

**Mexico Declaration and Plan of Action
to Strengthen the International Protection of Refugees in Latin America
Mexico City, 16 November 2004**

Declaration

The Governments of participating Latin American countries,

Gathered in Mexico City to celebrate the twentieth anniversary of the Cartagena Declaration on Refugees of 1984, that reinvigorated the generous tradition of asylum in Latin America,

Recognizing Latin America's contribution to the progressive development of international refugee law beginning in 1889 with the Treaty on International Penal Law and continuing with, among other instruments, the American Declaration of the Rights and Duties of Man of 1948, the American Convention on Human Rights of 1969, the Cartagena Declaration on Refugees of 1984, the document entitled "Principles and Criteria for the Protection of and Assistance to Central American Refugees, Returnees and Displaced Persons in Latin America" (CIREFCA-1989), the 1988 Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights "Protocol of San Salvador" and the San Jose Declaration on Refugees and Displaced Persons of 1994, as well as the doctrine and jurisprudence in this field developed, respectively, by the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights,

Reaffirming their solemn commitment towards persons entitled to international protection in Latin America,

Emphasizing that humanism and solidarity are fundamental principles that should continue to guide State policies on refugees in Latin America,

Reaffirming the fundamental human right to seek and receive asylum established in Article XXVII of the American Declaration of the Rights and Duties of Man of 1948, and Article 22(7) of the American Convention on Human Rights of 1969,

Reaffirming also the enduring validity of the principles and norms contained in the 1951 Convention relating to the Status of Refugees and its Protocol of 1967, as well as the complementary nature of international refugee law, international human rights law, and international humanitarian law and, hence, the importance of using, according to the principle of *pro homine*, the norms and principles of these three bodies of international law to strengthen the protection of refugees and other persons entitled to international protection,

Recognizing the *jus cogens* nature of the principle of *non-refoulement*, including non-rejection at the border, the cornerstone of international refugee law, which is contained in the 1951 Convention relating to the Status of Refugees and its Protocol of 1967, and also set out in Article 22 (8) of the American Convention on Human Rights and Article 3 of the 1984 Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and the commitment of Latin American countries to keep their borders open in order to guarantee the protection and security of those who have a right to enjoy international protection,

Reaffirming the obligation of States to respect the principle of non-discrimination and to take measures to prevent, combat and eliminate all forms of discrimination and xenophobia, guaranteeing the exercise of the rights of all persons under the jurisdiction of the State without any distinction on the grounds of race, color, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social status, including refugee status or status of others in need of international protection,

Requesting the media to promote the values of solidarity, respect, tolerance and multiculturalism, underscoring the humanitarian plight of victims of forced displacement and their fundamental rights,

Reaffirming the principles of the indivisibility and interdependence of all human rights and the need to provide comprehensive protection to refugees that guarantees the full enjoyment of their rights, in particular, civil, economic, social and cultural rights,

Recognizing that family unity is a fundamental human right of refugees, and *recommending*, therefore, the adoption of mechanisms to guarantee its respect,

Recognizing the enduring relevance of the Cartagena Declaration on Refugees of 1984 and its importance in continuing to guide public policies for refugee protection and the search for durable solutions to refugee situations faced by Latin America at the present time,

Recognizing the importance of the principles contained in the Cartagena Declaration on Refugees to the provision of protection and finding durable solutions and the need to carry out a more detailed analysis of its recommendations,

Recommending, in the framework of the progressive harmonization of legislation relating to refugees within ongoing regional integration processes, the due incorporation of the principles and norms contained in the 1951 Convention relating to the Status of Refugees and its Protocol of 1967, the American Convention on Human Rights and other relevant international instruments,

Acknowledging the significant progress of some States in the Latin American region in establishing efficient mechanisms for determining refugee status and, likewise, *affirming* the importance of continuing to strengthen these mechanisms,

Encouraging States that have not yet adopted refugee legislation to promulgate such legislation as soon as possible and to request for this purpose UNHCR's technical advice; and States that are in the process of amending their legislation to align it with international and regional standards relating to refugees and human rights, so as to bridge any gaps that may exist between State practice and such standards,

