

Migration Network Hub

Repository of practices Guide: Protection for people moving across borders in the context of disasters



**United Nations
Network on Migration**

Working Better Together



Conferencia Regional sobre Migración
Regional Conference on Migration



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Guide: Protection for people moving across borders in the context of disasters



Title of the Initiative

Guide to Effective Practices for the Member Countries of the Regional Conference on Migration (RCM): Protection for people moving across borders in the context of disasters.

Geographic scope

RCM Country Members: Belize; Canada; Costa Rica; El Salvador; United States of America; Guatemala; Honduras; Mexico; Nicaragua; Panama; The Dominican Republic.

Partners involved

Regional Conference on Migration (RCM), crmst@iom.int

International Organization for Migration (IOM), rosanjose@iom.int

South American Network on Environmental Migrations (RESAMA).

Donor(s) and/or other resources

Norwegian Ministry of Foreign Affairs.

Swiss Confederation, Federal Department of Foreign Affairs (FDA).

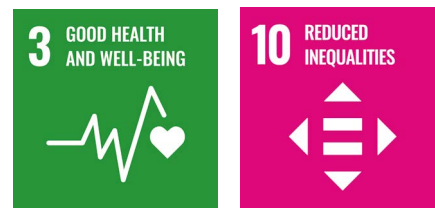
Type of practice

Strategy/framework

Objectives of the Global Compact for Migration



Sustainable Development Goals (SDGs)



Short description



Image for illustration purposes only

The Central American, North American and the Caribbean regions are highly vulnerable to the impact of disasters caused by environmental factors and climate change. This causes people to move, including across borders. In response, countries in the region have developed national policy initiatives. However, these initiatives have limited coordination and there are no processes to collect good practices and recommendations. In that regard, the regional consultation processes of the RCM, for which displacement caused by disasters is a priority issue, provide opportunities to generate regional coherence and progress in developing joint tools to improve migration governance.

The “Guide to Effective Practices for the Member Countries of the Regional Conference on Migration (RCM): Protection for People Who Move Across Borders in the Context of Disasters” is the first non-binding regional guidance tool adopted to protect people who have been displaced across borders within a disaster context. This is in line with the recommendations by the Nansen Protection Agenda, adopted in 2015. The guide provides greater knowledge of the RCM Member Countries on displacement by disasters, identifies good practices and promotes regional dialogue.

Several consultation workshops were held to develop it. They related to the procedures applicable to migration in disaster contexts within the RCM Member Countries. This brought about a tripartite state consultations between representatives of the ministries of foreign affairs, migration agencies, civil protection agencies, and civil society. This way, common provisions were created in response to the involved organizations to ensure special protection for vulnerable groups.

The guide includes relevant provisions on cooperation, including the possibility of signing related bilateral agreements between RCM Member Countries. It also establishes the consultation process with the affected State related to the suitability, form and scope of the measures of humanitarian protection of its citizens.

At the level of the RCM Member Countries, the guide has informed training workshops, a simulation exercise and the adoption of public policies at the national level.

Dates of Implementation

2016, end year not applicable

Key benefit and impact

The guide was prepared in a tripartite form, with the participation of RCM Member Country state agencies responsible for migration, ministries of foreign affairs, and civil protection agencies. This brought about an intersectoral approach in humanitarian response to disasters.

The guide also establishes a special protection approach for vulnerable populations within disaster contexts. These populations’ situations may be exacerbated by the effects of the disaster itself. This includes population segments such as women heads of household, unaccompanied children and adolescents, people with disabilities, senior citizens, and members of indigenous communities. It also highlights the importance of cooperating with civil society and diaspora communities to address the challenges of people affected by disasters and improve their protection.

Starting with the consultation process and guide approval, the countries have advanced with new policy measures. For example, El Salvador introduced a new migration law in 2019 that extends the legal stay of tourists when their country of origin is affected by “natural disasters” and other humanitarian considerations. Based on this law, a new regulation took effect. It grants residency for humanitarian reasons to anybody whose life is threatened in their country of origin due to natural or environmental disasters.

The guide has brought about the exchange of experiences and good practices among RCM Member Countries on responses to the humanitarian consequences of disasters. It provides information for the facilitation of training workshops and different national legislative actions to harmonize these contents. Likewise, based on the guide, Costa Rica and Panama carried out national and cross-border simulation exercises in 2017 to strengthen the common response to a possible disaster.

