MECHANISMS FOR ACCESSING LEGAL IDENTITY FOR MIGRANTS IN CENTRAL AMERICA, MEXICO AND THE DOMINICAN REPUBLIC

IOM
UN MIGRATION

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GLOSSARY[1]

Apostille: The apostille is an internationally recognized certification that validates the authenticity of public documents issued in a country. This process eliminates the need for legalization by embassies or consulates. The apostille confirms the authenticity of signatures, the authority of the signatory and the validity of seals or marks. Issued by a designated authority in the issuing country and attached to or affixed to the document, the apostille simplifies the process of international recognition. This approach is based on the 1961 Hague Convention, which establishes guidelines for signatory countries to recognize documents from other countries with apostilles.

Birth certificate: A birth certificate is the result of the birth registration process. It is a legal document that certifies the birth of an individual and contains fundamental details, such as the person's name at birth, their gender, date and place of birth, names, addresses and nationalities of the parents. Once the birth is registered, the authorities issue a certificate to the parents providing documentary evidence of the birth registration.

Civil registry: Continuous, permanent, compulsory, universal recording of occurrence and characteristics of vital events pertaining to the population, as provided through decree or regulation, in accordance with the legal requirements in each country, with full respect for the rules regulating the protection and privacy of individual information.

Country of destination: In the migration context, a country that is the destination for a person or a group of persons, irrespective of whether they migrate regularly or irregularly.

Country of origin: In the migration context, a country of nationality or of former habitual residence of a person or group of persons who have migrated abroad, irrespective of whether they migrate regularly or irregularly.

Digital divide: The digital divide encompasses the challenges that certain groups of the population face when using online services due to factors such as lack of stable internet access, lack of suitable devices such as computers or mobile devices, the digital knowledge needed to use these tools effectively, and the difficulties that may arise when interacting with digital platforms that are not always intuitive for users.

Identity management: The term most commonly refers to the issuance of a proof or legal tender of identity to each individual and the maintenance of systems for managing information and documents associated with such identity.

Legalization: Legalization is the process by which the authenticity of a document is verified, usually in two stages. First, the ministry of foreign affairs of the issuing country certifies the

[1] The definitions of birth certificate, apostille and legalization have been adapted from IOM, 2023c. The definitions of statelessness, travel document, country of destination and country of origin are taken from IOM, 2019. The definitions of identity management, proof of legal identity, civil registration and life events are taken from IOM, 2021b. The definition of the digital divide is the author's elaboration.

document, followed by confirmation from the consular authorities of the receiving country, such as an embassy or consulate. This process ensures that the signature of the foreign ministry official is recognized by the consulate of the receiving country to validate the authenticity of the document. Occasionally, additional seals and signatures may be required before the document is fully accepted at the ministry of foreign affairs.

Proof of legal identity: a credential, such as birth certificate, identity card, travel document or digital identity credential that is recognized as proof of legal identity under national law and in accordance with emerging international norms and principles.

Travel document: A document issued by a government or by an international organization which is accepted as proof of identity for the purpose of crossing international borders.

Statelessness: The condition of not being considered as a national by any State under the operations of its law.

Vital events: Significant events that occur in an individual's life, such as marriages, divorces, births, adoptions, deaths, among others. These events can have an impact on the person's legal identity and must be recorded in the civil registration system of their home country, even if they occur during their stay in another country.

EXECUTIVE SUMMARY

This study provides an overview of the mechanisms of access to legal identity for migrants in Central America, Mexico and the Dominican Republic. Through interviews with key stakeholders, a participatory workshop with representatives of the Regional Conference on Migration and review of secondary sources, three systems that influence a person's access to documents proving their legal identity are analysed: (a) the civil registration system of the countries of origin; (b) the management of legal identity in relation to regularization processes and access to the civil registry for migrants and (c) the system of assistance available to migrants through consular representations of their countries of origin in the countries of destination. The document analyses these factors to identify challenges and best practices existing in the region and to generate actionable recommendations to guide legislation, policies, agreements and procedures that guarantee access to legal identity for all.

The main findings of the study are detailed below:

- In regard to civil registration, the countries have the institutions, the legislative mechanisms and the regulations to provide basic access to birth registration services and other vital events for their own nationals. Civil registry services are centralized in a single institution in most countries, with the exception of Mexico, which has a federal system with specific institutions and regulations in each State.

- Most countries have a single identity document that includes the identification number of each person and is generally issued by a department of the same institution in charge of civil registration. The exceptions are Belize and Mexico where people identify themselves using other documents or cards such as social security cards, electoral cards or passports; Mexico also uses a unique numerical code that is used as an identification mechanism at the national level.

- In general, immigrants with regular immigration status have the same rights and access to civil registry services as nationals. People with irregular status face obstacles related to the procedures and legislation of some countries for the registration of vital events.

- In terms of managing the identity of immigrants in destination countries, there are important challenges for people to meet the requirements for regularization, including difficulties of obtaining apostilled or legalized birth certificates and certifications from their countries of origin, having valid identification and travel documents at hand, and being able to cover all associated costs.

- Ministries of foreign affairs and consular representations provide key services to facilitate legal identity documents to their nationals abroad. These vary according to the capacities

and possibilities of each consulate, so not all migrants in the region have the same access to the registration of vital events, the renewal of passports or obtaining certifications.

- In general, progress has been made in terms of technological modernization, interconnectivity and the possibility of sharing and interoperating information across institutions. However, there are asymmetries, both between institutions in the same country and between countries, with respect to the technological capabilities to optimize this type of collaboration.

- There are several examples of collaboration between two or more countries to strengthen civil registration and migrant identity management systems that have succeeded in expanding the scope of access to legal identity; political will among partners is needed to create more projects of this kind.

- Decentralization and digitalization of services, as well as proactive outreach to beneficiary populations through mobile services and campaigns in the media and social networks, facilitate access to legal identity in the countries of the study. However, there is a need to pay attention to digital divides and to simplify the language used to make information more accessible to beneficiary populations.

- There are opportunities for improvement in terms of knowledge of the rules and reducing the use of discretionary decisions by officials in charge of managing cases and offering services to migrants. This may also contribute to strengthening trust in the institutions.

- The mitigation of barriers to accessing public services as a consequence of the lack of proof of legal identity, as well as the identification and assistance to vulnerable populations, are essential for the satisfaction of the rights and needs of migrants.

INTRODUCTION

Everyone has the right to have their legal identity recognized before the law (IOM, 2021b). Legal identity is defined as "the basic characteristics of a person's identity, such as name, sex, place and date of birth that are conferred through birth registration and the issuance of a birth certificate by a civil registration authority" (United Nations, 2023). These characteristics are not static and can change due to different events in a person's life such as name changes, marriages, nationality changes, and more. In addition to birth registration, proof of legal identity includes identification documents issued by national authorities, travel documents such as passports, residence or identity cards for migrants, among others.

Having these documents is essential to fully access multiple rights and government services, including accessing health care, education, and work; travelling or migrating with regular documentation, participating in elections, obtaining banking services, and fully integrating into society. However, more than 10 per cent of the world's population is currently without proof of legal identity accredited by competent authorities (Clark et al., 2022), a figure that includes both minors and adults, as well as eight million people in Central America, Mexico and the Dominican Republic.

Access to legal identity is directly linked to safe, orderly and regular migration. Migrants who lack proof of legal identity are at risk of being rendered invisible by States and of being victims of exploitation; they also run other risks such as the possibility of falling into statelessness or of not being able to undergo regularization, family reunification or voluntary return processes (IOM, 2021b). For migrants, access to rights related to legal identity is not only subject to possessing identification documents from their country of origin, but also to such documents being recognized as valid by the authorities and legislation of the destination country for use in regularization processes or access to other types of services. This implies that, in order for a migrant to fully access all services and rights associated with legal identity, various government institutions, in both countries of origin and destination, must assist and provide services to individuals. This mainly includes civil registry and migration authorities, and foreign ministries and their consulates; however, other institutions dealing with health care, safety and security issues may also be involved.

This research provides an overview of access to legal identity for migrants in Central America, Mexico and the Dominican Republic. It includes a description and analysis of national civil registry and identity systems, systems for accessing civil registration and regularization for migrants, and the role of consular services in helping people in contexts of migration obtain relevant documentation. In this way, the report identifies best practices and opportunities for improvement in the implementation of the services available to both national populations and to immigrants or migrants in transit. In addition, it provides a list of recommendations drawn from the contributions of stakeholders in each of the study countries for the purpose of promoting concrete actions that contribute to guaranteeing the right to a legal identity for all persons.

The research process was divided into the following phases:

Collection of secondary data: Desk review encompassed the examination of statistical data, official reports, national regulations, institutional websites, newspaper articles, and estimates of the number of people without legal identity or in need of access to an identification document. Additionally, a mapping of national and regional stakeholders was carried out to identify the main key informants for the study; this included civil registry institutions, migration authorities, ministries of foreign affairs, consular representations, civil society organizations and international organizations.

Primary data collection: A total of 53 semi-structured interviews, both face-to-face and virtual, were conducted with key stakeholders, and a seminar on consular protection was held within the framework of the Regional Conference on Migration.

The interviews focused on discussing the following factors: tasks and services of the institutions in charge of managing the legal identity of individuals; existing legislative mechanisms in this area; discussion of institutional and social challenges as well as strengths for access to legal identity; identification of needs and factors of vulnerability of populations that require access to legal identity mechanisms, and recommendations to improve access to legal identity for people in the context of migration.

The Consular Protection Seminar took place within the framework of the Regional Conference on Migration from 12 to 14 June, 2023, and it was attended by representatives of Member Countries. In this seminar, preliminary findings and best practices identified during the research process were discussed. In addition, a roadmap with actions to be carried out by the Member Countries according to the findings was prepared and technically approved.

Coding and analysis of information: Information obtained during primary and secondary data collection was coded according to categories adapted from IOM's Legal Identity Toolkit (2023c). This helped to identify the political, social and cultural environment in which countries grant and manage people's legal identity documents, the dynamics of the supply and demand of legal identity services, and how such factors affect the access that nationals in their own countries, as well as immigrants and emigrants, have to documents proving their legal identity and the services associated with them (see Annex 1 for more information on the analytical categories).

Report writing and validation of results: Once the information was coded, the report was written and validated by technical specialists and IOM national offices.