Recognizing the responsibility of States to provide international protection to refugees, as well as the need for international technical and financial cooperation to find durable solutions within the framework of a commitment to consolidate the rule of law in Latin American countries, universal respect for human rights and the principles of international solidarity and responsibility sharing,

Affirming that national security policies and the fight against terrorism should be framed within respect for domestic law and international instruments for the protection of refugees and of human rights in general,

Noting with concern that in some parts of Latin America the internal displacement of persons as well as refugee flows persist,

Highlighting that, in view of the gravity of the problem of forced displacement in the region, it is necessary to address its causes and, at the same time, develop policies and pragmatic solutions to provide effective protection to those who need it,

Reiterating Conclusion 16 of the 1994 San Jose Declaration on Refugees and Displaced Persons which affirmed that “the problem of the internally displaced, albeit the fundamental responsibility of the States of their nationality, is nevertheless of concern to the international community because it is a human rights issue which can be linked to prevention of causes which generate refugee flows...”

Recognizing that persecution can be related to gender and age of refugees; and the need to provide protection and humanitarian assistance in keeping with the differentiated needs of men and women, boys and girls, adolescents and elderly persons, persons with disabilities, minorities and ethnic groups,

Recognizing the existence of mixed migratory movements, including persons who can qualify for refugee status and who require specific treatment, with due legal safeguards to guarantee their identification and access to refugee status determination procedures; and therefore *highlighting* the importance of continuing to take into account the issue of refugee protection in regional multilateral fora in the field of migration and, in particular, the Regional Conference on Migration (Puebla Process) and the South American Conference on Migration,

Highlighting the role in refugee protection of the Ombudsmen and Human Rights Commissioners, understood hereafter as national institutions for the promotion and protection of human rights, as independent state entities that monitor the proper functioning of public administration and the promotion and protection of fundamental human rights,

Highlighting, moreover, the decisive contribution of non-governmental organizations and other sectors of civil society to the protection and assistance of refugees and other persons in need of protection, including their work in providing advice for the development of policies regarding protection and durable solutions,

Recognizing the need to continue promoting international refugee law, international human rights law and international humanitarian law, as well as to disseminate good practices relating to protection and durable solutions in Latin America,

Underscoring the importance of strengthening cooperation between the organs of the Inter-American human rights system and UNHCR, aimed at more effective protection of refugees and other persons in need of protection and urging them to continue strengthening this collaboration,

Convinced that, despite the significant progress in the protection of refugees in Latin America, it is necessary for States to redouble their efforts to provide protection, assistance and find adequate solutions for refugees in the region, within a spirit of international solidarity and responsibility sharing with the support of the international community,

Underscoring that voluntary repatriation is the durable solution *par excellence* for refugees and the fundamental need for governments of countries of origin to take appropriate measures, with the support of the international community, to guarantee the protection of its nationals who have repatriated, in order to ensure that repatriation takes place in safety and dignity,

Reiterating to States, international organizations and civil society the importance of fully involving uprooted populations in the design and implementation of assistance and protection programmes, recognizing and valuing their human potential,

Appealing to the international community, represented by the United Nations, the Inter-American system and, especially, donor countries, to continue supporting this important effort for the protection of refugees by Latin American States with the cooperation of UNHCR and civil society,

Taking note of the conclusions adopted by consensus in the four sub-regional meetings held in Brasilia, Brazil; San Jose, Costa Rica; Cartagena de Indias and Bogota, Colombia, and *expressing the desire* to put into practice the valuable recommendations deriving from the preparatory process, whose implementation will contribute to Latin America's compliance with the Agenda for Protection, adopted by UNHCR's Executive Committee in 2002,

RESOLVE,

To approve this Declaration and of Plan of Action as "Mexico Declaration and Plan of Action to Strengthen International Protection of Refugees in Latin America".

To request the support of UNHCR and the international community for the implementation of the Plan of Action, including the programmes relating to durable solutions.

To welcome and to support the proposal made by Brazil for the establishment of a regional resettlement programme in Latin America.

