COMMITTEE ON MIGRATION ISSUES OEA/Ser.W

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REPORT OF THE CHAIR OF THE COMMITTEE ON

MIGRATION ISSUES (CAM) ON THE FOLLOW-UP PROCESS FOR THE INTER-AMERICAN PROGRAM FOR THE PROMOTION AND PROTECTION OF THE HUMAN RIGHTS OF MIGRANTS, INCLUDING MIGRANT WORKERS AND THEIR FAMILIES

(2021-2022)

(Prepared by the Chair with support from the Technical Secretariat)

**INTRODUCTION:**

* As part of the mandate assigned it under the Inter-American Program for the Promotion of the Human Rights of Migrants, including Migrant Workers and their Families ([AG/RES. 2883](http://scm.oas.org/doc_public/english/HIST_17/CIDSC00039e02.doc) (XLVI-O/16), during the 2021-2022 term the CAM asked for an activities report from the different stakeholders responsible for the delivering on the Program's objectives. Those reports are attached hereto.
* Below is a summary of the activities reported by said stakeholders in pursuit of the Program’s objectives:

1. **Report by the Inter-American Commission on Human Rights (IACHR)**

* The IACHR Rapporteurship on the Rights of Migrants prioritized the following population groups: migrants, refugees, stateless persons, victims of human trafficking and internally-displaced persons, returnee migrants, and children and adolescents in the context of mobility.
* Key issues for the Rapporteurship include mass expulsions, immigration detention, persistent restrictive policies implemented in the context of the response to the COVID-19 pandemic, comprehensive protection and intersectional dynamics in contexts of human mobility and displacement, as well as protection in emerging and structural situations, as expressed in Resolution 02/2021 on Protection of Haitians in Human Mobility: Inter-American Solidarity.
* The Rapporteurship monitored the context in which Resolution 2/2021 “Protection of Haitians in Human Mobility: Inter-American Solidarity,” adopted on October 24, 2021, was implemented. This element has been included in drafting the Report on Human Rights in Haiti.
* In press releases, the Commission called on the states of Central and North America to ensure the rights of persons who were part of a caravan of migrants from Honduras were fully protected. It also monitored the process to terminate the “Migrant Protection Protocols” in the US, as well as situations of potential human rights violations, border insecurity, and their impact on human mobility, among others.
* A Practical Guide entitled [International protection and regularization of legal status in the context of large-scale mixed movements in the Americas](https://www.oas.org/es/cidh/Publicaciones/2022/guiaPractica_ProteccionInternacional_MovilidadHumana_SPA.pdf) was published on September 16, 2022. This Guide is among strategies intended to address the impact on population groups in human mobility during and after the pandemic. Its aim is to consolidate the regional regulatory framework while promoting best practices by states as they respond to the protection needs of people who are part of the mixed movements currently taking place in the region (migrants, refugees, stateless persons, or beneficiaries of complementary protection).
* Regarding the reports of the Rapporteurship on the Rights of Migrants, the Committee continued distributing Report 255/2020 “Due Process in Procedures for the Determination of Refugee Status and Statelessness and the Granting of Complementary Protection,” as well as its Practical Guides.
* Through the Rapporteurship on the Rights of Migrants, the Committee executed and/or took part in promotional and training activities, notably the following:
* International Congress – The migration crisis in Europe and the Americas from an IHRL perspective, May 4, 2022
* Ibero-American Summit on Migration, May 30, 2022
* International Conference on Trafficking in Persons. The Right to Reparation, June 7, 2022
* Latin America and Refugee Protection: Regimes, Logics, and Challenges*,* organized by the Inter-American Bar Association, June 9, 2022
* Launch - Right of Asylum WG, Law Societies’ Compact and Forum for SDG 16, June 14, 2022
* The Inter-American Forum on Combating Trafficking in Persons, July 27, 2022
* Roundtable on Migration, Asylum and Refugees: Reflections on Border Issues, August 2, 2022
* The activity “Protecting Human Rights in the Migration Context,” September 8, 2022
* Sessions Nos. 183 and 184, held in 2022, featured the following hearings on the subject of people in mobility:
* Regional Hearing “The human rights situation of Haitians in human mobility in the Region,” 183rd Session
* Subject “The human rights situation of migrants and their families in Dominican Republic,” 183rd session
* Thematic hearing “Status of the right to nationality of persons in a situation of human mobility in Colombia,” 184th session

