

Latin America



Argentina
Bolivia (Plurinational State of)
Brazil
Chile
Colombia
Costa Rica
Cuba
Ecuador
El Salvador
Guatemala
Honduras
Mexico
Nicaragua
Panama
Paraguay
Peru
Uruguay
Venezuela
(Bolivarian Republic of)



The Tule indigenous group, who live on the Arquia reservation, in Colombia's Chocó region, have only recently been able to return to their land.

| OPERATIONAL HIGHLIGHTS |

- All countries in Latin America have fully incorporated refugee protection into their national legal systems. In 2010, Chile and Mexico adopted groundbreaking legislation, which includes the refugee definition as contained in the 1951 Convention Relating to the Status of Refugees, as well as the more inclusive definition found in the Cartagena Declaration. In addition, Mexico's legislation considers gender as a ground for persecution and it is the first country in Latin America to grant complementary forms of protection.
- UNHCR continued to promote the Mexico Plan of Action as a regional framework for protection. In November 2010, at an international meeting that launched regional commemorations of the 60th anniversary of the 1951 Refugee Convention, eighteen Latin American States adopted the landmark Brasilia Declaration on the Protection of Refugees and Stateless Persons in the Americas.
- Positive developments were recorded with regard to eligibility commissions. These included the establishment in Costa Rica of a National Refugee Commission charged with addressing the backlog of asylum claims and efforts by the Bolivarian Republic of Venezuela to align refugee status determination (RSD) procedures with international standards.
- Argentina introduced a new regulation in the National Migration Law which allowed the granting of temporary humanitarian protection to people in need of international protection.
- In Panama, a proposed change in legislation, if approved, would provide permanent residency to Colombian nationals under temporary humanitarian protection status.
- UNHCR supported the creation of a regional protection working group—within the framework of UNDG-Latin America and the Caribbean—to include protection

Working environment

In 2010, mixed-migration flows in Latin America included asylum-seekers from elsewhere in the region as well as from Africa, Asia and the Middle East. Within Latin America, asylum-seekers and unaccompanied children often travel in mixed groups, and are particularly vulnerable to violations of their rights or to falling victim of smugglers and human traffickers.

Security concerns, coupled with an increase in migratory movements in the region, have led to stricter enforcement of border controls and detention practices. The adoption of procedures for manifestly unfounded or abusive claims, which lack appropriate safeguards, resulted in a constriction of the protection space.

The intensity of new forms of conflict in the region, characterized by extreme violence against large sectors of the civilian population, continued to generate forced displacement. Gang-related violence propelled displacement in Central America, especially in El Salvador, Guatemala and Honduras, and a significant increase in violence was registered in northern Mexico.

Achievements and impact

In 2010, UNHCR's advocacy in the subregion bore fruit with the adoption of the Brasilia Declaration, which includes recommendations on the implementation of the Mexico Plan of Action. The declaration aims to strengthen the regional response to new challenges, such as protection in the context of mixed-migration movements.

The Brasilia Declaration, in fact, promotes the adoption of mechanisms not foreseen by the international instruments for the protection of refugees, giving due consideration to the protection needs of migrants and victims of human trafficking, including whether or not they are in need of international protection. In addition, the declaration encourages accession to the international instruments on statelessness and the review of national legislation to prevent and reduce situations of statelessness.

Efforts to ensure local integration, in particular by providing people of concern with access to education, banking and finance services and health care, continued throughout the region. They were supported by "House of Rights" programmes, microcredit schemes and participatory assessments. Special projects were developed for the protection and integration of women and children.

UNHCR has signed cooperation agreements with national agencies for the promotion and protection of human rights in the Central American countries, the Plurinational State of Bolivia, Peru and the Bolivarian Republic of Venezuela. In Mexico a similar cooperation



agreement was recently signed with the National Human Rights Commission. This has permitted joint monitoring of borders and the identification of people in need of international protection, such as refugees in mixed-migration flows.

