



Contribution to the United Nations Global Compact on Refugees: Lessons from the 1989 International Conference on Refugees in Central America (CIREFCA)

Mr. José Riera-Cézanne, Adjunct Professor
Department of International Law and Human Rights
(10 July 2017)

Introduction

On behalf of the United Nations University for Peace, I am grateful for this opportunity to spotlight some lessons from the 1989 International Conference on Refugees in Central America, better known by its Spanish acronym *CIREFCA*.

CIREFCA is often pointed to as a 'success' in supporting States in Central America to deliver durable solutions for refugees and displaced persons, while enhancing protection in the region, and contributing to peace and security by pushing forward a regional peace agreement.

As a freshly minted UNHCR officer, I had the privilege of working for 3 years in the Joint Support Unit set up by UNHCR and UNDP to support the CIREFCA process.

Historical context

(Slide1) Central America covers a land area of some 508,000 km², which is slightly bigger than the US state of California or the total land mass of Spain. In the late 1970s and 1980s, the region experienced violence, human rights abuses, and conflict that led to sizeable refugee movements and internal displacement. While the upheavals were *internal* to three countries – *El Salvador, Guatemala and Nicaragua* – they had wider regional and international dimensions, owing to the then prevailing Cold War.

(Slide 2) Some 3 million people, including 150,000 recognized refugees and 900,000 people in a 'refugee-like' situation (pre-dated 'IDP' label), were affected over the years. The conflicts took a high toll on the societies and economies of the three countries, while also affecting those in the more immediate region (e.g. Costa Rica, Honduras, Mexico, Panama).





This protracted situation was finally ‘unblocked’, in a signal of the end of the Cold War, owing to the firm resolve of the Central American presidents to find a lasting peace for the benefit of the entire region. Thanks to the leadership of Costa Rican President and Nobel Peace Prize Winner Oscar Arias, and the sustained political support of the ad hoc Contadora Group of States, they concluded the Esquipulas II Peace Agreement of 1987. A separate peace deal for Guatemala was concluded later.

(Slide 3) In a sign of strong political will, the peace agreement did not shy away from the humanitarian dimensions of the conflicts but rather took them head on, by making protection and durable solutions high priorities as palpable and measurable signs of progress in consolidating peace. In a good practice warranting replication, the peace deal was premised on recognition that there could simply be no firm and lasting peace in Central America without robust protection and durable solutions for the plight of refugees and displaced people.

The CIREFCA Process

CIREFCA served two broad functions. It was, firstly, a *non-political mechanism for sustained dialogue* between States on implementation of the humanitarian components of the Esquipulas II peace deal. Secondly, it provided a *platform* for matching affected-country requirements for solutions with donor support, with the strong and effective engagement of a dedicated UNHCR-UNDP Joint Support Unit. CIREFCA’s drew strength from being a sustained multiyear process, benefitting from the unwavering political and financial support of the broader international community.

In terms of process, CIREFCA was formally launched at a ministerial level conference in Guatemala City in 1989, where 58 countries adopted a Declaration and a Concerted Plan of Action in Favour of Central American Refugees, Returnees and Displaced Persons (CPA). This plan outlined an initial portfolio of 36 projects, requiring US\$ 375 million over a 3-year period for projects aimed at ending the region’s displacement crisis and kick-starting development in affected areas.

(Slide 4) Also thanks to CIREFCA, States committed to a set of *Principles and Criteria for Protection and Assistance* containing crucial protection guarantees, which were monitored closely by the international community through the process. Examples include respect for the right to repatriate voluntarily in safety and without adverse consequences, full respect for amnesties or other formal guarantees giving rise to voluntary repatriation or return, and the right of refugees and the displaced to integrate locally under prescribed conditions.





Lessons warranting consideration and replication

CIREFCA effectively mobilized the resources and other support States needed to make good on the policies, standards and legal norms they voluntarily committed to setting in place as part of the peace deal. Most importantly, the conference also set in train an intense and sustained period of implementation of funded projects at grass-roots, national and regional levels, as well as regular consultations between affected States at regional level and with the broader international community at international level. The latter 1) sustained the momentum of the process, 2) enabled States, the UN system and civil society players to monitor implementation of the portfolio of projects, 3) ensured that implementation of the humanitarian commitments enunciated in the peace process remained fully on track.

Lessons from the CIREFCA process

(Slide 5) At least 8 features of CIREFCA warrant consideration and replication as States and other stakeholders begin to work on a Global Compact on Refugees, pursuant to a request by the United Nations General Assembly.

1. **Affected populations and communities, especially women and adolescents, must be full partners in designing and delivering interventions aimed at durable solutions.** Bottom-up initiatives relating to solutions are more likely to be embraced, succeed and be sustainable. Women and the most affected must be at the center of this reflection, not in the periphery.
2. **Political will is critical.** Heads of State in the region were the guarantors of the peace deal and proactively addressed roadblocks or obstacles through CIREFCA. This gave clear signals nationally, regionally and internationally of their strong commitment to peace and dedication to what was often referred to as “the spirit of CIREFCA”. This spirit’s focus on protection and solutions as a pre-condition for lasting peace was often invoked in addressing fresh, unforeseen challenges that arose along the way.
3. **Carry out frank and objective national studies documenting the full extent of forced displacement, the protection and other challenges facing uprooted populations, and the impact on hosts.** Without a sober and realistic assessment, it is difficult to design effective and solutions interventions. Community-based approaches proved to be most effective.
4. **Ensure protection and durable solutions are integral to peace and reconciliation processes.** CIREFCA benefitted from being an integrated component of the wider





peace and post-conflict reconstruction process for the region, giving the initiative an explicit connection to the Office of the UN Secretary-General, while addressing the security and development interests of affected States and the wider international community.

