



MMC Latin America and the Caribbean



This Quarterly Mixed Migration Update (QMMU) covers the Latin America and the Caribbean (LAC) region. The core areas of focus include mixed migration dynamics within South America, mixed movements from this part of the region towards North America, and mixed migration in Mexico, Central America, and the Caribbean. Depending on the quarterly trends and migration-related updates, more attention may be given to some countries over the rest.

The QMMUs offer a quarterly update on new trends and dynamics related to mixed migration and relevant policy developments in the region. These updates are based on a compilation of a wide range of secondary (data) sources, brought together within a regional framework and applying a mixed migration analytical lens. Similar QMMUs are available for all MMC regions.

MMC is a global network engaged in data collection, research, analysis, and policy and programmatic development on mixed migration, with regional hubs in Africa, Asia and the Pacific, Europe and Latin America, and a global team based across Copenhagen, Geneva and Brussels. For more information on MMC, the QMMUs from other regions and contact details of regional MMC teams, visit mixedmigration.org and follow us at aMixed_Migration

MMC's understanding of mixed migration

"Mixed migration" refers to cross-border movements of people, including refugees fleeing persecution and conflict, victims of trafficking, and people seeking better lives and opportunities. Motivated to move by a multiplicity of factors, people engaged in mixed migration have a range of legal statuses as well as a variety of vulnerabilities. Although entitled to protection under international human rights law, they are exposed to multiple rights violations along their journey. Mixed migration describes migrants travelling along similar routes, using similar means of travel – often travelling irregularly, and wholly or partially, assisted by migrant smugglers.

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Quarterly Mixed Migration Update: Latin America and the Caribbean

Quarter 3 - 2024

Key Updates

- Electoral upheaval in Venezuela created <u>concerns</u> that migration would increase significantly, but this did not materialise during this quarter: The number of new arrivals of Venezuelans to Colombia increased by about 7% between July and August 2024, significant, but not outside of the typical range of arrivals per month over the whole of 2024.
- Numbers at the Darien decreased substantially, but "shut down" remains elusive: Following his inauguration on July 1, Panamanian President Mulino faced the challenge of implementing his campaign promise of "shutting down the Darien." Some pathways have been physically blocked with barbed wire and some migrants have been deported. Encounters in the Darien show a substantial decrease, from an average of more than 30,000 per month in the first six months of the year to 20,519 in July and 16,603 in August. However, it is unclear what additional measures may be taken, including which migrants may be targeted for deportation.
- Arrivals at the US Southern border decreased considerably: In July 2024, US Customs and Border Protection (CBP) encountered 107,503 migrants on the Southern border, a small figure compared to a peak of 301,982 in December 2023. In July 2024, 56,399 people crossed the US border without approaching an official port of entry and ended up in custody, the lowest number since September 2020. However, civil society organisations such as WOLA and Human Rights First have raised questions about the human costs of the policies that drove the decline.
- Ecuador launched a new regularisation process for Venezuelans: After ending a previous regularisation initiative in April, a presidential decree <u>initiated</u> a new effort to provide status to another 100,000 Venezuelans.
- Asylum requests in Mexico declined: According to the Mexican Commission for Refugee Assistance (COMAR by its Spanish acronym), the number of asylum requests in the country has been decreasing. In July and August 2024, 10,706 applications were recorded, compared to 24,666 applications in the same period in 2023, marking a 57% decrease. Migrants have reported barriers to accessing the agency, such as long delays in gaining interviews and not being allowed to be accompanied to the meetings. The agency has reportedly struggled to build its capacity to meet the increasing number of applications over the last decade.

Regional Overview*

United States

The number of CBP encounters at the US Southern border dropped significantly following Biden's June presidential proclamation that limits the entry of noncitizens across the southern border and restricts access to asylum. In August, 58,038 people crossed between official ports and ended up in custody, a low number compared to the monthly figures for the last 4 years.

Mexico

The number of applications for asylum to Mexico's COMAR dropped by nearly half. 52,395 persons have applied in 2024 up to the end of August, compared to 99.881 by the end of August 2023.

Cuban National Statistics and Immigration Office acknowledged that 1,011,269 people, about 10% of the island's population, had migrated in 2022-2023.

Ja**maic**a Haiti

41.925 Haitians were deported in the quarter up to September. Ninety-eight per cent of them were deported from the Dominican Republic.

Dominican Republic

Venezuela

More and more Ecuadorians are leaving the country. By August, according to UNHCR 14,777 had crossed the Darien. By July, over 83,000 had arrived irregularly in Mexico. Nearly 100,000 were encountered by US border patrol in Fiscal Year 2024.

Ecuador

More than 100 foreigners, 92 of them Venezuelan, were expelled as a part of a programme of increased immigration enforcement in northern Peru.

Brazi

Bolivia

Argentina

Chile

The Caribbean



^{*}The information in the map refers to selected updates and does not represent all mixed migration movements in and out of Latin America and the Caribbean.

