

COUNTRY - REGIONAL OPERATIONS PLAN - 2003

Regional Office Argentina covering

Argentina, Bolivia, Brazil, Chile, Paraguay, Uruguay,

Executive Committee Summary

(a) Context and beneficiary population

The political and economic instability that has characterised the situation of several countries in this region, in particularly Argentina, have adversely affected income and job opportunities for refugees and asylum-seekers.

The regional integrative processes in the field of human and refugee rights and migration are still at the beginning phase. UNHCR clearly has a role to play in the next few years in helping to develop the capacity of government and civil society to fully implement the 1951 Convention and to pro-actively interact with these regional integrative processes. Thus, there are still critical functions that UNHCR has to perform in the region.

Southern South America is generally not considered as a refugee-producing region yet very significant numbers of migrants, measured in hundreds of thousands, are known to reach Argentina and Chile mainly from Bolivia, Colombia, Peru and Paraguay. At the same time there is an increasing number of Argentineans who are leaving the country for economic reasons.

In Argentina, Brazil, and Chile and - to a lesser extent - in Uruguay, civil society is more and more actively involved in developing important programs to address national inequalities. These trends reflect the general transformation of these societies with the re-establishment of democracy in the 1980's.

Migration and human rights are two critical subjects in intra-regional debates that also illustrate the growing interdependence of countries in the hemisphere. These two issues are important entry points for UNHCR and partners to put refugee matters back on the region's social and political agenda.

Overview of each beneficiary population

The number of the refugee population for Southern South America as at 31-12-2001 was about 7300, of whom some 5100 received UNHCR assistance.

Besides refugees, the region hosts many millions of migrants. Until the end of 2001, Argentina, for example, had 1,2 million Paraguayans, 750.000 Peruvians and 1,7 million Bolivians. Significant figures also apply in Brazil. Lesser, yet significant numbers, mainly Peruvians, have moved into Chile.

Nevertheless, the economic collapse and the political turmoil affecting Argentina have pushed thousands of migrants to return to their countries of origin, increasing the pressure for accessing to the local job market.

Reliable institutions confirm that many of these Colombians, Peruvians, Paraguayans and Bolivians presently outside their countries, are unaware of their rights and/or have in fact shunned seeking asylum, fearful of making their presence known officially. They have become an ever-increasing presence that is looked at with suspicion, reinforcing some xenophobic and racist attitudes, while confronting a series of problems going from lack of legal status and scarce possibilities for local integration.

A significant portion among them may well qualify as “persons of concern to UNHCR”.

Strengthening and expanding "protection networks" through existing and or additional partners is therefore one of the major objectives of this Office. Such efforts are however limited by lack of resources and a very reduced number of staff time that can be devoted to this task.

To live up to the challenge, UNHCR must see that state and non-state actors ensure the safety and security of the refugees, asylum seekers and others who have been forced out of their homes.

There is still a crucial need for supervision and support of the refugee status determination procedures. This is particularly true in Uruguay and Paraguay where there are currently only ad-hoc procedures. In Chile, Bolivia and Argentina, the legislation and procedures need to be improved. In Brazil the law is considered to be very good. However, there are in each of these countries distinct problems with implementation of procedures that do not meet international standards. In particular in Argentina delays are sources of concern, as they have remained growing notwithstanding continuous efforts on the part of this office. The case backlog reaches presently 1894 persons and typically takes two to three years for a refugee to be recognised and receive corresponding documentation. All of this requires active UNHCR involvement and follow up.

In refugee assistance programs, there remains for the time being also an essential role for UNHCR. The economic resources in the region are not yet geared towards providing the required level of assistance to refugees, especially in the initial phase of reception and application for asylum. If some progress were achieved in the past, presently the situation has reverted. Consequently it is towards the initial phase of a refugee's presence in the region where most of UNHCR's assistance resources are currently directed. Bearing in mind the fragile situation in the region, UNHCR will have to continue devoting efforts and financial support to cover basic needs until arrangements be made by national institutions - governmental and non-governmental - to take over.

Resettlement

Emerging refugee resettlement programmes in Chile and Brazil offer both challenges and opportunities for strengthening the overall refugee protection regimes in these countries. The framework agreement and related sub-agreements offer new mechanisms for tripartite collaboration on refugee matters, while also heightening the attention of government officials to address existing gaps in the access of refugees to national systems (health, education, housing, etc.). At the same time, national media attention has led to more pro-active public information work by UNHCR with partners in Chile and Brazil to provide basic information on refugee resettlement, as well as creating a forum for the discussion of refugee policy issues in a larger context. Nevertheless, UNHCR efforts to assist in establishing sustainable resettlement programmes are challenged by the need to work simultaneously to address existing barriers to integration experienced by most refugees and asylum seekers, as well as the need to identify additional resources (nationally and internationally) to support local integration as a durable solution for those who arrive directly to these countries.

