks and opportunities;
 - Creating conditions for job training.
- Take effective measures to create favourable conditions for migrants to use labour markets of other countries besides Russia and Kazakhstan, thus having certain control of external labour migration and protection of labour migrants` rights in accordance with international obligations of the Kyrgyz Republic.
- Promote the development of a competitive market to provide service abroad which is currently in Kyrgyzstan, particularly in the south, in rudimentary

condition. At the same time to increase the efficiency of measures to stop the activities of firms providing intermediary services illegally.

- Initiate adoption of the KR law about private employment agencies corresponding to the international legal tools in the area of labour migration.
- Take measures to create the best environment for labour migrants' stay in host countries, particularly to strengthen the work on the extension of period of KR citizens' stay without registration in host countries.
- Consider the issue of providing affordable health care to the KR citizens in host countries. For that purpose to provide for the opening of specialized medical rooms under diplomatic missions of the Kyrgyz Republic or to sign appropriate agreements with state and private health care facilities in host countries.
- Initiate public discussion of the Government Decree #222 about effective guarantees of pension rights of the labour migrants, citizens of the KR.
- Take measures on step by step introduction of mandatory medical insurance into practice with the purpose of possible obtaining a standard package of medical services in host countries.
- Develop mechanisms of creating conditions for the KR citizens to acquire financially affordable health care policies in host countries.
- Prepare a labour migration situation report and submit it timely to the UN Committee on labour migrants so that it can be considered timely in 2014.
- Increase the participation of NGOs in consultative bodies of the KR.
- Take measures to improve technical equipment of diplomatic missions in the Russian Federation and the Republic of Kazakhstan.

Recommendations in the health care sphere:

- Set up a system of recording and statistical reporting of the incidence among labour migrants in host countries applying to health care facilities of host countries regarding the issue of obtaining the statistics of incidence of the KR citizens in order to include the data into the national reporting system and to take appropriate measures.
- Conduct awareness raising activities among the population about the need to have fluorography examination of the total population.
- Provide assistance to health care facilities in host countries with the supply of information posters, booklets and leaflets on reproductive health, STIs, HIV, safe motherhood in the Kyrgyz and Russian languages.
- Apply to international and donor organizations with the suggestion to consider the possibility of providing health care centers/public associations in host countries rendering services to labour migrants of the KR with free contraception means.

In the area of education and science

- Recommend studying the opportunity to prepare experts on migration.
- The Ministry of Foreign Affairs of the Kyrgyz Republic in collaboration with the KR embassies in the Russian Federation and Kazakhstan to:
 - Develop a long term comprehensive plan on the work with labour migrants.
 - Continue the practice of expanding diplomatic missions using the institutions of honorary consuls.
- Pay attention to the opportunity to use the resources of Kyrgyz Diaspora especially in the Russian Federation. The KR embassy should become a body consolidating associations of compatriots and coordinating their activities.

Diplomatic services of the Kyrgyz Republic in countries hosting the KR citizens should:

- Strengthen the work on interaction with local authorities on the issues of protection of rights and legal interests of the Kyrgyz Republic citizens, monitoring and timely response to the cases of indicated violations.
- Focus attention on the effective provision of rights under the legislation of host countries and international agreements, conduct monitoring of criminal cases and court verdicts for the citizens of the Kyrgyz Republic to check the effective representation of their rights and legal interests in the authorized state bodies including penitentiary institutions and judiciary bodies.
- Introduce into the practice of consular services the monitoring of court verdicts on the labour migrants' cases posted on the sites of regional and higher courts.
- Study the reasons of gender imbalance of the staff in order to develop a system of measures to introduce principles of gender equality into the staff policy and increase representation of women in diplomatic missions and consular agencies including lawyers.
- Improve the media cooperation in host countries in order to reduce the stigmatization of labour migrants and to promote tolerant attitude of the local population to labour migrants.

Recommend ratifying international conventions about the protection of labour migrants' and their family members' rights by host countries and to incorporate the international norms into the national legislation:

The government of the Russian Federation:

- Activate joining of the Russian Federation to international agreements about the rights of labour migrants: UN International Convention about the protection of all migrants' and their family members' rights as of 1990; Convention of ILO #97 (revised) about labour migrants as of 1949; Convention of ILO #143 about labour migrants (additional provisions), 1975; European Convention about the legal rights of labour migrants, 1977.

The government of the republic of Kazakhstan:

- Ratify ILO Convention #97 about migrant workers (revised in 1949) and Convention #143 about the abuse in the area of migration and providing migrant workers with equal opportunities and treatment.