Uruguay

Paraguay

Mixed Migration Regional Updates

Mixed migration dynamics in South America

Migration from Venezuela

Regional worries that the Venezuelan election will increase migration have yet to materialise

Going into the 28 July election in Venezuela, there was significant concern about the possible repercussions on Venezuelan migration. In the run-up to the elections in Q2, there was a <u>reported</u> 9% decrease in Venezuelan entries to Colombia, <u>attributed</u> to the approaching elections.

In the wake of the election results, preparations for increased migration were made across the region. This was in part due to the publication of <u>poll data</u> indicating that 43% of Venezuelans were thinking about leaving the country, 22.3% of them in the next year. <u>Colombia</u> and <u>Chile</u>, for example, adopted emergency response plans. The Chilean government floated the idea of <u>agreeing quotas</u> among Latin American countries. The Niskanen Centre <u>suggested</u> that the US should increase its capacity to process humanitarian parole applications, extend Temporary Protection Status (TPS) for Venezuelans, and expand sanctions on Venezuela.

However, the large-scale migration has yet to materialise. The number of new arrivals of Venezuelans to Colombia increased by about 7% between July and August 2024, significant, but not outside of the typical number of monthly arrivals in 2024. 170 new applications for asylum were made in Colombia. However, the government of Colombia says that the situation is normal and that speculation of increased incoming migration "are expectations that so far have no basis." In Brazil, entries in the week following the elections were lower than in the first half of July. A similar pattern was observed in Ecuador, where lower levels of movement were shown.

Immigration enforcement and restrictions on transit passengers

Peru imposed new visa requirements on Venezuelans

The Peruvian Superintendent of Migration <u>announced</u> that from 2 July Venezuelans would need a visa to enter Peru. Visa requirements include a valid passport – which is difficult for many Venezuelans to obtain given limited consular access – costly processes, and long wait times. The visa is set to cost 30 bolivars (about USD 8). The new requirement caused some disruption at the border, with migrants who were unaware of it finding themselves unable to proceed.

Increased immigration enforcement in Peru leads to deportations

National Police in Peru have <u>stepped up</u> immigration enforcement in the north of the country along the border with Ecuador. More than <u>200</u> people were arrested for immigration violations and more than <u>100</u>, including 92 Venezuelans, were deported. Those who are deported cannot return to Peru for 15 years. In September, another 13 were <u>expelled</u> using the Special Exceptional Administrative Sanctioning Procedure, which allows for expedited expulsions. Also in September, police <u>charged</u> 18 Venezuelans who

had previously been expelled with illegal re-entry, which carries a penalty of up to four years in prison. The operation also reportedly targeted Peruvians involved in smuggling or trafficking. Police <u>arrested</u> a Peruvian man in late September for facilitating the entry of three Venezuelans into Chile.

Brazil imposed new restrictions on transit passengers and "abusive" asylum claims

New Brazilian policies <u>circulated</u> on 21 August for implementation the following week <u>required</u> immigration officers to compel travellers with no valid visa and a connecting flight to either return to their countries or continue their journeys. Transit passengers will <u>no longer</u> have the right to apply for asylum. The move comes in the wake of rapidly increasing asylum applications in airports. Asylum claims at Guarulhos airport in São Paulo <u>grew</u> from 69 in 2013 to 6,329 between January and August of this year. In August, asylum requests grew <u>by 64%</u> compared to the average of the other months of 2024. The new measures are intended to prevent migrants from using applications for asylum as a means to enter Brazil, from where the government claims that most do not stay but rather <u>attempt to travel onwards</u> to the United States or Canada.

Extracontinental migration to South America

Ecuadoran imposition of visa requirements on Chinese shifted routes

The introduction of <u>visa requirements</u> for Chinese visitors to Ecuador has prompted concerns about potential shifts in their migration patterns in the region. Chinese asylum seekers are <u>reportedly</u> rushing to find alternative routes to the United States before the elections, fearing that they will have harsher immigration policies if Trump is re-elected in November. Routes for Chinese migration to the US have <u>shifted</u> in the past, for example, from entering Texas to California in 2023. Routes may shift again in response to new restrictions in Ecuador. One possible re-routing would be <u>via Bolivia</u>, where Chinese travellers can get a visa on arrival. Al Jazeera <u>reported</u> that Telegram messages already seem to indicate that this is occurring. Travellers may also reroute to <u>Suriname</u>, which still allows visa-free travel, or <u>Venezuela</u>, whose Conviasa airline will begin offering direct flights from Guangzhou to Caracas on 27 October. Conviasa also offers connections to Managua in Nicaragua, offering access to Central America.

