



Conferencia Regional sobre Migración
Regional Conference on Migration



Regional Conference
on Migration 2022
El Salvador • Presidency Pro-Témpore



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EL SALVADOR

Technical Exchange on Migrant Smuggling

Working Group on Border Management Regional Conference on Migration (RCM)

CONCEPT NOTE

14-15 June 2021

CONTEXT

The Member Countries of the Regional Conference on Migration (RCM) have worked together, with the support of the International Organization for Migration (IOM), the United Nations Office on Drugs and Crime (UNODC) and other observer organizations, in the elaboration, implementation and follow-up of the Counter-Smuggling Work Plan (2019-2025)¹. With its approval, Member Countries are urged to implement the proposed actions, aimed at obtaining practical and effective solutions to address the challenges posed by the smuggling of migrants and thus strengthen the regional framework for migration governance.

The approved Plan has a five-year implementation period, and although it is non-binding in nature, it reflects the commitment and political will on the part of the States to coordinate efforts in the fight against this scourge, implementing the provisions of the Organized Crime Convention and the Protocol on Migrant Smuggling. The Plan was conceived as an instrument that can be renewed and expanded based on the results and impact obtained. In June 2019, the Regional Follow-up Workshop on the Work Plan was held in Mexico City, during which the representatives of the Member Countries prepared a matrix of regional and national priority actions in the four thematic areas that make up the document: 1. Intelligence and investigation; 2. Cross-border judicial cooperation; 3. Administrative detention and alternatives; and 4. Protection.

In November 2020, the Working Group on Border Management conducted the "Consultation: progress and challenges in the implementation of the Regional Plan on Migrant Smuggling", through a web form that was sent from the Executive Secretariat of the RCM to the delegates of the Member Countries, so that they could assess their level of progress according to their migration realities and the priorities defined in the first follow-up meeting of the Plan, held in Mexico in 2019.

Based on the consultation, the countries identified a series of actions to be prioritized for the

¹ <https://temas.crmsv.org/en/content/counter-smuggling-work-plan-2019-2025>



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implementation of the Work Plan. Most of the actions are found in Axes 1, 2 and 4, corresponding to investigation and police intelligence, cross-border judicial cooperation and protection, respectively.

Goal nine of the Global Compact for Safe, Orderly and Regular Migration establishes the commitment to strengthen the transnational response to the smuggling of migrants. Actions to achieve this include the use of transnational, regional and bilateral mechanisms to exchange relevant information and intelligence on smuggling routes, the modus operandi and financial transactions of smuggling networks, the vulnerability of smuggled migrants and other data in order to disrupt smuggling networks and improve joint responses².

During the Regional Review of the Global Compact in Latin America and the Caribbean, held on April 26-28, 2021, the region recognized that one of the most important challenges in the fight against trafficking in persons and smuggling of migrants is to expand pathways for regular and safe migration, strengthen capacities to prevent, identify and respond effectively to various forms of exploitation, and allocate human and financial resources to border and rural areas, where these crimes have increased, particularly in the context of the pandemic. Thus, it is essential to strengthen cross-border coordination in the existing spaces for action and regional coordination between government and authorities, among criminal justice representatives. Constant and coordinated work is required by front-line officials in the detection, identification, assistance and protection of victims of trafficking and migrants who are victims of other crimes related to smuggling, for their care and safe channeling to service providers, carrying out the corresponding investigations and sentencing the criminals³.

JUSTIFICATION

The importance of the issue of smuggling of migrants and its behavior in the region, as well as its growing trend and the complexity that characterizes it, make it an issue of great relevance within the Member Countries of the RCM.

An alarming and ongoing threat is exposure to migrant smuggling networks to cross international borders and to move internally in transit countries, with what the above entails in terms of risks and exposure to the violation of the rights and physical integrity of migrants.⁴

² <https://undocs.org/en/A/RES/73/195>

³ https://migrationnetwork.un.org/sites/g/files/tmzbd1416/files/docs/mesa_3_nota_de_antecedentes_eng.pdf

⁴ Large Movements of Highly Vulnerable Migrants in the Americas from the Caribbean, Latin America and other Regions at: <https://publications.iom.int/books/large-movements-highly-vulnerable-migrants-americas-caribbean-latin-america-and-other-regions>



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Thus, the issue is mainstreamed into the three fundamental pillars of the RCM Strategic Plan: migration governance; preparation, protection, assistance, and irregular migration; and integration, migration and its link to development. Its implementation is the responsibility of specific working groups, one of which is the Border Management Working Group, which assists in the follow-up of the actions defined to address the main regional challenges in the area of migration.

Transit from South America to North America of migrants from the Caribbean, Asia and Africa has been developing for around a decade. At present, migration flows have increased due to the socioeconomic crisis brought about by the COVID-19 pandemic, disasters, and political instability in countries of origin and residence, and reached a record number of more than 130,000 irregular migrants transiting the Darien in 2021⁵.

