



# Comprehensive Regional Protection and Solutions Framework



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## **NOTICE / DISCLAIMER:**

The present MIRPS document is a transcript of the national chapters and comments to general chapters sent by the countries that are part of the MIRPS process, as well as the contributions of other countries, organizations, institutions and regional and international organizations at the close of Thursday 20 October 2017.

Following the celebration of the San Pedro Sula Conference on October 26, 2017, the content of the chapters or contributions could be modified and revised by the entities and States concerned in order to update content and / or modify the proposed action plans.

The most up-to-date version of the document will be available on the website [www.mirps-hn.org](http://www.mirps-hn.org)

# PART 1

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## 1.1. MIRPS: Regional Context and Comprehensive Approach



## Regional Context

A large scale movement of people has been registered in North and Central America; the reasons for their leaving are multiple and complex, including socioeconomic factors as well as violence and insecurity – mainly caused by organized crime –, forcing populations to move both inside and outside of the region. In recent years, a significant increase in the number of asylum seekers, refugees and other persons in need of international protection has been noted. All countries in the region have been affected – as countries of origin, transit, asylum and/or return; and sometimes all these at the same time – and that is why protection responses

have been provided on both national and regional levels. This increase in forced displacement has led to the adoption of numerous commitments such as the 2014 Brazil Declaration and Plan of Action and the 2016 San José Action Statement in order to strengthen protection and encourage solutions for those affected, addressing the underlying causes through the promotion of a stable environment that guarantees safety, economic development and prosperity. This regional response requires collaboration from other stakeholders, along with support from the international community, to ensure the effectiveness of the responsibility sharing arrangements.



## The New York Declaration and the Global Compact on Refugees

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In the New York Declaration on Refugees and Migrants, adopted in the High-level Plenary Meeting on Addressing Large Movements of Refugees and Migrants, held in the seventy-first session of the UN General Assembly in September 2016, the States reaffirmed the relevance of the international and regional protection systems; ratified their commitment to protecting persons who have been forced to flee from violence and persecution; and committed to supporting the countries of origin in addressing the underlying causes of displacement and re-establishing suitable conditions for the dignified and safe return of their citizens. They also recognised the need to develop a more equitable and predictable global approach to address large movements.

Annex I of the New York Declaration calls for the creation of a Comprehensive Refugee Response Framework (CRRF). The objective of the CRRF is to mobilise from the very beginning a wide range of relevant stakeholders including States, national and regional organisations, the United Nations system, international and regional financial institutions, the private sector, civil society and the affected populations.

This comprehensive response is focused on four priority areas: (i) improving reception and admission mechanisms; (ii) offering a timely response to the basic immediate needs of the population (at the humanitarian and protection levels); (iii) supporting host

countries and communities; and (iv) expand opportunities for durable solutions.

The CRRF proposes the participation of multiple stakeholders through greater coordination and it recognises the important role that they could and should play in responding to a situation of displacement. Furthermore, it proposes closer collaboration with development agencies from the start. This approach is fully in line with the Sustainable Development Goals of the 2030 Agenda – with its commitment to leaving no-one behind – and with the shared responsibilities agreed upon in the World Humanitarian Summit 2016 and the national development programmes.

In the New York Declaration, the General Assembly of the United Nations invited the United Nations High Commissioner for Refugees to include a proposal for a Global Compact on Refugees in his annual report to the General Assembly in 2017, for consideration at its seventy-third session. This Global Compact will be based on the application of the CRRF in the different regions – including Central America and Mexico. As part of this process, the UNHCR will support the States in the realisation of broad consultations and practical initiatives for the implementation of the CRRF, to be carried out over 2017 and 2018.



## Regional Cooperation and Solidarity Processes

En las Américas existe una larga tradición en cooperación in the Americas. In December 2014, the governments of Latin America and the Caribbean held a meeting in Brazil to celebrate the 30<sup>th</sup> anniversary of the 1984 Cartagena Declaration on Refugees. On that occasion, 28 countries and 3 territories from Latin America and the Caribbean adopted the Brazil Declaration and Plan of Action, establishing a broad set of operational priorities for the protection of refugees, asylum seekers, internally displaced persons and stateless persons in the Americas. There was also a specific chapter on "Solidarity with the Northern Triangle of Central America in Seeking and Implementing Durable Solutions."

Subsequently, in July 2016, Costa Rica hosted the High-Level Round Table - organised by the UNHCR and the General Secretariat of the Organisation of American States (OAS), with support from the Central American Integration System (SICA, by its acronym in Spanish) - with the aim of promoting new opportunities for strategic

cooperation to address the needs for protection in Central America. The "San José Action Statement" establishes a series of commitments from the States and other relevant stakeholders to respond to the multiple dimensions of the situation, including prevention, addressing the structural causes, protection in the countries of origin and international protection for asylum seekers and refugees, from a perspective of solidarity and shared responsibility on a regional level.

The Brazil Declaration and Plan of Action and the San José Action Statement are considered important regional strategic frameworks for cooperation and shared responsibility in the promotion of regional solutions to the challenges of protection, which paved the way to the New York Declaration and the Global Compact.



*There is a long tradition of regional cooperation in the Americas.*

*The Brazil Declaration and Plan of Action and the San José Action Statement paved the way to the New York Declaration and the Global Compact.*



## MIRPS: visión and scope

In the New York Declaration, the States committed to applying this new comprehensive response framework and invited the United Nations High Commissioner for Refugees to engage with them and to consult with all relevant stakeholders with a view to evaluating the detailed practical application of the comprehensive refugee response framework. The objective would be to ease pressures on host countries, to enhance refugee self-reliance, to support the conditions in countries of origin and to expand access to third-country solutions.

By making use of their long tradition of regional cooperation in matters of protection, six countries of the region – **Belize, Costa Rica, Guatemala, Honduras, Mexico, Panama**– expressed before the High Commissioner their intention to work on a regional, practical and detailed application of the CRRF through the adoption and implementation of a "Comprehensive Regional Protection and Solutions Framework (MIRPS, by its acronym in Spanish).

The goal of the MIRPS is to make existing commitments operational and to promote new initiatives to address situations of displacement from a comprehensive and regional approach – linked with countries of origin, transit and destination – and involving a wide range of relevant stakeholders on a regional, national and international level.

In this respect, through the Declaration of San Pedro Sula, the countries agreed to take part in the Comprehensive Regional Protection and Solutions Framework (MIRPS), understood as a dynamic and collaborative process – as reflected in this practical, detailed and living document. They also committed to the adoption and implementation of their respective national chapters. Furthermore, participating countries confirmed their intention to work together to strengthen regional cooperation and shared responsibility mechanisms, with participation from all the relevant stakeholders.

As stated in Annex I of the New York Declaration, the MIRPS will be presented as a detailed practical application of the region in the development of the Global Compact on Refugees.

Therefore, in the spirit of the New York Declaration for Refugees and Migrants, the Comprehensive Regional Protection and Solutions Framework will have the following scope:

- **STRENGTHEN** the national and international protection systems in all MIRPS countries;
- **ENGAGE** development actors in the prevention, assistance and solutions of displacement;
- **STRENGTHEN** shared responsibility mechanisms between the stakeholders taking part in the MIRPS;
- **PRIORITISE** prevention, protection and solutions programmes for countries of the region in the bilateral and multilateral cooperation agenda;
- **ESTABLISH** spaces for coordination, monitoring and the exchange of good practices within the framework of the OAS and other regional forums; and
- **DOCUMENT** the lessons learned and good practices of this process and other previous processes of shared responsibility, in order to inform the construction process of the Global Compact



## Methodology and Consultation Processes

The MIRPS is a process led by the States and based on the regional dynamics and the existing commitments of each country, including those acquired in the Brazil Plan of Action and the San José Action Statement. Additionally, the MIRPS is based on the collective realisation that the region is facing a changing reality with shared elements, challenges and priorities.

On a national level, each country participating in the MIRPS developed a National Action Plan that identifies a series of specific and executable actions within the four pillars of the CRRF in the 2018 to 2020 period. These include an analysis of the scopes and challenges and they also identify the programmes, priority actions and the resources needed to:

- **Strengthen** the reception, protection and care systems,
- **Promote** prevention measures, and
- **Enhance** comprehensive and durable solutions.

### Methodological Phases in National Plans



Government-led coordination mechanisms were established in these consultation processes which had ample participation from State institutions (those concerned with matters of protection and socio-economic insertion), civil society, the United Nations System (led by the Resident Coordinators), the private sector, as well as asylum seekers, refugees, displaced and/or deported persons in need of international protection.

Depending on the characteristics of each country, these plans focused on asylum seekers, refugees, internally displaced persons, deportees in need of protection and also the population affected by violence and insecurity.

The MIRPS is a living document and work will continue on the development of various strategic core ideas, on the definition of programmes and actions, and also on the quantification of needs and responses. In this respect, the San Pedro Sula Regional Conference will serve as a space for the exchange of good practices between the States and other relevant stakeholders, in order to complete and perfect the MIRPS over the course of 2017 and 2018.

In the spirit of encouraging wide participation from society and the international community, **specific annexes** with specific proposals from relevant stakeholders on a regional and international level will be developed.

*From April 2017, a series of national consultations for the MIRPS began in the countries involved: Belize, Costa Rica, Guatemala, Honduras, Mexico and Panama.*



# Towards a regional cooperation framework: Strategies and prioritized actions

In the MIRPS national consultation processes, a series of strategies and prioritized actions were identified that coincide in several national chapters.

These strategies and common actions fit into the 4 axes of the Annex I of the New York Declaration. Therefore, they can serve as a basis to develop complementary regional initiatives on protection and exchange mechanisms for good practices. They can also facilitate the support of bilateral and multilateral cooperation for regional projects on prevention, protection and solutions.

Below are some of the strategies and prioritized actions that are highlighted in several National Chapters:

## Axis 1 Reception & Admission

Strengthen the capacity to identify and refer people in need of international protection in border areas

Provide individual documentation to asylum seekers and refugees

Support existing programs of identification and reference of returnees

Provide alternatives to the detention of asylum seekers, and ensure no penalty for irregular entry

## Axis 3 Support to host countries and communities

Promote policies and programs to support communities that receive asylum seekers and refugees

Strengthen the institutional response and coordination with local actors, civil society and the private sector in areas that receive refugees and asylum seekers

Prioritize communities affected by violence in national development plans

Promote institutional presence and protection and prevention mechanisms in communities affected by violence.

## Axis 2 Immediate and persistent needs

Provide humanitarian assistance and income generation projects for refugees and asylum seekers

Provide humanitarian assistance and reintegration projects for returnees in need of international protection

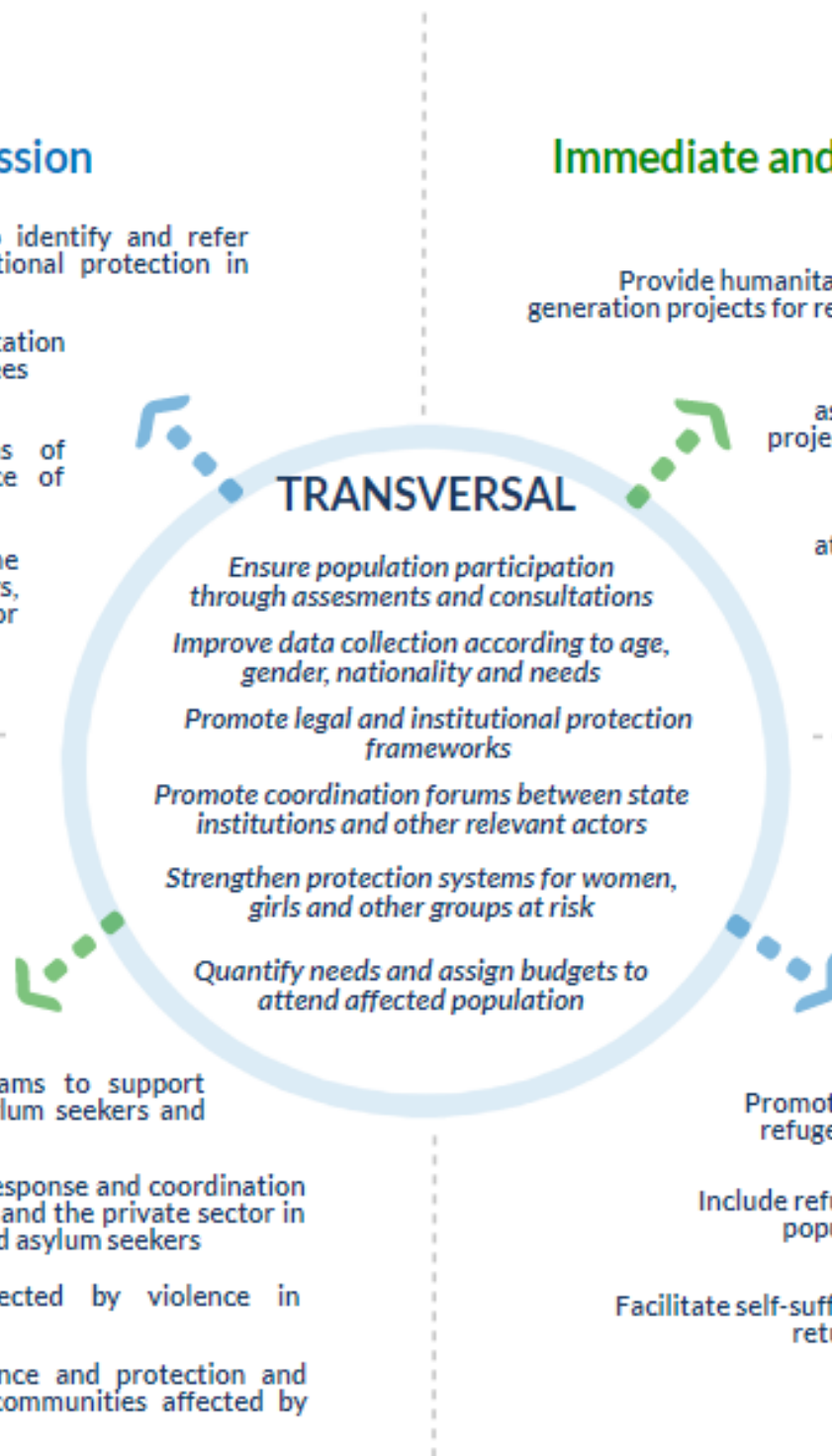
Provide humanitarian attention and legal guidance to people with protection needs in transit

## Axis 4 Expand opportunities for durable solutions

Promote specific public policies for refugees, returnees and displaced persons

Include refugee, returnee and displaced populations in existing programs

Facilitate self-sufficiency projects for refugees, returnees and displaced persons



**TO HIGHLIGHT THE IMPORTANCE OF ENCOURAGING AMPLE PARTICIPATION FROM SOCIETY AND THE INTERNATIONAL COMMUNITY, SPECIFIC PROPOSALS WILL BE INCLUDED FROM RELEVANT STAKEHOLDERS ON A REGIONAL AND INTERNATIONAL LEVEL**

## **BILATERAL COOPERATION**

One of the objectives of the MIRPS is to strengthen South-South cooperation and international cooperation. As a result, proposals from the States and the relevant stakeholders that have and continue to manifest their commitment to increasing cooperation with the region will be included. This cooperation may reflect through financial commitments or technical support for one or more of the priority plans of MIRPS countries, whether this is on a national or a regional level. Said countries may also present specific programmes for the resettlement of persons in need of protection, as well as complementary forms of protection and solutions, such as humanitarian visas, the Protection Transfer Arrangement, assistance in family reunification and other means to promote orderly, safe and regular migration.

## **REGIONAL AND INTERNATIONAL ORGANISATIONS**

In order to strengthen this regional and comprehensive dynamic, various regional and international organisations have joined this process. They have developed multilateral proposals in support of the existing national plans as well as regional initiatives from the States and the civil society. These proposals include support programmes in prevention, protection, care and solutions, which must be implemented in the countries participating in the MIRPS.

## **REGIONAL NETWORKS FOR PROTECTION AND ASSISTANCE**

Similarly, invitations to participate in the process have been extended to relevant society stakeholders who operate within regional networks. These regional networks will present operational proposals in protection and care for refugees, asylum seekers, internally displaced persons and deportees in need of protection, as well as other affected populations. These proposals have regional coverage and will be implemented in countries of origin, transit, destination and return.

## 1.2 National Chapters of MIRPS Countries







## Introduction

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Belize has a rich history of ensuring refugee protection and solutions for persons fleeing persecution. During the 1980s and 90s, Belize experienced a significant inflow of refugees from Central America due to civil wars ravaging the region. Although a young nation itself, Belize—with the support of the international community, most notably through the CIREFCA initiative<sup>1</sup>—managed to respond to the situation in a manner that provided comprehensive protection and solutions.

Refugees who believed it was safe to return home were able to do so voluntarily, while Belize incorporated integration options for those who decided to stay. Belize allowed refugees to naturalize—ensuring durable solutions and paving the way for these persons to contribute to Belize’s economy and society. After ensuring this solution, Belize downsized its asylum processes at the end of the 1990s, while the national Refugees Act remained valid and one officer at the Immigration Department was tasked with receiving asylum applications.

When increasing levels of violence started to affect its neighboring countries of the north of Central America in the 2010s, Belize began to experience a new wave of persons seeking the safety of its borders. To better respond to the new arrivals, Belize reinitiated its Refugee Eligibility Committee in mid-2015, and reestablished the Refugees Department a year later. Both organs have engaged in significant capacity building exercises and have allowed Belize to illustrate its

continuing commitment to providing refugee protection.

In this context, and illustrative of the country’s desire to increase engagement in international cooperation on these critical issues, Belize participated in a number of international and regional forums related to refugee protection, including the Brazil Declaration and Plan of Action (2014) and the San Jose High-Level Roundtable (2016). Importantly, in the context of the San Jose Action Statement, Belize expanded further on the core statement regarding root causes, refugee protection, and regional cooperation, by committing specifically to:

- *Continue recognizing the historical and current humanitarian efforts offered to refugees of Central America in the provision of a safe haven from displacement due to insecurity and violence in their countries of origin;*
- *Strengthening, through cooperation and collaboration with UNHCR and other stakeholders, the Refugee Eligibility Committee for the Protection of Refugees and national officials in charge of reviewing asylum applications and ensuring the protection of refugees;*
- *Continue working with all stakeholders in order to address the protection needs of refugees in a collective manner from a regional approach;*
- *Strengthening efforts to build technical capacity and institutional strengthening at our main points of entry;*

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<sup>1</sup> CIREFCA is the Spanish acronym for the International Conference on Central American Refugees, Returnees and Displaced Persons. This regional initiative was

established to create and encourage durable solutions to the widespread forced displacement that occurred due to the civil wars in Central America in the 1980s.

- Continue making efforts to implement an effective asylum system, including by participating in the Quality Assurance Initiative for refugee status determination;
- Fostering dialogue towards the formulation of coordinated efforts and mechanism, under the principle of responsibility-sharing, in regional and hemispheric forums.<sup>2</sup>

The Government welcomed UNHCR's return to Belize with a permanent presence in 2016, and has appreciated the close cooperation and coordination, including technical, financial, and capacity building support.

Over the past two years, persons of concern have been engaged through consultation processes to better understand their experiences, and to map out the current services and activities that exist for persons of concern, as well as the gaps and needs that remain. Belize and its international partners have carried out formal and informal assessments in various refugee-hosting communities. The concerns and issues raised in these sessions have been communicated to the relevant authorities of the

Government of Belize. Moreover, Belizean authorities (most notably the Refugees Department and Ministry of Human Development) have continued to engage in one-on-one case handling of persons of concern, which has provided the Government with additional insights into the issues of concern to asylum-seekers and refugees.

Within the context of the CRPSF, on October 10, 2017, Belize held a national consultation—hosted by the Ministry of Immigration, with the support of UNHCR. The consultation comprised approximately 25 persons representing various Government departments (Foreign Affairs, Education, Health, Police/Intelligence, Immigration, Labor, and Attorney General's Office), the Ombudsman, UNDP, the clergy, civil society, academia, and persons of concern.

The prioritization of the issues discussed in the consultation remains a work in progress. However, some of the issues which are agreed by all to be of concern, are described herein.

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<sup>2</sup> *San Jose Action Statement*, of the High Level Round Table "Call to Action: Protection Needs in the Northern Triangle of Central America," *Accompanying Statements*

to the *San Jose Action Statement*, p. 4, available at: <http://www.refworld.org/docid/57a8a4854.html> (listing Belize's particular commitments).

## Protection and Solutions: Overarching Gaps and Needs

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Belize has a positive legislative framework that generally provides for the legal protection of refugees. Moreover, the Government has recently participated in and made commitments within international and regional forums to ensure even greater protections for persons of concern. Belize now welcomes the opportunity to complement the existing protections and gaps, as identified through the various consultations, through the CRPSF framework and international cooperation to take advantage of these opportunities to ensure full implementation of international human rights and refugee principles to guarantee protection and solutions for all persons of concern.

The stocktaking of Belize's current refugee protection scheme is a work in progress that will continue to be updated. Refugees generally have legal rights to access a panoply of social services that are offered to the population at large, including education and health. The reality of implementation is more complicated, however. Further sensitization of relevant authorities and mechanisms for ongoing collaboration on refugee concerns are needed to ensure full inclusion of persons of concern into social services, thus guaranteeing access to protection and solutions. Given this scenario, one priority action of the Government will be to ensure that future consultations are held and that ongoing comprehensive coordination mechanisms are created to ensure proper follow up and monitoring of these issues.

Belize has harnessed its regional "Multi Sectoral Development Framework" under the Agenda 2030, the MSDF, by including and mainstreaming a number of refugee and migration related activities in pursuit of various Sustainable Development Goals, which apply regardless of a person's migration status. In order to "leave nobody behind," Belize has notably committed to specific action under several Sustainable Development Goals, as reflected in the recently adopted MSDF Country Implementation Plan for 2017. Further development and implementation of these plans will be ongoing

As a result of the robust discussions during the national consultation held on October 10, the multi-stakeholder group was able to determine a number of points of general agreement. While detailed gaps and needs are more fully discussed in the recommendations section, herein, the description of needs in all four pillars were cross-cutting, falling within these broad categories. The group determined that there is a need for:

- greater knowledge about persons of concern and their needs, including through carrying out a mapping or profiling process, and other data collection procedures that will provide better support for public policy creation and other protection and solution responses;
- wider sensitization, information-sharing, and capacity-building, including with persons of concern, Government

agencies, other stakeholders, and the general public;

- development of comprehensive multi-sectorial public policies on refugees (ensuring access to education, health, and other basic rights) and creating coordination mechanisms between relevant Ministries/Departments and UNHCR to ensure better cohesion and

responsiveness to the needs of refugees; and

- greater engagement with other countries in the region, particularly other asylum countries, to share best practices on protection, facilitation of integration, protection-sensitive security protocols, responsibility-sharing, and other themes of relevance



## Protection and Solutions: Recommendations and Plan of Action

In addition to gaps acknowledgement and recommendations within each of the four pillar areas, the consultation identified several overarching issues and related recommendations/agreements that could be utilized to move forward in Belize's plan of action even while ongoing discussions continue.

### OVERARCHING RECOMMENDATIONS FOR PLAN OF ACTION:

- Belize will work to complete stocktaking of existing programmes and activities to address protection and solutions needs, and will continue engaging in regular organized consultations with UN and civil society on refugee protection and solution issues.
- To continue this national dialogue, a next round of consultations will be held within the first quarter of 2018, to take stock and follow-up on the outcomes of the national consultation and to prepare a multi-annual National Action Plan for Protection and Solutions for refugees.
- Belize will engage with other CRPSF States to exchange information and discuss responsibility-sharing, best practices, and other opportunities for protection improvements in the areas outlined above;
- Belize will support protection-sensitive mapping and data collection opportunities, and the consider the public policy recommendations that arise from such efforts;
- Belize will consider joining the Quality Assurance Initiative (QAI) in order to promote strengthening of its asylum process, in line with the commitment made at the San Jose high-level roundtable in 2016; and
- Capacity building and public information of all stakeholders will be prioritized, to include all relevant authorities, persons of concern, and sensitization of the public at large.



In addition to the overarching priorities identified through the national consultation process, additional protection gaps and general recommendations were identified in each of the four areas of the CRPSF pillars.

### **PILLAR I: RECEPTION AND ADMISSION MEASURES**

This pillar refers to the admission to territory and to asylum processes. Gaps have been identified in both areas, and solutions and needs were discussed to rectify these concerns. Some of the main points acknowledged include needs for:

- Further sensitization of and capacity building for Government authorities at all levels, with an initial prioritization of those who are the gatekeepers to accessing territory and asylum processes, respectively;
- Incorporation of protection-sensitive screening protocols that ensure the security of Belize while safeguarding the rights and protection of persons of concern;
- Provision of regular and comprehensive information to persons of concern about their rights and obligations, particularly in relation to admission to territory and asylum processes;
- Adoption of clear SOPs for referral pathways from the point of entry to territory throughout the asylum process, and for access to related rights; although potentially encompassing other Ministries/Departments, this would initially include Immigration, Police, Refugees Department, and Human Development authorities;
- Creation of a data collection and analysis system that includes regular transparent

reporting on border admissions and rejections for persons claiming to have a fear of return; as well as data sharing by the Refugees Department on persons who applied for asylum, and those who were rejected from application due to administrative deadlines or other screening rationale; and

- Consideration of participation in the Quality Assurance Initiative (QAI), in line with the commitment made at the San Jose high-level roundtable in 2016.

### **PILLAR II: SUPPORT FOR IMMEDIATE AND ONGOING NEEDS**

Areas of concern in this pillar include issues relating to the immediate provision of social assistance to persons of concern, as well as allowing for access to livelihoods options to provide for immediate self-sustainability, and greater integration opportunities. Discussions in this area identified needs for:

- Closer collaboration with the international community and other donors to create development opportunities that will allow quicker and more robust opportunities for refugee integration;
- Ensuring closer coordination mechanisms between Government Ministries and Departments to ensure asylum-seekers can access all benefits to which they are entitled – including education, health, and other relevant social services.

### **PILLAR III: SUPPORT FOR HOST COUNTRIES AND COMMUNITIES**

This pillar incorporates issues such as burden-sharing among communities hosting persons of concern, as well as crime

prevention, and creating resilience of communities. Needs in this area included:

- Supporting the implementation of mapping and data collection opportunities to ensure that persons of concern and host communities are analyzed and their needs and opportunities are identified;
- Greater engagement in public information campaigns, providing accurate and holistic information, in order to sensitize the general population to the reality of refugees and their contributions/ needs in Belize;
- Ensuring that development planning fully incorporates the needs of these communities and persons of concern, including education, health, and other public services;



#### **PILLAR IV: ENHANCED OPPORTUNITIES FOR DURABLE SOLUTIONS**

The most relevant durable solution, at this time, would be local integration, given the lack of safety in the main countries of origin of the refugee population. Resettlement may also be a possibility in some situations of vulnerabilities or specific protection concerns. Needs identified in this area include:

- Supporting more comprehensive integration and contribution opportunities, including ensuring access to work authorization and livelihoods, such as education opportunities, language learning, and other skills training;
- Ideally within the context of the QAI, ensuring an even more fair and efficient refugee adjudication system so persons of concern receive legal certainty more quickly, and they can be fully supported on the path to integration;
- Greater engagement in communication with counterparts in the international community to secure options for resettlement for urgent protection or vulnerable cases, and consider additional responsibility-sharing in the future, including resettlement or other complementary pathways.

Belize is committed to continuing to support the CRPSF process and looks forward to the opportunity to engage further with its regional and international partners to respond to the needs inherent in full implementation of these important protection and solutions opportunities





## Introduction

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Costa Rica has a long history of respecting human rights and welcoming refugees. Upon adopting the New York Declaration, the Government of the Republic confirmed its commitment to solidarity with refugees and on June 1, 2017 it decided to develop a national chapter of the Comprehensive Refugee Response Framework, known locally as MINARE.

In a single document, MINARE brings together and unifies national policies concerning refugees; identifying gaps and proposing solutions for a comprehensive and more efficient response to the situation of refugees in Costa Rica. The effective implementation of MINARE constitutes a model of protection and integration for urban refugees in middle-income countries in accordance with international law and best practices.

Pursuant to Annex I of the New York Declaration, MINARE was developed through a process of national consultations with the most relevant stakeholders. To that effect, the Vice-President of the Republic formed the **MINARE Executive Committee**, an ad hoc work team composed of the heads of five ministries that are key in attending to the refugee population in Costa Rica: the Ministry of Foreign Affairs and Worship (MRREEyC), the Ministry of the Interior and Police (MGyP), The Ministry of Labour and Social Security (MTSS), the Ministry of Human Development and Social Inclusion (MDHIS), the Ministry of Planning and Economic Policy (MIDEPLAN), with participation from

the Resident Coordinator of the United Nations System (UNS) in Costa Rica, and with support from UNHCR as the Technical Secretariat.

The primary responsibility of the Executive Committee was to appoint, within their respective ministries, focal points who might drive the national consultation process. This second work team was the **MINARE Technical Team**, formed of officials with knowledge of the subject matter and with good judgement to propose actions to strengthen Costa Rica's asylum system.

The National Consultations took place in two phases: first, a series of thematic meetings of the Technical Team raised the relevant topics and captured the State's outlook as regards the challenges facing the national asylum system. The second phase involved two extended consultation workshops with the various sectors of society and its objective was the proposal of inter-agency agreements with concrete actions to be implemented between 2018 and 2020.


The relevant topics were determined based on an analysis of Costa Rica's progress in the implementation of its commitments on an international level, particularly the Ministerial Inter-governmental Event on Refugees and Stateless Persons held in Geneva in 2011, the adoption of the 2014 Brazil Declaration and Plan of Action, the San Jose Action Statement (2016), the Leaders' Summit on Refugees (2016) and the New York

Declaration (2016). Also taken into consideration were the reports from the UNHCR partner agencies in Costa Rica on recurrent cases and the preliminary data for the pilot “Survey for Refugees in Costa Rica” which had a sample group of 310 questionnaires.

The national consultation workshops took place on July 27 and August 10, 2017 in San Jose, with participation from representatives of 11 Ministries, 13 autonomous institutions of the State, 7 civil society organisations, 4 agencies from the United Nations System, 3 chambers of commerce, 2 national universities and a confessional group – making a total of 95 participants. The work was organised into

three thematic roundtables: (1) legal matters and protection, (2) social affairs and vulnerable persons, and (3) integration and livelihoods. Each roundtable was lead by the corresponding leader in coordination with the relevant focal point in the Technical Team

The result of the national consultation was an inventory of 64 agreements for concrete actions which shape MINARE 2018 – 2020. The Government of Costa Rica will implement these agreements through greater inter-institutional coordination. The international community is also expected to help through greater technical and financial cooperation.



64 agreements for  
concrete actions  
which shape  
MINARE 2018-  
2020

## Protection and Solutions: Overarching Gaps and Needs

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### COMMITMENTS MADE BY COSTA RICA

Consistent with its tradition of guaranteeing human rights, Costa Rica has honoured the commitments it assumed in the various International Forums on the protection of refugees and stateless persons.

Pursuant to the adoption of the Brazil Plan of Action in 2014, the Government of Costa Rica (GCR) has worked hard to maintain the highest standards of protection for refugees and to implement innovative solutions for their integration in Costa Rica. In terms of public policies, the National Council on Migration agreed<sup>3</sup> to incorporate the principles and guidelines of the Brazil Plan of Action (BPA) into the 2013-2023 Comprehensive Policy on Migration for Costa Rica. The implementation of the BPA was materialised through a series of Memoranda of Understanding and in the implementation of work plans with UNHCR, the private sector, civil society and academia.

Since 2014, Costa Rica has been part of the *Quality Assurance Initiative* (QAI) regional programme, which aims to improve eligibility procedures, strengthen the capacity and knowledge of eligibility bodies, and introduce efficient concepts of management and handling of procedures. In practice, four QAI evaluation exercises have taken place: three with the Refugee

Sub-process as the first instance, and a fourth with the Administrative Migration Tribunal (TAM, by its acronym in Spanish) as the second instance for appeal. Furthermore, *Country of Origin Information* (COI) visits have been made with officials of the first and second instances. In accordance with the caseload, trips were organized to El Salvador, Honduras and Colombia.

Within the framework of the Borders of Solidarity and Safety Programme, and with support from UNHCR and the IOM, the GCR established two Migrant in Transit Temporary Care Centres (CATEM, by their acronym in Spanish) to cover the basic needs of persons in mixed migration flows. CATEMs have become a solid alternative to administrative detention and safe spaces for immediate care and relevant referral to the governmental instances for persons in need of international protection.

In line with the *Local Integration Programme*, two UNHCR initiatives have been developed in coordination with the GCR, civil society and the private sector in order to promote refugee access to the labour market and to livelihood projects for those who live in poverty. The "*Living Integration*" Programme is a corporate social responsibility scheme that encourages training, mentoring and job-placement plans for refugees.

The second initiative, “*The Graduation Approach*” is a mechanism that seeks to contribute to the self-reliance of refugees in situations of extreme poverty and it does so through their participation in various components: psychosocial support, creation of networks, generation of savings, temporary economic subsidies, improvement of soft skills, design of an action plan for the generation of livelihoods, vocational training and seed capital for cases of self-employment, among others. This programme was included in the 2015-2018 National Development Plan, strengthening the sustainability of the refugee integration programmes.

A Legal Integration Programme aimed at facilitating changes in migration status was developed so that refugees could become temporary residents or obtain naturalisation through more agile and relevant procedures.

As part of the efforts made in the implementation of Chapter IV of the BPA

and in support of the regional efforts to create alternative responses to the main protection needs of persons originating from northern Central American countries, the GCR, UNHCR and IOM signed a Memorandum of Understanding to establish a *Protection Transfer Arrangement*, through which Costa Rica is used as a transit country for those who have suffered violence in northern Central America and who have been identified for resettlement in a third country.

In turn, through the *Chiriticos Project* in collaboration with the Civil Registry of Panama and the *Northern Border Project*, the GCR has addressed the risk of statelessness through a joint work plan between the Civil Registry of Costa Rica and UNHCR for addressing the birth sub-register of indigenous populations and transnational migrants born in Costa Rica of foreign parents. The implementation of these projects will allow Costa Rica to be declared free from the risk of statelessness in 2018.



The following table contains a summary of the specific actions that were driven forward by Costa Rica in the implementation of the commitments made by the country in the various international forums and which serve as the basis for MINARE and the national chapter of MIRPS..

<b>STOCKTAKING EXERCISE</b>	
<b>PILLAR 1 – Reception and Admission</b>	
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>• <i>Brazil Plan of Action</i></li> </ul>	
<b>Supervisors</b>	General Directorate of Migration and Aliens (DGME, by its acronym in Spanish), MGyP.
<b>Existing Activity</b>	In December 2015, the National Council on Migration incorporated the principles of the Brazil Plan of Action (BPA) into the Comprehensive Policy on Migration for Costa Rica.
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>• Inter-ministerial 2011</li> <li>• PA Chap. 2 <i>Quality Assurance Initiative</i></li> <li>• San Jose Action Statement (SJAS)</li> </ul>	
<b>Supervisors</b>	Refugee Sub-process (First Instance for recommendation of applications), Administrative Migration Tribunal (Second Instance for appeals), Restricted Visas and Refugee Commission (CVRR, by its acronym in Spanish), Ministry of the Interior and Police.
<b>Existing Activity</b>	<p>Implementation of Phases I, II and III of the QAI with first instances (Refugee Sub-process) and Phase IV with second instances (TAM). Monthly meetings with the Coordination Team of the eligibility bodies in the Process for Refugee Status Determination (Refugee Sub-process and CVRR - first instance -, TAM, MGyP with UNHCR support).</p> <p>At the time of creating this document, an agreement has been made for the Refugee Appeal Division of the Immigration Refugee Board of Canada to visit the TAM from October 16 to October 26, 2017, as a bilateral programme for mentoring, training and the exchange of best practices facilitated by UNHCR.</p>
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>• <i>Inter-ministerial 2011</i></li> <li>• <i>BPA Chap. 2</i></li> <li>• <i>SJAS</i></li> <li>• <i>Leader’s Summit on Refugees (2016)</i></li> </ul>	
<b>Supervisors</b>	Refugee Sub-process, TAM, Ministry of the Interior and Police

<b>Existing Activity</b>	Project for the reduction and prevention of delays in first and second instances through the additional assignment of specialist staff, with technical and financial support from UNHCR.
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>• <i>Inter-ministerial 2011</i></li> <li>• <i>BPA Chap. 2 Quality Assurance Initiative</i></li> </ul>	
<b>Supervisors</b>	Refugee Sub-process, TAM, Ministry of the Interior and Police
<b>Existing Activity</b>	Country of Origin Information: compilation of country of origin information provided by UNHCR for the purposes of supporting asylum applications. Visits to countries of origin for sensitization of adjudicators and for obtaining first-hand information about the protection and safety situation in said countries. Two visits were made to Colombia, two to Honduras and one to El Salvador, with adjudicators from the Refugee Sub-process, Refugee Commissioners and TAM Judges. All of this resulted in resolutions that are fairer and conform better to international protection standards, as well as a significant increase in recognition rates.
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>• <i>Inter-ministerial 2011</i></li> <li>• <i>BPA Chap. 2</i></li> <li>• <i>QAI Programme</i></li> <li>• <i>SJAS</i></li> </ul>	
<b>Supervisors</b>	General Directorate of Migration and Aliens, National Council on Migration.
<b>Existing Activity</b>	Directive from the National Council on Migration so that all DGME employees include age, gender and diversity (AGD) and Sexual Orientation and Gender Identity (SOGI) perspectives in their daily work.
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>• <i>Inter-ministerial 2011</i></li> <li>• <i>BPA Chap. 2</i></li> <li>• <i>SJAS</i></li> <li>• <i>Leader's Summit on Refugees (2016)</i></li> </ul>	
<b>Supervisors</b>	General Directorate of Migration and Aliens, HIAS
<b>Existing Activity</b>	The presence of two border control officials for the early identification of persons in need of international protection, the application of categorisation forms and the scheduling of interview appointments in the Refugee Sub-process.
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>• <i>Inter-ministerial 2011</i></li> <li>• <i>BPA Chap. 6 Statelessness</i></li> </ul>	

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<b>Supervisors</b>	Civil Registry of Costa Rica, the Municipalities of Tarrazú, León Cortes and Dota – Electoral Tribunal of Panama.  Ministry of Foreign Affairs and Worship
<b>Existing Activity</b>	The Chiriticos Project and the Northern Borders Project: facilitating the late registration of births for indigenous populations and transnational migrants born in Costa Rica of foreign parents.  The Ministry of Foreign Affairs and Worship manages the administrative statelessness determination procedure.
<b>PILLAR 2 – Immediate and ongoing needs</b>	
<b>Compromiso</b>	
<ul style="list-style-type: none"> <li>• <i>Inter-ministerial 2011</i></li> <li>• <i>BPA Chap. 2</i></li> <li>• <i>Borders of Solidarity</i></li> <li>• <i>SJAS</i></li> </ul>	
<b>Supervisors</b>	DGME, National Institute for Women (INAMU, by its acronym in Spanish), Ministry of Health (MINSAL, by its acronym in Spanish), Municipality of La Cruz, IOM, Permanent Commission for the Protection and Assistance of Vulnerable Migrants (COPPAMI, by its acronym in Spanish).
<b>Existing Activity</b>	Continuous training for governmental border officials in human rights, international protection, international and national refugee law, gender-based violence prevention and response, HIV prevention, prevention and response to cases of the trafficking of undocumented migrants and human trafficking.
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>• <i>BPA Chap. 2</i></li> <li>• <i>Borders of Solidarity</i></li> <li>• <i>SJAS</i></li> </ul>	
<b>Supervisors</b>	MGyP, DGME, Ministry of Health, National Commission of Emergencies (CNE, by its acronym in Spanish), Red Cross, IOM, UNHCR
<b>Existing Activity</b>	Establishment of two Migrant in Transit Temporary Care Centres (CATEMs) as an alternative to administrative detention in response to the increasing mixed migration flows.
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>• <i>Inter-ministerial 2011</i></li> <li>• <i>SJAS</i></li> <li>• <i>BPA Chap. 3.</i></li> </ul>	

<b>Supervisors</b>	Joint Social Aid Institute (IMAS, by its acronym in Spanish), UNHCR, DGME
<b>Existing Activity</b>	Memorandum of Understanding between IMAS and UNHCR for the inclusion of Populations of Interest (PoI) in national poverty reduction programmes, giving them the same rights as nationals, with dedicated staff for PoI
<b>Compromiso</b>	
<ul style="list-style-type: none"> <li>• <i>BPA Chap. 3 Local Integration</i></li> <li>• <i>SJAS</i></li> </ul>	
<b>Supervisors</b>	Ministry of Labour and Social Security (MTSS)
<b>Existing Activity</b>	Presidential Executive Decree for the inclusion of refugees as beneficiaries of the Social Development and Family Allocations Fund (FODESAF, by its acronym in Spanish) of the MTSS (2016).
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>• <i>BPA Chap. 3 Local Integration</i></li> <li>• <i>SJAS</i></li> </ul>	
<b>Supervisors</b>	Ministry of the Presidency  DGME
<b>Existing Activity</b>	Memorandum of Understanding with support from the Social Presidential Council (2016) to facilitate refugees' access to national social development programmes (2016)
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>• <i>BPA Chap. 4</i></li> <li>• <i>SJAS</i></li> </ul>	
<b>Supervisors</b>	CENDEROS
<b>Existing Activity</b>	Establishment of two shelters for survivors of gender violence and members of LGBTI communities from countries of northern Central America.
<b>PILLAR 4 – Enhance opportunities for durable solutions</b>	
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>• <i>BPA Chap. 3</i></li> <li>• <i>SJAS</i></li> </ul>	
<b>Supervisors</b>	Ministry of Public Education (MEP, by its acronym in Spanish) - UNHCR
<b>Existing Activity</b>	Memorandum of Understanding for access to primary and secondary education and the recognition of qualifications (2014) for refugees and asylum seekers.