Mixed movements towards North America

Numbers at the Darien decrease substantially, but "shut down" remains elusive

Following his inauguration on 1 July, Panamanian President Mulino faced the challenge of implementing his campaign promise of "shutting down the Darien." The number of encounters in the Darien Gap reported by the Panamanian government in July and August show a substantial decrease compared to earlier this year, from an average of more than 30,000 per month in the first six months of the year to 20,519 in July and 16,603 in August, nearly a 50% decrease. Sources in Colombia's Urabá zone suggest that this may be linked to the fact that a significant part of the Venezuelan population paused their migration plans pending the results of the elections in their country of origin, and that the September figures are likely to show an increase.

The Panamanian government is employing a variety of strategies to decrease migration through the Darien including physical obstruction, militarisation, deportation, and cooperation, mainly with the US and Colombia, but some of the contours of these policies remain unclear. Barbed wire has been <u>deployed</u> in some frequently travelled areas to block certain pathways and "channel" migrants into a "humanitarian corridor." However, given the extent of the Darien Gap, this has a limited potential for impact. Enforcement is also increasing. Fifteen people accused of running a "VIP" route for Chinese migrants have been <u>arrested</u> and face 15 to 20 years in prison. The government is also <u>increasing patrols</u> by both the National Aeronaval Service (Senan) and the National Border System (Senafront) along the coasts to find migrants. Also, *The New Humanitarian* has <u>reported</u> that the government intends to shut down three of the four reception centres that provide aid to arrivals on the Panamanian side.

Beginning of deportations announced

The government of Panama has sent conflicting signals on deportations. The agreement signed with the US in early July (covered in our <u>Quarter 2 update</u>) promises US financial support for deportations. Some report that the Panamanian government is planning three or four deportation flights a week and the Director of the Panamanian National Migration Service said that anyone transiting the Darien would be eligible for deportation. In contrast, President Mulino <u>said</u> later in the month that people would not be forcibly deported, calling into question whether deportations would occur at all. At least two deportations were <u>undertaken</u> in August, one of 29 Colombians with criminal records and a second of 28 Colombians later in the same week. While Panamanian authorities touted these actions as part of their new approach, the Colombian immigration authorities <u>framed</u> them as "routine" deportations of Colombians that have been taking place since 2016. It is yet not clear who the Panamanians will seek to deport, under what circumstances, and what the response of the receiving countries will be. As pointed out in our Q2 <u>update</u>, under international law, deportations should only be carried out after screening for international protection needs. Carrying out such screenings in the context of the Darien would be complex in light of the number and diversity of migrants.

Cooperation to control entry to the Darien

In addition, the Panamanian government is seeking to encourage cooperation with transit countries to prevent migrants from entering the Gap. On the sidelines of the Mercosur summit in July, Mulino asked Brazil to control transit migration through its territory towards the Darien. A similar request from Panama led Colombia to agree to increase its immigration enforcement, though authorities have been clear that the personnel available is inadequate to control the frontier fully. Colombia also complained that the decision to close the border was not discussed with them and risked creating new humanitarian needs by forcing as many as 10-20% of all migrants heading north, according to the Ombudsperson's Office, to stay on the Colombian side of the border. Similar concerns have been raised in Brazil, where harsher policies in the Darien and on the US border have caused migrants to stay longer in areas that they previously only briefly transited. This increased, for example, the migrant population in Acre state on the border with Peru. There has also been concern that additional enforcement actions could displace migrants to even more dangerous routes.

Although many of the aspects of the plan remain obscure, it is evident that the US and Panama continue to meet to discuss it.

The US plans to open a new migration office in Quito

The United States Citizenship and Immigration Services (USCIS) will open a new office in Quito in September to support the processing of both refugee resettlement and family reunification cases through both the local embassy and the Safe Mobility Office in the country. This will be the USCIS's twelfth international office. This service expansion should make visa processing faster and more accessible.

US briefly pauses humanitarian parole programme

US authorities <u>suspended</u> the humanitarian parole programme for Cubans, Haitians, Nicaraguans, and Venezuelans for about three weeks claiming to be following reports of fraud on the part of the US sponsors. The programme was <u>resumed</u> in late August with new checks in place. Reports of fraud are likely to provide fuel to Republicans like House Speaker Mike Johnson who <u>said</u> that the programme "never should have existed in the first place."

The number of arrivals at the US border plummeted in the wake of new border control measures

In August 2024, CBP encountered <u>107,503</u> migrants in the southern border. The number of people <u>crossing</u> the Mexico-US border between official ports of entry and ending up in custody has remained low during the Q3, with <u>56,399</u> encounters in July and <u>58,038</u> in August, the lowest since September 2020. In contrast, entries through CBP custody at border points have remained stable during FY2024, with a monthly average of <u>50,596</u> people. In August, <u>49,465</u> entries were recorded this way. Of these, the <u>majority</u> had made appointments using the CBP One app.

The reduction in border crossings appears to result from two major policy changes, one on the Mexican and the other on the US side. Mexico has been <u>aggressively busing</u> migrants to the southern part of the country, considerably reducing the number of arrivals at the US border. Numbers reduced still further with the signature of Biden's <u>presidential proclamation</u> severely curtailing access to the asylum process when border crossing levels are high. The Mexican imposition of visa requirements on Peruvians also <u>seems to have</u> influenced the decrease in border encounters for that nationality.

