

**Executive Committee of the
High Commissioner's Programme**24 September 2015
English
Original: English and French**Sixty-sixth session**
Geneva, 5-9 October 2015

Update on UNHCR's operations in the Americas**A. Situational analysis including new developments***Implementation of the Brazil Declaration and Plan of Action*

In 2015, Latin American and Caribbean countries remained committed to following up on the 10-year Brazil Plan of Action adopted in December 2014. In cooperation with UNHCR, representatives from Latin American and Caribbean States, civil society, academia and regional organizations convened a seminar in March 2015 to: (i) develop a set of priorities by country for the first triennium (2015-2017); (ii) promote follow-up and coordination mechanisms; and (iii) explore the role regional mechanisms play in setting protection standards.

In the context of the MERCOSUR,¹ the presidents of national refugee eligibility commissions agreed in June 2015 to an initiative aimed at raising protection standards through South-South cooperation and established criteria through which best practices could be exchanged regionally. The regional body CONARE Forum² also seeks to consolidate regional protection space and devise alternative solutions for refugees in the framework of MERCOSUR, namely the labour mobility scheme negotiated bilaterally between Brazil and Ecuador. In conjunction with the Forum's efforts, MERCOSUR's Institute of Public Policies on Human Rights (IPPDH) will provide technical support to promote regional policies and produce protection guidelines.

During a regional workshop on best practices in urban refugee protection held in São Paulo, Brazil, in May 2015, a number of recommendations were adopted, including the need to: (i) design specific guidelines and set benchmarks to identify the Brazil Plan of Action's "cities of solidarity"; (ii) build communities of practice and promote advocacy coalitions to share policy solutions, particularly on outreach and access to housing and livelihoods; (iii) facilitate exchanges between cities designing policies and programmes to assist refugees and asylum-seekers; and (iv) disseminate a measurement methodology for local integration – the local integration index³ – to adapt to other operations in the region.

Displacement due to crime and violence in Central America

In the northern triangle of Central America (NTCA), transnational organized crime and rampant violence continued to pose major challenges for national institutions and regional security. Drug trafficking, weak law enforcement and social hardships have triggered a security crisis in the region. Thousands have fled within and outside their country of origin due to death threats, extortion, kidnapping, forced recruitment and sexual abuse.

¹ MERCOSUR refers to the *Mercado Común del Sur* (Southern Common Market).

² The CONARE Forum comprises national inter-ministerial and inter-institutional bodies that determine refugee eligibility, promote refugee-related public policies, design and evaluate resettlement activities, and regulate the legal framework for asylum.

³ The local integration index is a statistical methodology developed by UNHCR that measures the level of socio-economic integration of refugees in order to enhance programme planning and facilitate local integration.

Over 60,000 unaccompanied children and children travelling with families from the NTCA crossed into the United States of America at the common border with Mexico from October 2014 through August 2015. They were mainly from El Salvador, Guatemala and Honduras. When compared to the same period in 2014, the rate of arrivals has decreased by half. The decline is due in part to 12,800 children apprehended and detained in administrative detention centers in Mexico. In total, some 65,000 deportations from Mexico were carried out by the end of August 2015.

In response, UNHCR strengthened its presence in southern Mexico and in the NTCA, reinforced border monitoring and capacity-building, and expanded protection networks using an age, gender and diversity approach. The Office also sought alternatives to detention and ways to improve reception conditions and shelter for children. Particular attention was given to ensuring access to asylum procedures for all affected people, advocating against expedited removals and safeguarding children's best interests. UNHCR also promoted the exchange between Colombia and Honduras of best practices on internal displacement.

Southern Cone

UNHCR partnered with MERCOSUR Member and Associate States to harmonize asylum systems, building upon the principles of the Inter-American Human Rights System. With UNHCR's support, the evaluation of the regional resettlement programme⁴ has been carried out in five countries – Argentina, Brazil, Chile, Paraguay and Uruguay – and findings will continue to inform the regional resettlement programme's consolidation. Following Uruguay's example, which saw Syrian refugee families resettled from Lebanon, new resettlement programmes are being considered in Brazil and Chile. Humanitarian visa programmes developed in Argentina and Brazil are also providing protection and solutions for persons affected by the Syria conflict.

Colombia situation

In the first half of 2015, conflict in Colombia escalated despite an informal ceasefire agreement. Peace talks between the Colombian Government and the Revolutionary Armed Forces of Colombia have nevertheless led to renewed efforts to secure a ceasefire. Moreover, both parties announced in June 2015 that they had reached an agreement to establish a Commission for the Investigation of Truth, Coexistence and Non-Repetition. The Commission aims to provide access to transitional justice for over 6 million internally displaced persons (IDPs), some 360,000 Colombian refugees and other victims of the conflict. UNHCR advised the parties to the negotiations on the establishment of the Commission.