<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• BPA Chap. 3</li> <li>• SJAS</li> </ul>
<b>Supervisors</b>	National Institute for Apprenticeships (INA, by its acronym in Spanish) - UNHCR
<b>Existing Activity</b>	Memorandum of Understanding for access to vocational training and the certification of skills (2015) for refugees and asylum seekers.
<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• BPA Chap. 3</li> <li>• SJAS</li> </ul>
<b>Supervisors</b>	National Council of Rectors (CONARE, by its in acronym Spanish)
<b>Existing Activity</b>	Memorandum of Understanding for the equalisation of university studies from countries of origin (2015)
<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• <i>Inter-ministerial 2011</i></li> <li>• SJAS</li> <li>• BPA Chap. 3</li> </ul>
<b>Supervisors</b>	Costa Rica Chamber of Commerce, DGME, the Fundación Mujer and the Association of Consultants and International Advisors (ACAI, by its acronym in Spanish)
<b>Existing Activity</b>	The Living Integration programme: a corporate social responsibility scheme for the integration of PoI into the local labour market through job opportunities, skills certification, and training.
<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• <i>BPA Chap. 3 Local Integration</i></li> </ul>
<b>Supervisors</b>	Ministry of Labour and Social Security (MTSS)
<b>Existing Activity</b>	Memorandum of Understanding for the integration of refugees in national employment programmes and vocational training (2017)
<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• <i>BPA Chap. 3 Local Integration</i></li> <li>• SJAS</li> </ul>
<b>Supervisors</b>	MEP, Supreme Court of Elections (TSE, by its acronym in Spanish), Jesuit Service for Migrants
<b>Existing Activity</b>	<p>Legal Integration Programme: an agreement with the TSE for making requirements for naturalisation more flexible.</p> <p>Protocol for providing naturalisation exams for refugees.</p>

<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• <i>BPA Chap. 3 Local Integration</i></li> <li>• <i>SJAS</i></li> <li>• <i>Leader's Summit on Refugees (2016)</i></li> </ul>
<b>Supervisors</b>	DGME, Ministry of Culture and Youth, Ministry of the Presidency, Ministry of Economy, UNHCR
<b>Existing Activity</b>	Project to promote the intercultural integration of refugees and cohabitation spaces with host communities. Among others, the Integrarte Festival, mass media campaigns and trade fairs.

### GAPS IDENTIFIED BY THE MINARE NATIONAL CONSULTATION PROCESS

Costa Rica has been making significant efforts to provide protection and solutions to persons in need of international protection such as refugees, persons in mixed migration flows, persons at risk of statelessness and stateless persons. However, in some cases these efforts may prove to be insufficient in the face of the challenges the country is facing due to the continued increase in new applications and the complexity of the economic and social dynamics that affect refugee integration. Furthermore, the challenges arising from the fiscal deficit have resulted in a government hiring freeze policy, which in some cases may compromise the sustainability of the responses made by each of the corresponding ministerial departments. Within the framework of MINARE, the aim is to put together national level comprehensive responses the following identified gaps:

Within the **“Reception and admission measures”** pillar, protection gaps were identified in the following aspects: early identification of people in need of international protection; effective access to the refugee status determination process; effective access to documentation and alternative mechanisms of international protection.

In Costa Rica, many of the people who enter through the border crossing points do not know about the refugee protection system. It is therefore necessary to take steps to identify and immediately register refugee status applications at the border crossing points; and to identify persons in vulnerable situations so that the assistance protocols can be applied and referrals to the relevant governmental institutions can be coordinated. If this is not done, there is a risk that proper and timely protection will not be provided to those who are entitled to it and in turn, the State loses the opportunity to exercise the corresponding controls.

In terms of effective access to the refugee status determination process, the adjudication times do not fulfil the provisions of the General Migration and Aliens Act and international standards, due to the continuous increase in asylum applications in combination with the current hiring freeze. In turn, applicants do not have access to free legal assistance from the State for refugee status determination processes or for second instance appeals, potentially limiting their right to a defence.

Applicants receive a free provisional document in accordance with international standards; however, based on current regulations said document must be handed back at the moment of filing an application. In practice, if the person made their application at the border, the document is received later after at least three appearances and this means that the applicant may be undocumented for a period of one to four months. The provisional document has an identification number corresponding to the file number assigned by the Refugee Sub-process. However, the number of digits in that number is not the same as in the Foreign Immigrant Identification Document (DIMEX, by its acronym in Spanish), making it incompatible with the computer systems used by public and private institutions, particularly banking systems. As a result, applicants do not have immediate access to the social programmes and services offered by the State and to which they are entitled by virtue of their status.

The refugee identity document is not an equivalent of the documentation provided to nationals as it is not free. As of October 2017, the document costs 68 USD per person. The same charge is applied to the bi-annual renewal process of said document and this is in addition to being up-to-date on payments to the Costa Rican Social Security Fund (CCSS, by its acronym in Spanish). This charge and administrative requirement, obligatory for refugees in order to obtain the document, may represent an obstacle for economically vulnerable refugees, with large and single-parent families being particularly affected. Additionally, the travel document for refugees, with the requirements and standards established by the International Civil Aviation Organisation (ICAO) is costly and therefore actions need to be put into place to make issuing it sustainable for the General Directorate of Migration and Aliens (DGME).

There are cases of people in Costa Rica who, despite not fulfilling the eligibility requirements for being recognised as refugees (i.e. their persecution has no causal link to any of the reasons of the 1951 Convention), cannot return to their country of origin because there is a reasonable possibility of them being harmed in doing so. Currently, there is no complementary protection mechanism in Costa Rica to respond to this type of situation. The General Migration and Aliens Act only regulates one special migration category for humanitarian reasons based on Article 94 Subparagraph 12, the granting of which is at the discretion of the DGME.

In "**Support for immediate and ongoing needs**": Costa Rica has solid legislation, institutions and public services to care for nationals in vulnerable situations and recognises that being an asylum seeker or a refugee can worsen existing vulnerabilities or create new ones.



Within the framework of the national consultations, a need to take actions with the following populations of refugees and applicants was identified: children, women, single-parent families, teenage mothers, persons in situations of economic vulnerability and/or extreme poverty, survivors of gender-based violence, the LGBTI population and persons in need of special care such as the elderly, disabled persons and persons with problematic use of psychoactive substances.

Gaps were identified in the following areas specifically: identification of populations of interest in public institutions of the social sector for the application of the relevant care protocols and ensuring access to national social programmes for the aforementioned groups and populations.

For the sake of gathering information in order to create care protocols that reduce at-window rejection and improve effective access to national services for refugees and asylum seekers, the statistics collection variable of said populations needs to be included in the information files of all social care institutions.

According to the Migration Authority, 59% of refugees in Costa Rica are women. Up until now, the National Institute for Women (INAMU) has provided support in isolated cases. However, there is no strategy for comprehensive care for women seeking asylum or for female refugees which provides access to the entire range of INAMU programmes. Said strategy should include care protocols for women, particularly those who are the heads of single-parent families, teenage mothers, survivors of gender violence and women who are in Care Facilities due to conflict with the law. Additionally, the need to create protection and integration mechanisms for LGBTI populations in countries of northern Central America was identified.

In the case of those in a situation of socio-economic vulnerability from among the population of refugees and asylum seekers, the need to offer comprehensive care programmes that go beyond the temporary care offered by UNHCR through its partner organisations was identified. Said programmes should aim at addressing immediate needs and also at establishing the basis of early and sustainable integration. Similarly, access to national programmes needs to be guaranteed for refugees with special care needs, such as the elderly, disabled persons and persons with problematic use of psychoactive substances.

In the “**Development of opportunities to reach durable solutions**” pillar, gaps were identified in: access to the right to work, support for refugee entrepreneurship, socio-cultural integration programmes and access to decent housing.

With regard to accessing the right to work, applicants reported constant difficulties in the effective recognition of their identity document by potential employers and public officials at service windows. The lack of information about the validity and scope of the provisional document for those seeking refugee status who have a work permit, constitutes an actual barrier to effective access to decent work.

Many refugees in Costa Rica have to overcome various challenges to join the labour market. Unlike nationals, refugees very often have problems in certifying their

skills, providing references from previous jobs, and they even face situations of discrimination and xenophobia. Furthermore, many refugees have gone through exclusion processes before arriving in the country and they do not have the necessary certificates to obtain jobs. Therefore, it has become necessary to promote training in vocational skills, the certification of previously acquired skills, the use of information and communication technology and labour mediation programmes.

The process of certifying higher education qualifications from countries of origin is complex and depends on a series of requirements which refugees very often find impossible to fulfil. The regular administrative channels used to obtain the necessary documents and to fulfil the requirements cannot always be used by refugees. Not addressing this situation in good time can result in a barrier to accessing their right to work and therefore limit their contribution to the Costa Rican social security system.

Some refugees in Costa Rica have the opportunity to undertake entrepreneurial projects. These projects need to be included in the support programmes of the Ministry of Economy, Industry and Commerce (MEIC, by its acronym in Spanish), with the aim of facilitating the incorporation of the companies, the commercialisation processes and the attainment of securities and guarantees for access to credit.

Access to decent and permanent housing is a fundamental pillar in integration processes. The Government of Costa Rica, through the Ministry of Housing and Human Settlement, recognises the need to develop affirmative actions which allow refugees to benefit from national housing programmes.

In the **“Support for host countries and communities”** pillar, Costa Rica makes a substantial contribution to the situation of refugees. MINARE summarises Costa Rica’s efforts in favour of refugees and asylum seekers and sets out a series of actions which will improve the Costa Rican asylum system. However, the sustainability of these responses requires international support,

solidarity and cooperation under the principle of shared responsibility. To that effect, there is a need to create a permanent monitoring, evaluation and fundraising mechanism that will ensure the sustainability of the implementation of the agreements within the MINARE framework.

During the national consultations, it was suggested that there is a need to use a methodology for the quantification of the State’s contribution in response to the situation of refugees; one which puts Costa Rica’s contributions into perspective based on the regional challenges, creating a baseline for the planning of future projects and guiding public policy decisions.



## Protection and Solutions: Plan of Action

<b>PILLAR 1 – Reception and Admission</b>			
<b>Prioritised Need</b>	<b>Early identification of people in need of international protection</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BAP, others)</b>
Border presence: reinforce the existing agreement between the DGME and UNHCR, maintaining the current presence of liaison officers in the border migration points of Peñas Blancas, Los Chiles and Tablillas in the north and Paseo Canoas in the south, as well as extending said presence to at least one person in the ports of Golfito, Limón and Caldera and in both international airports.	DGME, Ministry of the Interior and Police, HIAS, UNHCR	2018	BPA Chap. 2 San Jose Action Statement
Regionalisation of the Refugee Sub-process: make progress in the regionalisation of the Refugee Sub-process in the offices of Upala, Liberia, Paso Canoas and Limón, with the objective of said offices being able to provide appointments for interviews, fix the signalling methods and handle the provision of documents.	DGME, Ministry of the Interior and Police	2018, 2019, 2020	BPA Chap. 2 Quality Assurance Initiative San Jose Action Statement
Strengthening the CATEMs: guarantee the allocation of funds for the maintenance of the infrastructure, equipment and administration of the CATEMs as best regional practice for an alternative to administrative detention.	MGyP, DGME, MINSAL, CNE, Red Cross, IOM, UNHCR	2018, 2019, 2020	BPA Chap. 2 Borders of Solidarity SJAS
Free legal assistance for RSD: modify the Creation of Public Defence Act to create governmental structures guaranteeing free legal assistance and sponsorship to asylum seekers for procedures of Refugee Status Determination.	DGME, Unidad de Sub-refugio, TAM.	2018, 2019, 2020	BPA Chap. 2 San Jose Action Statement
<b>Prioritised Need</b>	<b>Effective access to the refugee status determination procedure</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BAP, others)</b>
Project for preventing delay: increase the number of adjudicators specialising in refugees by at least six in each instance.	DGME, Sub-refuge Unit, TAM.	2018, 2019, 2020	BPA Chap. 2 San Jose Action Statement
Strengthening of the CVRR: reinforce the organic structure of the Restricted Visas and Refugee Commission (CVRR) through the designation of a full-time Specialist Legal Consultant for each Commissioner, employed by the respective Ministries, for the purposes of assisting in the review of files received through the Refugee Sub-process, and in the creation of draft resolutions of the CVRR.	DGME, MRREEyC, MTSS, Ministry of Security	2018, 2019	BPA Chap. 2 Quality Assurance Initiative San Jose Action Statement
Modernisation of the TAM: establish the Administrative Migration Tribunal (TAM) as a body with two specialised sections: one to address refugees and another for	Ministry of the Interior and Police, TAM	2018	BPA Chap. 2 Quality

migration, with the subsequent legislative reforms.			Assurance Initiative
<b>Prioritised Need</b>	<b>Effective access to documentation</b>		
<b>Priority Action</b>	<b>Implementing Parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Documentation for asylum seekers: provide the provisional identification document with DIMEX numbering and a temporary work permit at the moment of filing the seeking asylum.	Sub-Refugee Unit, DGME	2018, 2019	BPA Chap.2  Quality Assurance Initiative  San Jose Action Statement
Make documentation free for refugees: create a Technical Committee formed of the Ministry of the Presidency, the National Council for Migration and the General Directorate of Migration and Aliens for the purposes of guaranteeing that documentation is free for refugees and so that it is equal to that of nationals.	General Directorate of Migration and Aliens, Ministry of the Presidency, National Council on Migration	2018, 2019, 2020	Recommendation of the Committee of Economic Social and Cultural Rights Report V, Paragraphs 42 and 43
<b>Prioritised Need</b>	<b>Supplementary mechanism for international protection</b>		
<b>Priority Action</b>	<b>Implementing Parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Complementary protection mechanism: Establish a complementary protection mechanism for persons who do not fulfil the requirements to be recognised as refugees but who should not be returned to their country of origin as doing so would result in a reasonable risk of them suffering harm.	Presidency of the Republic, Ministry of Foreign Affairs, Ministry of the Interior and Police, DGME	2018	BPA Chap. 2 Borders of Solidarity and Security
<b>PILLAR 2 – Immediate and ongoing needs</b>			
<b>Prioritised Need</b>	<b>Access to solidarity services for refugees in extreme poverty and at risk of destitution</b>		
<b>Priority Action</b>	<b>Implementing Parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Inclusion of the category of refugee in the information files of the social sector: the Ministry of Human Development and Social Inclusion will instruct institutions of the social sector and the National System of the Single Registry of State Beneficiaries (SINIRUBE, by its acronym in Spanish) to include the categories of Refugee and Person Seeking Refugee Status in their information files.	MDHIS/IMAS, PANI, CANAPAM, IAFA, CONAPDIS, INAMU, IMAS, DESAF	2018, 2019	BPA Chap. 3 San Jose Action Statement
Protocols for refugee care in the social sector: the Ministry of Human Development and Social Inclusion will provide technical support to all institutions of the Social Sector in the establishment of protocols which allow the standardisation of the assistance given to refugees and those seeking refugee status, and also the implementation of internal sensitization processes that guarantee the application of said protocols at all levels	MDHIS/IMAS, PANI, CANAPAM, IAFA, CONAPDIS, INAMU, IMAS, DESAF	2018	BPA Chap. 3 San Jose Action Statement



in the institution.			
State programmes for the reduction of poverty: the Ministry of Human Development and Social Inclusion will instruct the National System of the Single Registry of State Beneficiaries (SINIRUBE) to include refugees and those seeking refugee status in the poverty reduction programmes of the Joint Social Aid Institute, giving them the same rights as nationals.	MDHIS/IMAS, UNHCR	2018	BPA Chap. 3 San Jose Action Statement
<b>Prioritised Need</b>		<b>Women, teenage mothers, survivors of gender-based violence and the LGBTI population</b>	
<b>Priority Action</b>	<b>Implementing Parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Protocol for female refugee care: INAMU, along with the DGME, the National Board of Infancy (PANI, by its acronym in Spanish) and UNHCR, will develop a protocol for assisting women, teenage mothers and survivors of gender-based violence, enabling the coordination and articulation of the assistance given to cases of female refugees and asylum seekers in Costa Rica; including women who are in Care Facilities due to conflict with the law.	INAMU, DGME, PANI, Penitentiary System, UNHCR	2018, 2019, 2020	BPA Chap. 3 San Jose Action Statement
Project for the access of LGBTI populations to the labour market: the Ministry of Human Development and Social Inclusion, in coordination with the Diverse Chamber of Commerce of Costa Rica and with support from UNHCR, will develop a programme for the training and job placement of LGBTI refugees.	Ministry of Human Development and Social Inclusion, Diverse Chamber of Commerce	2018, 2019, 2020	BPA Chap. 3 Local Integration San Jose Action Statement
<b>Prioritised Need</b>		<b>Children refugees or asylum seekers</b>	
<b>Priority Action</b>	<b>Implementing Parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Protocol for the protection and care of refugee children: PANI, with support from UNHCR and DGME, will update the protection, care and reference protocol for refugee children, following the international standards. Said protocol must include actions for the protection of unaccompanied or separated children and children at risk of statelessness.	PANI, DGME, UNHCR	2018	BPA CHAP. 3
Fund for DNA testing: PANI will develop a project for the creation of a fund to perform DNA testing of refugee families or asylum-seeking families when there is doubt over the filiation, in order to prevent trafficking and other types of activities harmful to children.	PANI, Supreme Court of Elections	2018 - 2019	BPA Chap. 3
<b>Prioritised Need</b>		<b>Refugees and asylum seekers with special care needs (the elderly, disabled persons and persons with problematic use of psychoactive substances)</b>	
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Protocol for elderly refugees: the Ministry of Human Development and Social Inclusion undertakes to manage, under the National Council for the Elderly (CONAPAM, by its acronym in Spanish), the development of a specialised care protocol for elderly refugees, providing access to public services and the right to healthcare.	Ministry of Human Development and Social Inclusion, CONAPAM	2018, 2019	BPA Chap. 3

Protocol for assistance for refugees with problematic use of psychoactive substances: the IAFA will develop a care protocol for the refugee population in rehabilitation centres for persons with addictions which are under supervision from the Institute.	Institute for Alcoholism and Drug Dependency (IAFA, by its acronym in Spanish), MDHI	2018, 2019	BPA Chap. 3
Adaptation of RSD Procedures for disabled persons: the National Council for Disabled Persons (CONAPDIS, by its acronym in Spanish) will advise the DGME in the development of a mechanism for assisting asylum seekers who have cognitive, physical or sensorial disabilities in the procedures for refugee status determination in order to guarantee due process.	CONAPDIS, DGME	2018, 2019	BPA Chap. 3
<b>Prioritised Need</b>	<b>Solidarity networks of and for refugees</b>		
<b>Acción Prioritaria</b>	<b>Partes Ejecutoras</b>	<b>Cronograma</b>	<b>Compromiso (DASJ, PAB, otros)</b>
Solidarity networks for refugees: the Ministry of Human Development and Social inclusion with collaboration from UNHCR will promote the participation of civil society in assisting refugees through research and professional practice initiatives with public and private universities.	Ministry of Development and Social Inclusion, Public and Private Universities, UNHCR	2018, 2019, 202	BPA Chap. 3 San Jose Action Statement

## PILLAR 3 – Support for host countries and communities

<b>Prioritised Need</b>	<b>Information about State expenditure on matters of refugees</b>		
<b>Priority Action</b>	<b>Implementing Parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Methodology of quantifying the State contribution to refugees: the Ministry of Planning and National Policy (MIDEPLAN, by its acronym in Spanish) will develop a methodology for quantifying the amount the State spends on refugee matters, with technical support from the OEDC.	MIDEPLAN, OEDC, UNHCR	2018, 2019, 2020	BPA Chap. 3
<b>Prioritised Need</b>	<b>Mechanism enabling the sustainability of the implementation of MINARE agreements</b>		
<b>Priority Action</b>	<b>Implementing Parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Permanent MINARE team: the MINARE Technical Team will become a permanent monitoring, evaluation and fundraising mechanism that will ensure the sustainability of the implementation the framework. The team will be chaired by the Ministry of the Interior and Police and it will meet monthly. UNHCR will participate as the technical secretariat.	MGyP, MRREEyC, MTSS, IMAS, MIDEPLAN, DGME, UNHCR	2018, 2019, 2020	BPA Chap. 3

## PILLAR 4 – Enhance opportunities for durable solutions

Prioritised Need	Refugee access to the right to work		
Priority Action	Implementing Parties	Schedule	Commitment (SJAS, BPA, others)
The Digital Consultation of Work Permits Project: the DGME, in coordination with the Ministry of Labour and Social Security and with support from UNHCR, will create a digital consultation mechanism enabling refugees to certify the validity of their work permit with potential employers.	MTSS, DGME, UNHCR	2018, 2019	BPA Chap. 3  San Jose Action Statement
Labour mediation programme for refugees: the Ministry of Labour and Social Security will provide the Pol with effective access to labour mediation programmes such as <a href="http://www.buscoempleo.go.cr">www.buscoempleo.go.cr</a> , the EMPLEATE Programme, Mi Primer Empleo and PRONAE 4x4; in addition to micro-business support programmes. The National Labour Inspectorate will take into consideration in its procedures the specific nature of refugees, with the objective of ensuring that their labour rights and the employer's obligations are recognised as equal to those of nationals. Also, informative actions will be carried out on current legislation so as to improve the recognition of the identity documents of Pol and to reduce discrimination and xenophobia during recruitment and staff selection processes.	MTSS, DGME	2018, 2019, 2020	BPA Chap. 3  San Jose Action Statement
Project for making academic requirements more flexible: the INA will develop an alternative mechanism for checking the academic requirements and/or the equivalency of the technical skills of refugees who wish to enrol on vocational training courses. Additionally, it will carry out joint actions with the private sector for the promotion of internships and the certification of skills through dual training opportunities.	INA, Chamber of Commerce, Chamber of Industry, Diverse Chamber of Commerce	2018, 2019, 2020	BPA Chap. 3  San Jose Action Statement
Prioritised Need	Recognition of studies from countries of origin		
Priority Action	Implementing parties	Schedule	Commitment (SJAS, BPA, others)
Project for the provision of alternative proof for the recognition of academic qualifications: CONARE will incorporate the Consular Section of the Ministry of Foreign Affairs and Worship into the understanding agreement with UNHCR for the provision of alternative proof or evidence in the formalisation of applications for the recognition and equalisation of refugees' academic and professional qualifications from countries of origin.	CONARE, Ministry of Foreign Affairs and Worship, UNHCR	2018, 2019	BPA Chap. 3  San Jose Action Statement
Prioritised Need	Technological literacy		
Priority Action	Implementing parties	Schedule	Commitment (SJAS, BPA, others)

Technological Literacy Project: the Ministry of Culture and the IMAS will promote technological literacy to refugees through the “Digital Costa Rica” National Strategy (access to computers) and the literacy activities of the National system of Libraries (SINABI, by its acronym in Spanish).	Ministry of Culture and Youth, SINABI, IMAS	2018, 2019, 2020	BPA Chap. 3 San Jose Action Statement
<b>Prioritised Need</b>	<b>Encouragement of entrepreneurialism</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Project for the encouragement of entrepreneurialism: the Ministry of Economy, Industry and Commerce will include business ventures lead by refugees in the Register of Entrepreneurs and will encourage their participation in entrepreneurial events and other activities organised by the Ministry to strengthen micro- and small enterprises.	MEIC, ACNUR	2018, 2019, 2020	BPA Chap. 3 Local Integration Programme San Jose Action Statement
<b>Prioritised Need</b>	<b>Socio-cultural integration</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Project for valuation of the population’s contribution to the culture of host communities: the Ministry of Culture and Youth will strengthen information and training processes of the cultural advisors of local governments who are carrying out activities with the population of interest, with the objective of emphasising refugees’ contribution to the cultural dynamic of host communities.	Ministry of Culture and Youth, local governments, UNHCR	2018, 2019, 2020	BPA Chap. 3 Local Integration Programme San Jose Action Statement
SINEM Refugee Children Project: the National System of Musical Education (SINEM, by its acronym in Spanish) will give refugee children free access to musical education, including free access to musical instruments.	SINEM, ACNUR	2018, 2019, 2020	BPA Chap. 3 Local Integration Programme San Jose Action Statement
<b>Prioritised Need</b>	<b>Access to decent housing</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Project for access to dignified housing for refugees: the Ministry of Housing and Human Settlement will consult with the legal department on the possible modifications of Law 7052 and its Regulations, with the objective of guaranteeing refugees’ access to housing programmes and subsidies.	Ministry of Housing and Human Settlement, UNHCR	2018	BPA Chap. 3 Local Integration Programme San Jose Action Statement

## Información más Detallada

If you require more detailed information about Costa Rica’s national chapter, please visit the following website: <http://www.mirps-hn.org>

## “Next Steps”

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With the objective of ensuring the execution of the agreements made by each of the competent ministries and institutions, the President of the Republic has decided that MINARE will be subject to agreements from the National Council on Migration and the Social Presidential Council; and it will be presented to the Cabinet. Additionally, the President of the Republic is considering its formalisation through an Executive Decree.

The Ministry of Foreign Affairs and Worship and the Ministry of Planning and Economic Policy will present the results of the MINARE national consultations to the diplomatic corps and representatives of the accredited

cooperation agencies in Costa Rica, with support from UNHCR. During this meeting, at least ten project profiles based on the agreements included in MINARE will be presented, with the objective of measuring the interest of the cooperating agencies and raising funds for the implementation of the first projects. Bilateral monitoring meetings will also be held.

The Vice-President of the Republic will participate in the Dialogue on Protection Challenges with the High Commissioner in December, which will focus this year on the *Comprehensive Refugee Response Framework*.





## Acronyms

<b>AGD</b>	Age, Gender and Diversity
<b>BOCOS</b>	Branch Office Costa Rica
<b>BPA</b>	Brazil Plan of Action
<b>CATEM</b>	Migrant in Transit Temporary Care Centre
<b>CNE</b>	National Commission of Emergencies
<b>CNM</b>	National Council on Migration
<b>COI</b>	Country of Origin Information
<b>CONAPDIS</b>	National Council for Disabled Persons
<b>CONARE</b>	National Council of Rectors
<b>FODESAF</b>	Social Development and Family Allocations Fund
<b>GCR</b>	Government of Costa Rica
<b>IMAS</b>	Joint Social Aid Institute
<b>IOM</b>	International Organization for Migration
<b>MDHIS</b>	Ministry of Human Development and Social Inclusion
<b>MGyP</b>	Ministry of the Interior and Police
<b>MIDEPLAN</b>	Ministry of Planning and Economic Policy
<b>MINARE</b>	Framework for Protection and Solutions in Response to the Situation of Refugees in Costa Rica
<b>MINSAL</b>	Ministry of Health
<b>MRREEyC</b>	Ministry of Foreign Affairs and Worship
<b>MTSS</b>	Ministry of Labour and Social Security
<b>Pol</b>	Population of interest
<b>QAI</b>	Quality Assurance Initiative
<b>SOGI</b>	Sexual Orientation and Gender Identity
<b>TAM</b>	Administrative Migration Tribunal
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNS</b>	United Nations System



## Introduction

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Since 1983, Guatemala has been a signatory of the main international treaties on human rights and the international protection of refugees – the 1951 Convention and the 1967 Protocol relating to the Status of Refugees. Guatemala adopted the 1984 Cartagena Declaration and, in 2014 on the 30<sup>th</sup> anniversary of said declaration, it adopted the Brazil Declaration and Plan of Action alongside 28 other Latin American countries. Guatemala also participated in the regional forums on international protection including the High Level Round Table discussing the "Call to Action: Protection Needs in the Northern Triangle of Central America," held in 2016 in San Jose, Costa Rica. In that same year, it adopted the New York Declaration for Refugees and Migrants, the first Annex of which is the "Comprehensive Regional Protection and Solutions Framework for the Americas" (MIRPS).

With the objective of designing its own chapter of the MIRPS and therefore contributing inputs to the development of the Global Compact on Refugees, Guatemala created an Executive Committee formed of the Ministry of Foreign Affairs, UNHCR, UNDP, OAS and the UN Resident Coordinator in Guatemala. The functions of the Committee consisted of approving the design of a methodology and the format of a matrix that would allow the development of a national operational plan for the actions required to provide a comprehensive response to refugees. The Committee will also review the progress of this process.

In May 2017, Guatemala officially started a series of rounds of national inter-sectoral consultations for adding information to the matrix. Six consultations took place in this regard.





It is of the utmost importance to highlight the fact that in order to facilitate this work, the subject was approached from the framework of three national level collaborative groups that work on specific issues of migration: the National Commission for Refugees (CONARE, by its Spanish acronym), the Commission for the Comprehensive Care of Migrant Children and Adolescents, and the Committee of Labour Mobility..

The National Commission for Refugees is formed of the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Labour and Social Security and the General Directorate of Migration. The National Commission for Refugees is the body responsible for applying the provisions of the Convention and Protocol relating to the Status of Refugees, as well as any other regulations concerning the recognition, protection and care of refugees, and the rules and provisions contained in its regulations, in accordance with Governmental Agreement 383-2001.

The Commission for the Comprehensive Care of Migrant Children and Adolescents was created through Governmental Agreement 146-2014 and it is formed of the Ministry of

the Interior, the Ministry of Foreign Affairs, the Ministry of Education, the Secretariat of Social Welfare of the First Lady, the Office of the Attorney General of the Nation and the Secretariat of Social Works of the First Lady. The objective of this Commission is to coordinate, evaluate, promote and monitor compliance with the strategic plans and the institutional or inter-agency programmes linked to migrant children and adolescents.

In turn, the so-called “Committee of Labour Mobility” is a collaborative body formed of the Ministry of Labour and Social Security and the Ministry of Foreign Affairs, and its purpose is to address matters relating to migrant workers abroad and their return to Guatemala.

In order for each of the aforementioned groups to progress in the consolidation of a comprehensive line of work, there was participation from civil society actors with whom strategic partnerships were formed to address specific matters.

Shown below is a table summarizing the objectives and participants of each of the six consultations that took place from May 2017:



First Consultation	Second Consultation	Third Consultation
<p><b>Participants:</b> CONARE</p> <p><b>Objectives:</b> Develop the Preparation Matrix for the Comprehensive Regional Protection and Solutions Framework (MIRPS) of Guatemala.</p> <p><b>Progress:</b> Formulation of the Matrix; Definition of Prioritised Subjects under the four pillars of MIRPS, based on the context of Guatemala.</p>	<p><b>Participants:</b> CONARE, the Committee of Labour Mobility and the Commission for the Comprehensive Care of Migrant Children and Adolescents.</p> <p><b>Objectives:</b> Dissemination of the MIRPS Matrix of Guatemala and the methodology for filling it with data.</p> <p><b>Progress:</b> Scheduling of meetings with the aforementioned Technical Roundtables and the dissemination of the methodology to be used to fill the Matrix.</p>	<p><b>Participants:</b> CONARE, the Committee of Labour Mobility and the Commission for the Comprehensive Care of Migrant Children and Adolescents.</p> <p><b>Objectives:</b> Filling the Matrix with information that will help to consolidate National Inputs for MIRPS.</p> <p><b>Progress:</b> Constant meetings with the aforementioned Technical Roundtables for filling the Matrix with information.</p>
Fourth Consultation	Fifth Consultation	Sixth Consultation
<p><b>Participants:</b> CONARE, the Committee of Labour Mobility and the Commission for the Comprehensive Care of Migrant Children and Adolescents.</p> <p><b>Objectives:</b> Revision of the new MIRPS Matrix proposal, as provided by UNHCR, incorporating the recommendations of Ms. Reem Alsalem, Consultant of the UNHCR Bureau for the Americas on MIRPS and the Global Compact on Refugees, regarding the need to quantify resources and reformulate some of the prioritised activities.</p> <p><b>Progress:</b> Dissemination of the new MIRPS Matrix with the aforementioned Technical Roundtables, to incorporate their observations and comments before approval.</p>	<p><b>Participants:</b> CONARE, the Committee of Labour Mobility and the Commission for the Comprehensive Care of Migrant Children and Adolescents.</p> <p><b>Objectives:</b> Presentation of the matrices created by the consultants hired by UNHCR on the headings in the Annual Operational Plans of the various national institutions that may contribute to the financing of MIRPS activities.</p> <p><b>Progress:</b> Dissemination of the matrices created by the consultants hired by UNHCR to the planning officials at the institutions of the Roundtables.</p>	<p><b>Participants:</b> CONARE, the Committee of Labour Mobility and the Commission for the Comprehensive Care of Migrant Children and Adolescents.</p> <p><b>Objectives:</b> Finalise the substantive information that each national institution has inserted in the matrix.</p> <p><b>Progress:</b> Validation of the substantive part of the MIRPS matrix.</p>

## Protection and Solutions: Overarching Gaps and Needs

The protection, solutions, needs and gaps discussed within the framework of the country as a place of origin, transit, destination and return are developed around four pillars:

### Pillar 1, *Reception and Admission*

Referring to the measures that ensure the identification of persons in need of protection, as well as measures that protect the Guatemalan population and address the causes of risk.

### Pillar 4, *Solutions*

New proposals are needed to provide protection for the populations most at risk.

Shown below are the activities promoted by the Government of Guatemala to cover ratified commitments such as the 1951 Convention, its 1967 Protocol, the 1984 Cartagena Declaration, the 2014 Brazil Declaration and the 2016 San Jose Call to Action and other regional agreements and national legislations that are aligned with the international framework:



# STOCKTAKING EXERCISE

## PILLAR 1 – Reception and Admission

<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• Cartagena 84</li> <li>• Brazil Declaration</li> </ul>
<b>Supervisors</b>	CONARE
<b>Existing Activity</b>	Care for 786 asylum seekers from 41 different countries in the period between 2002 and 2017, with a recognition rate of between 97% and 100%.
<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• Brazil Declaration</li> <li>• Cartagena 84</li> </ul>
<b>Supervisors</b>	CONARE
<b>Existing Activity</b>	Recognition of one case of a person from the LGBTI community.
<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• Cartagena 84</li> <li>• Brazil Declaration</li> </ul>
<b>Supervisors</b>	General Directorate of Migration (DGM, by its Spanish acronym)
<b>Existing Activity</b>	Policy of non-detention of persons in transit and asylum seekers, as provided for by Migration Act 95-98.
<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• Brazil Declaration</li> <li>• Cartagena 84</li> </ul>
<b>Supervisors</b>	Commission for the Comprehensive Care of Migrant Children and Adolescents
<b>Existing Activity</b>	Teams specialising in the reception of Migrant Children and Adolescents (MCA) and family units in the centres in Tecún Umán, in the <i>Casa Nuestras Raíces</i> shelters and in the Guatemalan Air Force.

## PILLAR 2 – Immediate and ongoing needs

<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• Cartagena 84</li> <li>• Brazil Declaration</li> </ul>
<b>Supervisors</b>	DGM
<b>Existing Activity</b>	Issue of Refugee Documents to persons recognised as such, ensuring their right to identity
<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• Cartagena 84</li> </ul>
<b>Supervisors</b>	CONARE
<b>Existing Activity</b>	Support for the protection and the generation of livelihoods for refugees and asylum seekers, in coordination with UNHCR implementing partners in Guatemala – Pastoral Group of Human Mobility.
<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• Brazil Declaration</li> </ul>
<b>Supervisors</b>	Ministry of Foreign Affairs (MINEX, by its Spanish acronym)
<b>Existing Activity</b>	Training the consular corps in assisting MCA

## PILLAR 3 - Support for host countries and communities

### Commitment

- Brazil Declaration
- San Jose Call to Action

### Supervisors

MINEX

### Actividad Existente

Request to UNHCR through the High Level Round Table “Call to Action: Protection Needs in the Northern Triangle of Central America.” Support for the improvement of the Tecún Umán adult reception centre in the Department of San Marcos and the reception of unaccompanied MCA in the specialised centres in Quetzaltenango and Guatemala City.

### Commitment

- Cartagena 84
- Brazil Declaration

### Supervisors

MINEX, Ministry of Labour (MINTRAB, by its Spanish acronym), Ministry of Education (MINEDUC, by its Spanish acronym) and others

### Actividad Existente

Launching, on March 7, 2017 of the “*Guate te incluye*” programme, aimed at generating a national approach to the social and labour inclusion of the returned migrant population of Guatemala.

### Commitment

- Brazil Declaration

### Supervisors

MINEX

### Actividad Existente

Signing of a letter of understanding to strengthen the relationship between MINEX and UNHCR, including support for MINEX in the implementation of a “protection transfer arrangement” as an exceptional protection measure for persons who are at high risk, in order to provide a safe and legal alternative for accessing international protection.

## PILLAR 4 – Enhance opportunities for durable solutions

### Commitment

### Supervisors

### Actividad Existente

Approval and coming into force of Decree 44-2016 of the Migration Code, whose Chapter V of which establishes the recognition of refugee status, political asylum and humanitarian assistance. Also, the creation of the new Institute of Migration.

Despite the significant progress and the best practices recently put into use, gaps related to the following issues have been identified:

- Review the provisions established in the new Migration Code concerning compliance with the principle of non-refoulement and the principle of non-

penalisation for the irregular entry of asylum seekers and refugees.

- Strengthen inter-institutional coordination by involving the judiciary in the detection, care, protection and monitoring of cases of unaccompanied children who wish to seek asylum.

## Protection and Solutions: Action Plan

Identify the main needs and the priority actions for each pillar, as identified in the national consultations.

Government commitments for the 2018-2020 period.

