Proposed Mechanisms for Compliance with Migration and Human Rights Agreements between El Salvador and Governments and Civil Society of Countries of Transit or Residence of Salvadoran Migrants

## Objective

The compliance mechanism is a tool for including in an only system the different elements to protect the rights of Salvadoran migrants as established in current and future migration agreements of El Salvador with governments and State institutions and civil society, in countries of transit or residence of Salvadoran nationals.

## Elements to Consider in Agreements with Governments and State Institutions (Federal, State, Local)

* Respect for the human rights of Salvadoran migrants (human rights violations by authorities and serious crimes by organized crime groups or common criminals);
* Dignified treatment of Salvadorans by State authorities in countries of transit or residence;
* Safe repatriation of Salvadoran nationals, particularly boys, girls, and adolescents, by immigration authorities in countries of transit or residence;
* Human security (absence of fear and unmet needs; security in view of chronic threats; protection against sudden and harmful interruptions of daily life patterns)[[1]](#footnote-1);
* Respecting and facilitating consular protection efforts;
* Humanitarian aid for Salvadorans in vulnerable situations.

## Elements to Consider in Agreements with Civil Society Organizations

* Monitoring human rights violations and serious crimes against Salvadoran migrants;
* Protecting Salvadoran migrants, especially migrants in vulnerable situations;
* Legal aid and access to justice in cases of human rights violations and serious crimes;
* Humanitarian aid.

## Mechanisms with State Governments and Institutions in Countries of Transit and Residence and with Civil Society Actors

1. A Follow-up and Evaluation Committee between the Ministry of Foreign Affairs and the relevant State institution (immigration authorities, foreign affairs, etc.) or civil society (churches, shelters, human rights commissions, NGOs, community organizations, etc.) to promote and coordinate policies on implementation of agreements; issue opinions, observations, and recommendations on the agreements; issue, approve, and make changes to reports and operations guidelines; and promote new agreements or incorporate new actors.
2. Groups to follow up on State institutions and civil society in regard to specific topics included in the agreements.
3. An operative technical team of the Ministry of Foreign Affairs that is in charge of the following tasks for the Follow-up and Evaluation Committee: preparing assessments of the agreements and their implementation, execution plans, monitoring implementation, follow-up indicators, evaluation procedures, reports, policies, and performing any other technical tasks required to ensure implementation of relevant agreements with State institutions and civil society.
4. An operations guidelines document to enable implementing agreements with State institutions or civil society.
5. A document on measurable indicators to assess advances (or lack thereof) in regard to compliance with agreements with State institutions and civil society as well as their impact on Salvadoran migrant populations.
6. A document on procedures for monitoring agreements, relevant topics, and advances in a regular manner.
7. An agreement implementation plan, including an assessment of the current status of agreements; with measurable objectives and verifiable timelines.
8. Regular reports on advances and compliance with agreements.
9. A regular evaluation of the agreements.

1. Human Development Report 1994, UNDP. [↑](#footnote-ref-1)