It is unclear whether the reduction in numbers will be durable. Previous changes in policy have reduced numbers in the short term, experts <u>say</u>, only for them to rise again as people figure out the new system. This may already be occurring, <u>as August numbers</u> increased by 3% as compared to July. In addition, WOLA <u>argues</u>, the cost has been the stranding of thousands of people in Mexico and the denial of protection to individuals in need.

Fewer migrants, but more deaths

Migrants are <u>dying</u> at higher rates in the El Paso sector of the US border (the only sector for which data is available) this year as compared to last year, with 164 remains discovered in the year up to 19 August, even as overall rates of migration are declining. Summer temperatures play a role, yet frustration with policies, for example with the CBP app, also seem to have driven some to cross informally, although the relationship is not fully understood.

Mixed Migration Movements in Central America

New refugee arrivals in Guatemala

Guatemala <u>received</u> 600 Mexican refugees from Chiapas in July. The affected population reported that they were fleeing forced recruitment from drug cartels fighting in the area. The Guatemalan government sent a <u>multidisciplinary commission</u> to the region to assess these cases, and 21 <u>reportedly</u> formally requested refugee status. The worsening law and order situation in Chiapas may also pose serious <u>dangers</u> for migrants <u>stranded</u> in southern Mexico.

Guatemala <u>also welcomed</u> 135 Nicaraguan political prisoners in September after they were released from prison and allowed to leave, stripping them of their <u>citizenship</u> and property. The US has reportedly offered to take the deportees under an "expedited refugee procedure."

Nicaragua continues to be a key transit point

Nicaragua has <u>become</u> a key transit point for migrants seeking to reach North America, allowing visa-free access to citizens of 90 countries. Since November 2023, the US has sought to control this entry point by targeting transporters, primarily Nicaraguan. On 11 September, US officials <u>imposed</u> sanctions on a European charter flight company which they accused of "facilitating irregular migration" through the country. In July the government of Libya <u>ordered the arrest</u> of the commercial director of Ghadames Air for allegedly facilitating the transportation of African and Asian migrants to Nicaragua en route to the US.

Mixed Migration Dynamics in Mexico

Migrants increasingly pushed to stay in insecure areas of southern Mexico

Mexican immigration policies are increasingly <u>pushing</u> migrants to insecure areas of southern Mexico. Tapachula, a city in Chiapas, has been rated one of the five most dangerous cities in Mexico driven by competition among gangs. 85% of its citizens <u>perceive</u> it as insecure, as compared to the national average, of 59%.

Asylum requests in Mexico declining

According to official numbers released by the Mexican Commission for Refugee Assistance (COMAR), the number of requests for asylum in the country has dropped significantly from 2023 to 2024. 10,706 persons applied between July and August 2024, compared to 24,666 in the same period in 2023. Migrants have reported obstacles such as long delays in getting interview appointments. The agency has reportedly struggled to increase its capacity to process cases due to a lack of resources as the volume of applications increased about 60-fold from about 2,000 a year in 2014-2015 to 120,000 in 2022.

New migrant caravans on the way to the US

In late July, two new migrant caravans left southern Mexico walking to the US border. A local government official <u>estimated</u> it to be made up of 3,000 individuals, mostly Venezuelans. Caravan members interviewed by the media <u>said</u> that they were hoping to get to the United States before the presidential elections in November because they believe that if Trump is re-elected there will no longer be an opportunity to apply for asylum. September also saw the advance of a caravan of more than 300 Central and South American migrants led by a Catholic priest, calling itself the '<u>Caravana de Jesucristo</u>' (Caravan of Jesus Christ). Often Mexican authorities <u>allow</u> the groups to proceed, knowing that many dissolve over time.

Extracontinental migration to North America

New Niskanen report focuses on Indian migration

The Niskanen Centre has issued a <u>report</u> exploring increasing Indian migration to the United States, pointing out that Indians are the largest group of migrants from outside the hemisphere encountered by <u>US</u> <u>Customs and Border Patrol (CBP) nationwide over the last four years.</u> The report explores the reasons for the movement, including political tensions in Punjab and economic instability in Punjab and Harvana. Prior to this year, many transited through El Salvador and Nicaragua, but in 2024 <u>encounters have increased</u> along the Canadian border as Canadian visas become more accessible and Latin American states imposed new restrictions.

Mixed migration in the Caribbean

Humanitarian crisis in Haiti drives more Haitians from home, but legal options remain hard to access

A recent Scenario Forecasting for Humanitarian Planning report by Mercy Corps <u>predicts</u> that it is "almost certain" that displacement will increase as the recently deployed multi-national force and their Haitian allies engage the gangs in an effort to re-assert control. Indeed, it is reported that internal displacement has increased by 22% since June to over 700,000 Internally Displaced Persons (IDPs) by September 2024, <u>according to IOM</u>. For example, from the end of July to early August, violence in the Ganthier district <u>displaced</u> 6,000 people. The same drivers fuel migration abroad.