To urge UNHCR to request of States, in the exercise of its supervisory responsibility, periodic reports on the situation of refugees in the Latin American countries and, in the signatory countries of Latin America, the status of implementation of the 1951 Convention relating to the Status of Refugees and its Protocol of 1967.

To request UNHCR to redouble its support to Latin American countries for the local integration of refugees.

To take due account of the present Declaration and Plan of Action in order to address the solution of the situation of refugees in Latin America.

To request the organizers and co-sponsors of this event to publish a book containing all of the background documents, reports of the preparatory meetings and the Mexico Declaration and Plan of Action, asking the Government of Mexico, UNHCR and the competent organs of the Organization of American States to adopt the measures required for its broad dissemination.

To request that UNHCR officially transmit the Mexico Declaration and Plan of Action to the Heads of State of the participating countries for its broad dissemination.

To request the President of the United Mexican States, Vicente Fox Quesada, should he consider it appropriate, to provide information regarding the holding of this event at the XIV Iberoamerican Summit that will take place on 18 and 19 November of this year in San Jose, Costa Rica.

Finally, the participants expressed their deep gratitude to the Government and people of Mexico for having hosted this commemorative event on 15 and 16 November 2004 in Mexico City; to the Governments of Costa Rica, Brazil and Colombia for having co-sponsored the preparatory meetings; to UNHCR and the Norwegian Refugee Council for having organized the event; and to the Inter-American Court of Human Rights, the Inter-American Commission on Human Rights, and the Inter-American Institute of Human Rights for their sponsorship; as well as to civil society organizations, national institutions for the promotion and protection of human rights, and the experts who, through their advice and appropriate recommendations, have made a fundamental contribution in this process.

Mexico City, 16 November 2004

Mexico Plan of Action to Strengthen International Protection of Refugees in Latin America

Preamble

On the occasion of the twentieth anniversary of the Cartagena Declaration on Refugees, the United Nations High Commissioner for Refugees (UNHCR), together with the Norwegian Refugee Council, the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, the Inter-American Institute of Human Rights and the governments of Brazil, Costa Rica and Mexico, brought together governments of Latin America countries, experts and different sectors of civil society to analyze jointly the main challenges to the protection of refugees and other persons in need of international protection today in Latin America, and to identify courses of action to assist countries of asylum in the search for appropriate solutions within the pragmatic and principled spirit of the Cartagena Declaration on Refugees.

To this end, four sub-regional preparatory meetings were held in San Jose, Costa Rica (12-13 August), Brasilia, Brazil (26-27 August), Cartagena de Indias, Colombia (16-17 September) and Bogota, Colombia (6-7 October), in which the refugee situation in each region was analyzed. As the outcome of each gathering, a report was adopted by consensus. Based on the conclusions and recommendations of these regional preparatory meetings, the participants have prepared the following Plan of Action aimed at continuing to strengthen mechanisms for protection and the search for solutions for refugees and other persons in need of protection in the region.

Chapter One The Situation of Refugees in Latin America

Upon the commemoration of the twentieth Anniversary of the Cartagena Declaration on Refugees, there are still situations that generate forced displacement in Latin America, particularly in the Andean Region. In addition to a growing number of Latin American refugees, the region also provides protection and durable solutions to refugees from other continents.

With the exception of the Andean Region, where cross-border movements are driven by a humanitarian crisis characterized by forced displacement within Colombia's borders and which variously affects neighboring countries and other countries of the region, at the present time asylum-seekers and refugees are caught up within migratory flows across the continent.

Furthermore, the magnitude of forced displacement in the Andean Region is made less visible in a context where many people in need of international protection opt for anonymity and dispersion, and therefore, do not formally request international protection.

At the same time, pilot resettlement programmes for refugees recognized in other parts of the world have been launched in the Southern Cone.

As a result, various situations co-exist in Latin America at present: 1) countries that continue to receive a small number of asylum-seekers and refugees immersed in regional and continental migratory flows; 2) countries hosting a significant number of recognized refugees and/or asylum-seekers; and 3) countries with emerging resettlement programmes. All three situations may converge in some countries of the region.