1. **Report by the OAS Department of Social Inclusion (DSI/OAS)**

* On August 4 and 5, 2022, DSI took part in the “Forum on Integration and its relationship to regulation of migrants in Mesoamerica,” a forum for dialogue on lines of action to regularize migrants in host countries and to share information on best practices and lessons learned in designing and implementing integration programs, policies, and strategies.
* We partnered with the IOM to hold on the First Regional Meeting of Women Leaders from the Venezuelan Diaspora, from August 9 to 12, 2022 in Panama. Twenty-two women leaders from 11 countries in Latin America and the Caribbean came together for this meeting, the aim of which was to help improve advocacy efforts by building participants’ leadership skills, with a view to promoting an agenda for inclusion and rights of migrants and refugees with a gender and diversity perspective.
* DSI is collaborating with IOM, Pan American Development Foundation (PADF), UNHCR, and other stakeholders to conduct a study on local authorities’ needs in terms of receiving and integrating migrants and refugees. A report will be published based on this study, outlining the main challenges the countries of the Americas face in this area, and the best practices currently in place in the region to facilitate inclusion of people in a situation of mobility.
* DSI has placed the following reports at the disposal of the member states:
* Report [“Impacts of COVID-19 on refugees and migrants in Venezuela,”](https://www.r4v.info/es/document/impactos-de-la-covid-19-en-personas-refugiadas-y-migrantes-de-venezuela) containing the findings on the main challenges faced by Venezuelan migrants, particularly evicted persons, sex workers, and indigenous peoples in exercising their human rights, as well as public policy guidelines to address them. This document was produced jointly by DSI, the Regional Protection Sector, and the Interagency Coordination Platform for Refugees and Migrants from Venezuela (R4V).
* Report: “Charting a new regional course: The Complex Motivations and Costs of Central American Migration.” This report was released by the Migration Policy Institute (MPI), the United Nations World Food Program (WFP) and the Civic Data Design Lab at Massachusetts Institute of Technology (MIT), with support from the Inter-American Development Bank (IDB) and the Organization of American States (OAS) through the Department of Social Inclusion.Available here: Available here: <https://www.wfp.org/publications/complex-motivations-and-costs-central-american-migration>
* [“Guide to Multisector Responses to Protect Migrants, Refugees, and Internally-Displaced Persons during and after the COVID-19 Pandemic.”](https://www.oas.org/es/sadye/publicaciones/Guia_Respuestas_Multisectoriales.pdf) This Guide was developed in collaboration with the American University Washington College of Law’s (AUWCL) Academy of Human Rights and International Humanitarian Law, with support from the *San Martin de Porres* University Faculty of Law’s Center for the Study of International Public Law.

1. **Report by the OAS Department of Public Security (DPS/OAS)**

**3.1 Policy Forums**

**3.1.1 Meeting of National Authorities on Trafficking in Persons**

* In 2021, acting as Technical Secretariat to the Sixth Meeting of National Authorities on Trafficking in Persons, DPS/OAS collaborated with the Department against Transnational Organized Crime (DTOC) of the OAS Secretariat for Multidimensional Security (SMS) – a collaboration that led to publication of the document “The Challenges of Combating Trafficking in Times of Pandemic.” The recommendations underscored human trafficking and migrant smuggling as criminal conducts that could sometimes be interrelated, hence the recommendation that the member states should address both crimes, along with the specific features differentiating them, through strategic actions that include both these situations, when so warranted.
* In 2022, the DPS/OAS and the DTOC served as technical secretariat to the Seventh Meeting of Authorities, lending the Chair support to advance and approve the Third Work Plan for Comprehensive Responses to Trafficking in Persons in the Western Hemisphere for the 2023 to 2028 period.

**3.1. 2 Third meeting of the Subsidiary Technical Working Group on Police Management**

* In March 2021, the Third Meeting of the Subsidiary Technical Working Group on Police Management (GTS-GP), part of the MISPA process, used as its central theme “Social transformations and new trends in violence and crime in the Americas.” Police authorities discussed how crime intelligence and police cooperation played an essential role in tackling these threats. The GTS-GP recommendations include a request for GS/OAS to help implement and bolster crime intelligence mechanisms, information sharing, and interagency coordination involving police forces, judicial authorities, and other law enforcement agencies in the fight against crime of any kind, especially those linked to human trafficking and migrant smuggling, in order to protect against such crimes and punish those who commit them.