Despite the scale of the humanitarian need, Haitians face <u>serious obstacles</u> in accessing protection. Deportations continued, with <u>41.925</u> Haitians deported in the quarter up to 19 September, 98% of them from the Dominican Republic. 217 were <u>intercepted</u> attempting to enter Turks and Caicos in under a week in mid-August. The US responded by <u>extending</u> Temporary Protected Status (TPS) for Haitians on 28 June, extending protection through February 2026. However, this status is only available to those already in the US, offering limited assistance to the majority of those on the move.

Cuban authorities acknowledge widespread migration

In mid-July, the Cuban National Statistics and Immigration Office <u>reported</u> that 1,011,269 Cubans emigrated in 2022 and 2023, representing about 10% of the total population. This official pronouncement is <u>noteworthy</u> because the government previously tried to obscure the true extent of migration. Others argue that emigration has been even greater, with demographer Juan Carlos Albizu-Campos <u>claiming</u> that the population has dropped by 18%.

Policy and legal updates

Fourth Ministerial Meeting on the LA Declaration

The United States <u>hosted</u> the fourth ministerial meeting on the Los Angeles Declaration on 25 September 2024. The session allowed member states to speak about their implementation of the commitments under the LA Declaration, <u>presenting</u> many of the policies and laws discussed here, including the Ecuadorian regularisation initiative, the US-funded removal program from Panama, and the Safe Mobility Offices. The US <u>announced</u> a new commitment of \$868 million in new humanitarian, development, economic, and security assistance, bringing its commitments under the LA Declaration to 1.2 billion. Colombia <u>agreed</u> to take over as the rotating Country Chair and to host the fifth ministerial meeting in 2025.

Update on temporary regularisation processes in the region

Severing of diplomatic ties with Venezuela creates new challenges for regularisation

After the elections, Venezuela <u>severed diplomatic relations</u> with seven Latin American countries: Argentina, Chile, Costa Rica, the Dominican Republic, Panama, Peru, and Uruguay. The severing of diplomatic ties creates difficulties for Venezuelans needing to renew and maintain national identity documents through embassies to regularise and maintain their immigration status. In <u>Peru</u>, Venezuelans who had already paid for their passports, gathered at the embassy to demand their delivery. In Argentina, Venezuelan migrants <u>called</u> on countries to adopt flexible approaches to documentation. <u>Argentina</u> and the <u>Dominican Republic</u> have done so. Argentina is <u>allowing</u> Venezuelans to use expired documents to enter the country or to regularise their status and <u>children</u> nine and under to <u>enter</u> with just a birth certificate. In the Dominican Republic, fewer details are available, but President Abinader <u>announced</u> that Venezuelans would be able to get work permits with expired documents.

Ecuador launches a new regularisation process

After ending a previous regularisation initiative in April, a presidential <u>decree</u> issued on 27 August 2024 <u>initiated</u> a new amnesty process for Venezuelans in Ecuador, planned to last for eight months. The <u>first phase</u> of the process will target Venezuelans who entered the country regularly and is <u>intended</u> to benefit 100,000 people. Subsequent phases would target other nationalities and those who entered unofficially - starting in February 2025- <u>have been proposed</u>. To benefit from the initiative, migrants must have

registered with the Immigration Permanence Registry (a platform <u>created</u> in 2022 to register Venezuelan) and not have participated in previous regularisation efforts. Registration is free, but migrants must cover the cost of their visas and IDs if they are issued. The Exceptional Temporary Residence Visas, valid for two years, <u>cost</u> \$50 and can be renewed once. This cost can be a barrier for vulnerable migrants, as <u>noted</u> by IOM and UNHCR. In addition, the initiative only applies to Venezuelans who entered regularly, and have already been in Ecuador for some time, leaving out many undocumented individuals.

Struggles for regularisation continue in Colombia

In Colombia, struggles to ensure access to legal status continued. A proposed Temporary Protection Permit for the legal representatives of children had, <u>as of August</u>, not yet been implemented. A new <u>proposal</u> to offer temporary work permits for individuals who move back and forth from Venezuela was reported, but it is unclear when it might become active.

The Colombian government has initiated a consultation on a new resolution to implement a "Special Visitor Visa" for Venezuelan nationals. This new mechanism is seen as a step back from the Temporary Protection Statute for Venezuelan Migrants (ETPMV), which provided 10 years of access to rights without stringent requirements. The new visa will be issued only once and will be valid for two years. In addition to the much shorter duration, the new visa raises concerns about requirements, such as obtaining criminal records, and potential costs, as most visas in Colombia are not free, unlike the ETPMV.

