

**Executive Committee of the
High Commissioner's Programme**

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Update of UNHCR's operations in the Americas

A. Situational context including new developments

Venezuela situation

The ongoing political and socio-economic developments in Venezuela (Bolivarian Republic of) have led to the outflow of over 1.9 million Venezuelans into neighbouring countries, the Southern Cone and the Caribbean and beyond.

More than 330,000 Venezuelans have filed asylum claims globally and of these, over 167,000 were submitted in the first half of 2018. Nearly 685,000 Venezuelans have benefitted from other legal forms of stay in Latin America. In Colombia, an exercise was conducted to register more than 442,000 Venezuelans in the country. However, many Venezuelans in the region remain in an irregular situation, making them particularly vulnerable to exploitation, extortion, trafficking, sexual abuse, discrimination and xenophobia.

Most governments in the region have shown commendable solidarity towards Venezuelan refugees and migrants affording them access to territory, protection and assistance. A select few have adopted restrictive measures, including deportation and denial of access to territory. A guidance note was published by UNHCR in March 2018, which encourages States to consider protection-oriented arrangements to enable legal stay for Venezuelans, as well as access to asylum procedures building on existing good practices in the Latin American region.¹ Some 15 States in the region have incorporated the broader criteria set out in the Cartagena Declaration into their national legislation, which could be applied in the case of Venezuelan asylum-seekers as a basis for accelerated or simplified case processing or group recognition.

UNHCR is supporting States to improve reception conditions and advocacy for legal stay, including in the areas of registration, asylum or other legal protection pathways, documentation for returnees, profiling and protection monitoring, with specialized support for particularly vulnerable groups. UNHCR has also strengthened its presence in Aruba, Brazil, Colombia, Ecuador, Guyana, Peru, Trinidad and Tobago and Venezuela (Bolivarian Republic of) in order to identify risks and respond to issues relating to access to territory, sexual and gender-based violence (SGBV), trafficking and child protection. In an effort to curb xenophobia against Venezuelans and promote solidarity with people forced to flee, UNHCR carried out awareness campaigns with the support of governments, partners and host communities throughout the region.

UNHCR launched a supplementary appeal to urgently strengthen its operations across Latin America and the Caribbean and complement the efforts of governments with a regional comprehensive, predictable and harmonized response. It is grounded in four strategic goals: i) promoting access to territory, asylum or other legal protection pathways; ii) providing protection and assistance through a community-based approach; and, iii) advocating access to basic rights and services; and iv) solutions.

In order to ensure a comprehensive UN-wide response, the United Nations Secretary General designated the International Organization for Migration (IOM) and UNHCR to lead the inter-agency response for Venezuelan refugees and migrants. In September 2018, Mr. Eduardo Stein was appointed as Joint Special Representative for Venezuelan refugees and migrants in the region, to promote dialogue and consensus necessary for the humanitarian

¹ See <https://data2.unhcr.org/en/documents/download/63243>

response, including access to territory, refugee protection, legal stay arrangements and the identification of solutions for Venezuelan refugees and migrants. A new regional inter-agency coordination platform has also been set up for the Venezuela situation, to support the response by national governments in affected countries. It will further bring together a broad range of actors, including the United Nations Development Group for Latin America and the Caribbean (UNDG-LAC) and the United Nations Resident Coordinators, as well as those involved in regional and national coordination response mechanisms, such as other United Nations agencies, international organizations, civil society and the development sector. Regional initiatives have also taken shape, such as the Quito Declaration on Human Mobility of Venezuelans led by the Government of Ecuador, which calls for a regional approach and increased resources to respond to the situation.

Colombia situation

The situation of approximately 1 million Venezuelans and more than 300,000 returnees in the border areas and large cities has become the focus of international attention. Increasing arrivals have also affected the implementation of the peace agreement with the Revolutionary Armed Forces of Colombia (FARC). The humanitarian situation continues to be complex in various parts of the country, with continued disputes among armed actors competing for control of territories and other various unlawful activities and a high number of homicides targeting community leaders. These incidents have hampered the impact of the peace accord in many neglected and poor rural areas.

New and recurrent displacement, as well as restrictions on freedom of movement have continued and particularly affected indigenous people and Afro-Colombians, who face heightened risk due to mining activities. UNHCR's presence is concentrated in the border areas, as well as along the Pacific Coast, where most of the new and recurrent displacement and human rights violations occur. The organization continues to advocate for the implementation of a strong legal framework and durable solutions for the 7.8 million internally displaced persons (IDPs) through the Victims and Land Restitution Law.

