

Thank you Mr / Madame Chair.

Distinguished Delegates,

Ladies and Gentlemen,

At a time when the global context for finding protection and solutions for persons of concern is proving more challenging, it is reassuring that the international protection standards are still largely upheld in the Americas Region.

The **2014 Brazil Plan of Action** has continued to be an essential reference point to strengthen protection standards and comprehensive solutions responses in the Latin America. Given the centrality of this framework for the Americas, my remarks will touch on a number of its priority areas: Access to asylum procedures, response to sexual and gender based violence and child protection, support to the countries in the Northern Triangle of Central America (NTCA) and the Caribbean countries, comprehensive solutions with a focus on the Colombia situation; statelessness; and regional cooperation.

In 2016 there was a high number of asylum applications in the region compared with previous years. A number of countries closed the year with a record number of pending claims, most notably **Brazil, Canada, Ecuador and the US**, and to a proportionally lesser but significant extent **Costa Rica, Chile, Ecuador, and Mexico**. At the same time, tens of thousands of claims found a positive solution throughout the year. The situation is both a sign of continued high levels of conflict,

violence, and other push factors that displace families and children and obliges them to seek asylum elsewhere, and of a continent that remains committed to those who are in urgent need of international protection. UNHCR continued to provide capacity-building support and advice to States to ensure that fairness, efficiency and due process standards govern asylum procedures. These efforts are being complemented by the generous contributions of **Canada** and the **US** towards strengthening asylum processing capacities in Latin America within the framework of the Quality Assurance Initiative.

In this context, this afore-mentioned initiative that is embedded in the Brazil Plan of Action produced significant advances in the region. **Chile** set up a new registry unit and is developing a registration manual, while working on a video-training project for police officers at the borders to improve access to the asylum procedure and reduce the risk of *refoulement*. In **Costa Rica**, asylum seekers can now register applications at the border and waiting times for decisions have been significantly reduced. In **Mexico**, alternatives to detention were provided. In **Panama**, an audit committee was set up to review and prioritize all the recommendations made within the Quality Assurance Initiative. We are also embarking on a major project to help speed up and improve the processing of pending claims in **Ecuador**. Furthermore, the Government of **Trinidad and Tobago** plans to engage in a “Quality Assurance Initiative from the start” to structure its asylum processing systems. Nevertheless, and beyond the commitment and results shown by asylum authorities, and given the complex migratory movements in the region, it is essential that registration and referral mechanisms involving asylum and migration authorities are fully harmonized, and that border authorities are empowered and capacitated to address the challenging task of screening in those individuals in need of protection. Furthermore, it is important that these individuals also receive adequate assistance and support.

UNHCR remains committed to support asylum systems and assist States in strengthening case processing capacities, namely in **Brazil, Chile, Costa Rica and Mexico**. However, I would like to call upon States in the region to mobilize adequate and predictable human and financial resources to ensure that asylum authorities have increased and sustainable means to respond to new challenges.

Ladies and Gentlemen,

Sexual and Gender-Based Violence (SGBV), child protection risks and persecution on the basis of sexual orientation and gender identity continue to be among the main causes of displacement in the Americas and Caribbean. Preventing and responding to these protection challenges are operational priorities for UNHCR in the region, particularly in **Central America, Mexico, the Caribbean and Colombia**.

UNHCR is working with all partners to improve access by women, girls, men, boys and LGBTI persons to basic and specialized SGBV and child protection services, including education, legal aid, health care, and psychosocial support through *Safe Spaces Networks*; the provision of technical assistance, capacity-building, awareness raising and advocacy efforts.

