



Colombian refugees cross the border with Ecuador.



PUENTE INTERNACIONAL
SAN MIGUEL
BIENVENIDOS A ECUADOR

| OPERATIONAL HIGHLIGHTS |

- UNHCR increased its protection capacity in Colombia, enabling coverage of 41 of the 50 districts most affected by displacement and benefitting more than 570,000 internally displaced persons (IDPs).

- More than 678,000 hectares of land in Colombia were protected in 2008 through the Land Property Protection Project of the Government, which UNHCR supported with advice and sensitization campaigns.

- In Ecuador, the Government presented a new National Policy of Asylum. This policy envisages the adoption of an accelerated refugee status determination (RSD) procedure, known as 'enhanced registration', and the decentralization of the General Directorate for Refugees to this effect.

- Within the framework of UNHCR's Global Needs Assessment pilot initiative, nationwide consultations were carried out in Ecuador in order to assess the main protection needs of refugees.

- Chile accepted the resettlement of 117 Palestinian refugees in 2008. Uruguay and Paraguay joined the Solidarity Resettlement Programme, and government delegations from these countries undertook a familiarization mission to Argentina and Chile.

- Governments in many Latin American countries have been supported to strengthen their legal frameworks and capacity to undertake refugee status determination, as well as to increase the ability to identify refugees within mixed flows and provide access to the asylum procedures.

AMERICAS

Working environment

Tensions between Colombia and Ecuador persisted throughout 2008, in spite of efforts by the Organization of American States (OAS) to mend the rift between the two countries. This posed risks to humanitarian space in the region, but so far, asylum policies have not been affected. Multilateral efforts to resolve the standoff between these countries continue.

As highlighted recently during the Human Rights Council's Universal Periodic Review, "forcible displacement is the most widespread human rights violation in Colombia". Notwithstanding positive developments in the implementation of national IDP policies, an escalation of violence has led to the deterioration of the humanitarian situation, leaving some 3 million Colombians displaced within the country.

Approximately 350,000 Colombians live in a refugee-like situation beyond their country's borders. Recent surveys revealed that more than 130,000 of them are living in Ecuador, and some 118,000 in three border areas of the Bolivarian Republic of Venezuela.

In 2008, the socio-political crisis in Bolivia resulting from confrontations between the Government and the opposition triggered population movements into Brazil. UNHCR has closely monitored the situation inside Bolivia and contributed to contingency planning as part of the UN Country Team. In Brazil, UNHCR monitored the border in close cooperation with the Government to ensure access to asylum to those in need of international protection.

Systematic interception, detention and return policies were common in the Caribbean, where States do not have adequate procedures to identify asylum-seekers. Only one Caribbean State has national refugee legislation, although it is not effectively implemented, and only three States/territories have ad hoc national RSD procedures. As a result, a number of Caribbean countries had long-standing refugee and asylum-seeker populations living with inadequate protection and no prospect of durable solutions. In addition to a complex mixed migration environment, the region's volatile socio-political situation heightened the potential for mass-migration and refugee emergencies.

The United States continued to be a strong supporter of refugee protection and assistance in the domestic and overseas context. The strengthening of its refugee protection capacity by the United States Citizenship and Immigration Services, in particular through its Asylum Division and the Refugee Corps, is highly commendable. However, the economic recession has curtailed the capacity of local agencies to assist the refugees in the country.

Canada remained a major country of asylum and resettlement, and an important donor to UNHCR's programmes. However, difficulties have arisen from perceptions in the country that its refugee system is being misused by undeserving claimants.

Achievements and impact

UNHCR's objectives in the Americas were to:

- ### Improve the protection of refugees, IDPs and others of concern in Latin America through the Mexico Plan of Action

2008 was declared the Year of the Promotion of the Rights of Displaced Persons by the Colombian Congress, through the adoption of Law 1190. This law seeks to increase the accountability of local authorities for addressing forced displacement, as well as to involve the private sector in the search for durable solutions for IDPs. In line with the law, State institutions assigned more than USD 560 million to displacement programmes. Similar positive developments and budgetary increases took place at the provincial level in regions affected by displacement.

The role played by UNHCR in advising the Constitutional Court was further strengthened and legal orders were issued to protect displaced women, girls and boys. Furthermore, guidelines were issued for the implementation of 14 national programmes to protect displaced women and children. So far, 18,000 IDPs have benefited from these programmes.