PILLAR 1 – Reception and Admission	
<i>Prioritised Need</i>	<i>Identify persons in need of international protection</i>
<b>Priority Action</b>	<b>Institutions Responsible</b>
Strengthen the institutional capacity of the General Directorate of Migration/Guatemalan Institute of Migration, particularly in matters of care and protection.	DGM/IGM, National Migration Authority
Raise awareness and train migration delegates, the National Civil Police Force, the Army, Jurisdictional Bodies and security personnel at borders and airports in matters of international protection.	DGM/IGM, National Migration Authority, Care and Protection Council
Include in the curricula of training schools for authorities involved in matters of migration, topics concerning national protection systems for migrants, as provided by the Migration Code, the Comprehensive Protection of Migrant Children and Adolescents Act, the right of asylum and other international protection measures, in addition to regional level protection agreements.	DGM/IGM, Ministry of the Interior, Ministry of Defence, the Judiciary (OJ, by its Spanish acronym), The Office of the Attorney General of the Nation (PGN, by its Spanish acronym), Public Prosecutor (MP, by its Spanish acronym), Secretariat of Social Welfare (SBS, by its Spanish acronym), Secretariat of Social Works of the President's Wife (SOSEP, by its Spanish acronym), Human Rights Ombudsman (PDH, by its Spanish acronym), MINEDUC, MINEX, MINTRAB (other institutions may be added in any phase)
Draw up the regulations and update the current protocols in matters of care and protection in accordance with the Migration Code, ensuring that the processes include access to the application for asylum or other international protection measures such as the	DGM/IGM, Migration Authority, Care and Protection Council and other institutions

humanitarian visa and any other measures the State may adopt.	
Strengthen awareness raising and training processes for migration delegates at the border for the purpose of identifying persons in need of protection.	DGM/IGM, National Migration Authority
Create and disseminate informational materials regarding the access to asylum and other protection and assistance systems for migrants.	DGM/IGM, Ministry of the Interior, Ministry of Foreign Affairs, Ministry of Labour (CONARE), PDH, OJ, Municipalities and other institutions
<i>Prioritised Need</i>	<i>Identify specific protection needs based on age, gender and diversity</i>
<b>Priority Action</b>	<b>Institutions Responsible</b>
Strengthen Deportee Reception Centres for the (in situ) identification of Guatemalan returnees in need of protection whose rights have been violated in the deportation process.	DGM/IGM, MINEX, SOSEP (family groups), SBS (unaccompanied MCA), PGN
Train and raise awareness of officials working with migrant populations, for a comprehensive approach that takes into consideration the age, gender and diversity of persons, paying special attention to unaccompanied children and adolescents, women at risk, the LGBTI population, victims of human trafficking, elderly persons and disabled persons.	DGM/IGM, Ministry of the Interior, Ministry of Defence, the Judiciary, PGN, MP, SBS, SOSEP, MINTRAB, MINEX and other institutions
Strengthen the leading institutions in the protection of children and adolescents, especially in border areas.	PGN, SBS, SOSEP, OJ, DGM/IGM
<i>Prioritised Need</i>	<i>Guarantee safe transit</i>
<b>Priority Action</b>	<b>Institutions Responsible</b>
Develop the continuity of the persons in transit permit mechanism, as defined in the Migration Code regulations, with the objective of ensuring regular transit through the country.	DGM/IGM, National Migration Authority
Design, create and implement a mechanism for registering cases and reports of human rights violations committed against migrants in transit through Guatemalan territory.	Human rights, PGN, MP, the Judiciary, PNC, DGM/IGM
Create and/or improve suitable spaces with interview rooms guaranteeing the confidentiality of information shared by asylum seekers, as well as specialised and friendly spaces for children and adolescents.	DGM/IGM
Expand the teams of eligibility officials who process asylum applications in the General Directorate of Migration/Guatemalan Institute of Migration.	DGM/IGM
Initiate the process for creating a multi-disciplinary team for the care and protection of refugees and asylum seekers.	DGM/IGM
<i>Prioritised Need</i>	<i>Offer specialised, differentiated, safe and dignified reception conditions, with special attention to persons with specific needs</i>
<b>Priority Action</b>	<b>Institutions Responsible</b>
Formulate a diagnosis for the creation of decent, open shelters that are specialised for the population in need of international protection, involving specialised and	Care and Protection Council and other institutions

trained teams.	
Restructure the Temporary Family Placement Programme, for the assistance of children and adolescents in need of protection who have returned or are in transit.	SBS, National Adoptions Council, DGM/IGM, PGN
<b>PILLAR 2 – Immediate and ongoing needs</b>	
<i>Prioritised Need</i>	<i>Provide healthcare, education, social services and protection to children</i>
<b>Priority Action</b>	<b>Institutions Responsible</b>
Strengthen the Migrant Care Directorate at the Ministry of Public Health and Social Welfare.	Ministry of Public Health and Social Welfare
Negotiate and implement regional and international agreements for the recognition of academic qualifications, paying special attention to the specific needs and difficulties refugees face when presenting documentation from their countries of origin.	Ministry of Education, MINEX
Include in the Institutional Strategic Plans, Multi-Annual Plan and Annual Operational Plan, the provision of fundamental basic services for persons in need of international protection.	
Coordinate actions with local education authorities and institutions throughout the country for the inclusion and integration of MCA and youths into the national education system. These actions include awareness raising campaigns about the risks and consequences of migration routes, and the dissemination of the guide for bringing internal and external migration to the attention of the student population. Formulation and implementation of a road map for the provision of care to the Guatemalan migrant population in the process for the accreditation and certification of labour skills. Implementation and dissemination of Ministerial Agreement 696-2017 that mandates to "Validate the studies of Guatemalan deportees who will continue their training in the National Education System."	Ministry of Education
<i>Prioritised Need</i>	<i>Ensure close cooperation and encourage joint planning</i>
<b>Priority Action</b>	<b>Institutions Responsible</b>
Strengthen inter-agency and inter-sectoral coordination in order to increase the basic services options for asylum seekers and refugees.	All institutions
<b>PILLAR 4 – Enhance opportunities for durable solutions</b>	
<i>Prioritised Need</i>	<i>Encourage self-reliance in refugees through work opportunities</i>
<b>Priority Action</b>	<b>Institutions Responsible</b>
Propose the modification of the labour regulations so as to enable refugees and asylum seekers to access occupational training programmes.	Ministry of Labour and Social Security
Design awareness raising campaigns aimed at the business sector and public officials as regards the rights of refugees, especially in terms of the labour market and	Ministry of Education, National Migration Authority, Ministry of Labour and Social Security



access to services (information kiosks and job fairs).	
Strengthen information campaigns about labour rights and access to the labour market, aimed at the general public and including refugees and asylum seekers.	
Prioritise the processing and resolution of applications for work permits from refugees and asylum seekers.	
Facilitate access to Spanish language courses for asylum seekers and refugees.	
Through public-private partnerships, facilitate processes allowing asylum seekers and refugees to return to employment, using tools such as the National Employment Service.	
<i>Prioritised Need</i>	<i>Provide protection alternatives to persons at high risk and returnees with specific needs</i>
<b>Priority Action</b>	<b>Institutions Responsible</b>
Ensure the continuity of statistical studies and improve registration systems so as to learn about the profiles of returnees, refugees and asylum seekers, including their occupations, with a view to their safe reintegration and internal relocation, if necessary.	DGM/IGM, Ministry of Labour and Social Security
Create an inter-sectoral mechanism for the establishment of routes and implement the national strategy for the return to employment of Guatemalan migrant returnees with or without international protection needs.	Ministry of Labour and Social Security, Ministry of Foreign Affairs, General Directorate of Migration/Guatemalan Institute of Migration, Ministry of Education, Ministry of Economy, Ministry of the Interior, Technical Institute of Training and Productivity (INTECAP, by its Spanish acronym), the Business Sector
Create the Protection Transfer Arrangement for persons at high risk who need support for safe and regular access to asylum countries.	MINEX, UNHCR

## More Detailed Information

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If you require more detailed information about the Guatemala's national chapter, please send an email to the following focal point: [digracom@minex.go.gt](mailto:digracom@minex.go.gt); [dami@minex.gob.gt](mailto:dami@minex.gob.gt)

## Next Steps

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In order to determine the steps to take, two issues must be born in mind: firstly, that the consolidation of this operational plan will become an input for the construction of the Global Compact on Refugees in 2018; and

also that it represents the systematisation of Guatemala's commitment to strengthening its refugee protection system and creating actions in their benefit.

In this regard, actions visible in the short and medium term that have already been identified consist of the verification of the budgets of each of the institutions.

With the national consultations process, Guatemala has concluded the substantive part of the MIRPS matrix and it is pending the integration of the information of the financial part. However, in light of the seventh MIRPS national consultation on October 18, 2017, the governmental institutions involved in elaborating the MIRPS matrix anticipated the need to add two columns to the financial part of the matrix: one referring to the Institutional Strategic Plan and another referring to the Annual Operational Plan. In virtue thereof, internal consultations within

its institutions need to be carried out in order to fill in that information.

It is important to note that at this stage of the process the Financial and Planning Units of each of the institutions need to be involved.

Subsequently, it will be necessary to carry out a new national consultation for the discussion and integration of the information gathered by each of the institutions.

Another fundamental action anticipated for the realisation of this operational plan is based on its dissemination at all levels, with the objective of making asylum visible on a national level, setting it up for the fulfilment of all the designated actions and then monitoring them.



## ACRÓNIMOS

<b>CONARE</b>	Comisión Nacional para Refugiados
<b>MINGOB</b>	Ministerio de Gobernación
<b>MINEX</b>	Ministerio de Relaciones Exteriores
<b>MINTRAB</b>	Ministerio de Trabajo y Previsión Social
<b>DGM</b>	Dirección General de Migración
<b>PMH</b>	Pastoral de Movilidad Humana
<b>MINEDUC</b>	Ministerio de Educación
<b>MIDES</b>	Ministerio de Desarrollo Social
<b>SBS</b>	Secretaría de Bienestar Social
<b>PGN</b>	Procuraduría General de la Nación
<b>SOSEP</b>	Secretaría de Obras Sociales de la Esposa del Presidente
<b>OEA</b>	Organización de Estados Americanos
<b>ACNUR</b>	Alto Comisionado de las Naciones Unidas para los Refugiados

# Honduras



## Introduction

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In March 2017, the Government of Honduras notified the United Nations High Commissioner for Refugees (UNHCR) of its acceptance of the invitation to participate in the construction process of the CRRF. In doing so, Honduras became the first pilot CRRF country in America. This pioneering action reflects the State's commitment to comprehensively improve its protection systems from the roots, as a country of origin, providing a response to refugees and

asylum seekers in Honduran territory; returned Honduran migrants in need of protection; Hondurans abroad; and internally displaced persons. The pilot CRRF process consisted of a series of national consultations aimed at a broad range of stakeholders and it served to consolidate existing response efforts and drive new forms of inter-institutional collaboration and cooperation.

## The piloting of Honduras

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After the dissemination of the New York Declaration and the CRRF to the State institutions, a technical team was formed of the following institutions to lead the national consultation process: the National Institute of Migration (INM, by its acronym in Spanish), the Ministry of Foreign Affairs and International Cooperation (SRECI, by its acronym in Spanish), the Ministry of Human Rights, Justice, the Interior and Decentralisation, the Ministry of General Coordination of the Government (SCGG, by its acronym in Spanish) and the Directorate of Children, Adolescents and Family (DINAF, by its acronym in Spanish).

With the support of UNHCR, the technical team planned activities in three phases: 1) consultations with the concerned population sectors for the identification of needs; 2) consultation with State institutions to prioritise needs, identify existing State

responses and define a plan of action; and 3) consultation with civil society and international community actors for the identification of complementary actions.

In total, 338 people were consulted based on four profiles: 1) refugees and asylum seekers, 2) returnees in need of protection, 3) Hondurans abroad, and 4) internally displaced persons. Reports from the National Commission of Human Rights (CONADEH, by its acronym in Spanish) were used as a reference in order to define the consulted sectors, alongside the recommendations of the report of the UN Special Rapporteur on the Human Rights of Internally Displaced Persons on his 2015 mission to Honduras (CONADEH)<sup>3</sup> were used as a reference in order to define the consulted sectors, alongside the recommendations of the report of the UN Special Rapporteur on the Human Rights of Internally Displaced Persons on his

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<sup>3</sup> Comisionado Nacional de los Derechos Humanos (CONADEH), [Boletín Estadístico sobre el Desplazamiento Forzado Interno: Identificación de](#)

[Casos en los Registros de Quejas en Cinco Oficinas del CONADEH](#) (junio 2017).

2015 mission to Honduras. The groups defined as particularly at risk were: boys, girls and youths; women; traders; transport workers; educators; LGBTI persons; and farmers. The consultation methodology included interviews and focus groups from July 2017 in Tegucigalpa, San Pedro Sula, El Progreso and abroad.

In September 2017, a consultation was held with 23 State institutions and participation

from 35 representatives to present the needs of the population identified in the consultations. The result was a mapping of the State response, prioritising the needs linked to their mandates and competencies. The third stage in the consultation process took place at the end of September and was aimed at civil society organisations in order to identify the priorities and potential complementarities of their social solutions.



## National achievements in compliance with international commitments

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The regional processes for the protection of displaced persons, the population in transit in need of protection and refugees have boosted the strengthening of the national response. Based on the 2014 Brazil Plan of Action, Honduras managed to: 1) strengthen the asylum system with the creation in 2015 of the Internal Commission for the revision, analysis and resolution of applications presented to the National Institute of Migration (Asylum Commission); 2) establish guidelines for the identification, reception and referral of persons in need of protection in the process of reception of returned nationals; and 3) expand the initiatives and projects directed at the protection of internally displaced persons. Other efforts include regional cooperation initiatives with Colombia in matters of victim attention and land protection.

Within the framework of the San Jose Action Statement, the Government of Honduras committed to developing six concrete actions to reinforce the national response and since July 2016 it has made significant progress in this respect. In compliance with the first commitment regarding the establishment of an information system on internal displacement, 2017 saw the start of a process for updating the diagnostic on internal displacement, offering a more comprehensive vision of the problem in terms of causes, magnitude, profiles and impact on the population concerned. In turn, it will enable the identification of criteria for the creation of a displaced population registration system.

The second commitment refers to the adoption of a legal framework on internal displacement and therefore since 2016, a highly participative and constructive process has been developed with various governmental institutions, resulting in the formulation of the bill for a “Law for the Prevention, Care and Protection of Internally Displaced Persons” which is in the process of being presented before National Congress.

The third commitment refers to the establishment of a protection and assistance roadmap for persons who are displaced or at risk of being displaced, formulated under the leadership of the Inter-institutional Commission for the Protection of Persons Displaced by Violence (CIPPDV, by its acronym in Spanish) since 2016. The draft thereof, which is currently being finalised, proposes the design of a humanitarian assistance mechanism that focuses on people's needs and human rights and combines the current institutional services to care, protect and foster solutions.

The fourth commitment refers to the strengthening of the CIPPDV, as achieved through the planning and execution of actions aligned with international commitments and recommendations, along with the allocation of financial and technical resources for its operation. The national response capacity will be reinforced with the creation from January 1, 2018 of the Ministry of Human Rights. The Directorate will have

departments for the reception of cases and risk analysis; the implementation and monitoring of protection, prevention and protection measures; and for registration and information. This will complement the CIPPDV's efforts as an operational body for the implementation of response measures and mechanisms. Similarly, the promotion of awareness campaigns and political advocacy around internal displacement, as provided in the fifth commitment of the San Jose Action Statement, has been a fundamental element

in the CIPPDV's work plan since 2016. This has been achieved through the establishment of spaces for dialogue and training with officials and civil servants of different State institutions, local governments and civil society. Lastly, and in line with the sixth commitment, the establishment of methodologies for allowing for a close relationship with displaced persons and communities was included as a priority action in 2017, appearing in the framework of the CRRF consultation activities.





Although many activities have been adopted by national institutions pursuant to these commitments, it is worth highlighting some which are particularly important based on the four pillars of the CRRF, as shown in Table 1.

<b>STOCKTAKING EXERCISE</b>	
<b>PILLAR 1 – Reception and Admission</b>	
<i>Refugees and asylum-seekers</i>	
<b>Supervisors</b>	National Institute of Migration
<b>Existing Activity</b>	<ul style="list-style-type: none"> <li>• Creation of the Department of Human Rights, which provides specialised care to refugees and asylum seekers.</li> <li>• Creation of the Asylum Commission as a multi-sectoral space for case analysis and resolution.</li> <li>• Creation of Care Centres for Irregular Migrants and a Medical Clinic for migrant care in order to provide humanitarian care and assistance.</li> <li>• Promotion of refugee and asylum seeker participation processes through the Asylum Commission.</li> </ul>
<i>Returnees in need of protection</i>	
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>• Brazil Plan of Action</li> </ul>	
<b>Supervisors</b>	Ministry of Foreign Affairs and International Cooperation; Directorate of Children, Adolescents and Family
<b>Existing Activity</b>	Establishment of differentiated mechanisms for the reception of children, families and adults who have returned by sea or air; and an identification, protection and referral procedure in the Care Centres for Returned Migrants in San Pedro Sula, La Lima and Omoa.
<b>PILLAR 2 – Immediate and ongoing needs</b>	
<i>Returnees in need of protection</i>	
<b>Supervisors</b>	Ministry of Foreign Affairs and International Cooperation
<b>Existing Activity</b>	<ul style="list-style-type: none"> <li>• Opening of Municipal Returnee Care Units in prioritised municipalities to facilitate effective reintegration on a local level.</li> <li>• Already operational, the Consular and Migration Observatory of Honduras (CONMIGHO, by its acronym in Spanish) contributes to the decision-making process and the design of public policies on migration.</li> <li>• Already operational and with extended coverage, the “ALHO VOZ” Call Centre provides an information and guidance service to Hondurans abroad.</li> <li>• Already operational, the Care Centres for Returned Migrants are national response focal points through specialised care, identifying and referring persons in need of protection.</li> </ul>
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>• Brazil Plan of Action</li> <li>• San Jose Action Statement</li> </ul>	
<b>Supervisors</b>	Ministry of Foreign Affairs and International Cooperation
<b>Existing Activity</b>	Training and guidance programmes for returned migrants, leading to their access to the labour market through the Honduran Migrant Solidarity Fund.
<i>Hondurans abroad</i>	
<b>Supervisors</b>	Ministry of Foreign Affairs and International Cooperation
<b>Existing Activity</b>	<ul style="list-style-type: none"> <li>• Already operational, the Consular Centres for the Protection of</li> </ul>

	<p>Honduran Migrants in Houston (USA) and Mexico City (Mexico), with an approach based on respect for the Human Rights of our migrant population abroad, aiming at providing guidance and assistance to nationals seeking asylum.</p> <ul style="list-style-type: none"> <li>• Implementation of the consulate capacity strengthening strategy for the protection of Hondurans abroad.</li> </ul>
<b><i>Internally displaced persons</i></b>	
<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• Brazil Plan of Action</li> <li>• San Jose Action Statement</li> </ul>
<b>Supervisors</b>	Ministry of Human Rights, Justice, the Interior and Decentralisation
<b>Existing Activity</b>	<ul style="list-style-type: none"> <li>• Finalisation of the bill for a law for the prevention, care and protection of internally displaced persons, which will be presented before National Congress.</li> <li>• Allocation of financial resources for the implementation of the 2017 CIPPDV work plan.</li> </ul>
<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• San Jose Action Statement</li> </ul>
<b>Supervisors</b>	Ministry of Human Rights, Justice, the Interior and Decentralisation
<b>Existing Activity</b>	<ul style="list-style-type: none"> <li>• Allocation of financial resources for the implementation of the 2017 CIPPDV work plan.</li> </ul>
<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• San Jose Action Statement</li> </ul>
<b>Supervisors</b>	Ministry of Human Rights
<b>Existing Activity</b>	<ul style="list-style-type: none"> <li>• Creation of the Secretariat of State in the Office of Human Rights by way of Executive Decree PCM-055-2017 which will come into force on January 1, 2018.</li> <li>• Creation of the Directorate for the Protection of Persons Internally Displaced by Violence within the structure of the new Secretariat of State in the Office of Human Rights.</li> </ul>
<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• San Jose Action Statement</li> </ul>
<b>Supervisors</b>	Inter-institutional Commission for the Protection of Persons Internally Displaced by Violence
<b>Existing Activity</b>	<ul style="list-style-type: none"> <li>• Design of a protection plan for displaced or at-risk persons, including returnees in need of protection.</li> </ul>
<b>Commitment</b>	
	<ul style="list-style-type: none"> <li>• Brazil Plan of Action</li> </ul>
<b>Supervisors</b>	Directorate of Children, Adolescents and Family
<b>Existing Activity</b>	<ul style="list-style-type: none"> <li>• Establishment of temporary protection homes or centres, as an alternative form of care for boys, girls and adolescents in vulnerable situations.</li> <li>• Design and implementation of the Comprehensive System for Guaranteeing the Rights of Children and Adolescents of Honduras.</li> </ul>
<b>PILLAR 4 – Enhance opportunities for durable solutions</b>	
<b><i>Refugees and asylum seekers</i></b>	
<b>Supervisors</b>	National Institute of Migration
<b>Existing Activity</b>	<ul style="list-style-type: none"> <li>• Finalisation of the Bill for a Law on Migration, harmonising national legislation with international standards in matters of refugees.</li> </ul>

# The Commitments of Honduras

Based on the measures adopted in compliance with international commitments, along with the information compiled in the population needs consultations, ongoing challenges were identified in each of the pillars. In **Pillar 1, Reception and admission:** reinforce the protection measures aimed at the prevention of displacement, differentiated by population sector or cause of risk. **Pillar 2, Immediate and ongoing needs:** combine the current national responses through a single mechanism focusing attention, care and protection in accordance with the programmes and services identified and quantified by the State, including measures to protect property and homes. **Pillar 3, Host community:** create a dissemination mechanism to sensitise and empower communities about the rights of displaced persons, in order to allow their integration. **Pillar 4, Durable solutions:** promote the active participation of displaced persons in the national protection framework consolidation processes as well as in programmes allowing them to progressively overcome their displacement.

The priorities of the Government of Honduras were implemented through a series of specific commitments, developed according to population sector and based on the CRRF pillars, as detailed below.

## Profile 1: Refugees and asylum-seekers

### PILLAR 1: RECEPTION AND ADMISSION

The procedure for applying for international protection in Honduras was strengthened after the creation of the Internal Commission

for the Revision, Analysis and Resolution of Asylum Applications in May 2015. However, the consulted refugees and asylum seekers highlighted the need to provide more information and guidance about their rights and the procedure. In response to their needs, Honduras commits to **building INM and National Police capacities in the identification of persons in need of international protection.**

### PILLAR 2: IMMEDIATE AND ONGOING NEEDS

The INM provides humanitarian care and legal guidance to persons in transit in need of protection, as well as humanitarian care to asylum seekers. Honduras commits to **continuing to strengthen humanitarian care and legal guidance mechanisms.**

### PILLAR 3: HOST COMMUNITY

The refugee population expressed its difficulties in integrating into Honduran society, such as problems stemming from the lack of documentation facilitating access to the country's employment and education system. Although the INM issues refugee identity documents, there are difficulties in getting it recognised in some institutions, thus delaying access to rights. Honduras commits to **fostering a mechanism to guarantee the recognition of the refugee identity document and to strengthen the institutional response.**

### PILLAR 4: DURABLE SOLUTIONS

The INM ran a participative diagnosis which resulted in the identification of the needs of the refugee and asylum-seeking population,

ensuring that their experiences and needs are taken into consideration and addressed. Honduras commits to **including refugee interests in its institutional actions and to keep strengthening the capacities of its groups and organisations through the Asylum Commission.**

### *Profile 2: Returnees in need of protection*

#### **PILLAR 1: RECEPTION AND ADMISSION**

The Care Centres for Returned Migrants (CAMR, by their Spanish acronym), strengthened and created since the adoption of the Protection of Honduran Migrants and their Families Act, identify persons in need of protection and provide differentiated care in the reception of returnees through processes and facilities suited to the care of children and family units. Some of those identified as in need of protection explained that they left the country due to threats and risks to their lives. In cases where the risk remains upon their return to the country, assistance and support is required to protect their lives. Honduras commits to **improving the identification of returned migrants in need of protection so as to guarantee a comprehensive and inter-agency response.**

#### **PILLAR 2: IMMEDIATE AND ONGOING NEEDS**

Currently, returned migrants receive support to cover their basic needs for shelter, food, clothing and basic healthcare services; these measures need to be sustained and strengthened. Honduras commits to **improving the care provided to returned migrants in need of protection so as to cover**

**their needs for shelter, food and healthcare in the short and medium term.**

#### **PILLAR 3: HOST COMMUNITY**

The Task Force for Migrant Children is the high-level inter-agency coordination authority that has fostered programmes and strengthened response in the attention, care and protection of migrants, involving local stakeholders. More coordination is required with local level stakeholders to guarantee a response consistent with the needs of the persons concerned. Honduras commits to **including this population in the prevention and protection mechanisms in the communities concerned.**

#### **PILLAR 4: DURABLE SOLUTIONS**

The adoption of the Protection of Honduran Migrants and their Families Act enabled the development of self-reliance projects for returned migrants with protection needs. Additionally, access to employment and decent and suitable livelihoods has been facilitated through the Municipal Returnee Assistance Units (UMAR, by their acronym in Spanish). The persons consulted talked about the need to access employment and gain more opportunities for their reinsertion. Honduras commits to **promoting priority access to returned migrants in existing labour reintegration programmes..**

### *Profile 3: Hondurans abroad*

#### **PILLAR 1: RECEPTION AND ADMISSION**

The Consular Centre for the Protection of Honduran Migrants identifies Hondurans in need of protection abroad and in the process of being deported; it also provides monitoring

through referral to the corresponding authorities.

The need to have legal guidance and assistance for nationals seeking protection abroad was identified. Honduras commits to **strengthening the capacities of consular officials for the identification and referral of cases of persons in need of protection abroad.**

## **PILLAR 2: IMMEDIATE AND PERSISTENT NEEDS**

Access and refusal to protection systems is governed by the legislation of the destination country. Honduras commits to **strengthening its referral and legal advice mechanisms abroad.**

### *Profile 4: Internally displaced persons and those at risk of displacement*

## **PILLAR 1: RECEPTION AND ADMISSION**

The creation of the Directorate for the Protection of Persons Internally Displaced by Violence provided an institutional focal point to respond to the internally displaced population. Honduras commits to **implementing a care and protection plan that facilitates the reception, care and referral of cases, and to strengthen the technical and financial capacities of the Directorate for the Protection of Persons Internally Displaced by Violence.**

## **PILLAR 2: IMMEDIATE AND ONGOING NEEDS**

The consultations highlighted the importance of strengthening the national response as regards: 1) improving State presence in communities at risk;

2) providing protection measures which address the collective impact of internal displacement and which take into consideration the specific needs of transport workers, traders, persons at risk of being deprived of their lands and homes, women and girls, lesbian, gay, bisexual, transgender and intersex (LGBTI) persons and returnees in need of protection; 3) adopting measures for safeguarding and protecting education centres against risks associated with organised crime and strengthening community and family support spaces; and 4) providing alternate means of transport and transfer mechanisms to other education centres aimed at educators. Honduras commits to **keep strengthening State presence in communities at risk, developing prevention and protection programmes that are differentiated by risk causes and profiles and that include prioritised access to documentation, and to keeping up-to-date information on displacement for an appropriate response.**

## **PILLAR 3: HOST COMMUNITY**

In the consultations, some people mentioned obstacles in their integration into host communities, referring to the stigmatization and discrimination associated with their status as displaced persons. The Government of Honduras commits to **developing a communication and awareness raising strategy on the rights of internally displaced persons in collaboration with local governments.**

## PILLAR 4: DURABLE SOLUTIONS

The consultations served to shed light on the impact of displacement in terms of its effect on the lives, safety, livelihoods and property of the persons concerned; their protection plays a fundamental role in the search for medium and long-term solutions. Honduras commits to **implementing a national**

**protection system for internally displaced persons, to progressing in the adoption of a mechanism to register abandoned properties, to facilitating displaced persons' access to vocational training programmes and income generation initiatives, and to promoting spaces for dialogue and consultation with the displaced population..**



Priority Action	Implementing parties (Coordinating authority in bold)	Implementation Period
<b>Profile 1: Refugees and asylum seekers</b>		
<b>Pillar 1: Reception and admission</b>		
Carry out training processes for public migration officials at border points in order to strengthen international protection identification capacities.	<b>National Institute of Migration</b>	By the 2 <sup>nd</sup> half of 2018
Provide guidance materials in central institutional offices and border crossing points.	<b>National Institute of Migration</b>	By the 2 <sup>nd</sup> half of 2018
Create an identification protocol for persons in need of protection in Care Centres for Irregular Migrants (CAMI, by their Spanish acronym).	<b>National Institute of Migration</b>	By the 2 <sup>nd</sup> half of 2018
<b>Pillar 2: Immediate and ongoing needs</b>		
Provide humanitarian aid and legal guidance in the CAMIs on a national level.	<b>National Institute of Migration</b>	By 2020
Develop an awareness campaign for authorities and the private sector on the migration category of refugees and asylum seekers, and their rights.	<b>National Institute of Migration, Asylum Commission</b>	By 2020
<b>Pillar 3: Host community</b>		
Establish a dialogue with the Ministry of Labour and the Ministry of Education for the removal of obstacles in access to employment and education by refugees and asylum seekers.	<b>National Institute of Migration, Ministry of Labour, Ministry of Education, Asylum Commission</b>	By 2020
<b>Pillar 4: Durable Solutions</b>		
Foster initiatives for the participation of the Refugees Committee so as to incorporate their needs into the decision-making process through the Asylum Commission.	<b>National Institute of Migration</b>	By 2020
<b>Profile 2: Returnees in need of protection</b>		
<b>Pillar 1: Reception and admission</b>		
Standardise the guidelines and specialise public officials in the identification of returned migrants in need of protection.	<b>Ministry of Foreign Affairs and International Cooperation (SRECI), Directorate of Children, Adolescents and Family (DINAF)</b>	By 2018
Develop the case reception and referral mechanism in the Consular Protection Centres abroad to provide an effective, comprehensive and inter-agency response.	<b>Ministry of Foreign Affairs and International Cooperation (SRECI)</b>	By 2020
<b>Pillar 2: Immediate and ongoing needs</b>		
Increase the existing humanitarian assistance coverage in the reintegration process.	<b>Ministry of Foreign Affairs and International Cooperation (SRECI)</b>	By 2020

<b>Pillar 3: Host Community</b>		
Establish spaces for dialogue to include the population in the prevention and protection mechanisms.	Ministry of Human Rights	By 2019
<b>Pillar 4: Durable Solutions</b>		
Train consular representatives in international protection.	Ministry of Foreign Affairs and International Cooperation (SRECI)	By 2019
<b>Profile 3: Hondurans abroad</b>		
<b>Pillar 1: Reception and admission</b>		
Train consular representatives in international protection.	Ministry of Foreign Affairs and International Cooperation (SRECI)	By 2019
<b>Pillar 2: Immediate and ongoing needs</b>		
Establish partnerships with free legal representatives abroad to provide effective assistance.	Ministry of Foreign Affairs and International Cooperation (SRECI)	By 2019
Train officials to provide better assistance and guidance in consulates.	Ministry of Foreign Affairs and International Cooperation (SRECI)	By 2019
<b>Profile 4: Internally displaced persons</b>		
<b>Pillar 1: Reception and admission</b>		
Organise awareness raising workshops for decision-makers to raise their awareness of internal displacement and the care and protection plan.	Inter-institutional Commission for the Protection of Persons Internally Displaced by Violence	By 2020
Strengthen the technical and operational capacities of the Directorate for the Protection of Persons Internally Displaced by Violence.	Ministry of Human Rights, Secretariat of General Coordination of the Government, Ministry of Finance Support: UNHCR	By 2018
<b>Pillar 2: Immediate and ongoing needs</b>		
Formulate a contingency plan for collective displacement caused by violence.	Inter-institutional Commission for the Protection of Persons Internally Displaced by Violence	By 2018
Progress in the formulation and implementation of a prevention and protection strategy for schools.	Ministry of Education	By 2020
Develop strategies aimed at preventing and addressing the specific risks of women and girls, transport workers, traders, persons at risk of losing their lands, returnees in need of protection, and lesbian, gay, bisexual, transgender and intersex (LGBTI) persons.	Inter-institutional Commission for the Protection of Persons Internally Displaced by Violence, Ministry of Human Rights	By 2020
Implement a humanitarian assistance mechanism in coordination with the existing national response.	Ministry of Human Rights, Ministry of Development and Social Inclusion, Ministry of	By 2018



	Labour, Ministry of Education, Ministry of Health, Ministry of Security, National Women's Institute, Directorate of Children, Adolescents and Family, National Institute of Vocational Training.	
Update the diagnostic study on internal displacement.	<b>Inter-institutional Commission for the Protection of Persons Internally Displaced by Violence, Ministry of Human Rights</b>	By 2018
Establish an information mechanism about displacement, periodically generating data on displacement causes and trends, as well as on expulsion and arrival sites.	<b>Ministry of Human Rights, Ministry of Foreign Affairs and International Cooperation; Ministry of Development and Social Inclusion, National Women's Institute, Directorate of Children, Adolescents and Family, National Commission of Human Rights</b>	By 2018
Promote measures that facilitate access to personal identification documents.	<b>Ministry of Human Rights, National Registry of Persons</b>	By 2020
<b>Pillar 3: Host Community</b>		
Develop an information and awareness raising campaign around the rights of internally displaced persons.	Inter-institutional Commission for the Protection of Persons Internally Displaced by Violence, Ministry of Human Rights	By 2019
Design methodologies enabling a close relationship between internally displaced persons and communities, without increasing their level of risk.	Inter-institutional Commission for the Protection of Persons Internally Displaced by Violence, Ministry of Human Rights	By 2019
<b>Pillar 4: Durable Solutions</b>		
Promote spaces for dialogue between national institutions and groups of displaced persons and persons at risk.	<b>Inter-institutional Commission for the Protection of Persons Internally Displaced by Violence</b>	By 2020
Create a confidential system for the registration of abandoned property and homes.	<b>Institute of Property, National Agrarian Institute</b>	By 2020
Facilitate access to vocational training programmes and income generation initiatives.	<b>Inter-institutional Commission for the Protection of Persons Internally Displaced by Violence, Ministry of Human Rights, Ministry of Development and Social Inclusion, Ministry of Labour,</b>	By 2020

## Siguientes Pasos

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In order to assure the effective implementation of the national plan, the following measures need to be adopted:

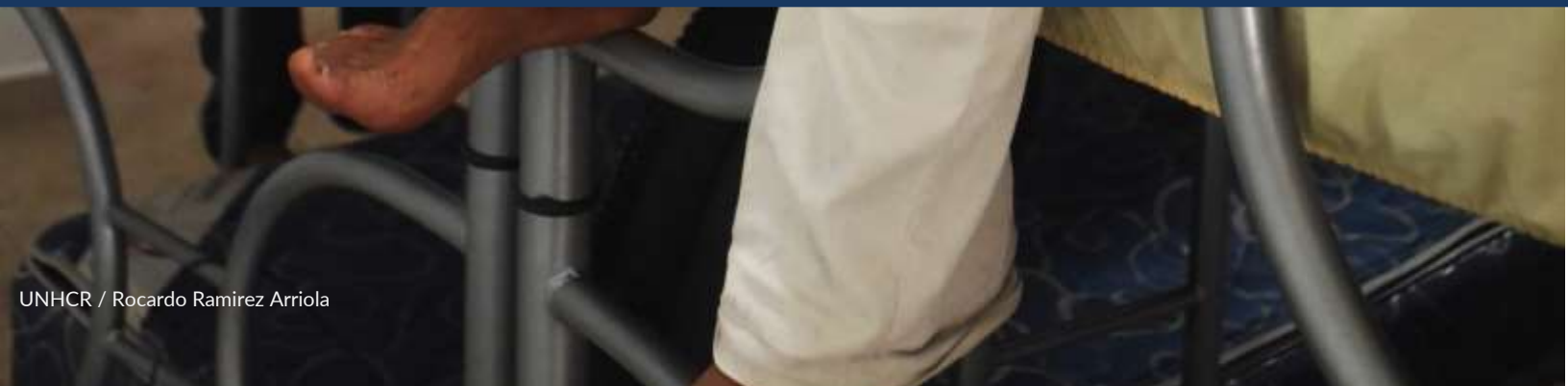
1. Continue with the process of consultations with actors and entities of the international community and the private sector so as to be able to coordinate and identify complementarity possibilities.
2. Complete the mapping of the national response and determine the costs of the projects and programmes in order to identify the required social investment and sources of funding.





## ACRONYMS

CAMR	Care Centres for the Returned Migrant
CIPPDV	Inter-institutional Commission for the Protection of Persons Displaced by Violence
CONADEH	National Commission of Human Rights
CRRF	Comprehensive Refugee Response Framework
DINAF	Directorate of Children, Adolescents and Family
INAM	National Women's Institute
INFOP	National Institute of Vocational Training
INM	National Institute of Migration
RNP	National Registry of Persons
SEDIS	Ministry of Development and Social Inclusion
SRECI	Ministry of Foreign Affairs and International Cooperation
UNHCR	United Nations High Commissioner for Refugees



# Mexico



## Introduction

On May 23, 2017, the Government of Mexico expressed its willingness to participate in the development of a Comprehensive Regional Protection and Solutions Framework (MIRPS), under the leadership of the Ministry of the Interior through the Mexican Commission for Refugee Assistance (COMAR, by its Spanish acronym), accompanied by the Ministry of Foreign Affairs (SRE, by its Spanish acronym).

In July and August 2017, local participatory consultations were held in six cities across Mexico, with participation from authorities

of federal entities, civil society representatives, international organisations and members of academia. There was also a national consultation with representatives from the six cities, federal authorities and the legislature.

Each of the participatory consultations benefited from the assistance of members of civil society, international organisations, academia and government institutions; during the national consultation, the legislature was also represented.

### NATIONAL AND LOCAL CONSULTATIONS





UNHCR/ J. Morland

The methodology followed during the six local participatory consultations revolved around the four CRRF thematic pillars. The different stakeholders participated within the scope of their competencies, experience and knowledge:

- Table 1: Reception and Admission*
- Table 2: Immediate and Ongoing Needs*
- Table 3: Support for Host Countries and Communities*
- Table 4: Durable Solutions*

To foster dialogue enriched with proposals and the real identification of protection needs, each of the roundtables was given a list of discussion-guiding questions.

In the case of the national participatory consultation, the methodology followed had two slight variations in that it was a continuation of the table discussions but open questions were not posed to obtain specific inputs; rather, comments were proffered on the viability of the contributions

made by the different stakeholders throughout the six local participatory consultations

As a result of the local participatory consultations and the national consultation, COMAR, supported by the Technical Secretariat, worked on a document for identifying protection gaps and recommendations, to serve as the basis of the Mexican chapter.

Said chapter evaluates the actions to be promoted and implemented, ideally within a period of 24 months.

For Mexico, the commitments emanating from the generation of MIRPS do not suppose the establishment of actions parallel to those marked out by previously assumed commitments on a national and regional level, but rather the practical integration of durable solutions. The intention is for MIRPS to specifically strengthen the commitments of the Brazil Declaration and Plan of Action.

## Map of Mexico and locations of COMAR offices

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COMAR currently has a physical presence in four Mexican states, through two Federal Delegations in the states of Chiapas and Veracruz, one office in Mexico City and one representative in Tabasco. Shown below are the locations of said offices:



## General Statistics

### TOTAL APPLICATIONS IN MEXICO FOR INTERNATIONAL PROTECTION AND RECOGNITION OF REFUGEE STATUS AND COMPLEMENTARY PROTECTION, 2013 - AUGUST 31, 2017

Mexico faces increasing flows of persons, mainly from Central America, who may be in need of international protection. However, in the last two years there has been an increase in applicants from Venezuela, North Africa, Asia and the Latin American Caribbean.

Since 2013, the number of asylum seekers in Mexico has increased exponentially. There was a 678% increase in applications received in 2016 compared to 2013.

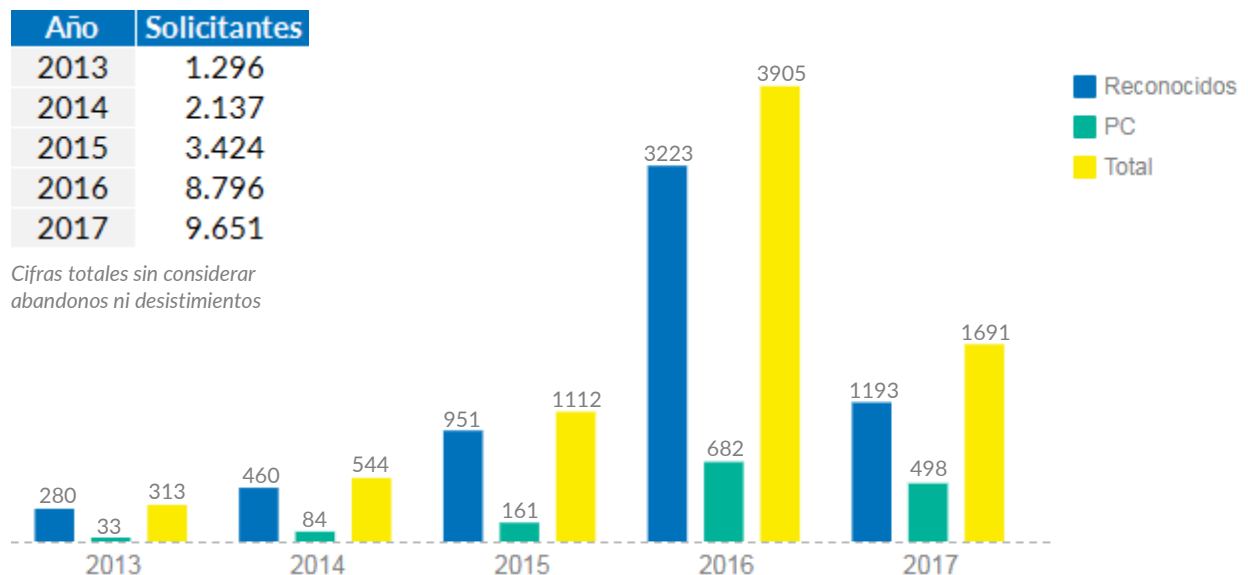
The recognition rate of the asylum seeking population is one of the highest in the Americas. In 2013, Mexico granted

international protection to 37% of applicants, in 2014 it was granted to 39%, in 2015 to 46% and in 2016 protection was granted to 62%.

Between 2013 and August 31, 2017, Mexico granted international protection to 7,565 people, amongst whom 6,107 were refugees and 1,458 were beneficiaries of complementary protection.

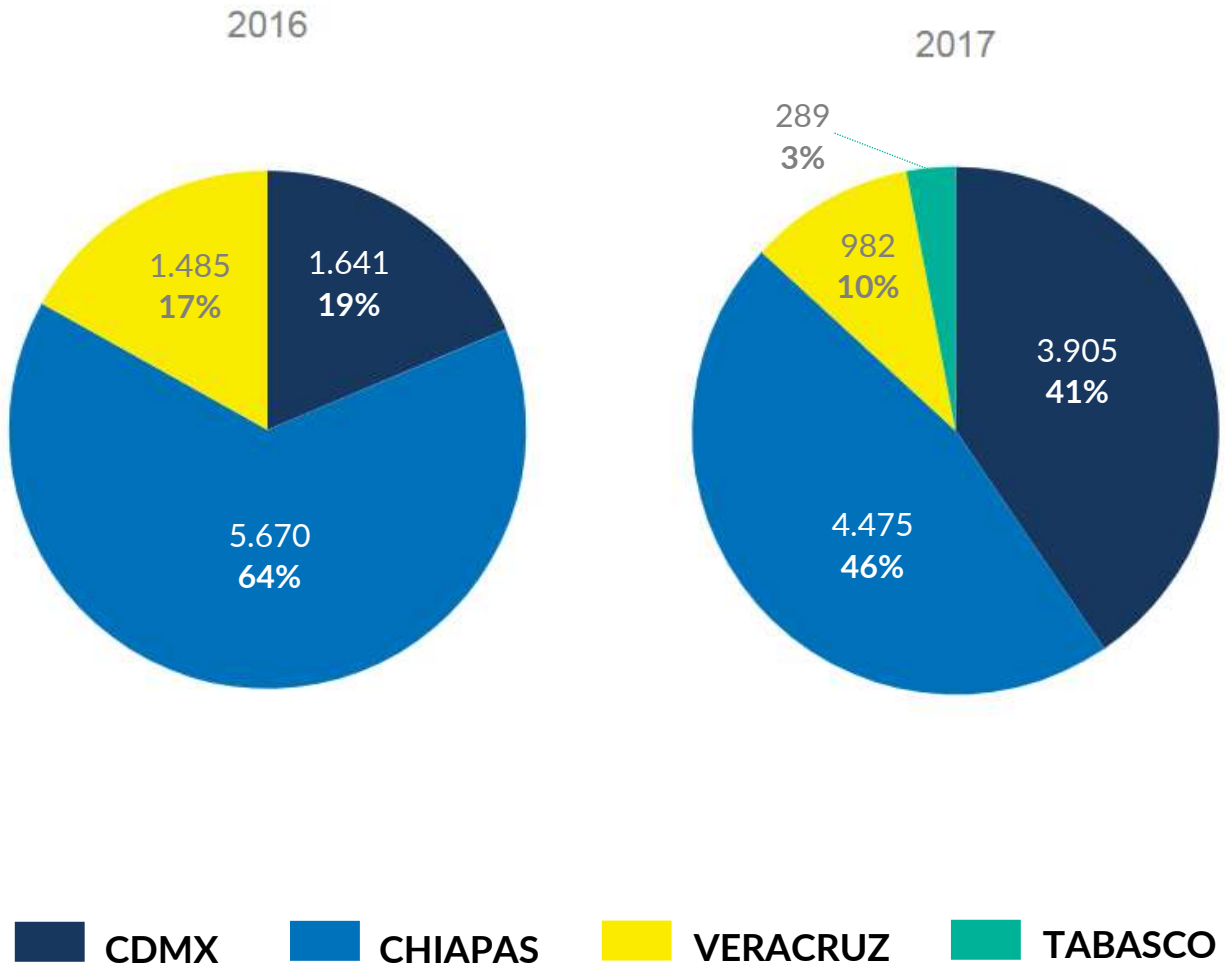
The COMAR delegation in Chiapas is the office that receives the most applications for asylum, followed by the COMAR office in Mexico City, and the COMAR delegation in Vera Cruz is in third position.