The security situation at Colombia's border with Ecuador has not improved and, together with the demobilization process, has prompted increasing refugee movements to Ecuador. In addition, the insecurity in Colombia spilled over into Ecuador, leading to internal displacement in Ecuador. A major concern in the area is the recruitment of young people to engage in illicit activities, as opportunities for education, recreation and livelihood are scarce. UNHCR is building the Government's capacity through a joint project with the Ministry of Economic and Social Inclusion in Ecuador and also by providing training on identification and referrals for vulnerable people.

North of Central America situation

There has been a significant increase in the number of people fleeing violence and persecution in the north of Central America (NCA), with more than 294,000 asylum-seekers and refugees registered globally as of the end of 2017. This represents an increase of 58 per cent from the previous year. During the first six months of 2018, more than 44,000 new asylum-seekers from NCA countries were registered worldwide, compared to around 42,600 claims during the same period in 2017. UNHCR has observed a new trend in the sub-region, of whole families fleeing together. The first half of 2018 also saw an increase in the total number of deportations of persons originating from the NCA countries, with 96,200 total deportations representing a 43 per cent increase compared to same period in 2017. In Honduras, over 300 returnees were identified to have protection concerns, reporting extortion and other threats, family members murdered, recruitment by gangs and domestic violence.

In El Salvador, a nation-wide statistical profiling study on internal mobility due to violence was launched by the Ministry of Justice and Public Security. The study showed that between 2006 and 2016 1.1% of the sample had been internally displaced due to violence, indicating that at least 71,500 people were displaced in El Salvador in that timeframe².

² See <http://www.seguridad.gob.sv/download/caracterizacion-de-la-movilidad-interna-a-causa-de-la-violencia-en-el-salvador/?wpdmdl=184387>.

In responding to this evolving situation, UNHCR is working with governments and civil society partners through the comprehensive refugee response framework (CRRF) known locally by its Spanish acronym, MIRPS. Although the MIRPS was initially conceptualized to respond to the NCA situation, the framework has proven to be adaptable to the regional situation, including the increasing number of Venezuelans and the influx of Nicaraguan refugees in the region.

As a direct result of the MIRPS, profiling exercises were undertaken in Belize, Honduras and Panama to identify persons with protection needs, including IDPs, which also provided important baseline data for programme development. In Costa Rica, refugees and asylum-seekers have equal access to employment, and refugees living in vulnerable circumstances are now included in government-led welfare programmes. Guatemala adopted a new migration code, which included provisions for refugees, and is setting up a new migration authority with increased focus on human rights. The protection of unaccompanied children was strengthened by increasing the capacity of the Guatemalan General Attorney's Office and improving the infrastructure of reception centers. Honduras created a dedicated Directorate for the protection and attention of IDPs within the new Ministry of Human Rights. A project for the protection of abandoned land was launched, and a draft law on IDPs is being considered by the National Congress. With support from the private sector, steps have been taken to locally integrate refugees and enhance employment opportunities in the different asylum countries.

The Mexican Commission for Refugee Assistance (COMAR) began to issue a temporary population registration number for asylum-seekers, granting them access to formal employment, health care, education and other public and private services. As of August 2018, nearly 1500 asylum-seekers and refugees were released from detention with the support of UNHCR, in line with MIRPS commitments. Mexico has also taken steps to include refugees and asylum-seekers in the 2018 voluntary national review, reinforcing the Government's commitment to the sustainable development goals. Panama adopted a new decree to strengthen the asylum system and signed a protocol for the identification, referral and assistance of children in need of international protection.

At the regional level, the Organization of American States (OAS) adopted a resolution establishing an annual follow-up mechanism for the implementation of the MIRPS. The Inter-American Development Bank and the United Nations Development Programme (UNDP) provided support for MIRPS national action plans to address forced displacement and to identify funds from both national budgets and international cooperation. The United Nations Development Group for Latin America and the Caribbean (UNDG LAC), together with the Resident Coordinators of countries in the region, is developing a comprehensive approach aimed at significantly reducing levels of violence by 2030. The United Nations Joint Initiative is focused on prevention, protection, law enforcement and access to justice. Work is also underway to develop a violence reduction index, a strategic approach to support countries in addressing chronic violence, and a roadmap to encourage and increase flexible funding.