**3.2 Program action**

* DPS continued to implement its “Allies against Human Trafficking” project in Ecuador, to build state and civil society capacity to coordinate on tackling the crime of trafficking in persons. A specific human trafficking law applicable to Ecuador was developed under this project, along with three operational frameworks in the areas of (i) investigation of public officials involved in human trafficking, (ii) police investigation of human trafficking, and (iii) assistance and protection for victims and survivors. DPS also conducted training for 450 national- and local level public and non-governmental organization officials; created two local technical roundtables against human trafficking (one in Quito and one in Ibarra); and communication activities were undertaken nationwide and locally to raise public awareness as regards the risks and dangers posed by human trafficking and related crimes. The project focuses on the populations that are most vulnerable to human trafficking, such as women, girls, indigenous communities, LGBTIQ+ people, and the migrant population. More information is available at the following link:

<https://www.facebook.com/aliadoscontralatrata/>

* Between 2021 and 2022, DPS collaborated with UNODC to start roll-out of the project “MENTHOR: Program of specialized training and mentoring on human trafficking for the Public Prosecutor’s Office in Honduras,” to improve the skills of public officials and non-governmental and civil society organizations in investigating and prosecuting human trafficking and in assistance and protection for victims of this crime. Throughout the mentoring and training process, considerable focus was placed on the issue of human mobility and migrants as a group highly vulnerable to becoming victims of the crime of trafficking in persons.

1. **Report of the Inter-American Children’s Institute (IIN)**

* The Network of Technical Liaisons specializing in human mobility continues to operate as a vehicle for the member states’ rights promotion, protection, and enforcement systems to coordinate and cooperate by opening up opportunities for exchange and debate. (Colombia, Costa Rica, Chile, Ecuador, Guatemala, Honduras, El Salvador, Mexico, Peru, and Uruguay).
* IIN participated in the *Muros que Unen* (Walls that Unite) project, in partnership with Uruguay's Ministry of Education and Culture, the National Public Education Administration, and the Organization of Ibero-American States (OEI).
* An educational workshop was organized in Rivera for students from the Teacher Training Institute, and a talk was given on the human rights of children and adolescents in the context of human mobility.
* A virtual course is being explored under this project, involving IIN helping to develop modules dealing with the rights of children and adolescents in the context of migration.
* IIN and Plan International are coordinating on a project, whose main goal was to help strengthen the structures of the promotion and protection entities in the management of cases of children and adolescents in the context of human mobility. The following were completed under this project:
* The “Diagnostic report on the needs of the governing bodies for children in Colombia, Ecuador, and Peru concerning the care of migrant and refugee children.”
* A regional case management workshop involving a virtual component and an on-site component, for technical personnel involved in on the ground case management of children and adolescent. (Colombia, Ecuador, and Peru).
* The design of the Course on Case Management of Children and Adolescents in the context of human mobility in Colombia, Ecuador, and Peru (to be launched in April 2023), aimed at enhancing the technical capacities of rights promotion and protection systems.
* IIN participated in regional coordination and cooperation forums, such as the MMI-LAC Human Mobility Group and the R4V (Inter-agency Coordination Platform for Refugees and Migrants from Venezuela) Regional Sub-Group for Protection of Children in Emergencies.
* And the *Pasos sin Compañía* (Unaccompanied Footsteps) campaign, which sought to give visibility to the situation of children and adolescents who are unaccompanied or separated from their families. <https://bit.ly/3B8U2Vc>
* We organized a regional course on “Technical tools for needs analysis and response monitoring in protecting children through humanitarian action.”
* IIN has also been rendering technical assistance on an ongoing basis through the Americas Regional Task Force (GARA) on prevention of sexual exploitation of children and adolescents in travel and tourism.
* IIN took part in the following activities as a presenter:
* Seminar “International standards for protection of children and adolescents in the context of mobility,” organized by the Interagency Roundtable on Unaccompanied Migrant Children and Adolescents under the Judiciary of Chile.
* Discussion "Child migration, testimonies, realities and origin of the current phenomenon," organized by the Human Rights Commission of the State of Tamaulipas (Mexico).
* Interview “Protecting the rights of migrant children and adolescents,” coordinated by the Human Rights Commission of the State of Quintana Roo, under the *Conéctate con tus Derechos* (Connect with your Rights) program.
* The following HR training sessions were conducted:
* Virtual course “Civil Aspects of the International Child Abduction,” which brought together 42 participants from 15 member states (Argentina, Brazil, Chile, Colombia, Ecuador, Honduras, El Salvador, Guyana, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, and Trinidad and Tobago).
* Hybrid-format course on “Sexual Exploitation of Children and Adolescents.” Altogether, 164 participants from 7 member states (Bolivia, Chile, Colombia, Ecuador, Mexico, Paraguay, and Uruguay) attended this edition.
* IIN and the Latin American Faculty of Social Sciences (FLACSO) are currently preparing a diploma course on children and adolescents in the context of human mobility.
* There will be ongoing efforts to promote the participation of children and adolescents by creating intergenerational forums for dialogue and public policy-making on care and integration.

