



Central America and Mexico

Major developments

In 2004, there were 2,010 new arrivals in the region, mainly from Central America, Colombia and Africa. The vast majority arrived in Mexico and Central American countries within groups of irregular migrants from the south. By the end of the year, there were some 1,470 urban refugees.

Challenges and concerns

During the year, UNHCR made efforts to strengthen the capacity of governmental institutions to protect and assist asylum-seekers and refugees; manage fair and efficient RSD procedures and interpret international refugee law; improve national legal frameworks by promoting the adoption of national refugee legislation; promote durable solutions through local integration; provide international protection to asylum-seekers and refugees, with special attention to women and children; strengthen national protection networks; and, in Costa Rica, consolidate a local integration strategy for refugees in coordination with government institutions and implementing partners.

Belize
Costa Rica
El Salvador
Guatemala
Honduras
Mexico
Nicaragua



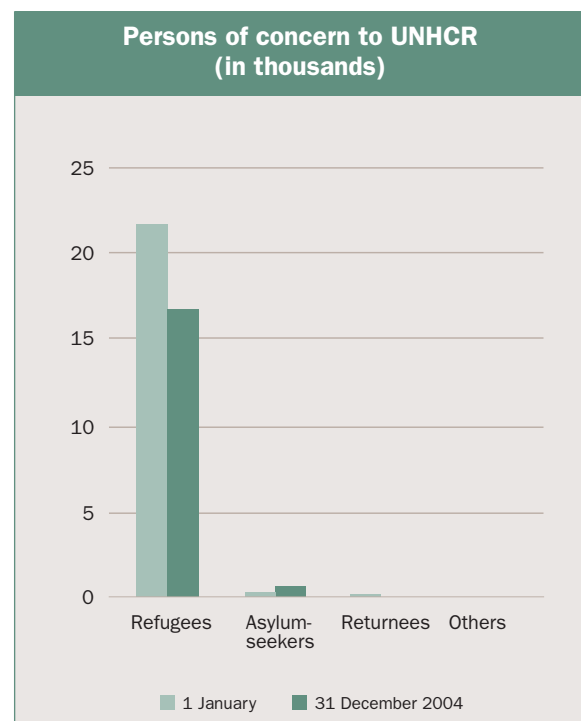
The irregular migration northwards through Mexico led Governments in the region to apply restrictive measures, including strict admission requirements, interception, detention and expulsion of undocumented persons. In this context, the identification of asylum-seekers among the massive flows of irregular migrants remained a challenge for UNHCR in 2004.

Asylum and local integration issues were not high on the agendas of Governments in the region in the face of other challenges such as extreme poverty, unemployment, insecurity and, in some countries, gang violence.

Operations and progress towards solutions

In Central American countries, UNHCR provided refugees and asylum-seekers with food and lodging, as well as with installation support, on a needs basis, for newly-recognized refugees. All refugee children attended state schools at no cost to the organization, and free basic medical care was provided by national institutions to all refugees and asylum-seekers. In Mexico, UNHCR consolidated a new micro-credit

scheme and expanded job placement support for refugees, enhancing their self-sufficiency. The Office provided refugees with legal assistance to facilitate the issuance or renewal of their identification documents and urged that they be granted permanent residence and naturalization whenever possible.



Victims of sexual and gender-based violence, unaccompanied minors and other persons with special needs were provided with appropriate materials and legal, medical and/or psychosocial support.

Throughout the year, UNHCR provided training on refugee law to civic, professional, academic and governmental organizations working with migrant populations to further strengthen the national protection networks in each country.

Despite UNHCR's advocacy efforts, the national RSD procedure was not re-activated in **Belize**. Instead, the Government provisionally agreed to provide an alternative migratory status to persons in need of international protection.

In **El Salvador**, a draft regulatory decree to the Asylum Law was finalized and sent to the Office of the President for signature in March, but it was still pending at the end of the year. UNHCR resettled 17 Colombian refugees-at-risk.

In **Guatemala**, UNHCR provided technical and financial support to the National Refugee Commission established in 2002, and helped to expand its capacity to receive, process and determine asylum claims. UNHCR helped to obtain permanent residence for 44 refugees and naturalization for 21, on the basis of a resolution, adopted in 2003 by the National Refugee Commission, allowing refugees to apply for permanent residency after staying in the country legally for two years. The Office's implementing partner also negotiated special agreements with local institutions and Government entities to facilitate refugees' access to social services at reduced fees or with preferential treatment.

