

**REGIONAL STRATEGIC PRESENTATION SUMMARY
TO 35TH STANDING COMMITTEE MEETING (7-9 March 2006)**

Bureau for the Americas

Part A: Introduction

General situation: The humanitarian situation in the Americas has become increasingly complex, with on-going forced displacement and mixed flows of migrants and refugees. The political landscape has changed and will continue to change, with various new governments in place and nine elections scheduled in 2006 for Latin America alone.

Colombia situation: According to preliminary governmental figures, at least 131,716 newly displaced IDPs have been registered in 2005. For the same period, NGOs give much higher estimates of new displacement (291,207 according to Codhes). In any case, the total figure of IDPs keeps growing and is now well over 2 million. The Government estimates that the adoption of the Justice and Peace Law related to the demobilization of armed groups has benefited 16,000 paramilitaries. Their reintegration is a major challenge for the authorities. Land disputes are on the rise in rural areas and an increasing number of armed groups are fighting for control on the outskirts of major cities, where most IDPs live under difficult security conditions. The rate of return of IDPs, encouraged by the authorities, remains low. Outbursts of violence, particularly in border provinces, have had an impact on neighbouring countries, where there are more than half a million Colombians in refugee-like situations and thus of concern to UNHCR. In the affected border areas of Ecuador, Panama and Venezuela, security continues to be an issue. This in turn creates serious protection issues for many of the persons of concern and therefore there is a need to look at implementing alternative durable solutions.

Mexico Plan of Action: In this regional context, the first year of implementation of the Mexico Plan of Action manifested the ability of all concerned actors in the region to address protection challenges. Indeed, by adopting the Mexico Plan of Action, twenty Latin American Governments committed themselves to enhance refugee protection and to implement a visionary integrated approach to durable solutions. Throughout Latin America, protection networks have been strengthened and a series of innovative projects were implemented in this framework, notably the signing of agreements with mayors of the main cities in Colombia to facilitate IDPs' access to basic rights and social benefits, as well as increased resettlement opportunities to a larger number of countries in the region (Argentina, Brazil, Chile and Uruguay). There is however still much to be done.

North America: Both in the United States of America and Canada, refugee protection remains UNHCR's main focus. In particular, UNHCR monitored the first year of implementation of the "safe third country agreement" between the two countries, which has functioned relatively well. Both countries maintain a traditionally generous resettlement programme that sets a positive example. In this regard, their expertise and support to emerging resettlement countries in the context of the Mexico Plan of Action will be very valuable. Equally important, UNHCR remains active in mobilizing political and financial support for its worldwide operations, as well as raising in funds from the private sector and maintaining public awareness.

The Caribbean: An unstable situation in Haiti characterized by tensions and instability continues to create mixed migratory movements throughout the Caribbean region and towards North America. It calls for fair, rapid and effective asylum procedures in order to identify and protect the refugees among the larger group of

economic migrants, without creating a pull factor. UNHCR's involvement is necessary to strengthen eligibility bodies and for contingency planning in case of possible large population movements. UNHCR is monitoring the current volatile election process in Haiti.

Part B: Progress on Global Objectives and Implementation of the Agenda for Protection

Advocate for, and support governments in the creation and maintenance of an international protection regime

In Latin America: As a region with a long tradition of asylum, it is essential to maintain and, where feasible, increase ongoing training activities to allow the greatest possible number of asylum-seekers in the region access to asylum and fair processing, and to ensure a relatively sympathetic approach to refugee protection. There is also a need to maintain and enhance the "*borders of solidarity*" concept from the Mexico Plan of Action, since it has proven crucial in allowing access to asylum in some of the most forgotten border areas of the region. In Central America, UNHCR will continue monitoring the southern border of Mexico, where hundreds of thousands of people pass each year, in order to define UNHCR's role, if any, in this large mixed migration/asylum flow. In South America, UNHCR will continue monitoring and evaluating how best to deal with over half a million persons of concern ("invisible refugees") who do not have access to UNHCR for security or other reasons, but who are often in need of international protection. UNHCR in Colombia will also continue its crucial role of providing country-of-origin information that provides first-hand and credible information, thus facilitating refugee status determination (RSD) throughout the region. In Colombia, UNHCR will take the cluster lead on IDP protection as part of the collaborative approach for more than 2 million IDPs. National IDP policies will be monitored to enhance the Government's compliance with existing legislation.

In North America: UNHCR will advocate for: a) asylum-seekers' full access to RSD procedures; b) access for persons of concern to alternatives to detention and, if detained, for humane conditions; c) the consideration of gender-based claims consistent with international standards and the appropriate treatment of separated children; d) ensuring anti-terrorism policies do not adversely impact persons of concern; and e) the need to continue UNHCR's systematic efforts to train government personnel, immigration attorneys and NGOs on international refugee law and standards. The offices in North America will also intervene with authorities, when necessary, and will continue to monitor the "safe third country" agreement between the United States and Canada.

In The Caribbean: UNHCR will maintain its focus on: a) providing continued training/capacity building to government and non-governmental partners, focusing on basic protection issues relating to access and RSD; b) building protection networks in the various islands with NGO partners, legal and academic communities; strengthening our honorary liaisons in the region; c) promoting greater public awareness of and public sympathy for refugees; d) maintaining contingency scenarios, particularly as they relate to Haiti and Cuba; and e) increasing our capacity to react immediately to any group of asylum-seekers in the region to allow access to asylum, assist governments in making prompt RSD decisions and establish greater credibility for UNHCR among the countries of the region.

