

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

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Overview of UNHCR's operations in the Americas

A. Situational context

Cartagena+30 Process

The 1984 Cartagena Declaration on Refugees (Cartagena Declaration) is often heralded as one of the greatest accomplishments in the development of the refugee protection regime in Latin America. Marking the 30th anniversary of the Declaration, the official launch of the Cartagena+30 process took place in Geneva on 13 February 2014, at a meeting of Ambassadors of the group of Latin American and Caribbean countries (GRULAC), during which the High Commissioner encouraged all countries to continue on the path set forth by the Mexico Declaration and Plan of Action of November 2004.

The Cartagena+30 process provides a unique opportunity for Latin America and the Caribbean to establish higher protection benchmarks; expand solidarity and international cooperation programs for refugee integration and resettlement; share best practices in protection and durable solutions for refugees and internally displaced persons; and propose innovations to address contemporary humanitarian challenges of global relevance.

The Government of Brazil will host the final event of the Cartagena+30 process. A ministerial meeting in Brasilia in early December 2014 will consider a declaration and new plan of action for the next ten years. The ministerial meeting will be preceded by four sub-regional consultations (MERCOSUR¹, the Andean Community of Nations, SICA² and Mexico, and the Caribbean), which will gather governments, civil society, academia and international organizations, between March and July 2014. The conclusions and recommendations of these consultations will form the basis for the declaration and new plan of action.

Colombia situation

Peace talks between the Government of Colombia and the Revolutionary Armed Forces of Colombia (FARC) continue to seek a resolution to five decades of armed conflict. A peace agreement would have important ramifications for the humanitarian situation in Colombia and the region. Meanwhile, UNHCR is exploring ways to strengthen solutions and respond to evolving protection threats caused by continued displacement. Human rights violations perpetrated by post-demobilization armed groups and new actors are forcing people to flee

¹ *Mercado Comun del Sur* (Southern Common Market)

² *Sistema de la Integración Centroamericana* (Central American Integration System)

their homes, in some areas for a second or third time. In the coming year, identifying and consolidating sustainable solutions must be balanced with preparing for potential new displacement.

Ongoing displacement is particularly acute along border areas. In Ecuador for example, up to 1,000 new arrivals from Colombia were registered each month in 2013, but access to asylum was difficult largely due to stricter procedural requirements introduced in May 2012. UNHCR will continue to monitor these border areas to facilitate refugee access to international protection.

Central America

In Central America, transnational organized crime and incidents of gang-related violence pose a major challenge to local populations, national institutions and regional security. Over the last five years, murder rates in Honduras have doubled, making it the country most affected by criminal violence globally.³ With the exception of Nicaragua, the region as a whole reports an increase in crime and violence, particularly in El Salvador and Guatemala. Drug trafficking, polarized political systems, inadequate law enforcement and socio-economic challenges including poverty and unemployment also contribute to insecurity in the region. UNHCR is conducting further studies in Mexico and Central America on the magnitude and patterns of forced displacement, as well as on the profiles of persons affected by violence.

In recent years, asylum applications originating from individuals coming from Central American countries, such as El Salvador, Guatemala and Honduras have sharply increased in Canada, Costa Rica, Mexico and the United States of America. UNHCR continues to provide country of origin information to receiving States, so that they may better assess refugee status of individuals coming from this region.

The Caribbean

The situation in the Caribbean continues to be characterized by mixed migratory flows on unseaworthy vessels, resulting in frequent maritime incidents. Following the Caribbean Regional Conference on the Protection of Vulnerable Persons in Mixed Migration Flows, held in the Bahamas in May 2013, UNHCR and Caribbean States are strengthening cooperation to address the needs of persons in need of international protection, and working to build stronger asylum systems.

In September 2013, a ruling of the Constitutional Court of the Dominican Republic effectively deprived tens of thousands of Dominicans, the great majority of Haitian descent of their nationality, rendering them stateless. Dominican authorities were urged to restore their nationality and ensure protection of their rights. The Government has indicated that it is developing legislation to address the situation through a rights-based approach.