5. **Approaches to solutions must be comprehensive in nature.** Voluntary repatriation will never be the only solution for the totality of a refugee population, despite the prevailing wishful thinking. CIREFCA wisely offered a menu of options, drawing on a range of durable solutions simultaneously. Solutions will be successful when they respond to Individual and family experiences and realities. In view of the protracted nature of the Central American conflicts, States in the region courageously facilitated the integration of refugees, including through naturalization in tens of thousands of cases. States outside the region offered financial support, technical support and resettlement opportunities.
6. **National authorities and development actors need to give priority to investing in zones and communities impacted by the presence of refugees and displaced people.** This is in keeping with the 2030 Agenda for Sustainable Development and consistent with the New York Declaration. UNDP's strong engagement in CIREFCA eased the transition from open-ended humanitarian interventions to development investments strategically aimed at anchoring people uprooted by years of conflict, and easing their integration or reintegration in home communities by boosting employment and basic services, notably health and education. The World Bank, UNDP and development players must continue developing tailored tools and lending instruments to address the specific development challenges facing States hosting protracted refugee and displacement situations in keeping with the spirit of the UN General Assembly's New York Declaration.
7. **Share burden and responsibilities predictably on the basis of an agreed game plan.** CIREFCA was *cooperative* in terms of involving formal burden- and responsibility-sharing between countries of origin and asylum, with third countries acting as donors or resettlement countries. Both affected and interested States worked to deliver the shared vision and game plan contained in the peace agreement and in the plan of action.
8. **Build coalitions tapping the expertise and resources of the United Nations, regional organizations and civil society players, including the private sector.** CIREFCA marshalled a *collaborative* approach, in terms of working across UN agencies and with non-governmental organizations and local communities, all in support of State efforts to build peace. The Joint Support Unit was a palpable sign of the high-level commitment to the peace process of both UNHCR and UNDP, served as the Secretariat of the CIREFCA process and provided technical support to States in formulating projects, while keeping





University for Peace



an open channel of communication with donors. This sustained support and capacity to adapt to changing circumstances and priorities was another critical ingredient for success.

The Global Compact offers fascinating opportunities to formalize innovative and effective multi-stakeholder collaborative approaches to create win-win scenarios for affected populations and host communities, and tap the enormous potential of the private sector.

Thank you.



United Nations - Mandated University

138-6100, San José, Costa Rica
Phone: +506 2205-9000 | Fax: 2249-1929
info@upeace.org

Lessons from the International Conference on Central American Refugees - CIREFCA



University for Peace



José Riera-Cézanne

Adjunct Professor

Department of International Law and Human Rights

University for Peace

upeace.org | +506 2205-9000





PREAMBLE

“We, the Presidents of the Republics of Guatemala, El Salvador, Honduras, Nicaragua and Costa Rica have agreed (...):

- To take up fully the historical challenge of forging a peaceful destiny for Central America;**
- To commit ourselves to the struggle for peace and the elimination of war**
- To make dialogue prevail over violence and reason over hatred**
- To dedicate these peace efforts to the young people of Central America whose legitimate aspirations to peace and social justice, freedom and reconciliation have been frustrated for many generations”**

Source: 1987 Esquipulas II agreement



PRINCIPLES AND CRITERIA:

“60. Returnees should also benefit, at the time of their return, from adequate guarantees of non-discrimination and full respect for their human rights under the same conditions to those of their compatriots. Under no circumstances should they be disadvantaged or penalized for having sought asylum and protection as refugees in another country.”

Source: PRINCIPLES AND CRITERIA FOR THE PROTECTION OF AND ASSISTANCE TO CENTRAL AMERICAN REFUGEES, RETURNEES AND DISPLACED PERSONS IN LATIN AMERICA (1989)



8 Lessons from the CIREFCA process

- 1. Affected populations and communities, especially women and adolescents, must be full partners in designing and delivering interventions aimed at durable solutions.**
- 2. Political will is critical.**
- 3. Carry out frank and objective national studies documenting the full extent of forced displacement, the protection and other challenges facing uprooted populations, and the impact on hosts.**
- 4. Ensure protection and durable solutions are integral to peace and reconciliation processes.**
- 5. Approaches to solutions must be comprehensive in nature**
- 6. National authorities and development actors need to give priority to investing in zones and communities impacted by the presence of refugees and displaced people.**
- 7. Share burdens and responsibilities predictably on the basis of an agreed game plan.**
- 8. Build coalitions tapping the expertise and resources of the United Nations, regional organizations and civil society players, including the private sector.**

Lessons from the International Conference on Central American Refugees - CIREFCA



University for Peace



José Riera-Cézanne

Adjunct Professor

Department of International Law and Human Rights

University for Peace

upeace.org | +506 2205-9000