Similarly, Guatemala and Costa Rica have adopted different practices related to segments and provisions based on the guide. These include prioritizing migrant protection within crisis contexts. Finally, the guide has served as sources of input for academia and civil society in various articles, initiatives, and platforms. This includes the Forced Migration Review and the South American Network on Environmental Migrations (RESAMA).

Key lessons learned



The development of the guide made evident that there was a need to adopt a whole-of-government and tripartite approach with civil society from the earliest stages. Its adoption has been a positive milestone to make continuing discussions easier based on a joint achievement at the regional level.

It is evident that the constant commitment by the RCM Country Members is important when it comes to making use of the guide, both regarding a coordinated humanitarian response to disasters and addressing sensitive issues such as migration, the environment, and climate change. It is also evident that there is a need to strengthen knowledge related to applying the guide at the national level through training or awareness activities.

Likewise, it was identified that there is a need to periodically review the contents of the guide to broaden the range of profiles and protection and assistance possibilities in a disaster context. This process should focus on segments of the population in vulnerable situations. This way, it will be possible to increase the various forms of regional humanitarian response promoted by this instrument and to foresee possible new scenarios related to the impact of climate change on the region.

Developing the guide from an intersectoral and multidimensional approach has proven to be a successful process that has already been replicated in South America within the South American Conference on Migration (SACM), with the support of IOM and under the leadership of the Platform on Disaster Displacement (DDP).

Recommendations

Apply positive discretion when responding to migration matters where migrants previously enjoyed a regular status, but that status was lost due to the disaster.

Register citizens with the consulates so they may be easy to identify in the event of a disaster.

Distribute information to citizens related to the services provided by consulates and competent authorities in the event of a disaster.

Strengthen consular staff in countries affected by a disaster with staff members specialized in emergency assistance.

Provide emergency funds for citizens affected by a disaster.

Provide repatriation services to citizens who would like to return to their countries of origin.

Promote information exchange related to the risk of disasters and recommendations on countries' humanitarian protection measures to provide technical assistance to the country affected by a disaster when appropriate.

Encourage dialogue between countries related to disasters, their various effects and subsequent recovery to improve cooperative decision-making by countries.

Develop a periodic review and update process on the various provisions taken by the RCM to nurture humanitarian responses to disasters in a pragmatic fashion. In this regard, the framework of provisions on gender in the best interests of children and adolescents should be expanded.

Website

- [Guide to Effective Practices for the Member Countries of the Regional Conference on Migration \(RCM\): Protection for people moving](#)

[across borders in the context of disasters](#) (link to this practice published on the Repository of the United Nations Migration Network, available only in Spanish)

- [Protection for persons moving across borders in the context of disasters](#) (full document in English)
- [Video in English](#) on protection for persons moving across borders in the context of disasters

Innovation

Since it is the first document of its kind prepared and approved within the framework of the RCM, it provides an innovative approach. It was later replicated in the context of the South American Conference on Migration in 2018. Based on this process, both regional mechanisms currently have complementary documents which has enabled an interregional discussion.

The guide has made it possible to identify good practices and promote dialogue within the framework of the RCM, complemented by practical initiatives, such as training workshops, simulation exercises and national legislative actions. This is within a context where migratory responses to displacement due to disasters are implemented mostly at the country level.

The guide implemented by the RCM Member Countries was adapted to the health demands caused by the COVID-19 pandemic. It is related to migration within disaster contexts and considers the migrant population's priorities in different vulnerability conditions.

The guide includes innovative provisions on cooperation. For example, the possibility of signing relevant bilateral agreements between RCM Member Countries. It also establishes the consultation process with the affected State regarding the suitability, form and scope of humanitarian protection measures for its citizens.




GCM Guiding Principles



PEOPLE-CENTRED



INTERNATIONAL COOPERATION



NATIONAL SOVEREIGNTY



RULE OF LAW AND DUE PROCESS



SUSTAINABLE DEVELOPMENT



HUMAN RIGHTS



GENDER-RESPONSIVE



CHILD-SENSITIVE



WHOLE-OF-GOVERNMENT APPROACH



WHOLE-OF-SOCIETY APPROACH



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