

Report on the Implementation of the Santiago Charter 2020/202

Latin American Academic Network on the
Law and Integration of Refugees - LAREF
Network

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FOREWORD

The 2020/2021 biennium has proven to be one of the most challenging in the worlds' recent history. As if the economic and social crisis that devastate humanity and directly affect refugees, asylum seekers and forced migrants were not enough, the COVID-19 pandemic made life and the relationship between people even more challenging, especially regarding interpersonal contact and human mobility. In this regard, the LAREF Network's (Latin American Academic Network on the Law and Integration of Refugees) activities were profoundly impacted by the pandemic. New demands have emerged on the one hand as a result of the nature of migratory movements, which generally occur collectively, and on the other hand as a consequence of the implementation of policies to tighten border controls around the world.

Such combination of factors caused agglomeration of people at the borders and made it difficult for such individuals to have access to preventive and protective measures during the COVID-19 crisis. Furthermore, healthcare and assistance to people in situation of forced mobility became even more challenging, as social isolation and lockdown strategies were imposed in different measures and geographical spaces as a requirement for better control and prevention of the contagion of the disease. According to UNHCR, of the 84.2 million people forcibly displaced in total, in 2020 alone, 11.2 million fled their countries. The same year that human mobility was severely restricted by border closure policies implemented by governments around the world.

In the Latin America region, the Venezuelan migration crisis worsened, and many people were stranded in border areas as they were not allowed to enter the territories of neighboring countries due to the closing borders policies. Thus, the work of LAREF institutions and members was severely affected. Many of the organizations that provide direct assistance to persons of concern had their work suspended or reduced due to the implementation of social isolation policies. In addition, funding for assistance to refugees, asylum seekers and forced migrants has been reduced due to the emergence of more pressing healthcare needs. Regarding academic institutions, many had their activities suspended in the beginning of the pandemic, to later resume classes in a remote environment, which brought both challenges as well as new opportunities.

All these challenges made the LAREF's work even more necessary and important. In addition, members and their organizations had to act quickly and creatively to reduce the deleterious impacts of the pandemic on the persons of concern. In this sense, assistance and cooperation strategies that could alleviate the lack of direct contact and the imposed mobility restrictions were adopted by the Network members and institutions.

The present report, therefore, aims to: (i) present the work carried out by LAREF network in the 2020/2021 biennium; (ii) point out the main challenges and solutions found during the period; (iii) reveal new projects and collaboration strategies between LAREF's institutions and members to develop and implement direct assistance, teaching and research activities with

persons of concern in the Latin America region; and (iv) propose recommendations for the improvement of LAREF's work.

All of LAREF's contributions are made under the commitments assumed in the Santiago Charter (Carta de Santiago)¹, adopted by the network on 30 November 2019 in Santiago de Chile and presented as a joint pledge at the Global Refugee Forum of the same year. The Santiago Charter enshrines the network's commitment to providing direct assistance to persons of interest, carrying out and disseminating comprehensive and multidisciplinary studies on the situation of forced displacement in Latin America and its implications for the world, strengthening national capacities in terms of international protection and related issues, and facilitating access to education for persons of concern. This report presents the progress and the results of the LAREF realized since the adoption of this milestone document.

¹ The Santiago Charter is available at <https://globalcompactrefugees.org/sites/default/files/2021-04/Resultados%20Carta%20de%20Santiago%202020.pdf>

INTRODUCTION

LAREF is a network of Latin American academics and researchers that offers direct assistance to persons of concern. It also works on the elaboration and dissemination of scientific and informative material about refugee and migration studies. In addition, LAREF seeks to promote the access of the persons of concern to the educational system of the countries where it operates.

LAREF emerged from the exchange relations that Latin American academics and researchers have maintained since 2014, within the framework of the conferences organized annually by the Hungarian Helsinki Committee and the United Nations High Commissioner for Refugees. The Network is part of the Global Academic Interdisciplinary Network (GAIN) that emerged within the framework of the Global Refugee Forum, which is focused on three main areas, namely: (1) research; (2) teaching about displacement and other topics related to the objectives of the Global Compact on Refugees; and (3) scholarships and other forms of support for displaced academics and students.

Currently, nine Latin American countries and Spain are represented in this report through the information provided by seventeen LAREF members who also work directly with persons of concern², developing activities that help to promote and protect the rights of this population. Most members perform some academic role, but there are also professionals who work in civil society organizations carrying out advocacy activities and direct assistance to persons of concern. The work of the network is carried out through the prism of cooperation and collaboration among its members. Therefore, comparative studies and collective research and publications as well as exchange projects among network members are strongly encouraged.

Another relevant factor for the network is interdisciplinarity. LAREF members have diverse backgrounds, which means that interdisciplinary studies are carried out frequently. The network is composed of academics which possess background in law, social and political sciences, international relations, literature, economics, among other related areas. Thus, the ability to work in an interdisciplinary manner enriches LAREF's academic production and makes the result of its performance more profound and comprehensive.

Since its creation, the network has held an annual conference with the participation of its members, representatives of the Hungarian Helsinki Committee, and UNHCR. Under normal conditions, the conference is held in person, but in the last two years, due to the COVID-19 pandemic, the meeting was held remotely. During the conference, members present their work to their peers and hold debates on the progress of projects and the evolution of the promotion and protection of the rights of persons of concern in the region.

In November 2019, in the framework of the 6th Latin American Conference on Refugees Law and International Protection, held in Santiago de Chile, the network signed the Carta de

² For LAREF, persons of concern are asylum seekers, refugees, stateless persons and forced migrants.

Santiago (Santiago Charter), a commitment under the umbrella of the Global Compact on Refugees.

Through the Charter, the network committed to:

- a. Addressing the immediate needs of persons of concern;
- b. Conducting and disseminating comprehensive and multidisciplinary studies on situations of forced displacement in the Americas;
- c. Strengthening national capacities in international protection and access to the rights of persons of concern to provide adequate responses; and
- d. Facilitating the admission of persons of concern to higher education in the host countries.

Bearing the above-mentioned obligations in mind, annually, the network carries out evaluation and monitoring processes. Therefore, this document includes information about (i) the projects the network is currently carrying out; (ii) the projects the network seeks to implement in the future and (iii) the obstacles which impair the implementation of current and new projects. In addition, the report lists some recommendations to improve the design, development, and implementation of the projects.

As to its methodology, the present report has been prepared based on information obtained through a structured questionnaire sent to all LAREF members, as well as individual interviews. The document presents the results by country, followed by exemplary cases that denote good practices in terms of actions implemented by the members of the LAREF Network.

LAREF COUNTRIES REPRESENTED IN THIS REPORT



COUNTRY	UNIVERSITY/ORGANIZATION	MEMBER
ARGENTINA	UNIVERSIDAD DE BUENOS AIRES - UBA	MARÍA JOSÉ MARCOGLIESE
	UNIVERSIDAD TREZE DE MAYO	VALÉRIA MARCIA ALLO
	UNIVERSIDAD BELGRANO	
	CONARE-AR	
BRAZIL	GAIRE/UNIVERSIDADE FEDERAL DO RIO GRANDE DO SUL - UFRGS	LAURA MADRID SARTORETTO
	ESMAFE – ESCOLA SUPERIOR DA MAGISTRATURA FEDERAL	
	REDE DE ADVOCACY COLABORATIVO - RAC	PAOLA COELHO GERSZTEIN GILBERTO M. A. RODRIGUES
	UNIVERSIDADE FEDERAL DO ABC - UFABC	GIULIANA REDIN
	UNIVERISDADE FEDERAL DE SANTA MARIA - UFSM	PAULA ZAMBELLI BRASIL
	INSTITUTO BRASILEIRO DE DESENVOLVIMENTO E PESQUISA - IDP	
CHILE	SERVIÇO JESUITA A MIGRANTES E REFUGIADOS - SJM	TOMÁS GREENE PINOCHET
COLOMBIA	UNIVERSIDAD COOPERATIVA DE COLOMBIA - UCC	LUZ MARINA SÁNCHEZ
COSTA RICA	UNIVERSIDAD DE COSTA RICA - UCR	RUTH MORERA BARBOZA
ECUADOR	INSTITUTO DE ALTOS ESTUDIOS NACIONALES - IAEN	MARÍA HELENA CARBONELL
HONDURAS	CENTRO DE INVESTIGACIÓN Y PROMOCIÓN DE LOS DERECHOS HUMANOS DE HONDURAS - CIPRODEH	SALLY VALLADARES
MEXICO	FM4 PASSO LIBRE	LUIS ENRIQUE GONZÁLEZ ARAIZA
	UNIVERSIDAD NUELO LEON - UNL	MARIO LINO GARCÍA
	UNIVERSIDAD VERACRUZIANA - UV	CARLOS RUIZ SALDÍVAR
PERU	PEDRO ARUPE SJ CLINICA JURIDICA	ANALÍ BRICEÑO
SPAIN	UNIVERSIDAD DE HUELVA - UHU	NURIA ARENAS HIDALGO