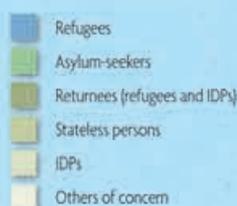
More than 678,000 hectares of land were protected in 2008 through the Land and Property Protection Project. Over 3 million hectares have been protected since the programme began, benefiting 85,376 families who are displaced or at risk. Land protection is one of the most fundamental issues for Colombian IDPs, as nearly 80 per cent of them come from rural areas and are used to making their a living from the land. Furthermore, many Colombian farmers do not have any legal title to their lands, making it far more difficult to claim their property back after displacement.

UNHCR has contributed to the development of public policies on several topics related to land and property rights. It has promoted cooperation at the local level with all actors responsible for protecting IDPs' land.

In September, Ecuador issued its Policy on Refugee Protection, which reiterates the Government's strong commitment to the Mexico Plan of Action and articulates the national response to the situation of thousands of Colombian nationals in need of international protection, particularly at the northern border. UNHCR's Global Needs Assessment pilot initiative in Ecuador, which produced a comprehensive strategy to address the

NORTH AMERICA AND THE CARIBBEAN

LATIN AMERICA



Population size



protection gaps in the country, validated the relevance of the new asylum policy.

In line with the new policy, the Government initiated the Enhanced Registration of Colombians in the northern border areas of Ecuador, with the support of UNHCR. This innovative mechanism allows accelerated registration and documentation as well as the identification of specific protection needs. Through mobile brigades, the Government aims to process some 50,000 people in the northern border provinces in need of international protection in 2009. Many of these people have never been registered as asylum-seekers and are so-called 'invisible refugees'.

The Government has decentralized its Refugee Office to field locations in the border areas. In tandem, UNHCR has strengthened its office in Ecuador to provide adequate support for these new initiatives. UNHCR is working to mobilize international assistance for this scheme.

In 2008, Panama passed a law decree on the National Migration Service and a law for the regularization of long-staying refugees. The latter provides recognized refugees who have been in Panama for more than 10 years with the right to apply for permanent residency. Furthermore, in the context of the Bi-national Commission with Colombia, the Government of Panama expressed its commitment to granting permanent residency to Colombians who are in the country under the Temporary Humanitarian Protection Regime.

In June, Nicaragua passed Law No. 655 on the Protection of Refugees. The new statute includes a regional definition of refugees and sets up the National Commission for Refugees, charged with determining refugee status in the country. The Commission is composed of both national authorities and civil society organizations. In addition, this law contemplates the provision of legal counsel and the right to work to asylum-seekers.

Draft enactment of refugee legislation is under discussion in Chile and Mexico.

Costa Rica has recently signed a cooperation agreement with UNHCR to improve its asylum system, including the RSD mechanism.

● *Attain durable solutions through the Borders of Solidarity, Cities of Solidarity, and Resettlement in Solidarity components of the Mexico Plan of Action* Within the framework of the Borders of Solidarity component, bi-national programmes were promoted to enhance protection, support host communities and enhance emergency response mechanisms in countries neighboring Colombia. Specific studies and projects were also implemented to enhance the protection of indigenous and Afro-Colombian communities

inside Colombia as well as in Ecuador, Panama, and the Bolivarian Republic of Venezuela.

Some 123 people (25 families) were resettled under the Solidarity Resettlement Programme in 2008. Of these, 78 people went to Argentina and 45 to Chile. In addition, in May 2008 Chile accepted the resettlement of 117 Palestinian refugees. As new resettlement countries, Uruguay and Paraguay undertook a familiarization mission to Argentina and Chile to learn from the latter's experience. Uruguay is expected to receive a first group of 15 resettled refugees in April 2009.

The Cities of Solidarity Programme is now being implemented in more than 20 cities in Brazil, and more provinces have joined the Programme in Chile and Argentina, including Iquique and San Felipe in Chile, and Rosario, Mendoza and Cordoba in Argentina. This programme aims at facilitating the implementation of refugee-friendly public policies, with an integrated social strategy. UNHCR is planning to refine this programme to harmonize the criteria and indicators used in the region. The Solidarity Resettlement programme contributed greatly in expanding this network of cities.

- *Maintain high protection standards in North America by monitoring asylum systems in the United States and Canada*
In 2008, UNHCR's efforts in the United States focused largely on ensuring that relevant laws and policies as well as their implementation were in accordance with the United States' obligations under the 1967 Protocol.

