



Conferencia Regional sobre Migración
Regional Conference on Migration

FOURTH MEETING OF THE AD-HOC WORKING GROUP ON EXTRA-REGIONAL MIGRANTS

MEXICO CITY, MEXICO / 6-7 July, 2017
REPORT OF THE MEETING

BACKGROUND:

The *Ad-Hoc working group to discuss, analyze and define objectives on the topic of extra-continental migration flows in the region* (as it was called), was created during the RCGM meeting in Santo Domingo, the Dominican Republic, in 2011.

This ad-hoc group held its first meeting during 2012 in Panama City, Panama. After this meeting, the topic was approached again in Mexico at a meeting between extra-regional countries of origin and RCM countries. The objective of this approach was to strengthen relationships and favor the exchange of information. Then, the group was inactive until 2016, when it was reactivated through a meeting held in Panama. The current situation at that time helped to reach agreements regarding the exchange of information both, within the region and with the countries of origin of these flows, in order to narrow the relations with the countries of origin and to work against trafficking in persons and migrant smuggling.

Following up on those commitments reached in Panama in 2016, the ad-hoc group held a virtual meeting in August to revise the matrices for the exchange and systematization of information on extra-regional migrants flows in the framework of the RCM in order to better control these flows in the region.

The ad-hoc group held its third meeting in San José, Costa Rica, in November 2016; some countries of origin like Haiti and others from the South American Conference on Migration (SACM) attended the meeting. Several agreements resulted from this gathering, especially those intended to produce and exchange hard data on this topic and to generate more cooperation agreements with SACM member countries and countries of destination, in order to tackle this issue from a perspective of shared responsibility. The meeting also helped to review and resume some pending agreements on this topic.

Also, this topic has been discussed in other spaces within the RCM. It is worth mentioning that during the Vice-Ministerial meeting held in San Pedro Sula, Honduras, the Vice-Ministers of the RCM Member Countries agreed to use the proposals of the ad-hoc group as reference to carry out their activities on this matter. They also agreed to hold a fourth meeting with the support of Mexico. It was also agreed to share the work of the RCM on this topic with the SACM and to maintain the cooperation between both Conferences.

In this regard, the agenda of the most recent meeting between the SACM and the RCM held on March 30th, in Washington D.C., included an important amount of time for this discussion and both Conferences committed to exchange information about their considerations and agreements on extra-regional migrants, as well as to keep a more fluid communication about the migration situation in both regions. This opportunity was also used to extend a kind invitation to the SACM for its participation at the Fourth meeting of the ad-hoc working group on extra-regional migrants.

It is important to highlight that since 2014 the Department of Public Security (DPS) from the Organization of American States (OAS), with the financial support of the European Union (EU), and in coordination with the International Organization for Migration (IOM) and the Office of the United



Nations High Commissioner for Refugees (UNHCR), is currently implementing the "Prevention of Crime related to the Irregular Migration in Mesoamerica" program. Through such initiative, the prevention and combat of crime related to irregular migration has been promoted; as well as the protection of human rights of irregular migrants, particularly of groups in situation of vulnerability.

PARTICIPANTS:

Representatives of the following Member Countries of the Regional Conference on Migration (RCM) attended the meeting: Canada, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Panama, the Dominican Republic and the United States. Also, Brazil, Ecuador and Haiti, attended as special invitees.

The United Nations High Commission for Refugees (UNHCR), the International Committee of the Red Cross and the International Organization for Migration (IOM) participated with some presentations and in their capacity as observers of the RCM.

The event was funded by the OAS, which also participated through the Program for Prevention and Combating Crimes related to Irregular Migration in Mesoamerica.

TOPICS DISCUSSED DURING THE FOURTH MEETING:

1. Revision of the current situation of extra-regional migrants flows in the region.
2. Exchange of information and best practices on the assistance to and governance of extra-regional migrants' flows.
3. Follow up of previous agreements and the creation of new ones, to be included in a plan of action of the RCM on extra-regional migrants, which will be submitted for Vice-Ministers' approval

1. Review of the current situation of extra-regional migration flows through the region

RCM Member Countries, with support from observer organizations, provided updates on the current situation regarding extra-regional migrants and highlighted the relatively calm period on this topic between countries of origin, transit and destination.

Member Countries recognized that IOM's operational framework has a specific methodology to implement the plans for assisting this population.

With support from observer organizations, the following was highlighted:

- Any country is susceptible of having a quota of extra-regional migrants.
- There are spaces for strengthening regional cooperation.
- Permanent cooperation of countries of origin, transit and destination is required.
- Unilateral decisions affect the efforts of neighbor countries.
- Fluid communication is vital for managing migration issues in the region and in order to be prepared for any situation.
- It was recognized that most extra-regional migrants do not want to return to their countries of origin.

The UNHCR highlighted that most people who enter irregularly keep indicating that they migrate due to economic and personal reasons, although some have had to run away because of persecution,



armed conflicts or situations in which massive violations of human rights occur. There are coincidences between refugees around the world and those who arrive to the continent and are recognized as refugees. The UNHCR stressed the need to recognize the differences between the concepts of migrant and refugee in terms of protection and emphasized the need to double coordination efforts among States, especially regarding the principle of non-refoulement.

The ICRC emphasized that the OAS prepared a report on the situation of extra-regional migrants in the continent. This report contains inputs that were requested to the ICRC. In view of the high risks of disappearance, the ICRC calls on the authorities to investigate the causes of those disappearances.