Belize's regularisation initiative begins issuing documents

Belize's amnesty program, <u>announced</u> in 2021 as a pathway to permanent residence for both asylum seekers and migrants, is advancing to granting documentation. 400 asylum seekers <u>received</u> residency cards by September 2024. The UNHCR <u>estimates</u> that there are about 4,130 refugees and asylum seekers in Belize, mainly from El Salvador, Honduras, and Guatemala. However, at the time that the amnesty was announced, only 74 had <u>formally been granted</u> refugee status. 12,765 applications were <u>received</u>, and the government started issuing documents in February 2024.

New law in Costa Rica results in more work permits, but no more final decisions

On 15 June 2024, Costa Rica <u>adopted</u> a new law on refugees intended to better comply with international law and respect refugee rights. The law provided for the issuance of work permits with the filing of the asylum application. From the adoption of the new law through 26 August, the government of Costa Rica's Refugee Unit <u>issued</u> 1,131 work permits, in comparison with only 55 issued through all of 2023. However, so far, officially issued statistics <u>show no substantive increase</u> in the number of cases decided. In the first eight months of 2024, the number of applications <u>decreased</u> from 28,825 in the first eight months of 2023, to 16,063 the same period in 2024. Activists <u>say</u> that the reduction of applications is due not to a decrease in need, but limitations in when applications can be lodged and delays in granting interviews. Interviews are currently being scheduled 20 years into the future, undermining the will of asylum seekers to even request status.

New immigration laws and proposals

Cuba passes new immigration law

Cuba passed a <u>new law</u> on immigration in July. The law removes the two-year maximum period of absence for individuals to lose residence and property rights, which makes return easier. However, it establishes a new concept of "effective residency" with similar constraints though it allows more flexibility in showing an intention to live on the island. Nonetheless, those without it are excluded from the right <u>to vote</u>.

Legal reform under discussion in Chile

A number of new, restrictive legal <u>proposals</u> modifying the Migration and Immigration law were discussed in July in Chile. One proposed measure would <u>suspend</u> reception of immigration applications from nationals of 13 Latin American countries (including Venezuela, Colombia, Ecuador, Peru, Bolivia and the seven Central American nations) for renewable six-month periods. Proponents of the law argue that it is needed to address <u>increasing violence</u>, and therefore suggest that renewals would depend on the crime rate and number of arrivals, continuing the <u>growing narrative of linking criminality with migration</u>. Another proposal would <u>extend</u> the period of residency needed to apply for naturalisation from five to ten years and <u>delay</u> access to the right to vote. Yet another <u>prioritises</u> the education of Chileans over that of migrants.

Argentina introduces higher costs for migrants

In July, the government of Argentina, acting by decree, <u>increased</u> all immigration fees by 1500%. The measure was criticised by the Argentinian Commission for Refugees and Migrants who <u>said</u> that the move "creates arbitrary obstacles for migrants, especially those who are the most vulnerable, to regularise their situation." In August, the regional government of <u>Mendoza</u> adopted a law requiring "non-resident" foreigners to pay for medical care. This would include those whose requests for refugee status are in process.

Thematic Focus: Are the Safe Mobility Offices (SMOs) impacting mixed migration dynamics?

Introduction

The <u>Safe Mobility Offices (SMOs)</u> were <u>announced</u> in April 2023 as an initiative to offer potential migrants the opportunity to access safe and legal pathways to immigration in their origin or host countries or regions to reduce the pressure to undertake dangerous journeys. Since they have begun functioning, however, significant movement continues across the continent, casting doubt on the ability of the project to substantially impact overall mixed migration dynamics. Findings presented in this thematic focus are drawn from <u>research</u> by the Mixed Migration Centre (MMC) released in September 2024, exploring the functioning of the offices and raising questions about their role as a tool for managing mixed migration.

Background: what have the SMOs done so far?

So far, the Offices are functioning in four countries: Colombia, Costa Rica, Ecuador, and Guatemala, processing applications from nine nationalities: Colombians, Cubans, Ecuadorians, Guatemalans, Haitians, Hondurans, Nicaraguans, Salvadorans, and Venezuelans. They allow refugees and migrants to identify themselves for consideration for resettlement or other possible migration pathways, including humanitarian parole and family reunification. The process has so far <u>registered</u> more than 200,000 people. According to the <u>most recent data</u>, "over 23,000 refugees from within the Western Hemisphere have been resettled safely and legally in the United States in Fiscal Year 2024, a four-fold increase over FY 2023."

An evolving initiative

The SMO initiative is framed under the expanding lawful pathways pillar of the Los Angeles Declaration on Migration and Protection (LA Declaration). As the LA Declaration aims to foster collaboration, the contours of this pillar continue to evolve. For example, at the follow-up Ministerial Meeting in May 2024, the expansion of the SMOs Initiative in Guatemala to include Hondurans, Salvadorans, and Nicaraguans was agreed upon. In addition, Canada confirmed that it would also take referrals for resettlement through the SMOs. At the follow-up Ministerial Meeting in September 2024, the US announced incorporating a labour mobility initiative called "Labour Neighbours" to refer migrants to more legal pathways and help match labour demand with labour supply across the hemisphere. In addition, Costa Rica will expand eligibility criteria to include nationals from eligible countries who were present in Costa Rica on or before September 15, 2024.