But together with States we need to do more to improve access to basic rights and services for this group of population. To this end, I call on States in the region and all operational partners to assist with:

- **Establishing Child Best Interests Procedures to guide protection interventions;**
- **Increasing the use of appropriate Alternative Care, family tracing and family reunification as a child protection tool and as an alternative to detention;**

- **Ensuring safe access to education for girls, boys and youth in all phases of displacement to foster sustainable human development (in line with SDG 4);**
- **Supporting the adoption of legislation and policy frameworks that include women, girls and LGBTI persons regardless of their migratory status, (in line with SDG 5);**
- **Implementing policies and programmes to facilitate disclosure of SGBV incidents and child protection risks, as well as access to specialized services;**
- **Ensuring ethical, safe and confidential collection, compilation and analysis of SGBV and child protection data.**

The implementation of the **Brazil Plan of Action** to support the achievement of the **Sustainable Development Goals**, including through specific actions on gender equality, child protection and education, is also critical. The region constitutes a fertile ground for doing so, as States lead the inclusion of persons of concern into national poverty reduction, employment and entrepreneurship programs – thereby further “operationalizing” the concept of “borders of solidarity” that was referred to in both the Mexico and the the Brazil Plans of Action.

Ladies and Gentlemen,

In response to displacement in the Northern Triangle of Central America, namely El Salvador, Guatemala and Honduras, UNHCR welcomes the steps taken by States to begin addressing the protection needs of persons of concern through comprehensive solutions-oriented responses. We look forward to continuing in this direction.

Concretely, in 2016, UNHCR worked in close cooperation with the government of **Honduras**, to support national institutions dealing with internal displacement; in El Salvador with those supporting victims of violence; and in all three countries in strengthening protection responses, including those required for the increasing number of deported/returned persons. In Guatemala, we recently signed a

Cooperation Agreement with the authorities to assist institutions managing asylum and migration issues, and to develop mechanisms to protect their nationals abroad as well as persons in transit.

Despite these positive policy and institutional interventions by the governments and civil society organizations, flows from these countries continue unabated – the result of a complex web of interconnected factors.

Unlike previous years, where the rise in the number of asylum seekers from NTCA countries was recorded mainly in the **US** and **Canada**, the steepest increase in asylum requests in 2016 was recorded elsewhere in the region. There was a 156% increase in asylum claimants in **Mexico** compared to 2015, which clearly shows that it is no longer only a country of transit but also one of destination for refugees. For **Costa Rica**, the 2016 asylum applications represent a 100% increase compared to 2015. Considerable increases in asylum applications have also been noted in **Belize** (more than 200% higher than in all of 2015), **Panama** (184% higher than 2015) and **Nicaragua** (80% higher than 2015). UNHCR anticipates that in 2018 the sub-region will continue to witness a sharp rise in asylum applications, as routes northward become increasingly difficult to access.

In **Mexico and Costa Rica**, UNHCR provided support with asylum systems and reception mechanisms, in particular through the provision of adequate shelter and cash for especially vulnerable groups. Over the next few months, emphasis needs to also be given in countries of asylum to strengthening local integration programs, including access to labor market and basic services, creating a win-win for both refugees and host communities; **Costa Rica** offers an innovative programme in this regard, possibly replicable in other countries.

In the Central American sub-region, 2016 saw **strategic alliances** forged with Ombudspersons, faith based organizations and civil

society to provide protection and assistance to individuals and communities affected by violence and to returnees with protection needs. The protection working groups set up in these countries reinforce coordination and coherence in the planning and response, providing a platform to the Resident Coordinators and national institutions to mainstream protection considerations for persons of concern in national plans. UNHCR will also continue to work with countries in the region and beyond to support and expand the **Protection Transfer Arrangement**, which enables persons at heightened risk from the NTCA countries to access protection abroad. We hope that other resettlement countries will join this important and innovative endeavour. It is crucial to underline that the Protection Transfer Arrangement is not only an important life saving measure, but also an important opportunity to strengthen regional cooperation in responding to the refugee situation in the NTCA region.

One of the strongest manifestations of this commitment to regional solidarity was the San Jose Action Statement, the product of a high-level roundtable in Costa Rica in 2016. The Action Statement calls for a comprehensive, multi-sectorial regional response to address forced displacement in Central America. With support from the Organization of the American States (OAS), the Central American Integration System (SICA), UNDG Latin America and the Caribbean; the ICRC, the World Bank, and the Inter-American Development Bank, UNHCR is planning to co-organize a follow-up meeting with the OAS on the margins of its next General Assembly in June of 2017 in Mexico. Among others, and building on the San Jose Action Statement, this meeting represents an opportunity for States to pursue the development of a regional *Comprehensive Refugee and Solutions Response Framework* tailored to the specific situation in the region. The AHC for Protection, Mr. Volker Turk has just come back from a useful dialogue on this in Mexico. UNHCR intends to conduct other similar ones in the region.