15 UNIVERSITIES



4 NON-GOVERNMENTAL ORGANIZATIONS



1 GOVERNMENT ENTITY

FINDINGS

Argentina

Argentina has a migrant population of 2,212,879 (including immigrants, asylum seekers and refugees), which represents 4.92% of the country's total population.³ Its migratory framework comprises the National Constitution (the Preamble and Article 20) and Law n° 25.871 (the National Migration Law)⁴, which establishes as a transversal axis the principle of equality between nationals and foreigners. Argentina recognizes the right to migration as essential and inalienable and determines, consequently, that it must be guaranteed under conditions of equity and universality. International protection is granted by Law n° 26.165 (the General Law on the Recognition and Protection of Refugees)⁵, which is based on the principles of non-return, including prohibition of rejection on the borders, non-discrimination, sanction for illegal entry, family unit, confidentiality, among others.

In Argentina, as a result of the COVID-19 pandemic, the borders were closed by the preventive and obligatory social isolation policy, which severely affected the usual migratory flow from land crossings. The crossing of migrants by land, which in the months prior to the pandemic reached between five and six thousand monthly admissions, when registered, reached only around thirty people for reasons of international protection.⁶

A study published by Agenda Migrante 2020⁷, that encompassed more than a thousand migrants and human rights organizations as well as academic institutions, carried out a consultation with 1,266 migrants, asylum seekers, refugees, and beneficiaries of humanitarian visas in Argentina. The final report states that the lack of documentation affects the possibility of accessing other rights, such the right to work, housing and social assistance.

It is also important to emphasize that undocumented migrants are usually on the side lines of programs and assistance offered by the government, which is why immigration irregularity is

³ CONICET, Anuario Migratorio Argentino 2020. Available at: https://drive.google.com/file/d/14Mz_2ZF4nd1jxuk1tQdJ0t9F6mZnHsIB/view

⁴ Ley Nacional de Migraciones N° 25.871, (2004). Available at: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/90000-94999/92016/texact.htm>
https://www.oas.org/dil/esp/ley_de_migraciones_argentina.pdf

⁵ Ley general de reconocimiento y proteccion al refugiado N° Ley 26.165, (2006). Available at: <https://www.argentina.gob.ar/justicia/derechofacil/leysimple/refugiados>

⁶ On March 19, 2020, the Preventive and Obligatory Social Law (ASPO) began, which was applied equally in all the provinces of the country. <https://reliefweb.int/sites/reliefweb.int/files/resources/COVID-19%20-%20Impacto%20de%20la%20pandemia%20sobre%20poblaci%20n%20migrante%20en%20Argentina%2C%20juni%20o%202020.pdf>

⁷ CELS. Agenda Migrante 2020 Argentina. Available at: <https://www.cels.org.ar/web/2019/12/organizaciones-entregan-al-gobierno-su-agenda-migrante-para-el-2020/>

a serious problem, especially at a time of pandemic, in which financial support from the state is essential.

Professor **María José Marcogliese** is a Argentinian LAREF member who works for the Universidad Nacional Tres de Febrero (UNTREF) and for the Universidad de Buenos Aires (UBA). At the UNTREF, she teaches at the master's program in Politics and Management of International Migrations, established the Institute of Migratory Policies and Asylum (IMPA), whose main objective is to establish a space for the study of policies in migration and asylum from a cooperation perspective for an adequate management of those policies.⁸ The UNTREF also provides online training on Migration Management for civil servants. Professor Marcogliese also works at the UBA, where she teaches about the national asylum systems at the bachelor's program in Migration and Refugee Protection.⁹ In the 2020/2021 biennium, around 110 students graduated from the courses in which Professor Marcogliese teaches.

As for the financing of the courses above mentioned, as both UNTREF and UBA are public universities, the costs are covered by the Argentinian Ministry of Education, but UNHCR offered technical and financial support for the bachelor's program in Migration and Refugee Protection thought at the UBA.

Neither the UNTREF, nor the UBA provides direct assistance to persons of concern, but the knowledge they transmit through the courses they offer is relevant for raising awareness and adequate training for professionals who will work in the field of migration and international protection.

Another LAREF member in Argentina is Professor **Valeria Marcia Allo**. She teaches at the University of Belgrano¹⁰ and works with the Argentinian National Department of Migration (Dirección Nacional de Migraciones).¹¹ As a civil servant, she provides direct assistance to the persons of concern and from her teaching activities she promotes the development of migration and refugee law through addressing those topics in her classes.

At the University of Belgrano, more specifically at its Public International Law Department (Cátedra), specific classes are held on international refugee law and stateless persons. Likewise, in 2021 the Chair launched "the mirror class", a project in partnership with the University of San Luis de Potosí (Mexico), focusing on topics related to human rights and the rights of refugees. The students formed 14 research groups on violation of basic rights and asylum. In addition, Professor Allo is a tutor at the Center for International Studies of the University of Belgrano, from where students have published on migration and asylum law.

⁸ See more information at: <https://www.untref.edu.ar/instituto/ipma-instituto-de-politicas-de-migraciones-y-asilo>

⁹ See more information at: <http://www.derecho.uba.ar/internacionales/ciclo-de-cursos-on-line/diplomatura-migrantes-y-proteccion-de-refugiados.php>

¹⁰ See more information at: <http://www.ub.edu.ar/departamento-de-estudios-de-posgrado-y-educacion-continua/depec-derecho-y-ciencias-sociales>

¹¹ See more information at: <https://www.argentina.gob.ar/interior/migraciones/comision-nacional-para-los-refugiados>

Brazil

Brazil was one of the last countries in Latin America to adopt a migration law (Law nº 13.445/17)¹² based on human rights principles. Until 2017, the Foreigners' Statute (Law nº 6.815/80) was in force. Such law conflicted with the Brazilian Constitution as it established unjustified unequal treatment between Brazilians and migrants. Even before that, however, Brazil adopted the Refugee Statute (Law nº 9.474/97)¹³, which provided for international protection mechanisms. In summary, the Brazilian protection system for migrants and refugees is shaped by the aforementioned legal instruments as well as a set of regulations issued by the executive branch¹⁴, which build upon the law.

As to the migrant population living in Brazil, the government estimates that approximately 1.3 million migrants (including asylum seekers and refugees) live in the country. Most of them are of Haitian and Venezuelan nationality.¹⁵

It is estimated that 652,322 Venezuelans have entered the country since the beginning of the crisis in Venezuela, but the number of people who have somehow settled in Brazil is much lower. Approximately 287,857 Venezuelans are still in the country either under some form of migratory status or receiving international protection.¹⁶ To deal with Venezuelan mass migration, Brazil implemented the "Operation Welcome" (*Operação Acolhida*), which aims to receive migrants and asylum seekers at the Brazilian northern border, offer direct assistance at the border and carry out their transfer to other states of Brazil. In this operation, UNHCR, IOM, the Brazilian state and civil society work in partnership to receive and assist persons that arrive in mixed flows.

Since the beginning of the COVID-19 pandemic, the Brazilian public administration has published more than 40 ordinances (*portarias*) on the closure of borders, mainly land borders, through which migrants and refugees usually enter the country. For this reason, since 2020, there has been an agglomeration of migrants and asylum seekers on the northern borders of the country, especially in the state of Roraima, due to the Venezuelan migration flows that arrive in that region.