### RECOGNITIONS AND COMPLEMENTARY PROTECTION





TOTAL APPLICATIONS FOR ASYLUM IN MEXICO,  
ACCORDING TO PROCESSING OFFICE  
January 2016 - August 31, 2017



## Protection and Solutions: Overarching Gaps and Needs

Stocktaking of the existing activities in 2017, based on the Mexico's International Protection commitments.

<b>STOCKTAKING EXERCISE</b>	
<b>PILLAR 1 - Reception and Admission</b>	
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>Brazil Declaration and Plan of Action</li> <li>San Jose Action Statement</li> </ul>	
<b>Supervisors</b>	COMAR
<b>Existing Activity</b>	In order to comply with the Brazil Action Plan objectives and to drive the commitments of the San Jose Action Statement, COMAR, in collaboration with UNHCR and civil organisations, has formed the Borders of Solidarity and Security Working Group, promoting information on the southern Mexican border about the right to seek asylum in secure conditions and with access to rights.
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>Commitments of the Leaders' Summit on Refugees: <i>Reinforce eligibility procedures based on international standards.</i></li> <li>Brazil Plan of Action.</li> </ul>	
<b>Supervisors</b>	COMAR / UNHCR
<b>Existing Activity</b>	Revision of the eligibility procedures through a Specific Cooperation Agreement between the Ministry of the Interior and UNHCR (Quality Assurance Initiative), enabling the identification of opportunities for strengthening the various stages of the refugee status determination procedure. By August 2017, COMAR had addressed a total of 60 of the 97 UNHCR recommendations in matters of registering and interviewing applicants and issuing resolutions.
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>Commitments of the Leaders' Summit on Refugees: <i>Reinforce eligibility procedures, based on international standards.</i></li> <li>Brazil Plan of Action.</li> </ul>	
<b>Supervisors</b>	COMAR / UNHCR
<b>Existing Activity</b>	In August 2017, the Handbook for Determining the Recognition of Refugee Status in Mexico, the first of its type in Latin America, was completed, governing the performance of Protection Officials.
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>Commitments of the Leaders' Summit on Refugees: <i>Reinforce the presence of COMAR in places where the highest number of applications are registered.</i></li> </ul>	
<b>Supervisors</b>	COMAR / UNHCR
<b>Existing Activity</b>	From November 2016 and with support from UNHCR, 29 new positions were created to support the operations of the Mexican Commission for Refugee Assistance and 9 additional persons were recruited in 2017. These recruitments have directly favoured the offices in Mexico City, the Chiapas Delegation, the Veracruz Delegation and the establishment of a Liaison Office in Tenosique, Tabasco
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>Commitments of the Leaders' Summit on Refugees: <i>Promote information campaigns to disseminate information about the right to seek refuge</i></li> </ul>	

<b>Supervisors</b>	COMAR / UNHCR.
<b>Existing Activity</b>	In collaboration with UNHCR, the Ministry of the Interior (SEGOB, by its Spanish acronym) has prepared dissemination information about the right to seek asylum, the determination procedure in Mexico and how to follow the permanent residence procedure. It also prepared a video explaining the various stages of the procedure, to be circulated in COMAR and UNHCR offices.
<b>Commitment</b>	<ul style="list-style-type: none"> <li>Leaders' Summit on Refugees: <i>Apply protocols identifying the need for international protection of unaccompanied Children and Adolescents.</i></li> </ul>
<b>Supervisors</b>	INM / COMAR / National System for Integral Family Development (SNDIF, by its Spanish acronym)
<b>Existing Activity</b>	Through the INM, SEGOB has driven the training of 2,705 officials of the National Institute of Migration and the SNDIF as regards the Initial Evaluation Protocol for the Identification of Signs of International Protection Needs.
<b>Commitment</b>	<ul style="list-style-type: none"> <li>Brazil Plan of Action, San Jose Action Statement</li> <li>Commitments of the Leaders' Summit on Refugees</li> </ul>
<b>Supervisors</b>	COMAR / National System for the Comprehensive Protection of Children and Adolescents (SIPINNA, by its Spanish acronym) / UNHCR
<b>Existing Activity</b>	Strengthening the office of the Federal Attorney for the Protection of Children, through training strategies and technical support.
<b>PILLAR 2 - Immediate and ongoing needs</b>	
<b>Commitment (Pillars 1 and 2)</b>	<ul style="list-style-type: none"> <li>Commitments of the Leaders' Summit on Refugees: <i>Strengthen dialogue with the authorities in Central American countries and the United States and Canada.</i></li> </ul>
<b>Supervisors</b>	COMAR / UNHCR
<b>Existing Activity</b>	<p>COMAR has participated in joint missions with UNHCR to learn first-hand about the situation in the main countries of origin of asylum seekers. In 2017, missions took place in San Pedro Sula and Tegucigalpa in Honduras. Since 2015, authorities from Mexico, the United States and Canada, with the support of UNHCR, began a dialogue about international protection. The objective of the work sessions has been to address procedures in an attempt to identify actions that might strengthen refugee protection schemes. The last session was held in June 2017 in Montreal, Canada.</p> <p>In July 2017, COMAR Officials attended a personalised training session on eligibility.</p> <p>In September 2017, COMAR participated in the mission to Honduras to explain the refugee status determination procedure in Mexico.</p>
<b>Commitment (Pillars 1 and 2)</b>	<ul style="list-style-type: none"> <li>Leaders' Summit on Refugees: <i>Promote alternatives to prevent the administrative detention of asylum seekers</i></li> </ul>
<b>Supervisors</b>	INM / COMAR / UNHCR
<b>Existing Activity</b>	Since July of last year, 1,527 asylum seekers have benefited from alternative accommodation, a measure that is applied generally to all applicants, highlighting the effort made to avoid unaccompanied children and adolescents staying in administrative accommodation.
<b>Commitment</b>	<ul style="list-style-type: none"> <li>Brazil Declaration and Plan of Action</li> <li>San Jose Action Statement</li> <li>Commitments of the Leaders' Summit on Refugees</li> </ul>
<b>Supervisors</b>	COMAR

<b>Existing Activity</b>	Guidance and referral to social care programmes through the strengthening of the care and institutional liaison department.
<b>PILLAR 3 - Support for host countries and communities</b>	
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>Brazil Declaration and Plan of Action</li> </ul>	
<b>Supervisors</b>	SEGOB
<b>Existing Activity</b>	The “Prosperous Border” component of the Southern Border Programme, including inter-agency coordination to provide humanitarian care and enhance security in border municipalities. Improvement of infrastructure and institutional strengthening.
<b>PILLAR 4 - Enhance opportunities for durable solutions</b>	
<b>Commitment</b>	
<ul style="list-style-type: none"> <li>Leaders’ Summit on Refugees: <i>Promote the socio-economic inclusion of those recognised as refugees.</i></li> </ul>	
<b>Supervisors</b>	COMAR / Migration Policy Unit (UPM, by its Spanish acronym) / UNHCR
<b>Existing Activity</b>	In June 2017, SEGOB and UNHCR announced the launch of the second Refugee Population Survey in Mexico, in an attempt to obtain a socio-economic and demographic diagnosis and therefore identify opportunities to help refugees and persons with complementary protection.

## Main protection gaps and solutions identified

### PILLAR 1. RECEPTION AND ADMISSION

#### Identified Protection Gaps (1)

Strengthening access and rights protection mechanisms for asylum seekers

The growing number of asylum seekers in Mexico represents a series of constant challenges to institutional capacities. The respect of the fundamental principles of non-refoulement and non-penalisation for irregular entry have taken precedence among the actions fostered in the interest of safeguarding international protection principles to which Mexico has adhered through international treaties and national laws.

However, the need to continue strengthening inter-institutional coordination

mechanisms was identified with the intention of improving the conditions of access to the refugee status determination procedure.

#### Identified protection solutions:

- Strengthen the permanent communication mechanism between the Mexican Commission for Refugee Assistance (COMAR) and the National Institute of Migration (INM) in migration stations and at places designated for the international transit of persons; as well as between the competent authorities in order to facilitate the identification and referral of persons in need of international protection.
- Continue to increase the number of alternatives to administrative accommodation for asylum seekers, primarily for unaccompanied children and adolescents (CA), families, persons in a vulnerable situation, the elderly and

persons in need of medical and health care.

### Identified protection gaps (2)

Promoting access to the country through places designated for the international transit of persons

The Law on Refugees, Complementary Protection and Political Asylum and the Migration Law recognise the right of all foreigners to seek asylum in Mexico, regardless of their migration status, as long as the irregular entry in the country does not constitute a crime.

Therefore, the ability to seek asylum by persons fleeing persecution should be prioritised when they enter the country through places designated for the international transit points of persons.

#### Identified protection solution:

3. Increase the efficiency of the reception of asylum applications in places in the country designated for the international transit of persons.

### Identified protection gaps (3)

Agile and efficient issuing of documentation concerning the refugee status determination procedure

It was deemed essential to reduce the time it takes to issue proof of procedure commencement, replacements and/or updates of validity, as well as documents proving the filing of a review appeal. The goal is to ensure that applicants have a valid document that entitles them to an INM condition of stay.

#### Identified protection solution:

4. Strengthen coordination between COMAR and the INM to favour the agile issue of documentation concerning the

commencement of procedures before COMAR and the monitoring of the refugee status determination procedure.

### Identified protection gaps (4)

Age, gender and diversity approach in the admission to the refugee status determination process

Protection and Political Asylum envisages institutional support for the asylum seekers who require it. This includes pregnant

women, children and adolescents (CA), the elderly, disabled persons, persons with chronic conditions and victims of torture or other cruel, inhuman or degrading treatment or punishment, victims of sexual abuse, gender violence or human trafficking; and any others who may be in a vulnerable situation.

COMAR has developed actions favouring the swift identification of international protection needs, as is the case of CA and those with specific vulnerabilities, through contact with the registration department. However, the protection responses based on the needs of the most vulnerable groups show opportunities for continual improvement. These include prioritised assistance for the reception of applications; swift procedural referral for medical or safety reasons; temporary transfer permits between federative entities in the event of emergencies; ensuring face-to-face interviews for children and adolescents, and gender-sensitive care for victims of sexual or gender violence.

#### Identified protection solutions:

5. Strengthen actions for the early identification of specific needs that will activate differentiated protection mechanisms for especially vulnerable asylum seekers.



UNHCR / Christian Laverde

## PILLAR 2. IMMEDIATE AND ONGOING NEEDS

### Identified protection gaps (5)

#### Care for asylum seekers

Regardless of their migration status, foreigners in Mexico have the right to receive healthcare services, education and access to justice.

The care given to asylum seekers should continue to ensure that the population concerned has the necessary means to access those services and the justice system.

#### Identified protection solutions:

6. Inform registration staff in the *Seguro Popular* health coverage system of the right to access that service by asylum seekers and refugees.
7. Strengthen COMAR's referral capabilities in order to accelerate the issue in favour of asylum seekers of a condition of stay for humanitarian reasons
8. Strengthen access to healthcare and mental health services, particularly for victims of crime.
9. Inform healthcare staff of foreigners' rights to access this service, regardless of their migration status and of their registration with *Seguro Popular*.

### Identified protection gaps (6)

Processing of cases by COMAR in coordination with INM in the children, protection, health and justice systems

Given the increase in applications and the diversity of profiles, the need to increase the number of institutional liaison spaces was identified in order to offer differentiated care schemes.

#### Identified protection solution:

10. Strengthening the coordination between COMAR and the INM must also include a permanent communication mechanism with the child protection, health and justice systems.

### Identified protection gaps (7)

Greater dissemination of the rights, obligations and needs of asylum seekers and refugees, and the powers of COMAR

Due to the growing number of asylum seekers, branches of the government, civil society organisations, the private sector, academia, asylum seekers and local populations in host and integration communities need to have information about asylum seekers and refugees in Mexico,

about their rights and obligations, and about the existence of a federal branch with the power to provide them with protection and care.

#### Identified protection solutions:

11. Development of an information campaign aimed at public institutions and officials to promote sensitive care for asylum seekers, refugees and complementary protection beneficiaries.
12. A clear and commonly accessible record of the national and local level programmes and services for asylum seekers.

#### Identified protection gaps (8)

##### Age, gender and diversity based care for asylum seekers and refugees

During the refugee status determination procedure, necessary measures must be taken to guarantee that asylum seekers who

may be in a situation of vulnerability receive institutional care.

Therefore, the Mexican Government recognises the importance of having sufficient and appropriate administrative structure and human resources to address the needs of women, the elderly, victims of extreme or gender-based violence, children and adolescents and LGBTI persons.

#### Identified protection solutions:

13. Increase human, material and financial resources in order to provide mental healthcare for the treatment of victims of extreme, sexual or gender-based violence, trafficking or addictions at the places with the highest concentration of asylum seekers, refugees and complementary protection beneficiaries.
14. Prioritise the provision of basic needs and the integration of the elderly population in the inter-agency care coordination mechanisms.

### **PILLAR 3. SUPPORT FOR HOST COUNTRIES AND COMMUNITIES**

#### **Identified protection gaps (9)**

Characterisation of asylum seekers in host communities and of refugees in integration communities

There is an opportunity to strengthen institutional and administrative capacities to better address the situation of refugees on a national and local level. Up-to-date information needs to be given on the social, economic and governmental spending impact that asylum seekers, refugees and beneficiaries of complementary protection have on first reception and integration communities.

Planning the budget and liaisons for the cooperation requires an analysis of the impact of local communities since their reception of groups of asylum seekers and

refugees, considering both the needs of that population and the infrastructure (social and administrative) of the municipalities. The Mexican State understands the importance of impact studies with periodic evaluations in the generation and implementation of development projects that are sustainable in the medium and long term, and that avoid the loss of successive funding opportunities in the event that the results obtained are ineffective.

#### **Identified protection solutions:**

15. Impact studies aimed at discovering the characteristics of the population, immediate needs, location and capacities of local communities
16. A development funding programme in the framework of strengthening cities of solidarity and integration.



### Identified protection gaps (10)

Local government through the creation and institutionalisation of spaces for dialogue in order to generate responses to the needs of local communities and refugees.

Considering the importance of the range of nationalities of refugees and asylum seekers, Mexico estimates that joint responses are

required to promote self-reliance and socio-economic integration in host communities.

### Identified protection solution:

17. In host communities, establish and institutionalise spaces for dialogue with the competent stakeholders, enabling the joint formulation and addressing of needs in terms of the social and economic integration of refugees and asylum seekers.



## PILLAR 4. DURABLE SOLUTIONS

### Identified protection gaps (11)

#### Refugee integration in Mexico

Refugee integration in Mexico requires coordinated and inter-sectoral action as well as involvement from the private sector and civil society.

COMAR has prioritised the search for durable solutions through the integration of refugees and complementary protection beneficiaries into communities. Specifically, it aims to facilitate access to the goods and services offered in the country by public institutions. Furthermore, COMAR has made significant progress through cooperation with other government branches to promote and accelerate refugee integration in Mexico.

However, there are still challenges to refugee integration in all states of the republic.

#### Identified protection solution:

18. Strengthen spaces for dialogue with the private sector and society in an attempt to fortify the ability to identify areas of

opportunity for government branches to work jointly in order to achieve the integration of the refugee population in Mexico.

### Identified protection gaps (12)

#### Documentation issued to refugees and complementary beneficiaries in Mexico

Due to the existing misinformation about the rights and obligations of refugees and recipients of complementary protection about permanent residency in Mexico, all government and private sector stakeholders involved in the integration process need to be given more information on these matters.

#### Identified protection solutions:

19. Provide all authorities, officials and the private sector with information about the value of the permanent residency card as an official identification document and sole requirement of refugees and recipients of complementary protection, in terms of access to social welfare, private services and governmental development programmes.

## Protection and Solutions: Plan of Action

Based on the information gathered during the participatory consultations with the various stakeholders, this Plan of Action highlights the resulting actions with the purpose of favouring the attainment of the identified protection solutions.

<b>PILLAR 1 – Reception and Admission</b>			
<b>Prioritised Need</b>	<b>Continue to increase the number of alternatives to administrative accommodation for asylum seekers, primarily unaccompanied children and adolescents (CA), families, persons in a vulnerable situation, the elderly and persons in need of medical and health care.</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BAP, others)</b>
The Federal Attorney for the Protection of CA will formalise the alternate care legal entity that is being developed as an alternative to administrative accommodation for unaccompanied CA, therefore avoiding their stay in migration stations.	Federal Attorney for the Protection of CA (PFP, by its Spanish acronym)	2018-2020	San Jose Action Statement
Alongside UNHCR, INM and COMAR will look to enhance capacities for alternatives to administrative accommodation, particularly in the case of family groups.	INM / COMAR / UNHCR	2018-2020	San Jose Action Statement
<b>Prioritised Need</b>	<b>Instrumentalise the reception of asylum applications at places in the country designated for the international transit of persons.</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BAP, others)</b>
Replicate the federal coordination mechanisms on a state level among the authorities covering unaccompanied CA (COMAR, INM, SIPINNA), in a manner that favours the reception of CA applications at places designated for international transit, favouring the principle of family unity.	COMAR / INM / SIPINNA	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
<b>Prioritised Need</b>	<b>Strengthen coordination between COMAR and the INM to favour the agile issue of documentation concerning the commencement of procedures before COMAR and the monitoring of the refugee status determination procedure.</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BAP, others)</b>
Increase COMAR presence in the Migration Stations with the highest number of asylum seekers.	INM / COMAR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees

Replicate on a state level the coordination existing between INM and COMAR on a federal level, with its operational features adapted to each regulatory framework, particularly in matters of CA protection and care.	INM / COMAR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
<b>Prioritised Need</b>	<b>Strengthen actions for the early identification of specific needs for the activation of differentiated protection mechanisms for especially vulnerable asylum seekers.</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Foster simple, permanent information campaigns in a language understandable to migrants, informing them of their rights and the possibility of seeking asylum or complementary protection.	COMAR / UPM / INM / UNHCR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
Constant training and awareness raising programmes aimed at public officials who assist or work directly with the population concerned, in order to permanently ensure decent and respectful service that is closely linked to fully respecting their human rights.	COMAR / UPM	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
Evaluate the protocols for detecting the signs that international protection is needed by CA. Identify best practices in order to disseminate them and replicate them in border locations. This will continue the evaluation of their impact on the refugee population.	COMAR / UPM	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
Increase the CA PFP presence in states with the biggest refugee and migrant populations, particularly in border states. Additionally, generate coordination mechanisms for state and municipal attorneys' offices in order to standardise criteria of restitution plans and special protection measures between the PFP and state attorneys' offices.	SIPINNA / PFP	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
Coordinate the Law on Refugees, Complementary Protection and Political Asylum and the Migration Law with the General Law on the Rights of Children and Adolescents.	SIPINNA / UPM	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
Promote the "El Jaguar" information and awareness raising campaign which is run in the areas with the greatest transit and reception of asylum seekers and refugees. The objective is to provide clear and accurate information on the right to seek asylum and to promote the exercise of their rights.	COMAR / UNHCR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
Sign Collaboration Platforms to increase affiliation to <i>Seguro Popular</i> by the National Commission of Healthcare Protection, by recognising COMAR-issued documents.	COMAR / Seguro Popular	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
Incorporate refugees and recipients of complementary protection into the scaled care mental health scheme. This involves a training process for officials who provide federal level healthcare services, promoting their awareness of the subject.	COMAR / Ministry of Health	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees

## PILLAR 2 - Immediate and ongoing needs

<b>Prioritised Need</b>	<b>Strengthening the coordination between COMAR and the INM must also include a permanent communication mechanism with the child protection, health and justice systems.</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Standardisation of the CA interview format, with the objective of avoiding interviews that victimise unaccompanied CA.	SIPINNA / COMAR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
<b>Prioritised Need</b>	<b>Development of an information campaign aimed at public institutions and officials to promote sensitive care for asylum seekers, refugees and complementary protection beneficiaries.</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Constant training and awareness raising programmes aimed at public officials who assist or work directly with the population concerned, in order to permanently ensure decent and respectful service that is closely linked to fully respecting their human rights.	COMAR / UPM	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
<b>Prioritised Need</b>	<b>A clear and commonly accessible record of the state and local level programmes and services for asylum seekers.</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
MIRPS institutions will share with COMAR and UNHCR materials describing the programmes and activities undertaken, so that they will be included in the record.	COMAR / UNHCR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
<b>Prioritised Need</b>	<b>Increase human, material and financial resources in order to provide mental healthcare to treat victims of extreme, sexual or gender-based violence, trafficking or addictions at the places with the highest concentration of asylum seekers, refugees and complementary protection beneficiaries.</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
UNICEF will create and share support materials in CA-appropriate language, to be used during eligibility interviews, and it will also support COMAR and the Federal Attorney for the Protection of CA in the adaptation of the language used in the surveys for that population.	COMAR / UNICEF	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
Inclusion of the refugee population as a target group of the work strategy of the national community work and labour guidance network, which involves 200 organisations. It will also provide information spaces for the dissemination of refugee matters on TV UNAM and it will share its directory of shelters.	National Institute of Adult Education (INEA, by its Spanish acronym) /COMAR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
Programmes for the strengthening of refugees'	INEA /	2018-2020	San Jose Action Statement,

vocational skills, in addition to training as “educational consultants” for staff in migrant shelters.	COMAR		Brazil Declaration and Plan of Action, Commitments of the Leaders’ Summit on Refugees
INEA will open the “Education without Borders” programme not just to returnees but also to refugees, seeing as it has modules on admission into the country.	INEA / COMAR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders’ Summit on Refugees
<b>Prioritised Need</b>	<b>Prioritise care covering the basic needs and integration of the elderly population in the inter-agency care coordination mechanisms.</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Priority Action</b>	<b>Implementing parties</b>
Inform state delegations of the possibility of issuing an INAPAM Card (National Institute of the Elderly discount card) to asylum seekers, refugees and complementary protection beneficiaries.	COMAR / INAPAM	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders’ Summit on Refugees
Special protocol for refugee care so that the INAPAM card is issued upon presentation of the documentation issued by COMAR and INM.	INAPAM / COMAR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders’ Summit on Refugees

### PILLAR 3 - Support for host countries and communities

<b>Prioritised Need</b>	<b>Impact studies aimed at discovering the characteristics of the population, immediate needs, location and capacities of the local communities.</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
The Ministry of Population, Migration and Religious Matters – Ministry of the Interior (SPMAR-SEGOB, by its Spanish acronym) will share their generated statistical information with actors on all three governmental levels. The objective is to learn about the characteristics of the populations and to identify opportunities and the impact of their inclusion in various programmes and services.	COMAR / UPM	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders’ Summit on Refugees
The National Council to Prevent Discrimination (CONAPRED, by its acronym in Spanish) will support COMAR in the realisation of a host communities diagnosis to bolster their target population reception capacities.	COMAR / CONAPRED	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders’ Summit on Refugees
The UPM will promote synergies and effort-optimisation among governmental and academic institutions and civil society organisations, in order to generate studies and information linked to the design and evaluation of public policy caring for asylum seekers and recipients of complementary protection.	UPM	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders’ Summit on Refugees
COMAR, in association with UPM, will drive the development of campaigns which disseminate and make visible the contributions of international protection beneficiaries in Mexico,	COMAR / UPM	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action,

so as to prevent stereotypes and as a way to combat the xenophobia shown to foreigners.				Commitments of the Leaders' Summit on Refugees
Include refugees and recipients of complementary protection in the social mandate of institutions, in order to create relevant and sustainable development policies.	National Institute of Social Development (INDESOL, by its acronym in Spanish) / COMAR	2018-2020		San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
Identify states and municipalities with the highest concentration of elderly asylum seekers, refugees and recipients of complementary protection, to promote their inclusion in the Clubs for the Elderly Programme, focusing on the entities where they are located.	INAPAM / COMAR	2018-2020		San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
<b>Prioritised Need</b>	<b>In host communities, establish and institutionalise spaces for dialogue with the competent stakeholders, enabling joint collaboration and the addressing of needs in terms of the social and economic inclusion of refugees and asylum seekers.</b>			
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Priority Action</b>	<b>Implementing parties</b>	
Establish coordination mechanisms in joint UPM/CONAPRED initiatives to include matters of refugee population inclusion in their campaigns and programmes.	UPM / CONAPRED	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees	
UNHCR will realise three projects a year, aimed at peaceful coexistence in the three main asylum seeker reception locations.	UNHCR / COMAR / Municipal Governments	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees	
Foster spaces for cultural exchange and learning in host communities, favouring the integration of refugees and foreigners.	COMAR / UPM / UNHCR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees	
UNHCR is mobilising the population of asylum seekers and recognised refugees to support reconstruction efforts in the migration route areas affected by the earthquakes of September 2017.	UNHCR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees	
UNDP is identifying opportunities for creating a finance programme for the development of border cities of solidarity and integration.	UNDP	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees	

## PILLAR 4 - Enhance opportunities for durable solutions

<b>Prioritised Need</b>	<b>Strengthen spaces for dialogue with the private sector and civil society in an attempt to fortify the ability to identify areas of opportunity to work jointly with government branches in favour of the integration of the Mexican refugee population.</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Coordination of labour inclusion mechanisms aimed at asylum seekers, refugees and recipients of complementary protection who have a Unique Population Registry Code (CURP, by its acronym in Spanish).	Ministry of Labour and Social Welfare (STPS, by its acronym in Spanish) / COMAR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
Creation of a guide or handbook and subsequent training in the National Employment System (SNE, by its acronym in Spanish) to facilitate access to services and benefits such as grants, training, internships and support for self-employment.	STPS / COMAR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
Evaluation of programmes that facilitate refugee access to housing programmes.	National Housing Commission (CONAVI, by its acronym in Spanish) / COMAR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
Revision of the rules of operation of housing programmes, adding a specific annex for refugees and complementary protection beneficiaries.	Ministry of Agrarian, Territorial and Urban Development (SEDATU, by its acronym in Spanish) / COMAR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
<b>Prioritised Need</b>	<b>Provide all authorities, officials and the private sector with information about the value of the permanent residency card as an official identification document and sole requirement of refugees and beneficiaries of complementary protection, in terms of access to social care and private services, and governmental development programmes.</b>		
<b>Priority Action</b>	<b>Implementing parties</b>	<b>Schedule</b>	<b>Commitment (SJAS, BPA, others)</b>
Promotion before the Executive Committee of the Association of Mexican Banks to raise banks' awareness of the situation of refugees and the importance of refugee access to financial services through the permanent residency card issued by the INM.	National Banking and Securities Commission (CNBV, by its acronym in Spanish) / COMAR / UNHCR	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of Action, Commitments of the Leaders' Summit on Refugees
Resume collaboration between the Ministry of Social Development (SEDESOL, by its acronym	COMAR / SEDESOL	2018-2020	San Jose Action Statement, Brazil Declaration and Plan of



in Spanish) and COMAR to go further in providing access to social programmes accessible by refugees in Mexico.

Action,  
Commitments of the Leaders'  
Summit on Refugees

## Next Steps

Having set out its national chapter, Mexico eagerly awaits the Regional Framework document and how it will serve as an input for the Global Compact.

At the same time, a monitoring mechanism must be put into place to address the activities set out in the Plan of Action with the various stakeholders and with support from the relevant international agencies.





## ACRONYMS

<b>CA</b>	Children and adolescents
<b>CNBV</b>	National Banking and Securities Commission
<b>COMAR</b>	Mexican Commission for Refugee Assistance
<b>CONAPRED</b>	National Council to Prevent Discrimination
<b>CONAVI</b>	National Housing Commission
<b>DIF</b>	National System for Integral Family Development
<b>INAPAM</b>	National Institute of the Elderly
<b>INEA</b>	National Institute of Adult Education
<b>INM</b>	National Institute of Migration
<b>PFP</b>	Federal Attorney for the Protection of Children and Adolescents
<b>SEDATU</b>	Ministry of Agrarian, Territorial and Urban Development
<b>SEDESOL</b>	Ministry of Social Development
<b>SEGOB</b>	Ministry of the Interior
<b>SER</b>	Ministry of Foreign Affairs
<b>SIPINNA</b>	National System for the Comprehensive Protection of children and adolescents
<b>SNE</b>	National Employment System
<b>STPS</b>	Ministry of Labour and Social Security
<b>UPM</b>	Migration Policy Unit



# Panamá



## Introduction

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Panama confirmed its participation in the Comprehensive Regional Protection and Solutions Framework for Central America and Mexico (MIRPS) in July 2017. The Ministry of Government considered it key to implement comprehensive responses for refugees.

Panama as a host country, along with other countries of the region, committed through the 2014 Brazil Plan of Action<sup>5</sup> and the 2016 San Jose Action Statement<sup>6</sup> to improving international protection for asylum seekers and refugees fleeing their countries of origin. This commitment was ratified by Panama in the High Level Meeting on Refugees and Migrants of the General Assembly of the United Nations on September 19, 2016, which resulted in the adoption of the New York Declaration on Refugees and Migrants and the Comprehensive Refugee Response Framework - CRRF<sup>7</sup>.

Through this MIRPS exercise, Panama assumed leadership for defining a National Operational Plan, the design of which will include strategies, programmes and actions needed for the strengthening of protection and solutions for asylum-seekers and refugees on Panamanian territory..

In recent years, Panama has undergone changes in the dynamic of asylum applications, with an increase in the number of applications from persons and/or family units fleeing from violence in search of international protection, who come mainly from northern Central American countries, Colombia and Venezuela and choose Panama as their host country.

According to statistics from the National Office for the Attention of Refugees (ONPAR, by its acronym in Spanish), Panama recognised 2,474 refugees between 1990 and the first half of 2017.

The Panama chapter of the MIRPS process was developed through a national consultation process to take stock of the progress and achievements made in the face of previously assumed commitments (the Brazil Plan of Action, San Jose Action Statement, Ministry of Government – UNHCR Memorandum of Understanding). It also identifies the ongoing gaps in protection, priorities, resources and national capacities for a comprehensive response to asylum seekers and refugees. The national consultations involve national and governmental institutions, United Nations agencies, civil society organisations, the private sector and donors. Similarly, consultations were held with the population of concern in Panama (with a total of 12 focus groups and 113 persons of concern consulted in Panama City and Colón), to identify, from their perspective, progress, risks, protection needs and/or ongoing gaps in order to take their priorities and proposed solutions into consideration.

These will be the basis for the design of the response and improvement strategies in the National Operational Plan, which is still work in progress. Likewise, bilateral consultation roundtables were held during the process to complement the information and possible responses.

## Methodology

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When working on its national plan and MIRPS chapter, Panama held a series of local consultations through thematic roundtables formed of governmental institutions, civil society and the United Nations and coordinated by the Ministry of Government and the Ministry of Foreign Affairs, with support from UNHCR.

In order to use a comprehensive approach during the consultation process, various entities were contacted (Panama City Council, Colón City Council, National Institute of Professional Training for Human Development [INADEH, by its acronym in Spanish], HIAS, Pastoral Group of Human Mobility, NRC, Red Cross, RET, Chamber of Commerce, United Nations System, and others still being registered) so as to include an institutional outlook and a mapping of the current situation of existing policies concerning the MIRPS pillars (which is now underway and/or being processed, along with the main gaps).

In this regard, it was deemed that two processes needed to be developed:

- A local consultation with the population of concern through a participatory diagnostic, with the support of a consultant.
- Institutional consultation roundtables (with national entities, agencies from the United Nations System and civil society organisations) on previously identified commitments and priorities.

Para la consulta con población, se utilizó la herramienta del ACNUR para realizar diagnósticos participativos, para lo cual se diseñaron preguntas orientadoras previas, con base en los ejes del MIRPS.

In the consultation with the population, a UNHCR tool was used for making participatory diagnostics. Guidance questions based on the CRRF pillars were designed for this.

In the consultations with entities, two roundtables were held to discuss the first three pillars, with participation from government entities (Ministry of Government – MINGOB, Ministry of Foreign Affairs – MINREX, Ministry of Labour – MITRADEL, Ministry of Education – MEDUCA, Ministry of Health – MINSAL, Ministry of Security – MINSEG, Ministry of Social Development – MIDES, National Migration Service – SNM, National Border Service – SENAFRONT, National Secretariat for Children, Adolescents and Family – SENNIAF, Office of the Ombudsman, Electoral Tribunal, National Institute for Women – INAMU, Institute for Training and Development of Human Resources – IFARHU, [all acronyms from the Spanish]), civil society (Red Cross of Panama, Pastoral Group of Human Mobility, HIAS, RET, NRC) and United Nations agencies (UNICEF, UNDP, FAO, UNHCR).

The International Cooperation roundtable is also going to be developed, seeking complementary actions to integrate asylum seekers and refugees into society. Similarly, a

technical roundtable on shared responsibility will be established to identify Panama's commitments with the countries of the region.

In terms of coordination, it is important to mention that an Executive Board has been formed consisting of:

- Ministry of Interior

- Ministry of Foreign Affairs
- UNHCR (with a specific duty as technical secretariat).

This Executive Board will have two levels: a technical level and a political level for the final approval and validation of Panama's operational plan and commitments.



## Protection and Solutions: Overarching Gaps and Needs

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Panama has made prior commitments in the San Jose Action Statement (SJAS), the Memorandum of Understanding (MoU) between the Ministry of Government and UNHCR, the recommendations of the various phases of the QAI Programme and the words that the President of the Republic of Panama, His Excellency Juan Carlos Varela, spoke before the General Assembly of the United Nations in September 2016. The following commitments for the MIRPS process should be highlighted from among those mentioned above:

- Continuing capacity building of state officials posted in border areas on the rights and profiles of the asylum seeking populations (SJAS 1).
- Developing a protocol for the assistance of girls, boys and adolescents in need of international protection, whether they are accompanied or not (SJAS 2).
- Ensuring the participation of girls, boys and adolescents in their refugee status determination procedures, guaranteeing that they will receive the necessary assistance (SJAS 3).
- Strengthening the capacity of state officials in charge of determining asylum applications and of the members of the National Commission for the Protection of Refugees (SJAS 4).
- Continuing working with UNHCR in the implementation of the Quality Assurance Initiative for refugee status determination, as Panama considers it fundamental that all asylum seekers should be able to access due process respecting their human rights (SJAS 5).
- Continuing strengthening technical capacities of the National Office for Refugee Assistance (ONPAR), the office in charge of processing asylum applications, and analyzing the mechanisms to ease the procedure, as far as possible. To this effect, Panama continues counting on the support of UNHCR (SJAS 6).
- Providing international protection to all those persons that fulfil the requirements established by the 1951 Convention as well as by the Panamanian Law established to that effect. Panama will continue adopting actions directed at strengthening its asylum system to ensure that its protection is effective (SJAS 7).
- Continuing working with the various state institutions, private enterprises and civil society in the campaign for the integration of refugees, which includes information around the realities they are facing in order not to be discriminated against and promoting access to livelihoods, public services and other aspects necessary to satisfy their needs, which is essential to obtain an adequate standard of living in Panama (SJAS 8).
- Developing public policies within the scope of its competencies and adapting existing ones so that they favour the inclusion, integration and durable solutions for the population of interest, in close coordination with Government Institutions whose mandates may favour the population of interest. This public policy will be focused on inclusion and Human Rights (MoU 1).

- Identify, establish and consolidate specific mechanisms enabling refugees and asylum seekers to access the country's public and social policies that facilitate their local integration (MoU 2).
- Access to banking services by refugees (MoU 3).
- Effective access to school and university education: MEDUCA protocol, validation of qualifications. Sensitisation within the education sector (schools and universities). Access by refugees and asylum seekers to vocational courses and training provided by governmental institutions (MoU 4).
- Initiate and formalise a Durable Solutions Process for Local Integration in Panama. Allow the refugee population to become gradually integrated into the culture of the country of asylum without prejudice to their own cultural traditions (MoU 5).
- Refugees have the same right to access public services as the local population. The interaction between refugees and the local community enables the former to participate in the social life of their new country, without fear of discrimination or hostility (MoU 6).
- Information campaigns to raise awareness about who refugees are and what their obligations and rights are (MoU 7).
- Recognition of the identification card as a valid document by government institutions and officials. Removal of the word "refugee" from identity documents (MoU 8).





Listed below are the actions that Panama has or is currently carrying out for the implementation of these commitments:

<b>STOCKTAKING EXERCISE</b>		
<b>Responsible Ministry/Office /National Partner</b>	<b>Existing Activity</b>	<b>Commitment</b>
<b>Pillar 1: Legal Matters and Protection</b>		
<i>Access to the country and its RSD procedures (at the border) and prevention of refoulement</i>		
<b>MINGOB/ONPAR, SENAFRONT, SNM</b>	Short training sessions on Effective Access to the Right of Asylum and Applicable National Legislation, reinforcing the application of non-penalisation for irregular entry.	Continue capacity building for state officials posted in border areas on the rights and profiles of the asylum-seeking and refugee populations (SJAS).
<b>MINGOB/ONPAR, SENAFRONT, SNM</b>	Provide SNM and SENAFRONT with informational material about the refugee status determination procedure.	
<b>ONPAR</b>	Sporadic ONPAR missions to border areas and presence of an ONPAR official in Guna Yala.	
<b>OMBUDSMAN</b>	Ombudsman presence in land border areas, creating the possibility of providing support in guiding refugees and local authorities in refugee law.	
<b>SENNIAF, ONPAR</b>	Draft Protocol on Assistance for Unaccompanied and/or Separated Children and Adolescents (CA) in need of protection, with SENNIAF.	Develop a protocol for the assistance of girls, boys and adolescents in need of international protection, whether they are accompanied or not (SJAS).
<i>Fair and efficient refugee status determination procedures</i>		
<b>UNHCR, MINGOB / ONPAR</b>	Since 2012, UNHCR has been collaborating with MINGOB and ONPAR for the implementation of the QAI programme: the majority of the recommendations have been implemented, the quality of resolutions and analysis has been improved, and procedures have been adapted for persons with specific needs.	Continue working with UNHCR in the implementation of the Quality Assurance Initiative for refugee status determination, as Panama considers it fundamental that all asylum seekers should be able to access due process respecting their human rights (SJAS).
<b>MINGOB/ONPAR, NATIONAL COMMISSION</b>	Increase the number of National Commission for Refugee Protection meetings per year, in order to process more cases.	
<b>MINGOB/ONPAR</b>	Adaptation of the procedure: more child-friendly measures (adapted format of the sworn statement) and training officials in interviewing children.	Ensure the participation of girls, boys and adolescents in their refugee status determination procedures, guaranteeing that they will receive the necessary care (SJAS).
<b>MINGOB/ONPAR</b>	Make improvements in the motivation of resolutions and RSD analysis processes: composition, inclusion of information and structure.	Strengthen the capacity of state officials in charge of determining asylum applications and of the members of the National Commission for the Protection of Refugees (SJAS).
<i>Documentation for recognised refugees</i>		
<b>MINGOB/ONPAR,</b>	Passing of Law No. 74 of October 15,	Develop public policies within the

MITRADEL	2013, establishing requirements so that refugees can apply for permanent residency.	scope of its competencies and adapting existing ones so that they favour the inclusion, integration and durable solutions for the population of interest, in close coordination with Government Institutions whose mandates may favour the population of interest. This public policy will be focused on inclusion and Human Rights (MoU).
<i>Regulation</i>		
MINGOB/ONPAR	Current revision of Decree No. 23 of 1998.	

## Pillar 2: Access to Basic Needs

### *Access to basic services (healthcare, shelter, food, safety) and immediate responses*

NGO	Civil society organisations are providing Humanitarian Assistance through programmes or projects funded mainly by UNHCR or the Bureau of Population, Refugee and Migration at the US Department of State (PRM).	Refugees have the same right to access public services as the local population. The interaction between refugees and the local community enables the former to participate in the social life of their new country, without fear of discrimination or hostility (MoU).
PANAMA MUNICIPALITY	The Panama City Council has a Refugee Care Programme. It also provides a small amount of assistance (through an agreement) to the Hogar Luisa Comprehensive Accompaniment Centre of the Pastoral Group of Human Mobility (PMH, by its acronym in Spanish) as regards shelter (the only instance in the country for this population).	
NGO, MINSAs	Civil society organisations, through advocacy in healthcare centres or hospitals, support the persons of interest in their access to the public or private healthcare system. When necessary they also provide support in the funding of medical and medicinal costs.	Identify, establish and consolidate specific mechanisms enabling refugees and asylum seekers to access the country's public and social policies that facilitate their local integration (MoU).
MINSAs	It is worth highlighting the care provided at Santo Tomás Hospital: checkups, appointments, examinations and childbirth care, among other services, even waiving payments or accepting minimum agreements.	
INAMU	Within the Equal Opportunities for Women Policy, INAMU provides care for female refugees and asylum seekers.	