B. Achieving the global strategic priorities

Access to asylum

The large number of people arriving and seeking refuge in Ecuador has affected the protection regime in the country and led the Government to introduce more stringent procedural requirements in May 2012. In June 2013, UNHCR provided the authorities with an analysis of the impact on persons of concern. The evaluation highlighted challenges at the legal, operational and institutional levels, demonstrating a significant drop in

³ United Nations Office for Drugs and Crime, Global Study on Homicide, 2011.

recognition rates and increased uncertainty among refugees whose status is being reviewed, revoked or cancelled. New legislation is being prepared on migration, asylum, human trafficking and smuggling as well as emigration and return of Ecuadorian migrants. It is hoped that this will realign the national normative framework with constitutional and international standards.

The Quality Assurance Initiative (QAI), which aims to strengthen national refugee status determination procedures, continues to be implemented in Costa Rica, Mexico and Panama, with close collaboration between UNHCR and national governments. QAI activities have started in Argentina and Brazil and will continue to develop throughout 2014.

Solutions

In Colombia, considerable operational focus is centred on the Transitional Solutions Initiative (TSI), a joint project between UNHCR and UNDP. Initiatives have been undertaken in 17 communities thus far and continue to yield effective results and promote the development of public policies to consolidate durable solutions. TSI offers considerable potential to help a greater number of victims of forced displacement regain their full rights as citizens, in both rural and urban communities, and is contributing to the peace process.

In Ecuador, the Comprehensive Solutions Initiative (CSI) was developed in coordination with the Government. CSI will focus on integral solutions, including providing refugees with improved livelihood opportunities, resettlement possibilities, and the prospect of migratory solutions in the region with protection safeguards. Facilitated voluntary repatriation will be pursued as well, depending on the evolution of the situation in the country of origin.

In Costa Rica, many Colombian refugees are now locally integrated or are less dependent on aid or UNHCR's programmes. UNHCR's strategy will target those refugees who have not yet managed to find a solution, with the aim to resolve outstanding cases and prevent a protracted refugee situation in the future.

The Government of Panama has indicated that it will provide permanent residence documents in March 2014 to approximately 400 Colombians, who have benefitted from temporary protection status in the Darien region for the past fifteen years.

The Agreement Relating to Residence Permits for Nationals of States Parties to Mercosur provides an opportunity for UNHCR and States in the region to develop an innovative tripartite programme to facilitate Latin American migration and protection for Colombian refugees who are settled in other South American countries to Brazil and Argentina. In line with the objectives of the existing Solidarity Resettlement Programme, such strategy could provide a durable solution for thousands of refugees and promote burden-sharing with host countries, including Ecuador.

Accession to the Statelessness Conventions

In January 2014, Peru became the 80th State party to the 1954 Convention relating to the Status of Stateless Persons. Other countries in the region, such as Argentina, Chile, Colombia, El Salvador, Haiti, and Paraguay are at different legislative stages towards adoption of one or both conventions on statelessness. UNHCR will continue to advocate for further progress on accession, including through the Cartagena+30 process.

Unaccompanied and separated children

The number of unaccompanied and separated children (UASC) traveling from Central America and Mexico towards the United States of America continues to rise. The United States of America anticipates that up to 60,000 UASC are expected to reach its borders in 2014. As a result of this worrying trend, UNHCR, with the support of the MacArthur Foundation, undertook a study in 2013 to determine the root causes of the children's flight,

so as to strengthen its response. UNHCR is undertaking a similar study, funded by the Directorate-General for Humanitarian Aid and Civil Protection of the European Commission, to analyse UASC movements within Mexico.

Sexual and gender-based violence

In Ecuador, UNHCR is emphasizing the development of response capacities to assist survivors of sexual and gender-based violence. A network of women's shelters is being reinforced. Especially in urban areas, UNHCR is supporting local community workers who are helping to protect and assist refugee women and youth. Coordination with UN Women and UNFPA has been strengthened.

In Haiti, where there has been an increase in reports of serious discrimination and violence against lesbian, gay, bisexual, transsexual and intersex (LGBTI) individuals, UNHCR and partners organized a roundtable on the protection of sexual minorities in December 2013. Discussions revealed the need to maintain a LGBTI safe house, to develop sensitisation campaigns, and to train law enforcement officials on sexual minority rights. These will be priority endeavours in 2014.

C. Financial information

The 2014 Executive Committee-approved comprehensive needs assessment budget for the Americas stands at \$110.3 million. The region will benefit from a dedicated budget for the Cartagena+30 process and strengthened organizational investment in comprehensive solutions for protracted refugee situations, including Colombian refugees.