The United States' asylum system is well-developed, containing two paths to asylum and several levels of appeal to higher courts. It also provides a mechanism for those granted asylum and those who enter as resettled refugees to attain lawful permanent residency and eventually United States citizenship. For many years, the United States has received the highest numbers of asylum-seekers of any industrialized nation and has had a very high recognition rate. The refugee protection capacity of the United States Citizenship and Immigration Services, in particular through its Asylum Division and the Refugee Corps, continued to be strengthened.

A number of long-standing protection challenges persisted, including broadly-defined terrorism-related bars to entry, constraining the access of refugees to protection and resettlement. Despite some improvements in the use of administrative authority to exempt those in need of protection from the bars, they still affect a considerable number of refugees and asylum-seekers. Policies on the detention of

asylum-seekers continued to be restrictive; thousands of asylum-seekers were in detention, compromising their ability to access the asylum system.

In Canada, UNHCR monitors asylum seekers' access to the territory and to the RSD procedure. UNHCR undertook numerous missions to the ports of entry, with a particular focus on key land borders. With the support of UNHCR and other stakeholders, detention conditions were improved for detained asylum-seekers, with access to information and support regarding asylum procedures, particularly for those held in provincial jails. UNHCR continued to monitor implementation of the USA-Canada Safe Third Country Agreement, and continued to advocate for the implementation of an on-the-merits appeal as a right for all asylum-seekers found not to be refugees by the Immigration and Refugee Board.

- *Increase North American countries' support for UNHCR's operations*

The United States continued to be UNHCR's largest donor, contributing some USD 510 million to UNHCR in 2008. Canada contributed USD 42.8 million in 2008.

The United States continues to provide the largest number of resettlement places. In 2008, it received some 64,700 people, or 70 per cent of all refugees resettled by UNHCR. Colombian resettlement to the United States has begun to increase as waivers for "material support" are now possible for Colombians. The United States also agreed to conduct one or two resettlement visits to the Caribbean annually for the purpose of processing UNHCR-referred refugees.

Canada was an important supporter of the strategic use of resettlement and a promoter of multilateral frameworks to address refugee situations comprehensively. The country was the second largest recipient of UNHCR's resettlement referrals in 2008, resettling over 10,800 persons.

- *Strengthen partnership arrangements on refugee protection, internal displacement, mixed migratory flows and statelessness*

At the national level, UNHCR continued to strengthen cooperation with operational partners. This was especially so in Colombia, where the Office leads the protection working group in the context of the inter-agency cluster approach. Strategic partnerships in this country were strengthened with UN agencies, key NGOs, government ministries and local authorities.

UNHCR's participation in the main regional forums on migration and human

rights continued to expand. The Office's cooperation with the political and human rights bodies of the OAS was strengthened following the signature of a Memorandum of Understanding in November. UNHCR continued to participate in regional migration discussions, notably the Regional Conference on Migration (also known as the Puebla Process) and the South American Conference on Migration, where it underscored the necessity of addressing the protection needs of asylum-seekers and refugees within mixed migratory flows.

A workshop on Protection and Durable Solutions in the Context of Mixed Migratory Flows was co-hosted by Canada and Costa Rica as part of the Puebla Process. As a result of this workshop, twinning activities between Canada and Costa Rica were initiated. UNHCR maintained a close relationship with IOM on trafficking and asylum issues in the region.

| Constraints |

The political atmosphere and persistent tensions between Colombia and Ecuador increased the risk of a reduction in humanitarian space, as countries in the region emphasized security and law enforcement. This standoff also had a negative impact on public opinion, creating additional obstacles to refugees' local integration.

In Colombia, violence in some areas of the country continued to limit possibilities for humanitarian action. The use of landmines by irregular armed elements was rampant throughout the country, leading to the highest number of mine incidents in the world and hindering access and assistance to victims.

In North America and the Caribbean, the focus on national security and law enforcement continued to affect domestic asylum policies and practices, to the detriment of refugees and asylum-seekers. ■

Financial information

By the end of the year, the budget for the Americas reached USD 29,192,237 due to additional requirements. The implementation rate of most projects in the Americas reached well over 92 per cent. Despite the recent successes of the Solidarity Resettlement programme, the programme faced acute financial challenges in 2008, with direct consequences for resettled refugees. UNHCR therefore had to resort to allocations from the Operational Reserve.

Additional funds also had to be transferred from the Operational Reserve to begin implementation of key projects in Ecuador, such as the Enhanced Registration of Colombians in refugee-like situations in border provinces.