In the **Caribbean**, States and territories made important efforts to increase protection responses to address complex mixed migratory movements that characterize the sub-region. UNHCR welcomed the meeting of representatives from 14 States for the first substantive gathering of the Caribbean Migration Consultations in December 2016 - hosted by Trinidad and Tobago - and supported by UNHCR, IOM and CARICOM.

UNHCR will also continue to support States in consolidating their asylum systems and in putting in place emergency preparedness mechanisms to deal with larger numbers of migrants and refugees, particularly Venezuelans, which have put pressure on the limited reception capacities of these island states. Where RSD does not contribute to increased access to rights on an individual or collective level, we are committed to exploring with host States other protection interventions that may be more appropriate.

Ladies and Gentlemen,

The conclusion of peace agreement has ushered in a period of hope for the people of Colombia and in particular for the over seven million persons displaced by more than five decades of conflict. The further consolidation of the peace process will depend on the early sustainability of solutions. There is urgent need to help stabilize this population by ensuring that they have access to basic rights and services. I urge the international community to provide continued support to the Government, UNHCR, and the wider UN system to contribute to the consolidation of durable solutions for Colombia IDPs and refugees.

From our side, UNHCR continues to adapt its role and activities in support of the peacebuilding agenda. It will continue to use its knowledge of communities and presence in remote areas of the country to help local authorities and communities to re-establish links; contribute to confidence-building measures; as well as respond to

new displacement that may continue to take place in some parts of the country.

On **Ecuador**, the Human Mobility Law was recently promulgated. This Law represents a major step in the protection of refugees, asylum seekers, and stateless persons, and establishes also important principles, such as equal treatment before the law, *non-refoulement* and the non-criminalization of irregular migration. UNHCR applauds the provision in the law which confers resident status to refugees, allowing for their full inclusion and integration. Particularly encouraging is that refugees will be granted national identification cards, to be issued by the Civil Registry.

In **Venezuela**, I welcome the decision earlier this month to carry out a profiling survey of individuals in need of international protection as means to pursue effective solutions for persons of concern who may be living in refugee-like situations or risk becoming stateless. This effort, led by the Government, is fully supported by UNHCR. The results of the exercise, which are expected by the second quarter of 2017, will inform the design policies and plans to ensure that people in need of international protection have access to solutions and are included in national social programmes.

At the same time, we continue to monitor the arrival of an increasing number of **Venezuelans** in countries in the region and beyond. The number of Venezuelans seeking asylum has increased, and so has the number of Venezuelans who have been granted refugee status. However, most Venezuelans are regularizing their status under different bilateral or multilateral regional frameworks. UNHCR welcomes initiatives by a number of countries in the region, such as Brazil and Peru, to grant Venezuelans temporary residence permits, as

well as facilitate their stay based on the MERCOSUR residence criteria (as is the case with Argentina and Uruguay). UNHCR encourages other States to follow suit, while allowing access to asylum for those Venezuelans wishing to seek it. Assistance to the most vulnerable among this population should also be provided.

Countries in **Southern Latin America**, particularly Brazil and Argentina have again proven themselves to be important allies in providing protection and solutions to refugees not only from the region, but also from beyond, in the spirit of global solidarity. Both countries have made significant advances in fulfilling their commitments in relation to the United States Leaders' Summit on Refugees on 20 September.

In close coordination with IOM, UNHCR is committed to support the efforts of emerging resettlement countries in Latin America with technical advice and resource mobilization from the **Emerging Resettlement Country Mechanism**. However, I would like to stress that for programmes to be sustainable in the long term, it is essential that national resources are also mobilized and allocated, including by municipalities and the private sector. Argentina's San Luis Province and Brazil's Sao Paulo are excellent examples of the important role municipalities can play in the region, particularly to include and empower refugees.

