

REGIONAL STRATEGIC PRESENTATION SUMMARY
41ST MEETING OF THE STANDING COMMITTEE
(4-6 March 2008)

Bureau for the Americas

Part A: Introduction

- Countries in the region have shown a renewed commitment to the Mexico Plan of Action, which seeks to address refugees and internal-displacement issues from a regional perspective.
- **Colombia** continues to experience a complex internal armed conflict that has left millions of Colombians displaced within the country, with many others leaving. The number of internally displaced persons (IDPs) continues to rise, with an annual average of some 200,000 newly displaced people since 2003. The humanitarian situation in Colombia has had an impact in particular in underdeveloped rural areas and on indigenous and afro-Colombian people.
- In recent years, the conflict has shifted from central regions towards the border departments. It has also affected other countries in the region, with up to half a million Colombians of concern to UNHCR having fled mainly to Costa Rica, Ecuador, Panama and the Bolivarian Republic of Venezuela. There is also an increasing trend of people opting, for security reasons, to go to other countries in the region, in particular to Argentina, Bolivia, Brazil and Chile.

Part B: Progress on UNHCR's Global Strategic Objectives

Ensure international standards of protection are met for all persons of concern to UNHCR (Strategic Goal 1)

Since the adoption of the Mexico Plan of Action (MPA) in 2004, the region has seen a consolidation of asylum systems and a significant expansion of the regional protection network. Legislation in many countries has been reviewed and amended to provide better protection for all those of concern to UNHCR. Twelve of the 20 countries that adopted the MPA have since included the broader Cartagena Declaration definition in their respective refugee legislation. Argentina and Uruguay adopted legislation that recognizes persecution based on gender and age, and that establishes important safeguards for the protection of women and refugee children. Furthermore, since the implementation of the MPA, 242 individuals in the region have been recognized as refugees for persecution based on gender or related to trafficking.

- **Colombia** has an extremely well developed legal framework for the protection of displaced people, including a comprehensive assistance system. For the 2006-2010 period, the Colombian Government has allocated a total of USD 2.5 billion, or nearly 1 per cent of the national budget, to meet the needs of the displaced population. For 2008, the Government increased the budget for IDPs by USD 50 million. In spite of this most commendable commitment of resources and efforts, protection gaps continue to exist at the implementation level, as indicated in various judgments of the Constitutional Court and in UNHCR's recently released Evaluation of Public Policies (2004 – April 2007). To bridge these protection gaps, in late 2007, the Colombian Government unanimously passed a draft law, proclaiming 2008 the “Year of the Promotion of the Rights of Displaced People”, which aims at strengthening existing legislation on IDPs and promotes greater accountability for local authorities.
- **Ecuador** recently launched the Plan of Development and Peace for the Northern Border and is considering regularizing all the Colombians on its territory. This plan offers new possibilities to improve the asylum regime and to address the needs of refugees and other Colombians of concern. UNHCR is at the final stage of a survey to identify the number and needs of the unregistered Colombians in need of international protection. Another good practice worth

mentioning is Ecuador's application of its national Child protection programme for refugee children. Furthermore, UNHCR welcomes the Government's decision to put in place a new procedure for the registration and analysis of asylum cases in this border area in order to attend to the extreme and urgent needs of this population. A similar exercise is under way in **Brazil and the Bolivarian Republic of Venezuela**.

Canada remains a major country of asylum and resettlement, as well as an important donor to UNHCR's programmes. It is one of the three largest resettlement countries with a programme that selects refugees from around the world. Canada has in many ways an exemplary asylum process, however, UNHCR is working with the Canadian Government to address the lack of an appeal system for rejected first instance asylum claims, as well as the growing backlog of asylum claims.

The **United States** is both the largest asylum country among the "industrialized" nations and the main resettlement country in the world. The United States is also UNHCR's largest donor. A recent positive development is the introduction of the new legislation in December 2007 which modifies the application of the material support and facilitates the admission of some refugee groups into the United States. This is of particular importance as the United States continues to play a key role in refugee protection.

In the **Caribbean**, 10 of the 12 independent Caribbean States have acceded to the 1951 Refugee Convention and/or its 1967 Protocol. However, the lack of legal and operational frameworks and the emphasis on migration control measures continue to pose a challenge. Only the Dominican Republic has passed implementing legislation. UNHCR has recently strengthened its capacity to cover the Caribbean. UNHCR assists governments to strengthen eligibility bodies to ensure a fair, rapid and effective response to identify and protect refugees in the context of the larger economic migration flows that characterize the region.

