**Capacity Building/Training Workshop on Disaster Displacement, Migration and Climate Change for RCM member countries**

**8-9 August 2017**

**United Nations’ University for Peace**

**San José, Costa Rica**

**REPORT**

**Report day 1**

**August, 8th 2017**

The workshop begins with the inauguration session with opening remarks by Ms. Ana Irma Rodas representing the Presidency Pro-Tempore, Daria Mokhnacheva on behalf of IOM, representatives from the Platform on Disaster Displacement (PDD), Sarah Koeltzow and Juan Carlos Mendez, as well as welcoming remarks from Mr. Mirko Giulietti, Switzerland´s Ambassador in Costa Rica.

Afterwards, an introduction to the workshop and the working methodology took place. Firstly, the Coordinator of the Technical Secretariat, Mr. Luis Alonso Serrano and Mr. Juan Carlos Méndez, focal point of the PDD for the CRM, shared some background of the work of the PDD within the framework of the CRM. After, Ms. Daria Mokhnacheva conducted an activity for the participants of the workshop to introduce themselves and mention their area of ​​work in order to know the various profiles participating in the Workshop. Later, Ms. Sieun Lee, conducted a group work activity to establish various concepts related to migration, displacement, environment and climate change. After receiving the inputs from the groups, Ms. Lee did a presentation on this terminology, concepts and definitions in more detail and how the concepts would be used for the purposes of the workshop.

Later on, Ms. Daria Mokhnacheva conducted a participatory exercise on the different typologies of disasters, both sudden and slow onset disasters. During the session, it was noted that natural hazards are part of the cause of disasters and displacement and that the main cause of displacement by disasters are floods, followed by storms and then earthquakes. It was emphasized that there are no general solutions, and that it is necessary to analyse the needs of the people, the natural threats in different areas and the measures to avoid the displacement, as well as to consider durable solutions, such as the return to the countries of origin and local integration. IOM´s intervention process to reduce risk and develop resilience, during and after the disaster, was also addressed. Next, Ms. Mayvelline González presented the tools for Disaster Displacement Monitor: IOM's Displacement Tracking Matrix (DTM). Particularly noteworthy is that displacement by disasters has increased and when it comes to displacement across international borders it can increase vulnerability in the absence of an appropriate support policy. Therefore, it is concluded that it is necessary to formulate policies to intervene at all stages of the migratory cycle in order to prevent or prepare for displacement, respond to displacement, mitigate the impact of displacement and propose durable solutions.

Subsequently, a panel about international and regional law on the protection of cross-border displaced persons in the context of disasters was held. The panel covered the legal perspective of environmental migration and legislation, policies and practices in the Americas. During the panel, Ms. Erika Pires of the South American Network on Environmental Migration (RESAMA) participated, stressing that countries have an obligation to protect environmental migrants and ensure their rights. Ms. Pires mentioned that the regional refugee protection law, through the Cartagena Declaration, provides an extended definition of refugee protection; also noted that the San José Declaration recognizes other important dynamics and forecasts. She pointed out that during disasters, it is the obligation of the affected State to seek assistance and not to impede the consent of offers of assistance; to apply protective measures; evaluate viable measures and adopt measures to minimize displacement and its adverse effects, among others. Voluntary return, integration into the host community or voluntary resettlement in another part of the country should be facilitated, as well as facilitating the recovery of land, houses, property and other property left behind.

Mr. Juan Carlos Murillo, Head of UNHCR´s Regional Legal Unit, explained the difference between migrants and refugees and pointed out that people who crossed borders due to disasters are not refugees. In these cases, the principle of non-refoulement can be applied, since it applies not only to refugees. Referring in particular to Article 22.8 of the American Convention on Human Rights, which may be applied without national legislation in this regard in any country that is part of this Convention, complementary protection measures and humanitarian visas may also be applicable. Mr. Murillo highlighted the importance of lowering this information to the operative sections and not leave it only for the strategic part.

The facilitator made a summary of the main things taught during the first day of the workshop, recalling the key concepts learned such as climate change, migration and displacement; types of disasters and practices and legal frameworks in the region.

**Report Day 2**

**Wednesday 9th 2017**

The first activity on the second day was an active recapitulation exercise among workshop participants. The objective was to overview the shared information from the previous day. This presentation was divided into the same chapters included in the Guide. Part I covered the general provisions of the guide. Reference was made to the 3 possible scenarios covered by the guide: 1. Protection of foreigners from disaster affected countries on humanitarian grounds. 2. Protection of foreigners from disaster-affected countries that are abroad when the disaster takes place 3.Protection of migrants living in or transiting through a disaster affected country. It is also mentioned that the guide is designed for sudden disasters and the beneficiaries are the people of the scenarios mentioned, the document is addressed to States.

Part II of the guide includes suggestions for humanitarian protection for foreigners from countries affected by disasters. It suggests positive discretion for humanitarian reasons in the area of ​​immigration and a number of limitations on this discretion. This chapter also mentions legal agreements that the States already have, and in specific cases, the use of the refugee figure. Regarding the identification of foreigners affected by disasters, the guide proposes to carry out an analysis to provide humanitarian protection to those who are directly and severely affected by the disaster. Additionally, it suggests using categories of groups of people to assist them in the most expeditious manner. As for foreigners, they should have the same treatment, not below universal human rights and keep present the best interest of the child.

For Part III reference is made to the activation and eligibility of the guide as well as effective practices in the use of migratory categories for each of the 3 scenarios cited above and examples of actual cases. On the other hand, Part IV refers to the importance of international cooperation in these situations and the mechanisms that States can use to address the issue of human mobility in the context of natural disasters.

After, Ms. Mayvelline González did a presentation to review the MICIC Guidelines, which seek to protect migrants in countries in times of crisis. These guidelines are addressed to the various interlocutors who interact at the moment. The Guidelines and Initiative are aimed at building the capacities of States and other stakeholders who can be involved in the response to these disasters. The Initiative focuses on preparation, response, and recovery. The guidelines are not binding and there are 15 guidelines to be followed. Each guideline has principles and practices involving any non-citizen present in a country during a conflict or disaster, except for refugees, stateless persons or asylum seekers, because they are protected through other types of instruments. Ms. González briefly discussed 4 case studies carried out by the Initiative.

The facilitators conducted a group activity called “Power Walk”. The activity consisted in a role play in which the participants assumed a role of a migrant person and took steps forward, depending on the outcome of the questions. Subsequently, Ms. Siuen Lee presented a Case Study on Planned Relocation and Dominican Republic presented information on the activation of the protocols of the Dominican Republic in the case of the Haiti earthquake. Assistance was activated by air, land and maritime corridor also, weaknesses, strengths and recommendations were identified by the facilitator.

As a final activity, the participants worked as a group in an exercise to plan and integrate human mobility into national and regional policies. The participants had to make a proposal for a regional coordination plan through practices and means, taking into account what was learned in the workshop and 'Guide to Effective Practices for RCM Member Countries. Protection for people moving across borders in the context of disasters'. After, a plenary session was held about the proposals presented by the various groups, who concluded:

* The norms of each country should be complementary
* Predict the various scenarios
* Improve the use of technology
* Unification of criteria at local, binational and regional levels.
* Establish a regional agreement or bilateral agreements
* Strengthen regional communication (build regional protocols)
* Establish national agreements and with intergovernmental agencies. (There is no agency with the mandate of addressing disaster displacement.)
* Highlighted the importance of integrating actors within a country, before going to the regional level, for example linking national institutions and civil society actively.