



## **Summary Report**

### **Dialogue between RCM Member Countries and countries of origin of stranded vulnerable extra-continental migrants**

**Tuesday, 26 November, 2013, Washington, D.C.**

#### **I. INTRODUCTION**

Irregular migration flows coming from Asia and Africa to RCM Member Countries have grown significantly during the last years. Often, RCM Member Countries experience difficulties in providing assistance and protection to these migrants, due, among other causes, to existing migration restrictions, unfamiliar language and culture and lack of capacities and resources. There is a great concern that these migrants, as a result of their vulnerability, could be or become victims of crime and abuse in RCM Member Countries.

The RCM Member Countries recognize that the information available on the current situation of these migrants, their origin countries and the authorities in these countries, is often limited. In general, they are not well acquainted with the authorities of those countries and they acknowledge that there are frequent difficulties in establishing cooperation channels to facilitate the provision of assistance to migrants and their protection. Moreover, many of the origin countries lack consular presence in most RCM Member Countries.

It is in this context that the IOM, at the request of the RCM, organized and facilitated a Dialogue between RCM Member Countries and the countries of origin of stranded vulnerable extra-continental migrants, which took place in IOM Washington offices on the 26<sup>th</sup> of November 2013.

This dialogue was built on the successful experience of a previous meeting which took place in Mexico and was co-organized by IOM, also at the request of the RCM on the 19<sup>th</sup> and 20<sup>th</sup> of September 2012.

#### **II. SCOPE AND PURPOSE OF THE DIALOGUE**

This Dialogue was attended by 32 participants, representing 16 governments and 2 international organizations. Participants came together to overcome common challenges, enhance cooperation and identify concrete solutions in order to improve: identity verification of extra-continental migrants, travel document issuance, prevent and combat human trafficking and migrant smuggling, and facilitate return and reintegration of extra-continental migrants.

The agenda of the meeting included: two introductory presentations, a tour de table with informative presentations by each one of the participating countries of origin, a structured dialogue divided into three different thematic discussions, and a session to summarize the identified solutions and next steps.

#### **III. SUMMARY OF THE INTRODUCTORY PRESENTATION**

##### **Introduction**

This section of the agenda was chaired by Luca Dall'Oglio, Chief of Mission in IOM Washington. Mr. Dall'Oglio started the session by highlighting the growing importance of the issue of stranded and vulnerable migrants for the international community and how it has been included as part of the agenda in several international fora. He then introduced two speakers to deliver contextual presentations setting the stage for



the rest of the meeting: the first by Mr. Robert G. Paiva, Regional Director for Central and North America and the Caribbean, and the second by Mr. Oliver Bush, Technical Secretary of the Regional Conference on Migration (RCM).

### **Vulnerable Extra-continental migrants: who are they and what challenges do they present for origin, transit and destination countries?**

Mr. Paiva pointed out that extra-continental migration in RCM Member Countries is not new, but has greatly diversified.

Countries in the region can be grouped by: countries of entry in the Americas (principally Ecuador, Brazil, Cuba and Panama), countries of transit (almost all countries in Mesoamerica and Colombia), and countries of destination (Canada and the United States; on a much smaller scale, Brazil, Argentina and recently Chile and Uruguay).

The routes followed by these migrants seem to be directly tied to 3 factors: 1) the availability of direct flights, 2) existing visa policies, and 3) the arrival of cargo ships from or having transited through certain countries. Also, they seem to relate to territories where criminal networks are strong and where migratory control is weak.

The challenges for countries concerned are not a result of the large numbers, but rather of the characteristics of these migratory flows and the capacities of governments to deal with them. The vast majority of immigrants are smuggled/trafficked by complex and dangerous crime networks. Most of them are undocumented. There is evidence that they destroy their documents as part of a smugglers' strategy to avoid identification. Some migrants are abandoned by smugglers. Some of them seem unaware of the risks they run before leaving.

Differences in culture and language imply vulnerability. Communication and confidence-building is very difficult. Many of them are found exhausted, sick, begging in the streets. Some are willing to return home, but have no means to do so, nor do governments.

### **Extra-continental migrants: How the topic has been addressed to date in the RCM**

Mr. Bush started his presentation by explaining the composition of the RCM, including its membership, nature, objective and plan of action.

Mr. Bush also explained how the interest of the RCM Member Countries in these flows of migrants started to grow while their number and presence in several of these countries increased. He explained how at some point, RCM Member Countries realized that collaboration among them would not be enough to address and properly manage these flows. This is why they created an Ad-hoc Working Group to discuss, analyze and define objectives on the topic of Extra-continental Migration Flows in the Region. They also agreed upon the need to approach the governments of origin countries in order to better understand and manage not only the flow of migrants but their protection as well. A dialogue between countries of origin was decided on and soon after organized in Mexico in late 2012.



