

Central America and Mexico

Major developments

The countries of Central America and Mexico continued to receive a small but steady flow of asylum-seekers, both from Latin America (notably Central American countries and Colombia) and beyond (in particular, Africa). Asylum-seekers usually arrived within mass migration flows of undocumented people moving from South to North. UNHCR maintained its field presence in Tapachula, along the southern border of Mexico, in order to build the capacity of governmental and civil society partners to identify asylum-seekers within this complex migratory environment. Efforts undertaken to improve access to asylum procedures yielded results. In 2005, Mexico received 687 asylum claims, 70 per cent more than in 2004 and more than twice as many as in 2003. At the same time, the Central American countries, principally viewed as countries of transit, continued to register low numbers of asylum-seekers: 148 asylum-seekers sought international protection in Belize, Guatemala, Honduras, El Salvador and Nicaragua.

The refugee population in the region remained relatively stable. At the end of 2005, there were some 4,500 refugees, of whom 92 per cent were urban refugees. The principal durable solution promoted by UNHCR continued to be local integration, through permanent residency and naturalization.

In 2005, the *Agenda for Protection* and the strategic objectives of the Mexico Plan of Action guided UNHCR's

Belize
El Salvador
Guatemala
Honduras
Mexico
Nicaragua

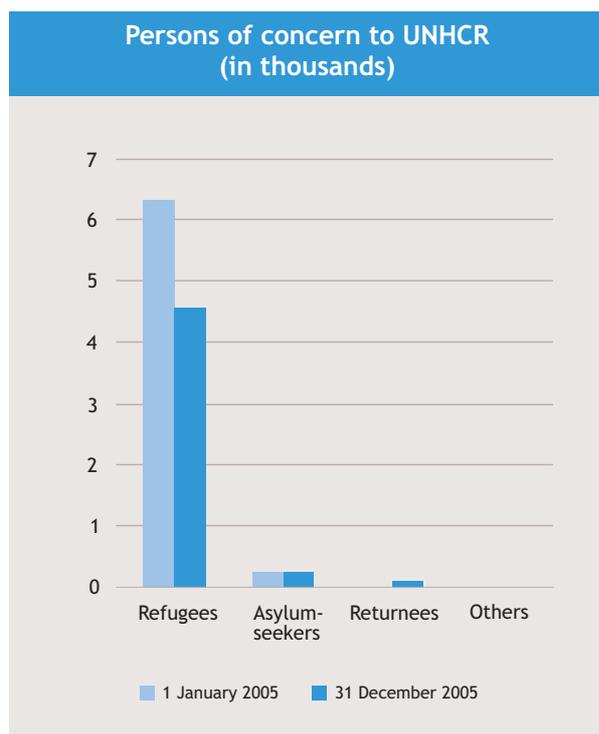


activities in the region, in particular those related to the strengthening of national legislative frameworks, training and institutional capacity building, the expansion of protection networks and the achievement of durable solutions for refugees. The Mexico Plan of Action provided momentum to explore new initiatives with the governments in the region.

Challenges and concerns

UNHCR continued to promote the protection of asylum-seekers and refugees within an increasingly complex regional migratory environment. El Salvador, Honduras and Guatemala continued to produce mass migration flows towards the North, due to extreme poverty, high levels of unemployment and underemployment, lack of social equity and rapidly growing insecurity. In 2005, this situation was further compounded by environmental degradation and natural disasters, notably the devastating Hurricane Stan. The increasing prevalence of youth gang violence, perpetrated by the so-called *maras* in Guatemala, El Salvador and Honduras, continued to create new patterns of forced displacement within the region as well.

Tight migratory controls, put in place throughout the region since 11 September 2001, resulted in interception, detention, and large-scale deportation of undocumented migrants through return programmes. The number of undocumented migrants entering Mexico continued to rise, most of them seeking to transit towards the United States. In 2005, the Mexican National Migration Institute made over 240,000 interceptions of undocumented migrants. Civil society organizations estimated the number of irregular migrants to be even higher, perhaps exceeding 330,000 people, with almost 1,000 undocumented people crossing into





Mexico: Refugee children at an age, gender and diversity workshop at the Refugee Park in Mexico City. UNHCR / M.Echandi

Mexico every day. With the exception of the Mexican Commission for Refugee Assistance (COMAR) in Tapachula, national refugee offices in the region do not maintain a presence at borders or other points of entry. It remains a huge challenge to identify asylum-seekers travelling from South to North within flows of migrants.