The normative and institutional framework for the protection of refugees has been strengthened in the last twenty years. A large number of Latin American countries have enshrined the right to asylum in their constitutions and the large majority of countries are party to the 1951 Convention relating to the Status of Refugees and/or its Protocol of 1967. Likewise, the large majority have national bodies, norms and procedures for determining refugee status. Some countries recognize that persecution can be related to gender and age, and take into consideration the differentiated protection needs of men and women, boys and girls, adolescents and elderly persons. However, some of these national mechanisms are still at incipient stages of development and require greater human, technical and financial resources to be operative, including training on international refugee law so as to guarantee fair and efficient procedures.

The Cartagena Declaration's refugee definition has been included in the national legislation of a significant number of countries. Nevertheless, during the preparatory process it was observed that there is a need to clarify and specify the criteria for its interpretation, in particular, the restrictive interpretation of the exclusion clauses, the interpretation of the specific grounds and their application in individual cases, using the jurisprudence of human rights organs and tribunals and taking into account the legitimate security concerns of States, through a broad and open dialogue, with a view to systematizing doctrine and state practice.

The enjoyment by refugees of their fundamental rights determines the quality of asylum. The quality of asylum is likewise vital to finding durable solutions to the plight of refugees. To the extent that refugees find effective protection in a receiving country, they will not be obliged to seek protection in third countries through secondary and/or irregular movements. At the same time, it is necessary for refugees' countries of origin, with the cooperation of the international community, to continue to make efforts to create adequate conditions for the safe and dignified return of its nationals who are refugees.

Taking into account the socio-economic conditions prevailing in the countries of asylum, as well as the distinct profiles of refugees and other persons in need of protection in the region, it is necessary to design and implement creative new policies to facilitate the search for adequate solutions. This requires devising new strategies to achieve self-sufficiency and local integration, both in urban centers as well as border areas, as well as the strategic use of resettlement, in a framework of regional solidarity.

In parallel, it is important to strengthen humanitarian and social programmes in border areas, emphasizing a geographic approach instead of a population approach, so that receiving communities benefit on equal footing with refugees and other persons in need of protection.

Chapter Two

The International Protection of Refugees

1. Research and Doctrinal Development:

The preparatory meetings considered it appropriate to acknowledge Latin America's contribution to the progressive development of international refugee law. In this respect, regional instruments such as the Cartagena Declaration on Refugees, the 1948 American Declaration of the Rights and Duties of Man and the 1969 American Convention on Human Rights, as well as the doctrine and jurisprudence developed, respectively, by the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights have contributed to improve the situation of refugees in Latin America.

In this regard, note is taken of an additional recommendation reiterated in all of the preparatory meetings regarding the strengthening of cooperation among States in the region, as well as between the States and UNHCR, the human rights bodies of the Inter-American system and academic and research institutions in Latin America in the fields of interdisciplinary research, promotion and development of international refugee law.

Within this cooperation framework, it was recommended to initiate a consultative process aimed at clarifying the content and scope of Conclusion III of the Cartagena Declaration on Refugees, in order to strengthen the international protection of refugees in Latin America. In this respect, the development of a Handbook on Procedures and Criteria for Application of the Refugee Definition of the Cartagena Declaration is foreseen.

To deepen knowledge of international refugee law, it is proposed that UNHCR implement the following projects, in cooperation with the human rights bodies of the Inter-American System, as well as research and academic institutions:

- Legal Research Series on “*The International Protection of Refugees in Latin America*”,
- Handbook on “*Procedures and Criteria for Application of the Cartagena Declaration’s Refugee Definition*”, and
- Glossary on “*Concepts and Legal Terminology of International Refugee Law*”.

2. Training and Institutional Capacity-building:

The noteworthy efforts of countries in Latin America over the past 20 years to establish an institutional framework to ensure the right to seek and enjoy asylum were acknowledged throughout the consultation process. However, deficiencies in the asylum systems, which make it more difficult for refugees and asylum-seekers to access effective protection, were also noted.