According to information documented by UNODC in the study *Abused and Neglected in Central America*⁶, travel across the Darien Gap is particularly dangerous. In the course of their journeys through the Darien Gap, migrants frequently lack access to clean water, endure significant exposure to natural hazards and dangerous animals, and endure theft, abuse, and exploitation, not only at the hands of smugglers, but also from local guides, residents and law enforcement officials. The smuggled migrants interviewed systematically reported having suffered physical violence, inhuman and degrading treatment, sexual violence, kidnapping, extortion, illegal deprivation of liberty, exploitation, hunger, thirst, little or no access to medical care, with many losses of lives during transit. These abuses and aggravations of smuggling are rarely committed in isolation and are often multidimensional. The abuses committed against the migrant population have various causes, including profit, the satisfaction of the perpetrator, coercion, intimidation, punishment, or control of migrants who are the object of smuggling for fear of being detected or for the advancement of the journey. Profit seems to be a predominant cause in all categories of abuse.

It is necessary to review the actions defined in the Counter-Smuggling Work Plan, in order to eventually adjust in accordance with the emerging needs derived from the regional context.

In consideration of the priorities identified by the Member Countries, the Working Group on Border Management proposes to develop a technical exchange among the members of this Working Group, in order to promote dialogue and regional cooperation on the smuggling of migrants within the framework of the RCM. The activity will be developed with the support of

⁵ Large Movements of Highly Vulnerable Migrants in the Americas from the Caribbean, Latin America and other Regions at: <https://publications.iom.int/books/large-movements-highly-vulnerable-migrants-americas-caribbean-latin-america-and-other-regions>

⁶ https://www.unodc.org/documents/human-trafficking/2021/Aggravated_SOM_and_Gender.pdf



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the IOM and UNODC, agencies that have accompanied the RCM since the inception of the Counter-Smuggling Work Plan.

OBJECTIVES

- Promote the exchange of experiences, good practices and collaboration among the institutions of the Member Countries of the RCM linked to the comprehensive fight against the smuggling of migrants.
- Identify challenges and opportunities in terms of bilateral and multilateral cooperation for the identification and dismantling of migrant smuggling networks.
- Establish specific regional actions for the exchange of information and intelligence on cases of migrant smuggling to be implemented in the short-medium term.
- Identify sustainable and timely strategies for protection and assistance to victims of migrant smuggling, as well as measures to prevent reoffending.
- Promote the strengthening of existing High Level Security Groups (HLSGs) among the countries of the region and/or the creation of such groups among those countries where they do not exist.

METHODOLOGY

The workshop will be held in virtual mode, in Webinar format, and will be developed in 2 sessions of 2 hours each, one per day, during which there will be a guided space for exchange between representatives of the Member Countries of the RCM. Given that most of the prioritized actions of the Counter-Smuggling Work Plan correspond to the areas of 1) investigation and police intelligence, 2) cross-border judicial cooperation and protection, it is proposed to structure the sessions under these thematic areas.

It is expected that various experts, police, prosecutors, and government officials will participate in the development of the sessions, who will be able to identify challenges and opportunities for self and joint improvement to dismantle smuggling networks. Trigger questions will be prepared and distributed in advance to each country, based on the prioritized actions of the Work Plan, to guide the dialogue according to the needs identified by the Member Countries.

Based on the discussions during the sessions, concrete actions and agreements will be proposed to address irregular migration and dismantle the smuggling networks operating in the region.



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PARTICIPANTS

The Workshop is aimed at representatives of the Member Countries of the RCM, and in particular the technical members of the Working Group on Border Management.

The following profiles of participants from each of the countries are expected to attend:

- Authorities with investigative and prosecutorial functions in crimes associated with migrant smuggling and aggravating factors.
- Director or head of the authority in charge of migration control, with oversight functions in the application of migration laws.
- Representatives of the entities responsible for the systems of refuge and protection of migrants.

Civil society organizations that are part of the Regional Network of Civil Organizations for Migration (RNCOM) are also invited to participate.



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PRELIMINARY AGENDA

Session 1: Investigation and Police Intelligence on Migrant Smuggling

Session 1 Date: June 14, 2022

10:00 - 10:20 - Inauguration Remarks

- *To be determined, Presidency Pro-Témpore*
- *Michele Klein-Solomon, Regional Director of the Regional Office for Central America, North America, and the Caribbean of IOM*
- *TBD, UNODC Regional Representative*

10:20 - 10:45 - Introduction to the Technical Exchange

- *Ana Irma Rodas, Presidency Pro-Témpore*

10:45 - 11:15 - Presentation

- *Results of Operation TURQUESA in the region: results and lessons learned by country and regional level, INTERPOL*

11:15 - 12:00 – Guided dialogue and exchange: investigation and police intelligence on Migrant Smuggling

- *Moderator: Presidency Pro-Témpore*
- *The role of the High-Level Security Groups (HLSG) in combating migrant smuggling: challenges and opportunities, Secretariat of Security and Citizen Protection of Mexico.*
- *Trinational Operational Exchange between Panama-Costa Rica-Dominican Republic.*



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Virtual session 2: Cross-border judicial cooperation and Protection

Session 2 Date: June 15, 2022

10:00 - 10:10 – Welcome

- *To be determined, Presidency Pro-Témpore*

10:10 - 11:30 – Presentations

- *Moderator: UNODC*
- *Study: Gender Perspective on Aggravated Crimes of Migrant Smuggling and its Response, UNODC (30 min)*
- *The strengthening of the Component of Migrant Smuggling of the REDTRAM and the work of the Public Ministries in the matter (20 min)*
- *SOMEX: experience of Guatemala, El Salvador and Honduras, to be determined.*

11:30 – 12:00 – Dialogue, agreements and closing of the Technical Exchange

- *To be determined, Presidency Pro-Témpore*