¹² Law Nº 13.445/2017. Brazilian Migration Law. Available at: http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2017/lei/l13445.htm

¹³ Law Nº 13.445/2017. Refugee Statute. Available at: http://www.planalto.gov.br/ccivil_03/leis/l9474.htm

¹⁴ See more information on regulations and decrees at <https://legado.justica.gov.br/seus-direitos/migracoes/legislacao>

¹⁵ CAVALCANTI, L; OLIVEIRA, T.; SILVA, B. G. Imigração e refúgio no Brasil: Retratos da década de 2010. Observatório das Migrações Internacionais; Ministério da Justiça e Segurança Pública/ Conselho Nacional de Imigração e Coordenação Geral de Imigração Laboral. Brasília, DF: OBMigra, 2021. p. 12.

¹⁶ See more information on data at R4V <https://www.r4v.info/es/node/247>

Also in Brazil, the COVID-19 pandemic made both the work of civil society organizations and academic institutions difficult, which meant that both direct assistance and teaching and researching activities were suspended or significantly reduced during the 2020/2021 biennium. Even so, the work of the members of LAREF proved to be fundamental during this period.

With regard to the participation of civil society organizations in LAREF, we can mention the work of the Collaborative Advocacy Network (Rede de Advocacy Colaborativo - RAC)¹⁷. The RAC is a collective of organizations, funded by the Laudes Foundation, formed by more than a hundred civil society organizations. Professor **Paola Coelho Gersztein** is the coordinator of the Thematic Group on Human Rights that encompasses twenty civil society/university organizations specialized in migration and asylum. RAC promotes advocacy in the legislative and executive branches as well as judicial and extrajudicial strategic litigation. According to Professor Gersztein, the main advocacy-related obstacle faced by the organization during social isolation was the remote deliberation system that impaired citizen participation in the decision-making spaces on the National Congress. Regarding direct assistance to persons of concern, the closing of borders, the facilitated deportation policies, the lack of access of this population to fundamental rights such as health, education, social assistance, among others, were the main difficulties faced by the RAC during the pandemic.

In the 2020/2021 biennium, the RAC sought to work collaboratively and continued to carry out its advocacy, strategic litigation, and capacity building activities online. Among the most important activities carried out by the organization, the following ones deserve special mention:

- The submission of contributions on the practices of returning of migrants and the impacts on their human rights to the United Nations Special Rapporteur on the Human Rights of Migrants, Felipe González Morales (28 January 2021);
- The Working Group Migration and Asylum participation in a hearing at the 179th Session of the Inter-American Commission on Human Rights (IACHR) on March 25, 2021 with the theme: Migrants y refugees' Human Rights situation in the context of COVID-19 in Latin America;
- The Working Group Migration and Asylum participation in the online meeting held on May 28, 2021 by the Permanent Mixed Commission on International Migration and Refugees (CMMIR) on the topic Refugees and Migrants' Certificates Homologation in Universities;
- The Working Group Migration and Asylum and a group of universities participated on June 1, 2021, in a meeting with the Ministry of Justice and Public Security (MJSP) to address the requirements related to Portuguese courses for migrants and refugees and the Ordinance 623/2020 about problems faced in naturalization processes;
- The Working Group Migration and Asylum articulated and participated in training on Nationality, Naturalization and Statelessness, held on October 1 and 5, 2021.

¹⁷ See more information at <https://raconhecimento.net>

In addition, Professor Gersztejn participated in meetings with congressmen on the promotion and protection of the rights of migrants and refugees, and in lectures and classes on the subject at various universities.

Professor **Paula Zambelli Salgado Brasil**, another LAREF's member, teaches at the Brazilian Institute of Development and Research (*Instituto Brasileiro de Desenvolvimento e Pesquisa* – IDP)¹⁸ and is the vice president of the Broad Democratic Front for Human Rights (*Frente Ampla Democrática pelos Direitos Humanos* – FADDH). FADDH is an association comprised by lawyers and professors that encompasses five major areas of activities: 1) Rule of Law and Criminal Justice; 2) Promotion of Women's Rights; 3) Rights of LGBTQIA+ populations; 4) Rights of indigenous and Quilombola peoples; 5) Rights of migrants and refugees.

Specific actions of the FADDH's are: (I) the promotion of education on rights; (II) carrying out human rights advocacy campaigns; (III) the promotion of innovative legal theses; (IV) the development of strategic human rights advocacy; (V) the construction of strategic actions on laws and public policies.

Professor Salgado Brasil, in addition to teaching constitutional law and participating in research groups on the topic of migration and refuge, provides *pro bono* legal advice for migrants and refugees.

The Federal University of ABC (*Universidade Federal do ABC* – UFABC)¹⁹ is a public university located in the metropolitan region of São Paulo, Brazil. It holds a Sergio Vieira de Mello Chair in agreement with UNHCR. Professor **Gilberto Marcos Antonio Rodrigues** teaches international relations at UFABC and is member of LAREF. The university provides language courses for migrants and refugees, in addition to having established a facilitated admission process for people of interest.

The university's projects related to assistance to persons of concern are funded by UNHCR and the federal government of Brazil, as UFABC is a public institution. Professor Rodrigues reports that in the 2020/2021 biennium, the main challenge for the university was to obtain funding for carry the projects forward during the covid pandemic. In addition, social isolation caused limited contact with people of interest, making their needs and demands less visible.

With regard to direct actions to assist persons of concern, the university established quotas for migrants and refugees (12 places per year undergrad courses) and financial support for those students for the duration of the course.

Professor Rodrigues emphasizes the importance of LAREF's work in stimulating cooperation between its members in exchanges of information and the elaboration of projects and publications together. As an example, the professor mentions the book on the 70th anniversary

¹⁸ See more information at <https://www.idp.edu.br/conheca-o-idp/>

¹⁹ See more information at <https://ri.ufabc.edu.br>

of the Convention Relating to the Status of Refugees²⁰ organized by him, in which several members of the network participated with articles.

Near the southern border of Brazil, in the state of Rio Grande do Sul, is located the Federal University of Santa Maria (*Universidade Federal de Santa Maria - UFSM*)²¹. Professor **Giuliana Redin** teaches at the Faculty of International Relations where she coordinates the Sergio Viera de Mello Chair, a project carried out in partnership with UNHCR. She also coordinates the MIGRAIDH (a research group on Migration, Asylum and Human Rights). These projects bring together professors, researchers, and students from different departments of the university, such as:

- Department of Law. Research Line: Protection and Promotion of the Human Rights of Migrants and Refugees in Brazil;
- Department of Psychology. Research Line: Psychoanalysis and Migrations: clinical-political effects of displacements;
- Department of Social Sciences. Research Lines: International Migratory Flows, Migration Project and Alterities and Multiple citizenships and migratory processes;
- Department of Social Communication. Research line: Media communication and transnational migrations;
- Department of Languages and Philology: Research line: Language policy and Portuguese host language.

The UFSM provides direct assistance services to migrants and refugees through:

- Individual and collective legal assistance, in collaboration with public institutions;
- Psychosocial support and care, through the Center for Psychoanalysis (Faculty of Psychology);
- Support to access public services;
- Portuguese classes;
- Local integration through strengthening networks oriented to reception and labor insertion;
- Capacity building (public agents and the civil society);
- Advocacy: proposal of public policies and lobbying in legislative and administrative processes related to the migration and asylum agenda;
- Technical support for the implementation of Resolution 41/2016 (art. 8), which institutes the Policy for the Admission of Migrants and Refugees at the UFSM;
- Raising awareness and promoting migrants and refugees' rights through actions to fight xenophobia and all forms of discrimination.

²⁰ ACNUR. *70 anos da Convenção relativa ao Estatuto dos Refugiados : (1951-2021) perspectivas de futuro*. Organizadores: André de Carvalho Ramos; Gilberto M. A. Rodrigues; Guilherme Assis de Almeida – Brasília: ACNUR Brasil, 2021. Available in: <https://www.acnur.org/portugues/wp-content/uploads/2021/12/70-anos-projeto-WEB.pdf>.

²¹ See more information at <https://www.ufsm.br/cursos/graduacao/santa-maria/relacoes-internacionais/>

Professor Redin notes that the majority of migrants and refugees assisted by the university are Venezuelans, Senegalese, Pakistanis and Palestinians. The main challenges faced by these populations are state bureaucracy, language, lack of access to information, difficulties in recognizing their certificates and titles, unemployment and lack of psychological assistance. During the pandemic food insecurity and difficulties in accessing documents emerged as relevant challenges.

