Call to Action:
Protection Needs in the Northern Triangle of Central America

UNHCR
Discussion Paper (Draft)
A Proposal for a Strategic Regional Response

I. Introduction

The High-Level Roundtable 'Call to Action: Protection Needs in the Northern Triangle of Central America' is being convened by the Organization of American States (OAS) and the Office of the United Nations High Commissioner for Refugees[1] (UNHCR) in support of concerned countries that are seeking to establish a more strategic and systematic response to increasing protection needs. Hosted by the Government of Costa Rica and supported by the Central American Integration System (SICA), the Roundtable will gather relevant stakeholders to consider and agree upon a series of responses to the most urgent needs of refugees and displaced people from the Northern Triangle of Central America (NTCA) in countries of origin, transit and asylum. While acknowledging multiple causes of displacement in and from the NTCA, the Roundtable will focus mainly on forced displacement linked to the increasing power and violence of, and human rights violations perpetrated by, organized criminal groups. Particular attention will be paid to protection challenges faced by concerned States and the support from the international community.

This discussion paper provides an overview of the magnitude of the situation, including main protection risks (section III); analyses challenges in ensuring effective protection mechanisms and comprehensive solutions responses (section IV); and offers recommendations for developing a strategic regional response framework (section V).

II. Objectives of the Roundtable

The Roundtable will promote the development of regional responses, building on a common appreciation of the opportunities and challenges of this particular situation, along the following lines of action:

- Ensuring that prevention, protection and solutions are embedded within comprehensive efforts to address root causes of displacement, including existing national and regional strategies;
- Reinforcing existing prevention and national protection response mechanisms in countries of origin – including strengthening welfare institutions for children and women and Ombudsperson's Offices – to mitigate the effects of internal displacement and respond to growing numbers of returnees with protection needs;
- Addressing the protection needs of populations at risk of and during displacement, taking into account the magnitude and patterns of displacement and profiles of displaced persons;
- Implementing identification and referral mechanisms, adequate reception arrangements, alternatives to detention, and access to refugee status determination procedures in countries of asylum for those in need of international protection;
- Responding to the specific protection needs of children, women, lesbian, gay, bisexual, trans-gender and inter-sex (LGBTI), indigenous and afro-descendant asylum-seekers and refugees, as well as those with disabilities;
- Enhancing regional cooperation and partnerships to implement responsibility-sharing arrangements to address the humanitarian impact of displacement.

The Roundtable will focus on three populations: (1) internally displaced persons; (2) asylum-seekers and refugees, including those in transit; and (3) returnees with protection needs.

III. Protection situation

The countries of the NTCA – El Salvador, Guatemala and Honduras – presently face similar challenges. While economic challenges have been long-standing, recent years have seen a dramatic escalation in the acute violence of organized criminal groups that is driving increased forced displacement both within, and from, these countries.

A. Origins, magnitude and scale of the protection situation

The NTCA countries have recently experienced some of the highest homicide rates ever recorded.[2] While a rate above 10 intentional homicides per 100,000 people per year is classified as 'epidemic', in Guatemala, homicide rates have reached 30 - 40 in recent years.[3] In Honduras the homicide rate peaked at over 90 in 2011-2012,[4] and reached 103 in El Salvador in 2015.[5] In short, the violence in the NTCA is an increasing factor, leading to forced displacement.[6]

Violence hotspots exist both in urban and rural zones of the NTCA countries. Between 2011 and 2014, San Pedro Sula was the most violent city of over 300,000 people in the world, with a homicide rate of 171.2 in 2014.[7] New analysis ranked San Salvador, as the one of the most violent cities in the world in 2015, with a homicide rate of 199.3.[8] Many other cities in NTCA countries also register extreme homicide rates,[9] as do certain rural zones.[10] Homicide victims are principally male and young,[11] although El Salvador and Honduras also have the highest rates globally of homicides of children/adolescents and of women, and the highest rate of 'femicides' (brutal gender-based killings of girls and women), with most killings occurring outside the home.[12]

Yet homicides are only one facet of the wave of violence in the NTCA countries. Sexual violence is also prevalent, with the overwhelming majority of victims being girls between the ages of 10 and 19 years.[13] Forced disappearances, forced recruitment into gangs, forced prostitution and the trafficking of girls and women for sexual exploitation have also been reported as part of the pattern of violence.[14] Physical violence is accompanied by coercion and threats, including the violent extortion of money, goods and services that is a pervasive feature of daily life for many.[15]

A principal driver of the violence is the increasing aggression and spread of powerful street gangs. Each NTCA country is now estimated to be home to tens of thousands of gang members.[16] Since the 1990s, most of the gangs have evolved in terms of power structure and now live from extortion and, increasingly, the local sale of drugs to fund their organized activities. Many are affiliated to rival transnational gang structures. The gangs are localised in mostly poor urban areas, where they control territory and population through the ever-present threat of violence. Well-armed rival gangs fight for territorial control, and engage in hostilities with the State, assassinating police and military personnel.

Particularly in rural zones, the violence is also driven by the activities of sophisticated smuggling rings linked to the international drugs trade. These well-resourced structures draw in businessmen and landowners, and reportedly have significant influence in the security forces, judiciary and politics. In strategic drug-trafficking zones, particularly in Honduras and Guatemala, such groups buy the support of local inhabitants and are reported to bribe local authorities to secure protection for their activities. Violence is used to resolve disputes

between such groups, and also against local inhabitants who refuse to collaborate with them. Recent successes by the NTCA authorities in dismantling some groups have reportedly generated increasing violence in certain areas.[17]

The present situation in the Northern Triangle derives also from the insufficient protection response of the authorities in the face of rising criminal violence. Some argue that in spite of the implementation of enhanced security strategies, the levels of violence remain high and the gangs extend their power.[18] Alleged corruption of State officials is also considered to be widespread and exacerbates a lack of trust among victims.[19] There are also reports that members of the security forces have participated in extrajudicial killings and abuse of citizens.[20]