Budget and expenditure in the Americas (USD)						
Country	Final budget			Expenditure		
	Annual budget	Supplementary budget	Total	Annual budget	Supplementary budget	Total
North America and the Caribbean						
Canada	1,629,056	0	1,629,056	1,583,674	0	1,583,674
United States of America ¹	4,139,653	0	4,139,653	3,423,935	0	3,423,935
Subtotal	5,768,709	0	5,768,709	5,007,609	0	5,007,609
Latin America						
Argentina ²	3,430,129	863,587	4,293,716	3,378,247	623,380	4,001,627
Brazil	2,993,741	1,007,078	4,000,819	2,785,780	999,712	3,785,492
Colombia	767,044	17,634,984	18,402,028	717,361	16,239,244	16,956,605
Costa Rica	3,389,350	0	3,389,350	3,148,513	0	3,148,513
Cuba	282,509	0	282,509	277,758	0	277,758
Ecuador	7,356,685	0	7,356,685	7,252,374	0	7,252,374
Mexico	2,259,992	0	2,259,992	2,231,172	0	2,231,172
Panama	1,278,632	0	1,278,632	1,233,116	0	1,233,116
Venezuela (Bolivarian Rep.) ³	3,578,363	0	3,578,363	3,575,299	0	3,575,299
Subtotal	25,336,445	19,505,649	44,842,094	24,599,621	17,862,335	42,461,956
Total	31,105,154	19,505,649	50,610,803	29,607,229	17,862,335	47,469,564

Note: Excludes indirect support costs that are recovered from contributions against supplementary programmes and the "New or additional activities - mandate related" (NAM) Reserve.

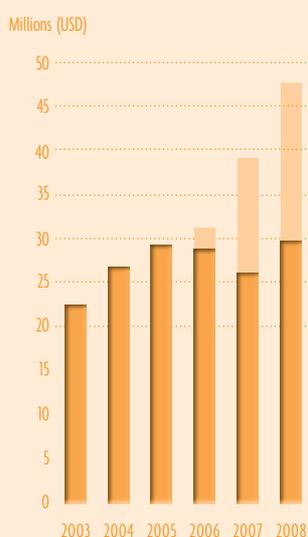
¹ Includes legal assistance and durable solutions for asylum-seekers and refugees in the United States, as well as protection of refugees and capacity building in Trinidad and Tobago, the Dominican Republic and Jamaica.

² The annual budget includes local settlement in Argentina, Bolivia, Chile, Paraguay and Uruguay, as well as resettlement in Argentina, Chile and Uruguay. The supplementary budget includes resettlement of Iraqis from the Middle East.

³ Includes local settlement in El Salvador, Guatemala, Honduras, Nicaragua and Belize.

Expenditure in the Americas 2003-2008

■ Annual budget
■ Supplementary budget



Note: Excludes UNHCR's office in New York, which was part of the Americas region through 2006.

Voluntary contributions to the Americas (USD)

Donor	Annual budget	Supplementary budget	Total
Canada*	511,247	2,809,668	3,320,915
España con ACNUR (Spain)		108,476	108,476
European Commission	1,902,064	2,984,380	4,886,444
Foundation FC Barcelona (Spain)	110,000		110,000
France	291,545	271,137	562,682
Germany	258,732		258,732
HQ Online Donations	2,651		2,651
International Olympic Committee (Switzerland)	57,660		57,660
Italy		1,038,774	1,038,774
Japan	500,000		500,000
Joint UN Programme on HIV/AIDS (UNAIDS)	75,000		75,000
Luxembourg	364,431	338,921	703,353
Netherlands		1,570,770	1,570,770
Norway	107,784		107,784
Private donors in Italy	54,000		54,000
Spain	546,978	2,061,900	2,608,877
Sweden*	1,386,749	573,190	1,959,938
Switzerland	243,191	466,399	709,590
Trade Plus Aid (United Kingdom)	21,764		21,764
Donor	Annual budget	Supplementary budget	Total
UN Global Peace and Security Fund	216,799		216,799
UN Trust Fund for Human Security	124,075		124,075
United Kingdom	14,208	41,651	55,859
United Nations Children's Fund (UNICEF)	50,146		50,146
United States of America	6,777,669	3,414,960	10,192,629
Total	13,616,695	15,680,225	29,296,919

* Countries contributed the following funds to the Americas region:

Earmarking	Donor	Annual budget	Total
Americas Region	Canada	511,247	511,247
	Sweden	1,386,749	1,386,749
Total		1,897,996	1,897,996

Note: Contributions shown exclude indirect support costs that are recovered from contributions against supplementary programmes and the "New or additional activities - mandate related" (NAM) Reserve.