This is not the only initiative that addresses such an issue, as the RCM also holds a dialogue with the South-American Conference on Migration in hopes of establishing a coordination and information sharing mechanism, since many of these migrants enter and transit South America before heading North.

#### **IV. SUMMARY OF PRESENTATIONS BY PARTICIPATING COUNTRIES OF ORIGIN**

##### **Introduction**

The session was facilitated by Luca Dall'Oglio. Representatives of participating countries of origin were asked to present their consular structure in the region, their capacities to provide assistance to stranded and vulnerable migrants coming from their countries, and their perspectives regarding this flow.

##### **Summary of presentations by participating countries of origin**

**Mr. Hakim Atarud, Counselor of the Embassy of Afghanistan in Washington**, explained the main functions of the Consular Section of the Embassy: visa issuance, authentication of documents, passport issuance and extension.

Afghanistan has seven consular sections in the Americas: the Embassy and Consular Section in Washington; a General Consulate in New York, Los Angeles; the Embassy and Consular Section in Brasilia (newly opened); the Embassy and Consular Section in Ottawa; a Consulate General in Vancouver and another in Toronto.

The number of Afghans in the region is very low. They rarely receive information on this type of case. They are in coordination with the Department of Homeland Security (DHS) in the field of deportation of Afghan nationals.

They have also been requested to identify some individuals suspected to be Afghans who often are undocumented. In some of these cases, they have made identification by carrying out telephone interviews. Nevertheless, some of the challenges of identification have to do with the fact that the language and accent of Afghans is almost the same than that of the neighboring countries and some individuals originally from these neighboring countries claim to be Afghans. They also provide legal support to their nationals.

If any of the RCM countries need support from Afghanistan authorities, they can request help from the Afghan Consulate in Washington or in Toronto.

**Mr. Shamsul Alam Chowdhury, Consular Officer in the Embassy of Bangladesh in Washington**. Mr. Shamsul informed the group that Bangladesh is going to open Embassies in Mexico City and in Brazil. Bangladesh already has Consulates in place in those locations and is also planning to open three new Consulates in the United States in: Chicago, Florida and Atlanta.

Irregular migrants coming from Bangladesh often sell their goods to pay the costs of smugglers. Bangladeshi irregular migrants normally do not contact Consular authorities, as they fear legal actions that might be taken against them if they come out of clandestinity.

Upon arrival in their country of destination some Bangladeshi irregular migrants claim refugee status, in some cases as a strategy to stay in the receiving country. After several years, many of these refugee



claimants are deported. Once they are deported, many have to face the situation of poverty they fled from back home. It is therefore, very important to provide them with reintegration support.

A possibility of cooperation between RCM Member Countries and countries of origin would be to create a mail distribution list including all of the participating Consulates and to organize follow-up meetings. This would help maintain contact, facilitate information sharing and the exchange of good practices in managing such situations, and promote better mutual understanding.

**Mr. Dineka Kornma Nesredin, Head of Consular Affairs of the Embassy of Ethiopia in Washington.**

Mr. Dineka informed the group that they have a Consulate General in Washington, one in Los Angeles and one in New York. Ethiopia has an Embassy in Canada and one in Brazil. The government is also planning to open Consulates General in Atlanta, Houston and Boston.

Mr. Dineka also asserted that Honorary Consulates of Ethiopia have the right to identify the identity and nationality of Ethiopians abroad.

The Embassy is responsible for processing Ethiopian passports. Before, they used to issue manual passports in the Embassy, but now they are introducing electronic passports which are going to be produced centrally. The Embassy is also issuing emergency travel documents, valid only for return to Ethiopia, for those citizens who lost their documents.

The irregular migration flows coming from Ethiopia to the United States, Canada and some other countries, seems to grow every year. The government has been trying to prevent these flows by creating jobs and raising awareness.

Once migrants arrive in their destination country, they rarely contact their Embassy and most of them do not want to go back home. They might even deny their nationality in order to avoid forced return. An important problem for identification of these migrants is that Ethiopian, Somali and Eritrean nationals often share the same language. It should also be remembered that Eritrea used to be part of Ethiopia; therefore some Eritrean nationals hold Ethiopian passports which were issued before Eritrean independence.