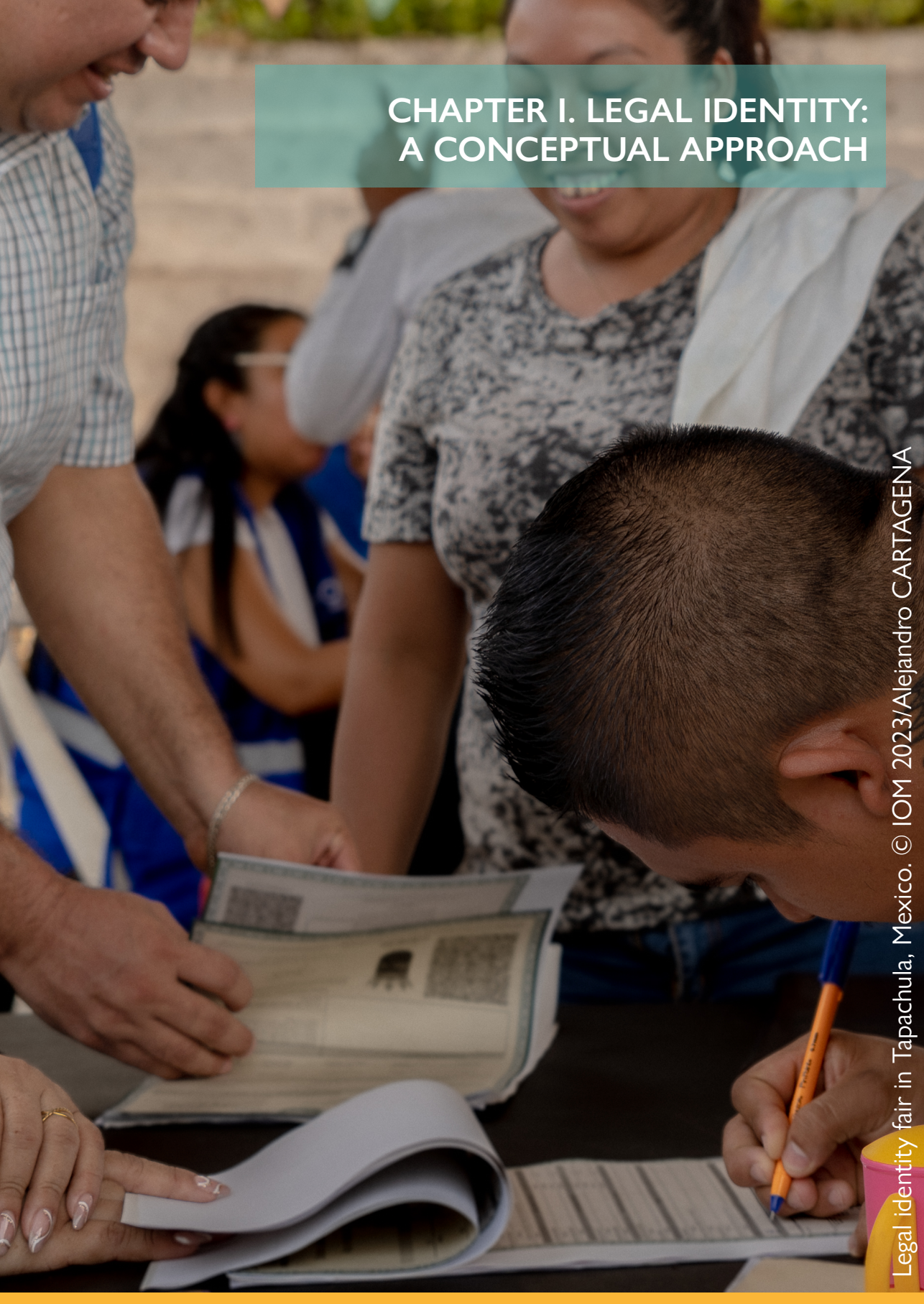
Study limitations:

- Data on the number of people without legal identity are scarce in the scope countries, and the data that do exist are not collected with standardized methodologies, so they are not comparable and condition the potential strategies to mitigate the obstacles to access to legal identity.

- Not all the institutions identified in the stakeholder mapping participated in the study due to logistical or administrative barriers, as well as time constraints to conduct the study.

- The depth of knowledge about legal identity varies between key informants since the issue has not always been a priority on the agendas of institutions or countries. This caused interviews to sometimes deviate from the topic at hand.

CHAPTER I. LEGAL IDENTITY: A CONCEPTUAL APPROACH



Legal identity fair in Tapachula, Mexico. © IOM 2023/Alejandro CARTAGENA

CHAPTER I. LEGAL IDENTITY: A CONCEPTUAL APPROACH

This chapter provides a conceptualization of legal identity and its relationship to global human rights frameworks. It also provides general data on available statistics on the number of people without access to legal identity in the countries studied. Finally, the categories of analysis that will be used throughout the study are discussed.

THE RIGHT TO LEGAL IDENTITY

Legal identity is a human right; Article 6 of the Universal Declaration of Human Rights proclaims that "everyone has the right to recognition everywhere as a person before the law" (United Nations, 1948). Access to legal identity is recognized in target 16.9 of the 2030 Agenda for Sustainable Development, which aims to provide, by 2030, access to a legal identity for all, including through birth registration (United Nations, 2015). Similarly, goal 4 of the Global Compact for Migration calls on States to "ensure that all migrants have proof of their legal identity and adequate documentation" (United Nations, 2018).

Legal identity includes the fundamental characteristics that constitute a person's identity. These comprise elements such as name, gender, as well as place and date of birth. These attributes are granted through birth registration and the subsequent issuance of a birth certificate by a government entity in charge of civil registration (United Nations, 2023). It is crucial to take a holistic approach to legal identity that extends from a person's birth to death. In essence, this means that a person's legal identity is subject to change and influenced by various events such as changes in name or gender, marriages, acquisition of citizenship, and acquisition of regular immigration status in a foreign country. All these situations have an impact on how people access their rights and services in accordance with the regulations in force in each State.

There is no globally standardized metric to determine the exact number of people who lack legal identity in the world. Some of the most common indicators are birth registration rates and access to identity credentials issued by competent government institutions. Based on these data, it is estimated that about 850 million people, more than 10 per cent of the world's population, live without some type of identity document registered by a pertinent state authority, of which more than half are children whose births have not been registered, while the rest are people over 15 years of age who do not have a valid identification document according to the legislation of the country where they are located (Clark et al., 2022). Available data also indicate that the lack of proof of identity affects a greater proportion of population groups with vulnerability factors related to age, income, levels of formal education, gender, and residences in rural areas. Moreover, one in three adults who do not have proof of identity report greater difficulties in accessing financial services, government assistance programmes, and participation in elections (ibid.).

In the case of Latin America, the number of people who lack proof of their legal identity is about 33 million, of which more than 8 million are concentrated in the eight countries included in this study (World Bank, 2020). This has an impact on the quality of life of these people since

documents proving legal identity are often necessary to access other rights such as health care, education, employment, the registration of their children, and their full integration into host societies (IOM, 2023d).

KEY POPULATIONS AND IOM INSTITUTIONAL STRATEGY

The right to legal identity goes hand in hand with safe, regular, orderly and humane migration. In addition to being essential for access to a wide variety of services and rights, legal identity documents are basic requirements or regular cross-border transit, immigration procedures such as visas, residency status, work permits and family reunification processes.

IOM, based on international standards and through its Institutional Strategy on Legal Identity (2021b), has identified four groups for whom access to legal identity is particularly important during their migration processes:

Nationals in their own countries who need registered legal identity to access regular migration or travel abroad;

Migrants in foreign countries who require access to civil registration in countries of destination and countries of origin;

Mobile populations in situations of vulnerability, including migrant children, displaced persons and victims of trafficking for whom legal identity intersects with protection concerns and international humanitarian law;

Irregular migrants for whom the determination of legal identity is linked to the specific situation of a country.

Considering the above, access to legal identity affects both the national and migrant population of the study countries and people who comprise other important migration flows in the region, including persons from other Latin American and Caribbean countries, as well as extraregional persons, generally from Asia or Africa. Table 1 summarizes the most recent data on the population with proof of legal identity in the eight countries of the study and in five countries whose emigrant populations have tended, historically or currently, to transit or immigrate to the study countries.

Table 1. Percentages of birth registration of children under five years of age and ownership of identity documents among persons over 15 years of age in the study countries and main countries of origin of migrants

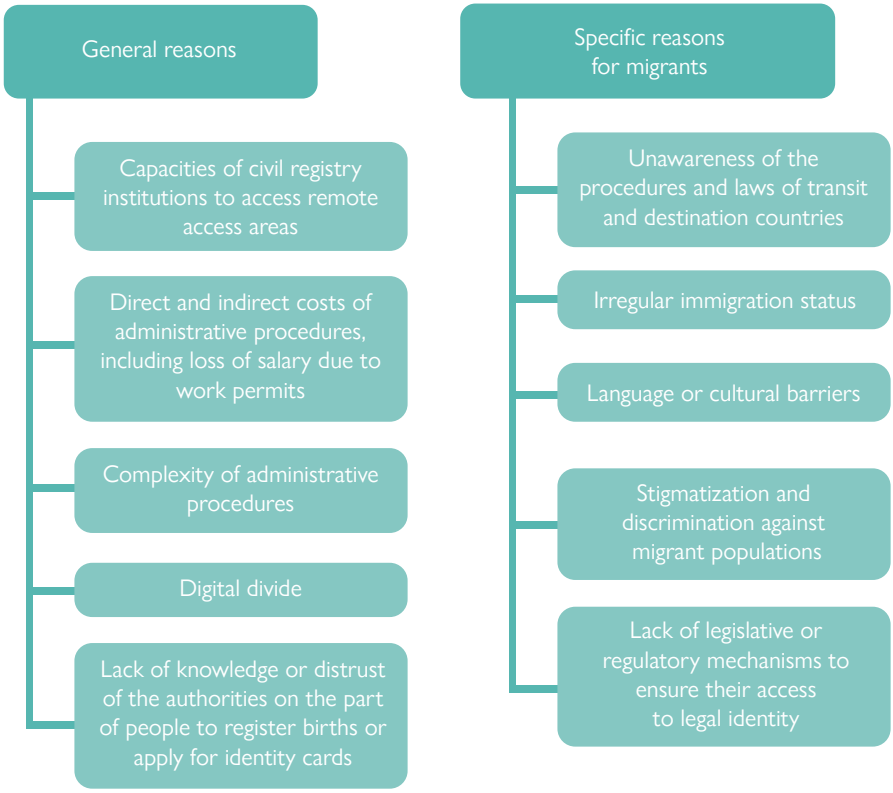
Country	Registration of births of children under five	Year of update	People over 15 years old with identification	Year of update
Belize	95.7	2015	Unavailable	N/A
Colombia*	96.8	2015	96.9	2021
Costa Rica	99.6	2013	94.6	2021
Cuba*	99.8	2019	Unavailable	N/A
Ecuador*	87.2	2020	97.5	2021
El Salvador	91.2	2018	97	2021
Guatemala	96.4	2015	93	2017
Haiti*	84.9	2017	79.5	2017
Honduras	97	2019	92.8	2021
Mexico	97	2020	89.2	2017
Panama	96.7	2019	97.8	2021
Dominican Republic (the)	92.2	2019	90.96	2021
Venezuela (Bolivarian Republic of)*	81.3	2017	98.8	2021

Source: Own elaboration with data from World Bank, 2023.

Note: *These countries are not directly analysed in the study, but are considered analytically for their regional migration relevance; in addition, some key informants from these countries were consulted to consider the situation of their nationals in the study countries.