## Pillar 3: Local Integration and Livelihoods

### *Generation of income / livelihoods*

ONPAR/MINGOB, MITRADEL	Law 74 of 2013 establishes that refugees who gain permanent residency can obtain an indefinite work permit, reducing the risk of losing jobs due to delays caused by the annual renewal of work permits.	Develop public policies within the scope of its competencies and adapting existing ones so that they favour the inclusion, integration and durable solutions for the population of interest, in close coordination with Government Institutions whose mandates may favour the population of interest. This public policy will be focused on inclusion and Human Rights (SJAS).
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<b>SUPERINTENDENCE OF BANKS</b>	The Superintendence of Banks, the body that governs the Panamanian banking system, issued a General Resolution to guide banks in providing access to bank accounts to refugees with permanent residency.	Access to banking services by refugees and asylum seekers (MoU).
<i>Education</i>		
<b>MEDUCA, ONPAR/MINGOB</b>	Progress in the signing and implementation of MEDUCA Decree No. 1225 to reduce the processing time of the qualification validation and enrolment of CA asylum seekers arriving in Panama (progress is currently being made in the design of a Guide and Procedural Handbook for the nationwide implementation of the Decree).	Effective access to school and university education: MEDUCA protocol, validation of qualifications. Sensitisation within the education sector (schools and universities). Access by refugees and asylum seekers to vocational courses and training provided by governmental institutions (MoU).
<b>INADEH</b>	INADEH is admitting refugees (permanent residents) into its training programmes.	
<i>Socio-cultural integration</i>		
<b>MITRADEL</b>	The identification document in work permits for recognised refugees no longer contains the word "refugee".	Removal of the word "refugee" from identity documents (MoU).
<b>MINGOB/ONPAR, UNS, NGO</b>	Sensitisation campaigns (schools) and commemorative acts (World Refugee Day - WRD) that influence public opinion.	Sensitisation campaigns to raise awareness about who refugees are and what their obligations and rights are (MoU).

The following gaps were identified in the Panama Chapter of the MIRPS consultation exercise, including the conclusions of the work carried out with refugees and asylum seekers, organised by pillar and thematic area:

## **PILLAR 1. LEGAL MATTERS AND PROTECTION**

### *Access to territory and to RSD procedures (at the border) and prevention of refoulement*

Among others, the gaps identified in this thematic area are: the limited presence of ONPAR in border areas and in Tocumen airport; the absence of Protocols on the Referral and Identification of Cases that guarantee access to ONPAR, SNM and SENAFRONT procedures that ensure the receiving authority's obligatory referral mandated in Decree No. 23/1998 and that guarantee an active role of the safety departments in the identification of persons in need of international protection; the high rotation of SNM and SENAFRONT staff at border crossing points, hindering the permanence of staff trained in the identification of persons in need of international protection, despite the efforts of ONPAR, SENAFRONT and SNM to organise training sessions on refugee law and international protection; and the lack of detailed statistical information on persons who were denied entry, categorised by nationality, age and gender (SNM).

### *Fair and efficient refugee status determination procedures*

The following gaps were identified as priorities within this subject: the delaying of cases due to the level of applications exceeding ONPAR's capacity, leading to delays in registration/interviews and resolution processes; the physical limitations of the building that houses ONPAR, hindering the practical possibility of guaranteeing confidentiality during interviews, thus potentially distorting the interview results; practical difficulties in ensuring the right to legal representation of applicants in preventive detention shelters as well as in guaranteeing the availability of qualified interpreters if required; limited alternatives to the detention of asylum seekers in preventive detention shelters; Panama's documentation-related difficulties with asylum seekers (issue of documentation at the moment of filing the application and recognition of ONPAR-issued documents); the need for an agile and practical information management system, facilitating the production of statistics that would support the decisions made on various topics related to the protection of refugees and enable the automatic checking of the progress of the process, improving internal management and information to applicants; and the lack of an administrative appeal before a higher body in the event of resolutions of non-admittance, as well as the very short deadlines for the filing of appeals for cases of non-admission (they can only be sent for reconsideration and appeals cannot be made).

### *Documentation of recognised refugees (temporary residency, permanent residency, naturalization and work permits)*

Identified among the gaps of this thematic area were, above all: the administrative difficulties related to the renewal process of various documents, sometimes putting people at risk due to missing the protection granted by said document during the process, the risk of being fined, or the need to provide documentation that is hard to attain for refugees; and the fact that naturalisation is not identified as the natural conclusion of integration as a durable solution, due to the high cost involved for refugees, thus making integration difficult in the host country.

### *Regulation*

Lastly, the gaps identified in the first pillar include, for example: the inability of asylum seekers to access a temporary work permit, thus wasting human capital and the experience, training and expertise of asylum seekers and refugees in Panama; and the non-recognition of the broad definition of refugee (Cartagena Declaration) in current Executive Decree No. 23/1998, putting persons with a well-founded fear of generalised violence in their countries of origin at risk of losing their rights.

## **PILLAR 2. ACCESS TO BASIC NEEDS**

### *Access to basic services (healthcare, shelter, food, safety) and immediate responses*

Within this Pillar, the identified prioritised gaps were as follows: the lack of national emergency food provision programmes (coupons, discounts, soup kitchens, etc.) for refugees and asylum seekers; the serious

limitation in guaranteeing emergency shelter for asylum seekers and refugees (the only option is the Hogar Luisa Shelter of PMH); the inadequate access to psychological and psychiatric care for the persons concerned who may also have mental health issues due to the long refugee status determination process; the need for decent housing (the high cost of rent and the impossibility of regular work without the due permit means that asylum seekers live in overcrowded, insanitary and insecure homes); and the poor communications in the referral and care of women refugees and asylum seekers who have been victims of gender-based violence (GBV).

## **PILLAR 3. SOCIO-CULTURAL INTEGRATION AND LIVELIHOODS**

### *Generation of income / livelihoods*

In pillar three, the gaps identified in the first thematic area include: the inability to access a work permit by asylum seekers who are not only in situations of economic and social risk but also suffering labour abuse and exploitation by their employers; the extreme difficulties of asylum seekers and refugees in the opening of bank accounts and in the recognition of their identification documents for banking procedures; difficulty in obtaining decent work with the same rights as nationals, due to the stigmatisation of the persons concerned; and limitations when accessing micro-credits due to documentation (asylum seekers) and requirements/costs (refugees).

### *Education*

In terms of education, the main gaps are: the ignorance of Decree 1225 in some regional

MEDUCA offices, delaying the qualification validation and enrolment of CA asylum seekers (delays or possible overage); the need to develop the Decree 1225 Procedural Handbook, along with the proof of location, bringing the Decree into force nationwide; difficulties in accessing higher education due to the required documentation (proof of all prior studies); and the limited stay of CA refugees and asylum seekers in schools and other education centres, due to not having access to the Universal Grant, among other reasons.

### *Socio-cultural integration*

As regards socio-cultural integration, the gaps identified were, among others: bullying and discrimination in schools by both teachers and students; in some cases, the failure to recognise their identification due to a lack of knowledge of their rights and identification documents; a lack of information about the rights and obligations of the refugee and asylum-seeking population, both in the general population and the institutions, and that might raise awareness on the situation of those persons; and a lack of spaces for consensus-building between refugees / asylum seekers and public institutions.



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Prioritised Need	Prioritised Action	Implementing parties (Coordinating agency in bold) <sup>8</sup>	Schedule	Commitment (SJAS, BPA, etc.)
<b>Pillar 1: Legal Matters and Protection</b>				
<i>Access to the country and its RSD procedures (at the border) and prevention of refoulement</i>				
Strengthen the training processes of public officials at the borders (especially those of SENAFRONT, National Air and Naval Service [SENAN, by its acronym in Spanish] and SNM) in refugee matters, in order to increase the identification and referral capacity of border officials in direct contact with migrants and persons in need of international protection (PNIP).	Formulate a training plan in various border institutions (SENAFRONT, SENAN, National Police, SNM) for the provision by ONPAR of training programmes to officials, with UNHCR support.	SENAFRONT, SENAN, NATIONAL POLICE, SNM, <b>ONPAR/MIN GOB</b> , UNHCR	Before the year's end	SJAS 1
Include, in the curriculum of the National Migration Service Academy, a module about International Law and Persons in Need of International Protection, so that graduated officials already know about the subject and can learn more depending on their job destination. Revise and update the subjects included in the SENAFRONT curriculum.	Establish a dialogue working group with the Academic Departments of SENAFRONT and SNM on the possible development of a programme subject about refugees within the curriculum of each institution.	SENAFRONT, SNM, <b>ONPAR/MIN GOB</b> , UNHCR	During 2018	SJAS 1
Subscribe to action protocols for the due identification and referral of persons in need of international protection or who have expressed the desire to be recognised as refugees. This will be done between ONPAR and SNM to ensure the receiving authority's obligatory referral mandated in Decree No. 23/1998, and to guarantee an active role of the safety departments in the identification of persons in need of international protection. (Draft Protocol between SNM and ONPAR).	Revision of the previously drafted protocol (ONPAR - SNM) for its validation and possible signature.	SNM, <b>ONPAR</b> , UNHCR	During 2018	SJAS 7
Create a guide for the identification and referral of persons in need of international protection or who have expressed the desire to be recognised as refugees, based on the draft protocol between SENAFRONT and ONPAR, and ensure its widespread dissemination amongst staff.	Create a guide aimed at SENAFRONT staff, based on the draft protocol.	SENAFRONT, <b>ONPAR/MIN GOB</b> , UNHCR	During 2018	SJAS 7
Sign an Assistance Protocol for Unaccompanied and/or Separated CA in Need of Protection, between SENNIAF and ONPAR.	SENNIAF and ONPAR will validate and sign the Assistance Protocol for Unaccompanied and/or Separated CA in Need of Protection.	SENNIAF, <b>ONPAR</b>	Before the year's end (2017)	SJAS 2
<i>Fair and efficient refugee status determination procedures</i>				
Need to revise Executive Decree No. 23/1998, producing the modification and signature of a new Decree that includes new procedures such as:	Revision by ONPAR and MINGOB of the current Decree, based on international law and the needs identified for improving the	ONPAR, <b>MINGOB</b>	Before the year's end (2017)	MoU 1

reduce the status determination process time, increase the efficiency of the documentation process and expedite processes if the requirements are fulfilled (based on due process).	protection system, and its approval.			
Efficient registration system for the procedure: better data exchange in the database and an application that enables any public institution (i.e. security) device to check on the progress of a person's refugee status determination file, without the need to exchange information between institutions.	Work on the implementation of a new ONPAR database, enabling the more efficient management of files, improving the production of statistics, and enabling the simple checking of the progress of a person's refugee status determination application (QR technology).	ONPAR, United Nations System	Before the year's end (2017)	SJAS 6
Overcome weaknesses in the documentation process: other institutions' failure to recognise ONPAR-issued documentation, the numbering of documents by ONPAR and SNM, etc.	Coordinate a technical roundtable formed of MINGOB/ONPAR and SNM, with technical support from UNHCR, to address various subjects in the jurisdiction of both institutions, particularly those linked to documentation (recognition of documents, standardisation and improvement of criteria/documents), as well as those related to asylum seekers' administrative detention, in order to prevent it through the implementation of alternative measures and the improvement of identification and verification tools.	ONPAR, SNM, UNHCR	November 2017	SJAS 8
Provide ONPAR with more human and financial resources so that it has sufficient capacity to respond to the growing number of applications.	Recruitment of more ONPAR staff in response to the growing number of applications and to avoid delays.	MINGOB, occasional support from UNHCR	During 2018	SJAS 4, SJAS 6
Guarantee a suitable space for the current volume of files and a private, confidential, safe and trustworthy setting for interviews.	Adapt ONPAR facilities so that they are suitable for covering the needs of the interview process and file archiving, maintaining the principle of confidentiality.	MINGOB, occasional support from UNHCR	Before the year's end (2017)	SJAS 6
Ensure the regular holding of meetings of the National Commission for the Protection of Refugees: at least once a month in order to review as many files as possible per year.	Ensure that the reform of Decree No. 23/1998 modifies the frequency of Commission meetings, changing it to bi-monthly ordinary meetings with the option of additional extraordinary meetings.	MINGOB, ONPAR, COMMISSION	The holding of annual extraordinary meetings shall continue.	SJAS 4
	Hold extraordinary Commission meetings until the reform of the Decree enables the holding of ordinary bi-monthly meetings.			
Seek free legal representation in various procedures for asylum seekers and refugees.	Subscribe to agreements with Universities (that teach Law degrees) or other types of entities that can provide free legal consultancy and representation to asylum seekers and refugees.			
<b>Documentation for recognised refugees (temporary residency, permanent residency, naturalisation and work permits)</b>				
Reduction of the issue and renewal times of work permits so that people are not left unprotected when said	Dialogue with MITRADEL to analyse the possible reduction of the issue and renewal times of work	MITRADEL, MINGOB	Before the year's end	SJAS 8 MoU 2



documents are not valid.	permits for refugees.			
<b>Regulation</b>				
Drive the reform of Decree no. 23, incorporating priority pillars of the Brazil Plan of Action so that it can be signed sooner.	Decree 23 revision exercise, based on the foregoing.	MINGOB, ONPAR	During 2018	SJAS 7 MoU 1
Pursuant to adhesion to the 1954 Convention relating to the Status of Stateless Persons (in 2011), establish an internal procedure for the recognition of stateless persons in Panama.	Seek alternatives to work on a Decree that governs the procedure for recognising statelessness in Panama.	MINREX, MINGOB	During 2018	SJAS 7 MoU 1
<b>Pillar 2: Access to Basic Needs</b>				
<b>Access to basic services (healthcare, shelter, food, safety) and immediate responses</b>				
Learn about the real situation of refugees and asylum seekers in terms of their basic needs.	Development of socio-economic profiles and mapping of the population concerned (their places of residence, location, etc.)	MINGOB, ONPAR, UNHCR, NGOs	During 2018	MoU 2
Explore alternative emergency food programmes for the concerned population.	An approach, through a meeting with the National Secretariat for the Food and Nutritional Safety Plan (SEDAPAN, by its acronym in Spanish) (of MIDES) that explores the possible inclusion of the population concerned in food programmes.	MINGOB (ONPAR), MIDES (SEDAPAN), UNHCR	Before the year's end	SJAS 8 MoU 2
	Advocacy through FAO for the inclusion of refugee matters in the Draft Law on the Right to Food.	FAO, MINGOB, UNHCR	During 2018	
Create inter-agency coordination which provides a national outlook on the situation and alternative care of the population concerned, based on its needs.	Creation of an inter-agency roundtable on PNIP care: on a ministerial and municipal level (Panama City), with the creation of specific care programmes for the concerned population.	MINSEG, MINGOB, MINREX, MINSA, MEDUCA, MIVIOT, MIDES, MUNICIPALITY OF PANAMA, UNHCR	During 2018	SJAS 8 MoU 2
Include the population concerned in mental health programmes due to their profiles of anxiety and post-traumatic stress.	Meeting with the Inter-sectoral Mental Health Network (MINSA, by its acronym in Spanish) for the possible and agile provision of mental healthcare to asylum seekers and refugees.	MINSA, MINGOB (ONPAR), UNHCR	Before the year's end	MoU 2
Create identification and referral mechanisms for cases of GBV against female refugees and asylum seekers.	Meeting with INAMU to formulate a proposal on care for GBV victims (ONPAR - INAMU - UNHCR), for the creation of an identification and referral road map that will be disseminated and developed in the Protection in Panama Roundtable, in order to shed light on the mechanisms for the identification and referral of these cases.	MINGOB (ONPAR), INAMU, UNHCR, NGO	During 2018	MoU 2

### Pillar 3: Local Integration and Livelihoods

#### Generation of income / livelihoods

Search for income-generating alternatives that enable asylum seekers to produce food.	Meeting with the Ministry of Agriculture and Livestock Development (MIDA, by its acronym in Spanish) to explore the possibility of providing access to food production (for consumption and sale) programmes to asylum seekers and refugees.	MIDA, MINGO B (ONPAR ) , UNHCR, FAO	Before the year's end	MoU 2
Awareness raising of private enterprises about the refugee population and the obstacles they face in the search for employment and family livelihoods.	Hold a roundtable with the private sector to analyse programmes for access to work and generation of income, and revise CSR programmes and/or partnerships with hotels and restaurants for the management of unused food.	MINGOB (ONPAR), UNHCR, PRIVATE SECTOR	During 2018	SJAS 8
Alternatives to bank micro-credits so that refugees and asylum seekers can obtain small loans to start-up their enterprises.	Hold meetings to analyse the possibility of including asylum seekers and refugees in the Small Grants Programme (SGP) of the UNDP.	UNDP, MINGO B (ONPAR )	Before the year's end	MoU 2

#### Education

Provide Regional Education Directorates and education centres with more information about Decree 1225.	Meetings and workshops with the various national-level Regional Education Directorates for the presentation of Decree 1225.	MEDUCA	Before the year's end	MoU 4
Develop the Guide, Procedural Handbook and proofs of location for the full, nationwide application of Decree 1225 in a uniform and standardised manner.	Development of a Guide to the Procedural Handbook, providing some initial, standardised guidelines for the implementation of the Decree.	MEDUCA	Before the year's end	MoU 4
	Development of a Procedural Handbook based on the guidelines of the Ministry, as established in Decree 1225.		For the start of 2018	
	Creation of a Proofs of Location system by the Ministry, to be put into practice by the area supervisors of the Regional Directorates of Education.		For the start of 2018	
Explore effective and agile alternatives for access to higher education.	Re-establish contact with the Council of Rectors so as to present the possibility of improving access to higher education for asylum seekers and/or recognised refugees.	MINGOB (ONPAR), COUNCIL OF RECTORS	Before the year's end	MoU 4

#### Socio-cultural integration

Sensitisation campaigns aimed at the general public, institutions, schools, the private sector, the media, etc. about non-discrimination and the specific measures needed by asylum seekers and refugees due to their condition.	Sensitisation workshops and actions aimed at schools, the private sector, the media, Government/Municipalities and the general public about non-discrimination and the specific protection measures needed by asylum seekers and refugees.	MINGOB, (ONPAR), UNHCR, NGOs	During 2018	MoU 7
Development of widely disseminated informational material about the specific protection condition of the	Design of informational material and its dissemination to specific target populations.	MINGOB (ONPAR), UNHCR.	During 2018	MoU 7

refugee population.		ONGs		
Establishment of spaces for consensus building and participation between the population of interest and institutions, as well as feedback processes from the consultation process for this procedure.	Creation of ongoing spaces for consensus building with institutions.	MINGOB (ONPAR), OMBSMAN, REFUGEE AND ASYLUM SEEKER POPULATION	During 2018	MoU 5
	Information feedback to focus groups participating in the participatory diagnostic process (MIRPS process).	MINGOB (ONPAR), CONSULTED REFUGEES AND ASYLUM SEEKERS	Before the year's end	

## More Detailed Information

- Matrix of Panama's commitments expanded and complemented work plan stemming from bilateral and/or prioritised work meetings (in process).
- Results of the shared responsibility meeting (in process).

## Next Steps

- Plan resource mobilisation with key stakeholders, based on the actions identified as priorities.
- Hold a series of additional consultations on the items identified in the roundtables, such as the sub-group for documentation evaluation (Migration - ONPAR, technical support from UNHCR); and hold a Government - Private Sector meeting to analyse their engagement in local integration, social responsibility and employment programmes.
- Hold bilateral meetings with prioritised municipal councils, for the protection and care of refugees and asylum seekers, including Panama City, Colón, David and the Darién area. Similarly and throughout the rest of the process, examine the relevance of holding bilateral meetings with various entities (prioritised agencies) to continue establishing specific actions to include the target population in existing programmes in Panama.
- Organise, as a short term action within the process, the meeting/sub-committee on shared responsibility (Ministry of Foreign Affairs, ONPAR, Ministry of Government, UNHCR and the Resident Coordinator) to analyse Panama's possible actions/commitments with countries in the region, in matters of asylum and/or persons in need of protection.
- Once the results of this process have been validated, organise a meeting on international cooperation, with

participation from the Government of Panama, agencies from the United Nations System and other international organisations, in order to identify

complementary and support actions for the implementation of Panama's operational plan for protection and solutions.





## ACRONYMS

CA	Children and adolescents
ED	Executive Decree
FAO	Food and Agriculture Organisation of the United Nations
GBV	Gender Based Violence
HIAS	A global humanitarian organisation which protects refugees
IFARHU	Institute for Training and Development of Human Resources
INADEH	National Institute for Vocational Training and Human Development
INAMU	National Institute for Women
MEDUCA	Ministry of Education
MIDA	Ministry of Agriculture and Livestock Development
MIDES	Ministry of Social Development
MINGOB	Ministry of Government
MINREX	Ministry of Foreign Affairs
MINSA	Ministry of Health
MINSEG	Ministry of Security
MITRADEL	Ministry of Labour and Social Development
NRC	Norwegian Council for Refugees
ONPAR	National Office for the Attention of Refugees
PGHM	Pastoral Group of Human Mobility, Archdiocese of Panama
PNIP	Persons in Need of International Protection
PRC	Panamanian Red Cross
PRM	Bureau of Populations Refugees and Migrations of the US Department of State
QR Technology	Quick Response Code
RET	International social organisation which supports persons in need of international protection
RSD	Refugee Status Determination
SEDAPAN	National Secretariat for the Food and Nutritional Safety Plan
SENAFRONT	National Border Service
SENAN	National Naval Aviation Service
SENNIAF	National Secretariat of Children, Adolescents and Family
SGP	Small Grants Programme - UNDP
SNM	National Migration Service
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNS	United Nations System
WRD	World Refugee Day

# PART 2

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## 2.1. Contributions from Cooperating Actors



## Cooperating Actors

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One of the objectives of the Comprehensive Regional Protection and Solutions Framework is to strengthen cooperation both on the level of regional actors and states, and also internationally. This cooperation is reflected in different ways, including financial contributions, technical assistance for direct support of MIRPS countries' implementation of their national plans or existing regional initiatives.

Cooperating states may offer resettlement programmes to those in need of international protection, along with other complementary forms of accessing countries, such as the concession of humanitarian visas, the Protection Transfer Arrangement, family reunification programmes and other pathways which promote regular, safe and orderly migration.







# ARGENTINA

## Pillar #4 Durable Solutions

*This pillar includes issues such as: local integration, resettlement and complementary pathways, as well as addressing root causes in countries of origin*

AREA OF SUPPORT	NEW COMMITMENT 2018-2020
Financial or technical assistance to support local integration through access to self-reliance measures and the labour market.	Guarantee the same rights as nationals, without discrimination, to all refugees and residents in Argentina, including those who come from Central America through a temporary humanitarian admission programme.
Start private sponsorship programmes enabling communities or enterprises to sponsor Central American refugees.	Together with civil society, the private sector, local organisations and UNHCR, explore mechanisms for contributing to the protection of victims of forced displacement in Central America. Such mechanisms could be based on humanitarian admission programmes, with private sponsorship, and with the support from the Emerging Resettlement Countries Joint Support Mechanism (ERCM).
Start family reunification programmes for Central American refugees.	Guarantee the right to family reunification to all refugees and residents in Argentina, including those who come from Central America through a temporary humanitarian admission programme.





## BRAZIL

Within this framework, we intend to contribute to MIRPS in the following areas:

AREA OF SUPPORT	Existing commitment that can be continued in 2018	New commitment within 2018-2020 timeframe
<b>PILLAR 4 – Durable solutions</b> This pillar includes issues such as: local integration, resettlement and complementary pathways, as well as addressing root causes in countries of origin		
<p>Participation in the humanitarian evacuation programme for Central American persons at heightened risk, the Protection Transfer Arrangement (PTA), either as a destination country with resettlement spaces or as a transit country with spaces for refugees in transit per year.</p>	<p>In light of its commitment to create a state-funded resettlement programme for refugees from the NTCA, as made in the 2016 UN Summit on Refugees and Migrants, Brazil undertook to allocate public funds for the development and implementation of its first traditional resettlement programme from January 2018, through the PTA and in line with its commitments within the Brazil Plan of Action (2014-2024) and the 2016 San Jose Action Statement.</p>	<p>The Government of Brazil commits to holding a regional consultation meeting to consolidate the position of Latin America and the Caribbean in the context of negotiations on the Global Compact on Refugees that will be approved in 2018, as stipulated in the New York Declaration for Refugees and Migrants (A/RES/71/1). The regional event will also provide an opportunity to present the triennial UNHCR report on the implementation of the Brazil Plan of Action (BPA) that was adopted in the Cartagena +30 regional meeting held in Brasilia in 2014.</p> <p><u>Event name:</u> Regional Meeting of Latin America and the Caribbean – Consultations for the Global Compact on Refugees.</p> <p><u>Place:</u> Itamaraty Palace, San Tiago Dantas Room, Brasilia, Brazil..</p> <p><u>Fechas:</u> February 19 and 20, 2018</p> <p><u>Organisation:</u> Ministry of Foreign Affairs - United Nations Division / Alexandre de Gusmão Foundation (FUNAG, by its acronym in Portuguese), with support from UNHCR and the Ministry of Justice / National Committee for Refugees (CONARE, by its acronym in Portuguese).</p> <p><u>Participants (estimated):</u></p>

		<p>Approximately 30 countries from Latin America and the Caribbean (two representatives per country), observers (civil society) and international organisations.</p>
<p>Start private sponsorship programmes enabling communities or enterprises to sponsor Central American refugees.</p>		<p>The Government of Brazil has already started working with UNHCR to create the legal framework for the Brazil resettlement programme. The programme will not only involve private sponsorship but also government sponsorship or combined sponsorship.</p> <p>In addition to this, Brazil intends to provide legal certainty to all those involved in the resettlement, including potential enterprises, NGOs, communities, civil society, the government and the refugees.</p>



# CANADA

Within this framework, we intend to contribute to the MIRPS in the following areas.

AREA OF SUPPORT	Existing commitment that can be continued into 2018	New commitment within 2018-2020 time frame
<p><b>Pillar #1---Reception and Admission</b>  <i>This pillar includes issues such as: identification of persons in need of international protection as refugees; documentation; registration; adequate, safe and dignified reception conditions; alternatives to detention; as well as an appropriate governance framework in countries of origin</i></p>		
<p>Financial or technical assistance to strengthen Refugee Status Determination processes</p>	<p>In 2014, Canada, the U.S. and Mexico, in partnership with UNHCR, created a <i>Joint Plan of Action on Promoting International Protection in North America</i>. Canada continues to work with the United States and UNHCR to support the Government of Mexico in strengthening its capacity to handle a growing volume of asylum claims. The 2017-2018 Plan of Action was developed around four key themes: training; country of origin information; translation/interpretation; and case management. \$40,000 CAD in new funding was secured in October 2017 to advance this work, specifically to conduct a “needs analysis” study and assessment of off-the-shelf IT solutions to help manage the increased asylum caseload.</p>	<p>Building upon the <i>Joint Plan of Action on Promoting International Protection in North America</i>, Canada will continue to work, together with UNHCR and state partners, on efforts to strengthen asylum systems across the region.</p>
<p>Financial or technical assistance to strengthen border management capacity</p>	<p>Under its Anti-Crime Capacity Building Program (ACCBP), Canada is providing CAD \$839,597 from 2016-2018 to the UN Office on Drugs and Crime (UNODC) to support regional coordination and capacity building for border security in Central America.</p> <p>Under its Anti-Crime Capacity Building Program (ACCBP) Canada is providing CAD \$405,000 from 2016-2018 to strengthen the capacity of Mexican immigration and law enforcement authorities to counter the growing phenomenon of migrant smuggling by sea along Mexico’s borders.</p>	
<p><b>Pillar #2---Meeting Basic Needs</b>  <i>This pillar includes issues such as: identification of needs, support for humanitarian response, joint planning between humanitarian and development actors</i></p>		
<p>Financial or technical assistance for humanitarian assistance to vulnerable asylum seekers and refugees</p>	<p>In 2017, Canada is providing \$5.05 million in humanitarian assistance funding to the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), and the World Food Programme (WFP) in 2017 to support their operations in Central America and the Americas. This funding is being provided in response to these organizations’</p>	

	annual appeals for the region. Activities will include general food and nutrition assistance, and other efforts to reach vulnerable affected people in Guatemala, Honduras, and Nicaragua.	
<b>Pillar #4---Durable Solutions</b> <i>This pillar includes issues such as: local integration, resettlement and complementary pathways, as well as addressing root causes in countries of origin</i>		
Financial or technical assistance to improve conditions to allow for the voluntary return of refugees and other displaced persons (development programmes that improve security and governance, as well as socio-economic conditions)	<p>Canada, through Immigration Refugees and Citizenship Canada (IRCC) contributes CAD \$15,000 annually to support the Regional Conference on Migration (RCM) /Puebla Process to assist with the voluntary return of regional migrants in particularly vulnerable situations. Canada through IRCC also provides USD \$75,000/year to the RCM as our annual membership contribution.</p> <p>Under its Peace and Stabilization Operations Program (PSOPs), Canada is providing CAD \$461,075 from 2017-2019 to support youth violence prevention in El Salvador, and to address the root causes and grievances of youth at risk of perpetrating violence.</p> <p>Under its Peace and Stabilization Operations Program (PSOPs), Canada is providing CAD \$889,560 in Guatemala and Honduras from 2017-2021 to prevent criminality and violence in Guatemala and Honduras by addressing democratic inclusion and citizen security at the municipal level.</p> <p>Canada is providing CAD \$19.5 million in Honduras from 2016-2021 for the Canadian Support from Child Protection and Juvenile Justice Refom in Honduras (“PRONIÑEZ”) project. This project, implemented through a partnership led by UNICEF, aims to strengthen the capacity of the Honduran national child protection institute, DINAF, to develop an effective national framework that will better protect children and youth from violence, exploitation, abuse and discrimination. It will also enhance the protective environment of 870,000 boys, girls and adolescents in 35 municipalities of Honduras.</p> <p>Canada is providing CAD \$5 million from 2016-2018 in Honduras for the “Fight against corruption and impunity in Honduras (MACCIH)” project. Implemented by the OAS, this project focusses on: preventing and combating corruption; reforming the Honduran criminal justice system; reforming the political and electoral system; and public security.</p>	Canada has a Call for Proposals process underway in order to select partners to implement projects under the planned CAD \$12.75 million “Green and Inclusive Economic Growth for Indigenous Women and Youth” project in Guatemala. This project is expected to run from 2019-2024.
Financial or technical assistance for strengthening	Under its Anti-Crime Capacity Building Program (ACCBP), Canada is providing CAD \$1.024 million in El Salvador from 2017-2019 to build a case management	

<p>institutional response for displaced victims of violence</p>	<p>tool for forced disappearances and torture cases related to organized crime in El Salvador.</p> <p>Canada is providing CAD \$18 million in Guatemala from 2008-2019 in support for the International Commission Against Impunity in Guatemala (CICIG). The CICIG seeks to help increase the rule of law in Guatemala, thereby reducing impunity and homicide rates.</p>	
<p>Participation in the humanitarian evacuation programme for Central American persons at heightened risk, the Protection Transfer Arrangement (PTA), either as a country of destination with X resettlement spaces or as a country of transit with X spaces for refugees in transit per year.</p>	<p>Canada, through Immigration Refugees and Citizenship Canada (IRCC), is piloting and evaluating the Protection Transfer Arrangement (PTA) to explore future options for the resettlement of refugees from the NCA region.</p>	
<p>Encourage the development of private sponsorship or community based resettlement programmes that may expand resettlement space for Central American refugees</p>	<p>Canada has an ongoing commitment to resettlement through Immigration Refugees and Citizenship Canada's Private Sponsorship of Refugees program. This program has led to the resettlement in Canada of 275,000 refugees since 1979.</p> <p>Canada also is committed to expanding global refugee resettlement spaces, including in the Americas, through the Global Refugee Sponsorship Initiative (GRSI). Launched in Ottawa in December 2016, GRSI is led by the Government of Canada, UNHCR, the Open Society Foundations, the Radcliffe Foundation, and the University of Ottawa. GRSI aims to build on Canada's private sponsorship model to promote and support the development of new community-based sponsorship programs in other countries.</p>	<p>Canada has an ongoing commitment to resettlement through the Private Sponsorship of Refugees program.</p> <p>Canada also has an ongoing commitment to expand global refugee resettlement spaces, including in the Americas, through the Global Refugee Sponsorship Initiative.</p>
<p>Start a family Reunification programmes for Central American refugees</p>	<p>Refugees and asylum claimants in Canada may include immediate non-accompanying family members on their application for status. Canada has programs for the family reunification of refugees, including the "One Year Window" for resettled refugees, and processing of dependents of refugees for asylum claimants.</p> <p>Once refugees become permanent residents of Canada, they may sponsor other family members, such as spouses, partners, children, parents, and</p>	

	grandparents, through Canada's normal immigration programs for family reunification.	
Financial or technical assistance to improve conditions for at-risk groups in countries of origin in order to address the drivers of and prevent irregular migration.	Canada is providing CAD \$15.2 million from 2016-2020 in Guatemala, Honduras, El Salvador, Nicaragua, and Mexico for the "Prevention of irregular child migration in Central America" project. Implemented through the Christian Children Fund of Canada (CCFC), the project will target the underlying root causes of violence, unemployment and lack of education in deprived urban and rural communities, leading to the dangerous migration of children out of the Americas region.	



# COLOMBIA

## Pillar #4 Durable Solutions

*This pillar includes issues such as: local integration, resettlement and complementary pathways, as well as addressing root causes in countries of origin*

AREA OF SUPPORT	EXISTING COMMITMENT THAT CAN BE CONTINUED IN 2018
<p>Financial or technical assistance to improve conditions to allow for the voluntary return of refugees and other displaced persons (development programmes that improve security and governance, as well as socio-economic conditions).</p>	<p>Technical Assistance through the sharing of best practices in Colombia, in terms of:</p> <ul style="list-style-type: none"> <li>• Registration of victims abroad in the National Register of Victims.</li> <li>• Programmes for the dissemination of the Colombian governmental services for victims abroad.</li> <li>• Provision of individual administrative reparations for victims and refugees.</li> <li>• Coordination between the services of the Unit for Comprehensive Assistance and Reparation for Victims (UARIV, by its acronym in Spanish) and the "Colombia Unites Us" programme, designed to assist and unite Colombians abroad and to make them the subject of public policy and, among other things, to attend returning Colombians.</li> <li>• Possible coordination actions between UNHCR and UARIV for the provision of information about the state services for refugees in certain countries of interest.</li> </ul>
<p>Financial or technical assistance for strengthening institutional response for displaced victims of violence.</p>	<p>Technical Assistance through the sharing of best practices in Colombia, in terms of:</p> <ul style="list-style-type: none"> <li>• Progress in the implementation of the peace agreement between the FARC and the government of President Juan Manuel Santos, as a strategy of return, lands and the guarantee of the rights to truth (with the Truth Commission), justice, (with the Special Jurisdiction for Peace), reparation (through the reform processes of Law 1448) and non-repetition (with the surrender and handover of arms and the reincorporation of ex-combatants into society).</li> <li>• Progress in individual administrative reparation processes and a mechanism that includes the displaced population as part of the guarantee of reparation.</li> <li>• Progress in collaboration with local authorities (governments and councils) for the allocation of free housing for the displaced population, in coordination with the Ministry of Housing.</li> <li>• Partnerships with the international cooperation in legalisation processes of settlements with large displaced populations in urban areas, facilitating their local integration (the UNHCR legalisations programme, for example).</li> </ul>
<p>Financial or technical assistance to support local integration through access to self-reliance measures and the labour market.</p>	<p>Technical Assistance through the sharing of best practices in Colombia, in terms of:</p> <ul style="list-style-type: none"> <li>• Progress with local institutions and private businesses to create income-generation and employability actions, in coordination with national authorities.</li> </ul>





# SPAIN

The Spanish Cooperation (CE, by its acronym in Spanish) has a long-term commitment to Central America, both at a regional level and with each of the countries individually. A permanent aspect of its work has been humanitarian action, with priorities that have evolved alongside changes in the context. A current approach in Spain's humanitarian work is to mitigate the impact caused by Other Forms of Violence in the Northern Triangle of Central America. Furthermore and

in terms of cooperation for development, Spain is analysing the possibility of starting a migration-based programme in the area, including this objective as a priority and potentially combining various actions. In these efforts, Spain is working closely with UNHCR, ICRC, EU and different national organisations and regional and international civil society organisations. Within this framework, we intend to start contributing to MIRPS in the following areas:

Area of support	Existing commitment that can be continued in 2018	New commitment 2018-2020
<b>Pillar 1: Reception and admission</b> <i>This pillar includes issues such as: identification of persons in need of international protection as refugees; documentation; registration; adequate, safe and dignified reception conditions; alternatives to detention; as well as an appropriate governance framework in countries of origin</i>		
Financial or technical assistance to strengthen Refugee Status Determination processes.	Technical consultancy is being provided to persons in transit in Costa Rica.	This is a line that can be maintained, depending on the needs of the country.
Financial or technical assistance to improve reception conditions for asylum seekers and refugees.	In this objective, Mexico is being provided support for refugees from the Northern Triangle.	We expect to continue supporting this objective in the future, depending on the evolution of the situation, availability of resources, etc.
<b>Pillar 2: Meeting basic needs</b> <i>This pillar includes issues such as: identification of needs, support for humanitarian response, joint planning between humanitarian and development actors.</i>		
Financial or technical assistance to strengthen the safe spaces network that provides humanitarian care and comprehensive services (legal, psychosocial and for victims of sexual and gender-based violence) to refugees in transit.	Contributions are made to this objective through interventions that support child victims of violence (Guatemala).	We expect to begin an intervention based on persons forcibly displaced by other forms of violence in Honduras, especially in terms of access to basic services.
<b>PILLAR 3: Support for host countries and communities</b> <i>This pillar includes issues such as: creation of protection and care networks, support of the international community</i>		
Financial or technical assistance to strengthen the community response to displaced victims of violence.	Contributions are made to this objective through interventions that support child victims of violence (Guatemala).	We expect to continue supporting this objective in the future.
<b>Pillar 4: Durable solutions</b> <i>This pillar includes issues such as: local integration, resettlement and complementary pathways, as well as addressing root causes in countries of origin</i>		
Strengthen the institutional response to displaced victims of violence.	In this objective, Mexico is being provided support for refugees	This support will be increased in the future, both in Mexico and in

	from the Northern Triangle.	countries of the Northern Triangle.
Financial or technical assistance to support local integration through access to self-reliance measures and the labour market.	For number of years, a programme in Honduras has been focused on supporting social integration of young returnees and particularly in the fostering of employment.	This line shall be maintained.



## SWITZERLAND

Switzerland's international cooperation efforts are aimed at reducing poverty and global risks, alleviating suffering and promoting peace and respect for human rights. Migration and protection are a part of the strategic priorities in the "Dispatch on Switzerland's International Cooperation 2017-2020". The Swiss Agency for Development and Cooperation (SDC) centres its humanitarian aid efforts on assisting the civil population most affected, particularly refugees and internally displaced persons, helping to satisfy their most basic needs.

In Central America, the SDC helps to find and implement solutions for persons at risk of forced displacement, refugees and stateless persons, with special focus on children and adolescents. It undertakes to extend this commitment even further in the near future through the following actions: deployment of Swiss experts (to United Nations partners), dialogue/promotion of policies and financial support (bilateral, multi-bi and core contributions). Currently, the SDC's strategic response in Central America is focused on ensuring that children in areas affected by other forms of violence have access to education.

Within this framework, we intend to contribute to MIRPS in the following areas:

AREA OF SUPPORT	Existing commitment that can be continued in 2018
<b>PILLAR 3 - Support for host countries and communities</b> This pillar includes issues such as: the creation of protection and care networks, and support of the international community	
Financial or technical assistance to strengthen the community response to displaced victims of violence.	The Swiss Agency for Development and Cooperation is supporting the Norwegian Refugee Council in its efforts to promote access to education for young persons at risk in El Salvador and Honduras.
<b>PILLAR 4 - Durable solutions</b> This pillar includes issues such as: local integration, resettlement and complementary pathways, as well as addressing root causes in countries of origin	
Financial or technical assistance to support local integration through access to livelihoods and the labour market.	The Swiss Agency for Development and Cooperation will soon deploy an expert in UNHCR operations in Mexico to support the agency's cash-based livelihood programme.



# URUGUAY

## Pillar #4 Durable Solutions

This pillar includes issues such as: local integration, resettlement and complementary pathways, as well as addressing root causes in countries of origin		
AREA OF SUPPORT	EXISTING COMMITMENT THAT CAN BE CONTINUED IN 2018	NEW COMMITMENT 2018-2020
Financial or technical assistance to support local integration through access to self-reliance measures and the labour market.	Provision of free accommodation to 10 families / 50 persons for two years.	Facilitate access to social programmes on employment, education, health and accommodation for refugees, in the same conditions as nationals.
Participation in the humanitarian evacuation programme for Central American persons at heightened risk, the Protection Transfer Arrangement (PTA), either as a country of destination with resettlement spaces or as a country of transit with spaces for refugees in transit per year.	Receive 10 families / 50 persons as a resettlement country.	
Start a family reunification programme for Central American refugees.	Facilitate the family reunification of Central American families in Uruguay, with support from UNHCR.	Facilitate the family reunification of Central American families in Uruguay, with support from UNHCR.



UNHCR / Santiago Escobar Jaramillo

## Spanish Committee for UNHCR (Spain with UNHCR)



The Spanish Committee for UNHCR (Spain with UNHCR or ECA, by its acronym in Spanish) is a Spanish non-governmental organisation that has been working shoulder-to-shoulder with UNHCR since 1993 on sensitisation and fund-raising in support of UNHCR operations throughout the world. Declared as an organization 'Of Public Interest', the ECA team is proud to be the current main UNHCR National Association for fund-raising, with 450,000 members and donors, without whose help the needs of thousands of the most vulnerable refugees and displaced persons could not be fulfilled.