The context of the pandemic aggravated the situation of persons of concern in terms of the regularization of their migratory status. Due to the closure of borders to forced migrants and refugees for more than a year, through successive ordinances adopted by the Federal Government, access to rights and documentation was either denied or suspended and access to food was impaired due to difficulties in accessing social programs. In addition, many services to persons of concern have become remote, which in many cases caused a loss in quality.

Regarding cooperation with other LAREF members, Professor Redin emphasizes that she works with other members by exchanging information on progress and setbacks in the protection system for refugees and forced migrants as well as exchanging experiences in legal assistance practices – advocacy and strategic litigation. In addition, together with other members of the network, Professor Redin organizes lectures and participates in publications on the topic. As an example, she highlights the II International Seminar on Emerging Rights of PPGD at the UFSM where she organized the panel “Human Rights and International Migration: Advocacy and Strategic Litigation” in which Paola Gersztein (Brazil) and Luis Enrique González Araiza (Mexico), from LAREF, participated. She also mentions collaborative publications²² together with LAREF’s members.

Even in times of pandemic, Professor Redin affirms that the university intends to maintain the services provided to the population of concern for next year and is organizing the creation of the Municipal Committee for Assisting Migrants and Refugees in Santa María in coordination with the local public powers.

All projects are financed by the Ministry of Education as UFSM is a public university. There are also federal bids and calls for financing specific projects.

Professor **Laura Madrid Sartoretto**, a consultant lawyer at the Advisory Group for Migrants and Refugees (*Grupo de Assessoria Jurídica a Migrantes e Refugiados - GAIRE*) at the Federal University of Rio Grande do Sul (UFRGS)²³ is also a member of LAREF. GAIRE is the first university law clinic specialized in providing legal advice for migrants and refugees in Brazil.

GAIRE’s work is carried out in an interdisciplinary way and has professionals and students from various areas such as law, international relations, psychology, social sciences and political sciences, social communication, languages and philology, social work, among others.

²² See note 19

²³ See more information at <https://www.ufrgs.br/gaire/>

The group performs weekly consultations with persons of concern not only on legal issues, but on problems related to the relationships of that population with the government and private entities. In addition, the group promotes capacity-building, advocacy, and awareness-raising actions on the issue of migration and refuge. Dr. Sartoretto is also a professor at the Federal Judicial Academy where she teaches on topics of migration and asylum for future judges.

UFRGS implemented the MIGRACIDADES project²⁴, an online platform that seeks to improve migration governance and contribute to the construction and management of migration policies in a qualified and planned manner, in line with Target 10.7 of the United Nations Sustainable Development Goals, which provides for an orderly, safe, regular and responsible migration.

This project seeks to train local actors, boost migration dialogue, certify the engagement of governments in improving migration governance and give visibility to good practices throughout the certification process. MIGRACIDADES is a partnership between the International Organization for Migration (IOM) and the Federal University of Rio Grande do Sul, with support from the National School of Public Administration (ENAP), and financial support from the IOM Development Fund.

The MIGRACIDADES platform includes a website, training and a certification process that builds on IOM's global experience with the MGI (Migration Governance Indicators) and the unique local expertise of UFRGS and ENAP to disseminate information and advise governments. Since 2020, when the platform was created, 32 cities and 9 Brazilian states have received the MIGRACIDADES seal²⁵, which recognizes the involvement of local governments in improving the integration of migrants and in building social cohesion between this population and the host society. Professor Sartoretto believes that the MIGRACIDADES project is important for its pioneering spirit in involving local governments, international organizations, the university, and civil society in the management of migratory governance.

Finally, it is important to mention that all projects implemented by UFRGS are financed by the Ministry of Education of Brazil and by partner international organizations, such as IOM and UNHCR.

Brazil has a system of higher education (public and private universities) that has been working on the issue of asylum and migration for decades. The Brazilian members of LAREF have both academic and practical experience in the field of asylum and migration and therefore develop projects already consolidated on that subject. The greatest challenges faced by them are always related to the sustainable financing of projects as well as issues related to xenophobia and hostility towards persons of concern in host societies. For this reason, not only projects that provide direct assistance to that population are needed, but also those related to capacity building and raising awareness on the topic of asylum and migration. Integration projects through work and of higher education are also welcomed. Therefore, the multilevel partnership established between public entities, international organizations,

²⁴ See more information at <https://www.ufrgs.br/migracidades/sobre-o-migracidades/o-projeto/>

²⁵ See more information at <https://www.ufrgs.br/migracidades/certificacao/sobre-o-processo-de-certificacao/>

universities and civil society proved to be the most efficient strategy to guarantee the success of such projects in the Brazilian context.

Chile

In Chile, there are around 10,000 refugees and more than 450,000 nationals from Venezuela who have requested asylum or are in the country with another migratory status.²⁶ Since 2019, the country has been part of the Conosur Platform, together with Argentina, Bolivia, Uruguay and Paraguay. Due to the increase in the number of Venezuelan refugees and migrants in the country, Chile has become the third recipient country of Venezuelans in the Latin American region.²⁷

Professor **Tomás Pedro Greene Pinochet**, head of the legal area of the Jesuit Migrants Service of Chile (*Fundación Servicio Jesuita a Migrantes – SJM*)²⁸, has been a member of LAREF since 2019. The SJM promotes and protects the dignity and rights of people who migrate to Chile by assisting this population in the process of social inclusion of migrants and refugees, through a multidimensional work in advocacy and raising-awareness within the host society.

The organization provides social and legal assistance to persons of concern through the work of an interdisciplinary team. Likewise, intervention is carried out in communities and schools to favor the inclusion processes of migrants and refugees and their families. Furthermore, through the Migrapp digital platform²⁹ direct assistance is given to people across the country.

Between January and September 2021, a total of 12,019 people participated in the SJM programs. In addition, a total of 25,784 individual consultations have been granted to persons of concern, 700 administrative and judicial cases have been filed. A total of 2,434 persons have participated in awareness-raising events. All SJM projects are financed by UNHCR, partners with direct contributions, private companies, the Society of Jesus and state funds.

The pandemic has forced the closure of the SJM's offices and has prevented face-to-face assistance, except in emergency cases, making it more difficult to access procedures. However, it has strengthened remote assistance through the Migrapp digital platform.

Advocacy activities also continued throughout the biennium 2020/2021. SJM sought work to stop the expulsions of Venezuelans. The organization also participated in the constitution-

²⁶ See more information at <https://www.acnur.org/chile.html>

²⁷ See more information at <https://www.r4v.info/es/chile>

²⁸ See more information at <https://sjmchile.org>

²⁹ See more information at <https://migrapp.sjmchile.org>

building process³⁰, supporting the adoption of norms aiming at promoting and protecting migrants' and refugees' rights.

About academic production, the SJM has a research department that prepares reports and papers on the topic of migration and refugee studies.

Colombia

Colombia is a country marked by internal displacement due to the armed conflict that lasted decades in the country. There are more than 9 million people registered as victims of the internal armed conflict and 70,865 new displacements registered in the Victims Registry (*Registro Unico de Víctimas – RUV*) in 2020³¹. Furthermore, since the beginning of the crisis in Venezuela, Colombia has been the country that received most migrants and refugees from that country. Currently, 1,842,390 Venezuelans live in Colombia, and of these, more than 1 million are still in the process of regularization.³² The pandemic made this process slower, both by closing borders and by suspending face-to-face assistance to persons of concern.

Professor **Luz Marina Muñoz Sánchez**, dean of the Cooperative University of Colombia – Villavicencio headquarters (*Universidad Cooperativa de Colombia – UCC*)³³, is a member of LAREF. The UCC is a multi-campus higher education institution with around 40,000 students enrolled in different academic programs. At the Villavicencio campus, around 1,000 students are enrolled in the Law Faculty. The university provides legal advice to persons of concern through its Legal Clinic.³⁴ Since 2019, 330 persons of concern have been assisted.

As expected, the pandemic very seriously affected the work of the Clinic. The in-person direct assistance to people of concern was suspended, while mass assistance sessions and decentralized service efforts could not take place in 2020 either.