As the table above shows, there are differences in the coverage of access to legal identity between and within countries. For example, while countries such as Costa Rica and Cuba have almost 100 per cent birth registration rates for children under five years of age, in other countries of the region, the rate of unregistered births can reach more than 15 per cent. In addition, most countries have relatively high percentages of ownership of identity documents among people over 15 years of age, but in general, with gaps to be filled. Some of the main reasons behind the unregistered births in the region, including unregistered births in migrant populations, are summarized in Figure 1:

Figure 1. Reasons associated with unregistered births



Source: Prepared with information from INEGI and UNICEF, 2019; Clark et al., 2022; IOM, 2023c.

To ensure access to legal identity for migrants, IOM's Institutional Strategy (2021b) recommends working in a coordinated manner on the following four pillars:

- Supporting development of consular civil registration, citizenship certificates, ID and travel document issuance services;
- Assisting migrants without legal identity documents;
- Supporting national civil registration and identity management systems to facilitate regular migration and mobility;
- Thought leadership on the nexus between migration, displacement and legal identity, including its effects on the protection of migrants.

Based on these pillars, the proper analysis of access to legal identity for migrants in a given country should take into account at least three complementary systems (IOM, 2023c):

- **Comprehensive national identity system for nationals:** this includes civil registration and the management of valid identity documents for access to services;

- **Legal identity management system in relation to regularization processes and access to the civil registry for migrants:** this incorporates the way the immigration status of foreigners is regulated and the different documents granted to them to certify their status, as well as the possibility that foreigners have to access civil registry services;

- **System for managing vital events and the issuance of identification documents for nationals residing abroad:** generally mediated by consular services.

These systems and the institutions generally included in each of them are detailed below.

Holistic national legal identity system

IOM defines the identity system as "verification, registration, management and conservation of the personal data of both nationals as well as non-nationals within the State territory, with the goal of establishing a unique legal identity within the jurisdiction" (IOM, 2023c, p. 29). From a holistic approach, the starting point of legal identity is the introduction of each new identity into the system through the registration of a birth while its termination occurs after the death of the person. Within this framework, civil registration and identity management systems are the pillars of the legal identity system and are considered foundational registries (ibid.).

Most civil registration systems are responsible for birth registrations, death records and records of other vital events; for example, marriages, divorces, annulments, judicial separations, adoptions and recognitions of births out of wedlock. Generally, to register these events, the civil registry system obtains information from other institutions such as ministries of health, immigration, police and legal authorities, as well as from the relatives of the persons and from consular representations abroad.

Identity management systems, on the other hand, have the function of issuing identification credentials recognized by governments (national identity cards). In addition, these systems share people's identity data, according to the laws of each country, with other public entities responsible for guaranteeing rights and providing specific services. These records are known as functional records and include driver, social security, unemployment, voter and other registries.

Management of the legal identity of immigrants in destination countries

In countries with high immigration flows and where the number of foreign-born people represents a significant proportion of the population, it is necessary to ensure that there are clear mechanisms for them to access rights and services. The management of the identity of these persons must take place through collaboration and coordination between the institutions responsible for administering the national identity management system (described above), the migration authorities, and, when necessary, the consular representations of the countries of origin of non-nationals. Within the framework of regular migration and the management of the identity of non-nationals, coordination between the authorities includes processes such as determining

the immigration status of a person and the issuance of identity documents certifying it, as well as ensuring that resident foreigners can access the same civil registry services as nationals.

To guarantee access to legal identity for all persons, immigration status should not be an obstacle for migrants to register the births of their children and assert their rights as established in the Convention on the Rights of the Child, protecting them from situations of exclusion and vulnerability related to the absence of legal identity or the risk of statelessness. Other life events such as marriages and deaths must be registered, regardless of immigration status, with the identity of the person certified on their travel document and in accordance with the legislation of the host country (IOM, 2023c).

Management of the legal identity of nationals residing abroad

When a person travels or migrates to another country, the information regarding their legal identity must be previously registered and updated to access rights and services in the country of destination. The registration of any vital event in the country of destination will be relevant to their well-being, whether for the birth of a child and to guarantee access to health care and education services, or events such as marriages or divorces that, depending on the context, can modify the surnames of a person, and therefore the information corresponding to their identity documents. In other cases, people may need to renew travel documents or acquire identity documents from the country of origin to carry out different procedures with the authorities of the country of destination, including those required to regularize their immigration status. In these and other cases, the consular services of the person's country of origin have a priority role in the registration of vital events and in obtaining documentary evidence so that the person can maintain links with their country of origin, complete administrative procedures and access services in the country of destination that require up-to-date proof of identity.

Although the institutions that play a fundamental role in a legal identity system are the civil registry, immigration authorities and ministries of foreign affairs, this does not exclude the participation of other institutions, but always in coordination with the three main ones.

The next chapter will review how these legal identity management systems function in the study countries. It will address the political, social, legislative and institutional factors that influence the provision of and demand for services, and will emphasize the ways in which migrants access these services, as well as the barriers they face in the process.

CHAPTER II. SYSTEMS FOR ACCESSING LEGAL IDENTITY IN CENTRAL AMERICA, MEXICO AND THE DOMINICAN REPUBLIC

Legal identity fair in Tapachula, Mexico. © IOM 2023/Alejandro CARTAGENA

CHAPTER II. SYSTEMS FOR ACCESSING LEGAL IDENTITY IN CENTRAL AMERICA, MEXICO AND THE DOMINICAN REPUBLIC

This chapter summarizes the ways in which migrants can access documents proving their legal identity in the countries of the study. The chapter is divided into three areas: (1) civil registration and national identity management systems; (2) management of legal identity in relation to regularization processes and access to the civil registry for migrants, and (3) access to travel documents and provision of consular services for migrants from their countries of origin. For each of these areas, a brief description is given of the main institutions responsible for administering the corresponding services and the main legislative mechanisms governing the provision of their services; factors related to the provision and demand of services are analysed, and some of the challenges and examples of best practices identified in the research process are discussed. As a general trend, it is possible to observe the existence of legal and institutional foundations for the management of people's identity and that progress has been made in the provision of services. Nevertheless, challenges remain in ensuring full access to legal identity recognition for all migrants.

CIVIL REGISTRATION AND NATIONAL IDENTITY MANAGEMENT SYSTEMS

Institutional and legal environment

All the countries of the study have institutions responsible for recording vital events. In addition, national identity management systems tend to be run by the same institution (see Table 2), which facilitates the interconnection between civil registration and the issuance of national identity documents. In the case of Mexico, it operates under a federal system, so it is the only country that does not use a centralized civil registration system since each state has an autonomous institution with its own regulations. The rest of the countries have centralized systems, in some cases with autonomous institutions, and in others, with units or directorates belonging to some larger institution.

With regard to national identity cards, most countries have a single standardized document for the entire population. Mexico and Belize are the only exceptions, as people use other documents, such as the credential to vote in Mexico and the social security card in Belize to identify themselves; in both countries, passports are also generally used as valid identification documents to access multiple services. Mexico also has the Unique Population Registry Code (CURP for its acronym in Spanish), a numerical code assigned by the General Directorate of the National Population and Identity Registry (RENAPO) to register all Mexicans inside and outside the territory; the CURP is a requirement for many procedures inside and outside the country. For those countries that do have a single document[2], these assign a unique number for each person and have been rated with second (medium) or third (high) security level according to the standards of the International Civil Aviation Organization (ICAO) (IDB, 2019).

[2] Each country has a different name for its national identity card: in Costa Rica, Panama and the Dominican Republic, it is referred to as cédula de identidad [identity card]; in El Salvador, it is called Documento Único de Identidad [Single Identity Card] or DUI for its Spanish acronym; in Guatemala, it is known as Documento Personal de Identidad [Personal Identity Card] or DPI for its Spanish acronym; and in Honduras, it is referred to as Documento Nacional de Identidad [National Identity Card] or DNI for its Spanish acronym.

Table 2. Institutions responsible for civil registration and issuance of national identity documents[3]

Country	Registration of Vital Events	National Identity Card
Belize	Vital Statistics Unit (VSU) of the Ministry of the Attorney General	There is not a unified national identity card
Costa Rica	Department of Civil Registry of the Supreme Electoral Tribunal (TSE)	Electoral Department of the Supreme Electoral Tribunal (TSE)
El Salvador	National Registry of Natural Persons (RNPN)	National Registry of Natural Persons (RNPN)
Guatemala	National Registry of Persons (RENAP)	National Registry of Persons (RENAP)
Honduras	National Registry of Persons (RNP)	National Registry of Persons (RNP)
Mexico	Offices and civil registry courts of each state	There is not a unified national identity card
Panama	National Directorate of Civil Registry of the Electoral Tribunal (TE)	National Directorate of the Electoral Tribunal (TE)
Dominican Republic (the)	Offices of the civil registry of the Central Electoral Board (JCE)	National Directorate of Identification of the Central Electoral Board (JCE)

Source: Own elaboration based on documentary review and interviews with key informants.

All studied countries have legal frameworks to regulate access to civil registration and identity systems (see Table 3). Likewise, the civil registry institutions consulted for this study assert that vital event registration services are available to migrants as long as the registers are made within the provisions of the laws.

Table 3. Civil registration laws in the countries of study

Country	Legislation for recording vital events
Belize	Registration of Births and Deaths Act Chapter 157 Marriage Act Chapter 174
Costa Rica	Organic Law of the Supreme Tribunal of Elections and Civil Registry
El Salvador	Transitory Law on the Registry of Family Status and Marriage Property Regimes Organic Law on the National Registry of Natural Persons
Guatemala	Law on the National Registry of Persons, Decree 90-2005
Honduras	Law on the National Registry of Persons
Mexico	Each state has its own regulations
Panama	Organic Law of the Electoral Tribunal and Law 31 of 2006
Dominican Republic (the)	Organic Law on Civil Registry Acts

Source: Own elaboration.

[3] With the exception of Belize, where the official institution names are in English, the initialisms or acronyms used for each institution correspond to their original Spanish names, and will be used as such throughout the rest of the document.

In terms of access to data and coordination between civil registry institutions and other governmental and non-governmental institutions, there are different initiatives, generally through inter-institutional agreements that allow data to be shared and used for different purposes. When these initiatives work properly, they allow for greater efficiency in the transmission of data and information between institutions, which helps to offer better services to users. Figure 2 presents a summary of some of the main forms of interoperability or data exchange in the region.

Figure 2. Ease of access to civil registry data between institutions

Belize	The Vital Statistics Unit (VSU) system is accessible only to the Social Security Board.
Costa Rica	All public institutions can connect to TSE databases and use public data through its institutional services platform.
El Salvador	The Vital Statistics and Family Registry (REVFA for its Spanish acronym) is in the process of modernization, which allows different institutions (including consulates abroad) to access information on civil registration.
Guatemala	Some public sector and banking institutions have cooperation agreements to access RENAP data and verify the data of individuals. Work is under way on a consular management system with the Ministry of Foreign Affairs.
Honduras	Through inter-institutional agreements, various State entities can consult data from the civil registry system.
Mexico	There is a national identity system, which is run by RENAPO and is used to share civil registry data between institutions.
Panama	Through agreements and contracts, various agencies responsible for security and financial matters can consult civil registry data in the identity verification system.
Dominican Republic (the)	There is an online service for various State entities to access consultations of the civil registry.