Expanded access to resettlement and symbolic significance

It is essential to consider SMOs integral components of a comprehensive strategy addressing mixed migration in the region. Their role should be viewed within the broader framework of various initiatives and responses to manage migration dynamics effectively.

SMOs have symbolic (as well as actual) value within a broader context of responses to mixed migration. SMOs have been significantly successful in expanding access to resettlement across the region and speeding up processing to ensure that urgent needs can be met. They have been able to do this through strong commitment and collaboration across government agencies in the US and with host governments as well. Beyond the numbers, the offices are a visible commitment to managing mixed migration.

However, a number of structural factors limit their potential efficacy when judged against their stated objective of offering a dignified and orderly alternative to irregular migration.

Limitations of the SMOs

Services falling short of demand

As MMC's report points out, despite their laudable work, the scope of their progress is dwarfed by the demand for immigration on the continent. As one interviewee recognized, "In a context in which 20 million plus individuals are potentially eligible, and in which the Offices were only ever intended to be able to meet a small subset of that number, we can't help everyone." First, they are statutorily limited to the four countries and nine nationalities included. Although effort was made to target groups that account for the vast majority of movement on the continent, they are far from the only nationalities in need. Even among the targeted nationalities, the 200,000 individuals registered since the program began are overshadowed by the more than one million border encounters per year with individuals of those nationalities in the 2022 and 2023 fiscal years. Among these nationalities as well a very large number are excluded, because they are not in the targeted countries, lack documentation, or have not been present for the requisite amount of time.

Further, the offices are limited by what type of immigration services they can offer. While they have proved able to achieve efficiencies in relation to refugee resettlement, the offices have found it much more difficult to engage with other migration processes. In general, consultation can be offered, but these processes must be initiated on the US side, by a relative, employer or sponsor, and the offices have <u>struggled</u> to define a role in or even fully track these processes. The <u>recently announced</u> "Labour Neighbours" initiative through which the US claims it will seek to create labour migration pathways, may be useful in this regard, although much will depend on its implementation.

Concerns about sustainability

Another limitation of the SMOs is the understanding that they are dependent on political will, both that of the US government and that of the governments who host the offices. Adding to this, the report shows that there is a clear understanding that the offices are operating under Executive Order in the US, which means that they are particularly vulnerable to a shift of power in the executive and that the Republican party does not support them. There was concern that this was undermining investment in the structures. As one key

informant put it, "If I was a government in the region, I wouldn't want to put too much into a programme when you don't know if it will be around in a year." Consistency in services provided helps impact decision-making, and without a consistent and sustainable pathway, the offices' impact is destined to be limited.

Fitting into a broader migration strategy

In fairness to the proponents of the SMOs, they argue that they were never intended to address the problem of mixed migration on their own. Rather, they are embedded in the framework of the LA Declaration, which calls for a regional response to irregular migration through a number of pillars, including promoting regular pathways for migration and international protection, humane migration management, a coordinated emergency response, sharing approaches to reducing and managing irregular migration. In this context, the SMOs are intended to be only one part of the pillar of promoting regular pathways, which in turn is only one of a series of efforts.

A number of complementary efforts are underway. For example, the LA framework has been a starting point for financial commitments to humanitarian and development aid and the development of legal pathways within the region. As one example, with international support Costa Rica is modernising its asylum system to allow it to offer more individuals access to protection and reducing at least one factor for onward movement.

SMOs sitting alongside increased border security and containment

The part of the platform that raises the most questions, however, is that of enforcement. Although the LA Declaration framework talks about "humane enforcement," there was concern that the reality that SMOs sit alongside more aggressive enforcement measures can be counter-productive. For example, while SMOs in Colombia and Ecuador may offer a safe and legal alternative to movement through the Darien, the numbers crossing the Gap <u>increases</u> with the imposition of visa requirements by countries further North, such as Mexico, Costa Rica, and Belize, reportedly in response to US pressure.

Further, there was significant concern that the SMO initiative could be linked to more restrictive measures at the US Southern border and limitations on access to asylum, which could undermine the initiative's efficacy. As one interviewee <u>said</u>, "Having a mechanism in several countries where you can do in-country processing and have access to safety without crossing the region is a really good concept. But if it's an exchange for access to territory, then it's not a solution."

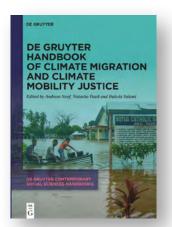
Conclusion: A Step in the Right Direction, But Not a Solution Yet

The Safe Mobility Offices are a creative and much-needed approach to managing migration in the Americas. They have been successful in resettling thousands of refugees and are built on strong coordination between different actors in the region.

