**THIRD MEETING OF THE AD HOC GROUP ON EXTRA-REGIONAL MIGRANTS
November 3rd and 4th, 2016
San José, Costa Rica**

**FINAL REPORT**

**Participants**:

Among the Member State of the Regional Conference on Migration (RCM): Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Panama and the United States of America; additionally Brazil, Colombia, Ecuador and Haiti participated as guest states.

The United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM) also participated with different presentations and for their status of observers of the RCM.

The event was co-funded by IOM and UNHCR.

**Report:**

The workshop was structured into three sessions. The first block was dedicated to the revision of the progress made regarding the implementation of previous agreements in the RCM framework. Furthermore, a dialogue between Member States and guest states was generated, as well as work groups’ activities.

The second block was to discuss previous RCM agreements that weren’t specific enough in order to be implemented. Such agreements were analyzed by three work groups and an open discussion.

Finally, the third block was for proposals of new agreements to be included into the RCM action plan about extra-regional migrants, in order to present them to the RCGM and eventually to the Vice-ministers. Finally, the final report was presented as well as the next steps.

**Summary of addressed topics**

**Thursday, October 3rd**
The meeting was inaugurated with the speeches of:

* Gisela Yockchen, Director of Migration in Costa Rica;
* Carlos Maldonado, UNHCR delegate;
* Marcelo Pisani, Regional Director of IOM;
* Liza Medrano, in the role of the PTP of the RCM, Government of Honduras.

After the participants presented themselves, the review of the agenda took place and the TS briefly presented the previous agreements taken in the RCM framework.

The following presentation was by Cy Winter, IOM, about the progress of the mapping requested by the RCM to the IOM about the mechanisms of response to the extra-regional migratory flow in the Central American region.

Then Gisela Yockchen talked about the extra-regional migratory situation in Costa Rica. Afterwards, Luis Diego Obando presented the perspective of UNHCR about the status of extra-regional migrants.

Then, as a basis for the work groups to follow, the TS of the RCM briefly presented the agreements taken in the RCM framework about extra-regional migrants, and their status of accomplishment.

An open dialogue with delegates of Brazil, Ecuador, Colombia and Haiti followed, taking into consideration that those are countries directly related to the extra-regional migratory flow in the RCM region, during which topics such as human trafficking and smuggling prevention were discussed. Also, several of those countries shared their efforts to prevent irregular migration. Brazil exposed the condition under which it could accept the return of foreign people with residence in Brazil: the return should be voluntary and the last country of transition should be Brazil.

Then the work groups started. During the first session two groups were formed, and each one worked on different agreements, identifying the obstacles that didn’t allow their accomplishment and proposing an action plan for each; the results were presented in the plenary.

The second block was dedicated to the analysis of the agreements in the RCM framework, but that weren’t specific enough in order to be implemented. During the plenary saw a discussion about regional information campaign on this topic; about the cooperation from other organisms and platforms, as well as the improvement of the cooperation with origin states of extra-regional migrants.

In the third part the same methodology was used to work in plenary on the identification of vulnerable migrants, on the cooperation with transport companies to prevent irregular flows and to assist migrants, and on the prevention and fight against smuggling.

**Friday, November 4th**
The morning of the second day, after a summary of the anterior day, continued with work groups on approved but unimplemented agreements.

There were three debates: one about agreements with origin, transit and destination or latest residence countries; one about regional lineaments for the management of stranded migrants; one about regional lineaments for the management of unidentifiable migrants. The results were presented in the plenary.

After a break, the work groups focused on the abuse of the status of refugee, on regional lineament for the homologation of visas and migratory permits, and on the abuse of the humanitarian visa.

The third block was dedicated to the elaboration of new agreements to be included in the RCM action plan about extra-regional migrants, to be presented to the Vice-ministers for their approval.

The delegations of Panama and Honduras shared their experiences with the management of extra-regional migrants, and Marcelo Pisani (IOM) gave a short presentation on the plan to strengthen the control of the extra-regional migratory flows in Mesoamerica. This was followed by a plenary to discuss what elements of the plan presented by Marcelo Pisani could be included into the RCM action plan.

Finally, after the discussion of all the topics planned for the meeting, Liza Medrano (Honduras) and Luís Alonso Serrano (Costa Rica) resumed the most significant points of the meeting. Then Salvador Gutiérrez talked about the next steps and closed the event.