With its ample experience with the private sector, ECA believes that the challenge of working together, using a “multi-actor”

approach, towards the Global Compact on Refugees and in support of the regional initiatives that are being developed is crucial, due to the record levels of forced displacement. For many years, ECA has supported UNHCR Latin American programmes that benefit refugees and internally displaced persons, through the private sector and decentralised cooperation, including the 2016 and 2017 operations in Central America. We rate the regional fostering of the MIRPS initiative very positively and therefore the Spanish Committee for UNHCR commits to keep making economic contributions in the region in 2018, through MIRPS.



## 2.2. Contributions from Regional and International Organisations and from Regional Networks



# The Organisation of American States



## Introduction

The Organisation of American States (OAS) brings together the 35 independent states of the Americas and constitutes the main governmental, political, legal and social forum in the hemisphere. In turn, the General Secretariat of the Organisation of American States (GS/OAS) is the central and permanent organ that exercises the mandates entrusted to it by the General Assembly, the Meeting of Consultation of Ministers of Foreign Affairs, the Permanent Council and the Inter-American Council for Comprehensive Development. Among its duties are the promotion of political dialogue and the establishment of cooperation relations.

Given the increase in migration flows in the Americas and the transcendence of the various political, economic, social and cultural aspects included in migration, these issues were incorporated into the political agenda of the Organisation in 2007 through a resolution of the General Assembly of the OAS. This was done for the purposes of analysing the challenges of human mobility and migration flows from a comprehensive perspective and in various entities of its structure, given their transversal nature.

Various dimensions of migration are incorporated into the work of the Secretariat for Access to Rights and Equity (SARE) of GS/OAS and its commitments include, through its Department of Social Inclusion (DSI), supporting the efforts of the Member States in the formulation, implementation and monitoring of public policies that enable

the focus on rights to be enacted, especially in the promotion and protection of the most vulnerable groups.

Along this line of work, one of its priorities is to address migration and displacement, including refugees and asylum seekers. Through SARE/DSI, the GS/OAS is lending support as General Secretariat in the work of the OAS Committee on Migration Issues (CAM, by its acronym in Spanish) and the Working Group of the Protocol of San Salvador. Furthermore, it is leading the *Continuous Reporting System on International Migration in the Americas* (SICREMI, by its acronym in Spanish), the region's sole information mechanism on migration flows to and from the Americas in intercensal periods, revealing general trends in migration movements. It also presents key information about regulatory frameworks, policies and programmes on international migration. The work of SICREMI is based on contributions from a Network of National Correspondents designated by OAS Member States.

Since 2007, the GS/OAS has promoted and facilitated dialogue, international cooperation and the search for solutions through a number of actions such as research and thematic forums on specific migration issues (extra-continental mixed migration flows, migrant trafficking, return migration, migration and gender, migrant workers, and refugees, among others); the development of information systems for reporting on the situation of international migration in the

Americas (immigration and emigration); diagnoses of gender-based migration information systems; the creation and implementation of projects such as the “Comprehensive Care Model for Women Victims of Violence in the Tijuana area, Mexico” and “Education of Migrant Children and Youth in the Americas: Current Situation and Challenges”, among others.

As previously mentioned, in matters of the promotion and monitoring of regulatory frameworks in the hemisphere, the Department of Social Inclusion is the Technical Secretariat of the Working Group of the Protocol of San Salvador, committed to providing specific tools for monitoring and improving public policies on issues of economic, social and cultural rights. In this line, the Member States developed and approved the “Progress Indicators for Measuring Rights under the Protocol of San Salvador” document, including migration in their analyses<sup>4</sup>.

In this last year, the OAS has worked together with the International Organization for Migration (IOM) and with the International Committee of the Red Cross (ICRC) on the creation of the “Irregular Migration Flows to the Americas from Africa, Asia and the Caribbean” regional report; with the World Food Programme (WFP) on the “Migration and Food Security in the Dry Corridor of the Northern Triangle of Central America” study; and with the Organisation for Economic Cooperation and Development (OECD) on the “International Migration in the Americas: 2016” report.

Along these lines of work, the OAS General Secretariat has prioritised the addressing of

the phenomenon of forced migration since 2015, by establishing a line of cooperation with the Office of the United Nations High Commissioner for Refugees (UNHCR). In cooperation with UNHCR, the Central American Integration System (SICA, by its Spanish acronym) and the Government of Costa Rica, the GS/OAS organised the High Level Round Table titled “Call to Action: Protection Needs in the Northern Triangle of Central America”, held in San Jose, Costa Rica on July 6 and 7, 2016. One of the main achievements of that Round Table was the approval of the “San Jose Action Statement” through which governments of the region and international agencies agreed on a joint work plan for the protection of refugees and migrants in the region.

The goal of the Comprehensive Regional Protection and Solutions Framework (MIRPS) is to make existing commitments operational and to promote new initiatives to address situations of displacement from a comprehensive and regional approach – linked with countries of origin, transit and destination – and involving a wide range of relevant stakeholders at a regional, national and international level. At the same time, it seeks to organise a comprehensive approach to address the identified needs of these populations in countries of origin, transit, return and destination, and it prioritises shared responsibility on the level of each region.

With its structure, its many years of work on multiple aspects linked to human mobility and the results obtained, the OAS is an organisation with unique characteristics for the support of the MIRPS process, particularly as a monitoring mechanism for

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<sup>4</sup> For more information, visit:  
<http://www.oas.org/es/sadye/inclusion-social/protocolo-ssv/>.



the agreements made and in order to build capacities for evidence-based decision-making.

Based on its comparative advantages and as a key political partner of UNHCR and of all the key stakeholders driving this agenda, the GS/OAS makes its political platform available to the Americas for: (a) promoting political dialogue in support of the implementation of MIRPS; (b) generating synergies and spaces for meetings between key stakeholders on

specific issues; and (c) facilitating access to governmental authorities in charge of these issues, among other things. More specifically, the GS/OAS will prioritise its support for MIRPS around two lines of work: on the one hand, by contributing to existing efforts to advance the systematisation of information about the situation of refugees and asylum seekers in Member States; and on the other, by supporting regional solidarity and shared responsibility mechanisms, through its current political bodies.



UNHCR / Markel Redondo

## Main Needs

The increase in forced migration, particularly since 2014, has been a challenge for the states of the Americas, regardless of whether they are countries of migrant origin, transit or destination. By its very nature, migration involves more than one country, whether it is a country of origin, transit or destination, and therefore the challenges posed by the management of ever-increasing migration flows in the Americas and the world have never been and will never be resolved unilaterally. For that reason, the search for durable solutions must have a hemispherical approach that includes all of the Americas through regional dialogue focused on the shared responsibility of the states, and with collaborative efforts that must prioritise the protection, welfare and care of migrants.

The authorities of the countries in the region face difficulties in responding to these migration flows, in terms of the provision of protection and care and also in the application of their regulations on migration. The San Pedro Sula Declaration and its Comprehensive Regional Protection and Solutions Framework (MIRPS), shared by various states, is a specific response to the protection needs that forced migration demands.

A MIRPS monitoring mechanism is essential for decision-making and for its implementation by the states, enabling the visualisation not only of any progress made but also of any challenges that are still to be addressed. States have developed monitoring mechanisms for

the different international regulatory instruments on global and regional levels (Protocol of San Salvador, Convention on the Rights of the Child, Belém do Pará Convention, etc.); these mechanisms have led to great progress in the implementation of the respective instruments.

Furthermore, upon recognising that the magnitude of the migration flows in the region recently reached historic levels, one of the main regional needs is also recognising the number of refugees involved in human mobility in the region. From there stems the understanding of the protection needs of those populations.

For a more precise definition of the phenomenon of human mobility in the Americas, it is essential to acknowledge the lack of information: from documenting the flows to revealing hidden migration routes, in addition to mapping the populations in a situation of vulnerability. Indeed, the available information on the vulnerabilities of persons in need of protection must be documented so as to provide a collaborative and more solid response.

Similarly, one of the main challenges is to build the capacities of governmental actors and representatives of civil society organisations, with the aim of generating strategic information and creating care protocols for the populations concerned as well, particularly women, children, disabled persons and others who require special care.

Gender and age considerations, in terms of risk and protection needs (differentiated problems), must be a central theme in the assessment of actions and solutions.

If it had the required resources, the GS/OAS could contribute to the following needs:

- I. A monitoring mechanism for the commitments made in MIRPS (stock taking meetings, sessions with the OAS political bodies, monitoring through a virtual OAS-UNHCR platform), supporting a participatory process with the states, UNHCR and other entities for the creation of instruments to measure the progress made and to detect unresolved challenges, thus contributing to guiding policies and programmes with the aim of analysing progress and trends in MIRPS compliance as regards the protection needs of victims of forced displacement.
- II. Giving the national institutions in charge of documenting mixed flows of

persons in their countries recommendations to improve their information systems for the formulation, implementation, monitoring and evaluation of policies/programmes for the protection of victims of forced displacement and returnees.

- III. Enabling national institutions in charge of documenting the flows of persons in their country to share information about information-gathering systems on victims of forced displacement and returnees and about actions for their protection.
- IV. Giving government agencies and civil society representatives new opportunities to share experiences and continue building their capacities for the design and implementation of care protocols for victims of forced displacement in situations of heightened vulnerability, such as women, children and disabled persons.



## Plan of Action

With the purpose of institutionalising a monitoring mechanism to analyse the progress and trends in MIRPS implementation as regards the protection needs of victims of forced displacement, and to facilitate cooperation among States Parties, the following activities could be initiated:

- 1) Creation of general principles and ways of working in the MIRPS monitoring mechanism, in collaboration with the States Parties.
- 2) Design of MIRPS implementation-measuring instruments that could include information on: a) Regulations, b) Policies and Programmes, c) Qualitative and Quantitative Indicators. These activities will be carried out in the framework of a Technical Work Group (technical representatives) for monitoring the agreement, composed of experts from each of the participating countries, UNHCR, GS/OAS and other countries or entities that wish to support this technical process. In turn, the work carried out by the Technical Group would be approved by the States Parties through a group formed of the representatives of all those states and participants that have the authority and general responsibility to implement the mechanism (political representation).
- 3) Creation of an annual report with inputs generated by measurement and other relevant instruments.
- 4) An annual meeting of the Committee on Juridical and Political Affairs (CAJP, by its acronym in Spanish) of

the OAS, presenting a MIRPS progress report.

With the purpose of contributing to the national institutions in charge of documenting the phenomena of mixed flows in their countries having the best information systems for the formulation, implementation, monitoring and evaluation of policies/programmes for the protection of victims of forced displacement, and sharing information about their experiences, the following tasks would be carried out:

- 1) Organisation of a Workshop (I) on information systems for documenting human mobility; dissemination of the Continuous Reporting System on International Migration in the Americas (SICREMI) as the base model for continuing the institutionalisation of information-gathering and to share experiences of current information systems.
- 2) Asesoría Técnica por país (que solicite) para hacer un diagnóstico de necesidades de los sistemas de información, y proponer mejoras.
- 3) Organisation of a Workshop (II) on the use of information systems for the formulation, implementation, monitoring and evaluation of public policies/programmes and to share the experiences of these policies.

To support work already in progress on building the capacities of governments and civil society, and to generate opportunities for sharing experiences of assisting populations in a situation of vulnerability, work will be carried out on:

1. Systemising/mapping the various protocols or models used for assisting victims of forced migration in situations of heightened vulnerability, such as women, children and disabled persons
2. Comparative analysis of protocols, focusing on best practices, worst practices, costs, differences, similarities, strengths and weaknesses in existing protocols.
3. Based on this analysis, a proposal for a guide, model or reference for assisting the populations concerned.
4. Validation of the protocol/model with strategic actors, publication and launch.

<b>Operational Plan Regional Consultations OAS 2018 - 2020</b>			
<b>Activity</b>	<b>Total Cost</b>	<b>OAS (In Kind)</b>	<b>Resources Required</b>
Management, supervision and monitoring	\$ 763,317	\$ 397,022	\$ 366,295
Reinforced information systems	\$ 208,700	\$ -	\$ 208,700
Published protocol for assisting population in a situation of vulnerability	\$ 112,160	\$ -	\$ 112,160
<b>Subtotal</b>	\$1,084,177	\$ 397,022	\$ 687,155
<b>ICR (13%)</b>	\$ 89,330		\$ 89,330
<b>Total Project Cost</b>			
	<b>\$1,173,508</b>	<b>\$ 397,022</b>	<b>\$ 776,485</b>

# The Inter-American Commission on Human Rights (IACHR)

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The Inter-American Commission on Human Rights (IACHR) is the main organ of the Organisation of American States (OAS) and is responsible for promoting the observance and defence of human rights in the Americas, serving as the advisory organ of the Organisation in these matters. The work of the IACHR rests on three main pillars: the individual petition system; the monitoring of the human rights situation in the Member States; and technical consultancy and cooperation with the states.

The IACHR Rapporteur on the Rights of Migrants has a mandate focused on respecting and guaranteeing the rights of migrants and their families, asylum seekers, refugees, stateless persons, victims of human trafficking, internally displaced persons and other vulnerable groups of persons in the context of human mobility (hereinafter persons in the context of human mobility). Its functions include:

- Fostering the promotion and protection of the human rights of people in the context of human mobility;
- Acting on petitions, cases, amicable solutions, precautionary measures,

requests for presentation of provisional measures before the Inter-American Court of Human Rights and disseminating Inter-American standards in these matters;

- Monitoring the human rights situation of people in the context of human mobility and making recommendations to the states as regards the violations of those rights;
- Contributing to prevent the violations of those rights;
- Providing technical assistance to political organs of the OAS, providing technical consultancy to member states and recommending the adoption of measures that contribute to the protection of the human rights of that population;
- Drawing up specialised reports and studies;
- Promoting human rights and the visibility of the human rights of people in the context of human mobility, in connection with other historic grounds for discrimination (sex, gender, race, ethnicity, deprivation of liberty, disability, age and poverty, among others).

The Rapporteur on Migrants has outlined four large areas of prioritised needs for the upcoming years in the promotion and protection of the rights of internally displaced persons, refugees, complementary protection beneficiaries and stateless persons:

### **MONITORING IN CRISIS SITUATIONS**

In recent years, various countries of the region have witnessed crisis situations that can occur as a consequence of the unforeseen or sudden large-scale displacement of persons moving in mixed migration flows.

The IACHR believes that, for the states in the region and for the greater protection of the rights of persons affected by humanitarian migration crisis situations, the creation of an impartial and independent mechanism for a rapid and effective response would be highly important. This would result in an Inter-Agency Rapid Response Group for Monitoring in Crisis Situations with internally displaced persons, refugees, complementary protection beneficiaries and stateless persons. The group could be formed of officials from bodies such as the IACHR Rapporteur on the Rights of Migrants, UNHCR and OHCHR, among others, as well as independent experts in the matter. The purpose of this group would be to change the late and ineffective responses of various national, inter-American and international bodies into a coordination that enables work to be carried out more appropriately and efficiently, guaranteeing responses that assume a human rights approach.

In view of the above, it is fundamental for the team that forms said group to be trained in advanced monitoring techniques,

in order to ensure the greatest possible efficiency of the responses and technical assistance provided to the states.

### **CREATION OF THEMATIC REPORTS**

The Rapporteur on the Rights of Migrants has identified numerous, very different systems and procedures that provide international protection in the region, but very often fall below the minimum standards established in the regulations and standards developed by the Inter-American System. In this respect, the Rapporteur has identified that there is very little discussion about durable solutions in the region, specifically in terms of what occurs once persons are recognised as refugees and need to become integrated into their new country. Lastly, the Rapporteur has observed the worrying increase of detentions and deportations of persons to their countries of origin, even when they often require international protection. The return of those persons is usually carried out without any precise public policies focused on their reintegration in their countries of origin and on the protection and security which they sometimes need.

In this regard, the Rapporteur proposes the drawing up of the following reports for the purposes of establishing the state of matters, identifying protection gaps and best practices, developing standards, and formulating recommendations that might help the states of the region in the policies, laws and actions to be carried out in the following issues:

- 1) The situation of persons returned or deported to their countries, highlighting standards and best practices for assisting returnees and guaranteeing their rights; and

- 2) Local integration policies in destination countries, highlighting standards and best practices so as to guarantee access to rights and to make local integration a durable solution. This report will be drawn up as a continuation of the report on Guarantees of Due Process and Legal Protection in the Context of Refugee Status Determination Procedures, Complementary Protection and Statelessness, currently in preparation;

These last two lines of research, legal development and public policy development (the situation of returnees and integration policies) prioritise and draw attention to the importance of the states' shared responsibility in the face of the situation of human mobility in the region, and the importance of improving national systems for assisting the population that requires protection. Additionally, the creation of such reports will be focused on identifying best practices and concrete policies so as to better protect persons in the context of human mobility, with a view to supporting the creation and improvement of national protection plans, for example. The comparative research which drives the two reports will also shape an important factual information database to directly promote, with the states, the improvement of national systems and policies in the region.

Lastly, the drawing up of said reports will serve as the basis for discussion and involvement in regional spaces for action, such as the space developed by the *Comprehensive Regional Protection and Solutions Framework (MIRPS)*, and the initiatives fostered in the region in matters of shared responsibility.

## TRAINING AND DIALOGUE WITH STATE AUTHORITIES

The IACHR has noted that one of the biggest challenges in the region is the need for state official and authorities to know about the inter-American regulations and standards on human rights applicable to people in the context of human mobility. That is why the Rapporteur on the Rights of Migrants has prepared a Training Programme on IACHR Human Mobility Standards, addressing the human rights regulations and standards of migrants, refugees, stateless persons, victims of human trafficking, internally displaced persons and victims of forced expulsion. This programme includes a roadmap of the content of the workshop, a significant bibliography that should be studied and also interactive materials and presentations on all the topics addressed during the training and practical exercises. With the developments to be promoted by the special work group for cases (this being the fourth and next element of this proposal) and in the research and dissemination of the thematic reports, we hope to increase the impact of the training and dissemination of standards and best practices that the Rapporteur of the Rights of Migrants will impart.





## ACCESS TO INTERNATIONAL JUSTICE AND DEVELOPMENT OF LEGAL STANDARDS

One of the greatest challenges for internally displaced persons, complementary protection beneficiaries and stateless persons in the region is related to their lack of access to justice and the obstacles they face in this regard. In this respect, the Inter-American Commission represents the entry point for individuals and states reporting human rights violations to present individual or inter-state petitions before the organs of regional system of human rights. The Inter-American System represents a real and very often the only opportunity to obtain justice and reparation for cases of human rights violations, and to develop legal standards which may impact the public policies and laws of the states in the region.

In order to be able to provide a better response to this challenge, the IACHR Rapporteur on the Rights of Migrants proposes the creation of a special work group for the processing of representative cases related to internally displaced persons, refugees, complementary protection beneficiaries and stateless persons. This group, formed of 2-3 additional team members will support the Petitions and Cases Department of the IACHR. These additional three persons could form a group that is completely integrated with the Registration, Admissibility, Merits and Court departments, potentially facilitating the advancement of cases through their processing before the IACHR and after they have been sent before the Inter-American Court of Human Rights. In turn, it would be very beneficial to replicate this type of initiative on the level of the Inter-American Court.

The group would focus on assessing petitions in the preliminary assessment stage and creating reports in the admissibility and merits stages and in their presentation before the Inter-American Court of Human Rights, guaranteeing specialist opinions in representative cases which may affect the development of new standards in matters of international protection and in terms of more structural changes or reforms. Similarly, the group would work on increasing the visibility and disseminating information about the new standards developed through innovative dissemination materials that are mainly focused on the elaboration of thematic factsheets with the development of jurisprudence and standards of the Inter-American System, on issues such as asylum, immigration detention, internal displacement and statelessness, among others. It will also work on the creation of a

more user-friendly electronic 'case-analyser' for seeking inter-American jurisprudence, materials on social media, and other matters.

The creation of more precise standards on the scope and contents of the rights recognised in inter-American and international instruments and the

instruments of international law on refugees, stateless persons and internally displaced persons would provide fundamental support for the strengthening of states' capacities to comply with their obligations in matters of the human rights of internally displaced persons, refugees, complementary protection beneficiaries and stateless persons.

UNHCR / Sebastian Rich



## Plan of Action

Prioritised Activity	Resources Required	Project Schedule	
<b>Need 1: Monitoring in crisis situations</b>			
Creation of a special mechanism for rapid response to migration crisis situations in the region, with a high capacity for on-site monitoring and responding to urgent situations within days.	Permanently available funds for on-site trips - \$25,000 per year plus 13% ICR. Staff: IACHR Consultant - \$75,862	From 2018	
<b>Need 2: Creation of thematic reports</b>			
Creation of a Report on the Situation of Persons Returned or Deported to their Countries, highlighting standards and best practices for assisting returnees and guaranteeing their rights. This would ideally include visits to countries in the region with large or growing populations of persons returned to their countries of origin.	Staff to create the report	\$75,862.00	2018-2019
	3 trips to gather information	\$5,400.00	
	2 consultations with experts to discuss the content of the report	\$20,000.00	
	Publication 100ag EN/ES	\$13,000.00	
	Translation 100p	\$9,500.00	
	Cover design	\$1,500.00	
	Social media campaign for the report	\$5,000.00	
	Micro-site	\$10,000.00	
	2 EN/ES banners	\$2,000.00	
	Launch event	\$10,000.00	
	ICR	\$26,583.00	
Total	\$204,482.76		
Local integration policies in destination countries, highlighting standards and best practices so as to guarantee access to rights and to make local integration a durable solution. This would ideally include visits to countries in the region with large or growing populations of migrants, such as Canada, USA, Mexico, Ecuador, Brazil and Chile or Argentina, so as to evaluate and highlight best practices in the matter.	Staff to create the report	\$75,862.00	2019-2020
	3 trips to gather information	\$5,400.00	
	2 consultations with experts to discuss the content of the report	\$20,000.00	
	Publication 100ag EN/ES	\$13,000.00	
	Translation 100p	\$9,500.00	
	Cover design	\$1,500.00	
	Social media campaign for report	\$5,000.00	
	Micro-site	\$10,000.00	
	2 EN/ES banners	\$2,000.00	
	Launch event	\$10,000.00	
	ICR	\$26,583.00	
Total	\$204,482.76		
<b>Need 3: Training for authorities and civil society</b>			
Training authorities on the created reports. Ideally, regarding the Report on Returnees: Mexico, Guatemala, El Salvador and Honduras. Ideally, regarding the Report on Integration: United States, Canada, Mexico, Argentina and Colombia.	Travel expenses - \$12,000.00 per training course. One per year. Total \$24,000	2019-2020	
<b>Need 4: Access to Inter-American Justice</b>			
Formation of a special work group for the processing of representative cases in matters of human mobility, before the IACHR.	Ideally, 3 persons to work in the Registration, Admissibility and Merits Departments. Cost per person: \$75,862 x 3 = \$227,587	From 2018	

# Inter-American Court of Human Rights

Corte Interamericana de Derechos Humanos  
Corte Interamericana de Direitos Humanos  
Cour Interaméricaine des Droits de l'homme



The Inter-American Court of Human Rights is the “autonomous judicial institution” of the Organisation of the American States (OAS) and was formally established on September 3, 1979, when the American Convention on Human Rights came into force. Its main purpose is to apply and construe that treaty with binding authority. As the sole organ with regional-wide jurisdiction, the work of the Inter-American Court falls within the framework of the mandate delimited by the Convention, in accordance with which it exercises contentious competence, it has the power to issue provisional measures and it plays an advisory role.

In its contentious function, the Court determines, in the cases under its jurisdiction, whether a state that has accepted its jurisdiction has failed in its international obligations through a violation of a right recognised in the American Convention or in other applicable treaties of the Inter-American System and, if necessary, the Court will rule on the necessary measures to make reparations for the consequences of this violation of rights.

The power granted by the convention to order provisional protection measures addresses the objective of guaranteeing the rights of certain persons or groups of persons who are in a situation of extreme danger and urgency and when necessary to avoid irreparable damage. This mainly concerns the right to life or to personal integrity, and also, in certain matters, the right to freedom of movement<sup>5</sup>.

In its advisory role, the Court responds to consultations made by OAS Member States or its organs about the construction of the American Convention or other treaties concerning the protection of human rights in the American states. Additionally, upon the request of an OAS Member State, the Court can issue an opinion on the compatibility between internal regulations and the instruments of the Inter-American System. To date, the Court has issued 22 advisory opinions, giving it the opportunity to make statements about issues concerning the protection of human rights in general and those of persons in need of international protection in particular.

Through its convention-mandated functions, the Inter-American Court has made authorised interpretation of the international regulations on human rights, setting and developing binding legal criteria on the protection of human rights for the region, within the framework of human mobility. Those standards are related to various rights recognised both in the American Declaration of the Rights and Duties of Man and in the American Convention on Human Rights, particularly the right to seek and receive/be granted asylum (Article XXVII and Article 22.7), non-refoulement (Article 22.8), personal liberty (Articles I and XXV and Article 7), the guarantees of due process and the right to justice (Article XVIII and Articles 8 and 22.6), the prohibition of collective expulsions (Article 9) and the right to

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<sup>5</sup> Systematization of the resolutions of provisional measures issued by the Inter-American Court. Available in:

<http://www.corteidh.or.cr/sitios/libros/todos/docs/Sistemizacion.pdf> (in Spanish).

nationality (Article XIX and Article 20), among others.

The objective of this jurisprudence is to guide the actions of the states in matters of protecting the rights of asylum seekers, refugees, stateless persons and internally displaced persons, in such a way that the focus on human rights is integrated into the specific framework of international protection. The relevant standards in terms of the identification and protection of asylum seekers and refugees derive both from individual contentious cases (*Case of the Pacheco Tineo Family Vs. Bolivia*) and from advisory opinions (Advisory Opinion OC-21/14 on the *Rights and guarantees of children in the context of migration and/or in need of international protection*). Similarly, the standards regarding the right to nationality and the correlative obligation of the states to identify, prevent and reduce statelessness and to protect stateless persons were also developed during the exercise of its contentious functions (*Case of Ivcher Bronstein Vs. Peru*, *Case of the Girls Yean and Bosico Vs. Dominican Republic*, *Case of Gelman Vs. Uruguay*, and *Case of Expelled Dominicans and Haitians Vs. Dominican Republic*) and its advisory role (Advisory

Opinion OC-4/84 on the *Proposed Amendments of the Naturalization Provisions of the Constitution of Costa Rica* and Advisory Opinion OC-21/14 on the *Rights and guarantees of children in the context of migration and/or in need of international protection*).

Additionally, the standards regarding internal displacement and the protection of the persons affected by these matters have been addressed both in contentious jurisprudence (*Case of the Moiwana Community Vs. Suriname*, *Case of the Ituango Massacres Vs. Colombia*, *Case of the Mapiripán Massacre Vs. Colombia*, *Case of Chitay Nech et al. Vs. Guatemala*, *Case of the Río Negro Massacres Vs. Guatemala*, *Case of the Santo Domingo Massacre Vs. Colombia*, *Case of the Massacres of El Mozote and nearby places Vs. El Salvador*, *Case of the Afro-descendant communities displaced from the Cacarica River Basin (Operation Genesis) Vs. Columbia*, and *Case of Human Rights Defender et al. Vs. Guatemala*) and provisional measures (Matter of the *Kankuamo Indigenous People with regard to Colombia* and Matter of the *Peace Community of San José de Apartadó with regard to Colombia*).



In regional forums, states have expressed their commitment and determination to implement the developed standards, leading to the General Assembly of the OAS stressing the importance of bearing in mind the content of Advisory Opinion OC-21/14 so that countries of the region adopt their respective regulatory frameworks in accordance with its provisions (Press Release e-427/14)<sup>6</sup>.

Furthermore, the 2014 Brazil Declaration and Plan of Action<sup>7</sup> certifies the regional position of recognising and supporting the criteria developed by the Inter-American Court through its jurisprudence on the matter, in the following terms:

*We recognize* developments in the jurisprudence and doctrine of the Inter-American Court of Human Rights, in those countries in which they apply, regarding the content and scope of the right to seek and be granted asylum enshrined in the regional human rights instruments, their relationship to international refugee instruments, the *jus cogens* character of the principle of non-refoulement, including non-rejection at borders and indirect refoulement, and the integration of due process guarantees in refugee status determination procedures, so that they are fair and efficient.

#### THEY AGREED

To recognize that the deprivation of liberty of migrant children in an irregular

situation, ordered solely for this reason, is arbitrary and that consequently we must make progress in adopting alternatives to detention, aimed at its prohibition, that promote their care and welfare with a view to their full protection in light of their particular vulnerabilities, taking into account Advisory Opinion 21/14 of the Inter-American Court of Human Rights, as appropriate.

The core aspects addressed by the Inter-American Court in jurisprudence are closely related to the objectives established in Annex I of the New York Declaration, referring to reception and admission and to support for immediate and ongoing needs. They particularly refer to: i) the mechanisms for identifying protection needs, bearing in mind the new contexts of displacement in the region; ii) access to fair and efficient procedures to determine international protection needs and particularly access to refugee status determination procedures and stateless person determination procedures, so that the due guarantees are provided; iii) the non-detention of children and adolescents based on their migration status or that of their parents; iv) non-refoulement, including non-rejection at the border; v) the need to progress in the recognition of forms of complementary protection; vi) the adaptation of procedures to the specific needs of children and adolescents.

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<sup>6</sup> Available at: [oas.org/en/media\\_center/press\\_release.asp?scodigo=e-427/14](http://oas.org/en/media_center/press_release.asp?scodigo=e-427/14)

<sup>7</sup> Available at: <http://www.acnur.org/t3/fileadmin/Documentos/BDL/2014/9865.pdf>

The effective implementation of those standards needs to be ensured at a regulatory level, along with the administrative and judicial practices of countries of the region.

Within the framework of the identified challenges and alongside the UNHCR's Regional Legal Unit, the Inter-American Court of Human Rights proposes to organise regional and national courses with the countries involved in the *Comprehensive Regional Protection and Solutions Framework (MIRPS)* to train all relevant state stakeholders in the international legal obligations that stem from the regional human rights instruments, as well as in the Inter-American Court's construction of said regulations when setting the aforementioned standards. This capacity building will address inter-American jurisprudence and international standards in matters of international protection and the rights of asylum seekers, refugees, stateless persons and internally displaced persons. It should cover the entire spectrum of state officials who may come into contact with persons in need of international protection, including those from migration and border services, administrative organs charged with determining refugee or stateless person status, the judiciary and ombudsperson

offices, national offices for the protection of human rights, national institutions for women, comprehensive child protection mechanisms, etc.

Additionally, it is deemed important to also include civil society. Therefore, key institutions, actors and officials will be identified in each national context.

Given the delicate financial situation of the Inter-American Court of Human Rights, it does not have the resources to cover the aforementioned training activities, and therefore it will need to turn to donors to finance them. It is estimated that the regional course will cost 50,000 dollars, and it expects each training course in the countries participating in the *Comprehensive Regional Protection and Solutions Framework (MIRPS)* to cost 25,000 dollars. Therefore, considering that the proposal contemplates the realisation of training courses in Mexico, Guatemala, Honduras, El Salvador, Costa Rica, Panama and Belize, the estimated cost is 175,000 dollars. Additionally, the estimate needs to include a sum of 5,000 dollars to cover the academic planning and logistics of the courses. To sum up, the total cost of the proposed activities is 230,000 dollars.



# General Secretariat of the Central American Integration System

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Collaborating on the shaping of a region of peace, freedom, democracy and development is the inspiration for the work of SICA. This commitment was assumed through the adoption of the Tegucigalpa Protocol in December 1991, when unfettered respect for human rights was committed to, as our guidance going forward.

The spirit of solidarity has been present in our security model since our origins and it feeds on a comprehensive outlook. The model firmly believes that strengthening the region is only possible if it works alongside civil society, in the search to overcome extreme poverty, to increase social justice and to promote sustainable development. It involves taking firm and decided steps throughout the region towards the eradication of violence and in the fight against corruption and the trafficking of drugs and arms. This unavoidable task cannot be done without the drive of a broad range of freedoms that ensure the full development of persons, nations and societies as a whole.

In 1995 and with this tenor, the *Framework Treaty on Democratic Security in Central America* ratified the construction of the *Central American Democratic Security Model*. The *raison d'être* of this model is the respect for, promotion of and protection of all human rights; and the solidarity and the security of all the peoples and governments of Central America. We are strongly committed to the prevention and joint settlement of common problems on this topic; to guaranteeing the conditions for the voluntary and peaceful return of refugees, displaced persons and stateless persons to their territories.

We are dedicated to their enjoyment of all of their rights and to improving their quality of life on equal footing with others, taking into consideration the domestic situation prevailing in each country. This forms part of the spirit found in Article 23 of the aforementioned treaty.

We understand the challenges in addressing the remaining regional challenges in the protection of the victims of violence. This is reflected in the Collaboration Agreement that SICA and UNHCR signed in April 2014, forging the path that we now walk on in the design of joint strategies that reduce the impact generated by the actions of transnational organised crime and other forms of violence.

We use our cooperation to address issues related to the protection of refugees, asylum seekers and other persons who may require regional and international protection. Our efforts are intertwined for the promotion of prevention policies whose overall results ensure institutional strengthening in all aspects.

Laying the foundations of the common roadmap in the region, we have reaffirmed our commitment to frank dialogue. We have examined trends in forced displacement in Mesoamerica, along with the national and international protection systems that address mixed movements. We have also examined the specific protection needs of boys, girls and adolescents. These efforts were crystallised in the Sub-regional Consultations in Mesoamerica, held with UNHCR in July 2014 in Managua (Nicaragua), on the occasion of the commemoration of the thirtieth anniversary of the Cartagena Declaration on Refugees. Thanks to the



determination of the SICA states, inputs from the sub-regions were identified for the Brazil Plan of Action that was adopted

in Brasilia six months later, the progress of which is currently being evaluated. .



UNHCR / Jordan Hay

Their conviction has inspired partnerships between governments, the United Nations System, the Inter-American Development Bank, the Organisation of American States and the Central American Integration System; as well as with civil society, academia, the private sector, religious organisations, refugees and asylum seekers. This was the overwhelming call to action of the final declaration of the High Level Round Table held in San Jose (Costa Rica) in July 2016.

This effort corresponded to a joint commitment between UNHCR, OAS and the Costa Rican government, calling us to:

- “Recognise new forms of forced displacement.”
- “Acknowledge an increase in the migration of unaccompanied children to the U.S., leading to a humanitarian crisis, due to the fragility of the human rights and child protection mechanisms.”
- “Undertake regional workshops to train and raise awareness on forced displacement and protection frameworks, based on the cooperation agreement signed between SICA and UNHCR.”
- “Promote regional policies on refugee protection as part of the discussions for

the adoption of a comprehensive migration policy for Central America.”

- “Promote spaces for cooperation and exchange of good practices at regional and national level, including for the creation of an early warning system with emphasis on prevention of displacement and the establishment of an observatory on displacement.”

As an integration mechanism and within the framework of our competencies, we promote the commitments of the San Jose Action Statement and the New York Declaration for Refugees and Migrants. Now is the time to take a qualitative leap towards the protection of persons stuck in the cycle of displacement, including the victims of violence and persecution in the SICA region. Today we celebrate the drive of the “Comprehensive Regional Protection

and Solutions Framework.” We are proud to play an active role in this historic milestone towards integration that is feeding the discussion for the Global Compact on Refugees.

We would like to take this opportunity to renew our efforts and to make contributions that build the capacities of the different governments so that they can assist the affected persons in coordination with international bodies.

These efforts are leading us to the consolidation of peace. We are heading towards democratic security, particularly as regards the victims of violence and the coordinated actions for the persecution of crime. Today we reaffirm that, with the concurrence and adoption of the decisions of the competent organs and institutions of SICA, we can build a region of opportunities. This is living integration.

# Secretariat of the Central American Social Integration System (SISCA)



The Central American Integration System (SICA, by its acronym in Spanish) is currently formed of Belize, Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica, Panama and the Dominican Republic and its main objective is to foster peace, freedom, democracy and development in the region. In 1995, as part of a new stage in the regional integration process that began with the creation of the Central American Integration System, the member states subscribed to the Central American Social Integration Treaty (TISCA, by its acronym in Spanish), as a legal instrument complementing the provisions of the Tegucigalpa Protocol (1991), through which they sought to position social matters as a central aspect of the work of integrationist efforts.

In recognition of the unique aspects of working on social matters in a regional integration framework, TISCA included the fundamental premise that human beings are the centre and fundamental subject of development. Furthermore, it seeks the substantive improvement of people's quality of life. Likewise, it establishes that states are committed to promoting greater opportunities and a better quality of life and work, under the inalienable principle of non-discrimination for reasons of nationality, race, ethnicity, age, illness, disability, religion, sex, ideology, marital or family status or any other types of social exclusion. With these objectives in mind, the Social Integration Council and the Secretariat of Central

American Social Integration System (CIS and SISCA, by their acronyms in Spanish) were founded as fundamental parts of the regional institutions responsible for organising efforts in these matters. The function of CIS is to coordinate and drive the SICA Social Subsystem and it designated SISCA as the technical and administrative organ charged with implementing its mandates, with the capacity to make proposals and playing its role of a technical organ that drives the coordination of the inter-sectoral social policies between SICA Member States and integration authorities, establishing regional agendas to address common challenges in sustainable development in Central America and the Dominican Republic.

The Central American region and the Dominican Republic have improved a number of their social indicators since the 1990s, although some obstinate dynamics of exclusion and inequality still exist. This situation, far from discouraging regional efforts, should lead us to the realisation that now more than ever there is a need to increase the pace and make significant contributions to the achievement of the Sustainable Development Goals (SDG). In particular, the phenomena of migration and forced displacement in Central American societies present two fundamental challenges. One of these is the institutional weakness generated in part by the economic growth model adopted in the eighties, assuming the reduction of certain basic

functions performed by the states and the transfer of a sizable number of them to the private sector. On the other hand, the focus on social policies to the detriment of universal policies, alongside institutional fragmentation or dispersion, have hindered the response to the multi-dimensional needs and demands of the sectors with the most difficulties. These reductions generate social exclusion and instability and impact humanitarian issues and visible human rights, forming a barrier to the sustainable development of countries and generating high levels of forced displacement that need to be addressed.

It is worth mentioning that the Central American Observatory for Social Development of the Secretariat of Central American Social Integration System (OCADES/SISCA) has identified challenges and needs for the comprehensive management of international migration in Central America and the Dominican Republic. SISCA believes that the comprehensive addressing of the phenomenon of migration in SICA countries must be founded on a rights-based approach that simultaneously brings together the right to migrate and the right not to migrate, with the implementation of comprehensive public policies affecting both sides, thus avoiding the duplication of care systems

Also, the phenomenon of forced displacement in the region is closely linked to the presence of organised crime, as evidenced by the extortions, murders, forced recruitment, strategic control of territories, widespread fear within the population, the increase in indicators of violence and the weakening of state structures. Due to the actions of organised crime, both the victims

(those forcibly displaced) and the population at risk have suffered from a lack of effective social (in the case of internal forced displacement) and international (when there is forced displacement across of borders) protection mechanisms. Faced with this lack of protection, the population hides, flees and looks to join and blend in the population migrating north due to socio-economic reasons and on occasion, they do not apply directly for international protection as refugees for fear of repercussions from criminal organisations.

In this regard, the main challenge is in creating public policies and particularly local integration policies that contribute to in-transit and returned migrants, refugees and asylum seekers being able to integrate fully into the destination society and then, if they wish, to return voluntarily, safely and with dignity into their society of origin. Furthermore, there is also the challenge of implementing structural transformation policies so that persons can exercise their right not to migrate and obtain, in their place of origin, the same welfare and protection opportunities while efforts are focused on combating the structural determinants of “expulsion.”

The strategic vision of the SICA Social Subsystem points to the need to reinforce the legitimate social inclusion mechanisms in both origin and destination countries, assuming that this capacity building requires structural transformations that must be made at a regional level, based on three lines of action: the management of knowledge for addressing common challenges; the organisation of permanent political and technical dialogue between institutions; and the mobilisation of resources. This will have a

national influence in the generation of inter-institutional, and inter-sectoral coordination tools for improved service, the encouragement of public-private partnerships, and the strengthening of technical-operational instruments for

accountability and for the improvement of the services provided that have a direct effect on the promotion and protection of the fundamental rights of in-transit or returned migrants, refugees, and asylum seekers.



