



COUNTRY OPERATIONS PLAN

OVERVIEW

Country: Costa Rica (Regional Legal Unit)

Planning Year: 2006

OVERVIEW

1. Protection and socio-economic operational environment

Over recent years, asylum policies in the Americas have become more restrictive due to the increasing interest of governments in focussing on migratory control measures and national security concerns. The challenge for UNHCR is to preserve a humanitarian space for the identification and treatment of those in need of protection, who are mixed within broader migration flows and therefore are presumed to be migrants until the contrary is proven.

The number of asylum-seekers and refugees is not significant in the majority of countries in Latin America, with the exception of the countries neighbouring Colombia and Costa Rica. These countries are facing an increasing number of Colombian asylum-seekers and refugees. It is worth noting that during 2004 and 2005 Latin America and the Caribbean remained the only region where persons of concern to UNHCR increased. Furthermore, Colombia has one of the largest internally displaced populations in the world. However, in spite of the steady arrival of Latin American asylum-seekers and refugees, and the increased number of internally displaced persons in Colombia, regional governments still need to realize the existence of this trend in order to provide protection and search for solutions for those in need.

In general, Latin American countries have adopted the legal framework for the protection of refugees and national bodies are responsible for refugee status determination procedures. However, support is still needed to reinforce and consolidate the proper enforcement of these mechanisms to ensure fair and efficient procedures for the identification and treatment of asylum-seekers and refugees, even if the number of persons in need of protection is not considered to be significant by some governments.

The majority of asylum countries in Latin America are also confronted with increasing political instability, rising xenophobic sentiments, high unemployment rates and criminality, fuelled by an acute socio-economic crisis. Refugee issues and the adoption of asylum policies are not, therefore, considered public priorities by States. This represents a real challenge for local integration, particularly in the case of urban refugees.

However, the adoption of the Mexico Plan of Action to strengthen the international protection of refugees in Latin America, represents a new opportunity for UNHCR to advance its protection and solution strategy in the region. Indeed, it constitutes the regional application of the Agenda for Protection and sets concrete operational priorities for reinforcing refugee protection in Latin America.

Against this background, the Regional Legal Unit has been entrusted to follow-up the protection component of the Mexico Plan of Action. As a decentralized technical services provider of the Americas Bureau, it focuses on reinforcement of the legal framework for the protection of persons of concern to UNHCR in the Americas through the use of human rights norms and standards, regional training, dissemination and promotion of refugee law, and the provision of technical legal advice, aimed at

strengthening local capacities of governments, non-governmental organisations and other sectors of civil society, in co-operation with external actors.

2. Operational goals and potential for durable solutions

Based on the regional objectives established by the Americas Bureau, the main operational goals for the Regional Legal Unit for 2006 are as follows:

- Continue to reinforce the legal framework for the protection of asylum-seekers and refugees in the Americas through the implementation of a capacity-building strategy and with the support of external actors;
- Support the implementation of the Mexico Plan of Action, particularly its protection component, in the areas of doctrinal research, support for the reinforcement of national eligibility commissions, regional training and the strengthening of regional and national protection networks;
- Raise awareness on the humanitarian needs of asylum-seekers and refugees in the Americas through advocacy efforts before UN and OAS organs and mainstream refugee concerns into their monitoring mechanisms and reports;
- Support the use of human rights norms and standards to complement refugee protection by governmental officials, UNHCR staff and organizations of civil society;
- Reinforce local capacities to implement, in a consistent and coherent manner, the legal framework for the identification and protection of asylum-seekers and refugees (who are mixed within broader migration flows) through advocacy efforts, training and dissemination of international refugee law among government officials and representative of civil society organizations.
- Support the establishment of a training strategy, tailored to the needs of the region, with the participation of external actors and focusing mainly on national eligibility commissions, migration and border officials as well as representatives from civil society.
- Ensure that the Spanish website continues to be the main protection tool for the promotion of international refugee law in the Americas and Spain, as part of a regional communication strategy, and foster its further upgrading to reflect UNHCR policies in terms of gender equality, children and adolescents, the elderly and disabled refugees.
- Continue to provide legal advice and technical support to UNHCR offices in the region for the achievement of the strategic objectives of the Bureau, taking due account of the different protection needs of persons of concern to UNHCR based on their gender and age.