B. Persons affected, profiles and main protection risks

The increasing violence in the three NTCA countries affects a diverse range of persons, pushing them to flee their homes and even to seek international protection. Profiles of affected persons include:[21]

- Persons perceived by a gang or other organized criminal groups as resisting its authority
- Children and youths with certain profiles or in specific circumstances
- Women and girls with certain profiles or in specific circumstances
- Individuals of diverse sexual orientations and/or gender identities
- Human rights defenders and other social and political activists
- Journalists and other media professionals, especially those working on organized crime
- Judges, prosecutors and attorneys, especially those investigating organized crime
- Teachers and educators working in public schools and educational institutions
- Former members of the police and armed forces
- Persons in professions or positions susceptible to extortion
- Informants, witnesses and victims of crimes
- Family members, dependants of gang members or other organized criminal groups
- Inhabitants of areas where gangs operate and others perceived to be affiliated with a gang
- Gang and criminal 'traitors' and former members
- Members of indigenous, Afro-Honduran and peasant communities involved in land disputes
- Returnees with certain profiles
- Family members, dependants of persons with the above profiles

The violence and human rights violations experienced by NTCA citizens with these profiles drive their displacement as (1) internally displaced persons; (2) asylum-seekers and refugees, including those in transit; and (3) returnees with protection needs.

1. Internally displaced persons (IDPs)
Forcible internal displacement due to the violence in the NTCA appears on the rise, even if data remain fragmentary. In just 20 of over 300 municipalities in Honduras, the government identified 174,000 people displaced due to violence, *i.e.* IDPs represent some 4 per cent of the population.[22] In El Salvador, 2.1 per cent of interviewees in a national survey had changed residence in the country due to threats or other violence in just one year (2012), a figure that rose to 4.6 per cent for 2014.[23] Even in Guatemala, violence was reported to be the main reason for 7 per cent of present-day internal migrations.[24]

This increasingly significant dynamic of forced internal displacement is largely urban-urban in character.[25] The displacement of entire families with their children is common, and IDPs are evenly split according to gender.[26] Most IDPs are almost invisible victims of the violence, lone individuals and families who leave their communities discreetly and keep a low profile to avoid drawing the attention of their persecutors.[27] The displacement of whole communities *en masse* has also been reported.[28]

IDPs often experience multiple, serial displacements. For instance, in El Salvador, a third of those displaced in 2012 had two or more displacements in that single year,[29] and almost 2 per cent of those displaced in 2014 had *six or more* displacements in that year alone.[30] One reason for this is that IDPs often have little choice but to relocate to areas that are also controlled by gangs, such that their protection problems keep recurring.[31] There is also increasing rejection of IDPs, who are denied entry by many host communities fearing gang infiltration. Moreover, the fact of displacement usually brings substantial economic losses as IDPs leave behind their source of income and housing, often to the gangs.

Each displacement exacerbates a downward spiral in living conditions for IDPs. Compared to non-displaced households, IDP households have less access to housing and stable and formal jobs; have lower access to education; suffer greater overcrowding and health problems; and struggle to cover basic needs.[32] Displaced poor children and women are especially vulnerable to sexual and other violence.[33] The lack of safe and viable livelihood options pushes some IDPs to leave their countries.[34] Of returnees who left El Salvador due to the violence, a quarter had earlier been displaced internally.[35] For some, the experience of internal displacement is thus but a staging post to leaving the country.[36]

A comprehensive understanding and acknowledgement of internal displacement by all stakeholders is critical for the adoption of legal and institutional frameworks for the provision of protection and solution responses to IDPs.

2. Asylum-seekers and refugees, including those in transit
NTCA citizens affected by the dynamics of violence are increasingly fleeing their countries to seek international protection, particularly in bordering and nearby countries. In 2015, approximately 55,797 asylum applications were lodged by NTCA citizens, nearly double the number lodged in 2014 (29,288), which was already nearly double that lodged in 2013 (15,584). The number of asylum applications lodged by NTCA citizens in 2015 represents an 881 per cent increase in the number of annual applications by NTCA citizens just one decade ago (5,688).[37]

The majority of applications were lodged in the United States of America (USA), where the total number of asylum claims by NTCA citizens increased nearly 50 per cent between 2005 (3,947) and 2010 (5,886), and then increased nearly eight times between 2010 and 2015 (49,557). In Mexico and Costa Rica, the number of asylum-seekers from the NTCA also increased dramatically between 2011 and 2015; likewise, there has been an increase in the number of claims in Belize, Canada, Nicaragua, and Panama,[38] which trend is expected to continue in 2016-2017.

The numbers of NTCA citizens recognized as refugees is equally increasing globally and regionally. By the end of 2015, approximately 31,897 NTCA citizens were recognized as refugees, a 41 per cent increase over 2014. The majority of the NTCA refugee population is in the USA, with a significant and increasing presence in Mexico and Costa Rica, and smaller populations present in Belize, Canada, Guatemala, Nicaragua, and Panama. The need for international protection is increasingly acknowledged by national decision-makers in North and Central America, where the average recognition rate in substantive decisions on NTCA asylum claims was 56 per cent in 2015, compared to 39 per cent in 2014.

Many asylum claims are lodged by adults. However, since 2011 the southern border of the USA has also seen a surge in unaccompanied child arrivals from the NTCA countries, many of whom claim asylum. UNHCR interview data from 2013 indicates that 40 per cent of the children from the NTCA countries claim to have left because of societal violence: 66 per cent for El Salvador; 44 per cent for Honduras; and 20 per cent for Guatemala. Moreover, 23 per cent of the children mentioned domestic violence as a relevant factor.[39] A study of unaccompanied NTCA child arrivals in Mexico confirmed violence and insecurity as the principal reasons for flight by both boys and girls.[40]

Persons fleeing NTCA countries due to violence and insecurity often move irregularly, which exposes them to additional protection risks. In some countries, NTCA citizens in need of international protection face considerable challenges accessing asylum procedures, especially owing to inadequate reception arrangements and conditions of detention. Others may not know of their right to claim asylum, or fear to do so, and end up transiting or staying in countries irregularly or under less-protective immigration law provisions.[41] In these scenarios, vulnerable persons face increased risks of detention, serious human rights violations, and *refoulement*.