Source: Own elaboration with IDB data, 2019 and information from the interviews of the study.

At the Latin American level, the Latin American Council of Civil Registry and Vital Statistics (CLARCIEV for its acronym is Spanish) brings together the different civil registry institutions in Latin America for the exchange of experiences for the strengthening of the registration and identification of people (CLARCIEV, 2019). Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Panama and the Dominican Republic are CLARCIEV Member States. Mexico, through RENAPO, holds the presidency of the Executive Committee 2022-2024 of CLARCIEV, and is trying to place the right to identity of migrants as a priority from a human rights perspective. Additionally, Honduras, the Dominican Republic and Panama hold the second, third and fifth vice presidencies, respectively.

Provision of and demand for civil registration and identity services

Some of the main factors in guaranteeing access to legal identity are the supply, expansion, decentralization and diversification of services for the registration and documentation of vital events and for obtaining the different identity documents issued by state entities. This includes the number of physical premises and their territorial distribution, the possibility of registering births in hospitals, the supply of digital services accessible to the population, and the coordination and interoperability between institutions to streamline the procedures related to all these services.

All countries in this study have some degree of decentralization and geographical distribution of civil registration and national identity card offices; the characteristics of this distribution vary from country to country and according to their size the administrative divisions (see Table 4). Key informants in this study highlighted important advances in the geographical scope of civil registry services.

Table 4. Number of establishments to access civil registration services and identity documents

Belice	Costa Rica	El Salvador		Guatemala	
VSU	**TSE**	**REVFA**	**RNPN**	**RENAP**	
Seven district headquarters with two offices per location	One head office and 32 regional offices	One head office and 262 offices and service centres	18 offices and service centres	386 civil registry offices and service centres	286 offices and service centres of the identity office

Honduras	Mexico		Panama	The Dominican Republic
RNP	**Oficialías de registro civil estatales**	**RENAPO**	**TE**	**JCE**
298 civil registry offices service centres in hospitals, airports, customs, borders and remote areas (345 in total)	5 590 offices and service centres	1 576 offices and service centres of the Identity Office	A head office and 16 regional offices, with 85 service centres in the country's districts	169 civil registry offices and 140 identification centres

Source: IDB, 2019; interview data for the study and information available on institutional websites.

However, some challenges remain in accessing remote areas; some examples reported in the interviews occurred in remote areas of Mexico, Guatemala and Belize, where many births are attended by midwives, who are supposed to report them to civil registry offices, but do not always have the paperwork or time to make a prompt registration.[4] Likewise, in the indigenous territories of the region, access to civil registry services is limited.

With regard to the registration of births in hospitals, all countries have the possibility of doing so directly in hospitals; however, coverage is not universal (IDB, 2019). One strategy used to expand coverage is for some civil registration authorities to install hospital civil registration programmes in clinics or hospitals with the highest number of births in each region (UNHCR and OAS, 2020). It was also identified that the hospital registration option does not always ensure that people will proceed to register their births, so it is necessary to reinforce the culture of registration among the population.

In the region, there are several initiatives to mitigate these challenges; some of them include the use mobile units in remote areas, implementing digitized registries in hospitals, promoting hospital civil registration and establishing multi-service kiosks.

In addition, several institutions offer digital certificates of some civil registries and national identity documents (see Table 5), and with the exception of Belize's VSU, all institutions use social media to share information about the services offered.

The possibility of doing administrative tasks online benefits users by reducing travel time and queues at the institutions, as well as the associated costs, which may include salary reductions due to the need to request leave of absence from work to complete the procedures (IOM, 2023c). Likewise, the use of social media improves access to information for people, including migrants, who consult these networks to learn about specific procedures (IOM, 2023b).

[4] Prompt registration is one that is carried out within the period established by the legislation of each country. When it is not done within the respective deadlines, people usually have to go through special processes of late registrations.

Table 5. Online services available at civil registration and identity management institutions

Country	Institution	Online Services
Belize	VSU	Download of forms for birth, death, marriage and divorce certificates
Costa Rica	TSE	Certificate of birth, civil status, death, reprinting and home delivery of identity documents, appointments for naturalization, consultation of the process and validity of identity cards, digital registration of marriage for notaries
El Salvador	RNPN	Proof of homonym, registry certificate, certificate of registry and/or lack of national identity card through the SIMPLE SV platform
Guatemala	RENAP	Certificate of birth, marriage, death, domiciled foreigner, adoption, Guatemalan origin, Guatemalan naturalization
Honduras	RNP	Download of birth certificate from the SIN RNP App, national identity document location query, online chat
Mexico[5]	RENAPO	Issuance of copy of birth certificate, consultation and printing of the Unique Population Registry Code (CURP)
Panama	TE	Request for appointments, proof of civil registry records, proof of identity card procedures, validation of electronic certificates, partial declaration of death and birth, through the Tribunal Contigo platform
Dominican Republic (the)	JCE	Appointment request and live chat

Source: Own elaboration based on the information available on the respective web pages.

One factor that can be further strengthened in most countries is mitigating the digital divide; in other words, the obstacles that a certain sector of the population faces in accessing digitized services for reasons such as access to a stable Internet connection, adequate computers or mobile devices, the digital literacy required to effectively use these tools, or the fact that the design of these platforms is not always user-friendly. Although there are important efforts to expand both physical and digital services of the institutions in question, several civil society stakeholders point out that it is also necessary to work on the digital literacy of the population and to cover gaps in physical and digital infrastructure. Likewise, there is a need to strengthen the knowledge public officials have regarding the validity of electronic certificates; in some countries, for example, there have been reported cases where officials do not accept such documents if they do not come on letterhead even though this is not necessary.

[5] In addition to RENAPO, each state has its own online services.

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- ✓ Costa Rica and Panama have begun to implement online hospital birth registration systems, which have enabled assistant registrars to immediately register births directly in the respective civil registry databases, allowing mothers and fathers to have a birth certificate on file upon leaving the hospital.
- ✓ The Electoral Tribunal of Panama has implemented multi-service kiosks. These kiosks, located in subway stations, shopping malls and supermarkets, accept debit or credit card payments and provide the option of immediate access to birth, death and marriage certificates, as well as identity card duplicates, in self-service mode.

MANAGEMENT OF LEGAL IDENTITY IN RELATION TO REGULARIZATION PROCESSES AND ACCESS TO CIVIL REGISTRATION FOR MIGRANTS

This section summarizes how destination countries provide mechanisms for migrants to use their legal identity documents to access various rights and services. Under the framework of regular migration, the determination of immigration status is one of the main mechanisms through which migrants can obtain identity documents, for example, residence permits, which prove their legal identity so that they can interact with public and private entities in the country of destination (IOM, 2023c). Similarly, the possibility of registering births, regardless of the immigration status of a child's parents, as well as access to other civil registration services, is essential to guarantee access to the legal identity of all persons.

The management of legal identity in relation to the processes of regularization and access to the civil registry is mediated by the existence of regulatory frameworks that define which documents from the country of origin are necessary for a migrant to prove their legal identity; the distribution and coordination of responsibilities between migration authorities, civil registry and identity management; as well as the provision of regularization and civil registration services for migrants and the ways in which they access them (ibid.).

Institutional and legal environment for regularization processes

All public institutions that provide services to the population establish procedures for requesting proof of identity documents for migrants as part of their requirements. Access to some of the services is directly linked to certain immigration status categories and their respective proof documents. The management of these regularization processes is generally stipulated in migration laws, and through State institutions responsible for enforcing these laws. Table 6 lists the main legislations and institutions responsible for regulating migration processes in each country.[6]

[6] The list does not include all institutions or legislations that deal with migration issues; it focuses mainly on the entities that formulate policies and manage the processes of regularization of migrants since this is the main mechanism for managing the identity of migrants.

Table 6. Main migration regulations and regulatory entities in the study countries

Country	Main legislations	Main institutions and their functions
Belize	Immigration Act Chapter 156	Ministry of Foreign Affairs, Foreign Trade and Immigration: Formulation and implementation of migration policies
Costa Rica	General Law on Migration and Immigration	General Directorate of Migration and Aliens: Implementation of migration policy
El Salvador	Special Law on Migration and Immigration	Ministry of Justice and Public Security: Implementation of the comprehensive migration and immigration policy
	Regulation of the Special Law on Migration and Immigration	General Directorate of Migration and Aliens: Implementation of the comprehensive migration and immigration policy
Guatemala	Migration Code	The National Migration Authority: Formulation and supervision of migration policy Guatemalan Institute of Migration: Execution of migration policy and control of migration movements
Honduras	Law on Migration and Immigration	National Institute of Migration: Formulation and implementation of migration policy
	Regulation of the Law on Migration and Immigration	Ministry of the Interior, Justice and Decentralization: Issuance of resolutions on residence applications, changes in immigration status, among others
Mexico	Migration Law	Ministry of the Interior: Supervision and implementation of migration policy
	Regulations of the Migration Law	National Institute of Migration: Decentralized administrative body responsible for implementing migration policy
Panama	Law 15-2010 (creation of the Ministry of Public Security)	Ministry of Public Security: Migration policy proposal to the Executive Branch
	Law 3-2008 (creation of the National Migration Service)	National Migration Service: Execution of migration policy
Dominican Republic (the)	Law 285-04 General Law of Migration and Regulation 631-11 of Application	National Migration Council: Migration policy formulation General Directorate of Migration: Implementation of migration policy

Source: Own elaboration with primary data from the interviews, MPI (2021a, 2021b, 2021c, 2021d, 2021e, 2021f) and information available on institutional websites.

All countries have procedures stipulated in previous laws and other legislative mechanisms for the definition of the different immigration categories. Once a migrant obtains a regular immigration status, the respective institutions integrate them into their system of registration of non-nationals and grants them an identity document that allows them to carry out other procedures in the country, such as access to education, health care, employment, bank accounts, among others. The names of these documents vary from country to country, as well as the institution responsible for issuing them (see Table 7). In some cases, the issuance is carried out by a migration authority, while in other cases it is done by the authorities managing national identity documents or the ministries of foreign affairs.

Table 7. Main documents for identification of non-nationals and institutions that issue them

Country	Identification document	Institution in charge
Belize	Certificates or residence cards	Ministry of Foreign Affairs, Foreign Trade and Immigration
Costa Rica	Migration Identity Document for Foreigners (DIMEX for its Spanish acronym)	General Directorate of Migration and Aliens
El Salvador	Residence card	General Directorate of Migration and Aliens
Honduras	Foreigner's card with special permission to stay	National Institute of Migration
	Foreign resident identification card	Ministry of the Interior, Justice and Decentralization
Guatemala	Personal identification document	National Registry of Persons
	Resident certification	Guatemalan Institute of Migration
Mexico	Temporary or permanent resident visa	Secretariat of Foreign Affairs
	Temporary or permanent resident card	National Institute of Migration
	CURP for foreigners[7]	General Directorate of the National Population and Identity Registry
Panama	Permanent residence card	Electoral Tribunal
	Temporary residence permits	National Migration Service
Dominican Republic (the)	Resident card	General Directorate of Migration
	Personal identity card for foreigners	Central Electoral Board

Source: Own elaboration.