Regarding the challenges faced by the UCC developing the activities established in the Charter of Santiago, issues related to the scarce funding and lack of human resources can be mentioned. In addition, in the 2020/2021 biennium, academic publications were not produced due to lack of funding.

The UCC has elective courses on the subject and develops trainings and conferences on the topic of migration and asylum. In 2021, 760 students participated in courses. Likewise,

³⁰For more information on the constitution building process that took place in Chile in 2021, see <https://www.gob.cl/procesoconstituyente/>

³¹ See more information at https://www.acnur.org/op/op_fs/6058c6d94/acnur-colombia-hoja-informativa-enero-diciembre-de-2020.html

³² See more information at <https://www.r4v.info/es/colombia>

³³ See more information at <https://www.ucc.edu.co/villavicencio/Paginas/inicio.aspx>

³⁴ See more information at <https://www.ucc.edu.co/villavicencio/Paginas/centro-conciliacion.aspx>

research projects on the subject have been developed. In addition, the law school trained 30 workers on issues of migration and asylum in 2021.

On the importance of LAREF on the work of Professor Sánchez, she reports that since 2015, the elective course on Forced Displacement and International Refugee Law has been implemented for all students of the law program in order to provide adequate training on the subject of migration and refugee law. Likewise, with the financial support of UNHCR, a course on international refugee law was developed for the representatives of the Department of Migration of Arauca, situated on the border with Venezuela. An agreement was signed with UNHCR and the *Corporación Opción Legal* for the development of project to assist persons in need of international protection. The encouragement and some of the ideas to carry out the aforementioned courses came from LAREF members, at the network's annual conferences. That is why Professor Sánchez emphasizes that cooperation between LAREF members is so important and effective as it results in concrete actions for the promotion and protection of the rights of persons of concern, as well as it encourages students to dedicate their research and work to this population.

Costa Rica

According to IOM, 417,768 migrants live in Costa Rica, which represents 8.23% of the population of the country.³⁵ In 2020 there were 121,983 persons of concern in the country from which 9,613 were refugees and 89,770 were asylum seekers.³⁶ Costa Rica was also affected by the Venezuelan crisis. There are currently 30,664 Venezuelans residing in the country and the pandemic has significantly affected access to the territory and integration projects for Venezuelan immigrants.³⁷

Dr. Ruth Mayela Morera Barboza is member of LAREF. She is co-director of the Legal Clinic of the Western Regional Branch of the University of Costa Rica (UCR). She also collaborates with the NGO *Mujeres Unidas en Salud y Desarrollo* known as MUSADE.³⁸ The Legal Clinics is a free service offered by the University of Costa Rica to the population with limited resources or in situations of vulnerability. The organization provides legal advice on matters of asylum, family, labor and agrarian law, among others. Through this service, cases are processed before courts of justice or before public institutions of the state such as the General Directorate of Migration and Foreigners. The MUSADE also provides legal advice and if necessary, the matter is referred to the Legal Clinic to file the case before the courts.

³⁵ See more information at <https://datosmacro.expansion.com/demografia/migracion/inmigracion/costa-rica>

³⁶ See more information at <https://www.acnur.org/costa-rica.html>

³⁷ See more information at <https://www.r4v.info/es/centroamericaymexico>

³⁸ See more information at <https://derecho.ucr.ac.cr/AccionSocial/ConsultoriosJuridicos>

The pandemic has seriously affected the work carried out by the Clinics, daily appointments decreased by 80 per cent in 2020. Currently, the Clinic is working with 50 per cent of its capacities and intends to resume activities fully in 2022. Despite the face-to-face activities have been severely reduced, some counseling activities are still delivered by phone and video calls as well as email. Both the Legal Clinics and other projects carried out by the UCR with persons of concern are funded by the University itself.

According to Dr. Morera Barboza, the relationship with LAREF is fundamental. Knowing first-hand the strategies that are being developed in other countries allows the UCR to value and adapt some of them to their local daily work. For example, opening a more effective communication channel with clients was one of the ideas that arose thanks to the LAREF Network. Now beneficiaries not only can request an appointment with the Clinic through the official channels of the UCR but an exclusive and direct phone line has also been created for this purpose.

Ecuador

According to the Ecuadorian National Institute of Statistics (*Instituto Nacional de Estadística y Censos*) INEC³⁹, around 2 million migrants live in Ecuador today, which means that around 11 per cent of the Ecuadorian population is foreign-born. Of that number, 867,663 are refugees and asylum seekers. The crisis in Venezuela had a major impact on Ecuador, as the country has received 791,492 migrants and asylum seekers from Venezuelans to date.⁴⁰

The COVID-19 pandemic has brought new difficulties in terms of human mobility on the Ecuadorian borders. On March 16, 2020, the country's land and air borders were closed. As a result, the main crossing points with Colombia (Rumichaca) and Peru (Huaquillas) reported a large number of Venezuelans stranded at the border⁴¹, which caused agglomerations and prevented these individuals from having access to Ecuadorian territory and to basic rights such as health and safety.

In Ecuador, Professor **María Helena Carbonell**⁴², LAREF Network member since 2014, who work for the National Institute of Higher Studies (*Instituto de Altos Estudios Nacionales – IAEN*) where she teaches international law and human rights. The IAEN has a master's degree

³⁹ See more information at https://www.ecuadorencifras.gob.ec/documentos/web-inec/Poblacion_y_Demografia/Migracion/2020/Boletin_tecnico_ESI_2020.pdf

⁴⁰ See more information at <https://reporting.unhcr.org/ecuador#toc-populations>

⁴¹ R4V. Plataforma de Coordinación Interagencial para Refugiados y Migrantes de Venezuela. RMRP 2021 para Refugiados y Migrantes de Venezuela. Plan de respuesta regional Enero - Diciembre 2021, p. 143. Available at: <https://www.r4v.info/es/regional>

⁴² More information available at <https://www.iaen.edu.ec/teachers/maria-helena-carbonell-y/>

program in international relations and diplomacy with a major in human mobility.⁴³ Within the framework of this program, conferences and events are held on topics related to human mobility in general.

The university also holds two research areas for projects related to the following subjects. The first covers human rights, gender, intercultural issues and citizen participation, which includes interdisciplinary studies related to the interrelation between human rights, diversities and citizenship that are directed to the development of inclusive policies. The other relevant research focus of the IAEN covers foreign policy, strategic studies and global processes. This research area matches different fields of study from a practical perspective, such as international relations, geopolitics, international political economy, security and defense, international regulations, mobility and diplomacy, among others. Its primary objective is to contribute to a better understanding of global processes at a historical-structural level, seeking to respond to current global challenges through dialogue and information exchange.

With regard to admission processes in higher education for persons of concern at the IAEN, the institution offers mechanisms of facilitated access for these people and scholarships for those who are selected.

All projects are financed by the institution itself, which belongs to the Ecuadorian state.

Honduras

Honduras is primarily a country of emigration. Thousands of Hondurans migrate every day in search of a better life in other countries. Even so, the country receives migrants and asylum seekers from other states. These people are usually in transit to a third country, when they usually have their rights violated. The caravans that leave Honduras with migrants and asylum seekers trying to reach countries like Mexico and the United States are well known. The search for better socioeconomic conditions and displacement due to violence continue to be the main reasons for Honduran migration. Particularly, persecution and threats from gangs against men under 17 years of age have intensified, forcing this population to migrate in an irregular manner due to internal displacement.⁴⁴

According to **Professor Rolando Sierra**, director of FLACSO Honduras (*Facultad Latinoamericana de Ciencias Sociales*), historian, essayist and sociologist and LAREF member, what the country is facing is a series of deficiencies and structural problems that leads to the emigration of a large percentage of the population, especially in the caravans.

⁴³ More information available at <https://www.iaen.edu.ec/escuelas/relaciones-internacionales/> and <https://www.iaen.edu.ec/escuelas/relaciones-internacionales/>

⁴⁴ IOM. *Baseline assessment of irregular migration flows and mobility tracking in border crossing points in the context of covid-19. Honduras: Round 7 – july 2021*. Available at: <https://dtm.iom.int/reports/honduras-baseline-assessment-migration-flows-and-mobiity-tracking-within-context-covid-19-4>. Access in December 2021.