Ensure international standards of protection for girls, boys, women and men of concern to UNHCR are met

During 2005, the Americas Bureau completed the roll-out of the Age, Gender and Diversity Mainstreaming (AGDM) initiative to all UNHCR operations in Latin America, and Multi-Functional Teams (MFTs) were established in all operations. These teams are responsible for the implementation of the participatory assessments and the identification of concrete interventions on behalf of groups with specific needs. A number of MFTs in the region are not limited to UNHCR staff only, but include NGOs and government

representatives as well. The collaborative work and dialogue with persons of concern greatly contributed to sensitizing MFTs and other staff on specific protection risks, and helped set priorities for both genders of all ages and backgrounds.

The AGDM strategy is reflected in all 2006 programmes and protection is to be enhanced through giving priority to for instance gender and age-sensitive income-generation, community-development and education projects. Throughout the region, refugee women are now granted individual documentation as asylum-seekers and upon refugee recognition (i.e. ID cards, CTD, work permits, etc). For the prevention of and response to Sexual and Gender-Based Violence (SGBV), special projects were undertaken in Venezuela, Colombia and Panama. A pilot project started towards the end of 2005 on the adaptation of existing SGBV training material and field testing in Venezuela. Further to this, the development of standard operational SGBV procedures is foreseen for the region. For women at risk and separated minors, agreements are being sought with national institutions in the countries of the region to provide immediate protection and to find durable solutions. Valuable technical support was obtained from the Surge Project (deployment of a Gender Officer in Colombia) and Save the Children Sweden (deployment of a Child Protection Officer in Costa Rica).

Pursue voluntary repatriation and sustainable reintegration, resettlement or local integration for refugees, with a special focus on those in protracted refugee situations

Colombia situation: In Colombia, the voluntary return of IDPs has been hampered as conflict is still affecting large parts of the country. Frequently, minimum conditions for return have not been met, and insecurity and lack of reintegration opportunities have impeded large groups of IDPs from reintegrating in their places of origin. UNHCR has focused on providing support to IDPs where they are presently located, and facilitating their local integration and reintegration. More attention has been given to the phenomenon of urban displacement, as a large percentage (over 70 per cent) of all IDPs live in urban settings.

Mexico Plan of Action:

'Solidarity Resettlement': As an integral part of the Mexico Plan of Action, solidarity resettlement to emerging countries in Southern South America has gradually increased. In 2005, 214 refugees were resettled to the emerging resettlement countries of Brazil and Chile. Argentina signed a resettlement agreement with UNHCR and in December 2005, a first group of 34 Colombian refugees arrived in Buenos Aires from Costa Rica. The resettlement units in Ecuador and Costa Rica have submitted an increasing number of Colombian refugees for resettlement, both inside and outside the region (some 850 persons in 2005). Following the Quito Resettlement meeting in February, the resettlement programmes will be further strengthened. It is also expected that a small resettlement programme will be initiated in Uruguay.

'Cities of Solidarity': The concept of solidarity cities to pay more attention to IDPs and refugees living in large urban areas was developed in the Mexico Plan of Action. Estimates indicate that more than 70 per cent of the IDPs in Colombia settle in marginalized neighbourhoods of major cities (Bogota, Medellin, Cali, Cartagena, Bucaramanga etc.). These urban IDPs are confronted with serious physical and legal protection problems, which UNHCR is addressing through greater presence, documentation and legal aid projects. Refugees in other Latin America countries are also mainly concentrated in urban areas, where the prospects for local integration are few. In these, often protracted, refugee situations, UNHCR has initiated new activities such as employment and micro-credit schemes, paying specific attention to the integration of women heading households.

'Solidarity Borders': The other durable solutions component of the Mexico Plan of Action is focusing on sensitive and often marginalized border areas of Colombia and its neighbours (mainly Panama, Ecuador and Venezuela). UNHCR is participating in tripartite mechanisms on international protection, where forced

displacement remains high on the agenda. The often “invisible refugees” have dispersed in border areas and integrated in local communities. A large number of small community projects are being implemented to maintain access to the population in need of international protection. UNHCR applies a so-called area-based approach to address both the refugee and host communities. In this context, the DAR (Development Assistance for Refugees) concept has been further developed in coordination with line ministries and other United Nations or international donor organizations. The implementation of DAR has also facilitated the implementation of the Millennium Development Goals for both refugees and their hosts.

Pursue management reform to enhance the quality, effectiveness and efficiency of UNHCR's operations

The Headquarters structure of the Americas Bureau has been reorganized - at no cost - with the creation of a Deputy Director post (protection) and a Senior Protection Officer post offset by the discontinuation of other posts. The three main objectives are to:

- enhance and consolidate the regional approach in the Colombia situation, in particular through the harmonization of protection and assistance in host countries, and provide legal support to enhance the protection of IDPs in Colombia, especially in the context of the cluster approach;
- lead the implementation of the Mexico Plan of Action, monitor progress, identify gaps and suggest corrective measures;
- develop expertise on some very technical protection matters, especially in the context of sophisticated asylum legislation in North America, to support our Offices there.

In addition, the responsibilities and reporting lines of the Regional Legal Unit, based in Costa Rica, have been reviewed in order to assist Country Offices on specific protection issues.