Among those fleeing are growing numbers of women and girls, and unaccompanied and separated children. These groups can be particularly vulnerable to sexual assault, human trafficking, and other protection risks during displacement. The violence of organized criminal groups toward NTCA citizens transiting countries in the region is well-documented. Moreover, the capacity of certain NTCA gangs and organized criminal groups to act transnationally generates a risk of continuing persecution for NTCA asylum-seekers and refugees. In some societies, protection risks also continue for certain profiles of refugees, such as LGBTI persons and indigenous populations, among others.

Against this background, there is an increasing recognition by many stakeholders that the regional migration context has now become primarily a forced displacement situation, where refugees may account for half of the population on the move.

3. Returned persons[1]
A large number of NTCA citizens seeking to enter Mexico or the USA are apprehended by the authorities and returned to the NTCA by land or by air. In 2015, 234,561 deportations took place to the NTCA, reportedly mainly from Mexico and the USA.[42] This is nearly a twofold increase compared to 2011 figures. The figures for deportations per country were as follows: 106,488 to Guatemala; 75,875 to Honduras; and 52,198 to El Salvador.[43]

Many returnees left the country with the help of a '*coyote*' or smuggler, to whom a large sum of money has been paid. Following return to their country of origin and regardless of existing risks, most returnees insist on departing again, perpetuating a cycle of displacement. Despite migration control measures being implemented in countries of origin, transit and asylum, many people are reportedly leaving their countries on multiple occasions.

An increasing number of returnees with protection needs have been identified and documented in countries of origin. In 2015, 42 per cent of adult returnees to El Salvador reported having left the country due to violence in society.[44] Among child returnees, 59 per cent of boys and 61 per cent of girls reported gangs and violence as their primary reasons for leaving El Salvador.[45] In Honduras, a large proportion of the returnees in reception centres are persons affected by violence, some of whom are unaccompanied children.[46]

Many returnees who fled violence fear returning to their neighbourhoods and then become IDPs.[47] Yet some returnees remain identifiable by gang members near the reception centres

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[1] These include persons who return to their countries of origin either voluntarily or involuntarily.

and elsewhere, and some returnees have been killed by gangs shortly after return. Returnees also face social stigma and a precarious future in their countries as they have depleted their resources in their many attempts to leave, in countries of asylum, or in transit.[48] Within their communities and families, child returnees in particular – and especially girls – can face greatly increased stigma, domestic abuse and poverty on return, as well as a risk of kidnapping for money that gangs assume has been earned while abroad.[49]

IV. Challenges in ensuring effective protection and solutions responses

Across Central and North America, a range of measures is being developed in countries of origin, transit and asylum to respond to the risks posed by the current NTCA protection situation to IDPs, asylum-seekers and refugees, and returnees. For each group, this Section briefly identifies challenges in protection information management systems, protection and assistance mechanisms, and partnerships and coordination practices used by governments, international organizations and civil society.[2] It then identifies the areas where targeted action can enhance effective and comprehensive responses to the protection challenges facing each group. A set of recommendations is presented to facilitate the identification of prioritized responses by respective stakeholders.

A. Internally displaced persons

The three NTCA governments have committed to a range of security and development measures to address the root causes of violence and displacement, including through the regional 'Alliance for Prosperity' Plan (APP).[50] These measures do not, however, address either the immediate humanitarian consequences or the long-term development impact of widespread forced internal displacement.

The challenges posed by extensive forced displacement are increasingly recognized by NTCA governments. Yet the lack of comprehensive data about where IDPs are located, their needs and protection issues, has impeded the development of a protection response, and no NTCA government has yet created a population data system for IDPs. Measures to address the urgent protection risks faced by IDPs therefore remain at a nascent stage of development. The countries in the region have not yet adopted laws or policies specifically recognizing the rights of IDPs[51]; defined policies for achieving solutions; identified responsibilities and governance structures; or allocated national budgets to the issue. The analysis of the issue at the regional level is yet to be harmonized.

Coordination on internal displacement at both country and regional levels among stakeholders has been limited to date. Cooperation on migration control measures remains the main focus in the region, with internal and external displacement largely absent from regional accords such as the APP and not yet a priority for the UN system or other international bodies.

Recommendations on areas requiring enhancement

In relation to IDPs, the following protection responses are proposed:

- Mapping of IDP populations in some countries through the conclusion of the studies currently being conducted in cooperation with the governments and the Academia.

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[2] For each of these protection areas and for each population, examples of protection and assistance practices being used or developed by governments, international organizations and/or civil society organizations in the region are listed in Annex.

- Official recognition by NTCA governments of the IDP situation and its potentially significant adverse impact on national development efforts if left unattended.
- Development of robust information gathering and profiling systems for IDPs in each country, with an emphasis on improving understanding of the IDP situation and the protection response required, as well as identifying priority areas for development interventions for IDPs and host communities.
- Development of national laws and/or policies to strengthen IDP assistance, protection and solutions in each country, based on humanitarian and development principles and an approach that is sensitive to age, gender and diversity (AGD).[52]
- Designation of an institutional focal point within each government to coordinate efforts on internal displacement; liaise with UN agencies, other international organizations and NGOs; and promote access to communities.
- Enhancement of resilience of the most affected populations, children and women in particular, through a focus on sustainable human development.
- Strengthening national protection mechanisms, particularly those in charge of the welfare of women and children, and promoting the exchange of good practices.
- Development of a regional 'safety net' to ensure that IDPs and others at heightened risk in each country are identified and assisted as appropriate, including the establishment of transit centres in nearby countries pending resettlement or humanitarian evacuation.
- Development of an ongoing regional training and support programme for government and NGO partners on protecting displaced persons, potentially through the proposed Human Rights Observatory on Displacement in SICA.
- Promotion of substantial technical and financial support for these areas of activity as a priority issue within the wider UN system, international banks (such as the World Bank and Inter-American Development Bank), and international community engaged in the region.
- Enhancement of effective engagement with development actors and others to ensure a comprehensive response towards forced displacement and the humanitarian and development challenges faced by IDPs.
- Further strengthening of security and justice institutions and the rule of law to improve security conditions and reduce levels of violence and impunity and address their root causes.
- Development of sustainable protection and solutions-centred strategies and interventions to respond adequately to the specific needs of the displaced population.
- Development of confidence-building measures to promote understanding between IDPs and host communities.
- Continuity of basic civil registration mechanisms, particularly the issuance of birth certificates to IDPs as a means to prevent statelessness.
- Promoting policy dialogue through regional organizations to identify regional responses (or coordinated responses) to the protection situation.