**Recommendations of the participants for the RCM**

* The establishment of an **effective information exchange**, among RCM countries, between RCM countries and origin/destination countries, as well as between RCM and SCM.
* Work on real data on the quantity of migrants that have entered, transited or left each country, including data on the attention provided to them and what kind of attention, especially regarding **health**.
* Act as a region from a **shared responsibility point of view**, without leaving behind the necessity of guaranteeing the **sustainability** of actions taken as well as the necessary inter-institutionalism.
* The achievement of regional agreements, also with the **SCM**, that could be a starting point for the effective collaboration to identify **unidentifiable migrants**.
* The RCM TS has to play the role of **follow up and monitoring** of agreements related to the **exchange of information** on extra-regional migrants.
* Put significant effort for the recognition that many of these migrants have **Haitian origin**, in order to develop a **regional strategy in accordance with this fact**. It is suggested:
* Countries should include in their statistic data a variable for unknown nationality of presented nationality. This should also apply to the data generated for the exchange of information on these flows.
* Work for the identification of accents and ask questions about history and culture of the country the migrants are declaring they belong to, in order to prove whether or not it is true.
* Collaborate with the Embassy of Haiti in Panama for the identification of Haitians.
* Work as a region to share **biometric data** of the migrants in order to identify them.
* Recognize that, actually, the great majority of these migrants don’t want international protection nor stay permits, and that they don’t want to stay in any country of the region. Request to IOM, UNHCR and other cooperation organisms to take this into consideration when offering solutions.
* About **eventual return agreements** with origin countries: make sure that these countries provide minimum guarantees for migrants, and that they don’t give any penal sanction to those who have been object of illicit trafficking.
* In order to **prevent the abuse of the status of asylum** before the arrival of huge masses of migrants, the suggestions are:
* Collect information from the first countries of arrival of these migrants.
* Guarantee the availability of options other than the status of refugee.
* Apply, especially in destination countries, accelerated processes for the recognition of the asylum or of the refuge in order to prevent crisis.

 **Revision and determination of agreements previously taken in the RCM framework**

* Regarding the creation of an **integrated system to share information about migratory flows**, especially about extra-regional people, the difficulties for their implementation are due to the incompatibility of the systems, the sensitivity of the information, which can’t be given without agreements allowing sharing the information, and the technical criteria used by technology units of information.
* Before this situation, it is suggested to create **an integrated system of information in the RCM framework**, taking into consideration the identified obstacles, naming possible focal point in this regard and establishing goals for this system’s generation. Such system could be administrated by the TS or by any country that would commit to this. About this, Member States will consider the possibility to assume this role and will communicate it to the other Member States for their evaluation.
* Regarding the **diplomatic cooperation with origin countries**, the obstacles are the absence of consulates in these countries and the slow response to consultations made. The proposal is to reinforce the diplomatic communication with the Haitian representation in Panama.
* Regarding the **cooperation with transportation companies** for the regularization of these flows, the difficulty is to elaborate international or regional agreements with these companies. Therefore it was established that the only effective way is the national control. So countries are called to strengthen their control on public transportation.
* Regarding the **cooperation with other international and regional organisms and platforms** to approach these flows, an opportunity for the RCM could be to take a common position on the topic in order to be presented in different forums or platforms. A possibility could be the elaboration of a declaration or of a common politic position of RCM on the topic. It would also be important to formulate **regional projects of cooperation** that can be addressed to donor countries, which should specify what kind of support is necessary, their objectives and their reach. This could be worked by the PTP and the TS.
* Regarding the cooperation as a region for the **identification of vulnerable extra-regional migrants**, the suggestion is to widen the “Regional Lineaments for the Preliminary Identification of Profiles and Reference Mechanism of Migrant Population in a Vulnerable Condition”, approved in 2012 during the RCM, and for countries to apply them so that they would become national lineaments. Also, the focal points should send to the TS their progress in the implementation of the approved lineaments and the TS should request the information related to this aspect.
* The RCM focal points should suggest to the Vice-ministers to organize a **workshop on the identification of vulnerable extra-regional migrants, on a national or regional level, in the next year**, naming as responsible of conducting it the Directions of Migration of each country.
* Regarding the **cooperation to prevent and fight against smuggling**, it is suggested to share data on entrance and exit of such migrants (in case they exist), as well as to collect information for the creation of a **brief monthly regional report on migratory flows**. The TS could be in charge of analyzing such information and the Member States could assign specialists.
* Regarding the **regional collaboration to drive return agreements with origin, transit or latest residence countries**, it should be mentioned that the return would be an additional mechanism, executed in parallel with other primary procedures. It is suggested creating national or regional initiatives to assist migrants in the returning process, or establishing of **regional funds with this objective**. Also, under the principle of co-responsibility, **it is suggested requiring a stronger financial cooperation by destination countries**.
* It is suggested generating **regional differentiated policies to manage the different nationalities of extra-regional migrants**.
* It is suggested **requiring to the United States to clarify whether it will continue with its migratory policies**, so that the region can evaluate the options about the management of extra-regional migratory flows. It is suggested discussing this in the Vice-ministerial meeting.
* Regarding the **collaboration as a region to avoid the abuse of the status of refuge** (asylum), it is suggested starting with the recognition of the weak knowledge about asylum processes and about alternatives to it. It is suggested creating, since the first stages of entrance in the route, **clear instruments on the possibilities of asylum and other refuge accessible mechanisms for these migrants in the legislations of the different Member States**.
* It is suggested progressing in the **training process about refuge and asylum** for the staff that is in direct contact with the population.
* It is suggested investing in more **accelerated processes of determination of the condition of refugee** for migrations that are not massive.
* It is suggested **realizing a campaign focused on the risks of migrating and on the migrants’ rights**. Each delegation will nominate a focal point in the communication department in order to discuss the eventuality of a campaign and the final decision will be communicated to the TS to further develop it. Such campaign could also include information about migratory options for extra-regional migrants in the RCM countries.