Constraints

While the vast majority of Latin American countries are party to the international refugee instruments, only 13 have acceded to the 1954 Convention relating to the Status of Stateless Persons, and only six to the 1961 Convention on the Reduction of Statelessness. National mechanisms for the determination of statelessness and immigration status for stateless persons' legal stay in countries are also needed.

Moreover, despite the overall strength of refugee legislation in the region, implementation continues to pose difficulties, as illustrated by low recognition rates in several countries. Other notable challenges pertain to the adoption of pre-admissibility procedures; procedures for manifestly unfounded or abusive claims, without appropriate protection safeguards; shortcomings in the functioning of national refugee commissions; backlogs in the processing of asylum claims; the implementation of second-instance procedures; and inadequate mechanisms to avoid *refoulement*.

As of 2010, more than 70 per cent of the total refugee population in Latin America were living in urban areas, where competition for scarce resources such as employment, housing and basic services is high. As voluntary repatriation is not always a viable option in refugee situations in the region, the main challenge is to strengthen local integration.

Operations

Operations in **Colombia** and **Ecuador** are described in separate country chapters.

The Regional Representation in Argentina covers six countries: **Argentina**, the Plurinational State of **Bolivia**, **Chile**, **Paraguay**, **Peru** and **Uruguay**. In 2010, the enactment of the refugee law in Chile, the development of a draft refugee law in the Plurinational State of Bolivia and the regulation of the Migratory Law in Argentina, which grants temporary humanitarian protection, were important achievements. In Peru, UNHCR undertook a gaps analysis to identify major challenges in the implementation of the Refugee Law. It also promoted the development of refugee status determination (RSD) capacity in Uruguay.

In **Brazil**, UNHCR promoted the integration of people of African descent, and provided emergency assistance to asylum-seekers in border areas. Additionally, UNHCR trained members of the newly established Refugee Committee of the State of Rio de Janeiro in protection, and participated in the development of the State Policy Plan for attention to refugees.

The Immigration Law in **Costa Rica** re-establishes a Refugee Department and Commission and now recognizes gender-related persecution as a basis for refugee recognition.

Additionally, UNHCR welcomed the opening of a second “House of Rights” in Frailes. This followed a positive evaluation of the pilot phase of UNHCR’s policy on urban refugees in Desamparados.

In **Cuba**, UNHCR worked with academic institutions to raise awareness on refugee matters, reaching new audiences in 2010.

In Central America (**Guatemala**, **Honduras** and **El Salvador**), UNHCR and its implementing partners provided legal advice, information and psychosocial support to asylum-seekers and refugees, and delivered basic humanitarian assistance to the most vulnerable. Moreover, partners guided urban refugees through legal procedures to regularize their status, including obtaining permanent residency and naturalization.

At the end of 2010, **Mexico** adopted groundbreaking asylum legislation which includes the broader refugee definition of the Cartagena Declaration; considers gender-based persecution as grounds for the granting of refugee status; and grants complementary forms of protection.

Most of UNHCR’s protection activities in **Panama** focused on urban refugees and asylum-seekers, whose situation was regularly monitored and whose access to basic services, such as medical care and education, assured. All protection activities designed and implemented in the border communities had a psychosocial care component in order to assist asylum-seekers with serious conflict-related trauma.

The overwhelming majority of asylum-seekers arriving in the Bolivarian Republic of **Venezuela** required urgent support. UNHCR provided basic humanitarian assistance, including emergency kits and temporary subsistence allowances for accommodation, to the most vulnerable.