Currently, Honduras is the Central American country with the largest emigrating population.⁴⁵ There is about a million Hondurans living outside the country, representing almost 9% of the total Honduran population.⁴⁶

As to immigration, according to the IOM, the largest migration flow into Honduras happens through the southern borders of the country, mainly through La Apertura (Trojes), where the migration phenomenon can be observed in the streets of the communities of Cifuentes and Mata Guineo, where migrants mostly from Haiti and Cuba are *en route* to the United States.⁴⁷ The irregular nature of these movements render migrants more vulnerable to human rights violations along the way.

Sally Merriloy Valladares Cerrato, lecturer and member of the Center for Research and Promotion of Human Rights (*Centro de Investigación y Promoción de los Derechos Humanos de Honduras - CIPRODEH*)⁴⁸ carries out advocacy activities that aim to promote and protect the human rights of vulnerable populations, including migrants and refugees.

With regard to work during the pandemic, Dr. Valladares states that the impediment of people's movement was the main difficulties faced by the organization.

Mexico

In 2020, the number of migrants in Mexico reached 1.2 million persons, around 1 per cent of the country's total population.⁴⁹ Regarding population in need of international protection, according to UNHCR, Mexico then became a destination country, as well as a transit country to the United States, with more than 116,000 asylum applications in 2021, reaching a new record.⁵⁰ As to the Venezuelan crisis, Mexico has received up to 20,000 Venezuelans so far. The most urgent needs are related to protection, humanitarian assistance, including food security and shelter, support for integration, including income generation, and medical

⁴⁵ See more information at <https://presencia.unah.edu.hn/noticias/honduras-caravanas-de-migracion-y-estadisticas/>

⁴⁶ See more information at <https://presencia.unah.edu.hn/noticias/honduras-caravanas-de-migracion-y-estadisticas/>

⁴⁷ R4V. Plataforma de Coordinación Interagencial para Refugiados y Migrantes de Venezuela. RMRP 2021 para Refugiados y Migrantes de Venezuela. Plan de respuesta regional Enero - Diciembre 2021, p. 143. Available at: <https://www.r4v.info/es/regional>

⁴⁸ See more information at <https://ciprodeh.org.hn>

⁴⁹ See more information at <https://es.statista.com/estadisticas/1264245/migrantes-en-mexico-por-pais-de-origen-y-genero/> and <https://worldmigrationreport.iom.int/wmr-2020-interactive/?lang=ES>

⁵⁰ See more information at <https://news.un.org/es/story/2021/12/1501972>

assistance. Among the main protection concerns is the lack of timely processing asylum cases and documentation related to immigration status.⁵¹

In Mexico, there are three organizations represented in LAREF. The first is *FM4 Paso Libre* (Dignity and Justice on the Road AC).⁵² It is a non-profit organization, located in Western Mexico, dedicated to the defense and promotion of human rights of migrants and refugees through the provision of comprehensive humanitarian care, policy advocacy and research. FM4 provides shelter, food, clothing, humanitarian assistance and emergency medical care for persons of concern. It also provides psychological services and legal advice and representation in matters of Mexican immigration law and international refugee law. **Luis Enrique González Araiza**, public international law and human rights' professor at the Guadalajara University⁵³ and LAREF member, is the organization's executive director. According to González, FM4 assisted 4,707 people in transit in 2021. The organization provided meals, cleaning kits, personal hygiene items and clothing to persons of concern. In addition, 632 people were housed in the FM4's shelter, 619 people were provided with medical and psychological assistance, 1,352 people were supported in local integration programs, 783 people were advised individually on matters of Mexican immigration law and international refugee law, and 85 persons holding an international protection status were legally represented at court. The organization also has a research department that publishes studies on persons of concern.

Professor González reveals that the management of the COVID-19 pandemic drastically affected the work of the organization. On the one hand, the organization's structure was not prepared to provide clients with the space necessary to ensure social distancing measures for those in need. On the other hand, the number of volunteers that worked in the organization decreased relevantly, as they preferred to pause their work to isolate themselves with their family members. And finally, donations also decreased considerably, since, with the loss of jobs caused by the pandemic and the precariousness of living conditions, many benefactors of the cause stopped contributing to the project. To all this, Professor González adds the complete neglect of people on the move by all three levels of government (municipal, state and federal).

Furthermore, the restriction to human mobility generated by the pandemic in the first part of 2020 diminished the entry of persons in need of international protection in Mexico. Another important issue was that, after the pandemic, the government institutions that manage migration policy (*Instituto Nacional de Migración*) as well as the international protection policy (*Comisión Mexicana de Ayuda al Refugiado*) suspended some procedures. Such situation generated delay and uncertainty in the assistance to persons in need of international protection.

⁵¹ See more information at <https://www.r4v.info/en/centralamericaandmexico>

⁵² See more information at <https://fm4pasolibre.org>

⁵³ See more information at <https://www.udg.mx>

In Mexico, as in other countries, persons of concern had difficulties in accessing Mexican territory and exercising basic rights, while the organization faced obstacles due to issues related to structure, work methodology and funding.

For the year 2022, the organization intends to resume all its projects, especially those related to local integration carried out in partnership with UNHCR. FM4 projects are funded on the one hand, by UNHCR, the European Union, as well as other international organizations. In addition, individuals and companies donate to the organization.

Professor González says that participating in LAREF is very important to his work in Mexico. Particularly the fact that he is regularly updated about good practices of colleagues who combine the teaching of international refugee law with direct assistance to people in need of international protection.

The University of the State of Veracruz (*Universidad Veracruzana*)⁵⁴, where Professor **Carlos Ruiz Saldívar** teaches, is also represented in LAREF. Professor Saldívar also works at the university's law clinic. The law clinic is hosted by the Faculty of Law and provides legal assistance and legal representation to migrants and refugees. Since 2020, the offices of the *Universidad Veracruzana* have been closed and legal assistance has been delivered by telephone and in some cases, meetings in shopping centers. The law clinic intends to return to face-to-face legal assistance from February 2022, if circumstances of the COVID-19 pandemic allow.

With regard to the production and dissemination of knowledge about persons of concern, the university offers a course on refugee law.

Finally, the Autonomous University of Nuevo León (*Universidad Autónoma de Nuevo León*)⁵⁵, where Professor **Mario Lino García** manages the legal clinic, is also represented in LAREF. In 2021, the clinic assisted 66 persons of concern and represented 44 in cases at court, even though personal contact was substantially reduced due to the COVID-19 pandemic.

The pandemic forced the closure of face-to-face assistance services, but the clinic kept assisting persons of concern by phone and email. Professor Lino reveals that the Law Faculty intends to establish a course on refugee law, but due to financial constraints it has not been possible so far.

According to Professor Lino, being part of LAREF benefits the work of the clinic through sharing experience and knowledge by discussing collectively legal cases and solutions during the networks' conferences. He considers it a valuable exercise of comparative law and has applied that knowledge when designing and conducting educational activities for the students that work with the clinic.

⁵⁴ See more information at <https://www.uv.mx>

⁵⁵ See more information at <https://www.uanl.mx>

Peru

Currently, 1.2 million migrants live in Peru, that is, 3.7% of the population residing in the country is foreign-born.⁵⁶ As to the situation of Venezuelans, Peru continues to be the second country in the world with the highest arrival of refugees and migrants from Venezuela: 1,043,000 people have settled there, of which 496,000 have requested asylum.⁵⁷

Also in Peru, the COVID-19 pandemic caused a severe restriction to access to territory and to migration regularization processes. This fact led to the marginalization of migrants and refugees, especially undocumented persons, who do not have access to health services, education and the labor market. The COVID-19 pandemic has also brought a series of problems to access services and rights on the part of persons of concern. Due to the digitization of State services, virtual procedures are carried out, but usually migrants, refugees and asylum seekers face some difficulties in providing adequate documentation.

Land borders are still closed. In the case of access through the airport, the Venezuelan population continues to be required to have a humanitarian visa to access the territory, however, Peruvian consular services have not been reestablished for these procedures. In addition, irregular admissions are still in place and have occurred throughout the health emergency. Therefore, access to healthcare and to labor market are seriously affected by the pandemic, mainly in the case of undocumented people.