Once Ethiopians contact the Embassy, they do as much as possible to help them with issues like family contact and the issuance of emergency travel documents (*laissez passer*). Once Ethiopians are back home they also raise awareness on the importance of not attempting to migrate irregularly, risking their money and freedom.

Every week, the Embassy of Washington schedules interviews in coordination with the United States Government, to identify Ethiopian nationals that are to be returned. After identification of the nationality is completed, they issue a *laissez passer*. Some Ethiopian migrants claim to be Somalis or Eritreans. In this last case, they contact Ethiopian counterparts in order to collaborate to nationality verification.

Ethiopia is aiming to strengthen collaboration with RCM Member Countries, as this issue is of common interest and the responsibility of certifying the nationality of Ethiopians and issuing them travel documents is fully recognized.



**Mr. Mamadou M. Loum, Minister Consul of the Embassy of Senegal in Washington.**

Senegal has an Embassy in Washington and a Consulate General in New York. They also have an Honorary Consulate in Mexico, with almost the same powers of a Consulate General, and they are planning to open another one in Guadalajara, Mexico. They have Embassies in Ottawa and in Brasilia as well.

In Washington their structure is very slim: a Consul, a Vice-Consul and a Social Worker. The latter is in charge of dealing with very hard cases. They also have a legal advisor.

Most irregular Senegalese migrants get into destination countries as tourists and then they overstay. The Embassy rarely has any contact with these migrants. The Embassy, nevertheless, is trying to put together a registry, but it is very difficult as people often do not want to share their contact information.

Once irregular migrants are detained by immigration authorities, certification of nationality is difficult to do, as nationals of West African countries are very similar and often share the same ethnicity and language. Moreover, many of these migrants are undocumented. These migrants rarely want to cooperate with authorities, hence they are very difficult to interview.

Another issue is that many of these irregular migrants no longer have ties with Senegal. Most of them have not been home for many years. The majority of irregular Senegalese migrants who are detained by migration authorities have lots of difficulties getting in contact with their families and friends and are also unable to collect their goods and assets in the United States.

There are nevertheless some cases of migrants willing to return to Senegal, mostly due to the economic crisis in the United States. The Embassy of Senegal often holds meetings with Senegalese organizations in the US. During these meetings they try to sensitize and raise the awareness of migrants on the risks of irregular migration, in order to prevent the growing trend. The results of these meetings are sometimes positive and sometimes negative.

Senegal has maintained good cooperation with European countries, which have implemented initiatives to prevent irregular migration to Europe by supporting potential migrants through income generation initiatives.

**Mr. K. D. Ranjith, Minister Counselor of the Embassy of Sri Lanka in Washington.**

Mr. Ranjith announced that the Embassy of Sri Lanka in Washington has consular responsibilities and that Sri Lanka has a Permanent Representation in New York, which also has consular authority, and Consular Offices in Los Angeles, Hawaii, Arizona, New Mexico, Texas and New Hampshire. In Canada, his government has consular offices in Ottawa and Toronto.

Sri Lanka currently has an Honorary Consulate in Mexico City which provides legal assistance and which is also entitled to carry out nationality identification of Sri Lankans in Mexico.

Mr. Ranjith then informed the group that his government has an Embassy and a Consular Office in Brazil and that it plans to open a regular Consular Office in Mexico City very soon.



Mr. Ranjith continued on to speak about the civil war in Sri Lanka that had recently ended in 2009. Since then the nature of migration patterns have significantly changed. In this sense, they have seen a fall in political asylum seekers and a rise in the number of economic migrants in the Americas in recent years.

The primary role of Sri Lankan consular authorities is to protect the lives, rights, interests and properties of Sri Lankans abroad. To this end, the government has produced specific guidelines for its consular authorities. Mr. Ranjith mentioned that the Sri Lankan Embassy also operates a 24/7 hot line.

Sri Lankan consulates lack resources to provide assistance in the Americas mostly due to the long distances and lack of economic and staff capacities.

## **V. SUMMARY OF DISCUSSIONS DURING BLOCK I: Identity verification and issuance of travel documents to extra-continental migrants**

### **Introduction**

This section of the agenda was chaired by Robert G. Paiva, Regional Director of IOM for Central and North America and the Caribbean. The objective of Block I was to identify concrete solutions and exchange useful information to overcome the practical challenges related to identity verification and the issuance of travel documents for extra-continental migrants.

Mr. Paiva started the session with an introductory presentation in which he highlighted the following issues relevant for the dialogue:

- Many migrants arrive legally and then destroy their documents.
- Many migrants use false documents.
- In Latin America, there is a lack of interpreters fluent in many of the languages of these migrants.
- Communication and coordination problems exist between institutions within governments.