Despite their potential, the SMOs have limited influence on the number of people travelling along dangerous migration routes in the region due to the highly restrictive eligibility requirements on who can use the services and the limited authority of SMOs to provide access to migration pathways other than refugee resettlement. The simultaneous rise in US border security and containment measures risks increasing reliance on smugglers and further endangering migrants.

The current model needs improvement to play a crucial role in offering migrants safer, legal alternatives to dangerous journeys, ultimately reshaping migration dynamics in the region. Expanding eligibility, improving access, and developing labour migration pathways are critical steps toward making SMOs more effective.

Highlighted New Research and Reports



<u>De Gruyter Handbook of Climate Migration and Climate Mobility Justice</u>

Andreas Neef, Natasha Pauli and Bukola Salami, De Gruyter | September 2024

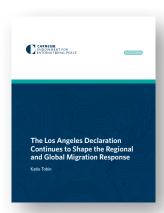
Accelerating climate change is widely predicted to have profound impacts on human mobility over the coming decades. Climate mobilities and immobilities invoke issues of justice and social inequality and pose numerous socio-cultural, health, economic, legal, and political challenges. Chapters consider case studies in Guatemala and Peru.



<u>Darien Gap: The Jungle Where Poor Migration</u> Policies Meet

Human Rights Watch | September 2024

In this report, Human Rights Watch lays out the ways in which the failures of refugee and immigration policies in Latin America to integrate refugees are pushing migrants to take their chances in the Darien Gap where they are vulnerable to a range of other abuses. The report ends with a call to use the 40th anniversary of the Cartagena Declaration to reinforce regional responses to these challenges.



The Los Angeles Declaration Continues to Shape the Regional and Global Migration Response

Katie Tobin, Carnegie Endowment for International Peace | September 2024

This report provides an overview of the impact of the LA Declaration and its framework for collective action on migration and refugee issues. The author argues that two years on, it has advanced a framework for shared responsibility not only in Latin America, but globally.



"Don't Tell Me About Your Fear: Elimination of Longstanding Safeguard Leads to Systemic Violations of Refugee Law"

Human Rights First, Hope, Immigrant Defenders, Kino Border Initiative, Raices, and Refugees International

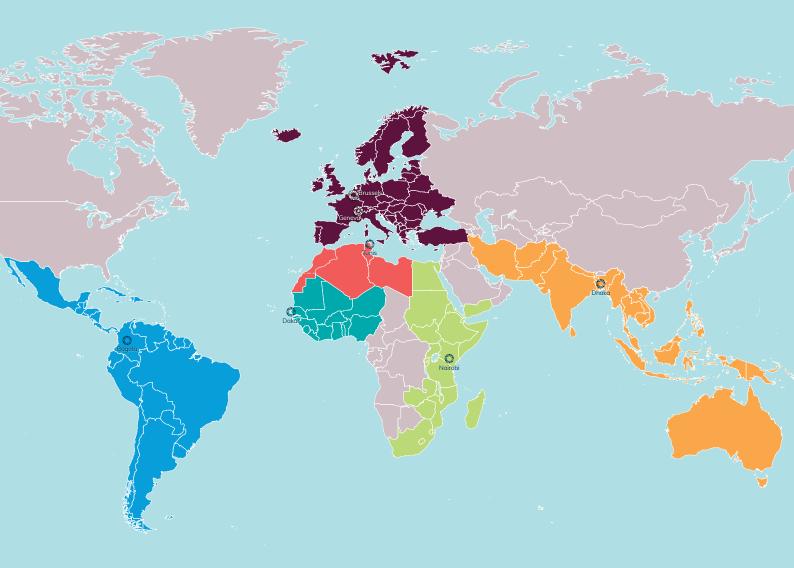
This report discusses the effects of the Biden administration's elimination of a safeguard to protect people seeking asylum from being deported, based on extensive interviews and engagement with asylum seekers impacted by the policy change.



"Migración forzada de personas haitianas en las Américas: Trayectorias y Vacíos de Protección – 2023"

Jesuit Refugee Service

This report provides insights into the protection needs of Haitian migrants in transit, discussing risks en route, barriers to accessing rights, and differential needs for assistance. It draws on qualitative data collected between June 2023 and February 2024.



MMC is a global network engaged in data collection, research, analysis, and policy and programmatic development on mixed migration, with regional hubs in Africa, Asia and the Pacific, Europe and Latin America, and a global team based across Copenhagen, Geneva and Brussels.

MMC is a leading source for independent and high-quality data, research, analysis and expertise. MMC aims to increase understanding of mixed migration, to positively impact global and regional migration policies, to inform evidence-based mixed migration responses for people on the move and to stimulate forward thinking in public and policy debates on mixed migration. MMC's overarching focus is on human rights and protection for all people on the move.

MMC is part of the Danish Refugee Council (DRC).

For more information visit:

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