Attaining durable solutions (Strategic Goal 5)

In Latin America, durable solutions are largely sought by means of the different strategies presented in the MPA, namely: *Cities of Solidarity* which aims at fostering self-sufficiency and local integration of people of concern living in cities; *Borders of Solidarity* which promotes the development of border areas to foster a humanitarian response for people in need of international protection, and to address basic infrastructure and community services needs; and *Solidarity Resettlement* which opens the possibility for any Latin American country to receive refugees who are in other Latin American first asylum countries.

Cities of Solidarity

- Municipal-governmental alliances have been established, creating a network of twenty-five *cities of solidarity* in seven countries. These cities have signed agreements with UNHCR to incorporate refugees into social programmes and to work towards their local integration.
- In addition to facilitating access to basic services, **Argentina, Brazil and Chile** have earmarked funds in their national budget to assist and promote the integration of refugees.

Borders of Solidarity

- UN Country Teams in four countries of the region have established inter-agency groups to support IDPs or people in need of international protection. For example, in the northern border province of **Ecuador**, 12 United Nations agencies participate in the UN Group on the Northern Border, under the lead of UNHCR, to promote assistance and development for local communities hosting refugees and to strengthen State institutions in these areas. The inter-agency budget for this project was increased in 2007 from USD 7.7 million to USD 11.5 million and more than 50

projects have been implemented in different sectors. Within this framework, UNHCR also coordinated the UN group to update the contingency plan for potential inflows of refugees and to enhance the emergency response capacity in Ecuador.

- **In the Bolivarian Republic of Venezuela**, UNHCR has recently signed agreements with national financial institutions to create micro-credit schemes. This special fund of USD 750,000 will benefit refugees and other Colombians in need of international protection living in host communities in the border area.
- **In Colombia**, UNHCR is also working with the other United Nations agencies in the Inter-Agency Standing Committee framework, leading the Thematic Group on Protection, particularly in the border departments where the humanitarian situation is most critical. Since the adoption of the MPA, UNHCR and its partners have developed nearly 1,000 community projects (PACI) in 350 border communities in **Ecuador, Panama, and the Bolivarian Republic of Venezuela**. With an accumulated investment of USD 5.7 million, these projects benefit more than 160,000 people residing in these regions.

Solidarity Resettlement

Resettlement programmes have been created in **Argentina, Brazil and Chile**. In June 2007, **Paraguay and Uruguay** signed framework agreements on resettlement, joining the Solidarity Resettlement Programme.

- For 2007, Brazil's target was to resettle 200 individuals, and UNHCR is awaiting confirmation for 2008. Argentina and Chile will aim to resettle 100 people each for this year. Paraguay and Uruguay plan to resettle another 15 people in 2008.
- Furthermore, the Solidarity Resettlement Programme has started to benefit refugees from other parts of the world. A group of 103 Palestinian refugees in Jordan was resettled in Brazil in October last year. UNHCR also welcomes Chile's decision to resettle some 100 Palestinian refugees from the Iraq-Syria border.
- The Solidarity Resettlement Programme is a novel approach and needs further support to succeed. The capacity and infrastructure to successfully integrate resettled refugees are not yet in place. In spite of States' clear commitment to the programme, a greater degree of ownership and financial responsibility is required to facilitate the full integration of resettled refugees.
- Equally important is the continued financial and technical support from the international community, in order to consolidate the Solidarity Resettlement Programme. The Government of Norway has arranged twinning programmes for Argentina, Brazil and Chile since beginning 2007. This programme has allowed government officials, implementing partners and UNHCR staff in these countries to understand the selection process in a country of first asylum and the integration infrastructure of cases.

UNHCR continues to work closely with the **United States and Canada** in the implementation of their respective resettlement programmes, the largest worldwide. Both countries have been providing much needed financial support to enhance UNHCR's capacity and the implementation of resettlement programmes in major operations.

Part C: Conclusion

The MPA has seen important support from the donor community in the past few years. UNHCR's annual budget for the region has increased almost by 40 per cent since the adoption of the MPA in November 2004. Countries in the region such as **Brazil and Colombia** are also supporting the MPA with concrete contributions for refugee assistance in the region, in the spirit of South-South collaboration.

Despite the many positive developments in the region, challenges remain. Ownership of Governments of their own refugee programmes, including greater financial responsibility, is crucial for the sustainability of the initiatives and the progress made in the MPA. In this respect, some of the countries that adopted the MPA would still need to take a more active role in the process.

As UNHCR tries to increase the number of countries that implement the MPA, and while recognizing that the donor community has already substantially enabled the implementation of the plan, additional support is required to ensure that it fully benefits the 3.5 million people in need of protection and assistance in Latin America.

In Canada and United States, the Office will continue to seek maximum political and financial support for UNHCR's global operations, to ascertain that asylum-seekers have access to refugee status determination procedures, and that people of concern have access to alternatives to detention, and, if detained, that conditions meet international standards.

UNHCR
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