B. Refugees and asylum-seekers, including in transit

All Central and North American States are parties to the 1951 Refugee Convention and/or its 1967 Protocol (CSR) and have national asylum systems.[53] Some have also adopted broader refugee criteria under the 1984 Cartagena Declaration.[54] While this legal and institutional framework is relatively robust, challenges remain in ensuring its full implementation and in fostering cooperation on international protection among countries of origin, transit and asylum. Such cooperation is important to ensure access to international protection, and that migration control measures are consistent with the identification of those in need of international protection.

On reception conditions and access to asylum, there is a need to recognize the international protection element underpinning displacement across borders in the NTCA, and to ensure that border management strategies are pursued in a protection-sensitive manner and in accordance with international refugee and human rights law. In particular, this would mean that asylum-seekers can access asylum procedures, and that they have access to suitable reception conditions. At present, asylum-seekers are often subjected to interception measures and immigration detention. Most of the other reception arrangements (shelters) are run by faith- and community-based organizations with UNHCR support.

In regard to refugee status determination (RSD) and other protection practices, in a number of asylum and transit States, national asylum systems face serious capacity challenges due to the increase in asylum claims, as well as shortages of resources and budget cuts. Some national asylum authorities face challenges in applying the CSR refugee definition to organized criminal violence in the NTCA countries. The Cartagena refugee definition is rarely applied. Free, quality legal aid and representation is very limited and not available to the majority of asylum-seekers in the region. Furthermore, best interests determination procedures are not consistently applied in the case of children seeking asylum.

In terms of solutions, voluntary repatriation is not feasible for NTCA refugees in the short- to medium-term. With a few exceptions, such as Costa Rica, countries of asylum do not provide support for local integration of refugees. Large third-country refugee resettlement programmes exist in the USA and Canada, and smaller ones in certain Latin American States, but with few NTCA beneficiaries.

Partnerships and coordination among government institutions, UNHCR and civil society on asylum and refugee issues are relatively well-developed, especially in relation to children, although some actors continue to view displacement in the NTCA as driven principally by migration-related motivations, with less attention to the refugee dimensions.

Recommendations on areas requiring enhancement

Generally in relation to asylum-seekers and refugees, the following protection responses are proposed:
- Recognition by governments, NGOs, the wider UN system and other international organizations of the increasing refugee dimension that now prevails.
- Promotion of national legal frameworks for asylum that are separate from frameworks governing migratory issues.
- Reinforcement of asylum systems in the main countries of transit and asylum, including increasing the presence of national asylum authorities beyond capitals and especially in border zones.
- Enhancement of an AGD approach across asylum systems (*e.g.* child protection/best interests determination procedures; sexual and gender-based violence (SGBV); and LGBTI).
- Promotion of a strong refugee orientation in the protection and assistance work of civil society organizations in countries of transit and asylum, especially outside capital cities and along both new and traditional migration routes used by asylum-seekers.
- Inclusive engagement of the wider UN system, in particular UNICEF and UN Women, as well as the ICRC, IOM, and other international actors in the region.
- Enhanced coordination with Consulates in the region for the identification and referral of potential asylum-seekers to legal aid providers and RSD procedures, and support for the establishment of a regional network for this purpose, in light of the characteristics of this protection situation.

Specifically on **reception conditions and access to asylum**, the following protection responses are proposed:

- Respect for the principle of *non-refoulement*, to ensure persons seeking international protection have access to territory and are not rejected at the border in any manner.
- Strengthened access to fair and efficient asylum procedures, including information on how to access asylum and additional safeguards in expedited deportation processes.
- Adequate reception arrangements and humanitarian assistance for asylum-seekers, including legal and psychological support for unaccompanied children, adolescents and LGBTI persons.
- For unaccompanied and separate children seeking asylum, implementation of best interests determinations, appointment of guardians, and access to legal representation.
- Promotion of alternatives to immigration detention for asylum-seekers based on individual assessments and as a means to reduce the burden on public resources.
- Full implementation of profiling, screening, identification and referral mechanisms (*e.g.* Regional Conference on Migration regional guidelines) for persons in need of international protection in main countries of transit and asylum, especially in border entry points.
- Development of protection networks engaging relevant stakeholders to better identify, refer, document and respond to protection and assistance needs of persons of concern in countries of transit and asylum, as well as to undertake regular monitoring and evaluation.

Specifically on **RSD and other protection practices**, the following protection responses are proposed:

- Temporary expansion of national asylum institutions to deal with the current sizeable increase in NTCA asylum applications, especially in border areas of asylum countries, including the possibility of creating mobile RSD units (as in *registro ampliado* in Ecuador).
- Streamlining asylum procedures in NTCA claims to maximise use of scarce resources, *e.g. prima facie* or similar accelerated refugee recognition for certain profiles of NTCA claims.
- Expanding provision of legal aid and assistance for certain NTCA profiles, including through promoting *pro bono* asylum law clinics at universities, law firms, and community-based organizations such as shelters.
- Creation of community-based paralegals (*promotores legales comunitarios*), in particular in remote border areas, to ensure access to asylum and support well-informed decisions by those in need of international protection.
- Development of regionally harmonized guidance, to assist national decision-makers adjudicate asylum claims lodged by citizens of the NTCA countries with the benefit of comprehensive Country of Origin Information (COI).
- Application of the Cartagena refugee definition, where included in national legislation, to certain NTCA profiles.
- Consideration of alternative domestic law group-designation protection arrangements for other at-risk profiles of NTCA citizens, such as Temporary Protected Status (TPS) in the USA, complementary protection in Mexico, and/or humanitarian status in Canada.