On the other hand, the OAS made a presentation about the Program for Prevention and Combating Crimes related to Irregular Migration in Mesoamerica and the "*Information System on Crimes affecting Migrant Persons in Irregular Situation*" that it developed.

2. Exchange of information and best practices regarding assistance and governance of extra-regional migration flows

Countries shared their advances and best practices in the assistance to flows of extra-regional migrants. Haiti, Brazil and Ecuador participated as countries of origin and transit. It is worth mentioning that the representative from Haiti expressed the interest of this country in asking for a membership in the RCM.

Mexico, as host country, underlined three topics: 1) the importance of continuing the dialogue; 2) strengthening cooperation between countries; 3) stressing the importance of addressing these topics from a regional instead of a national view.

As part of the dialogue, Brazil was asked about the reception of returned migrants that have had residence in Brazil. The return of migrants can only be made if their last boarding point was Brazil and returned regularized migrants cannot be received from a third country. Also, the return must be at the will of the returned person.

There was an open dialogue with the RNCOM for the exchange of information; they presented a documentary video on extra-regional migration which they produced. Mr. Francisco Rico made a remote participation.

3. Follow up of previous agreements and creation of new ones to be included in an RCM Work Plan on extra-regional migrants, which would be submitted for the approval of the Vice-Ministers

Previous agreements:

- The creation of an integrated system used to share information on migration flows, specifically extra-regional migrants.
- The establishment of diplomatic relations with States of origin
- To share with countries of origin, whenever possible, copies of the passports of the irregular extra-regional migrants in order to help on their identification.
- The United States offered their support for installing and interconnecting the APIS system (wherever it is not available), as well as portable systems for collecting biometrical data.



- To strengthen cooperation by sharing biometrical information with countries of entry and transit in order to determine the identity and nationality of migrants.
- Proposals for the exchange of information on extra-regional migration and its migration routes in the framework of the RCM.
- The countries of origin were asked to establish a better link with their diaspora, so they can alert their nationals about the risks of irregular migration.
- To work in a deeper and more coordinated way with civil society organizations in order to sensitize migrants about the risks and difficulties they will face during their journey to their destination countries.
- It was proposed to establish a network of consulates in Washington which includes RCM Member Countries and the countries of origin to handle these cases.
- To work with transportation companies for the prevention and to combat migrant smuggling and trafficking in persons. Look for an APIS-like system for bus companies in Central America.

Countries commented on the importance of linking the following actions:

1) To resume the use of the SIMMES statistical information platform and to thank Mexico's offer to systematize the data of the matrices developed in the framework of this Ad-Hoc Group in order to have standardized and comparable information.

2) To count with strategic information for taking decisions on policies, migration management and protection of migrants.

- To share details on the repatriation agreements and on how to implement them.
- To have a mechanism for the exchange of sensitive information. Signing of agreements and minimum rules.

3) Synergies with other efforts; OAS, RCM's Trafficking and Smuggling Network

4) Institutional coherence within the region.

The importance of seeking coherence of regional policies is vital for the wellbeing of extra-regional migrants in order to avoid their suffering and being victims of wiles. The fact of having not so coincident policies makes that people end up being caught by trafficking networks in detriment of their human rights.

5) To build a regional positioning related to the Global Compact on Migration for Safe, Orderly and Regular Migration.

CONCLUSIONS AND RECOMMENDATIONS:

- To identify alternative measures to safeguard the principle of non-refoulement.
- Principle of shared responsibility, which allows us to reach tangible solutions.
- To seek regional coherence.
- Respect for human rights.
- Because of the vulnerability of flows, migrants should be beneficiaries of international protection.
- Seek specific cooperation to assist migrants, when required.
- Increase knowledge on the topic of international flows.
- Knowledge of the phenomenon involves sharing migration policies with other countries (getting to know the policies of those countries and knowing how they apply existing regulations).
- To have statistics of these flows on a regular basis.



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- It was recognized that this is not an Ad-Hoc Group anymore, but an established working group. The following proposal will be submitted to the Vice-Ministers: That the group meets face-to-face once a year and twice a year on a virtual basis.

It was agreed that the Ad Hoc Group is constituted on a permanent basis, pending the decision of the Vice-Minister. It would meet at least twice a year, either on a virtual or face-to-face basis, and would be activated whenever there is an extraordinary situation related to extra-regional migration.

Member Countries consider that these tasks must be permanent:

- To exchange of statistical information
- To monitor trends and behavior of migration routes
- To exchange intelligence information on immigration control
- To systematize the information provided by the countries, a task that is in charge of Mexico, in coordination with the Technical Secretariat of the RCM.
- To implement the "Regional guidelines for the preliminary identification and referral mechanisms for migrant populations in vulnerable situations."
- To work together with civil society organizations so that they can sensitize migrants about the risks and difficulties they will face during their journey to the countries of destination.
- To coordinate actions under shared responsibility approaches.

NEXT STEPS:

- To propose to the Vice-Ministers that the Ad-Hoc Group meets face-to-face once a year and twice a year on a virtual basis.
- To hold a virtual meeting of the Group, in the last week of September 2017, for the revision of the proposed work plan to be presented for the approval of the Vice-Ministers. The work plan will have three axes:
 - Information (statistics, information campaigns for migrants, prevention actions, early warnings)
 - Coordination (policies, legislation, declaration)
 - Cooperation (Memorandum of Understanding, cooperation with the SACM, observer agencies)
- To hold the Fifth Meeting of the Ad-Hoc Group on Extra-regional Migrants in the first quarter of 2018, sponsored by Costa Rica.