2.1. With the aim of contributing to a broader knowledge of the normative framework and its effective implementation, as well as facilitating the effective use of domestic legal remedies (administrative, judicial and constitutional) for the protection of the rights of asylum seekers and refugees, thus ensuring the right to seek and be granted asylum, it was agreed to request that UNHCR, in collaboration with the human rights bodies of the Inter-American System, the Inter-American Institute of Human Rights, universities and civil society organizations, and national institutions for the promotion and protection of human rights, develop and implement a “Latin American Training Programme on International Refugee Protection”. This Programme will be directed towards State officials and members of civil society “protection networks”. The Programme will entail a rigorous selection of participants, and a teaching methodology combining on-the-job training, distance-learning, self- and on-campus study, along with the development of precise evaluation and impact indicators, and proper follow-up of participants, among other technical aspects.

The Programme would give priority to:

- Presidents, members, legal advisers and interviewers of National Eligibility Commissions;
- State officials at borders and airports (police, military and migration staff)
- Judges, public Attorneys and Prosecutors;
- Professional staff from the national institutions for the promotion and protection of human rights;
- Staff from non-governmental organizations and other civil society institutions participating in national and regional protection networks; and
- Legislators.

2.2. The difficulties faced by National Refugee Commissions or other institutions responsible for refugees in identifying specialized staff, setting up computerized registration systems, as well as the slow pace of refugee status determination procedures or the weaknesses of documentation processes owing, among other reasons, to lack of technical, human or financial resources were also noted. In this regard, States were urged to strengthen established refugee status determination mechanisms, allocating to them more financial resources, and UNHCR was requested to provide training and technical advice.

Recognizing the importance of National Refugee Commissions in guaranteeing effective protection, UNHCR is asked to cooperate with Latin American governments interested in drawing up regional or national projects within the framework and priorities of a “Programme to Strengthen National Refugee Commissions”. In this regard, it is necessary to note that the Andean countries that met in Cartagena de Indias on 16-17 September 2004, in the course of the preparatory process, agreed to submit for the consideration of the Andean Council of Ministers of Foreign Affairs the creation of an Andean Committee of Authorities responsible for Refugees.

The consultation process determined that strengthening of the Commissions could aim, *inter alia*, at:

- Guaranteeing respect for due process standards by ensuring asylum-seekers’ access to refugee status determination procedures, establishing effective remedies, taking decisions on claims within a reasonable timeframe and establishing procedures for appealing a decision to an independent body; and
- Simplifying procedures and facilitating the issuance of documentation.

2.3. The role of civil society organizations and national institutions for the promotion and protection of human rights in Latin American in the defense and protection of refugees is widely acknowledged by the governments. This important work is carried out by non-governmental organizations and churches, in a spirit of cooperation with State institutions, including national institutions for the promotion and protection of human rights, with UNHCR and other regional and international protection-oriented institutions. During the preparatory process, recommendations were made to further involve civil society in the design of public policies on refugees and to continue building their capacities.

It is therefore proposed to establish a “Programme to Strengthen National and Regional Protection Networks” to address the needs of non-governmental organizations, churches and national institutions for the promotion and protection of human rights. This Programme could cover the following priority areas:

- Reinforcing legal advice and assistance services for refugees and asylum-seekers with a focus on meeting the specific needs of those seeking such services, whether they be men, women, boys, girls, adolescents, elderly persons, persons with disabilities, indigenous persons or other categories of persons;
- Reinforcing awareness of international refugee law and human rights law;
- Systematizing and disseminating best practices and successful programmes developed by some protection networks; and
- Exchanging experiences among the various protection networks.

The following programmes are suggested within this area of Training and Institution-Building:

- Latin American Training Programme on International Protection of Refugees
- Programme to Strengthen National Refugee Commissions
- Programme to Strengthen National and Regional Protection Networks

Chapter Three Durable Solutions

The preparatory meetings identified operational priorities in the different sub-regions and countries of the region. It was noted that Latin America has a broad tradition of protection and solidarity toward those who have been persecuted and has been able to find solutions for its own refugees within the sub-continent. It was acknowledged that voluntary repatriation is the ideal solution for refugees, as an individual right to be exercised in a voluntary manner in conditions of safety and dignity. Furthermore, the current need to facilitate self-sufficiency and local integration for an increasing number of refugees, and the challenge that this represents to States, was underlined.

