



SYSTEMATIZATION OF BEST PRACTICES

COMPREHENSIVE CARE ROUTE FOR THE RIGHTS OF MIGRANT CHILDREN AND ADOLESCENTS IN MEXICO



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This publication was made possible by the support of the Population, Refugees and Migration Office of the Department of State the United States (PRM), under the Regional Program on Migration. However, the views expressed do not necessarily reflect the official policies of the United States Government.

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Head of Mission: Dana Graber Ladek

Project Coordinator: Laura Canché, National Coordinator of the Western Hemisphere Program

International Organization for Migration (IOM)

Address: Francisco Sosa #120 Colonia Barrio Santa Catarina, Del. Coyoacán, CP. 04000

Publication date: August 2021

Email: lcanche@iom.int

Publication prepared by the Regional Knowledge Hub on Migration

Coordinator: Vanesa Vaca, Knowledge Management Regional Office

Regional Office for Central America, North America, and the Caribbean

Email: kmhubregional@iom.int

Web site: <https://kmhub.iom.int/es>

ABBREVIATIONS

BP	Best Practice
CNDH	National Human Rights Commission – Mexico (by its Spanish acronym Comisión Nacional de Derechos Humanos – México)
COMAR	Mexican Commission for Refugee Assistance (by its Spanish acronym Comisión Mexicana de Ayuda a Refugiados)
CONAPRED	National Council for the Prevention of Discrimination (by its Spanish acronym Consejo Nacional para la Prevención de la Discriminación)
CRA	Child Rights Approach
DIF	Family Integral Development (in its Spanish acronym Desarrollo Integral de la Familia)
IACHR	Inter-American Court on Human Rights
INDESOL	National Institute for Social Development (by its Spanish acronym Instituto Nacional de Desarrollo Social)
INM	National Institute of Migration Instituto (by its Spanish acronym Nacional de Migración)
IOM	International Organization for Migration
LGDNNA	General Law of Children and Adolescents Rights (by its Spanish acronym Ley General de los Derechos de Niñas, Niños y Adolescentes)
OPI	Child Protection Officers (by its Spanish acronym Oficiales de Protección a la Infancia)
PPNNA	Procurator of the of Children and Adolescents Protection (by its Spanish acronym Procuraduría de Protección de Niñas, Niños y Adolescentes)
RPIDNNA	Project for a comprehensive protection of children and adolescents rights in a migration situation (by its Spanish acronym Proyecto Ruta de Protección Integral de Derechos de niñas, niños y adolescentes en situación de migración)
SE-SIPINNA	Executive Secretariat for Children and Adolescents comprehensive protection (by its Spanish acronym Secretaría Ejecutiva del Sistema de Protección Integral de Niñas, Niños y Adolescentes)
SIPINNA	National System for Children and Adolescents comprehensive protection (by its Spanish acronyms Sistema Nacional de Protección Integral de Niñas, Niños y Adolescentes)
SNDIF	National System for a comprehensive family development (by its Spanish acronyms Sistema Nacional de Desarrollo Integral de la Familia)
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children’s Fund


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BEST PRACTICE SUMMARY


Best Practice	Comprehensive Care Route for the Rights of Migrant Children and Adolescents
Description	The Route is a document designed under the children and adolescent's rights protection approach based on international standards, which guides Mexican institutions to strengthen the coordination towards the protection of migrant children and adolescents in Mexico.
Objective	Guarantee migrant children and adolescents' rights through guidance of institutions, by identifying responsibility areas and jointly coordinating towards this overall objective.
Location	Mexico
Beneficiaries	Migrant children and adolescents

MAIN ACTIONS

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Review the institutional responsibilities and existing regulations.
- 

Creating Comprehensive Care Routes for the Rights of Migrant Children and Adolescents.
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Authorization of Comprehensive Care Routes related to the Rights of Migrant Children and Adolescents.
- 

Socialization of Comprehensive Care Routes for the Rights of Migrant Children and Adolescents.

INTRODUCTION

The following Best Practice (BP) summary was developed by the International Organization for Migration (IOM) office in Mexico.

This initiative is part of the Regional Migration Program: Mesoamerica – Caribbean.¹

The proposal will be referred as Route and corresponds to the Project for the creation and penetration of the Comprehensive Care Route for the Rights of Migrant Children and Adolescents. This project consisted of creating a document on Child Rights Approach (CRA)² oriented toward migration and security based on internal and international standards.

The documentation of this experience was made possible thanks to the support of Laura Canché from the IOM Mexico Office .