1. **Report of the Pan American Health Organization (PAHO)**

* PAHO has continued supporting the efforts of national authorities and organizations and has continued its close collaboration with such partners as the IOM to support member states’ efforts to protect migrants’ right to health, by affording them better access to health services throughout the mobility process and expediting progress toward universal health care so as to ensure that this population is included.
* As lead member of the R4V platform (Interagency Coordination Platform for Refugees and Migrants from Venezuela) regional health group, PAHO coordinates with the health groups of the national platforms in planning and executing the 2021 and 2022 response plans (RMRP). It also renders strategic technical advice to partners and national authorities on how to bolster efforts to ensure migrants and refugees have access to health care, with special emphasis on access to national public health programs, including COVID-19 vaccines. PAHO has participated in the Lima (2021) and Brasilia (2022) chapters as a technical agency supporting both the lead country on health care and the technical secretariat to the Quito process for the preparations for thematic workshops related to COVID-19, vaccination, and mental health.
* Between May and December 2022, PAHO will be implementing a regional intervention as part of a COVID-19 pandemic response in 10 countries in South America (Bolivia, Brazil, Chile, Colombia, and Ecuador) and Central America (Costa Rica, Guatemala, Honduras, Dominican Republic, and Panama) to assist migrants and host communities by improving coordination, information management, epidemiological monitoring, infection prevention and control, essential health services, and case management.
* PAHO supports capacity building for national and local authorities in epidemiological monitoring, health service delivery to migrants, and health promotion and prevention activities. With European Union financial assistance, we did an intervention in Brazil, Colombia, Ecuador, Peru, and certain Caribbean countries in 2021, for a more robust response the Venezuelan migration problem.
* In collaboration with partners on the ground and health ministries, PAHO helped strengthen the mental health and psychosocial support services (MHPSS) for migrants in a variety of settings, by training health workers and communities. Capacity building resources – including such tools as a library with online resources, and a self-learning course on PAHO’s Virtual Campus for Public Health (VCPH) – were provided in Colombia to strengthen the capacity of health workers, humanitarian actors, and others involved in MHPSS delivery for migrants, starting in the third quarter of 2021. MHPSS capacity building workshops were also conducted for some 10,000 migrants and 1,800 health workers, while mental health communication activities were carried out in four (4) municipalities in Colombia.
* On its virtual campus, PAHO offered a cost-free open course entitled “Health and Migration: Regional strategic lines of action on health and migration.” It is available at:

(<https://www.campusvirtualsp.org/es/curso/migracion-y-salud-2022>).

* In second quarter 2022, PAHO launched its Health and Migration Information Platform, featuring two interactive dashboards: one mapping more than 450 policies, legal and regulatory frameworks, and other key instruments on health and migration in the Region, from a human rights-based perspective; and the other mapping more than 700 scientific articles on the topic from 12 countries of the Region. The Platform synthesizes data and facilitates the storage, dissemination, and exchange of information on health and migration to guide the development of policies, public health interventions, and other initiatives. Available at: <https://www.paho.org/en/migration-and-health-americas/health-and-migration-americas-information-platform>.
* PAHO has been working with ECLAC since 2021 to make migrants’ health data more available and more integrated. PAHO also signed a cooperation agreement with the University of Toronto’s Dalla Lana School of Public Health (DLSPH) covering activities in applied research and synthesis of knowledge on issues of common interest relating to health and migration in the Americas. PAHO also supported evidence gathering on regional health and migration, and helped produce the first WHO World Report on Health and Migration, published in 2022.
* It prepared and published the report entitled “Guidelines for the protection of the health of migrants” to guide national and subnational health authorities, as well as national and international organizations, so that they incorporate the perspective of people on the move in the design and implementation of preparedness and response activities against the coronavirus disease (COVID-19) and other health emergencies. Publication available at: <https://iris.paho.org/handle/10665.2/54199>.

APPENDIX

Full reports submitted by stakeholders in the Inter-American Program for the Promotion of the Human Rights of Migrants, including Migrant Workers

and their Families

* The Inter-American Commission on Human Rights (IACHR):

Spanish: [link](http://scm.oas.org/pdfs/2022/Insumos-CIDH-CAM-2022.docx)

* OAS Department of Public Security (DPS/OAS):

Spanish: [link](http://scm.oas.org/pdfs/2022/Insumos-DSP-CAM-2022.docx)

* Inter-American Children’s Institute (IIN-OAS):

Spanish: [link](http://scm.oas.org/pdfs/2022/Insumos-IINA-CAM-2022.docx)

* Pan American Health Organization (PAHO):

Spanish: [link](http://scm.oas.org/pdfs/2022/Insumos-OPS-CAM-2022.docx)

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