Against this backdrop, the negotiating parties invited the United Nations Department of Political Affairs to support ceasefire monitoring and verification efforts. In August 2015, following a request by the parties to the negotiations, the United Nations Secretary-General appointed a senior official to the Sub-Commission on End of Conflict Issues within the Colombia Peace Process.

Progress in the peace negotiations prompted some persons of concern to the Office in Venezuela (the Bolivarian Republic of) to seek guidance on voluntary repatriation. However, few expressed willingness to return immediately, preferring to wait for the outcome of the negotiations. Due to the high number of individuals without access to refugee status determination (RSD) procedures, UNHCR redoubled its efforts to assist authorities in identifying and registering these persons, as well as in issuing documentation to regularize their stay.

⁴ The evaluation of the solidarity resettlement programme assesses progress achieved towards sustainability, particularly in terms of the provision of a legal status and material and social support for refugees.

In Venezuela (the Bolivarian Republic of), the presence of illegal armed groups involved in smuggling contraband are credited with posing a security threat. In August 2015, Venezuela (the Bolivarian Republic of) declared a state of emergency in several municipalities of its north-eastern states. Over 1,400 Colombians were subsequently deported; the United Nations Office for the Coordination of Humanitarian Affairs reported that the state of emergency had caused 20,000 Colombians in the area to return out of fear for their safety and deportation. UNHCR is working closely with authorities and partners on both sides of the border to monitor the situation, and to provide protection and assistance to persons of concern.

In Ecuador, unofficial government estimates suggested that 900 Colombians continued to arrive in the country every month in the course of 2015, and 550 asylum claims were filed each month, compared to 700 during the same period in 2014. The total number of recognized refugees in Ecuador is approximately 60,000. To date, few have expressed interest in voluntary repatriation. In July 2015, a human mobility bill, which includes provisions to address the needs of refugees and victims of human trafficking, was tabled in the National Assembly. UNHCR will provide comments on the draft bill.

B. Progress and challenges in achieving the global strategic priorities

Quality of asylum

The implementation of the quality assurance initiative in Argentina, Brazil, Costa Rica, Mexico and Panama is helping reinforce and consolidate RSD procedures. For example, UNHCR is developing standard operating procedures and an information video on RSD procedures in Panama to improve reception conditions for asylum-seekers and refugees. In Costa Rica, the initiative has led to renewed border monitoring efforts and measures to ensure access to territory. National workshops on eligibility issues, including application of the refugee definition, also have been conducted in Costa Rica and Panama. UNHCR noted with interest that Bolivia (Plurinational State of), Chile and Peru are considering adopting the initiative.

Moreover, through a “twinning” capacity-building model, authorities from Canada and the United States of America were paired with authorities from Mexico to strengthen RSD procedures. UNHCR provided technical advice, capacity-building opportunities and also deployed Eligibility Officers to support efforts to enhance the capacity of Brazil’s RSD body, CONARE, in managing its growing backlog of asylum claims. In the Caribbean, efforts have been made to reduce asylum backlogs due to increasing numbers of asylum-seekers, namely in Cuba. At the Annual Tripartite Consultations on Resettlement, participants recognized that there are increasing resettlement needs in the subregion.

Protection at sea

The adoption of the Brazil Plan of Action set in motion commitments to create a regional consultation mechanism to address mixed movements in the Caribbean. In recent months, UNHCR and the International Organization for Migration have held bilateral consultations with a number of countries in the subregion that have confirmed their interest in establishing such a mechanism.

The disproportionate impact of mixed movements, limited resources and capacities, as well as the geographic features of small island States and territories, bring particular challenges that require enhanced technical and financial support. These challenges highlight the critical importance of responsibility sharing. The number of refugees and migrants embarking on journeys by sea in this subregion has risen steadily over the years. In 2015, 75 maritime incidents were recorded, including some 25 deaths and 22 people missing.

In May 2015, UNHCR organized a regional training in Aruba for partners from 18 Caribbean States, aiming to strengthen its civil society network and address protection gaps. Partners discussed measures to enhance refugee protection, including the identification of asylum-seekers, case management and advocacy work. In this context,

UNHCR also bolstered efforts to help establish effective asylum systems in the Bahamas, Belize, Jamaica, and Trinidad and Tobago.