[7] The CURP can be issued in permanent or temporary mode, as is the case of asylum-seekers.

In addition to the documents above-mentioned, each country has different procedures for the issuance of visas or other forms of identification of non-nationals, generally related to documentation for workers or those residing in cross-border areas, as well as special and temporary processes; here are some examples:[8]

- Belize and Mexico have a border crossing card for people living in the border areas between the two countries.

- Citizens or residents of Guatemala, Belize, El Salvador and Honduras who need to enter the southern border regions of Mexico for stays of up to seven days can obtain a Regional Visitor's Card (TVR).

- El Salvador has a Border Registration Project for seasonal workers, cross-border workers and neighbouring transit workers.

- The Labour Migration Traceability System (SITLAM for its Spanish acronym) is an application that provides real-time identity documents to migrant workers from Costa Rica's border countries to enter this country on a regular basis.

- In the Dominican Republic, the Temporary Worker Card is granted to workers in different sectors, including people from Haiti in the agricultural sector.

Access to civil registration for migrants

For migrants, the registration of vital events in the country of destination is necessary as it provides the essential documentary evidence to update characteristics of their legal identity, such as changes of surname by marriage.

According to the civil registry institutions consulted, foreigners have access to civil registry services as long as they are carried out under the respective legal frameworks. In most of the countries of the study, Costa Rica, Guatemala, Honduras, Mexico, Panama and the Dominican Republic, there are specific provisions for the registration of events of non-nationals in the respective laws or regulations of the civil registry. In all countries, persons with resident status, or having obtained naturalization in the country of destination, have the same rights as nationals.

Also, in most of the countries surveyed, the right of jus soli applies[9] to persons born inside their territories, which makes it possible for all births, including those of children of foreign parents, to grant the nationality of the respective country through birth registration. Furthermore, all countries, with the exception of the Dominican Republic, include the granting of nationality in cases where fathers and mothers have an irregular immigration status.

While all countries have institutions and regulations in place to manage the legal identity of migrants through processes such as regularization, civil registration, and nationality acquisition, accessing the registry of vital events still presents challenges. In some cases, this relates to

[8] The regional study *Migratory regularization programmes and processes* (IOM, 2021a) contains an exhaustive analysis of some of these and other ways for migrants in the countries of this study to access migration regularization processes.

[9] It refers to the right to automatic acquisition of the nationality of the country where the birth occurred.

specific regulations of immigration or civil registry authorities. Some examples of this are given below:

- In Belize, births of foreigners who are attended by midwives must be notified by the midwives within three days to the authorities; otherwise, the birth cannot be registered with the Ministry of Health on the premise that it is not possible to certify that the child was born within the territory of Belize. This measure has been implemented to prevent fraudulent registrations of births occurring in other countries, but it also reduces the time to make timely registrations for births occurring within the territory of the country.

- In the Dominican Republic, children of foreign parents with irregular immigration status or with "non-resident" status must be registered in the immigration registry and do not access Dominican nationality by jus soli. Therefore, they must opt for the nationality of their countries of origin through their embassies or consular representations. Key informants of this study state that this delays the obtaining of nationality, and therefore, access to documents proving the legal identity of newborns, especially for people from Haiti, and more recently from the Bolivarian Republic of Venezuela, due to obstacles to registration

Provision of and demand for regularization services

The services offered by migration authorities also tend to be distributed in different parts of the territories of each country, which facilitates requests from migrants to access different types of services related to the management of their identity.

Likewise, there are advances in the digitalization of the services offered to users. All migration institutions have websites with information about immigration procedures, their costs and contact information by phone or email. Services vary from country to country (see Table 8), but in general, most countries offer simple procedures such as appointment requests and inquiries about the status of other procedures. There is also an active use of social media to inform people about immigration procedures.

Table 8. Online services offered by immigration entities in each country

Country	Web-page	Procedures
Belize	Belize Immigration	Request for appointments for passports, nationality and residence, consultation of status of residence applications and downloading of forms
Costa Rica	General Directorate of Migration and Aliens	Appointment requests for the different services, DIMEX consultation
	Trámite ya	Digitization of files, follow-up of administrative processes, document entry
El Salvador	Migration and Aliens	Appointment request for passports, consultation of status of procedures
Guatemala	Guatemalan Institute of Migration	Appointment request for passports and residency, downloading of residency forms
Honduras	ALAM Online Service Systems	Appointment request for passports, extensions of stay, renewal of residence cards
Mexico	Microsite of Immigration Procedures	Request for administrative procedures
	Secretariat of Foreign Affairs	Appointment requests for passports
Panama	Migration Online	Download of forms, online chat (Telegram, WhatsApp, Facebook), filiation pre-registration system
	Consultation of Procedures	Consultation of general procedures, naturalization, visas, immigration status
Dominican Republic (the)	General Directorate of Migration	Applications, filling out forms and attaching documents

Source: Own elaboration.

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- Through CLARCIEV, Mexico, Guatemala, Honduras and El Salvador have made progress in bilateral agreements to facilitate the recognition of the identity of migrants and improve communication between the civil registries of each country. Some of the issues being worked on are the development of letters of understanding, working groups and agreements on interoperability and the type of information that can be shared between civil registry entities while maintaining the required standards of data protection and civil registration of people in vulnerable situations, including refugees, stateless persons, indigenous people, children and adolescents, and LGBTQI+ population.
- In 2023, the General Directorate of Migration and Aliens of Costa Rica began the implementation of the digital DIMEX, which allows migrants to have a digital identification, downloadable in PDF format with the same validity of the printed version of the document since the authorities can verify its authenticity through a QR code.

Challenges to accessing regularization with respect to meeting legal identity requirements

Although all countries have regularization processes in place, obtaining legal identity documents (passports, national IDs or birth certificates) as part of the requirements can be an obstacle, especially if they must request them from the country of origin.

In Costa Rica, for example, there are reports of migrants who arrived in the country as children and who have lost their birth certificates or who never had them with them. To obtain their passports, they also need the identity card of their country of origin, but often they have never processed it. This implies that they must travel to their country of birth to obtain the documents through processes that tend to be long and that sometimes cannot be completed within a single trip; thus costs of time, work permits and money multiply. This situation becomes more complicated in the case of elderly people or those with delicate health conditions who find it difficult to travel to carry out the procedures, or those who do not have passports or documents required to initiate the regularization process. This also represents an important limitation in remote areas where the registration of children is not a common practice, either due to unawareness, lack of institutions or lack of documents. For example, according to key informants, in the highlands and agricultural areas of Tapachula, Mexico, not all births of Guatemalan mothers are registered due to the absence of documentation from the parents.

On many occasions, migrants have a legal identity document from their country of origin. A survey[10] of migrants in transit in Panama indicated that 88 per cent of people had an identity card, while only 17 per cent and 8 per cent had a valid passport and birth certificate respectively. In Mexico, a similar survey[11] revealed that 87 per cent had an identity card while only 34 per cent had a valid passport and 16 per cent had a birth certificate (IOM, 2023a). However, if the documentation is not complete, current, apostilled or legalized as the case may be, it may not be accepted in accordance with the laws of the destination countries. Sometimes, people may receive assistance from their consulates or from relatives or acquaintances in their countries of origin to obtain the necessary documentation, but these processes can take prolonged periods of time and entail associated costs for mailings or apostille fees.

These situations are aggravated when the capacities of the consular representations of the countries of origin are limited or in some cases non-existent. An illustrative case has happened with people of Venezuelan origin residing in Costa Rica, who have spent significant periods of time without any consular representation in the country, so the only option to obtain apostilled documents is to send a special power of attorney or travel to their country of origin, something that is only accessible to people with sufficient economic means. Since documents such as birth certificates and proof of criminal records are requirements for all immigration categories in the country, many people have found themselves without the possibility of accessing regularization processes and, therefore, without access to the formal labour market.

Situations such as those described above make the strengthening of civil registration and identity systems, as well as consular services in the countries of origin of migrants, even more important to assist them in their migration processes.

[10] n=351.
[11] n=1,917.

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- El Salvador, Guatemala and the Dominican Republic, through their ministries of foreign affairs, have electronic apostille services, which facilitate obtaining this requirement so that their nationals in the countries of destination can use key legal identity documents such as civil status records.
- Costa Rica, Panama and the Dominican Republic are members of the Quito Process, which is a series of meetings and commitments between several Latin American countries to coordinate the response to the Venezuelan migration crisis (Quito Process, n.d.). One of the measures adopted by these countries is to accept expired passports or birth certificates for the processing of different migration regularization processes.
- In Mexico, consular representations from the countries of origin of immigrants can issue certificates of origin for those who do not have the resources to obtain birth certificates from their country, which are accepted by civil registry institutions to register births.

CONSULAR SERVICES AND ACCESS TO TRAVEL DOCUMENTS

Access to consular services and travel documents is one of the ways for migrants to obtain documents proving their legal identity, move internationally on a regular basis and access services in destination countries. This section discusses the ways in which people access travel documents from their country of origin and how consular representations assist them in obtaining travel and legal identity documents required in destination countries.

Institutional and legal environment

All of the study countries have consular networks under the authority of their ministries of foreign affairs. Generally, these networks have a greater presence in countries and localities with a larger concentration of nationals. Likewise, the laws of all countries contemplate the powers of consular representations to perform civil registration acts, which vary from country to country and are affected by the degree of autonomy of civil registry institutions, migration and diplomatic representations, in addition to other factors such as the resources available to them, the existence of inter-institutional cooperation mechanisms and the nature of the diplomatic relations between countries of origin and countries of destination of migrants.

The first step to travelling with regular documentation is obtaining a passport. Acquiring the travel document, which in some cases also functions as an identity document, is usually done through a competent institution in the country of origin; Table 9 presents which are such institutions in the region:

Table 9. Institutions responsible for providing travel documents in the study countries

Country	Institution
Belize	Ministry of Foreign Affairs, Foreign Trade and Immigration
Costa Rica	General Directorate for Migration and Aliens
El Salvador	General Directorate for Migration and Aliens
Guatemala	National Institute of Migration
Honduras	Guatemalan Institute of Migration
Mexico	Secretariat of Foreign Affairs
Panama	Panama Passport Authority
Dominican Republic (the)	General Directorate of Passports (under the Ministry of Foreign Affairs)

Source: Own elaboration.

When a person is in a foreign country without a passport, it is necessary to apply for it at a consular representation; similar to immigration procedures, proof of national identity documents such as birth certificates or identity cards are usually requirements the person must have. According to international regulations, if someone does not possess such documents, the consulate of the country of origin must assist the person to obtain them.