Specifically on **solutions**, the following responses are proposed:

- Strengthen local integration capacity for refugees and asylum-seekers in countries of asylum, by addressing the legal, economic, civil-political and socio-cultural dimensions of local integration as a solution; including livelihoods and urban refugee

programming, and explore new integration partnerships with local authorities, the private sector, local businesses, and educational centres.
- Establish a 'safety net' system to ensure that NTCA citizens at heightened risk in countries of transit and first asylum are identified and assisted as appropriate.
- In a spirit of solidarity and responsibility-sharing, expansion of targeted resettlement programmes for NTCA refugees at risk in countries of first asylum by countries in the region and beyond.
- Promotion of resettlement of at-risk NTCA refugees via the private sponsorship programme in Canada, and its potential use as a model by other countries in the region.
- Enhancement or streamlining of the in-country process for NTCA children, and the adoption of other such in-country humanitarian programmes by relevant countries in the region.
- Promotion of family reunification for unaccompanied refugee children and development of alternative pathways for reunification of other children, where found to be in their best interests.
- Consider creating, expanding and facilitating access to complementary pathways to protection and solutions for refugees, both within and beyond the region, in cooperation with relevant partners including the private sector where appropriate including through family reunification, skilled migration, labour mobility schemes, scholarships and education mobility schemes.

C. Returnees with protection needs

The numerous deportations to NTCA countries have prompted in counties of origin the adoption of measures intended to assist in the identification of returnees with protection needs. Official registration systems managed by NTCA government authorities are the primary source of population data on returnees. However, the diversity of participating institutional actors and of systems (i.e. adults vs. children) can result in gaps and discrepancies in statistics on returnees. Assessing the scale and demographic characteristics of returnees with protection needs therefore remains a challenge, as does the identification of individuals with such needs.

State-run reception centres for returnees exist, although measures for protection or assistance to returnees with protection needs are generally limited. As a result, State institutions often refer unaccompanied children and victims of SGBV to faith-based and civil society organizations.

Governments have mostly worked with UNHCR and other international organizations in developing identification, documentation, referral and follow-up mechanisms for returnees with protection needs. Reintegration programmes are needed, particularly as regards to access to documentation, education, health, housing, livelihoods, as well as the monitoring of the security and well-being of returnees.

Recommendations on areas requiring enhancement

In relation to returnees with protection needs, the following responses are proposed:
- Deportation procedures for those not in need of international protection should be conducted in a safe and dignified manner.
- Enhance integrated data systems on returnees, including with indicators to enable the identification, tracking, referral and follow-up of those with protection needs.

- Development of State-based assistance and protection mechanisms for returnees with protection needs, taking due account that many face the risk of internal displacement.
- Enhancement of AGD-sensitive approaches across these systems (child protection, SGBV, LGBTI), including the undertaking of best interests determination for unaccompanied/separated children.
- Strengthening consular capacities of NTCA countries to identify individuals with potential international protection needs in the context of deportation procedures and contribute to preventing instances of *refoulement*.
- Ensuring that border enforcement procedures are consistent with international refugee law norms and standards and reflect due respect for human rights.
- Implementation of comprehensive legal and socio-economic reintegration programmes.

V. Towards a strategic regional response framework

The transnational character of the violence and criminal activity afflicting this sub-region of Central America, the resulting deteriorating conditions, and the widespread protection risks for IDPs, asylum-seekers, refugees and returnees demand a collective, strategic and region-wide response.

A. Principles for developing a strategic regional response framework

The proposed strategic regional response framework for the NTCA would build upon the 2014 *Brazil Declaration and Plan of Action* (BDPA), which underlines the importance of international cooperation and responsibility sharing arrangements to find regional solutions to the protection situation in the NTCA. Chapter Four of the BDPA expresses international solidarity with the NTCA countries in seeking and implementing solutions. The proposed regional response also takes into account the 'Alliance for Prosperity' Plan (APP).

The proposed regional response is also consistent with the United Nations *2030 Agenda for Sustainable Development*,[55] which recognizes the importance of addressing forced displacement as part of sustainable development and promises to 'leave no one behind'.[56] The proposed regional response framework should therefore advance national development priorities aimed at achieving the Sustainable Development Goals, as well as sub-regional development strategies, in particular the regional 'Alliance for Prosperity' Plan (APP). This is also in line with the report of the United Nations Secretary-General, "*In safety and dignity: Addressing Large movements of refugees and migrants*," issued in preparation for the high-level plenary meeting of the UN General Assembly on addressing large movements of refugees and migrants, to be held on 19 September 2016.[57]

As part of responsibility sharing arrangements, States are encouraged to commit at national and regional level to undertake the following to support such regional protection responses:
- Contribute to the comprehensive refugee response in collaboration with all relevant actors.
- Define contributions to the comprehensive refugee response in a timely manner.
- Mobilize financial resources to cover the humanitarian needs identified, to address refugee needs and reinforce the national institutions and communities that support them.
- Find solutions for refugees, including by:
  i. Approaching solutions in a comprehensive way that recognizes that a solution has legal, economic, social and cultural, and political and civil dimensions;

ii. Investing in reintegration, reconciliation and reconstruction, to enable refugees to return home voluntarily, in safety and dignity once conditions are conducive for returns;
iii. Providing resettlement places or other complementary pathways for admission stay and exit from countries in the region;
iv. Providing meaningful opportunities for local integration.

- Provide access to basic services, in particular health, education, and support for livelihood opportunities, for both refugees and host communities.[58]
- Explore opportunities to coordinate, harmonize and share experiences / good practices on protection and responses with other States and stakeholders.

B. Proposed core elements of a strategic regional response framework for the NTCA

This proposed strategic regional framework comprises national as well as regional elements: (1) actions to be taken at the national level by countries of origin, asylum and transit, the UN system and international organizations; and (2) mechanisms at the regional level to integrate and reinforce these actions.