I cannot sufficiently emphasize the importance of maintaining and expanding resettlement opportunities, particularly today, as the number of refugees - ordinary people fleeing war, violence and persecution - is on the rise globally. For many of them, resettlement is a lifesaving tool. This was well understood by **Canada**, where the Government announced its plan to resettle, in cooperation with UNHCR, 1,200 extremely vulnerable Iraqi IDP women, children and

men who are survivors of severe violence, torture, and-or SGBV, and to offer resettlement, including through private sponsorship to 25,000 refugees this year.

The temporary suspension of the resettlement program as foreseen by the recent executive order issued by the US Government will no doubt have a significant impact. Refugees, who were near departure prior to the issuance of the suspension of the US program for 120 days, will be waiting anxiously for the program to resume. The majority of these are women and children, often living in difficult and dangerous situations. UNHCR firmly hopes that the US resettlement programme will resume soon and remains committed to provide whatever assistance is needed to ensure that resettlement takes place in a manner that is safe and secure, for both refugees and receiving countries.

Ladies and Gentleman,

Regional efforts to eradicate **statelessness** in the Americas and Caribbean continue to bear fruit. In 2016, the General Assembly of the Organization of American States adopted a resolution on human rights that welcomed the UNHCR Global Action Plan to End Statelessness and the *#IBelong* campaign.

In the **Dominican Republic**, UNHCR recognizes important steps taken to issue nationality documents to Dominican-born individuals of foreign descent and is working with the authorities and other actors to determine the size of the population that has attained a nationality solution under Law 169-14. The Office looks forward to the swift renewal of a Memorandum of Understanding with the government so

that UNHCR can further assist individuals in obtaining nationality documents, both under the afore-mentioned Law, and through additional nationality solutions.

UNHCR, in consultation with concerned governments, OAS human rights bodies and non-governmental organizations, finalized a compilation of international standards and good practice on protection and solutions to statelessness that States can use to create their own protection frameworks.

UNHCR also provided technical support to governments in the region to establish protection frameworks for stateless persons. In this regard, **Costa Rica** issued a decree that came into force in November 2016 that establishes a new statelessness determination procedure and provides a series of rights to stateless persons, including the granting of legal residence, free of cost identity and travel documentation. **Argentina, Brazil, Panama, Paraguay and Uruguay** are currently working on bills similar to **Ecuador's**. **Bolivia** adopted an administrative regulation to facilitate the naturalization of stateless persons and refugees, and **Brazil** eliminated the need to renounce the nationality of origin as a requirement to apply for naturalization.

The Americas continues to be the leading region in the naturalization of refugees. As such, I have reasons to be optimistic that progress in ending statelessness in the region will be sustained.

Last but not least, a word about **regional cooperation**. UNHCR has progressively and deliberately been forging strategic alliances with regional organizations such as the OAS and other sub-regional organizations such as MERCOSUR, SICA and CARICOM. More recently more regular contacts have been established with UNASUR and CELAC. We intend on continuing to nourish these relationships, particularly as new opportunities for sustained engagement arise.

The strong drive for partnership is possible because it is strongly embodied in the Brazil Plan of Action, which continues to be the roadmap in the region for collective action to protect forcibly displaced persons and to find solutions for them. Although the Brazil Declaration and Plan of Action were adopted in 2014, there is no doubt in my mind they foreshadowed the New York Declaration in many respects, particularly the latter's overarching framework for a comprehensive refugee response outlined in Annex I. Many of the commitments that States unanimously ascribed to, are embodied in the Brazil Plan of Action, and are being already implemented in the region. It is with this in mind, that UNHCR and I in particular hope that the region will be able to host several pilots and case studies this year, thereby translating pledges that States made under the Brazil Plan of Action into concrete deliverables. In this regard, I am particularly pleased to share with you that the Government of **Honduras** has officially confirmed its interest in participating in the Comprehensive Refugee Response Framework (CRRF). This important step constitutes a sound basis to develop a more comprehensive regional plan for protection and solutions in Central America. We are encouraging other countries of the sub-region to join Honduras. Furthermore, **Brazil** and **Ecuador** have expressed interest in this process as valuable case studies. I am confident that there is a lot to gain on the international protection front from the many lessons learned and good practices that the Americas region can share with other regions in the world, as we move to the adoption of the Global Compacts on Refugees and Migrants in 2018.

Thank you.