Dr. Analí Briceño, lawyer and coordinator of the Pedro Arrupe SJ Legal Clinic (PASJ)⁵⁸, provides legal advice to migrants, refugees and asylum seekers. The clinic has five offices where twenty lawyers assist this population.

According to Dr. Briceño, 5,225 people were assisted between January and December 2021. In addition, through the digital platform, 12,590 cases on migration and asylum were processed and solved during the same period. The PASJ assists persons individually, by providing orientation, counseling or representation. The cases can be dealt with in person or through digital platforms (email, WhatsApp, Facebook, etc.). The Clinic also resorts to a collective intervention strategy that informed 983 persons about their rights and how to access them in Peru between January and December 2021. The workshops are delivered through weekly virtual webinars.

The pandemic has had a severe impact on the work of PASJ, but also represented an opportunity to improve in quality and quantity online assistance for persons of concern. Briceño reveals that during 2021, virtual monitoring of cases has continued, despite limitations in communication with beneficiaries at the beginning, which were partially overcome later. In 2022, PASJ intends to continue with direct assistance to persons of concern and to improve skills in strategic litigation. In this last topic, the participation in LAREF was crucial to

⁵⁶ See more information at <https://worldmigrationreport.iom.int/wmr-2020-interactive/?lang=ES>

⁵⁷ See more information at <https://www.acnur.org/peru.html>

⁵⁸ See more information at <https://www.encuentros-sjs.org/clinica-juridica/>

understand how strategic litigation processes occur and how to take advantage of these processes to the benefit of the persons of concern. PASJ projects are funded by UNHCR, the Norwegian Refugee Council, the Danish Refugee Council and Lutheran World Relief.

The main challenges facing the organization when performing its work are related to funding to carry out all the activities and assist as many persons of concern as possible. Currently, there are only few organizations that provide legal services in Peru; therefore, the PASJ has an over-demand and an excess of cases to follow-up.

Capacity building is not PASJ's main activity. However, the organization tries to facilitate training spaces with other grassroots organizations, 86 workers participated in the workshops in 2021. Furthermore, together with the UNHCR Representation in Peru, the organization produced Guidelines on Legal Attention to Migrants and Refugees⁵⁹ for agents or organizations that work with the population of concern.

In addition, through an agreement with the Antonio Ruiz de Montoya University, the organization provides internships for students in its offices. On the other hand, advocacy has been strengthened during the pandemic. Due to State's negligence, grassroots organizations and the civil society have been self-coordinating to raise awareness to the situation of migrants, refugees and asylum seekers. In addition, the use of virtual spaces made it possible to hold meetings, workshops and training sessions that reached more people.

Spain

The migrant population residing in Spain as of January 2021 amounted to 5,375,917 people, representing about 12 per cent of the country's population.⁶⁰ Morocco is the country of nationality for the largest group of migrants, followed by Romania and the United Kingdom. But the Latin American presence in Spain is quite important, Colombia, Venezuela, Ecuador, Honduras, Peru and Argentina being the main countries of origin.⁶¹

Due to close social, political and cultural ties with Spain, Latin American migratory flows directly impact migration rates to Spain, so much so that during the prolonged Colombian conflict, Spain was the European country that received the most migrants from Colombia. Currently, with the Venezuelan crisis, the situation is no different, Spain has already received 229,223 nationals from that country.⁶² With regard to asylum applications, nationals from

⁵⁹The complete document can be found at <https://drive.google.com/file/d/17i2HPfXfKJDkxNuLdRxGyBtNqpWJqJT1/view>

⁶⁰ See more information at <https://es.statista.com/estadisticas/472512/poblacion-extranjera-de-espana-por-nacionalidad/>

⁶¹ See more information at <https://es.statista.com/estadisticas/472512/poblacion-extranjera-de-espana-por-nacionalidad/>

⁶² See more information at <https://es.statista.com/estadisticas/472512/poblacion-extranjera-de-espana-por-nacionalidad/>

Hispano-American countries predominate, with Venezuela, Colombia, Honduras, Peru and Nicaragua being the first five nationalities by number of applicants.⁶³ In this sense, the presence of Spanish academics at LAREF is not only positive, but essential for an integral understanding of the migratory phenomenon that affects Latin America and Spain.

Professor **Nuria Arenas Hidalgo**, head professor of public international law and director of the Department of Migration and Equality, of the Center for Research in Contemporary Thought and Innovation for Social Development (*Centro de Investigación en Pensamiento Contemporáneo e Innovación para el Desarrollo Social – COIDESO*)⁶⁴, of the *Universidad de Huelva*, is the Spanish representative at LAREF.

Among the activities offered by the University of Huelva to persons of concern, the following may be highlighted:

- Online Spanish classes: The University of Huelva facilitates access to OLS, the linguistic support platform of the Service for the Internationalization of Education (SEPIE);
- Free access to Spanish courses from the Modern Languages Service of the University of Huelva;
- Assistance to access master courses at the University of Huelva: tuition waiver and scholarships are provided (enrollment waiver and € 2,000 per student);⁶⁵
- Access to the Library of the University of Huelva;
- The so-called “Experience Classroom” (*Aula de la Experiencia*), a social, cultural and scientific development program aimed at promoting science and culture for persons that acquired knowledge through their own life history and personal experience. It targets a group that, for various reasons, did not have access to university benches. It aims to optimize the quality of life of these people and, at the same time, encourage their active participation as promoters of their social context;
- Promotion of Intercultural Workshops: carried out at the initiative of the students, the administration, professors and university staff. The workshops cover a wide range of topics. In the biennium 2020/2021, 6 workshops were organized:
 - I. Workshop: Musical Project for Intercultural Exchange;
 - II. Workshop: Women who study and research in Africa. The continents’ challenge in the XXI century;
 - III. Workshop: Migrant women: new realities;

⁶³ See more information at

http://www.interior.gob.es/documents/642012/11504833/Asilo_en_cifras_2020.pdf/8368acc6-0a39-4e46-a8c0-808ae51f7486

⁶⁴ See more information at <https://coideso.org/acerca-de-nosotros/>

⁶⁵ In the 2020/2021 biennium, 4 people were granted the scholarships, two Cuban nationals and two Nicaraguan nationals.

IV. Workshop: Diverse Latin [America](#): an approach through cinema;

V. Workshop: Voluntary intercultural awareness;

VI. Workshop: Culture, science and development: encounters with the cultural and socio-economic realities of Zimbabwe.

As to the nature and the objectives of the projects aimed at assisting persons of concern, Professor Arenas Hidalgo reveals that the behavioral and social changes post-COVID-19 have triggered other priorities, causing a general slowdown in these activities. Moreover, the profile of refugees in Huelva has changed. Currently, most refugees and asylum seekers are young men with little or no training. Thus, there has been little interest in the projects related to university studies. Bearing in mind the new reality, the University of Huelva is seeking to adapt its projects to the needs of the persons of concern. The main objective of the Universidad de Huelva's refugee program is academic in its nature, but it also seeks to facilitate integration in general, therefore other options are being sought in order to continue offering an attractive program to the persons of concern. Furthermore, during the pandemic, the measures adopted to restrict mobility involved the transfer of face-to-face activities to the online modality which, in the case of persons of concern, prevented them from benefiting from certain activities such as the contact with classmates and professors in the classroom.

Professor Arenas Hidalgo explains that in general, the pandemic has caused a notable reduction in arrivals in Spain. On the other hand, the long-standing difficulties in accessing the procedure were accentuated. The lockdown led to the suspension of all face-to-face administrative procedures at the Asylum and Refugee Office, as well as at police offices. The pandemic also affected the management of reception centers, which had to incorporate quarantine processes and specific protection measures. And finally, it also harmed the integration processes, forcing the administrations and specialized organizations to redesign their programs. However, the government adopted important measures in this area, such as extending the validity of expired documentation as well as extending the stay in reception facilities. As expected, the health and social emergency has hit especially the most vulnerable population in Spain, and among them the refugee population. It has been noted especially in psychosocial terms, employability, access to housing and coverage of basic needs.

Regarding research and the dissemination of knowledge on migration and asylum, the university hosts the following research groups:

- The Research Group "Public Law for Governance": it has a specific study focus on international and European refugee law.
- The ESEIS Research Group "Social Studies and Social Intervention": has a study focus on population and migrations (circular migration, adolescents and immigrant youth, gender and migrations, health and migrations).