1. National-level elements

An effective and comprehensive response to the regional protection situation requires implementation at the national level of the proposals in Section IV above. In this regard, the primary responsibility for undertaking such national-level actions lies with the governments of countries of origin, asylum, and transit, with appropriate support from the UN system and other international organizations, as well as in close coordination with civil society.

Proposed core elements - Countries of origin:

(1) Analyze and address root causes of violence and displacement
(2) Develop, initiate and maintain IDP/returnee information systems
(3) Raise awareness of internal displacement and the IDP system nationally
(4) Identify priority zones for humanitarian/development interventions for IDPs and host communities
(5) Design and implement IDP protection systems, including through the adoption of relevant laws and policies
(6) Develop protection mechanisms for returnees, linked to the IDP system
(7) Ensure continuity of basic civil registration mechanisms
(8) Build understanding and confidence between IDP and host communities
(9) Improve coordination on IDP/returnee protection with relevant stakeholders

Proposed core elements - Countries of asylum and transit:
(1) Improve access to fair and efficient asylum procedures, including via profiling tools
(2) Extend scope of humanitarian assistance and improve reception arrangements
(3) Establish permanent programmes to allow alternatives to detention to be regularly implemented
(4) Expand presence of asylum system and streamline protection procedures
(5) Strengthen local integration opportunities, and inclusion of refugees and others of concern in national systems, including via development interventions

Proposed core elements - UN system and other international organizations:

(1) Develop and coordinate protection networks with range of local stakeholders

(2) Provide technical and financial support to governments to implement actions, including through supporting governments to develop comprehensive protection and solutions strategies

(3) Promote and support increased engagement by civil society (shelter, legal and other advice, etc.)

(4) Promote legal reforms / harmonization of procedures and legal frameworks

Proposed core elements – Civil society organizations and Academia:

(1) Continue to raise awareness about the plight of IDPs, asylum-seekers and refugees, and returnees with protection needs from and in the NTCA and neighbouring countries, including through protection networks for the identification and referral of persons in need of protection

(2) Support protection responses and solutions for IDPs, asylum-seekers and refugees, and returnees with protection needs in coordination with other stakeholders

2. Regional cooperation elements

An effective and comprehensive protection and solutions response to the situation requires the development of regional cooperation and responsibility-sharing mechanisms to complement, coordinate and strengthen actions taken at the national level.

This regional framework of cooperation and responsibility-sharing mechanisms would include the following core elements that encompass both bilateral and regional initiatives and among countries in the region and with the wider international community, keeping in mind the differentiated protection needs of the populations affected.

Proposed core elements – Regional cooperation:

(1) Development of Human Rights Observatory on Displacement at SICA as regional centre for gathering displacement data and analysing patterns and profiles, sharing best practices, and coordinating regular training for government and NGO partners.

(2) Development of regional-level guidance to assist national decision-makers in determining asylum claims from citizens of the NTCA countries in light of comprehensive COI and to establish common positions on profiles with *prima facie* claims to refugee status.

(3) Establishment of a regional humanitarian 'safety net' system to ensure IDPs at heightened risk in countries of origin are identified, assisted and/or evacuated as appropriate, including establishing transit centres in nearby countries pending resettlement.

(4) Development of further regional responsibility-sharing mechanisms for this protection situation, *e.g.*:
- Expanded quotas for third-country resettlement by relevant countries in the region (and beyond) for designated profiles of NTCA refugees in countries of first asylum.
- Resettlement of at-risk NTCA refugees via private sponsorship programmes as a regional model to be adopted by relevant affected countries.
- Adoption of an extended humanitarian evacuation programme for certain NTCA profiles on a bilateral or wider regional basis.
- Regional agreement on other protection mechanisms that could serve as a temporary mechanism for expanding admission of refugees.

(5) Enhanced coordination with Consulates in the region for the identification and referral of persons in need of protection and for the establishment of a regional network for this purpose, in light of the characteristics of this regional situation.

(6) Integration of a specific focus on the needs of displaced persons in existing cooperation mechanisms between affected countries relating to migration and development, e.g. APP, and with the international community.

(7) Integration of responses to the specific protection needs of children, women, LGBTI, indigenous populations well as those with disabilities.

A coordination function will be needed to support such regional arrangements for the benefit of displaced persons and affected countries. UNHCR is ready to play this role, which would include the following:

- Coordinating protection efforts at the regional level, in close consultation with affected governments, while contributing to the development of comprehensive system-wide protection strategies and regional advocacy efforts.
- Engaging with regional development actors and others to ensure a comprehensive response towards forced displacement and its humanitarian impact.
- Ensure attention to this issue in regional fora, *e.g.* UN Regional Working Group, RCM, OAS Commission on Migration Affairs (CAM), etc.
- Promote increased engagement by the wider UN system, in particular by UNICEF and UN Women, and also by ICRC, the International Organization for Migration (IOM) and other international actors.
- Enhance coordination with civil society and host communities.
- Adopt a regular monitoring and evaluation mechanism in coordination with affected States and with other interested State as invitees.
- Work with affected countries, multilateral development banks (MDBs) and the international community to secure funding.

This regional response framework might serve as an example of the type of comprehensive response plans called for by the UN Secretary-General to address large movements of refugees and other forcibly displaced persons.

Annex

Examples of protection practices in the region

For the risks posed by the NTCA protection situation to (A) IDPs, (B) asylum-seekers and refugees, and (C) returnees with protection needs, Section IV identifies challenges in (1) protection information management systems, (2) protection and assistance mechanisms, and (3) partnerships and coordination practices. For each area, this Annex – to be read in conjunction with Section IV – provides specific examples of protection and assistance practices currently being used or developed by governments, international organizations and/or civil society organizations in the region.