The preparatory process reiterated the need for international cooperation, in keeping with the principles of solidarity and responsibility-sharing, as a means to achieve effective durable solutions, as well as to disseminate best practices in the area of durable solutions in the region, promoting south-south cooperation and the creative approach of the 1984 Cartagena Declaration on Refugees.

In view of the current regional context, two situations were highlighted as requiring urgent attention and international support: the situation of growing numbers of urban refugees living in large urban centers in Latin America; and the situation of a large number of Colombian citizens living in border areas between Colombia and its neighbours Ecuador, Panama and Venezuela, most of whom are undocumented and in need of urgent protection and humanitarian assistance, owing to their acute vulnerability.

1. “Solidarity Cities” Programme for Self-Sufficiency and Local Integration

Urban refugees hail from a wide range of nationalities, with a small, but growing, percentage of refugees coming from other continents and cultures. These refugees predominantly settle in urban centers and their self-sufficiency and socio-economic integration remain a challenge for the States and civil society, especially given the economic difficulties faced by the countries of asylum themselves. When designing integration projects, it is therefore necessary to bear in mind the difficult situation of host communities.

The preparatory process highlighted the following: a) the political will of governments to facilitate the economic self-sufficiency of refugees; b) the lack of resources and experience of state social welfare institutions to achieve this goal; c) recognition of the work and experience of civil society; d) the need to create strategies appropriate to the reality of the asylum countries and to exchange best practices; and e) the need for international technical and financial cooperation.

The preparatory meetings suggested that, in designing this Programme, due consideration should be given to the region’s socio-economic realities, in terms of unemployment levels, poverty, and social exclusion, as well as to the socio-economic profiles of the beneficiaries. In the same vein, the following broad goals were mentioned:

- -Fostering the generation of sources of employment, in particular, the establishment of micro-credit systems;
- -Setting up mechanisms for the expedited issuance of documents and simplifying procedures for authentication and recognition of certificates and diplomas issued abroad; and
- - Contemplating mechanisms for the participation of civil society and UNHCR in designing, implementing, monitoring and improving integration projects.

The “Solidarity Cities” Programme for Self-Sufficiency and Local Integration seeks to mitigate, to the extent possible, so-called “irregular or secondary movements”, but its main aim is to provide effective protection which encompasses enjoyment of social, economic and cultural rights and observance of the obligations of refugees. It would also aim at facilitating the implementation of public policies, within an integrated social strategy, with the technical cooperation of United Nations and civil society organizations, and the financial support of the international community, in order to integrate a number of refugees, to be determined, in a series of “pilot” urban centers in Latin America.

2. Integrated “Borders of Solidarity” Programme

In the third sub-regional preparatory meeting, held in Cartagena de Indias, Colombia (16-17 September 2004), representatives of the Governments of Ecuador, Panama and Venezuela indicated that the true magnitude of the refugee problem is not known. In this regard, the 10,000 refugees and 30,000 asylum-seekers in these three countries is likely to represent only a fraction of the total number of Colombian citizens who transit and/or reside in these countries, most of them irregularly, and they also underlined the special plight of provinces and States bordering Colombia.

In light of the situation prevailing in the country of origin, as well as the economic difficulties faced by the receiving countries, it is presumed that a considerable number of Colombians, whether undocumented or in an “irregular” migratory situation, are in need of protection and humanitarian assistance. However, the majority of them remains “invisible” and therefore, vulnerable and marginalized. The hosting countries expressed their will to comply with their international protection obligations but, at the same time, expressed concern about the magnitude of the humanitarian problem whose real dimensions are not yet known.

In order to foster a humanitarian response towards those who are in need of and deserve international protection, and to address basic infrastructure and community services needs, in particular in the areas of health and education, as well as to facilitate employment generation and productive projects, it is necessary to promote the development of border areas through the consolidation of the presence of the State institutions along with specific investments and projects sponsored by the international community.

Government representatives meeting in Cartagena de Indias also mentioned the difficulties faced by local authorities in maintaining basic services in the area of health, sanitation, education and others in view of the overwhelming, and unplanned for, demand. They underlined the compelling need to include local populations as recipients of development aid since these populations are bearing the brunt of solidarity, despite being populations as needy and poor as the refugees themselves.