Budget and expenditure in Latin America | USD

| Country | | PILLAR 1 Refugee programme | PILLAR 2 Stateless programme | PILLAR 4 IDP projects | Total |
|---|-------------|-------------------------------|---------------------------------|--------------------------|-------------------|
| Argentina Regional Office ¹ | Budget | 5,854,803 | 125,000 | 0 | 5,979,803 |
| | Expenditure | 4,260,758 | 120,244 | 0 | 4,381,002 |
| Brazil | Budget | 3,926,225 | 0 | 0 | 3,926,225 |
| | Expenditure | 3,855,605 | 0 | 0 | 3,855,605 |
| Colombia | Budget | 2,515,267 | 50,000 | 28,022,088 | 30,587,355 |
| | Expenditure | 938,607 | 42,977 | 22,225,720 | 23,207,304 |
| Costa Rica | Budget | 2,421,732 | 0 | 0 | 2,421,732 |
| | Expenditure | 2,035,300 | 0 | 0 | 2,035,300 |
| Ecuador | Budget | 16,456,121 | 25,000 | 0 | 16,481,121 |
| | Expenditure | 9,710,784 | 0 | 0 | 9,710,784 |
| Mexico | Budget | 1,752,164 | 0 | 0 | 1,752,164 |
| | Expenditure | 1,453,954 | 0 | 0 | 1,453,954 |
| Panama | Budget | 2,387,638 | 0 | 0 | 2,387,638 |
| | Expenditure | 1,120,249 | 0 | 0 | 1,120,249 |
| Venezuela | Budget | 6,701,046 | 0 | 0 | 6,701,046 |
| | Expenditure | 4,057,600 | 0 | 0 | 4,057,600 |
| Panama ² | Budget | 4,308,633 | 0 | 0 | 4,308,633 |
| | Expenditure | 2,929,304 | 0 | 0 | 2,929,304 |
| Total budget | | 46,323,629 | 200,000 | 28,022,088 | 74,545,717 |
| Total expenditure | | 30,362,161 | 163,221 | 22,225,720 | 52,751,102 |

¹Includes Bolivia, Chile, Paraguay, Peru and Uruguay.

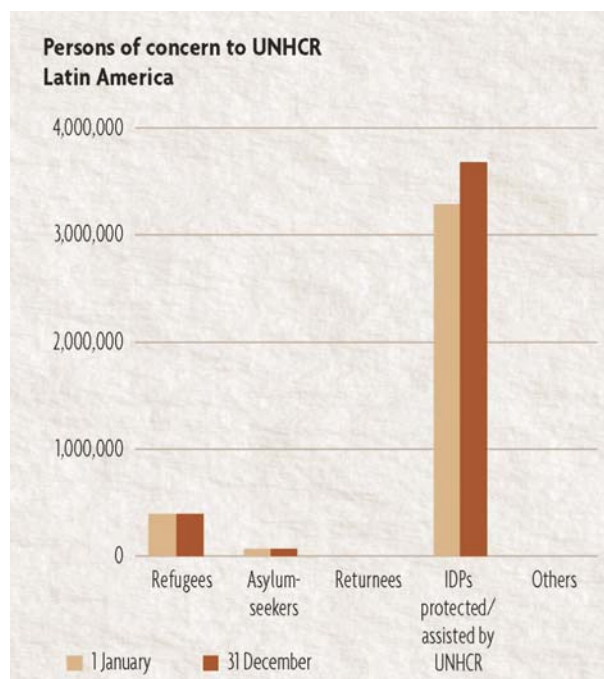
²Includes the Legal Unit in Costa Rica

Recipients included pregnant women, older people without means of support, people with disabilities, single heads of households, vulnerable families with children younger than 15, victims of sexual and gender-based violence and unaccompanied minors.

Financial information

UNHCR's 2010 Global Needs Assessment budget for field operations in Latin America (excluding Colombia and Ecuador) was just over USD 28 million. Volatile exchange rates and increases in the cost of living significantly affected operating budgets.

Although UNHCR in Latin America has developed new programmes for the integration of urban refugees, additional funds are required to consolidate these activities and ensure their long-term sustainability. Resettlement programmes in Argentina, Brazil, Chile, Paraguay and Uruguay continued to be invaluable in the effective protection of people of concern in the region. Additional resources would allow these programmes to be more fully implemented.