Coordination and interoperability between consular representations and countries of origin

The countries in the study have different mechanisms for their consular representations to coordinate assistance to nationals abroad with other governmental institutions; some examples are shown in the following paragraphs.

Since 2019, Honduras, with the support of the United Nations Development Programme (UNDP), began a process of modernization of the national identification document through the issuance of new documents with biometric digital registration (UNDP, n.d.). This project has had the inter-institutional collaboration of the National Registry of Persons (RNP), which is the institution responsible for issuing national identity cards, and the Honduran consular network abroad. As a result, the 52 representations of the country abroad have been provided with enrollment kits so that they can grant the document to nationals abroad.

Guatemalan consulates do not have direct access to the National Registry of Persons (RENAP) databases, and thus registration processes through the consulates have historically been done manually. In 2022, however, several consulates in the United States of America, in coordination with the Ministry of Foreign Affairs, RENAP and IOM, implemented a pilot plan for a digitized consular management system to centralize the entry of civil registry files of the Guatemalan diaspora, reduce processing times and improve communication between institutions; by 2023, the pilot plan has been expanded to the entire Guatemalan consular network. Likewise, the Ministry of Foreign Affairs and RENAP have begun discussions to mitigate the challenge of digitally unifying the passport issuance system with the personal identity document system, thus reducing the number of steps and paperwork required to verify the identity of individuals during the processing of their passports.

In Mexico, the Ministry of the Interior, RENAPO and the Secretariat of Foreign Affairs have signed an agreement with the National Association of Public Health Statistics and Information Systems of the United States of America (NAPHSIS). As a result, the binational strategy *Soy México* was established to guarantee the right to dual nationality of children and adolescents born in the United States of America whose parents were of Mexican descent. Through an interoperable system generated by RENAPO, it has been possible to directly validate birth records in 42 states of the United States of America, and it has been possible to eliminate requirements such as apostille and translation of documents. The programme began aimed at children and adolescents, but has expanded to the adult population.

In relation to legal identity, the most requested services to consular representations reported are the renewal of national identity documents, renewal of passports, obtainment of birth certificates, marriage certificates, or criminal records. In general, the variety and agility of the services offered varies according to the capabilities and priorities of each consulate.

In their consulates located in places with the greatest presence of nationals, some countries offer the possibility of obtaining civil registration and national identity documents in a short period of time and directly from the consular representation. This is the case of El Salvador, which has National Registry of Natural Persons (RNPN) desks in its consulates, and has recently begun the immediate issuance of the national identity document in seven of them in the United States of America. El Salvador can also print identity documents and apostilled certificates of civil registries at several of its consular representations. In other countries, where there is no possibility of printing the documents directly, these processes can take longer, as are the cases of Costa Rica and Honduras, where obtaining an identity card can take three to six months depending on the location of the consulate.

Passport issuance services also vary in every country. While countries such as El Salvador, Honduras and Guatemala, have begun to implement this service progressively in their consular networks, other countries, such as Costa Rica and Panama, do not have this service. Some of the reasons mentioned include the fact that printing machines tend to be expensive, especially for those countries that use biometric passports; therefore, the investment is not cost-effective, particularly in places where there is low demand for the service.

The degree of digitization of internal processes and services to users is also different in each country. The Dominican Republic is currently undergoing a modernization process for consular management that aims, among other things, to outsource some services, such as the management of appointments at consulates so that people can access these services more quickly and consulate staff have more time for other tasks. Belize, on the other hand, carries out all its consular processes on paper and is currently prioritizing the implementation of a website.

The geographical coverage of consular networks is an issue that continues to be a challenge for most countries. Countries such as Honduras, Guatemala and El Salvador have extensive consular networks in both Mexico and the United States of America and also hold mobile consulates on a regular basis; however, all their representatives agree that there is still considerable work to do in order to maximize the effectiveness of their services given the number of their nationals residing abroad. In the case of Costa Rica, as it is not a country with a high-rate of emigrants, its consular services are not always close to the people who need them, so in some situations, people must travel long distances to access such services abroad. These factors increase costs for users, since these movements are not contemplated in the services offered. This is also one of the reasons why migrants in remote areas do not report vital events to their countries of origin or fail to comply with the necessary requirements to access regularization processes in countries of destination.

BEST PRACTICES

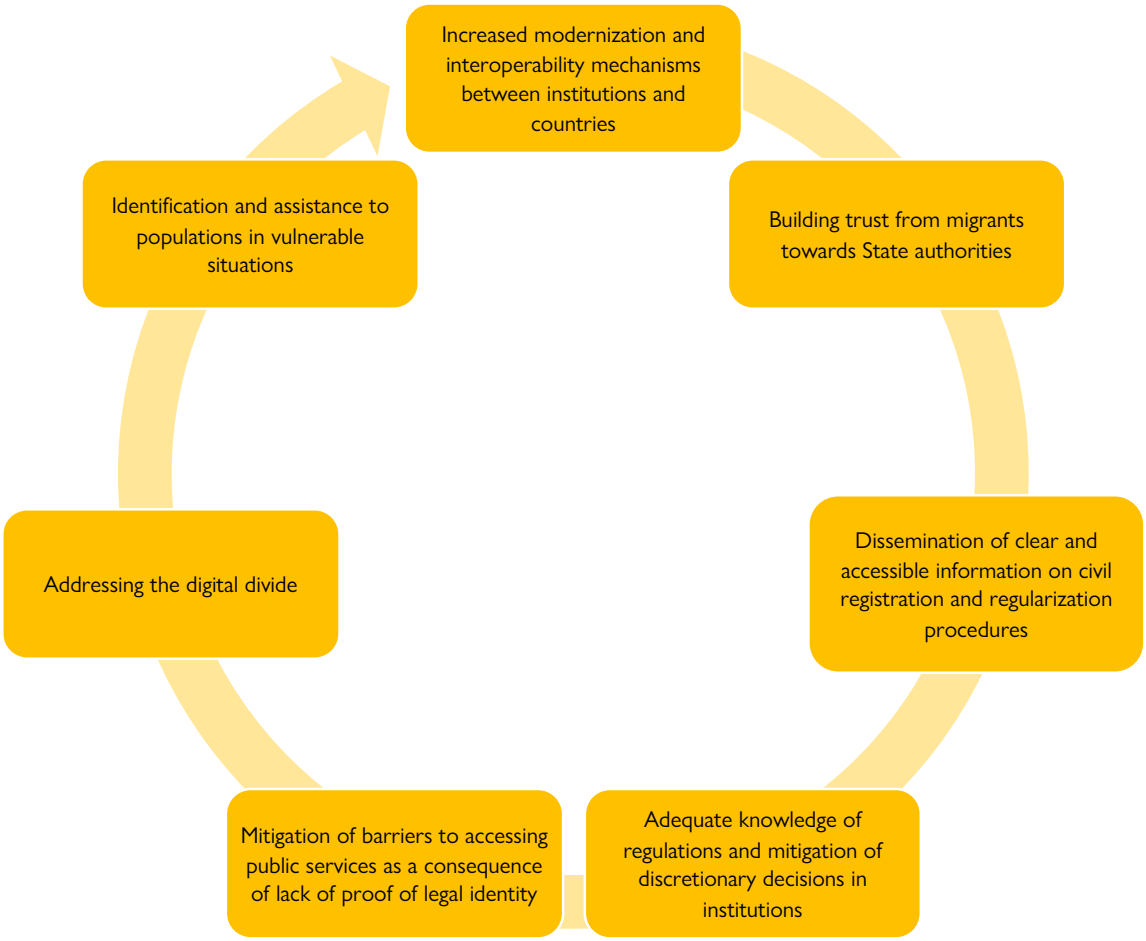
- Through an electronic consular management system, RENAP and the Ministry of Foreign Affairs of Guatemala have expedited the registration time of vital events of the Guatemalan diaspora; whereas the process used to take three to six months, it now takes only a few weeks.
- In the Dominican Republic, there is an inter-institutional agreement between the Central Electoral Board (JCE) and the Ministry of Foreign Affairs for the management of personal identity services to Dominicans abroad through the installation of JCE delegations in consulates in places of high concentrations of the Dominican diaspora that allows the agile processing of civil status records and the printing and delivery of identity cards.
- Simple SV is an online single platform enabled by the Government of El Salvador where Salvadoran people can request procedures from different state institutions from anywhere in the world. Among them is the National Registry of Persons that allows obtaining certificates of civil registries and statues of national identity documents.

CHAPTER III. REGIONAL AND INTER-INSTITUTIONAL NEEDS TO ENSURE ACCESS TO LEGAL IDENTITY FOR MIGRANTS

Legal identity fair in Tapachula, Mexico. © IOM 2023/Alejandro CARTAGENA

As a result of the analysis of the legal identity systems in the countries included in this study, it was possible to identify common needs that prevent access to this right. This section discusses seven cross-cutting needs throughout the region (see Figure 3) for which simultaneous and timely attention can improve the quality of life of migrants:

Figure 3. Main needs identified to ensure access to legal identity



Source: Own elaboration.

INCREASED MODERNIZATION AND INTEROPERABILITY MECHANISMS BETWEEN INSTITUTIONS

As evidenced in previous chapters, there are clear and important local and regional advances towards technological modernization and interoperability of information. However, asymmetries still exist between and within countries with respect to the technological, legislative or policy tools needed for bilateral or multilateral collaborations on information exchange. Some examples identified during fieldwork are described below.

In Guatemala, one challenge is the technological modernization of the consulates so that the appointment systems are digitalized and standardized in all consulates, as it has been observed that people cannot always request appointments in an efficient manner, and there have even been people outside the institutions offering and charging informally for appointment assignment services.

In Honduras, the only civil registry service offered digitally to users is the downloading of birth certificates, but other services are still in person; recently, the implementation of multi-service kiosks similar to those already existing in Panama has begun. Although several countries have options to obtain some documents online, only three countries, El Salvador, Guatemala and the Dominican Republic, have the possibility of apostilling these documents online for their validity abroad.

The consular network of Costa Rica has the possibility of providing a passport in periods of less than 10 days anywhere in the world although the consulates do not print the passports directly. However, with respect to the ability to provide identity cards, the process can take up to six months because the necessary interoperability with the Supreme Electoral Tribunal to modernize and digitize this process has not been achieved.

In addition to technological challenges, barriers have also been identified related to the political will or legal competencies of the institutions to share information from their databases that can be used inter-institutionally. For example, in Mexico, it has been pointed out that, at times, the autonomy of the civil registry entities of each State has influenced protectionist actions that hinder integration and collaboration initiatives at the federal level.

At the regional level, there have been several attempts to modernize and interoperate civil registry systems through CLARCIEV, but these have been limited by the difficulty of sharing information or providing access to each institution's databases without violating the different national legislations concerning institutional autonomy and data protection. As an alternative, some countries have created identity verification mechanisms between civil registry institutions, some of which include sharing copies of non-sensitive documents, while in other cases, such as Honduras, the civil registry institution collaborates by responding promptly to verification questions from other stakeholders.