### **Summary of key messages expressed by participants during the open dialogue**

Some of the Consulates of Member Countries of the RCM based in Washington, such as the Consulate of Mexico, are in charge of communication with countries that have no official representation in their territory. This implies that they are involved in cases of extra-continental migrants who are detained in Mexico. For such cases they normally receive the following from migration authorities: a photo and the fingerprints of the migrant, as well as the information he or she has provided on his/her permanent address. The Consulate normally sends this information to the Consulate of the migrant's supposed country of origin. One of the most common problems they have is the lack of any response or of any quick response. Mexican law forbids the detention of a migrant for more than 60 days. As they usually are unable to meet this time limit, they are forced to release the migrant. To avoid this, they are working to find more expeditious ways to process migrant's identification and documentation and proceed to repatriate them.

In this sense, they are proposing to use technology in order to have available individuals ready to carry out the interview process quickly to determine the nationalities of migrants.

Another problem Mexico has experienced is that sometimes the Mexican government has had to pay for the costs of visas and travel documents which are necessary to undertake the repatriation of these migrants.



A proposed solution to this involves constituting a network of Consulates set up to handle this particular type of case.

There are several difficulties for countries of origin in identifying their nationals in cases when the migrants do not want to be identified and lie about their nationality, name, address or use false documents. Governments of countries of origin need to have adequate supporting information and documents in order to be able to certify the nationality of migrants. Technology might be of great help to overcome many of these problems. For example, once electronic passports are introduced, if a migrant has a passport, a cross check to determine identity and personality will be easily done.

IOM could help to find native speakers of some of the languages of these migrants within the organization to facilitate Internet-based interviewing and interpretation. Cooperation could be strengthened by the sharing of biometric information with countries of entry and transit in order to determine the identity and nationality of a migrant. To this end, it is also important, when interviewing migrants, to press for as clear and credible a description as possible of their point and manner of entry into the Americas, as well as their subsequent route.

Another possibility would be to improve cooperation among countries of transit and promote collaboration by way of providing detained migrants their documents upon their release instead of withholding these documents.

For many cases in Costa Rica, for example, it has taken 30 to 50 days to get an answer from countries of origin.

In order to facilitate the work of Consulates of countries of origin in certifying nationality and identity, it would of great help to provide the following data: person's name, date and place of birth, parents' names, last address and telephone number in country of origin, and national identification number.

In the DR, they had 30 cases from January 2013 to November 2013 and most of them came from India, China, Sri Lanka and Syria.

## **VI. SUMMARY OF DISCUSSIONS DURING BLOCK II: Vulnerable extra-continental migrants: preventing and combating migrant smuggling and human trafficking**

### **Introduction**

This section of the agenda was chaired by Salvador Gutierrez, IOM's Regional Liaison and Policy Officer for Central and North America and the Caribbean. The objective of Block II was to identify concrete solutions and exchange useful information to combat human trafficking and smuggling of extra-continental migrants.

Mr. Gutierrez started the session with an introductory presentation in which he highlighted some of the issues to be borne in mind during the dialogue, such as:

- There are not too many confirmed cases of human trafficking where extra-continental migrants were the victims. This, nevertheless, does not necessarily mean there are very few cases of human trafficking, but instead could mean that they have not been detected by the authorities.



- Most of the confirmed human trafficking cases involving extra-continental migrants were of Asian fishermen trafficked for labour exploitation. A majority of these cases were discovered by authorities when the ships carrying these fishermen suffered accidents.
- Most extra-continental migrants have received assistance from smugglers. Consequently, they often acquire debts that they continue paying after several years in countries of destination.
- Smuggling of these migrants often involves agreements between transnational criminal networks and local networks. When agreements are made between networks that are not respected, migrants can become objects of exchange and negotiation between networks, resulting in greater risks for migrants.
- Many of the identified victims of human trafficking do not consider themselves victims and this has strong implications for the prosecution of this crime.

### **Summary of key messages expressed by participants during the open dialogue**

In order to prevent human trafficking and migrant smuggling it is very important to provide more information to migrants on the implications of migrating irregularly as well as the characteristics and risks of the journey. Information campaigns in countries of origin could be one solution.

Once in transit, it is crucial for migrants to have information on the existing support and protection networks in countries of transit.

Mexico has the Prevention Migration Program, which is intended to raise awareness of migrants on the risks of irregular migration. This program exists not only in the northern border area but also at the southern border. Mexico would like to share with interested countries their experience with this program and believes it could help them to develop their own strategies.

