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Meeting for information exchange and dialogue promotion between the Troikas of the South American Conference on Migration (SACM) and the Regional Conference on Migration (RCM) concerning extra-continental migratory flows transitting through the Americas

**Quito, Ecuador
 August 30th, 2011**

I. Introduction

The South American Conference on Migration (SACM) and the Regional Conference on Migration (RCM), under sponsorship from the International Organization for Migration (IOM), issued a call to the *Meeting for information exchange and dialogue promotion between the Troikas of the South American Conference on Migration (SACM) and the Regional Conference on Migration (RCM) concerning extra-continental migratory flows transitting through the Americas*, which was held on August 30th, 2011, in Quito, Ecuador. The principal objectives of the Meeting were to promote dialogue and cooperation among the SACM and RCM Member Countries concerning how to address extra-continental migratory flows, as well as to identify specific actions that the States involved may take to ensure the protection of these persons.

The Meeting was jointly presided by the Governments of Ecuador, as SACM Member Country and host, and the Dominican Republic, on behalf of the RCM, with assistance from the SACM and RCM Technical Secretariats. Through their active participation in the general sessions, the representatives of the six countries of both Troikas and both Technical Secretariats acknowledged the achievements and identified the pending challenges regarding the management of extra-continental migratory flows and the protection of migrant persons and extra-continental refugees in both regions.

Standing out as the principal challenge is the increase in irregular migration and refugee petitions from Asia and Africa throughout the continent, resulting from practices such as trafficking in persons and migrant smuggling. This phenomenon has brought about an increase in the number of migrants and refugees exposed to abuse, violence, exploitation, and human rights violations. In light of the these situations, addressing these flows implies significant challenges for the continent's authorities, including a lack of information and analyses, cultural and language barriers, absence of family and community safety networks, use of fraudulent documents, lack of coordination with countries of origin, and limited consular representation in the region.

This report contains a summary of the Meeting's main discussions and recommendations.



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 Organización Internacional para las Migraciones (OIM)

II. Information and Analyses

Almost all of the participants expressed their concern for the limited information and analyses that exist regarding extra-continental flows from Asia and Africa in the Americas. They emphasized the importance of obtaining more information, especially concerning the countries of origin, the routes and means used, the characteristics of said flows, and the profiles and needs of the persons involved.

Recommendation:

- i. Establish a mechanism to improve the gathering of standardized and comparable data in both regions. Sharing Mexico's current proposal before the RCM, by way of the Technical Secretariats, is proposed. Incorporating into the matrix the possibility of adding information on the routes and means of transportation used is also suggested.*

III. Migratory Management of Extra-Continental Flows

The participants emphasized the need to improve the regulatory mechanisms applied to entry and visas in both regions, since said mechanisms may represent a factor influencing the routes used by extra-continental migrants and refugees to enter and transit within the continent. The participants exchanged some examples of good practices in order to illustrate how visa and entry management could be improved, as well as the strengthening of mechanisms related to consular services. The Mexican government, for example, offered to demonstrate the benefits of its Integrated Consular Management System (*Sistema Integral de Administración Consular – SIAC*) and the virtual visa (visa waiver) program through the Mexican Embassies in those countries that are interested.

For those migrants that enter with tourist cards or visas, the possibility was mentioned of establishing justification requirements for granting tourist status (a practice already being implemented by Ecuador).

The participants stressed the fact that the increase in extra-continental migration throughout the continent has created a series of challenges at the points of entry. The participants expressed the need to have proper mechanisms and procedures, as well as trained personnel, in order to identify and address specific protection needs before refusing, detaining, or expelling a migrant person.

The participants pointed out that various challenges exist in relation to the irregular entry or stay of extra-continental migrants. One of the problems is a lack of identification, since in many cases these migrants cannot even definitively accredit their nationality. Some migrants destroy their identification documents out of fear of being deported. In



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 Organisation internationale pour les migrations (OIM)
 Organización Internacional para las Migraciones (OIM)

addition, in the majority of the region's countries there is no consular representation of these migrants' countries of origin.

In some States people are held in detention centers while awaiting deportation, voluntary return, or definition of their migratory status. Some participants commented that the authorities tend to release extra-continental migrants due to logistical difficulties such as the issuance of travel documents, coordination with countries of origin, or the lack of resources needed to return these migrants or to provide them with services and attention while their migratory status is being determined. Other participants expressed their concern for the fact that no protection procedures are defined as an alternative recourse to refugee status determination procedures. This is why persons from Africa and Asia subject to administrative detention frequently apply for refugee status as a way to get released from a detention center. Then, even those who are recognized as refugees often leave the country of first asylum to reach their original destination country, thus undermining system integrity. The need for further dialogue on this issue was indicated.

The participants stressed the importance of assisted voluntary return programs for those persons who wish to return to their country of origin. At the same time, however, they acknowledged that voluntary return efforts tend to face the same logistical and coordination obstacles mentioned previously. Even so, the participants praised the voluntary return assistance provide by the IOM to extra-continental migrants in highly vulnerable situations, as covered by the voluntary return programs established in accordance with the framework of principles approved by the RCM.