In the same vein, the civil registry institutions of destination countries do not have cooperation arrangements with the consular representations of the countries of origin. This is due to the fact that the civil registries do not have competence in migration matters since this responsibility falls on the respective migration authorities or ministries of foreign affairs. Nonetheless, there have been important cases where there is a need for multilateral collaboration that includes not only immigration authorities, but also civil registry authorities along with consular representations. Some examples of these cases include extraordinary regularization programmes such as the

Amnesty Programme in Belize or the Plan for the Regularization of Foreigners in the Dominican Republic; in both cases, the beneficiary populations needed documents from authorities in more than one country, so inter-institutional and inter-country coordination was necessary, albeit often on an ad hoc basis.

BEST PRACTICES

- In Belize, during September 2022, IOM country offices in El Salvador, Honduras and Belize carried out a trilateral initiative with the support of civil registry, migration and foreign affairs institutions of those countries, so that migrants residing in Belize could obtain documents proving their legal identity and thus be able to apply for the Amnesty Programme that allowed migrants of different nationalities to obtain permanent resident status (IOM, 2022).
- The Electoral Tribunal of Panama and the Supreme Electoral Tribunal of Costa Rica have an inter-administrative agreement that promotes, among other things, the exchange of information and technology resources, and the promotion of cooperation for the modernization of civil registry and identity systems. Through this agreement, both institutions have also implemented fieldwork in border areas that are difficult to access, including indigenous territories, to facilitate the registration of vital events (MIRE, 2016).

BUILDING TRUST FROM MIGRANTS TOWARDS STATE AUTHORITIES

One of the recurring situations pointed out during the key informant interviews was that, despite the fact that there are administrative mechanisms in all countries for migrants to register vital events at civil registry institutions, there is a general lack of trust on the part of said population that hinders their approach to registering such events. According to these same interviews, this is mainly because there is fear that the institution in charge of civil registration may notify the migration authorities of an individual's immigration status if the person is in an irregular situation.

Various civil registration authorities emphasize that these are not institutional practices. For example, in Belize, the Vital Statistics Unit only requests valid identification for the registration of a birth in its territory, and the birth is registered with Belizean nationality; furthermore, the parents are not penalized if it is revealed that they have extended their visas. However, reports indicate that many migrants from bordering countries do not register the births of their children due to their irregular immigration status.

A similar situation occurs in the border areas between Mexico and Guatemala, specifically in the city of Tapachula, where key informants pointed out that people of Guatemalan origin born in Mexico can obtain dual nationality regardless of their immigration status. However, many people, mainly farm workers, avoid approaching consulates to register their children as Guatemalans, citing the fear of being detained at the different immigration checkpoints during the journey as one of the main reasons for their reluctance.

In Panama, challenges have been reported in registering the births of indigenous people who cross the border into Costa Rica to work in coffee harvesting operations. Both countries grant nationality upon birth in their respective territories as well as through the nationality of the parents, so these children have the right to dual nationality guaranteed by law. However, cases have been reported where the mothers return to Panama to register the child as Panamanian, but do not have the birth certificate from Costa Rica, presumably for fear of the Costa Rican immigration authorities.

Inter-institutional work and collaboration with civil society organizations and international organizations has been identified as a way to mitigate the distrust of the beneficiaries, given that these organizations have generally established relationships of trust with migrant populations through assistance and counselling, often free of charge.

BEST PRACTICE

- ✓ For a number of years, the General Directorate of Migration and Aliens and the IOM National Office in El Salvador have been carrying out border transit card campaigns at the border posts between Guatemala and Honduras; the target populations being children and adolescents in transit along the border, as well as cross-border and seasonal workers. The campaigns include communication strategies involving local governments and community representatives. These types of actions contribute to keeping the records of migrants updated in the databases of the migration authority, strengthening the management of the identity of foreigners and preventing crimes such as human trafficking and smuggling (IOM, 2017).

DISSEMINATION OF CLEAR AND ACCESSIBLE INFORMATION ON CIVIL REGISTRATION AND REGULARIZATION PROCEDURES

In addition to the need presented above, there is a lack of clarity and accessibility of the information on civil registration procedures and regularization. Key informants interviewed for this study agree that, although there are important efforts from institutions to inform the population, either through institutional web-pages or social media, there are still gaps, which have to do, among other things, with the means or the language used, the fact that the pages do not always work properly, and the geographic scope of the disseminated information.

As a result, many migrants are unable to access certain services or must go through the same process several times. For example, in the Dominican Republic, key informants indicated that during the implementation of Law 169-14, which was created to facilitate identity documents for people of foreign descent born in the country and registered irregularly in the civil registry (IACHR, 2015), many potential beneficiaries were not reached because they lacked clear information about the requirements for regularization. A comparable situation has been reported with respect to access to information about the Plan for the Normalization of Venezuelan Citizens (IOM, 2023e), which has been one of the measures through which the Dominican Republic has sought to facilitate regularization for the growing number of immigrants from the Bolivarian Republic of Venezuela. Although it is possible to find information on the

web-pages of the General Directorate of Migration, civil society informants report the need to generate information with accessible language that goes beyond the front desks or websites of the institutions, especially for people living in remote areas with less access to digital media.

Similar cases were reported in Mexico, where the Secretariat of Inclusion and Social Welfare (SIBISO) offers assistance programmes aimed at migrants, including a document certifying their identity in the Register of Guests and Returning Migrants of Mexico City (Government of Mexico City, 2023), a service that is not always requested by potential beneficiaries because they are unaware of it. Similarly, there is a programme to grant a temporary CURP for repatriated persons or asylum-seekers, but key informants commented that it does not have a programme for direct identification of the target population, so they must find out on their own to approach the repatriation points.

Some of the measures taken by countries to improve the ways information is conveyed to users include proactive outreach to communities through mobile and mass media campaigns. Digital social networks are also widely recognized as an effective way to get messages to the population. For example, the use of short-form explanatory videos on popular social media such as TikTok or Instagram has been documented as high in use by migrants in transit (IOM, 2023b). In addition, the institutions and civil society organizations that reported using the WhatsApp messaging network, described it as one of the most effective ways to communicate in real-time with migrants.

BEST PRACTICE

- The Costa Rican General Directorate of Migration and Aliens conducts information days, called "migramóviles", in binational communities with a significant migrant population. These activities are coordinated with civil society, municipalities, schools, and other public institutions, to provide information, free of charge, on regularization procedures and their benefits.

ADEQUATE KNOWLEDGE OF REGULATIONS AND MITIGATION OF DISCRETIONARY DECISIONS IN INSTITUTIONS

Although the state institutions consulted for this study agree that civil registry, regularization and health-care services linked to proof of legal identity are offered, indiscriminately and when the law allows it, to foreigners regardless of their immigration status, other key informants point to frequent incidents where services are denied for various reasons associated with a lack of knowledge of the rules or the discretion of officials.

In Mexico, for example, both the Migration Law (Government of the United Mexican States, 2022) and the Political Constitution guarantee the non-denial of civil registration for migrants regardless of their immigration status; however, several people interviewed pointed to cases where civil registry officials have refused to register marriages of migrants because they did not have a regular immigration status. It has also been reported that, in Tapachula, the lack of clarity about the rules for the registration of births of children of Guatemalan parents has resulted

in people being told that they must incur economic costs when, in reality, what is needed is a proof of origin from a consular representation.

In Costa Rica, the General Health Law (Government of the Republic of Costa Rica, 2020) states that all pregnant mothers have the right to medical check-ups, childbirth care and to receive food to supplement their diet and that of the child during the breastfeeding period, but there have been reported cases of health-care centres where foreign women are asked for immigration status documents as a requirement to provide some of these services.

In the Dominican Republic, there has been a practice in health-care centres of requesting paternity tests from mixed couples, especially of a foreign mother and Dominican father, to register the birth with Dominican nationality, with the purpose of avoiding fraudulent registration of births to which the Dominican nationality does not correspond. Key informants in this study report that these tests are requested more frequently than necessary, citing prejudices of civil servants. The new Organic Law of Civil Registry 4-23 (Government of the Dominican Republic, 2023) intends to regulate this practice so that paternity tests be requested only when there were founded suspicions of fraud and that the Central Electoral Board be the one to cover the costs of these tests.

Some cases of discrimination and abuse of authority have also been reported, where, according to some of the organizations consulted, police or migration officers confiscate documents from persons in transit to obtain extortion, and in some cases, tear up their documents, leaving them without proof of their identity.

Situations such as these influence what was previously discussed in relation to the distrust that many people feel when accessing the corresponding institutions and services. Several initiatives have been pointed out as mechanisms to avoid this situation; these range from awareness-raising campaigns for the personnel of the different institutions, advise to migrants on the knowledge of their rights, the strengthening of complaint mechanisms, or the indication from the authorities to apply positive discretion in cases where it is necessary to prioritize the human rights of people who do not have all the requirements to access basic rights.

BEST PRACTICE

- ✓ The Civil Registry of Mexico City has carried out information campaigns for other public institutions so that officials know how to differentiate the different types of registries, including digital ones and how they should be validated.

MITIGATION OF BARRIERS TO ACCESSING PUBLIC SERVICES AS A CONSEQUENCE OF LACK OF PROOF OF LEGAL IDENTITY

The absence of legal identity or the lack of documents proving the legal identity of a person have important consequences on their quality of life, mainly because they face serious obstacles to access different public services that require legal identity documents as part of their administrative processes.

In some countries, access to education has been limited by lack of birth certificates. In the Dominican Republic, primary education is universal and does not require a birth certificate, which makes access possible for people with irregular immigration status or without a birth certificate. To enter higher education, however, the birth certificate is a requirement that a sector of the population of Haitian descent does not have, thus limiting the possibility of entering universities. The lack of legal identity documents also limits the possibilities of opening bank accounts, accessing mobile telephone services and accessing certain jobs, which is one of the reasons why many people find themselves working in the informal sector, where they report precarious conditions such as lack of health insurance and pension benefits. Similar cases have been reported in Costa Rica among Venezuelans and Central Americans for whom obtaining legal identity documents from their country of origin is extremely difficult and who frequently do not have access to immigration categories that would allow them to obtain jobs in the formal sector, thus making it common for them to work in informal jobs with little regulation, where they are more likely to be victims of labour exploitation.

In Mexico, a temporary CURP is granted to asylum-seekers and repatriated persons so that they can access both health-care and education services; however, consultative processes between the authorities and civil society have revealed that, on some occasions, children and adolescents have been asked for birth certificates to enter the education system.

Access to health care is a cross-cutting issue in the countries studied. As discussed above, cases of administrative requirements, discretion or discrimination on the part of officials, and distrust or fear on the part of users, influence the lack of access to health care for a significant sector of the population.

The generation of strategies and procedures so that migrants without proof of legal identity or valid identification documents in the countries of destination can access essential rights such as decent work, integral health care and education, is one of the main needs that various stakeholders who participated in this study mentioned for the fulfilment of the human rights of said population.

BEST PRACTICE

- Mexico City has a Law of Interculturality, Attention to Migrants and Human Mobility in the Federal District. Under this law, all persons in migration transit, regardless of their immigration status, may opt for a "guest" credential in the city that allows them to access multiple public services, including the registration of their children's births.