Of particular concern to UNHCR was the increase in the numbers of unaccompanied minors within mixed migratory flows. Over the course of the year, over 5,500 unaccompanied children, mainly from Guatemala, El Salvador and Honduras, were intercepted and returned by Mexican migration authorities. Most of them were believed to be trying to join undocumented relatives in the United States or Canada. The actual number of child migrants travelling by themselves is believed to be significantly higher. Protection mechanisms for minors – including mechanisms to identify potential asylum-seekers within this group – are weak.

Given the relatively small number of asylum-seekers and refugees in the region, asylum issues are not a priority for any of the governments. Government offices in charge of refugee issues are usually understaffed and lack the

necessary practical experience to deal with refugees and asylum-seekers. Throughout the region, a high turnover of officials, including migration authorities, hampered the effectiveness of UNHCR's training, the impact achieved being limited to the short period that trained officials remained in their posts. Similarly, national civil society protection networks exist in all countries, but focus on migration rather than on asylum issues. Each country tends to have only one NGO with any specialized knowledge of refugee protection (usually UNHCR's implementing partner).

Local integration opportunities for urban refugees throughout the region remained limited by general economic constraints.

Progress towards solutions

In Central America, UNHCR assisted 184 long-staying urban refugees to find a durable solution through naturalization and another 38 refugees to obtain permanent residency. In Mexico, UNHCR directly assisted 16 urban refugees to naturalize, but many other refugees

obtained citizenship on their own, often after receiving counselling and legal advice from UNHCR's implementing partner. In addition, 1,140 Guatemalan refugees living in the rural settlements in southern Mexico received naturalization papers, effectively bringing to a close the naturalization programme for the long-staying rural Guatemalan refugee population.

In 2005, UNHCR made renewed efforts to assist urban refugees in Mexico to find employment, including job placements in the private sector and through the implementation of a microcredit programme. UNHCR also accompanied efforts by COMAR to strengthen ties with other national institutions to improve access to social services.

In late 2005, UNHCR began to implement the age, gender and diversity mainstreaming strategy, carrying out participatory assessments with urban refugee women, men, boys and girls in Mexico and Cuba. UNHCR's NGO partners in Central America were trained in this methodology in December, and participatory assessments will be carried out in these countries in 2006. The results of the participatory assessments will be used to strengthen local integration and self-sufficiency strategies in 2006.

Operations

In the region, UNHCR provided newly recognized refugees with lodging, medical assistance, food and installation support as required. UNHCR also continued to fund domestic needs, household support, health and nutrition, education, and community services, which principally benefited refugees with specific needs, including female-headed households, refugees with disabilities and older refugees.

In **Mexico**, UNHCR continued to enjoy a strong partnership with COMAR and other governmental institutions. However, despite the Government's interest in asylum issues and in particular the implementation of the Mexico Plan of Action, refugee issues figured low on the national agenda due to the pre-electoral campaign in the run-up to the 2006 Presidential elections. The domestic political environment was not particularly conducive to the passage of reforms to the legal framework. The draft law on refugees and statelessness was officially presented to the Senate in March, and thereafter passed to a joint committee for confidential legislative review. At the end of 2005, the draft law was still under confidential review. UNHCR's activities improved governmental and civil society capacity to identify asylum-seekers, to ensure their access to the asylum procedure, and to process and determine asylum claims in conformity with international standards. The marked increase in the number of asylum-seekers in Mexico can largely be

attributed to training and capacity-building activities with migration authorities implemented by UNHCR in Tapachula. Legal advice was provided to COMAR on a routine basis on individual asylum claims, with particular attention to claims involving exclusion analysis and inclusion based on sexual and gender-based violence, as well as interpretation of the Convention ground "membership of a particular social group". Particular attention was provided to a small number of claims from unaccompanied minors.

In **Belize**, UNHCR continued to provide legal advice and support to asylum-seekers and refugees on a case-by-case basis to ensure that international protection needs were met. The Government did not reactivate the asylum procedure and indicated that it had no plans to do so in the future. Instead, it announced that individuals with compelling protection needs would be allowed to remain in the country with a different migratory status.

In **El Salvador**, after a two-year lobbying effort by UNHCR, the Regulatory Decree of the Law on Refugees was passed in August 2005. Although the first draft of the decree had been prepared by UNHCR, the final decree included some provisions that are not compatible with international standards. A refugee census exercise carried out by UNHCR's NGO partner, with the support of the National Migration Directorate, made it possible to identify the long-staying *prima facie* mandate refugees in the country without proper documentation. The census results will allow for documentation and legal integration of this group in 2006.