Recommendations:

- i. Demonstrate the benefits of Mexico's Integrated Consular Management System (SIAC) and the virtual visa (visa waiver) program through the Mexican Embassies in those countries that are interested.*
- ii. Learn more details about the experiences of voluntary assisted return programs, including those run by the IOM.*
- iii. Explore the establishment of and experiences related to the granting of humanitarian visas.*

IV. Combatting Trafficking in Persons, Migrant Smuggling, and the Human Rights Violations Suffered by the Persons who Comprise These Flows.

The participants pointed out that many extra-continental migrants and refugees depend on migrant smuggling and/or trafficking networks to enter and transit within the continent. It was mentioned that the trafficking and migrant smuggling networks in the Americas take advantage of the lack of institutional response against these crimes, and



International Organization for Migration (IOM)
 Organisation internationale pour les migrations (OIM)
 Organización Internacional para las Migraciones (OIM)

therefore the need exists to strengthen the capacities of the authorities to prevent and combat said activities at the national, regional, and inter-regional level.

It was stressed that regional and inter-regional cooperation in this area is fundamental in order to combat criminal activity and offer adequate protective safeguards. The *Network Against Migrant Smuggling and Trafficking in Persons* within the framework of the Regional Conference on Migration was mentioned as a good example of regional cooperation. It was recommended that the SACM create a cooperation mechanism to combat trafficking and smuggling, and that inter-regional exchange and cooperation mechanism be established between the two Conferences.

Recommendations:

- i. Strengthen the national coalitions against migrant smuggling and trafficking in persons and consider the possibility of establishing similar coalitions in those countries where none have yet been formed.*
- ii. Broaden the existing cooperation mechanisms to include extra-continental migratory flows when combatting said crimes.*
- iii. Establish an inter-regional cooperation mechanism between the RCM and the SACM to exchange information, create common strategies for preventing migrant smuggling and trafficking in persons, and promote more decisive measures aimed at prosecuting smugglers and traffickers.*

V. Protection and Assistance for Migrants

The participants pointed out that tending to the protection and assistance needs of extra-continental refugees and migrants poses particular challenges to States, among which may be mentioned: a) The providing of identity documents; b) The establishment of shelters and the providing of food, medical assistance, and interpreter services; and c) The need to determine more clearly the needs of these vulnerable groups, including consular attention and cultural and social integration. Communication tends to be difficult for the authorities due to the scarcity of interpreters in the languages required. Several participants mentioned the assistance they have received from the IOM and the UNHCR in that regard.

Many extra-continental migrants apply for refugee status as a way to normalize their status or at least ensure an initial stay period in the country of arrival while their case is being processed. Concern was expressed due to a certain degree of abuse suffered by the refugee regime, which should be protected.

The important role that civil society can play in promoting the integration of persons who remain to reside in the countries of arrival was also stressed.



International Organization for Migration (IOM)
 Organisation internationale pour les migrations (OIM)
 Organización Internacional para las Migraciones (OIM)

The need to coordinate with the consular authorities of the countries of origin was again emphasized, along with the importance of assisted voluntary return programs for those who wish to return to their country of origin.

As a specific issue, the situation of some migrants and refugee petitioners as stateless persons was mentioned. It was proposed that more in-depth knowledge of this issue be obtained, including cooperation from UNHCR.

Recommendations:

- i. *Establish mechanisms for communication with migrants, with support from international organizations.*
- ii. *Strengthen coordination efforts with consular authorities from the countries of origin. Explore the possibility that the IOM include SACM representatives in a meeting scheduled between the RCM and consular authorities from some of the extra-continental migration countries of origin.*

VI. Security Considerations

Some governments mentioned that these flows also raise security concerns, especially given the risks that migrant smuggling and trafficking networks pose to the human rights of migrants. The participants emphasized the need for a comprehensive focus in order to meet the needs of these persons and at the same time combat the activities of criminal networks that are highly adaptable and sophisticated.

Recommendations:

- i. *Establish information capture points and joint operations against migrant smuggling and trafficking networks. It is suggested that more countries be added to Panama's Regional Operations Center Against Organized Crime.*
- ii. *See related recommendations from Section IV on combatting trafficking in persons, migrant smuggling, and human rights violations.*

VII. Cooperation between the RCM and the SACM

The participants expressed interest in broadening the degree of collaboration and exchange between both Conferences regarding topics that affect the entire hemisphere. They stressed the importance of exchanging migration-related information and best practices and defining joint strategies and actions to address common challenges. Various mechanisms for expanding the ties between the Conferences were discussed.



International Organization for Migration (IOM)
Organisation internationale pour les migrations (OIM)
Organización Internacional para las Migraciones (OIM)

Recommendation:

- i. *Continue and expand the ties between the SACM and the RCM. The Technical Secretariats shall prepare and share with the Troikas a proposal for possible collaboration and exchange mechanisms between both Conferences.*