ADDRESSING THE DIGITAL DIVIDE

The progress that many countries are making towards the digitization of services brings with it the challenge of addressing the digital divide since there are people who do not have the means to complete procedures online. This is related both to the access that certain communities may have to mobile devices, computers or internet connection, as well as to the capacity that people have to use new technological tools, or the degree of technical language used to communicate information.

In El Salvador, for example, it is reported that, mainly older adults face difficulties in using online services on the Simple SV platform or in completing electronic apostille. There are also cases of people who live in remote areas and do not have access to computers, optimal cell phones or stable internet connections. Something similar has been reported in Costa Rica, where some people have not been able to take advantage of the recent implementation of the digital Migration Identity Document for Foreigners (DIMEX) because of lack of or limited access to digital tools.

Despite the evidence of a digital divide and the fact that several of the consulted government institutions offer the alternative of accessing services in person, these are not always available to all people. This is due to the direct and indirect costs that this generates since there are still many regions with limited or distant services even with the geographic expansion of many of such services. Some practices that have been implemented to serve this population include the creation of video tutorials on how to use websites, and the expansion of home-based services, especially for people with physical conditions that prevent them from moving around.

BEST PRACTICE

- ✓ The National Institute of Migration of Honduras offers the possibility of sending delegates to the houses of people who find it difficult to mobilize for the capture of biometric data.
- ✓ Panama's Electoral Tribunal has a "bedridden" service with home appointments to facilitate access to identity cards for people who, due to some type of illness or disability, are unable to go to an identification office to obtain an identity card.

IDENTIFICATION AND ASSISTANCE TO PERSONS IN VULNERABLE SITUATIONS

There are groups and individuals who, in migration contexts, and due to various vulnerability factors, may see their right to legal identity limited. Some of the most frequently cited factors during the interviews were economic limitations, discrimination based on gender, sexual orientation or identity, and extracontinental populations in irregular transit without diplomatic representation in the region or from countries with political-economic contexts that make it difficult for them to attend from their consular representations. This echoes what has been documented in the literature on population groups that are mostly affected by limited access to their legal identity, where income, gender, reduced access to educational systems and residency in remote areas are some of the most frequent obstacles (Clark et al., 2022).

In Costa Rica, civil society organizations point out that, for various reasons, migrant women sometimes do not have documents to prove their identity or tend to be the last to regularize their status within a family group. This not only causes them to face obstacles in accessing public services, but also makes them more likely to suffer gender-based violence, as their autonomy is reduced and they experience situations of dependence on their male partners, limiting their possibilities of seeking help or leaving abusive situations. In Mexico, on the other hand, there is a reported absence of measures to avoid re-victimization of women who have been victims of gender-based violence by the father of their children and who need to register

or regularize them, given that the appearance of both parents is usually a requirement to initiate such processes.

People with diverse sexual identities also face problems recognizing their legal identity. In contexts of mobility, legislative differences between countries cause transgender or non-binary people to encounter legal obstacles in their identity documents. Mexico City, for example, allows the change of gender in identity documents issued by the General Directorate of Civil Registry (Government of Mexico City, 2022), but this is not the same in several of the countries of origin of migrants, which generates difficulties for the verification and compatibility of identity documents from different countries.

Populations in irregular transit also face significant obstacles to access legal identity in the region. As a transit zone, Central America and Mexico receive high flows of migrants from all parts of the world, including people from Africa and Asia, who are in transit to the United States of America. These groups face particular challenges associated with the lack of consular representations of their countries of origin in the region, language barriers, loss of travel or identification documents during the migration route, high propensity to be abused by criminal groups and to suffer discrimination by institutions. In general, there is a shortage of pre-established processes to serve these populations. In addition to extracontinental populations, migrants from Cuba, the Bolivarian Republic of Venezuela and Haiti have been identified as populations with vulnerability factors due to their tendency to migrate irregularly and often find themselves without valid proof of identity documents and with limited consular services in transit countries.

For groups in irregular transit, an important issue to address is the registration of births. Interviews with key informants in several countries such as Guatemala and Mexico identified the challenge of registering cases where a mother gives birth in one of the transit countries but does not register the birth, and then, when crossing into another country, faces problems in accessing services for the infant because she does not have any type of identity. In the case of Panama, there are Temporary Migration Reception Stations where mothers give birth and are not allowed to advance in the migration route before registering the birth, even so, there have been reported cases of mothers who give birth in the Darién National Park and continue their migration transit without the registration of the birth.

The care of people in vulnerable situations requires established procedures to meet their needs; these processes, however, do not always exist in the region. As in other needs discussed above, the role of civil society organizations and international organizations has been vital in facilitating an approach to these populations.

BEST PRACTICE

- The General Directorate of Migration and Aliens of Costa Rica and the Secretariat of Foreign Affairs of Mexico have begun to issue passports that recognize a person's self-perceived gender and include the option to choose "non-binary" gender, thus recognizing the inclusion of people with diverse sexual identities.

CHAPTER IV: RECOMMENDATIONS

Legal identity fair in Tapachula, Mexico. © IOM 2023/Alejandro CARTAGENA

CHAPTER IV: RECOMMENDATIONS

The final chapter of this study presents a series of recommendations to strengthen the mechanisms of access to the legal identity for migrants and guarantee the fulfilment of this right for all people. The recommendations are divided as follows: (a) recommendations addressed to the complete set of institutions responsible for the different legal identity systems; (b) recommendations for regional cooperation; (c) recommendations for civil registration institutions; (d) recommendations for migration authorities; and (e) recommendations for consular representations. The recommendations are based on the best practices identified in the research process, particularly from the interview process and the proposals made by the participants in the Consular Protection Seminar held in June 2023 with government representatives from the countries of the Regional Conference on Migration in Panama City.

INTER-INSTITUTIONAL RECOMMENDATIONS

- Create coordination mechanisms between health-care, civil registry, migration and consulate institutions for the registration of vital events of migrants and their families (births, deaths, etc.). Coordination mechanisms should also include law enforcement authorities and specialized diaspora entities that have competence in the registration and issuance of identity documents.

- Generate inter-institutional actions and differential services to strengthen the management of the identity of migrants with irregular status, particularly for those populations in vulnerable situations, such as children and adolescents, women, LGBTQI+ persons, binational indigenous populations, populations without nearby consular representations, among others.

- Develop training programmes with monitoring mechanisms, at the national level, to inform public officials about the identity documents required to access basic services: primary health-care system, birth or death registries, marriage registries and access to education for minors, and thus reduce the margin for discretion in the application of procedures.

- Train immigration officials and consulates in the verification of different documents (birth certificates, resident card, identity document, temporary worker cards, among others).

- Train government officials in adequate data protection.

- Use alternative communication channels to disseminate information such as social networks that people use in their daily lives; for example, WhatsApp, Instagram or TikTok; including live chats managed by people in real-time.

- Aim to reduce the digital divide through direct assistance, creation of informative tutorials and outreach to populations with the greatest information access challenges.

RECOMMENDATIONS FOR REGIONAL COOPERATION

- Explore agreements, according to the legislation of each country, to accommodate the documentation requirements necessary to regularize the immigration status of a person. Examples of alternative documents are driver's licenses, expired passports, consular license plates.

- Expand existing agreements and explore new bilateral agreements for birth registration of dual nationals.

- Identify best practices and develop procedures to document people who cannot verify their nationality due to the absence of consular services.

- Promote regional campaigns to provide legal identity documents in coordination with consular representations, law enforcement authorities, civil registry, and immigration authorities, and under the coordination of ministries of foreign affairs and immigration authorities, among others.

RECOMMENDATIONS FOR STRENGTHENING CIVIL REGISTRATION SYSTEMS

- Strengthen the culture of registration in national populations through awareness-raising campaigns about the benefits of having registries of vital events and how these are requirements to access many other services.

- Accommodate requirements for the registration of births, particularly of populations in transit that need to prove their right to nationality.

- Promote efforts for the implementation of mobile civil registry units in areas of difficult access, especially in indigenous territories and cross-border communities where people need proof of legal identity to access other documents that enable regular cross-border mobility.

- Create alliances with civil society organizations for the establishment of communication and operational strategies so that people know their rights and are not afraid to approach registration institutions to register vital events.

RECOMMENDATIONS FOR IMMIGRATION AUTHORITIES

- Make immigration procedures more flexible for persons who are unable to meet all the requirements for legal identity documents to obtain regular immigration status.
- Develop communication strategies so that migrants know the link between the registration of vital events in the civil registry and the procedures to access regularization of immigration status.
- Establish alliances with civil society organizations that have ties with the communities in order to increase trust among the population and encourage them to approach the institutions.

RECOMMENDATIONS FOR STRENGTHENING THE CAPACITIES OF CONSULAR REPRESENTATIONS

- Strengthen human resources at consulates through the professionalization of consular personnel as a prerequisite for undertaking duties, the assignment of more personnel in accordance with needs and demands, the continuous implementation of training, and the use of internships or professional practices to complement the availability of human resources.
- Promote protocols for the homologation of costs, services and delivery times in all consulates of the same country.
- Advance in the modernization of digital services so that services can be centralized in a single platform with the possibility of digitally validating documents, making online payments and interconnecting with other institutions.
- Make efforts to create mobile units to provide basic consulate services.
- Strengthen the linkage and participation of diasporas in each country through strategic alliances with diaspora organizations, mapping of legal identity needs, awareness-raising campaigns on the importance of consular registration, design of communication strategies on consular services, and mapping of economic resources to support the supply of services for people in vulnerable situations.

CATEGORIES FOR THE ANALYSIS OF THE FUNCTIONING OF SYSTEMS FOR ACCESSING LEGAL IDENTITY

There are several factors that influence how a country's legal identity systems guarantee access to this right for the entire population. For the purposes of this study, two general categories were analysed: (1) the existence of an adequate political, social and institutional environment and (2) the provision and demand for services associated with legal identity. Table 10 summarizes some of the main variables considered for each of these categories.

Table 10. Categories for the analysis of legal identity systems

Analytical category[11]	Variable
Enabling environments	• Social and cultural norms regarding the registration of vital events • Existence of policies and legislation for the management of the identity of nationals and non-nationals • Coordination and collaboration between the competent institutions • Interoperability between registration, migration and consular services institutions
Provision of services	• Availability of basic physical and digital equipment and resources • Level of decentralization to serve the population in different parts of a territory • Availability of discrimination-free services for migrants
Demand for services	• Direct and indirect costs of registering vital events and obtaining immigration identity documents • Barriers faced when using services • Social and cultural perception regarding the benefit of registrations, regularization and approaching institutions

Source: Own elaboration based on IOM's Legal Identity Toolkit.

Each of the categories described above manifests itself differently in each of the three legal identity systems analysed in the study: the civil registration and national identity system, the identity management system for foreigners, and the identity management system for nationals abroad.

[12] Adapted from IOM's Legal Identity Toolkit (2023c).

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