In **Honduras**, the new Migration Law and its Regulatory Decree entered into force in May 2004. It carries provisions on refugees, asylum-seekers and stateless persons. At the Government's request, UNHCR provided technical/legal input to the decree, to be taken into consideration in the event that it is modified in the future.

Following a UNHCR seminar on international refugee law in **Nicaragua**, a working group comprised of the Government, NGOs and UNHCR agreed on the substance of a draft law on refugees. A jointly developed final legislative proposal was submitted to the Ministry of the Interior for consideration in October 2004.

In 2004, **Costa Rica** had 1,440 new arrivals and more than 10,400 recognized refugees, including the second largest number of Convention refugees of Colombian origin in Latin America after Ecuador. UNHCR coordinated the implementation of RSD procedures with the Refugee Department and the Government issued final decisions on cases within the 30-day time period mandated by national legislation.

In light of increasing national security concerns, the National Legislature pursued the passage of the first revised version of the Immigration Law since 1986. UNHCR and its partners proposed fundamental components for inclusion in the draft. Although these components were not taken into consideration in the draft under review, they are still expected to be taken into consideration in 2005. The Government participated in the Cartagena commemoration process and hosted the first regional consultation meeting in August 2004. Although in the context of current refugee movements the Government maintains reservations to any local adoption of an expanded Cartagena refugee definition, it embraces the other aspects of the Cartagena declaration, including the search for durable solutions and international cooperation.

UNHCR and its counterparts worked on a sustainable local integration strategy, in view of the difficulties faced by refugees seeking to integrate locally in Costa Rica. The Office also endeavoured to enhance previously established initiatives on micro-credit and job placement. By the end of its second year of existence, the micro-credit scheme had provided 54 credits and 40 persons had been assisted in gaining employment.

UNHCR submitted 195 cases to Europe and the United States for resettlement, including high priority protection cases. Twenty-nine cases were also submitted to the two emerging resettlement countries in the region, Brazil and Chile.

For World Refugee Day, public information activities were linked to the local integration strategy, and included a film festival, a photo exhibit, a theatre presentation and the preparation and presentation of a documentary on refugees in Costa Rica.

In **Mexico**, UNHCR worked in close partnership with the Mexican Commission for Refugee Assistance (COMAR) and its main NGO partner to improve the



Nicaragua: Local school children receive UNHCR donated notebooks as a gesture of gratitude towards Nicaraguans for their welcoming traditions. UNHCR/M. Echandi

legislative framework for refugee protection. UNHCR's capacity-building and legal advisory support had a clear impact on the Government's capacity to make decisions on asylum claims according to international standards and in providing assistance to urban refugees and asylum-seekers on RSD procedures. The Office trained migration, border, police, military and municipal officials, as well as NGOs on refugee law, to further improve their capacity to identify asylum-seekers in mixed migration flows, especially at the southern border at Tapachula. With the conclusion of the transfer of land ownership under the Trust fund to the State of Quintana Roo for long-staying Guatemalan refugees, UNHCR ended its direct involvement in the process. By the end of 2004, some 4,320 Guatemalan refugee families in Campeche and Quintana Roo received individual land titles.

The UNHCR office in Mexico participated in the Regional Conference on Migration (RCM or Puebla Process), which resulted in the inclusion of a reference to a commitment to refugee protection and highlighted the importance of the Mexico Plan of Action in the conclusions of the session of the

Consultative Group on Migration of the RCM. The Office also participated for the first time as a trainer in the RCM training provided to migration officials in Central America.

The Regional Legal Unit (RLU) in Costa Rica drafted documents, organized four subregional meetings and provided support to the commemoration of the 20th anniversary of the Cartagena Declaration. Over the course of the year, the Unit provided legal services to UNHCR's offices in the Americas and successfully called for the adoption of resolutions on refugee and IDPs by the General Assembly of the Organization of American States. The RLU held workshops on RSD, international refugee law and human rights for government officials in the region. The Unit also supported the first conference and workshop for the Americas Chapter of the International Association of Refugee Law Judges, and jointly organized the fourth course on international refugee law with the University for Peace in Costa Rica. The RLU held the third Regional Latin American course on international refugee law in Guatemala. It also upgraded and expanded the Spanish website, which carried more than 3,000 online documents and was

used by more than 100,000 people (twice as many as during the previous year).