Nicaragua situation

The rapid deterioration of the situation in Nicaragua since April 2018 has led to thousands of Nicaraguans fleeing mounting political tensions, violence and serious human rights violations. The number of asylum applications by Nicaraguans registered in the NCA countries has reached nearly 15,000, with a 4,000 per cent increase from June to August, compared to the previous months. While Costa Rica has received the most asylum claims, Mexico and Panama, as well as countries in the NCA, have also recorded a growing trend of claims by Nicaraguans in need of international protection.

UNHCR has devised a regional response plan to respond to the situation of Nicaraguans in the region, with particular emphasis on the largest host country, Costa Rica. The plan aims to strengthen the asylum system and the preparedness and capacity of reception conditions. This includes reinforcing border monitoring, supporting temporary transit centres, implementing cash-based interventions and delivering assistance. UNHCR is also strengthening its presence at the northern border of Costa Rica, in coordination with the

Government, other United Nations agencies and partners. UNHCR has also strengthened cooperation with the Council of Protestant Churches of Nicaragua (CEPAD), which assists over 800 persons of concern in the country.

B. Achieving the global strategic priorities

Brazil Plan of Action

In February 2018, countries from Latin America and the Caribbean met in Brasilia, Brazil, to discuss the regional contribution to the proposed global compact on refugees, timed with the first triennial evaluation of the 2014 Brazil Declaration and Plan of Action. The countries agreed on the ‘100 Points of Brasilia’³, a list of one hundred best practices in terms of protection and solutions for asylum-seekers, refugees, returnees, displaced and statelessness persons. A draft triennial report is being finalized and will be presented to the Group of Latin American and Caribbean Countries in the United Nations (GRULAC) shortly.

Access to asylum

Asylum applications in the Americas have increased for the third consecutive year. Despite the many available pathways to legal protection, pending asylum cases reached one million in 2018. To address backlogs and increase the fairness and efficiency of the asylum systems, States met in September 2018 in Lima, Peru, for the second regional quality assurance initiative roundtable to discuss different approaches to refugee status determination processing and share backlog reduction strategies. In the spirit of solidarity, States reaffirmed their commitment to maintaining a policy of open borders through flexible arrangements.

Comprehensive solutions

Around 20,000 refugees were resettled in the Americas region in the first half of 2018. The countries in the Southern Cone continued to make progress in setting up community-based sponsorship and resettlement programmes, with the support of the emerging resettlement country mechanism (ERCM). In the first half of 2018, 52 Syrian refugees arrived in Argentina, bringing the total number of refugee arrivals to 400 since the inception of the humanitarian admissions programme. After the successful reception of 16 persons from the NCA, Uruguay has expressed its commitment to setting up a sustainable resettlement model with community engagement that would offer a durable solution for 50 refugees from Central America each year. Uruguay is the fourth country participating in the ERCM in the region after Argentina, Brazil and Chile. A regional resettlement meeting was held in September 2018 with participating governments, civil society, private sector and ERCM donors to take stock of the achievements so far and prepare for the next year of the project.

In the first half of 2018, some 260 individuals from the NCA were referred to resettlement countries through the protection transfer arrangement, bringing the total number of submissions to nearly 700 since its inception. Of these, around 190 have already been resettled and 80 were in transit awaiting final resettlement. Australia, Canada, the United States of America and Uruguay participated in this responsibility-sharing mechanism, and UNHCR continued to encourage participation by other countries.

The “cities of solidarity” initiative continued to make progress on the recognition and certification of cities to be included in the initiative. A regional technical meeting in São Paulo in September 2018 provided the opportunity for cities to discuss recommendations and feedback on the proposed model and assessment tool, share good practices and establish the basis for a global learning community and network, making way for its expansion beyond the Americas.

Costa Rica made progress in the area of local integration through initiatives like the “living integration quality seal”, an integration initiative that focuses on livelihood opportunities. The issuance of guidelines on refugees in the public education system by the Ministry of Education addressed barriers to equal access to education and promoted specific procedures for enrolment, as well as for the recognition and validation of studies. In Ecuador, the

³ The 100 points of Brasilia. 20 February 2018
<http://www.acnur.org/fileadmin/Documentos/BDL/2018/11590.pdf>

“graduation model” provided livelihood opportunities and fostered social protection to around 600 families in 2018, of which 400 were supported by UNHCR and 200 by the United States of America. In Mexico, some 270 refugees were relocated from the southern States to local integration zones in Coahuila and Jalisco, where UNHCR and partners provide refugee families with job placement services, and psychosocial and legal support. In Brazil, the voluntary relocation program for Venezuelans managed by the Government with the support of UNHCR and other United Nations agencies, has relocated nearly 2000 Venezuelans from Roraima to shelters in 13 municipalities in different States. A recent survey showed that 43 per cent of the relocated Venezuelans of working age had succeeded in finding a job in the city of relocation.