Comprehensive solutions

With 13 per cent of Colombia's population displaced by armed conflict and other forms of violence, underlying political and socio-economic challenges remained. With this in mind, UNHCR updated its operational strategy in Colombia in early 2015 to assist the Government to better address the needs of IDPs and returnees and restore their rights.

The Colombian Government has made significant progress for displaced persons and others affected by the conflict in the areas of public health, education and income generation, and offers reparation for victims, including through land restitution. UNHCR has provided technical assistance in the design and evaluation of public policies and strategies for the protection of IDPs. The Office has also worked closely with communities and local authorities on the transitional solutions initiative in 17 pilot locations. Central to the initiative is the idea that solutions can be replicated through effective methods and lessons learned.

Despite these efforts, many people remained in situations of protracted displacement, aggravated by ongoing violence on the Pacific Coast and in other parts of the country, triggering renewed internal and cross-border displacement. In Ecuador, UNHCR continued to implement the comprehensive solutions initiative in cooperation with the authorities. Solutions explored included naturalization, resettlement for particularly vulnerable refugees and voluntary repatriation when conditions allow. UNHCR also integrated protection solutions strategies into its annual programme cycle to ensure continuity after the initiative ends.

In the first half of 2015, UNHCR conducted consultations to develop an integrated solutions strategy in Venezuela (the Bolivarian Republic of). The strategy will focus on facilitating documentation acquisition for persons of concern to increase access to rights, services and durable solutions. This strategy will complement solutions-oriented activities in Ecuador and Colombia.

Eradication of statelessness

By adopting the Brazil Plan of Action, Latin America and the Caribbean became the first region in the world to support UNHCR's #IBelong campaign to end statelessness, along with the corresponding Global Action Plan to End Statelessness 2014-2024.

Following the campaign launch, Belize acceded to the 1961 Convention on the Reduction of Statelessness in August 2015. Argentina, Costa Rica, Ecuador, Panama and Uruguay continued to review their respective legal frameworks to establish statelessness determination procedures. In Brazil, a draft bill aimed to provide persons recognized as stateless with the option to acquire Brazilian nationality through a facilitated naturalization procedure. UNHCR continued to work closely with the Haitian Government on a nationality law that fully complies with international standards.

In the Dominican Republic, following the adoption of Law 169-14 which establishes special arrangements for individuals arbitrarily deprived of their Dominican nationality by a Constitutional Court decision in 2013, the civil registry authorities disclosed that 55,000 individuals are now considered Dominican under this law. A separate process providing the possibility for persons to regularize their status in the country expired in June 2015; those who did not apply for the regularization of their status are now subject to deportation. The authorities have indicated that they will refrain from deporting those born on Dominican territory with a legitimate claim to nationality, and to consider cases presented by UNHCR.

In June 2015, UNHCR, the Center for Justice and International Law and the Open Society Justice Initiative organized the first regional meeting of the Americas Network on Nationality and Statelessness, in San José, Costa Rica. Over 30 representatives from non-governmental organizations discussed common challenges relating to statelessness,

particularly in operationalizing the Global Action Plan to End Statelessness 2014-2024 and the Brazil Plan of Action.

Age, gender and diversity

Through the “Children for Peace” project of the European Commission's Humanitarian Aid and Civil Protection department (ECHO), partner staff working in shelters in Mexico and Guatemala were trained on standard operating procedures to prevent and respond to sexual and gender-based violence (SGBV) and to address the needs of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons. In Mexico, UNHCR bolstered partnerships with organizations working on LGBTI issues, and trained its staff, government officials and partner staff on addressing the protection needs of these individuals in the context of mixed migratory movements.

In Colombia, more than 100 community-based organizations and women's networks in seven municipalities saw their capacity strengthened and supported through UNHCR's SGBV strategy and the Gender-Based Violence Information Management System.⁵ Over 6,000 cases were registered and referred through this system.

C. Financial information

At its sixty-fifth session, in October 2014, the Executive Committee approved the budget for the Americas of US\$ 117.3 million for 2015. The current budget stands at US \$117.4 million. The slight increase (US\$ 127,766) is due to the implementation of the Comprehensive Solutions Case Management System for UNHCR and its partners in Ecuador (US\$ 30,183) and technical support for the Syria resettlement programme in Uruguay (US\$ 97,583).

⁵ The Gender-Based Violence Information Management System is an inter-agency initiative coordinated by the International Rescue Committee, the United Nations Population Fund (UNFPA), UNHCR and the United Nations Children's Fund (UNICEF), with the collaboration of World Health Organization (WHO). The system harmonizes data collection on SGBV in humanitarian settings, and assists service providers to better understand cases reported.