The UNHCR office in Mexico distributed posters, postcards and brochures carrying the rubric "Latin America: Land of Asylum and Innovative Solutions," in support of the 20th anniversary of the Cartagena Declaration. The office held a photo exhibit with images of refugees in different Latin American countries. UNHCR promoted the Education for Peace Programme, implemented by Amnesty International and UNHCR, which reached out to nearly 1,300 people, including young adults and school children. World Refugee Day was celebrated throughout the region with a variety of events, including a festival at

the Refugee Park in Mexico City. In 2004, UNHCR organized nine refugee photo exhibits which were attended by 15,000 people. The Office participated in frequent radio, newspaper and TV interviews to enhance awareness and solidarity with refugees in the region.

Funding

In 2004, the budgets allocated for Central American countries amounted to the minimum requirements to meet the basic needs of refugees. In Costa Rica, UNHCR carried out resettlement activities with earmarked contributions received in 2004.

Restricted voluntary contributions (USD)		
Earmarking ¹	Donor	Annual programme budget
Central America and Mexico		
	Spain	7,725
	Sweden	274,725
Sub-total		282,450
Costa Rica		
	United States of America	260,437
Sub-total		260,437
Total		542,887

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

Budget and expenditure (USD)		
Country	Revised budget	Expenditure
	Annual programme budget	
Costa Rica	1,468,854	1,357,093
Mexico	1,533,055	1,533,055
Regional projects ¹	1,277,719	1,244,690
Total	4,279,628	4,134,838

¹ Includes material and legal assistance to refugees in Mexico and Central America, promotion of refugee law, strengthening of national capacities and public awareness, as well as scholarships for refugee students.

Enhancing International Refugee Protection in Latin America: the Mexico Plan of Action

The 20th anniversary of the Cartagena Declaration on Refugees was commemorated in November 2004 in Mexico D.F., at a ceremony co-organized by the Norwegian Refugee Council and UNHCR and co-sponsored by the Government of Mexico, together with the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights and the Inter-American Institute of Human Rights. In preparation for this, a number of subregional meetings were held in Brazil, Colombia and Costa Rica to reach consensus on ways to improve refugee protection in Latin America and arrive at creative and pragmatic solutions involving States, international organizations, civil society and donors.

This anniversary offered an opportunity to reaffirm the enduring importance of the Cartagena Declaration on Refugees, and to launch a process aimed at implementing the Agenda for Protection and Convention Plus initiatives in Latin America. Based on the conclusions and recommendations of the preparatory meetings, the Declaration and Mexico Plan of Action aim to:

- recognize Latin America's contribution to further develop and consolidate international refugee law, emphasizing the link between refugee protection and human rights;
- identify activities to improve the ability of States to provide more effective protection – within the framework of international refugee law, international human rights law and international humanitarian law – to asylum-seekers, refugees, IDPs and others in need of protection; encourage closer cooperation among States and political willingness in the region to respond more effectively to the Colombian refugee crisis "in the spirit of Cartagena";
- encourage closer cooperation among States in finding durable solutions for refugee problems in the region, such as refugees' self-sufficiency, local integration and resettlement. To address this problem, a regional approach will be adopted, premised on a south-south cooperation, with an acknowledgment that, in the case of Colombia, the underlying causes of forced displacement have yet to be resolved;
- increase the participation of civic and professional organizations in refugee protection in Latin America;
- launch a process whereby States in the region are encouraged to quantify the financial and technical requirements needed to achieve these goals; and
- increase awareness within the humanitarian and development aid community of the main challenges confronting refugee protection in Latin America and the effects of the situation in Colombia on neighbouring and other countries.

The Mexico Plan of Action comprises activities at the country or regional level which promote international protection and durable solutions in the region. UNHCR will work towards ensuring refugees' rights to seek and enjoy protection through research and doctrinal development, and training and institutional building. To hasten the realization of durable solutions for refugees and asylum-seekers in urban and border areas, the Office will promote Cities of Solidarity (*Ciudades Solidarias*), Borders of Solidarity (*Fronteras Solidarias*), and a resettlement programme called Solidarity in Resettlement (*Reasentamiento Solidario*). For further information on the Mexico Plan of Action and related activities please contact the Donor Relations and Resource Mobilization Service or the Bureau for the Americas.