Eradication of statelessness

Countries in the Americas continued taking steps towards the eradication of statelessness. Chile deposited the instrument of accession to both conventions on statelessness, and Haiti pledged to do so in September during the ordinary session of the United Nations General Assembly. Costa Rica became the first country in the region to grant citizenship to a stateless migrant through a simplified procedure after adopting a new regulation on facilitated naturalization. In Paraguay, the Congress approved a bill establishing a statelessness determination procedure, protecting the rights of stateless people and providing a path for facilitated naturalization. The new law also helped ensure that the children of Paraguayan nationals born in a foreign country, who would otherwise be stateless, acquire nationality without having to settle in the country. In the Dominican Republic, UNHCR welcomed steps taken by the Government to expedite the documentation of individuals who had applied under law 169 -14, including through the evaluation of a process of facilitating naturalization for individuals born in the country to two migrant parents.. UNHCR remains ready to provide technical and operational support to the Government to find appropriate solutions, including for individuals who have not applied under law 169-14.

The Americas continued striving towards being the first continent to end statelessness. In preparation for the high-level meeting on statelessness, which UNHCR plans to convene in 2019, a regional meeting was convened in Chile to discuss progress achieved so far, identify possible State pledges and adopt an evaluation and follow-up mechanism. This mechanism aims to identify existing needs and develop high impact and low-cost projects at the national level in order to end statelessness in the Americas.

Protection of children and prevention of sexual and gender-based violence

High rates of femicide, sexual violence and exploitation continue to affect displaced populations in the Americas. UNHCR scaled up its response by expanding the regional safe spaces network to more than 50 organizations working in seven countries (Chile, Colombia, Costa Rica, Guatemala, Mexico Peru and Venezuela (Bolivarian Republic of)). This included civil society, faith-based organizations, United Nations agencies and community volunteers. Coordination of direct service provision across borders is facilitated through the network with priority placed on family tracing and the reunification of children with their families. The network also developed a regional information-sharing protocol, an online map and a toolkit to facilitate multi-country case management and the identification of trends for protection and programme planning purposes. Recently, the network has identified an increasing number of vulnerable people in need of support through the safe spaces. In Guatemala, more than 18,000 persons were assisted between January and June 2018, and several SGBV survivors were referred across countries through the network.

The Government of Canada announced the expanding of its programme on alternatives to detention, which aims to reduce the number and length of immigration-related detention, particularly for children and their families.

Regional cooperation

In May 2018, UNHCR took part in the first meeting between the Regional Conference on Migration and the South American Conference on Migration to discuss common themes in the context of the proposed global compacts on refugees and migration. The Americas Network of Refugee Legal Aid, which was formed in 2017 and now has 68 members,

undertook research on forms of legal stay for Venezuelans, opened two legal clinics in Guatemala and Mexico, and engaged in strategic litigation on behalf of Colombian refugees.

In August 2018, refugee and migration judges and first instance decision-makers met in Washington, D.C. at the meeting of the International Association of Refugee and Migration Judges, to discuss issues such as resilience, asylum systems across the region and access to asylum for vulnerable individuals.

UNHCR and the Platform on Disaster Displacement recently commissioned a study to assess and provide guidance on the response to cross-border displacement linked to natural hazards and climate change in Latin America and the Caribbean. UNHCR is also involved in the elaboration of a guide on admission and stay in the context of disaster displacement.

C. Financial information

In October 2017, the Executive Committee of the High Commissioner’s Programme approved a budget of \$152.6 million for the Americas for 2018. As at the end of August 2018, the total budget for the Americas amounted to \$206.7 million. This included an additional \$43.1 million for the regional response to the Venezuela situation, a transfer from the new and additional activities –mandate-related (NAM) reserve of \$6.8 million for the response to the influx in Mexico, a transfer from the operational reserve (OR) of \$3.4 million to prepare a response for the Nicaragua situation and other transfers and adjustments of \$1.4 million.

At the end of August 2018, the voluntary contributions earmarked for the Americas amounted to \$46.8 million, corresponding to about 23 per cent of the needs in the region.