UNHCR / Markel Redondo

## Table of results and proposed activities for the SISCA-UNHCR Collaboration Agreement (2014-2020)

<b>OBJECTIVE 1</b>	
<b>Strengthening of the regional collaboration of the SICA Social Subsystem for the analysis and care of in-transit and returned migrants, refugees and asylum seekers, within the SDG framework</b>	
<b>Result 1</b>	
SISCA will promote the implementation of comprehensive care actions for in-transit and returned migrants, refugees and asylum seekers, among the institutions of the SICA Social Subsystem and other institutions.	
R1.A1: Hold high level inter-sectoral meetings of the SICA Social Subsystem.	<p>With the aim of defining, positioning and endorsing the activities of the SISCA-UNHCR Collaboration Agreement (and other related efforts), approval must be obtained periodically from the highest institutional level of CIS (Central American Social Integration Council) and, when necessary, from the stakeholders linked with the activities being carried out and with the healthcare, education or cultural sectors, or any other institutions of the Social Subsystem.</p> <p>For example, inter-sectoral coordination can be carried out within the framework of the Alliance of Secretariats and Authorities of the SICA Social Subsystem, favouring their strengthening and supporting compliance with the Sustainable Development Goals and other current mechanisms.</p> <p>Also proposed are spaces for bilateral coordination between SISCA/UNHCR and other SICA and Social Subsystem regional institutions, on specific subjects of interest.</p>
R1.A2: Hold institutional technical meetings.	<p>The space for coordination in technical aspects will be tasked with composing, under the leadership of SISCA, the proposals that will be subsequently validated at a political level in order to guarantee a participatory process in the creation of a Social Subsystem regional agenda for the analysis and care of in-transit and returned migrants, refugees and asylum seekers.</p> <p>Likewise, the proposal is for these technical spaces to be inter-sectoral and/or bilateral when the subjects of the proposals so require. In addition to coordination with SICA and Social Subsystem institutions, it is deemed strategic to organise work agendas between the General Directorates of Migration, the authorities responsible for the integration and protection of refugees and the Ministries of Social Development.</p>
<b>Result 2</b>	
<b>Strengthened institutional capacities for addressing, planning and evaluating interventions concerning in-transit and returned migrants, refugees and asylum seekers.</b>	
R2.A1: Design and execution of a regional plan for the capacity building of staff in Ministries of Social Development.	<p>The aim of this activity is to make efforts to train persons working for the Ministries of Social Development, strengthening their capacities and knowledge.</p> <p>These training activities or courses will be directed at operational staff deployed on site, based on their differentiated needs for knowledge about special care in crises, international legislation on the rights of migrants and asylum seekers, and mechanisms to avoid re-victimisation, among others.</p> <p>Furthermore, the proposal also includes the organisation of regional courses to improve capacities in the design and evaluation of interventions aimed at the heads of Ministries of Social Development, where networks for the peer-based exchange of experience and information can be created.</p>
R2.A2: Creation of more efficient organisational frameworks for the care of	To complement and enable the institutionalisation of the capacity building activities for persons working in Ministries of Social Development, work will be done in improving their organisational frameworks (action protocols, care processes, measurement of

in-transit and returned migrants, refugees and asylum seekers.	results, strategic planning, etc.) with the aim of providing better services to the target population group in the long term.
<b>OBJECTIVE 2</b> <b>Support the conceptualisation, design and implementation of a model for generating economies of scale in knowledge management.</b>	
<b>Result 3</b> <b>Strengthen OCADES so that it can further the analysis and exposure of migration and forced displacement in SICA countries.</b>	
R3.A1: Development and dissemination of research on the reality of migration and forced displacement in the region.	Within the framework of its institutional work as a tool for the generation of knowledge that develops learning and innovation dynamics to address key social challenges in Central America and the Dominican Republic, OCADES must have, in upcoming years, more technical and human resources to identify bottlenecks in the regional provision of services to in-transit and returned migrants, refugees and asylum seekers.
R3.A2: Generation of transnational social protection models in which migrants and forcibly displaced persons will be a target population.	The aim is to produce transnational social protection models as regional public assets, especially in transborder areas where, due to their interaction dynamics, it is necessary to generate specific response capacities for the dignified and safe mobility of migrants and displaced persons.
<b>Result 4</b> <b>Institutionalise lessons learned and best practices through information management systems.</b>	
R4.A: Organisation of forums and events for the identification and dissemination of best practices.	<p>Attending national and/or regional events can generate spaces for the exchange of regional best practices that can be extrapolated to other countries with the intention of improving existing care systems for in-transit and returned migrants, refugees and asylum seekers, and to not generate parallel systems.</p> <p>Furthermore, they may also include other countries' experiences and ways of working that are relevant to the Central American migrant and refugee situation, Mexico for example. Also, these spaces for exchange serve to generate institutional synergies.</p> <p>It is important to mention that in order to facilitate the institutionalisation of lessons learned, best practices must be addressed with the consideration that information on experiences needs to be gathered, lessons learned should be extracted, discoveries must be published and mechanisms for institutional innovation have to be found.</p>
<b>OBJECTIVE 3</b> <b>Implementation of comprehensive public policies aimed at prioritised population groups.</b>	
<b>Result 5</b> <b>Support the comprehensive strategy of sustainable livelihoods to aid prioritised population groups in the region.</b>	
R5.A1: Drive support actions for the local integration of refugees, asylum seekers and persons in transit in selected countries.	<p>Within the framework of this Collaboration Agreement, SISCA will work with UNHCR on the implementation of actions identified for the institutions and programmes, supporting or potentially supporting the development of sustainable livelihoods<sup>8</sup>, and on the creation of economic opportunities for transit and/or host countries such as Guatemala, Panama, Costa Rica and Belize, and for returned persons.</p> <p>This will contribute to the implementation of the Regional Plan of Action on Poverty and Social Protection and the Regional Inter-sectoral Agenda on Social Protection and Productive Inclusion. It will particularly improve the strengthening of national capacities for labour mediation, the fostering of employability, the development of productive</p>

<sup>8</sup> Sustainable livelihoods are understood as an approach that links poverty reduction strategies, the sustainability of interventions and empowerment processes. From the perspective of sustainable livelihoods, the right to work is the most important fundamental right, having direct consequences on refugees. Access to land, property and housing is also essential to sustainable livelihoods, as are other supporting rights such as access to healthcare and education. In this respect, families

<p>R5.A2: Drive support actions for returnees in need of protection, through the organisation of alternatives in the country of return, in selected countries.</p>	<p>enterprises, financial inclusion, and other productive inclusion initiatives, ensuring access for in-transit and returned migrants, refugees and asylum seekers. Furthermore, coordination mechanisms will be established for better documentation services for employment.</p> <p>It is also worth mentioning that coordination and organisation actions will be fostered with projects and initiatives from other donor partners, in order to generate work synergies, to avoid the duplication of efforts and to increase the coverage of the care.</p>
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and individuals at greatest risk who qualify for social care must be identified during the evaluation of needs and they must be supported with the ultimate aim, when applicable, of integrating them into national social security systems. Promotion and institutional capacity building must be used to improve refugees' access to the public and private services and institutions that can drive the development of sustainable livelihoods and self-reliance.



## Introduction/vision

The Inter-American Development Bank (IDB) is the main international financial institution dedicated to the support and funding of inclusive economic development in NCA countries. We work to improve the quality of life in Latin America and the Caribbean. We support institutional programmes to improve healthcare, education and infrastructure through the financial and technical support of countries that are working on reducing poverty and inequality. Our objective is to achieve development in a way that is sustainable and respectful of the environment. We therefore provide loans, grants and technical assistance, and we conduct extensive research on these matters. We maintain a strong commitment to achieving measurable results and the highest standards of increased integrity, transparency, and accountability.

The current focus areas of the Bank include three development challenges – social inclusion and equality; productivity and innovation; and economic integration – and three cross-cutting issues – gender equality; climate change and environmental sustainability; and institutional capacity and the rule of law.

In this context, the IDB is committed to supporting strategies and initiatives for the socio-economic reintegration of deportees through the generation of knowledge, regional technical assistance and the inclusion of this phenomenon in the preparation of its projects.

Furthermore, the IDB is committed to supporting the Alliance for Prosperity in the countries of the Northern Triangle. This regional approach seeks to generate opportunities through strategic projects and investments that improve the competitiveness of the region and its integration, closing gaps in the development of human capital, healthcare services and particularly care for pregnant women and infants; improving citizen security through violence prevention programmes; strengthening an independent judicial system capable of reducing impunity; and building institutional capacity, particularly: transparency in acquisition processes and the modernisation and technological advancement of tax and customs administrations.

## Priority Actions

- The IDB commits to keep working on individual and joint initiatives of NCA countries to overcome the challenge of insecurity, human trafficking and extortion, particularly initiatives that prioritise the fight against violence towards women and children.
- To do this, the IDB will continue supporting NCA countries in the strengthening of their institutions, the professionalization of their police departments and the strengthening of their public ministries.
- The IDB will also keep supporting NCA countries in urban development projects, including the restoration of urban areas at high risk of violence, through initiatives in education, healthcare, public spaces and housing.
- The IDB will continue to support NCA countries in initiatives for the socio-economic reintegration of deportees and displaced persons.

Additionally, the IDB intends to strengthen its partnership with UNHCR to explore and develop new initiatives on the prevention of displacement, the strengthening of protection systems and the promotion of solutions through:

- The hiring of staff for coordination between the entities.
  - The development of studies, the gathering of data and the analysis of factors that drive migration and/or generate displacement.
- The identification of common work areas to strengthen the IDB projects on these matters in NCA countries.
  - Cooperation in the design of a programme for the efficient management of migrants and refugees at border crossing points (Mexico, Costa Rica, Panama and the Dominican Republic).
  - Management of the approval of regional technical cooperation so as to provide tools which guarantee an efficient and effective border management system in the Central American countries with the greatest flows of all types of migration, especially those of asylum seekers and stateless persons.

### JULIE T. KATZMAN WORDS AT THE G7 ON THIS REGARD.

*The Inter-American Development Bank*, at the request of the governments of Guatemala, Honduras and El Salvador, has supported the design and implementation of the *Plan of the Alliance for Prosperity in the Northern Triangle* to respond to the increasing flows of undocumented migrants (particularly unaccompanied children). This *Plan*, focused on growth and security, has been implemented along 4 strategic pillars: (i) fostering the productive sector to create economic opportunities; (ii) development of human capital; (iii) improving citizen security and access to justice; and (iv) strengthening institutions to increase public trust in the State. The Bank has provided technical and financial support, facilitated national and regional dialogues, and promoted coordination between different government agencies and private sector and civil society

representatives.<sup>[1]</sup> Furthermore, the IADB has been fostering the dialogue among all stakeholders at all levels, including other donors, UN agencies and NGOs. In addition, to promote South-South cooperation and share best practices, the Bank designed with the Northern Triangle Countries (NTCs) and México a “*Consular and Migration Cooperation Program*” which includes: comprehensive economic and social reintegration of returnees (including reception, inland transportation and reintegration assistance,

job opportunities);<sup>[2]</sup> data collection and sharing, including data of deported migrants; prevention campaigns;<sup>[3]</sup> and legal instruments (such as the design and implementation of joint protocols). This *Program* is currently under consideration to be expanded with other countries’ best practices in the region, such as Costa Rica’s management of refugees and Ecuador’s experience implementing returnees’ economic and social reintegration programs.



ACNUR / Tito Herrera

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<sup>[1]</sup> In this regard, the IADB Group has been promoting a dialogue with the NTC’s private sector to curb migration through the generation of opportunities and employment. This includes the development of infrastructure funds, and an IADB Group Public-Private Facility (PPF) for project preparation and upstream work.

<sup>[2]</sup> México recently launched a program called “*Todos somos Mexicanos*” including fiscal incentives, education and health support for returnees; the NTCs have similar programs which could be further enhanced.

<sup>[3]</sup> The campaigns produced by US agencies like Customs and Border Protection (CBP) —*Dangers of the Journey* and *Know the Facts*— will be taken into account.

PROJECT/TA TITLE	COUNTRY	AMOUNT	SECTOR(S)	OBJECTIVE(S)	SHORT DESCRIPTION	DATA, EVIDENCE PROJECT PREP. RES. LIMITATIONS
The IDB in the Northern Triangle	Regional: Northern Triangle countries (El Salvador, Guatemala and Honduras)	As of June 2017, <b>40 loan operations</b> are in execution, with an available balance of about <b>US\$1.6 billion</b> for the public sector  <b>81 non-reimbursable financing operations</b> for <b>US\$29.3 million</b> approved between 2015 and June 2017	Four strategic pillars:  Productive sector; Human capital; Citizen security and access to justice; Institutions and transparency	To support the implementation of the Plan of the Alliance for the Prosperity of the Northern Triangle, endorsed by the governments of El Salvador, Guatemala and Honduras with the aim of achieving social inclusion, equality and promotion of productivity and innovation	<u>IDB support to the implementation of the Plan of the Alliance for Prosperity:</u>  Provide technical and financial assistance in the implementation of the four strategic pillars  Facilitate national and regional dialogues  Promote coordination between different government agencies, private sector and civil society representatives	The IDB in the Northern Triangle document <sup>[4]</sup>
Consular and Migration Cooperation Program	Regional: Northern Triangle-Mexico	N/A -	Consular and migration multi-sectoral issues	To strengthen the capacities of public officials to promote effective management to assist returnees and improve the protection of rights and assistance to migrants. As well as promoting consulate coordination, establishing joint working agendas	<u>IDB designed with the Northern Triangle Countries and Mexico a "Consular and Migration Cooperation Program"</u> which includes:  Comprehensive economic and social reintegration of returnees, including reception, inland transportation and reintegration assistance, job opportunities;  Data collection and sharing, including data of deported migrants, regional information systems and prevention campaigns;  Legal instruments, such as the design and implementation of joint protocols;	

[4] <https://goo.gl/d7pHT9>

					Knowledge exchange: this Program is currently under consideration to be expanded with the experiences of other countries in the region implementing economic and social reintegration programs for returnees.	
<p><u>Knowledge products in the context of the Alliance for Prosperity and management of refugees:</u></p> <p>Survey on migrants from El Salvador, Honduras and Guatemala living in certain metropolitan areas in the U.S.</p> <p>Project on education policy responses. Phase I: Children raised by grandparents in the Northern Triangle</p> <p>In design: Immigration and Refugee Border Management Program (Mexico, Costa Rica, Panama and Dominican Republic)</p>	<p>Regional:</p> <p>Northern Triangle</p> <p>Northern Triangle</p> <p>Mexico, Costa Rica, Panama and Dominican Republic</p>	<p>Approx. <b><u>US\$1.2 million</u></b></p> <p><b><u>US\$0.5 million</u></b></p> <p><b>TBD - IN PREPARATION</b></p>	<p>Knowledge generation and sharing</p>	<p>Add value to immigration data available in order to design and provide better solutions/proposals to address root causes of migration</p> <p>To help officials in educational agencies promote the education attainment and achievement of children in skipped-generation households.</p> <p>Support countries receiving increasing flows of migrants of all categories, particularly asylum seekers and the stateless with tools to ensure an efficient border management system</p>	<p>To conduct a survey in the U.S. which aims to help understand the motivations of migration and characterize the migratory experience in general</p> <p>Assess the cost-effectiveness of support to skipped-generation households with social coping strategies (Group I) vis-à-vis social coping strategy support combined with parental training (Group II). The project will be evaluated through a Randomized Control Trial (RCT), contrasting any changes in learning of children in the treatment groups with children from a group of comparison households.</p>	

# The United Nations Development Group for Latin America and the Caribbean (UNDG LAC)



## Joint Initiative for the prevention, protection and addressing of violence

Northern Central American (NCA) countries have managed to consolidate democratic regimes with peaceful transitions. Furthermore, in the economic sphere, the three countries have managed to grow and stabilise their macro-economic accounts, expanding their range of products and services. Despite these advancements, the countries still present high levels of violence and insecurity.

There are various forms of violence in the sub-region, in addition to violence related to organised crime, and they affect all levels of society – individuals, families, the community, businesses and the state – with their impact being especially notable on women, children and adolescents.

From 2010 to 2016, 108,797 homicides were registered in the three countries, representing 8 out of every 10 homicides in Central America. In 2016 alone, 14,950 homicides took place and 2,448 of the victims were boys, girls or adolescents. Homicide is the most extreme manifestation of violence but other forms include extortion, robberies and attacks on property, gender-based crimes such as femicide, sexual crimes and domestic violence, a large proportion of which goes unpunished. All of the foregoing leads to, among other things, 43 out of every 100 people citing violence, insecurity and gangs as the main problems faced by their countries in 2016.

Forced displacement is another of the most evident consequences of this situation.

According to statistics compiled by the United Nations and the governments of the region, forced displacement numbers are rising in the region. At the end of 2016, there were around 190,000 refugees and asylum seekers in Northern Central American (NCA) countries. This figure is ten times higher than five years ago. Likewise, there were 174,000 internally displaced persons in 20 municipalities in Honduras between 2004 and 2014.

Additionally, 217,000 nationals from El Salvador, Honduras and Guatemala were deported from the United States and Mexico in 2016. The migration from this sub-region is defined as “mixed” seeing as it is caused by three main, widely documented factors: the search for opportunities, family reunification and the high levels of violence in countries of origin.

UNDG LAC recognises the enormous efforts made by the countries in this region to deal with these challenges. However, there are still multiple difficulties in the provision of effective and comprehensive protection and an appropriate humanitarian response to the immediate consequences and long-term effects of violence that endanger the progress made by these countries.

Alongside the Resident Coordinators (RC) and the NCA country teams of the United Nations System (UNS), UNDG LAC is developing a new Joint Initiative within the protection priorities of the Secretary-General

of the United Nations, applying the “New Way of Working” agreed upon in the World Humanitarian Summit.

The main objective of this Joint Initiative is to reduce the levels of violence, prioritising actions for prevention, protection and care for persons affected by violence and those most vulnerable.

It also seeks to promote and support the implementation of comprehensive public policies that respond to the causes and effects of the multiple forms of violence present in the sub-region, on a basis of equity and with a focus on gender and human rights throughout the life cycle.

Faithful to our commitment to “Leave No-one Behind” and in accordance with the common framework of results established in the 2030 Agenda for Sustainable Development, we acknowledge the importance of a comprehensive approach by humanitarian and development agencies in the provision of a simultaneous response to the deep-rooted causes and challenges of violence, and to immediate protection needs.

In line with the current reform of the United Nations, we are seeking to overcome the fragmentation in efforts through more coordinated action that enables us to work together with the states of those countries, within a shared comprehensive vision. Eradicating the multiple forms of violence, with all their complexities, and avoiding reductionist views and strategies will require the combined efforts of all the sectors of the

United Nations System and national and sub-national governments.

Along these lines, the Joint Initiative will generate a regular cooperative analysis of the context and trends in the sub-region, consolidating existing evidence and identifying the critical information gaps to be resolved. This will require gathering data and itemising it into groups such as age, ethnicity, gender, geographic region, poverty quintiles and other pertinent categories, in order to reach a holistic understanding of the dynamics of violence, so as to be able to respond effectively and correctly.

Lastly, the Joint Initiative recognises the importance of increasing the regional and global visibility of the unique aspects of this sub-regional context in order to foster a better understanding and to obtain support from various sectors, contributing to the search for sustainable solutions for the eradication of violence and full respect, protection and exercise of human rights, with a focus on equality.

As Regional Directors of the United Nations agencies in Guatemala, Honduras and El Salvador, UNDG LAC ensures that our Country Teams have access to all the technical capacity of the United Nations System, so as to be able to provide the support you need to eradicate violence in your countries and to achieve sustainable development in our region, leaving no-one behind.

# Resident Coordinators of the United Nations System in Honduras, Guatemala and El Salvador



Over the last 25 years, the population in Northern Central American countries has undergone a positive evolution in many aspects. At the same time, the problem of violence still affects, to a lesser or greater extent, the full enjoyment of rights and the achievement of sustainable development for thousands of people in the three countries.

The comprehensive programming framework for the United Nations agencies working in the Northern Central American countries is the 2030 Agenda together with the SDG. Therefore, our outlook on population protection and the search for durable solutions is guided by this broad, multilateral, sustainable development framework that was adopted in 2015. This means that we address issues of protection and violence with comprehensive programmes and joint actions, ensuring that we leave no-one behind.

Different regional reports from the United Nations Development Programme (UNDP) and the Organisation of American States (OAS) on violence and public safety in Latin America and the Caribbean have shown that, in order to guarantee a sustainable reduction in violence in the Northern Central America countries, it is essential to implement multi-sectoral approaches in public safety policies.

The lessons learned in our cooperation in the three countries highlighted the need for a comprehensive approach to public safety so as to resolve the problems of violence in Central America. Prevention and the assistance and protection of the victims of violence need to be prioritised above all.

This requires rigorous planning based on available evidence and the ability to demonstrate tangible and verifiable results.

In order for the comprehensive approaches to have an impact, they need to continue over time so as to ensure the funding of the prevention, care and protection programmes and investment in institutional capacity building and coordination between state and non-state entities at a national and local level.

The impact of a comprehensive public safety policy depends on the capacity of the states to maintain political support, investment and the implementation of programmes and projects in the long term. In other words: the comprehensive approach needs to go beyond governmental administrations and become state policy.

To achieve sustainable changes, public safety comprehensive policies also need to be consistently implemented in the



countries, i.e. inside and alongside municipal authorities and communities.

As a result, the core of our cooperation has been and is still centred on support for the various initiatives that are fostered in the three countries and that are aimed at finding comprehensive security policies, focused on prevention and care and protection for the victims, combined with the encouragement of local development and citizen participation.

The UN country teams of Honduras, Guatemala and El Salvador currently cooperate with governments and societies by providing technical support and specific projects in areas such as:

***Expansion of care and protection services for persons internally displaced by violence.***

As institutional actions are deployed to re-establish the rights of victims of violence, they also address some of the recurring, deep-rooted causes in the cycles of violence and help to avoid re-victimisation.

Specifically, we support the improvement of facilities that receive victims of violence, ensuring confidentiality and specialised care for men, women and children.

***Driving economic and social opportunities for the reintegration of returnees***

The aim is to strengthen the capacity of the country to absorb returnees in an atmosphere of peace and solidarity. This

ensures that they can contribute to the sustainable development of their respective countries.

This includes strengthening migrant assistance desks; the development of protocols that optimise their reception and reintegration; and the expansion of economic reintegration projects, with psychosocial care for returned migrants in situations of vulnerability and in need of protection.

It also includes the creation of micro-enterprises and the provision of seed capital in order to provide a durable solution for returnees in their communities.

***Advice and assistance to improve registration, processing and information analysis systems, along with inter-agency coordination***

Through various initiatives in these matters, we are trying to contribute to an increasingly bigger and better capacity in the generation of information and its analysis, so as to better understand the problem of violence in Northern Central American countries and therefore make decisions and design and implement public policies.

We also contribute to the creation of national registration systems of cases of victims of violence.

***Strengthening human rights protection mechanisms***

Solving the problem of violence in democratic societies poses a challenge in that it must be done within a framework of unconditional respect for human rights, both of the victims and the aggressors.

Being one of the foundational pillars of the UN, the defence and promotion of human rights is at the centre of our actions and therefore we are supporting the three nations in initiatives aimed at ensuring human rights.

This includes for example, strengthening the internal and external controls of public security forces, in view of their permanent exposure to violence and the other abhorrent forms it has taken on. The general objective of this cooperation is to guarantee that the various security agents involved in the prosecution of crime observe the rules that govern their actions, so as to ensure unconditional respect for the human rights of all the persons involved.

***Protection, prevention and reduction of gender-based violence against girls and women***

Sadly, the increase of violence affects certain sectors of the population more than others, namely those who have been historically subjected to more discrimination, marginalisation and abuse.

Women and girls are the population sectors that suffer the highest amount of violence stemming directly and indirectly from the actions of criminal groups, seeing as they are the objects not only of the violence perpetrated by said groups but

also of the violence in their domestic environments, including their homes, schools, communities or work places

In this regard, we have supported initiatives that are aimed at both increasing the visibility of this particular problem and addressing it comprehensively as a priority; the adoption of legal frameworks; and the creation of institutional systems.

***Support for dialogue in the search for consensus and the concerted participation of different sectors of society and the various levels of government***

The challenge of violence, such as that faced by the countries and societies of northern Central America, can only be addressed with the participation of the various sectors of society.

We therefore support initiatives directed at gaining the participation of the different sectors of society and that of the various levels of government.

These spaces favour broad dialogue in search of consensus and the sum of the efforts made by the various sectors of society to resolve the problem of violence.

We put special emphasis on collaborating with local governments for the enactment of public policies

We are committed to expanding our cooperation in these areas. We are ready to adapt and focus our joint work as the United Nations System on the sub-

regional and national priorities that the governments participating in this conference deem important for the improvement of the protection of persons affected by violence, including refugees and displaced persons.

To be able to make this commitment effective and relevant, we have started to cooperate closely with the three Resident Coordinators and the UN country teams of Guatemala, Honduras and El Salvador. In this work we are counting on the ample support of the Regional United Nations Development Group for Latin America and the Caribbean, through their Joint Initiative for the prevention, protection

and addressing of violence. We are also following the “New Way of Working” with development and humanitarian agencies working together, as was agreed in the World Humanitarian Summit.

Finally and based on our work and experiences in the countries with whom we cooperate, we would like to once more emphasise our conviction that public safety policies must prioritise prevention and protection; and that prevention and the protection of persons affected by violence is the way to create safe and prosperous countries and the path towards sustainable development.



## Analysis of the problem

### 1. GENERAL PROBLEMS OF HUMANITARIAN CONCERN

According to public information, it is clear that despite the notable reduction in the number of deaths in Central America and the signs of improvement over this last year, the region still continues to register some of the highest global homicide rates, ranking among the most violent countries in the world. The most violent areas are characterised by high levels of extreme violence and large numbers of deaths, restriction of movement, displacement, chronic impunity, unofficial curfews/self-confinement, forced recruitment, insufficient reporting of crimes for fear of repercussions, kidnappings, few or no state institutions in areas under the influence of criminal groups (cartels or gangs), high levels of sexual violence and femicide, a lack of access to basic services, etc. The list of humanitarian consequences is long, forcing some of the most vulnerable to

become internally displaced or migrate across borders so as to flee from the violence.

Public spaces are often abandoned and infrastructure is damaged, resulting in limited state services (particularly those providing healthcare and education). Generalised mistrust within communities has led to the tearing of the social fabric and to a lack of solidarity, leaving those affected to fend for themselves. Areas prone to violence are often stigmatised, increasing their marginalisation from society.

To escape chronic armed violence and its economic and social consequences, people continue to move throughout the region, either inside or outside their countries. The migration movement to the north has slowed down in recent months, in part due to the migration policies announced by the United States. Even if migration is not as continuous and systematic as internal displacement, many persons still decide to cross borders, given that they cannot find the necessary stability and safety in their own countries.



## 2. INTERNALLY DISPLACED PERSONS (IDPS)

Despite the absence of reliable and complete data, internal displacement is a reality in the majority of the countries affected by the high levels of violence in the region. Internal displacement as the consequence of armed violence takes on various forms. Mass displacements of entire communities or extended families occur in targeted areas, mainly caused by conflicts and persecution by the armed element in those communities. Smaller flows of families or individuals represent the majority of the current internal displacements: those fleeing from direct threats, extortion or attempts at recruitment. The displacement of persons who wish to remain in the country often continues to be secretive, so as to avoid being found again or due to general mistrust of the ability of the authorities to protect them. The internally displaced persons who turn to civil society actors in search of help have generally exhausted all other alternatives and ask for support as a last resort in their move abroad

(to Mexico, the United States and more recently Costa Rica).

The needs of internally displaced persons to a greater extent stem from these patterns and are complicated by the weakness or absence of official government response mechanisms: the need for immediate safety and safe haven, access to healthcare services, support for mental health issues, economic income, legal advice, access to education and sensitisation on existing support and protection mechanisms. Networks of civil society organisations have responded to these needs by providing immediate relief to internally displaced persons through structures that temporarily guarantee safety, food and refuge until they complete their refugee status determination procedure and can move abroad. Moreover, the prevention of internal displacement has not been duly discussed or addressed by various states, mainly due to the lack of clarity on the phenomenon and the absence of state policies and concrete measures.

Despite the pressure being exerted by various stakeholders on the governments concerned with the recognition and addressing of internal displacement, Honduras is only country that officially recognised the issue in 2016, creating a commission charged with organising an inter-agency response in coordination with civil society and international organisations, including the ICRC and UNHCR. Even though the commission managed to produce a draft bill that hopes to recognise the status of internally displaced persons and respond to their needs, a specific institutional response has yet to be formulated and implemented. In Mexico, two states - Chiapas and Guerrero - have adopted a law for the protection and care of internally displaced persons, and other instruments refer to the problem of internal displacement, including the General Law on Victims.

### 3. MIGRATION AND RELATED HUMANITARIAN NEEDS<sup>9</sup>

Although there are multiple reasons for immigrating from Central America and Mexico to the United States (economic reasons or family reunification), the percentage of persons escaping from armed violence has increased in recent years. The migration flow towards the United States decreased substantially in the first months of

2017 compared to 2016, as did the deportations from Mexico in that period.

Despite the reduced flow, **the general risks for in-transit migrants continue to be the same**, seeing as people continue to migrate irregularly. To avoid being apprehended, migrants use isolated/alternative routes and therefore face greater risks: extreme climatic and geographic conditions, deficient sanitary conditions, hunger, dehydration, illness, physical trauma, endemic diseases, kidnapping, sexual violence, extortion and disappearance. According to the IOM, the number of persons who die whilst attempting to cross the border between the United States and Mexico has increased by 17%. The criminal groups present on the northern border of Mexico represent a greater risk to migrants (trafficking, kidnapping). Migrants also continue to fall from freight trains or they have automobile accidents and they suffer serious injuries or amputations as a consequence (by August of 2017, 74 migrants with serious injuries and amputations were treated by the ICRC). Additionally, migrants have limited possibilities in timely and needs-based access to healthcare.

Even though many migrants have been observed to own smartphones and use social media, many of them still lack the means to contact their families along the way. Many actors provide communication services but they cannot cover the needs of all migrants;

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<sup>9</sup> Like the rest of the International Red Cross and Red Crescent Movement, the ICRC uses a deliberately broad description of "migrants" so as to include all those who abandon or flee from their homes in search of security or better prospects and may be in danger and need protection or humanitarian assistance. Migrants can be workers, students and/or foreigners deemed to be irregular by the public authorities. They can also be refugees, asylum seekers and/or stateless persons. We also attempt to guarantee that all migrants, including refugees and

asylum seekers, receive the protection to which they are entitled by virtue of international and national law, but we approve of an inclusive description that reflects our operational practice and we would stress that all migrants are protected by various legal instruments.

theft, loss and confiscation of personal phones also contribute to the loss of family contact.

Within the region, **deportation/ repatriation processes** continue to be the main practice, along with systematic detention, the possible failure to respect the principle of non-refoulement, and the failure to inform migrants of asylum seeking procedures, their related rights and the status of their application. These processes are often used as a dissuasive policy in order to deter migrants from coming back (often accepting voluntary return and refusing to seek asylum). Additionally, migrants who have just been deported to their countries of origin often face limited access to social support and healthcare services, in addition to the safety issues.

Although the **reception mechanisms** for deported/returned migrants are considered to be satisfactory and have improved in recent years thanks to adapted infrastructures and processes, the practice of systematic deportation/repatriation continues to be the main concern, along with the reintegration of migrants into their country/community. The institutions responsible for supporting the repatriation processes of migrant children and their families have not been able to provide suitable assistance either.

The countries of the region have adopted specific laws in favour of the **rights of migrants**, particularly for vulnerable categories such as children. Even though these laws generally provide good legal frameworks for prevention and addressing the needs of migrants, they are neither exhaustive nor systematic. Even when significant advancements have been made in

terms of respecting and processing the rights of migrants at a regional level, negative discourses about migrants are feeding a growing stigmatisation towards them, and various countries are labelling repatriated persons with a “criminal stamp,” having a negative effect on their social reintegration process.

#### 4. DISAPPEARED MIGRANTS

Within the region, a significant and underestimated number of people have disappeared, either in transit or in destination countries (the IOM counted 400 dead migrants along the Mexico-United States border in 2016 and 175 in Central America, whilst admitting that these figures are incomplete). Migrants disappear in a variety of circumstances. For example, they disappear when they cannot establish contact with families, even though they may still be alive. Migrants disappear when they are detained with no access to means of communication, or when they or their families decide not to seek help to stay in contact, fearing that this may lead to deportation. Migrants also disappear when they perish during dangerous journeys by land (and more recently by sea), or even in the destination country.

Their remains may never be found and even if they are found, they may never be duly documented and identified. Kidnappings, human trafficking and encounters with criminal elements can also lead to their disappearance along the way.

For each disappeared migrant, there is a family that lives with uncertainty – not knowing whether their family member is alive or dead. Many families invest all their efforts

and money in trying to find information about their disappeared family member. The search itself can also cause significant suffering, especially if the families are actively following a number of trails simultaneously through the efforts of local stakeholders. Along with the emotional distress, the families of disappeared migrants face a series of additional practical difficulties: issues such as access to social services, the sale or management of property or inheritances, remarriage or the exercise of parental rights. This hinders their ability to resume their lives and to find their place in the community, all the while looking for answers about the fate of their disappeared family member. Ultimately, it also affects their dignity, adding a new dimension to the already heavy humanitarian toll of migration.

Various interested parties participate in national, bilateral and even regional initiatives that, to date, have not overcome

the fragmentation and duplication of processes. Consulates continue to be key stakeholders in the crossroads between official searches (that are not trusted by the families) and search mechanisms led by civil society. The increased participation of the United States border patrol in these processes has had a positive impact whilst simultaneously increasing the risks associated with the blurring of roles and the duplication of data. The Border Project includes a single transnational database of genetic profiles and ante-mortem data about families of disappeared persons (1,045 open cases for disappeared migrants in El Salvador, Honduras and Chiapas) and it is jointly managed by the Argentine Forensic Anthropology Team (EAAF, by its acronym in Spanish) and the authorities. This project continues to be a promising model that has yet to reach its full potential, due to its limited recognition by the federal systems of the United States and Mexico.





## Objectives of the ICRC

*For internally displaced persons, the ICRC will:*

Ensure that its operations and policies continue to be relevant to internal displacement, migration and their possible connection, following these general principles:

Adopt a **comprehensive approach** to the challenges of internal displacement and migration, where there is continuity between the two. The ICRC will focus on maximising the protection and care for both internally displaced persons and migrants, bearing in mind the negative effects accumulated by persons who are displaced more than once.

The ICRC will attempt to **influence the broadest debate on internal displacement and migration**, sensitising public opinion and governments on its specific concerns. The need for a greater focus on common and differentiated policies for the two groups of people will be emphasised. The ICRC will argue that internal displacement should be considered a critical humanitarian issue in its own right and that the specific situation of internally displaced persons should be recognised and addressed as a priority.

*For migrants in need of protection, the ICRC will:*

Ensure that its operations and policies continue to be relevant to migrants, their communities and the authorities responsible, following these general lines of action:

*To reduce the basic needs of migrants along the migration routes, the ICRC will:*

Support the efforts of National Society and civil society so as to provide an **immediate response to vulnerable migrants**, referring them to the appropriate structures, particularly those who are injured, victims of violence (treatment, remission, rehabilitation), separated families (Restoring Family Links services – RFL) and unaccompanied children (reintegration into communities of origin and respect for the rights of the child).

**Support public efforts** in the deployment of basic services for the reduction of the risks for migrants along transit routes.

Raise awareness of migrants on the risks along migration routes, through **awareness campaigns** (in countries of origin and transit).

*In matters of the detention of migrants, the ICRC wishes to:*

Remind authorities that **the detention of immigrants must only be used as a last resort** and that it must continue to be exceptional and limited, persuading them to develop alternatives to the detention of migrants, especially the most vulnerable groups;

Improve the **recognition of the problems and challenges related to the systematic detention** of migrants, when used as a way of regulating migration flows;

Improve the recognition of the negative effects of detention on migration, especially

for the **most vulnerable groups**, such as unaccompanied children, families, victims of sexual violence, victims of torture or human trafficking, persons with physical disability, the elderly and the LGBTI community.

Influence states in the development and application of sustainable models and, if necessary, **change regulations and practices** in order to favour a comprehensive approach to these groups, encouraging the development of alternatives to detention.

*For disappeared migrants, the ICRC is willing to support the states and interested parties to:*

#### **AVOID MIGRANTS DISAPPEARING:**

Recognise that migration policies and laws may have an impact on the risk of migrants disappearing and periodically revise them to reduce said risk, ensuring that they are adapted to international legal obligations.

Allow migrants and their families to establish, re-establish and maintain contact, if they wish, along migration routes, in destinations and even in detention places.

#### **FACILITATE THE SEARCH AND IDENTIFICATION OF DISAPPEARED MIGRANTS:**

Standardise the national and transnational gathering of data about disappeared migrants and their bodies; establishing clear channels for the compilation, access and sharing of data, with the sole humanitarian purpose of clarifying the destination and whereabouts of disappeared migrants; and informing their families, in accordance with internationally accepted standards on data protection and forensics.

Ensure that the remains of deceased migrants are treated with dignity, taking all the necessary measures to facilitate their immediate or future identification and their immediate repatriation as well.

#### **ADDRESS THE SPECIFIC NEEDS OF FAMILIES OF DISAPPEARED MIGRANTS:**

Support for the families of disappeared migrants throughout the search and identification process.

Guarantee that the families of disappeared migrants can exercise their rights and access existing services and other types of support to satisfy their specific needs, even clarifying the legal situation of those disappeared migrants.

# Human Rights Institutions

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The Central American Council of Human Rights Ombudsmen and the National Human Rights Commission of Mexico:

Taking into account that the National Human Rights Institutions that form the Central American Council have similar mandates to prevent, defend, promote and safeguard respect for human rights, and to drive advocacy actions for their full effectiveness.

Recognising the adoption of institutional measures for the protection, prevention, defence and promotion of the exercise of human rights, along with the monitoring thereof, with the support and consensus of the Central American Council.

Considering that, historically, many inhabitants of the Northern Triangle of Central America have been displaced and have migrated, seeking to establish a life in another country due to multiple reasons, and that this situation has affected their enjoyment of their human rights, including the rights to physical integrity and non-discrimination.

Concerned that these effects are being currently worsened by people being forced to emigrate without the corresponding migration permits, without sufficient information about the mechanisms for protecting their rights, and without the necessary assistance from public and private institutions.

Taking into account that migration as a consequence of the failure of the states to fulfil their obligations to protect, respect and guarantee the right to human security,

places people in a situation of particular vulnerability.

Acknowledging the current need for the promotion of better responses in Central American countries and in Mexico as regards persons fleeing for fear of the violence, insecurity and poverty that forces them to migrate.

Building on the Brazil Declaration and Plan of Action and the commitments made in the San Jose Action Statement, as the basis for strengthening the protection of refugees and displaced persons in Central America, and for promoting durable solutions for displacement in the Northern Triangle of Central America.

Taking into account the New York Declaration for Refugees and Migrants and the need to promote a comprehensive and sustainable regional protection response for internally displaced persons, migrants, refugees and returnees.

Considering that this “Joint Strategy to Address the Reality of Migration, with protection actions in favour of displaced persons in transit, refugees and returnees,” has support and assistance from the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), and any other institution within the framework of their priority strategies for Latin America.

In view of the foregoing, we hereby sign this Letter of Commitment for the coordination, creation and implementation of a “Joint Strategy to Address the Reality of Migration, with protection actions in favour of displaced persons in transit, refugees and returnees.” This strategy must contain at least the following actions:

1. Carry out actions for the research, monitoring and verification of the reality of migration and its effects on human rights.
2. Evaluate the policies, programmes, regulations, institutional functions and allocated budgets in countries in the region to address the protection needs of migrants, displaced persons, returnees and refugees.
3. Issue statements, resolutions and reports on migration and the search for possible durable solutions or reparations for the prevention of human rights violations.
4. Recommend measures for the prevention of mass migration and also establish measures that address the human rights violations of migrants, returnees and refugees in countries of transit and destination.



5. Implement awareness raising campaigns about protection mechanisms and the exercise of the human rights of migrants in countries of origin, transit and destination.
6. Carry out actions for the humanitarian, psychosocial and legal assistance of victims of human rights violations and their families in countries of origin, transit and destination, mainly persons in a situation of particular vulnerability and asylum seekers and refugees
7. Provide monitoring and measuring mechanisms for the results of the joint actions.
8. Any other actions that the undersigned institutions agree to carry out in accordance with the established considerations.



# Latin American and Caribbean Ecclesiastic Network of Migration, Displacement, Asylum and Human Trafficking - CLAMOR

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## Introduction

1. Without a doubt, one of the most problematic realities of our continent is the situation of millions of brothers and sisters who are forced to flee from their countries and seek asylum in another nation, where they yearn to find an opportunity to live in dignity.

Each refugee is much more than a statistic filling up the documents of official organs, they are human beings who must be respected and whose dignity and rights should be promoted.

2. The Catholic Church Organisations that assist and defend the lives of refugees are concerned to witness the harsh realities they face. This is a CLAMOR which must be heeded by both the states and societies of countries of expulsion, transit and reception.

We want to act within the four fundamental pillars, approaches or perspectives proposed by Pope Francis in the “20-Point Action Plan” presented by the Dicastery for Promoting Comprehensive Human Development:

- **WELCOMING:**  
We seek to multiply secure and legal routes for migration and asylum.
- **PROTECTING:**  
We want to strengthen the fight for the defence of the rights and dignity of migrants and refugees.
- **PROMOTING:**  
We commit to contributing to the fostering of the comprehensive human development of migrants and refugees.
- **INTEGRATING:**  
We seek greater participation from migrants and refugees, who make harmonious coexistence possible and enrich the local host, transit and asylum communities.

## WELCOMING

We aim to direct our internal efforts in pastoral action towards:

### **The principle of non-refoulement:**

3. It is important to respect the principle of non-refoulement, which entails the avoidance of collective and arbitrary expulsion of migrants and refugees. This intervention must be based on the humanitarian considerations of persons who flee due to violence in their countries, so that they are not abusively returned to a place considered a risk to their personal integrity.

4. As reiterated by the Jesuit Refugee Service:

“There are useful alternatives such as humanitarian visas that guarantee the protection of persons who do not formally fulfil the legal requirements to be considered refugees; family reunification visas (including siblings, grandparents and grandchildren); temporary visas for those fleeing conflicts in neighbouring countries; the creation of humanitarian corridors; and refugee relocation programmes in host communities, instead of concentrating them in settlements.”

5. In this regard, we propose:

Monitor and promote the guarantee of access to countries at borders, ports and airports, through the humanitarian networks of the Church.