A. Internally displaced persons

1. Protection information management system

- In Honduras, an IDP profiling study carried out in 2014 by the government, with technical assistance from the Joint IDP Profiling Service (JIPS) and UNHCR, produced important data on the scale, characteristics and needs of the IDP population in 20 key municipalities.[59]
- In El Salvador, an IDP profiling study led by the government is currently being carried out by FLACSO (Latin American Social Sciences Institute), with the support of UNHCR.
- In Guatemala, an exploratory academic study on IDPs conducted by Rafael Landivar University, with the support of UNHCR, has commenced its initial phase.
- In general, UNHCR is identifying options to monitor new population displacements through local protection networks, secondary information systems, and case management systems in civil society organizations and Ombudspersons' offices.
- In the NTCA countries, IOM is designing a regional information system for monitoring population flows (including internal displacement) at the municipal level.
- At regional level, the 2014 Brazil Declaration and Plan of Action (BDPA) proposes a Human Rights Observatory on Displacement in SICA.[60]

2. Protection and assistance mechanisms

- In El Salvador:
  - ➤ the 'Plan El Salvador Seguro' (PESS or Safe El Salvador Plan) – a national policy to improve security and a channel for the regional 'Alliance for Prosperity' Plan (APP) – proposes to design/apply a permanent IDP register or census;
  - ➤ the PESS proposes to create Inter-Agency Assistance Centres for Victims of Violence in 15 municipalities, with a special emphasis on assistance and protection to victims of displacement;
  - ➤ the Human Rights Ombudsperson's office in 2014 developed Standard Operating Procedures (SOPs) for identifying and documenting IDP cases, with those indicating heightened risk referred to the NGOs participating in the Round Table on Forced Displacement (RTFD) for assistance;
  - ➤ NGOs participating in the RTFD are key players in raising awareness of IDP issues and providing psychological, legal and protection (shelters) services to a few IDPs cases at heightened risk, ;
  - ➤ two NGOs have developed faith-based basic regional protection mechanisms to evacuate specific cases of IDPs at heightened risk and help them seek asylum abroad.

- In Guatemala:
  - ➢ church-based organizations have provided assistance to the displaced. Certain civil society organizations also provide assistance to IDP children in shelters;
  - ➢ some NGOs address the impact of displacement from the perspective of children, facilitating access to high-risk areas through programmes aimed at education, health, and the generation of livelihoods.
- In Honduras:
  - ➢ a 2013 presidential decree created the Inter-Agency Commission on Persons Internally Displaced by Violence as a national focal point;
  - ➢ the criminalization of forced displacement is being discussed in Congress, as part of recognition of the phenomenon of forced displacement by the government.
- A Protection Transfer Arrangement (PTA) is being negotiated that would allow evacuation for high-risk profiles from NTCA countries to a transit country for the purpose of onward processing to resettlement countries.
- An exchange of experiences on internal displacement has been facilitated by UNHCR for Ombudspersons' Offices in Honduras and El Salvador with the Colombian Public Defender's Office.
- At regional level, the 2014 BDPA recognized the protection situation in the NTCA and proposed a prevention programme.

3. Partnerships and coordination practices

- In NTCA countries:
  - ➢ UNHCR is expanding its presence and coordinates with government and State institutions and with NGO partners, providing support and technical advice on IDP issues;
  - ➢ UNHCR (co-)leads existing UN Protection Working Groups and is promoting the creation of new such Groups where they are not yet established. It collaborates closely with UNICEF in raising protection issues specific to IDP children as well as with UN Women and UNFPA for the protection of affected women.
- NTCA governments coordinate informally with some NGOs on IDP protection and assistance.
- In El Salvador, the UN System has developed a Joint Support Plan for the 'Plan El Salvador Seguro', UNHCR is assisting with an IDP profiling study by the government and strengthening IDP shelters run by civil society groups.[61]
- The UN Development Assistance Framework (UNDAF) for Honduras aims to support the design of IDP laws and strengthen IDP protection mechanisms.
- The European Union supports an expanded UNHCR regional presence, as well as an NGO in El Salvador that provides psychological, legal and protection services to at-risk IDPs.
- At regional level:
  - ➢ the APP serves as a platform for NTCA governments to address underlying security challenges and includes a chapter on Assistance to Victims;
  - ➢ the Central American Council of Human Rights Ombudspersons in 2015 called on NTCA governments to protect IDPs in their countries.

B. Refugees and asylum-seekers, including those in transit

1. Protection information management system

- In Costa Rica, UNHCR has undertaken new profiling of NTCA asylum-seekers and refugees, identifying new integration challenges and opportunities associated with those profiles.
- In Mexico, UNICEF and UNHCR have supported national asylum authorities in elaborating a protocol to assist in identifying unaccompanied children with international protection needs, to be issued in 2016.
- In Panama, NRC with the support of UNHCR is working with the government to improve data collection, in particular disaggregated data on asylum-seekers.
- In the USA, the national authorities have worked with UNHCR to enhance capacity to identify and refer unaccompanied and separated children with potential international protection needs when they are detained at or near the US border.
- The Regional Conference on Migration (RCM) adopted guidelines on vulnerable migrants that can be used as a profiling and referral tool for persons needing international protection and is drafting regional guidelines on the treatment and protection of unaccompanied children.

2. Protection and assistance mechanisms

Reception conditions and access to asylum:
- In Belize:
  - ➢ UNHCR and the immigration authorities have conducted joint public awareness events in remote border communities to educate the population about the process for applying for asylum;
  - ➢ UNHCR and its civil society partners provide cash-based and food assistance to recently arrived asylum-seekers, provide shelter to vulnerable women and children, and provide information and counselling on how to access asylum procedures in the country.
- In Costa Rica and Mexico, the increasing UNHCR field presence in border areas is instrumental in ensuring the provision of legal assistance and shelter upon arrival in the territory, and access to asylum procedures and documentation.
- In Guatemala:
  - ➢ UNHCR has supported NGO partners in developing a protection and monitoring network that can identify and refer cases in need of protection;
  - ➢ UNHCR and other international organizations provide humanitarian assistance and advice on access to asylum to displaced persons and persons in transit who may be in need of international protection, mainly through a network of shelters in the capital, north and west of the country.
- In Mexico:
  - ➢ the immigration and refugee authorities are implementing a pilot 'alternatives to detention' (ATD) initiative that is to benefit certain categories of detained asylum-seekers;
  - ➢ in the southern part of the country where no other organizations provide humanitarian assistance, UNHCR field offices increased cash-based assistance, which has led to a drop in abandonment/withdrawal rates (3 per cent as opposed to 30 per cent for the general asylum-seeking population);
  - ➢ some shelters have specific gay and transgender-friendly accommodation and UNHCR has supported the construction of a first shelter exclusively dedicated to asylum-seeking families.
- In Panama, UNHCR and its partners provide shelter and cash-based assistance to vulnerable asylum-seekers and refugees.
- In the USA, the national authorities have expanded the options for ATD for adults and families seeking asylum, including more community-based, case management-style arrangements.