The above mentioned COIDESO has a Department of Migration and Equality that carries out specific research on migration and refugee studies.

Regarding teaching, the Faculty of Law offers a course on European asylum policy. It is one of the few universities in Spain that have a specific subject on this matter in its study plan.

Within the framework of this subject and the supervision of Professor Arenas Hidalgo, 3 three bachelor theses and one master thesis were drafted in 2021:

Lucía Ione Padilla Espinosa: *Effective Access to the International Protection Procedure in Spain, in Light of the Jurisprudence of the Court of Justice of the European Union (master thesis);*

Elena Gustos Gómez: *The “Maras” of Central America and Their Quality as an Non-State Agent of Persecution in Asylum Contexts (bachelor thesis);*

Eva María Delgado Solís: *The Right to International Protection of Unaccompanied Foreign Children (bachelor thesis);*

Paloma Suárez Rodríguez: *Female Genital Mutilation and the Right to Asylum (bachelor thesis).*

With regard to collaboration with the other members of LAREF, Professor Arenas Hidalgo reports that she benefited from exchanging information and experiences with the networks' members, which enriched her classroom repertoire.

She also mentions two activities that were carried out in collaboration with other LAREF members:

- Seminar: “Building Cities of Refuge. *Las Ciudades Refugio en España y Derecho Comparado*”, co-organized by the Department of Migration and Equality, of the Center for Research in Contemporary Thought and Innovation for Social Development (COIDESO) of the University of Huelva and the Public Institute of Barcelona. The seminar was held on October 16, 2021, online. On behalf of Red LAREF, intervened Professor Laura Madrid Sartoretto (lawyer at GAIRE/UFRGS-Brazil and professor of international law at ESMAFE – see earlier);
- Seminar: “Migrant Women and Gender-Based Violence in Pandemic Contexts. The Response of the Andean Countries”. The online seminar was held in December 2020, on the occasion of the International Migrants' Day. On behalf of LAREF, Professor Alejandra Cárdenas Reyes, professor of international law at the *Universidad de las Américas* (UDLA)) and the Catholic Universidad of Santiago de Guayaquil (Ecuador) intervened.

FINAL CONSIDERATIONS

The LAREF Network was created in 2014, mainly consisting of Latin American academics, researchers and professors whose objective is to investigate and develop teaching, research and assistance activities to meet the needs of refugees, asylum seekers and forced migrants and stateless persons.

In November 2019, in the city of Santiago de Chile, LAREF members made a pledge to the World Forum on Refugees, committing themselves to:

- Addressing the immediate needs of persons of concern;
- Carrying out and disseminating comprehensive and multidisciplinary studies about migration and asylum;
- Strengthening national capacities on issues of international protection to provide adequate responses to the needs of persons of concern, and;
- Facilitating the admission of persons of concern to higher education in host countries.

In this sense, the annual monitoring of the projects carried out by members and organizations represented in the network is relevant so that it is possible to evaluate and analyze the impact of said activities on the assistance to persons of concern with a view to boost their integration in the host society.

This report aimed to demonstrate the multiplicity and importance of the projects carried out by LAREF members in the 2020/2021 biennium, a period in which the COVID-19 pandemic swept the world and caused the death of millions of people. To face the pandemic, the states adopted regulations that restricted access to their territories, which hindered the free movement of people in need of international protection.

In this context, all the projects developed by the members of the network were also affected by the pandemic, as those related to direct assistance and depending on direct contact with the people of concern were suspended or started to be carried out virtually. Those related to research and teaching activities were also converted into virtual activities. Advocacy and strategic litigation were also hampered by the pandemic as congressional and judicial activities were disrupted in many countries.

Even so, after most of the activities were adapted to the virtual environment, the organizations represented in LAREF demonstrated resilience and creativity to continue aiding and supporting to the population of concern. Services began to be provided virtually or by telephone, classes, training and conferences took an online format, as well as court hearings and congress sessions. In this context, LAREF members adapted and continued to provide the necessary services to the population of concern, although often to a lesser extent.

The data on the projects mentioned in this report were provided by LAREF members who responded to the relevant questionnaire. The diversity in the nature of the organizations that participate in the network makes the activities carried out to be very different and difficult to compare. Thus, this report lends itself much more to qualitatively describing the activities carried out than to promoting a comparison between the work of each organization. It is also important to mention that many organizations do not carry out or do not provide a quantitative record with the number of people assisted, which limits the scope of quantitative analysis.

RECOMMENDATIONS

With a view to improving LAREF members cooperation and exchange of experiences, after a thorough analysis of the data shared by network members, the following **recommendations** can be made:

a. Address the immediate needs of people of concern:

- The universities and NGOs should exchange experiences on the establishment of legal clinics in their organizations. Although all the universities cited in this report provide some kind of direct assistance to persons of concern (language courses, advocacy, capacity building, training, etc.), it is advisable that they establish legal clinics based on the experience of other member organizations, adapting those models to their own circumstances;
- Legal clinics should, as much as possible, be interdisciplinary, that is covering the widest possible spectrum of areas of knowledge. This will not only benefit the quality of the service provided by clinics, but it will also make students from various faculties and courses aware of the issue of forced migration and asylum;
- Legal clinics should keep and dispose quantitative data about the number of persons of concern assisted over a given period of time to better monitor and evaluate the activities carried out;
- Another important contribution that universities can provide is the teaching of local language and culture through philology and literature departments to benefit the process of integrating people of concern;
- Explore possibilities for getting involved in activities of legal empowerment for persons of concern, making use of the specific experience of the Hungarian Helsinki Committee on this matter, among others;
- As to the projects' funding, the universities and organizations, if possible, should seek financial support both from international organizations and public and private foundations to carry out their projects of assistance to people of concern. The Network could be involved in arranging free-of-charge capacity building to these entities on fundraising.

b. Conduct and disseminate comprehensive and multidisciplinary studies on situations of forced displacement in the Americas;

- The Network should establish online meetings every three months to discuss new developments in the area of international protection and human mobility in each of the countries, exchange experiences on current activities and discuss future cooperation projects between its organizations and members;
- LAREF members should provide for an annual (online) publication, in which scientific articles on topics of international protection and human mobility are included. This publication could also contain a review of developments in legislation and jurisprudence in the region on that subject;
- Members should develop projects of comparative studies on topics of international protection and human mobility. Such projects must be both international and

multidisciplinary, so that all areas of knowledge covered by the network can contribute to such studies, thus enabling a broader view of the issue of human mobility in the region;

- Exchange between members of the Network, as well as internships between students dedicated to the topic of international protection and human mobility, should be encouraged, including through the provision of funds for such activities. The Network should jointly look for funding for such initiatives.

c. Strengthen national capacities in international protection and access to the rights of persons of concern to provide adequate responses:

- Universities and organizations hosting LAREF members should provide training courses on the topics of international protection and human mobility for workers in the field;
- Universities and organizations hosting LAREF members should establish partnerships with judicial academies and training institutions for judges, prosecutors, public defenders and lawyers in general to bring knowledge on the subject of international protection and human mobility to the judiciary;
- Workshops on the rights of refugees and migrants should be offered to persons of concern so that they can learn about their rights in the host country and better access the justice system;
- Universities and organizations hosting LAREF members should cooperate to enhance their advocacy and strategic litigation capacities, especially before constitutional courts and in the Inter-American Human Rights System.

d. Facilitate the admission of persons of concern to higher education in the host countries:

- Universities, according to their possibilities, should endeavor to establish in faculties and departments a quota system for the admission of refugee and forced migrant students;
- Universities and organizations hosting LAREF members should seek funding for scholarships for refugee and forced migrant students. When this is not possible, universities and organizations can create an advisory service for students who need to apply for scholarships from funding entities;
- In universities that carry out the homologation of foreign diplomas, the process of recognition should be facilitated for people of concern (with fee waivers and the exemption of presenting certain documents, for example). In those institutions that do not carry out this procedure, an assistance service should be established for people who need to have their diplomas homologated in the host country.

PUBLICATIONS OF PARTICIPATING LAREF'S MEMBERS

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