

Workshop on Protection and Durable Solutions within Mixed Migratory Flows
San José, Costa Rica, August 11-13

Rapporteur Summary

Workshop Overview:

Firstly, I would like to express my sincere appreciation for the quality of participation and general enthusiasm that was evident throughout this workshop. This workshop has successfully allowed for the exchange of information, experience and best-practices amongst all participating states, organizations and other representatives. Your presentations and interventions have all been testaments to the cooperative nature and effectiveness of both this workshop and the Regional Conference on Migration as a whole. With the recognition of the limitations of any summary and with many thanks to those who provided input last night to Andrew and Luis, allow me to share the common issues, highlights and next steps that we have developed in consultation with you all:

The Common Issues and Themes of the event were:

1. The challenge in identifying who needs protection within a changing context of mixed migrant flows.
2. The challenge of building capacity to improve legal frameworks and fully implement them.
3. The questions that arise in circumstances where those in need of assistance, support and/or protection are outside of the Convention definition of a refugee.
4. The difficulties in obtaining sufficient information (including Country of Origin Information) in order to reliably and accurately determine refugee status.
5. The challenge in promoting refugee protection in the absence of a higher political debate.
6. The difficulties in ensuring that the Mexico Plan of Action is supported by concrete initiatives.
7. The concerns that arise in the situation of abandoned claims, or instances where claimants are recognized as refugees and move on to a third country.

Participants Recognized:

1. The value of cooperation between governments, international organizations, NGOs and civil society in furthering durable solutions.
2. The importance of being precise when discussing the context and definition of mixed migratory flows in order to avoid misunderstandings.
3. The value of reinforcing the legal institutional frameworks among states in the search for lasting solutions for refugees.
4. The benefit of this kind of activity for states and relevant actors in the region through the exchange of experiences and best practices on the international protection of refugees.
5. The need to acknowledge the progress made in strengthening the normative frameworks for the protection of refugees in the region and the value of continuing to enhance its implementation.
6. The undeniable importance of ensuring that all officers who come in contact with migrants are trained to identify persons who may require protection and refer such persons to officials properly trained in the field of protection.

7. The necessity for promoting the political commitment of governments so that migration and refugee protection are included in National Development Plans.
8. The need to promote durable solutions while recognizing the context of each individual state.
9. The need to further integration measures so that refugees can achieve self-sufficiency within the host country.
10. The value in a common recognition that some victims of trafficking may qualify for refugee protection.
11. The need for international support in addressing country needs relating to protection.
12. The importance of the Mexico Plan of Action as the regional framework to strengthen refugee protection and the search for durable solutions in the region, complemented by the UNHCR's 10-Point Plan of Action.
13. The important role of civil society organizations in the protection of refugees as well as the importance of refugee involvement in processes that affect them.
14. The need to acknowledge new initiatives in support of refugee protection by various countries within the RCM, including the institution of new laws as well as efforts at providing supplementary protections to those outside of the Convention definition of a refugee.
15. Central American countries expressed to the UNHCR the need for having more information and analysis, as soon as possible, on the circumstances in which persecution from "maras" (or organized crime groups) may result in the need of international protection of persons.

As a Follow-up to the Workshop:

1. RCM will work to pursue avenues to disseminate information and best-practices shared throughout this workshop.
2. RCM states will work towards the incorporation of best practices with recognition of the context of each individual state.
3. Countries will continue to support the exchange and availability of information amongst RCM member and observer states and organizations. To this end, Canada would like to highlight the availability of its Country of Origin Information developed by the Immigration and Refugee Board Research Directorate. The weblink will be made available on the RCM website and countries will be able to access Canada's Country of Origin research as well as the National Documentation Packages.
4. RCM states recommend the UNHCR and IOM continue to work together to identify regional trends as well as strengthen the mechanism to refer cases of people in need of international protection to the relevant authorities.
5. RCM states underscore the importance of undertaking joint training activities by UNHCR and IOM to front-line authorities (migration, police officers) dealing with migrants and asylum seekers.
6. The RCM will work towards further practices of cooperation and regional support in the provision of international protection and durable solutions for refugees.

Finally, I would like to express Canada's gratitude to the Government of Costa Rica and the UNHCR for supporting this workshop.