A good way to improve trafficking of migrants would be through information exchange, both at the national level, between migration authorities and consular authorities, and at the regional level, by exchanging and regularly updating information among countries of transit on the methods and routes used by traffickers.

Mexico is also carrying out information campaigns in the United States, aimed at reaching families and civil society in order to disseminate information to communities of origin in Mexico on the risks of irregular migration. One of the main lessons learned is that work has to be done with civil society as NGOs often have easier and more direct access to people who have been victims of human trafficking. Nevertheless, care needs to be taken, because as some of the members of the diaspora might be involved in facilitating irregular migration and even in some cases, with human trafficking.

It is very important that countries of origin do not concentrate all their efforts in the prevention of irregular migration and human trafficking in big cities, but instead also include rural communities. Rural community leaders also need to be convinced of the importance of this topic.

RCM could also collaborate in the translation of the messages already produced into other languages of countries of origin (e.g Chinese, Farsi) to prevent human trafficking in Mesoamerica.

Countries of origin and IOM could research for human trafficking campaigns and irregular migration prevention campaigns that are taking place in countries of origin, as some of the messages of these campaigns could be reproduced in RCM Member Countries.



The program Victim Translation Assistance Tool (VITA) developed by UNODC might help to identify victims of human trafficking through a very simplified questionnaire which is read by the program in the language selected by the user, servicing the authorities that do not speak the language of the migrant.

## **VII. SUMMARY OF DISCUSSIONS DURING BLOCK III: Vulnerable extra-continental migrants: return and reintegration**

### **Introduction**

This section of the agenda was chaired by Oliver Bush, Coordinator of the Technical Secretary of the Regional Conference on Migration. The objective of Block III was to identify concrete solutions and exchange useful information to overcome the practical challenges related to the return and reintegration of extra-continental migrants.

Mr. Bush started the session with an introductory presentation in which he highlighted the following issues relevant to the dialogue:

- Transit and destination countries are not aware of reception mechanisms and reintegration policies in countries of origin.
- Migrants return home often to the same context that pushed them to migrate in the first place.
- Returning migrants are often stigmatized as failed migrants.
- Migrants who return home after long periods face social and economic uprooting. Many of them have to face debts.
- Lack of resources for reintegration of most vulnerable migrants.
- Return of migrant children poses particular challenges: family reunification vs. institutionalization of children.
- Once children become adults they will face the same possibility of deportation if they stay in countries of transit or destination.
- It is unknown how conscious migrants are about not wanting to return to countries of origin.???
- Lack of resources to cover transportation costs of return to countries of origin. Transit visa requirements increase costs of flights and make the process more complex.
- Lack of coordination agreements between countries of origin, transit and destination, prevent agile and person - oriented returns.
- Limited possibilities to return migrants to last country of transit.

### **Summary of key messages expressed by participants during the open dialogue**

In order to facilitate return and reintegration, it is crucial to maintain permanent and effective coordination and information exchange between countries of origin and destination. It is important to highlight the fact that execution of returns will not be easy as funds are lacking.

Also, the participation and cooperation of all countries of transit will be necessary. In this sense, organizing a meeting at some point between countries of origin, countries of destination and countries of transit - including those of South America is - should be considered.

Solidarity between countries of origin, transit and eventually of destination would be required in order to pay the costs of eventual returns, which are high.



## VIII. SUMMARY OF IDENTIFIED SOLUTIONS AND NEXT STEPS

This section of the agenda was chaired by Robert G. Paiva, who highlighted the most important topics and agreements discussed and reached during the meeting, being the following ones:

- Directors of Migration of RCM Member Countries seek the support of Consulates in Washington in helping them manage cases of stranded and vulnerable extra-continental migrants. The meeting has affirmed that this could be achieved by promoting frequent meetings similar to this one. IOM will be glad to facilitate a follow-up meeting in a few months, after the report has been produced, to maintain the positive momentum and to review what concrete progress has made in the interim.
- The Delegation of Mexico will be facilitating information on its campaign *Protección Preventiva*, aimed to prevent irregular migration in communities of origin.
- IOM will research information campaigns that raise awareness about the risks of irregular migration that have been carried out in countries of origin in Asia and Africa, in order to gain a clearer idea of what works and what does not work.
- The RCM Technical Secretariat will liaise with the RCM Consular Protection Network in order to see what information materials on rights of migrants could be translated to some of the languages of countries of origin of extra-continental migrants. Countries of origin might be open to helping with translation.
- IOM will explore the role that diasporas could play in order to communicate to potential irregular extra-continental migrants the risks of irregular migration and the rights of migrants.