Campaign for provisions concerning safeguards against collective or arbitrary expulsion to be reflected in laws and regulations on the issue.

Provide assistance and legal advice to victims forcibly displaced by violence so that they

can access procedures and therefore avoid any arbitrary or collective expulsion.

Identify the profiles and protection needs of vulnerable persons or victims of violence (individual and paradigmatic case studies).

6. Migration and security actors should have the capacity and political will to identify the profiles of vulnerable persons who are displaced by violence.

### **Safe and voluntary relocation or resettlement:**

Promote welcoming and solidarity in communities (acceptance and spirit of coexistence) with refugees, in safe and decent places.

Promote adaptation (of mechanisms, forms and accessibility) in terms of the multiplicity of legal channels with humanitarian criteria for safe and voluntary migration and relocation.

Promote or strengthen safe humanitarian corridors for refugees, through national and regional support networks, providing protection and assistance for safe referral.

Urge states of the region to respect the right to family reunification, especially that of boys, girls and adolescents with their fathers, mothers and other family members.

Promote alternative programmes to confinement and detention during the migration regularization and refugee status determination processes.

Fulfil the applicable commitments of the Brazil Plan of Action as regards matters of comprehensive, complementary and sustainable solutions that ensure the local

integration of solidarity relocations and labour mobility in favour of refugees.

**The value of security for everyone:**

Disseminate and promote an awareness and appropriation of the commitments made by the states of the region as regards the “Borders of Solidarity and Safety” programme of the Brazil Plan of Action.

Promote the involvement of parishes and church entities in border areas in the

promotion of the Borders of Solidarity and Safety programmes.

Encourage states and governments in the region to implement “open borders of solidarity and safety for refugees” programmes, guaranteeing access to a border environment that provides vital services for their stay (safety, medical care, legal advice and information offices, in accordance with the provisions of the Brazil Plan of Action.)





## PROTECTING

7. It is important for immigrants, asylum seekers and refugees to be able to benefit from the necessary protection from host countries in order to prevent situations that threaten their dignity, such as sexual exploitation, forced labour and human trafficking.

8. The refugee population must have full enjoyment of their rights, in equal conditions to the national population. Migrants and refugees face multiple obstacles, particularly legal vacuums, due to the lack of regulation and clear guidelines; many of them have legal difficulties when accessing basic goods and services (banks, schools, hospitals, work, housing etc.).

9. We assert the need to protect the family units of refugees, especially so that children and adolescents (CA) are not left unprotected.

### **The right to be protected by one's country of origin.**

Strengthen and expand the Network of Service and Information and the Detection of Persons in Need of Protection of the Pastoral Group of Human Mobility, especially on migration routes.

Countries must guarantee the existence and implementation of permanent and reliable information and prevention programmes concerning the right to migrate or not migrate of their populations (for those leaving and those returning).

### **The right to be protected by one's country of destination or arrival to prevent exploitation, forced labour and human trafficking.**

Assist refugees or asylum seekers in matters of labour rights and human dignity, enabling

the reporting or prevention of actions against the right to decent and safe work, pursuant to laws and treaties in force.

Urge the national authorities responsible for the right to decent work (Human Rights Ombudsmen, Ministries of Labour, Labour Courts and others) to guarantee the access and protection of refugees' right to decent work in equal conditions and from the moment when they file for refugee status recognition, as part of their local integration

Encourage the states in the region to comply with the BPA commitments on refugees' access to justice.

### **Asylum seekers and refugees should be allowed to make use of their abilities and skills for their own welfare.**

Develop dialogue and coordination processes with education entities, ensuring the continuity of studies of refugees in the country.

In partnership with the Sub-commission of the Educational Pastoral Group of the Episcopal Conference, promote strategies and actions that ensure the continuity of the studies of refugees.

Strengthen regional inter-agency cooperation through the Network, so as to locate, obtain and transfer the education certificates of migrants who need to continue their studies in the country.

Promote processes for the certification of skills and technical abilities of refugees, ensuring their local, social and labour integration.

Standardise admission and incorporation procedures in national education systems, for refugees who wish to continue their studies in the host country.

Urge public universities to waive higher education fees for refugees.

**Unaccompanied and separated children must be addressed in accordance with the International Convention on the Rights of the Child.**

Continue strengthening and participating in local and regional protection networks for children and adolescents (CA).

Make use of information made available through the Pastoral Group Network to disseminate it and advocate in state circles so that they take actions to benefit CA.

**All child migrants and asylum seekers should be protected**

Encourage states to guarantee the “Right to an Identity and non-separation from their mother” of all children when they are born, regardless of whether the father and/or mother has a personal identification document.

**The right to access social security, respecting to right to health and basic healthcare.**

Ensure the continuity of the monitoring and creation of shadow reports, UPRs created jointly with other similar institutions.

Promote the application of and compliance with the current applicable conventions, treaties, laws and regulations by states of the region.



## PROMOCION

9. It is urgent to promote the comprehensive human development of migrants and refugees. We cannot be satisfied with measures that only provide welfare or humanitarian assistance in case of emergencies: these are necessary but must be accompanied by programmes and policies that enable comprehensive development “of the whole man and of every man” (Populorum Progressio 42)

10. We call on states to generate responsible and comprehensive public policies that promote the social inclusion of refugees so that they can practise their trades in host communities. It is therefore necessary to assume less restrictive policies that guarantee both equality and a broader possibility to exercise citizenship, and human promotion in host places.

11. Agile responses need to be generated for the recognition of migrant status, especially of those who require international protection, and the appropriate documentation that enables access to employment, housing, healthcare and education services. Similarly, it is paramount that this documentation is recognised and acknowledged by all governmental authorities and private institutions.

12. Similarly, the following cannot be delayed:

### **The skills of migrants, asylum seekers and refugees.**

Encourage greater coordination and joint support with education ministries and with education entities or networks of the Church and the private sector, so as to guarantee access to learning or training programmes.

Promote the certification of vocational training and the validation of certifications or qualifications of all types and levels.

### **Social and professional inclusión of migrants, asylum seekers and refugees within local communities.**

Promote the right to safe, informed and free asylum for all.

Monitor and follow up cases.

Ensure compliance with the commitments assumed by the states in matters of the right to local integration.

Adapt informational materials and resources to the local languages and contexts of the communities.

Influence authorities and businesses to make it possible for refugees to access employment, financial services and other types of services.

Demand that the states adapt informational resources to local languages and the cultural context of the region or community.

Promote programmes for coordination between states and the business sector in order to facilitate the employment of migrants, refugees and asylum seekers, along with their involvement in the generation of new enterprises.

### **Family integrity and welfare should always be protected and promoted, independently of legal status.**

Provide comprehensive assistance (psychological, legal, human, spiritual and solidarity) for those who, due to forced displacement, have suffered family disintegration and require reunification.

Fortalecer los esfuerzos encaminados a organizar, movilizar y acompañar la búsqueda de personas desaparecidas al huir de sus comunidades o países de origen y documentar casos.

Strengthen efforts aimed at organising, mobilising and supporting the search for persons who disappear when fleeing from their communities or countries of origin, and document the cases.

Encourage the states to implement registration, search, identification and/or repatriation systems for persons who disappear whilst fleeing from generalised violence.

Encourage the states of the region to implement permanent family reunification programmes, especially for children in order to avoid the trafficking of CA.

**Migrants, asylum seekers and refugees with special needs should be treated the same as citizens.**

From within care centres, promote programmes for the identification of the specific needs of disabled persons so as to implement responses that are adapted to their situation.

Enact policies that promote swift access to special education or vocational training, and policies that provide medical attention to unaccompanied or separated children and disabled adults.

**Increase funding for international development and humanitarian aid aimed at countries that receive a significant influx of fleeing refugees and migrants so that needs of the recently arrived and resident populations can be satisfied**

Continue to provide care and protection services to victims of violence with an

ecumenical approach that favours diversity of religion and belief.

Strengthen the spaces for inclusion and ecumenism within pastoral groups and other church authorities, ensuring that doors are open to everyone whose work is protecting life.

## INTEGRATION

13. We seek greater participation from migrants and refugees so as to enrich the local communities

14. One priority is to adopt a language that encourages solidarity and hospitality towards migrants, asylum seekers and refugees, avoiding seeing them as competition or as a threat in countries of transit and destination. The media and political leaders play a fundamental role to transform this imaginary collective.

15. Spaces for sharing between those arriving and those welcoming must help to favour a cultural meeting point that leads to an understanding of the benefits of integration. This is a bi-directional process that may take time but must recognise and value the importance of multiculturalism that forms part of Latin America and the Caribbean. In virtue of this cultural richness, we can learn to coexist, benefitting from our differences and enjoying them.

16. Assumptions and discourses that continue to intrinsically stigmatise and criminalise migrants and refugees must be avoided. In contrast, there is a need to recognise the contributions that these populations make to the local economy, for example. Integration processes that involve mutual learning to share available resources are essential in this.

17. We propose to work more closely with the children born of foreigners in the host

country, so as to prevent various forms of violence from violating their fundamental rights and to contribute to a healthy process of healthy coexistence. "Integration is a fundamental component that can produce new life projects and promote the overcoming of the needs and vulnerabilities of migrants and refugees" (Jesuit Refugee Service. Proposals for the Global Compact on Migration. 2017).

**Promote integration as a bi-directional process that recognises and values the richness of both cultures.**

Recognise citizenship at birth (jus soli); giving nationality to all refugees without delay, independently of financial requirements or linguistic knowledge (at least for adults over 50).

**Promote a positive narrative of solidarity towards immigrants, asylum seekers and refugees.**

Promote programmes for the integration of refugees into local communities through pastoral groups.

Continue to document best practices in actions for solidarity and community integration in favour of refugees and asylum seekers.

Implement community-level and solidarity-based welcome and reception campaigns in favour of refugees and asylum seekers.

Fight to ensure that the states do not implement campaigns that foster terror, fear and the criminalisation or stereotyping of asylum seekers and refugees.

Promote campaigns that avoid a culture of xenophobia, discrimination or exclusion.

**Persons who are forced to flee from humanitarian crises and who are then evacuated or registered in assisted repatriation programmes must be given the appropriate conditions for reintegration into their countries of origin.**

Promote protection and temporary care centres for refugees and displaced persons.

Implement promotion and solidarity campaigns for refugees and repatriated persons.

Encourage the states of the region to implement programmes for the safe and dignified relocation and reintegration of refugees and asylum seekers.

Encourage local authorities and governments to allocate funds to support the dignified relocation or resettlement of refugees and displaced persons.

## Conclusion

With these inputs, as created from the guide provided by the Migrants and Refugees Department of the Vatican Dicastery for Promoting Comprehensive Human Development, we wish to express some of the features and needs in our regional context.

As can be seen, the document has four pillars and general lines and in each line we wished to provide two operational

approaches: pastoral actions and advocacy actions for the countries of the region.

The Latin American and Caribbean Ecclesiastic Network of Migration, Displacement, Asylum and Human Trafficking – CLAMOR, is happy to join the spaces for dialogue, analysis, proposals and commitments that shed new light on the comprehensive and humane means of addressing and governing migration and forced displacement.



# Regional Network of Civil Society Organisations for Migration



**REGIONAL CONSULTATION MEETING  
SYSTEMATIZATION OF INPUTS ON THE GLOBAL COMPACTS  
ON MIGRATION AND REFUGEES  
GUATEMALA, OCTOBER 10 AND 11, 2017**

## Introduction

The Regional Network of Civil Society Organisations for Migration (RROCM, by its acronym in Spanish) is a space for networks of civil organisations and individuals from 11 countries in the region of Central America, the Caribbean and North America, with representatives from Canada, the United States, Mexico, Guatemala, Belize, El Salvador, Honduras, Nicaragua, Costa Rica, Panama and the Dominican Republic. RROCM was created in 1996 within the framework of the Regional Conference on Migration, in response to the need to organise a common front capable of dialogue with the countries of the region.

In September 2016, within the framework of the General Assembly of the United Nations, states agreed to move forward in a negotiation process for the approval of a Global Compact for Safe, Orderly and Regular Migration and a Global Compact on Refugees in 2018.

This negotiation process took place in the context of meetings for the discussion of specific aspects of migration and asylum at a global scale and for the analysis of regional

features and situations. The global compact processes involved the acknowledgement of large gaps in the international legal system and in the structure of inter-governmental bodies in the co-dependency process between nations. The challenge for civil society organisations is how to reconcile this conflicting reality of co-dependency with the concept of national sovereignty.

The context of the global compacts is a valuable opportunity for civil society organisations and networks to discuss their advocacy and lobbying agenda based on the current challenges and the political, economic and social situation in the region.

Within this context, RROCM organised national meetings in Canada, USA, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama and the Dominican Republic between September 25 and October 6, 2017, with the objective of formulating proposals on organising the regional contribution of civil society to the global compacts on migration and asylum.

These national meetings resulted in a Regional Civil Society Meeting held in Guatemala on October 10 and 11 with the objective of sharing the proposals discussed previously in the national meetings, using them as the basis for the collective formulation of arguments and proposals within the context of the global compacts. This meeting also contributed to strengthening relationships between civil society organisations that belong to different networks and groups whose work concerns migration and asylum in countries in North and Central America.

Through this process, RROCM and its regional civil society organisations garnered more knowledge and became more involved with the global compacts process, gaining the opportunity to define national, regional and global advocacy strategies related to the two compacts through the organisation of spaces

for sharing and the strengthening of partnerships.

Based on a multi-dimensional and multi-sectoral view of the role of civil society as regards complying with the Global Compact on Refugees (New York Declaration) and the development and implementation of actions and responses, with an emphasis of the participation of “all of society”, civil society intends to identify gaps and generate regional advocacy about the key dynamics associated with the comprehensive protection of refugees, asylum seekers, stateless persons and beneficiaries of other complementary forms of international protection. It will do this by promoting and facilitating compliance with the commitments assumed by the states in order to definitively focus on improving and anticipating the needs of refugees in the region.



UNHCR / Danilo Rivera



## Background

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RROCM's view on the Global Compact on Refugees is that it should be focused on actual people, on persons in a situation of vulnerability and on those affected by forced displacement.

The individual consideration of a single person in an insecure situation tends to become lost when the focus of discussion is on the mass movement of vulnerable persons: boys, girls, adolescents and youths (especially when unaccompanied); women; the LGTBI community; native, indigenous and afro-descendant peoples; or any persons affected by gender, disability or old age.

The inter-determination between abuse and vulnerability should not be forgotten. People whose rights are not respected in their society of origin are forced to move away and they are then vulnerable to becoming refugees. What's more, the rights of refugees are not respected either and their vulnerability to violence, abuse, exploitation and human trafficking is compounded.

We have to acknowledge that the fight against xenophobia and racism must include an analysis of the causes of forced displacement and the way in which refugees are treated. This includes the legacy of colonialism and slavery. When a comprehensive approach to this problem is promoted, we should not forget the states' great responsibility in all of these ideological dynamics. In this respect, the principle of additionality should be applied to the search for safe and durable solutions for refugees, underlining the importance of their enjoyment of permanent status.

The creation of the Global Compact must reaffirm existing international commitments in matters of asylum. There should be a ratification of the fundamental principle of *non-refoulement* and the right to seek asylum, this being intrinsically linked with the right to enjoy a comprehensive migration status that allows refugees to achieve socio-economic integration.

Over and above the foregoing, the Global Compact should address the following problems:

- a. The separation between migration and asylum does not coincide with the reality of mixed migration flows nor with the efforts of the states in the region, those of the inter-governmental bodies or those of the members of civil society involved in the issue.
- b. The complexity of the thematic consultation process and the capacity of civil society organisations and states to participate in the multiple topics of discussion.
- c. The absence of interest and commitment of many states in this process and the lack of protection for defenders of human rights.
- d. The participation of civil society organisations is particularly difficult and has generated a process in which the large, traditional organisations take the lead in voicing positions and the spaces themselves, to the detriment of smaller organisations that have knowledge, experience and work directly with the subjects of the compacts.

e. The non-participation of refugee communities in the formulation of actions and responses that have a fundamental

impact on the future protection and building of those communities.



UNHCR / Santiago Escobar Jaramillo

## Contextualisation of the Refugee Compact

Many people are forced by violence and insecurity to flee their homes and undertake a journey that puts their lives in danger and infringes on their rights. Refugees, stateless persons and beneficiaries of other complementary forms of international protection continue to die whilst fleeing, families are separated, borders are closed, people are deprived of their freedom, they are discriminated against for belonging to certain ethnic groups and they are victims of the xenophobia that continues to rise in the region, in the same way that legal frameworks exclude the LGBTI population.

All this means that many people in the feel anxious, threatened and left behind.

The population in the Central American region faces growing forced displacement caused by increased social inequality, public insecurity, mistrust of the institutions that apply and oversee human rights, the influx of groups of organised criminals and drug traffickers, the preponderance of corruption, and the operational and administrative negligence in responses to the needs of victims of forced displacement. This situation affects a broad range of persons but has a more significant impact on the most vulnerable population groups such as boys, girls, adolescents and youths, women, disabled persons, the elderly and the LGBTI population. The phenomenon represents a social, political and economic challenge in the region, given that there is insufficient

capacity to handle a situation or crisis of growing magnitude.

Furthermore, the region is also facing situations of mass expulsions of indigenous persons, due to interests on land ownership and the exploitation of resources (mining, agricultural mega-projects and touristic projects, etc.), as well as the displacement associated with the effects of climate variability and change and the high vulnerability of many communities at risk from disasters.

Victims of forced displacement that flee their countries must then face the militarisation of borders, country admission restrictions and police detentions and deportations, increasing the risk of their falling into the hands of organised crime, criminal gangs and human trafficking networks. They also become easy victims of theft, assault, extortion and additional episodes of violence. Additionally, this population travels without any information about their rights that may assist them and how to access the refugee status determination procedures. In some cases, the solidarity of the wider population with migrants and refugees is criminalised and punished as a crime.

In view of this situation, there is a lingering lack of public policies and legal frameworks that effectively respond and contribute to the needs of victims of forced internal displacement, refugees, asylum seekers, stateless persons and those in need of international protection, given that there is no effective commitment that establishes political will through the availability of sufficient institutional capacities and budgetary and administrative resources that

enable the states to enact compliance with international commitments. Also, the displaced populations need to be categorised, the comprehensive care channels are insufficient and on occasion, the states are known to use institutional discretion in the application of international regulations.

Although progress has been made at a regional level in recent years, this has been insufficient compared to the social damage generated by factors associated with violence in the communities and cities of the region. The population has limited access to special and differential treatments in line with their problems and therefore a greater effort and a more precise and direct contribution are needed to reinforce trust in the states, these being the main guides and actors in decision-making in these matters.

Civil society plays an important role in the defence and protection of the rights of displaced persons, refugees, asylum seekers, stateless persons and those in need of international protection. It can provide support in the design and implementation of public policies that ensure compliance with the commitments the states made as regards protection. Moreover, it plays an important role in monitoring compliance with the commitments and obligations of the state in matters of international human rights law, international humanitarian law and international refugee law, and if necessary it should report their non-compliance

Although the MIRPS multi-sectoral and “all-of-society” approach incorporates, to a certain extent, organised civil society and other international cooperation actors in the

generation and implementation of the initiatives that provide a comprehensive protection response, the main organisational responsibility falls to the states. Civil society organisations believe that the states of the Although the MIRPS multi-sectoral and “all-of-society” approach incorporates, to a certain extent, organised civil society and other international cooperation actors in the generation and implementation of the initiatives that provide a comprehensive

protection response, the main organisational responsibility falls to the states. Civil society organisations believe that the states.

It is also clear that within the phenomenon of forced displacement, not all people are looking to leave their country of origin and it is therefore imperative that the adopted measures include relocation alternatives for those who exercise their right not to migrate.



Civil society believes that the following points and views should be included in the Global Compact on Refugees:

- a. The Global Compact on Refugees should be centred on refugees, asylum seekers and beneficiaries of other complementary forms of international protection, as well as on their human dignity.
- b. The respect, guarantee and protection of the human rights of asylum seekers, refugees, stateless persons and beneficiaries of other complementary forms of international protection, regardless of their migration status.
- c. Migration control should only be exercised by authorised officials who are duly trained to do this duty, which should in turn include a guarantee of non-refoulement and the identification of the population of interest, avoiding violations of human rights and of the international commitments subscribed by countries shielded by national security policies.
- d. Countries of origin, transit, destination and return of refugees have a shared international responsibility based on international instruments. International cooperation is fundamental for building the capacities of these countries.
- e. The eradication of racism, discrimination, exclusion and xenophobia is essential to the political, social and economic integration and inclusion of asylum seekers, refugees, stateless persons and beneficiaries of other forms of international protection. There is a need to address the problems of social injustice, discrimination and political matters in countries of origin. Linked with this is the need to cover the gaps in programmes aimed at providing information and awareness raising in host communities on how to facilitate integration so that they can understand and contribute to resolving the problem.
- f. Asylum seekers, refugees, stateless persons and beneficiaries of other forms of international protection contribute to the societies of countries of origin, transit and destination. Refugees are agents of social, economic and cultural development. The right to participate must be ensured for organised communities of refugees, asylum seekers and their families.
- g. Actions that respond to specific protection needs must be based on the recognition of the particular vulnerabilities of boys, girls, adolescents and youths; women; the elderly; indigenous peoples; afro-descendants; LGBTI; and disabled persons, based on the mainstreaming of their profiles
- h. The definition of possibilities and mechanisms for the recognition of refugee status and other forms of international protection is essential. Punitive approaches towards migration flows are damaging, ineffective and a waste of resources. The status of 'irregular migrant' creates greater vulnerabilities and does not stop displacement.
- i. The definitions of 'refugee' must be expanded to include the concepts expressed in the 1984 Cartagena Declaration, natural disasters, and climate change and development mega-projects.
- j. Programmes for the reintegration of persons who were deported or who

voluntarily returned to their countries of origin must include the local population.



UNHCR / Edu Leon

## The RRCOM Regional Plan of Action as Contribution to the Comprehensive Regional Protection and Solutions Framework (MIRPS)

Assist in the strengthening of existing regional mechanisms and in development for the monitoring and follow-up of the commitments assumed by states through the MIRPS and Global Compact on Refugees processes.

Contribute to the construction and application of key indicator measurement systems that enable the measuring of the states' progress in the protection and inclusion of asylum seekers, refugees, stateless persons and beneficiaries of other forms of international protection in all spheres: political, social, economic and cultural.

Promote initiatives for the accountability of states in their implementation of the commitments assumed through the MIRPS and Global Compact on Refugees processes.

Support the joint initiative being worked on by UNHCR and the Organisation of American States (OAS), through its Committee on Juridical and Political Affairs, for the establishment of a follow up mechanism for states' commitments to strengthening comprehensive protection and solutions for refugees, asylum seekers, stateless persons and beneficiaries of other complementary forms of international protection.

## IN THE PILLAR ON RECEPTION AND ADMISSION

- Maintain and expand international networks with other organisations in order to share successful experiences in technical, legal and psychosocial advice for asylum seekers.
- Create protection mechanisms for to allow for victims of human rights violations to leave the country.
- Develop awareness raising and information campaigns on the risks of migration routes, in order to provide protection and asylum spaces.
- Share best practices in the creation of mechanisms to identify refugees and beneficiaries of other complementary forms of international protection at entry points into countries and when addressing mixed migration flows, so that specific protection needs are fulfilled.
- Generate information in countries of origin, contributing to the asylum seeking process (regional collaboration between civil society organisations).
- Promote the incorporation into legal practice of shorter lengths of time for refugee status determination procedures and other specialised procedures for especially vulnerable cases.
- Advocate for a monitoring system for compliance with state obligations, enshrining such monitoring in law.
- Guarantee due process for CA, particularly with regard to legal representation throughout the procedure.

## IN THE PILLAR ON SUPPORT FOR IMMEDIATE AND ONGOING NEEDS

- Share successful strategies that address humanitarian needs within the Comprehensive Regional Response Framework for asylum seekers, refugees, stateless persons and beneficiaries of other complementary forms of international protection.
- Promote regional proposals for strengthening national regulatory and referential frameworks for the protection of victims of forced displacement who exercise the right not to migrate.
- Create regional partnerships for humanitarian assistance for victims of displacement, through information sharing mechanisms on migration routes and on the profiles of persons with specific needs, etc.
- Strengthen networks of specialised care shelters and safe houses for persons in need of protection, generating information about safe migration routes at a regional level.
- Strengthen other existing regional networks for the protection of victims of forced internal displacement, asylum seekers, refugees, stateless persons and beneficiaries of other complementary forms of international protection.
- Develop and elaborate on bi-national and regional agreements for psychosocial care and support programmes for women, adolescent women, girls, indigenous women, afro-descendent women, pregnant women, afro-descendent women, pregnant women, mothers, adolescent mothers and transsexual women along migration routes. Furthermore, civil society must monitor

states' sensitive use of age and gender criteria when addressing refugee status determination procedures, ensuring that they are consistent with the relevant UNHCR guidelines.

- Generate a prevention and care strategy that includes taking responsibility for the allocation of a percentage of the GDP to humanitarian protection of the most vulnerable populations (asylum seekers, refugees, stateless persons and beneficiaries of other complementary forms of international protection), ensuring the inclusion of the population in decisions that concern them.

#### **IN THE PILLAR OF SUPPORT TO HOST COUNTRIES AND COMMUNITIES**

- Support public policies that ensure compliance with national commitments in matters of protection, through strengthening planning in the comprehensive humanitarian response for the implementation of MIRPS, including the local communities in countries of transit and acknowledging the specific vulnerabilities of children and adolescents; youths; women; the elderly; indigenous peoples; afro-descendants; LGBTI; and disabled persons. This should include the establishment of actions that avoid discrimination and barriers in access to work for refugees, asylum seekers, stateless persons and beneficiaries of other complementary forms of international protection.
- Assist in the design and implementation of a Regional Roadmap for the comprehensive protection response for asylum seekers, refugees, stateless persons and beneficiaries of other

complementary forms of international protection. This roadmap will guide key processes and determine the necessary resources, establishing a regional framework of minimum indicators that will facilitate civil society's monitoring of states' compliance with commitments and obligations in matters of international human rights law, international humanitarian law and international refugees law, and reporting their non-compliance if applicable.

- Encourage participation from organised communities of refugees, asylum seekers and their families in the planning and supporting of the implementation of the comprehensive response.
- Develop an information and regional awareness raising campaign regarding the rights of asylum seekers, refugees, stateless persons and beneficiaries of other complementary forms of international protection, highlighting them as agents of social, economic and cultural development in host countries.

#### **IN THE PILLAR OF DURABLE SOLUTIONS**

- Share success stories about the local integration of refugees and advocacy in public policies.
- Drive bi-national and trans-national framework agreements that facilitate repatriation and resettlement through a humanitarian and durable solutions approach.
- Within the Regional Conference on Migration, drive the creation of an asylum network, promoting the formation of an ad hoc group on asylum in the upcoming San Pedro Sula meeting so that the



addressing of this matter is not just circumstantial.

- Foster the inclusion of asylum and migration affairs in spaces for political planning and management and for addressing the SDGs.
- Promote advocacy spaces for the formulation of an “Electoral Compact on Refugees” that promotes the appropriation of shared international responsibility through access to information, awareness raising and the

generation of commitments from popular election candidates as part of the strengthening and sustainable solutions strategies. This point is a strategy to cover an anticipated gap, as in some cases it is not actually the states but rather the current governments who are subscribing the commitments of the New York Declaration, meaning that later on in upcoming electoral processes, these commitments have a high risk of not being understood or accepted.



# Risk, Emergency & Disaster Working Group for Latin America and the Caribbean (REDLAC)



## Introduction

1. In September 2016, the organisations of REDLAC celebrated the adoption by the General Assembly of the United Nations of the **New York Declaration for Refugees and Migrants**, as well as the invitation for the United Nations High Commissioner for Refugees to develop a proposal for a Global Compact on Refugees in his 2018 annual report to the General Assembly.

2. We thank the commitment of various countries of the region to this initiative that stems from the New York Declaration, to establishing a “Comprehensive Regional Protection and Solutions Framework” (MIRPS) that

responds appropriately to the protection and humanitarian needs of the affected communities.

3. Assuming that the states are the main parties responsible for protecting human rights and for providing humanitarian responses, we urge them to make use of the region’s long-standing tradition of protecting asylum seekers, refugees and displaced persons, leveraging the regional frameworks that cover them: from the 1984 Cartagena Declaration to the 2014 Brazil Plan of Action and the subsequent 2016 San Jose Action Statement.



## REDLAC's joint view of the situation and insecurity in the NCA

4. We are concerned about the worsening of the humanitarian and protection crisis that is affecting countries of origin as well as countries of transit and destination. Restrictive policies towards the rights of persons affected by violence – both confined communities and persons in a situation of human mobility – and so-called “mano dura” (firm hand) policies are aggravating the situation of the most vulnerable communities. We face big challenges: the response to the population’s basic and immediate needs (humanitarian and protection) against extremely violent backdrops in which there is a systematic violation of human rights; the protection of children and the population affected by displacement; support for the victims of gender-based violence; and of course, the ability to contribute to durable solutions.

5. As a result of the humanitarian and regional protection crisis, men, women, youths, girls and boys run extreme risks to seek international protection, taking dangerous and clandestine routes due to a lack of better options. Many of them encounter locked doors and are deported, facing persecution and violence once more. Even though we acknowledge the importance of supporting governments in their work on security and the prevention of the deep-rooted causes of displacement, we believe that the states need to intensify their efforts and provide legal channels that guarantee safety through resettlement, family reunification and humanitarian visas; guarantee alternatives to detention; and respect of the right of “non-refoulement”.

6. Through our work in the region, we are contributing to addressing the crisis by filling the gaps in protection and human assistance that the states can't reach. In this respect we are showing our will to contribute to durable and decent solutions for those affected by violence, forced displacement and the search for international protection. Similarly, we are reiterating our commitment to migrants.

7. Our activities span from the prevention of displacement and the provision of humanitarian assistance in countries of origin, transit and destination, to the addressing and promotion of access to basic rights such as healthcare, psychosocial care, education, shelter and legal assistance, among other things. Additionally, we support national social protection systems and assist different service suppliers – particularly for healthcare and education – whose protection is fundamental so that they can keep playing their part.

8. We believe it is necessary to respond to the gaps in protection – with the application of a differential and gender-sensitive approach –, seeking to reduce the deficits in responses by fostering an increase in the presence of humanitarian organisations in high-risk areas and promoting the capacity building of local institutions and affected communities.

9. It is vital that states develop protection mechanisms for deportees and families whose safety is at risk. Public policies must be used to also address the various causes of this type of displacement – violence, poverty, food insecurity, climate change – combining a humanitarian approach with a

focus on development. Public social protection programmes must incorporate aspects of food security and responses to emergencies, particularly those resulting situations of human mobility.

10. Due to the foregoing, we have high expectations that the states, who are inspiring us with their commitment to

regional protection responses through the adoption and implementation of the Comprehensive Regional Protection and Solutions Framework (MIRPS), will make decisions that also persuade and involve other regional and national stakeholders, such as donors, the private sector and multilateral bodies, among others, to make MIRPS a reality.

## Joint Plan of Action

The REDLAC organisations hereby propose two lines of work which we believe are fundamental:

Develop a closer collaboration for coordination and information sharing with REDLAC agencies and other potentially interested actors, in order to:

- a. Produce a common reading of the violent situation and protection needs in NCA through the gathering, compilation and analysis of the information handled by the member organisations of REDLAC, so that the analysis of the impact of violence and the population's humanitarian needs can be improved.
- b. Create synergies in our efforts.

Drive joint actions aimed at making the humanitarian and protection needs of the vulnerable communities more visible, seeking to attract support from donors and other key actors.

Lastly, the REDLAC organisations wish to stress our belief that the practical application of the Comprehensive Refugee Response Framework (CRRF) offers Central America a unique opportunity to make the protection crisis in NCA more recognised and visible and to link this crisis to broader global discussions on the protection of victims of forced displacement. We hope that this translates into a greater and fairer response for those who are obliged to flee in order to safeguard their lives and physical integrity.

# Specialised Regional Group of Academics who Support the Comprehensive Regional Protection and Solutions Framework (Great MIRPS)



1. The 2016 *New York Declaration on Refugees and Migrants* (Res. 71/1) ordered the Office of the United Nations High Commissioner for Refugees (UNHCR), in consultation with the states and other interested parties, to develop and implement a Global Compact for each situation of mass movement, including them in the annual report of the Commissioner to the General Assembly of the United Nations in 2018. The Global Compact on Refugees will be based on the best practices gathered in the implementation, in various countries and regions, of the Comprehensive Refugee Response Framework (CRRF) featured in Annex I of the New York Declaration.
2. In the Americas, given the uniqueness of its displacements and migrations, some states are formulating a CRRF for Central and North America called the Comprehensive Regional Protection and Solutions Framework (MIRPS). This will be adopted in the High Level Meeting held in Tegucigalpa, Honduras on October 26, 2017. MIRPS will include national plans of action prepared by governments and also regional plans of action developed by various stakeholders working on the issue at a regional level.
3. With the aim of involving members of academia and relevant experts in this process and to present a proposal that contributes to the development of MIRPS, on September 4 and 5, 2017, the Legal Support Network for Refugees in the Americas (RALRA, by its acronym in Spanish), alongside the Inter-American Institute for Human rights (IIHR) and UNHCR, invited 25 Central and North American experts to San Jose in Costa Rica to share their perspectives and experiences of matters of refugees and displaced persons in the regional context, and to develop initiatives and proposals that could be incorporated into MIRPS.
4. The participants agreed to form the Specialised Regional Group of Academics who support MIRPS (GREAT MIRPS, by its acronym in Spanish). The group will be coordinated as a sub-group of RALRA and it will be focused on MIRPS for Central and Northern America.
5. The working sub-group highlighted the unique situation arising in Central and North America, where Northern Central American (NCA) countries are experiencing socio-economic turbulence and high levels of violence that lead to multi-causal movements of persons throughout the region, including internally displaced persons, asylum seekers, refugees and migrants, as well as deported persons in need of protection.
6. Host countries are seeing an increasingly large number of asylum seekers and persons

in need of other forms of international protection and this generates pressures at a national and regional level. Countries of origin need to address the humanitarian consequences of violence by confronting the underlying causes, so as to create conditions that avoid forced displacement, protect those in vulnerable situations and favour eventual voluntary return. Addressing this complex situation requires a combination of humanitarian and security measures, socio-economic incentives and economic support.

7. With the purpose of contributing to this task, GREAT MIRPS commits to strengthening and developing the following activities related to the implementation of MIRPS, under the coordination of and with secretarial support from RALRA.
8. GREAT MIRPS recognises the lack of harmonised and comparative diagnoses that allow the displacement situation to be evaluated from a regional (NCA) perspective, and the information needed to propose possible responses. Therefore, the group recommends contributing to the following areas in 2018-2020:

*Develop comprehensive and multi-disciplinary studies on the situation in Central America and its impact on North America.*

- i) Create a platform enabling the systematisation of existing studies and diagnoses on displacement in Central and North America;
- ii) Disseminate the applicability of the relevant international regulatory instruments and frameworks and the study of the phenomenon of

displacement through publications and comparative research, particularly:

- Develop a multi-disciplinary comparative study to understand the (multiple) causes and effects of forced displacement, bearing in mind the differences between the patterns and perpetrators of violence in the various areas of reference and the profiles of the victims, including differences due to gender and age in the analysis, in order to suggest appropriate protection measures.
  - Study the categories and forms of forced internal displacement caused by organised crime and violence, establishing thresholds (humanitarian, socio-economic and other indicators) so as to determine when they qualify as such, for the purpose of linking them to guidelines that allow the provision of the appropriate protection and solution responses;
- iii) Within GREAT MIRPS, create working sub-groups that specialise in the distinct aspects of forced migration with the aim of elaborating on the diagnoses of the situation so as to:
    - improve the gathering of statistical information;
    - document cases that illustrate the complexity of migration,
    - guarantee the monitoring of situations of violence and the dynamics of displacement, as well as of situations of forced return that may violate the principle of non-refoulement. This will enable the

examination of trends and the suggestion of advocacy actions in public policies.

*In the pillar on recepción and admission in host and transit countries:*

- i) Prepare a comparative study that analyses national and regional legal frameworks, and identifies possible protection responses (asylum, human rights, complementary protection) in transit and host countries;
- ii) Through existing and future legal clinics and consultancies, strengthen the legal representation of asylum seekers and the legal advice that assures them better protection and better access to justice;
- iii) Propose alternative models and options to detention;
- iv) Use representative cases as precedents in national and regional courts so as to advance protection standards, fill gaps and correct human rights violations.

*In the pillar on support for immediate needs:*

- i) Strengthen networks of legal clinics and consultancies that assist victims of violence displaced or at risk of displacement, including the channelling of psychosocial care to guarantee mental health;
- ii) Promote a comparative study of the national protection system institutions,

their regulatory frameworks, their structures and existing programmes for assisting displaced persons, in order to propose standardised operational processes and training and advocacy pilot projects that are adapted to the situations causing displacement;

- iii) Through a study, analyse alternative models to the current systems of shelters and safe houses in the region, so as to evaluate the possibility of creating other safe spaces and to propose different protection networks.

*In the pillar on support for host countries and communities:*

- i) Create models and other options to strengthen community responses for the protection of forced displacement victims, stimulating support from the diaspora of nationals from NCA countries and the involvement of civil society stakeholders.

*In the pillar on durable solutions:*

- i) Prepare a comparative study of complementary protection models, considering the possible applications and developing practical tools for alternative protection measures such as humanitarian visas or other measures for the legalisation of stays, along with family reunification in transit and host countries;
- ii) Establish criteria and indicators to determine potential conditions of voluntary return for refugees, based on

legal, material and community security, and integration opportunities of returned persons into the productive, labour or educational fabric;

iii) Develop school and university grant programmes for persons in need of international protection, with the aim of guaranteeing their stays in the host country and to provide them with higher education that increases their chances of local integration.





# Integrarse Network

## (Corporate Social Responsibility)



*The Central American Integration for Corporate Social Responsibility (INTEGRARSE) Network is a partnership of organisations promoting Corporate Social Responsibility and Sustainability in Central America and the Caribbean. It seeks to promote a permanent culture of Corporate Social Responsibility within the region's business community and contribute effectively to sustainable development and regional integration.*

*The organisations are:*

- *Costa Rica: AED (Entrepreneurial Association for Development)*
- *El Salvador: FUNDEMÁS (Entrepreneurial Foundation for Social Action)*
- *Guatemala: CENTRARSE (Corporate Social Responsibility Action Centre in Guatemala)*
- *Honduras: FUNDAHRSE (Honduran Foundation for Corporate Social Responsibility)*
- *Nicaragua: uniRSE (Nicaraguan Union for Corporate Social Responsibility)*
- *Panama: Sumarse (Non-profit organisation whose main focus is CSR)*
- *Dominican Republic: ECORED (National Environmental Protection Support Network)*

*Among all these organisations, the INTEGRARSE Network brings together over 690 businesses of all sizes in the region: from small and medium enterprises to large, national and international corporations, in order to promote a business model based on the threefold generation of value: economic, social and environmental. To maximise their impact, all the relevant stakeholders of society need to be involved through multi-sectoral partnerships: businesses, civil society organisations, governments and international bodies.*

We know that in recent years the countries in our region have experienced high levels of violence and social and economic instability, thus becoming places of origin, transit, destination and return. The causes of this mobility are diverse and therefore the Integrarse Network recognises that the solutions must be addressed through multiple actors, including the private sector. This is why our network has undertaken programmes and initiatives on the matter with private sector participation.

In Guatemala in 2016 and 2017, through the CENTRARSE organisation, the "Diversity and Labour Inclusion" programme was brought about with support from the Avina and Cammina Foundations, with the purpose of increasing knowledge of the participating businesses on the matter, in addition to

increasing their ability to identify persons with hidden skills, many of which go unnoticed and wasted due to prejudice. One example of this are repatriated persons who have experience and skills in certain jobs, meaning that business productivity could be increased and that returnees could be given more opportunities to apply for currently vacant jobs. As part of this programme, working roundtables took place on labour inclusion and mechanism implementation guides on how to design and implement inclusion policies in businesses.

In 2013 in Costa Rica, the Entrepreneurial Association for Development (AED, by its acronym in Spanish), alongside UNHCR, the General Directorate of Migration and Aliens (DGME), the Chamber of Commerce of Costa Rica, and the Association of

Consultants and International Advisors (ACAI) brought about the “Living Integration” Programme that promoted the insertion of refugees into the labour market and, through this, their integration into Costa Rican society

The programme provided a support framework for businesses to develop Corporate Social Responsibility (CSR) programmes that would favour the integration of refugees in Costa Rica. Under this programme, a Tool Box was published in 2015 with 4 modules to provide businesses with elements for the refugee labour integration process. It can be accessed through the [www.acnur.org](http://www.acnur.org) website (in Spanish).

In Honduras, the Honduran Foundation for Corporate Social Responsibility (FUNDAHRSE, by its acronym in Spanish) lobbied more than 100 businesses so that many of them participated in supporting the violence prevention programmes and employment and entrepreneurship programmes that are currently being developed in the country by friendly governments, international cooperation organisations and local NGOs, with the aim of joining the actions for the prevention of emigration and providing care to returnees and refugees.

Our commitment at the Integrase Network is to continue supporting matters

of returned migrants and refugees through relevant training, awareness raising and calls for action among the business sector. We will do this with an approach based on the principles of human rights and the objectives of the Sustainable Development Goals, through initiatives and programmes that support the solutions of the situation in our region.



UNHCR / Markel Redondo



# Comprehensive Regional Protection and Solutions Framework

For more information visit:

[www.mirps-hn.org](http://www.mirps-hn.org)