Despite a high turnover of senior government officials in **Guatemala**, which resulted in the nomination of three different people to chair the Eligibility Committee, the Committee met four times during the year and was more effective in adjudicating cases than in previous years. The Government also began issuing a new refugee identity card, in accordance with the refugee law. UNHCR's NGO partner negotiated special agreements with social institutions and national or municipal government offices to facilitate refugee access to social services and civil registry documents at reduced fees.

In **Honduras**, the national refugee status determination procedure was virtually paralyzed by frequent changes in the leadership of the Migration Directorate. The Government reiterated its commitment to meeting its obligations under international refugee instruments.

In **Nicaragua**, no concrete progress was made regarding the refugee law, owing to the political instability that brought several initiatives to a halt in 2005. UNHCR's NGO partner conducted weekly visits to the Migrant Holding Centre to identify asylum-seekers within the migrant population, and undertook field missions to the

main border points of entry in the South to train migration officials and human rights organizations.

The World Refugee Day campaign in Mexico received significant media coverage, drawing public attention to the Mexico Plan of Action and refugee issues in general. UNHCR also implemented innovative activities to combat discrimination against refugees through activities in partnership with the National Council to Eliminate Discrimination (CONAPRED) and through “Education for Peace” activities. In Guatemala, the Government and UNHCR’s NGO partner organized the publication of a book on Guatemalan refugee legislation and inaugurated a photographic exhibition for World Refugee Day. In Belize, Honduras and Nicaragua, public awareness activities were carried out to commemorate World Refugee Day, including academic round tables and information sessions with students and other relevant actors.

Funding

Funding covered the minimal needs of refugees and of the most vulnerable asylum-seekers, as well as limited administrative support for UNHCR’s implementing agencies in the six countries within the region. Due to the low political importance of refugee issues on national agendas in the Central American countries, civil society organizations generally lacked dedicated resources for refugee protection, with the exception of UNHCR’s implementing partners. This seriously affected the capacity of UNHCR’s protection network partners in the region to contribute materially to alleviating the needs of asylum-seekers and refugees.

The Mexico Plan of Action

Since the adoption of the Mexico Plan of Action by 20 Latin American countries in November 2004, there has been considerable progress in all of the Plan’s strands. The main achievements include:

Protection

UNHCR increased its protection staff in border areas in order to improve the monitoring of refugee influxes and support host communities; protection networks throughout the region were strengthened. Alliances were established with government entities such as Ombudsman’s offices, as well as with universities and civil society institutions; capacity-building programmes for authorities and civil society actors were expanded. These partnerships have become the backbone of the Plan’s implementation.

Resettlement in Solidarity (*Reasentamiento Solidario*)

The South-South initiative of Latin American countries to establish a permanent resettlement capacity and use resettlement as a strategic protection tool made significant progress. Argentina joined Brazil and Chile as emerging resettlement countries, and more countries are expected to join the programme in 2006.

Borders of Solidarity (*Fronteras Solidarias*)

The ‘*Fronteras Solidarias*’ strand of the Plan aims to assist refugees and local host communities in border areas by stimulating socio-economic development in these communities. Rather than creating parallel refugee aid programmes, UNHCR implemented community-based projects. Thereby, it managed to obtain better access to refugees, addressed the perceived “burden” of integrating new refugees and enhanced the refugees’ enjoyment of basic rights.

Cities of Solidarity (*Ciudades Solidarias*)

The vast majority of refugees and internally displaced persons in Latin America live in poor, marginalized urban areas. Thus, *Ciudades Solidarias* has advocated for better local integration and increased self-reliance of those displaced by conflict. With the support of local municipalities, schools and universities, business people, solidarity groups and other local actors, UNHCR has taken concrete measures to foster integration and self-sufficiency, such as job placement initiatives, microcredit projects, alliances with local business communities, and community-based child care projects, focusing particularly on refugee and internally displaced women.

Restricted voluntary contributions (USD)		
Earmarking ¹	Donor	Annual programme budget
Central America and Mexico		
	Canada	173,554
	Sweden	302,572
	United States	1,080,000
Sub-total		1,556,126
Mexico		
	Mexico	1,747
Sub-total		1,747
Total		1,557,872

¹ For more information on the earmarking, please refer to the donor profiles.

Budget and expenditure (USD)		
Country	Final budget	Expenditure
	Annual programme budget	
Mexico	1,692,176	1,607,361
Regional projects ¹	1,121,974	1,065,763
Total	2,814,150	2,673,124

¹ Includes material and legal assistance to refugees in Mexico and Central America, promotion of refugee law, strengthening of national capacities and public awareness raising.