European Union (EU)

Recommendations:

- Continue the regular review of the implementation of the OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area by ODIHR. In this context, participating States should respond promptly and comprehensively to ODIHR's requests for information;
- Exchange best practices on policies to improve the situation of Roma and Sinti and on devising and implementing mechanisms for the monitoring of commitments in this field;
- Enhance data collection with regard to the situation of Roma and Sinti in all fields of the Action Plan;
- Enhance cooperation among international organizations with regard to improving the situation of Roma and Sinti.

Soteria International

- Soteria International recommends OSCE/ODIHR and the OSCE participating states to work for the protection of refugees to make sure that they are not threatened by EU directives.
- Soteria International recommends to OSCE/ODIR and Sweden to take full protection of the refugee's rights, and not disregard or annul the asylum in order to fit political directives.

Georgia

Taking into account all above mentioned, we deem it necessary to:

- Call upon the Russian Federation to immediately stop and reverse the process of the barbwire fence installation along the occupation lines in the Tskhinvali and Abkhazia regions, and to comply with the provisions of the 2008 Ceasefire Agreement and its commitments under international law.
- Call upon the Russian Federation to comply with its obligations under international humanitarian and human rights law and as an occupying power, cease the ongoing flagrant violations of fundamental rights and freedoms of the population residing in the occupied territories and in their vicinity.
- To place OSCE at the forefront of addressing displacement and its consequences. To underlie foundations of our work, the OSCE needs to strengthen its normative and functional basis for dealing effectively and successfully with displacement.

Recommendations to International Organizations

Georgia

- Urge the international organizations to duly assess Russia's illegal activities, and undertake appropriate measures in response to the deteriorating security and human rights situation, including through activating human rights monitoring mechanisms.

Recommendations to the OSCE

Ukrainian Independent Maritime Trade Union

- В силу этого мы требуем от БДИПЧ ОБСЕ дать оценку степени воздействия таких вопиющих фактов на состояние безопасности в регионе ОБСЕ и содействовать прекращению их последствий путем воздействия на власти РФ для освобождения незаконно захваченного гражданина Украины Александра Федоровича. Для содействия предотвращению таких ситуаций в дальнейшем ОБСЕ может содействовать ускорению переговорного процесса по установлению границы между РФ и Украиной в АМ, поскольку сегодня данный процесс фактически блокирован действиями РФ.
- Our union propose to ODIHR OSCE, to any other interested OSCE institutions, national governments, NGO of OSCE region to cooperate with ILO and IMO in a way of establishing the modern standards of seafarers' right such as MLC-2006, to struggle against violation the common, labor and social

rights of seafarers and to struggle and prevent the seafarers` discrimination in OSCE region. Coherent organizational and programmatic OSCE mechanisms must be created.

Soteria International

- Soteria International recommends OSCE/ODIHR and the OSCE participating states to work for the protection of refugees to make sure that they are not threatened by EU directives.
- Soteria International recommends to OSCE/ODIR and Sweden to take full protection of the refugee`s rights, and not disregard or annul the asylum in order to fit political directives.

Thursday, 3 October 2013

WORKING SESSION 17: Discussion of human dimension activities (with special emphasis on project work)

Recommendations to the OSCE

Soteria International

- Thus our recommendation to OSCE/ODIHR is to consider to provide stipulations, indicators and guidelines on media coverage of court cases and to prepare provisions for trial monitoring and for recognition of the court decisions, based on criteria pertaining to media coverage.

Friday, 4 October 2013

CLOSING PLENARY SESSION

Recommendations to participating States

United States of America

- As we work towards next year`s HDIM, the United States would like to offer a challenge to all delegations. We should each endeavor to reflect in real-time the feedback and ideas we have heard from each other and from civil society. We should use the closing session next year to identify key areas where specific follow up actions are needed. In short, we should use the HDIM not only to share our assessments, but also to identify concretely how we will improve implementation.

Recommendations to the OSCE

Russian Federation

- Надеемся, что институты ОБСЕ внесут весомый вклад в преодоление современных вызовов и угроз. Призываем нового Верховного комиссара г-жу Астрид Торс (ВКНМ) активно работать над исправлением ситуации в странах Прибалтики. Полагаем, что БДИПЧ стоило бы сфокусироваться на анализе ситуации и обмене наилучшей практикой по борьбе с проявлениями расизма, агрессивного национализма и неонацизма, религиозной нетерпимостью, по защите детей, обеспечению

социальных и экономических прав. Убеждены, что развитие Интернета, современных информационно-коммуникационных технологий требует актуализации устаревшего мандата Представителя ОБСЕ по свободе СМИ. Рассчитываем, что г-жа Д.Миятович будет уделять пристальное внимание противодействию распространения языка ненависти в СМИ.