CONTEXT

During the entirety of 2018 the National Institute of Migration (INM – Spanish acronym) documented 31,717 migrant children and adolescents whereas during the first six months of 2019 the number reported ballooned to 33,507. Regarding the accompaniment of migrant children, in 2019 24.7% of the minors documented by the INM were unaccompanied by an adult. During the first six months of 2019, 21,895 minors returned to their country under assisted return³.

However, public policies have had a focus on migratory control and security, which prioritizes the response of protection and return of children and adolescents. The Inter-American Court of Human Rights (IACHR) in its Advisory Opinion 21/14⁴ about the Rights and Guarantees of Children in the Context of Migration and/or the need for International Protection establishes the following guidance:

“The imperative need to adopt a human rights approach in relation to migration policies and with regard to international protection needs, assuming the interpellation and convergence between these different branches of the international law. Furthermore, because they are children, an approach aiming to protect and guarantee their rights must prevail.”

In this regard, Mexico’s new migratory policy⁵ changes its paradigm by prioritizing a comprehensive protection of migrant children’s human rights over the approach of migratory control. Accordingly, the Commission for the Comprehensive Protection of Migrant Children and Adolescents and Applicants for Refugee Status within the framework of the National System for Children and Adolescents comprehensive protection (for its Spanish acronyms SIPINNA)⁶ was created. For the establishment of the Commission, preparatory meetings were held where the member institutions agreed on elaborating the Route and creating a Working Group to accomplish this work.

The Route would become the reference document to establish guidance and coordination between the governmental parties, indicating their areas of responsibility and coordinating their way toward achieving their respective goals.

¹ If you would like to review the project information for this initiative refer to: <https://primaforall.iom.int/sites/northamerica/CR99P0508/Pages/home.aspx>

² Approach to the human rights of children and adolescents that focuses on empowering the holders of those rights, in this case children, recognizing them not as objects of attention but as subjects of rights, as people with ability to defend and demand their legally recognized rights. https://www.ministeriodesalud.go.cr/gestores_en_salud/derechos%20humanos/infancia/derenezunicef.pdf

³ Administrative, logistical, and financial support, including reintegration assistance, provided to migrants who are unable or unwilling to remain in the host or transit country and decide to return to their country of origin. Note: In the context of assisted voluntary return and reintegration, voluntariness will be considered voluntary if two conditions are met: (a) freedom of choice, which is defined by the absence of physical or psychological pressures to benefit from an assisted voluntary return and reintegration programme; and (b) an informed decision, which requires the availability of up-to-date, impartial and reliable information on which to base the decision. Source: International Organization for Migration (IOM), Assisted Voluntary Return and Reintegration Handbook (unpublished internal document, 2010), p. 225.

⁴ The Inter-American Court of Human Rights in its Advisory Opinion 21/14 on Rights and Guarantees for Children in the Context of Migration and/or Need for International Protection with its references can be found in the link: https://www.corteidh.or.cr/docs/opiniones/seriea_21_eng.pdf

⁵ The new migration policy is a challenge, because the Mexican State faces in the four dimensions of the phenomenon (origin, transit, destination and return) through a change of model driven by the implementation of a new migration policy. In this context and based on full respect for human rights, inclusion and the gender perspective, the migration policy of the Government of Mexico (2018-2024) is constituted on the basis of a paradigm, whose center is the migrant person and social and economic development as a basis for human mobility in regular, humane and orderly ways. More information in this link: https://www.gob.mx/cms/uploads/attachment/file/530166/Nueva_Politica_Migratoria_2018-2024.pdf

⁶ It’s a System for the Comprehensive Protection of the Rights of Children and Adolescents (SIPINNA), designed for the alignment, mainstreaming, design and implementation of public policy with a view to the human rights of children and adolescents in bodies, entities, mechanisms, bodies, laws, norms, policies, services and budgets at the national, local and municipal levels to respect, promote, protect, restore and restore the rights of children and adolescents; and repair the damage to the violation of the same. Its creation responds to the normative mandates of the Convention on the Rights of the Child, as well as article 1 of the Constitution, the General Law on the Rights of Children and Adolescents the Law on the Rights of Children and Adolescents of Mexico City and all other laws emanating from them. Official link: <https://www.gob.mx/sipinna>. Agreement SIPINNA/03/2019 creating the Commission for the Comprehensive Protection of Migrant Children and Adolescents and Applicants for Refugee Status and approving in general the Comprehensive Protection Route for children and adolescents in a situation of migration.

If you want to access to complete document of this good practice you can contact the mail:

kmhubregional@iom.int