Refugee initiatives at the MERCOSUR level.

During 2001, important initiatives aimed at harmonising regional policies on refugee matters have been submitted to the MERCOSUR member states, Bolivia and Chile. Such initiatives were sponsored by the Government of Brazil, which is playing a leading role in the adoption of decisions. In this framework Paraguay promulgated a refugee law in accordance with highest standards of International Refugees Legislation.

Public Information and Public Awareness

In the Southern Cone, Public Information and Public Awareness activities support in multiple ways the efforts by the Regional Office towards improving the protection and facilitating the integration of refugees in the region.

Media work is used to draw public attention to protection as well as integration problems, and has led in a number of different occasions to job offers for refugees as well as offers of in kind services and donations.

In addition to targeted media activities, sustained efforts have been made towards enhancing the general visibility of the refugee problem and of the Organisation through the organisation of events, particularly photo exhibits, and through extensive publicity. In the year 2001 RO ARG initiated a relationship with pro bono advertising agency Young & Rubicam, thereby greatly facilitating work on this area. Between publicity provided by HQ and locally produced material, RO ARG ensured a year round television and print press publicity presence. Thanks to regular networking with the media, in the year 2001, the value of free publicity slots obtained in Argentina was higher than that obtained in any other year, exceeding a total of US\$6 million in free slots.

In the year 2003, the Regional Office plans to continue using all of the above mentioned PI/PA activities to support the protection, local integration and resettlement of refugees. It will also continue to draw upon a pool of dedicated volunteers who have enabled the Office to steadily expand its range of activities.

Capacity and Presence of Implementing partners

The civil society protection networks are expected to perform the following critical protection tasks:

- Building awareness of refugee protection principles and rights;
- Protection monitoring for the timely identification of asylum-seekers and refugees;
- Legal counselling;
- Act as a filter to bring to UNHCR's attention jurisprudence making cases.

In most of the southern cone countries although at different levels, our partnership is yielding concrete results. National societies are gradually assuming a more active role concerning refugee protection and assistance.

In Brazil, the major role played by Caritas in the adoption of public policies is a very clear indicator of this trend. In this respect, the political role of the Vicariate in Chile, the increased role of SEDHU in Uruguay, the efforts of the CEB in Bolivia and the operational multiplier effect of the FCCAM in Argentina must also be noted.

Until the end of 2001, UNHCR's implementing partners in the region covered around 40% of refugee needs. Argentina covered around 48, Brazil 40 % Chile and Uruguay

35% and Bolivia 20% of refugee assistance in terms of health, education, vocational training and counselling from non-UNHCR funds.

The current crisis situation in Argentina has however modified this framework. The Argentinean institutions that are themselves confronting financial constraints are at the same time overwhelmed with the demands of the local population. It seems that they would be unable to keep the same level of engagement they previously had.

This approach of increasingly drawing on national players and resources requires constant support and follow-up from UNHCR. The experience confirms that none of the achievements so far should be considered as permanent.

In fact, the Office is continuously involved in the agreement negotiation processes, as well as in co-ordination matters. It must be said that, at this stage, all these agreements are based on cost sharing. Therefore, a formal financial commitment from UNHCR remains required. Under the present circumstances, any precipitated reduction in UNHCR's financial support will have a negative impact on the implementation of the whole component of the agreed upon activities, and will potentially undermine any efforts made by UNHCR to build humanitarian networks and constituencies for refugee matters.

(b) Selected Programme Goals and Objectives

The goal of UNHCR in Southern South America is to build constituencies in Argentina, Bolivia, Brazil, Chile, Paraguay and Uruguay and progressively hand over responsibility for refugee protection and local integration to national societies. In addition, for the three largest countries – Argentina, Brazil, Chile – the challenge is that they develop into active partners on the humanitarian scene: in international (EXCOM) and regional fora (OAS, MERCOSUR).

- The promotion of adoption of a legal framework at national and regional levels;
- Increased use of local legal "capacities" to promote institutionalisation of refugee law training for border control agents;
- An integration strategy based on:
 - The increased support of the civil society in the countries covered by this Office looking for durable solutions like the Microcredit system;
 - In the countries affected by the recent crisis (particularly in Argentina) try to keep the interest and the involvement of civil society institutions on refugee matters although their contribution may be substantively reduced.
- Awareness building public information efforts. Private sector Fund raising in Argentina - through ARCA - is being suspended for 2002 and 2003 on account of the current crisis.
- Increase resettlement from abroad in Chile and Brazil and strengthen resettlement programmes in each country.