The preparatory meetings proposed the following priorities in hosting communities in border areas of the mentioned countries:

- Support to implement a programme with the objective of determining in a reliable manner the magnitude and the characteristics of the refugee problem, with a view to identifying protection and assistance needs as well as to propose the most appropriate durable solutions;
- Reinforcement of institutional mechanisms for protection and refugee status determination;
- Implementation of public awareness programmes targeting local populations to prevent negative feelings and all forms of discrimination;

- Formulation of a Regional Strategic Plan to address the protection, basic assistance and integration needs of all of the populations in need, using a territorial and differentiated approach, whose main components could include:
 - Promoting social and economic development, benefiting persons who are in need of international protection and local hosting communities alike;
 - Taking into account the profile of the uprooted population and local hosting communities living in border areas, composed mainly of rural and agricultural populations, the majority of whom are women and children; and
 - Taking due account of the specific protection needs of women and men, ethnic minorities, elderly persons and persons with disabilities.

It was noted that solidarity can only be sustained through active cooperation between the State, civil society and UNHCR, with the financial contribution of the international community, within the framework of responsibility-sharing. The importance of ensuring the participation of civil society in existing and future mechanisms (bilateral, tripartite and international) to consolidate the protection framework for persons in affected border areas, and to analyze the problem of forced displacement in the region, was mentioned. In this regard, participants took note with satisfaction of the proposal made by Brazil to promote the creation of a regional resettlement programme (see paragraph below).

3. Regional “Solidarity Resettlement” Programme

In the preparatory meeting held in Brasilia (26-27 August 2004), the Government of Brazil proposed the creation of a regional resettlement programme for Latin American refugees, in the framework of international solidarity and responsibility-sharing. This initiative opens the possibility for any Latin American country, at the opportune time, to participate and to receive refugees who are in other Latin American countries. The announcement of this programme was well received by the countries of the region who currently host an important number of refugees, as a tool to help to mitigate the effects of the humanitarian situation these countries face.

Latin American countries agree upon the importance of establishing resettlement policies that include a framework of principles and eligibility criteria, with due regard for the principle of non-discrimination. Furthermore, based on the experience of Brazil and Chile as emerging resettlement countries, they appeal to the international community to support the strengthening and consolidation of these initiatives, in order to improve and replicate them in other countries of Latin America.

In any case, it is underlined that resettlement, as a durable solution in the region and for the region, should not be viewed as “burden-sharing” but, instead, as a duty deriving from international solidarity, and the need for technical and financial cooperation from the international community for its strengthening and consolidation was reiterated.

Chapter Four Promotion, Implementation, Follow-up and Evaluation Mechanisms

In order to implement this Plan of Action, a series of activities are foreseen at different levels:

At the national level (during the first semester of 2005)

To carry out an assessment of the number of persons who could benefit from this Plan of Action as a basis for the formulation of projects within the programmes herein contemplated. Preparation of national projects within the framework of the Plan of Action. Furthermore,

countries interested in the “*Solidarity Borders*” programme should present a study on the impact of the presence of asylum-seekers, refugees and other persons in need of international protection in the geographical areas covered by the programme. UNHCR shall provide all of its support and expertise in the formulation of these projects, which will be submitted for the consideration of the international community.

The national institutions for the promotion and protection of human rights will issue a regular evaluation and follow up report on the projects and programmes formulated within the framework of this Plan of Action.

At the regional and sub-regional level

To organize at least two meetings per year to facilitate the exchange of information and experiences, the design of regional projects and the supervision of the implementation of this Plan of Action, with the participation of governments, the United Nations High Commissioner for Refugees, other UN agencies, the Organization of American States, donors, representatives of civil society, national institutions for the promotion and protection of human rights and experts.

At the international level

Within the framework of the Executive Committee of the High Commissioner’s Programme, organize an annual meeting with donor countries and financial institutions, with the participation of civil society, in order to present the Plan of Action programmes and projects and to provide information on their implementation and impact on the beneficiary populations.