Voluntary contributions to Latin America | USD

| Earmarking / Donor | PILLAR 1 Refugee | PILLAR 4 IDP projects | All pillars | Total |
|--|---------------------|--------------------------|-------------------|-------------------|
| LATIN AMERICA SUBREGION | | | | |
| Norway | | | 1,612,903 | 1,612,903 |
| United States of America | | | 10,300,000 | 10,300,000 |
| Latin America subtotal | 0 | 0 | 11,912,903 | 11,912,903 |
| ARGENTINA REGIONAL OFFICE | | | | |
| Norway | 121,386 | | | 121,386 |
| United States of America | 1,484,360 | | | 1,484,360 |
| Argentina Regional Office subtotal | 1,605,746 | 0 | 0 | 1,605,746 |
| BRAZIL | | | | |
| United States of America | 855,000 | | | 855,000 |
| Brazil subtotal | 855,000 | 0 | 0 | 855,000 |
| COLOMBIA | | | | |
| BASF Química Colombiana S.A. | | 9,723 | | 9,723 |
| Brazil | | 200,000 | | 200,000 |
| Canada | | 2,814,259 | | 2,814,259 |
| Central Emergency Response Fund (CERF) | | 659,000 | | 659,000 |
| España con ACNUR (Spain) | | 187,437 | 159,143 | 346,581 |
| European Commission | | 2,942,044 | | 2,942,044 |
| France | | 269,906 | | 269,906 |
| Luxembourg | | 360,750 | | 360,750 |
| Netherlands | | 1,500,000 | | 1,500,000 |
| Norway | | 170,619 | | 170,619 |
| Spain | | 1,839,662 | | 1,839,662 |
| Sweden | | 1,387,347 | | 1,387,347 |
| Switzerland | | 470,810 | | 470,810 |
| UN Millennium Development Goals Achievement Fund | | 651,038 | | 651,038 |
| UN Trust Fund for Human Security | | 87,134 | | 87,134 |
| Colombia subtotal | 0 | 13,549,729 | 159,143 | 13,708,872 |

| Earmarking / Donor | PILLAR 1 Refugee | PILLAR 4 IDP projects | All pillars | Total |
|---|---------------------|-----------------------------|-------------------|-------------------|
| COSTA RICA | | | | |
| <i>Amitié Sans Frontières</i> (Monaco) | 57,720 | | | 57,720 |
| Costa Rica subtotal | 57,720 | 0 | 0 | 57,720 |
| ECUADOR | | | | |
| Brazil | 500,000 | | | 500,000 |
| <i>España con ACNUR</i> (Spain) | 7,095 | | 34,771 | 41,866 |
| European Commission | 1,120,448 | | | 1,120,448 |
| Luxembourg | 360,750 | | | 360,750 |
| Private donors in Italy | 217,859 | | | 217,859 |
| Spain | 2,219,397 | | | 2,219,397 |
| USA for UNHCR | 20,000 | | | 20,000 |
| Ecuador subtotal | 4,445,550 | 0 | 34,771 | 4,480,321 |
| MEXICO REGIONAL OFFICE | | | | |
| United States of America | 350,000 | | | 350,000 |
| Mexico Regional Office subtotal | 350,000 | 0 | 0 | 350,000 |
| PANAMA | | | | |
| United States of America | 855,000 | | | 855,000 |
| Panama subtotal | 855,000 | 0 | 0 | 855,000 |
| VENEZUELA REGIONAL OFFICE | | | | |
| European Commission | 566,590 | | | 566,590 |
| United Kingdom | 16,000 | | | 16,000 |
| Venezuela Regional Office subtotal | 582,590 | 0 | 0 | 582,590 |
| Total | 8,751,607 | 13,549,729 | 12,106,818 | 34,408,153 |

Note: Includes indirect support costs that are recovered from contributions to Pillars 3 and 4, supplementary budgets and the "New or additional activities – mandate-related" (NAM) reserve.