- At regional level, the 2014 BDPA proposed the creation of a Safe and Dignified Transit programme for the benefit of NTCA citizens with protection needs in countries of transit.

RSD and other protection practices:
- UNHCR is producing detailed Eligibility Guidelines to assist decision-makers in determining claims by NTCA citizens, including those fleeing criminal violence, and in the interpretation of the Cartagena refugee definition. Guidelines on El Salvador have been published, with those on Honduras and Guatemala due to be released in 2016.[62]
- Quality Assurance Initiatives (QAI) implemented in Costa Rica and Mexico have contributed to improve recognition rates for refugees, reduced waiting times for first instance decisions and improved first and second instance decision-maker coordination.
- In Belize, the asylum authorities are developing new standard operating procedures to improve access to asylum and fair RSD procedures under domestic refugee law.
- In Costa Rica, as part of the QAI, government decision-makers undertook COI visits to NTCA countries which were instrumental in providing them first-hand information on the prevailing security and protection situation in countries of origin. This experience has been replicated by Mexico through a visit to El Salvador.
- In Mexico:
  - the RSD authorities are drafting an Eligibility Manual that is envisaged to improve the legal interpretation of claims, including those by NTCA citizens fleeing criminal violence;
  - the authorities created a special prosecutors unit that is equipped and dedicated to investigating and prosecuting crimes committed against migrants, asylum-seekers and refugees, and which includes a special mechanism to receive complaints from victims and their family members abroad, in countries of origin;
  - UNHCR has organized technical workshops for legal practitioners and asylum adjudicators, aimed at promoting and facilitating the legal interpretation of the Cartagena refugee definition, focusing on the situation in NTCA countries;
  - UNHCR is supporting the authorities in producing, as required by law, relevant, reliable and regularly-updated COI reports, contributing to the efficient processing of asylum claims.
- In Panama:
  - the QAI has resulted in an improvement in the quality of legal analysis and decision-making in asylum cases and progress towards finalizing a protocol for the identification and referral of asylum-seekers;
  - UNHCR and its partners have developed a protocol for identifying and responding to vulnerable cases using the Heightened Risk Identification Tool (HRIT).
- In the USA, the US authorities provide funding for NGOs to conduct legal orientation for many detained asylum-seekers and for the guardians of unaccompanied and separated children, so that they can better understand the asylum system and other forms of protection. The authorities also provide some funding for legal representation for unaccompanied and separated children in removal proceedings.
- At regional level:
  - the Central American Council of Human Rights Ombudspersons has called on governments to apply the Cartagena refugee definition to persons fleeing the NTCA;
  - the Inter-American Commission on Human Rights has issued reports on Unaccompanied Minors in the USA and Violence, Children and Organized

Crime, and adopted precautionary measures for asylum claims by NTCA citizens fleeing organized crime;[63]
  - ➢ the 2014 BDPA referred to the applicability of the Cartagena refugee definition in the context of the NTCA protection situation.

Solutions:
- In Canada, the special resettlement programme targeting 25,000 vulnerable Syrian refugees, launched and implemented in 4 months (from November 2015 to February 2016) by the Government, with referrals from UNHCR and private sponsorship by local communities in Canada might serve as an example for other regions, including the protection situation in NTCA and neighbouring countries.
- In Costa Rica:
  - ➢ UNHCR has undertaken special outreach efforts to address the challenges for local integration posed by the changing profile of refugees and asylum-seekers, including by undertaking studies on this population to design more accurate and responsive projects to ease local integration and locating families in areas bordering with Nicaragua that may require international protection but are unaware of their right to seek asylum;
  - ➢ UNHCR improved two-way communication with refugees to counter the lack of information that hinders local integration, including by developing mobile outreach teams to visit refugee homes, a mass media sensitization campaign, a two-way text-message communication system, and a special website, mobile app and digital information stands.
- In Mexico, a small-scale resettlement programme for vulnerable refugees is being piloted, specifically for LGBTI individuals and unaccompanied children with family in the USA.
- In Panama:
  - ➢ UNHCR and its partners facilitate local integration through assistance with documentation, education and micro-credit loans to launch small businesses;
  - ➢ the government amended the law so that refugee and asylum-seeking children could enrol in school regardless of their documentation.
- In the three NTCA countries, the USA has an in-country processing programme for children who (barring alienage) would fulfil the criteria for refugee status or humanitarian parole into the USA and have a parent or guardian who is lawfully present in the USA.
- At regional level, the 2014 BDPA proposed priority resettlement for NTCA citizens under the Latin American 'Solidarity Resettlement Scheme'.

3. Partnerships and coordination

Reception conditions and access to asylum:
- In Costa Rica, a Multifunctional Team (MFT) on SGBV prevention and response – comprised of NGOs and government officials – works with UNHCR and counterparts in NTCA countries to ensure early identification of persons in need of international protection.
- UNHCR is providing support to many of the shelters run by NGOs along the southern border of Mexico.
- In Guatemala and Belize, UNHCR is increasing its support to shelters run by NGOs.
- In Mexico:
  - ➢ UNHCR and UNICEF have strengthened their dialogue with the immigration and RSD authorities and the specially-mandated child protection agency in order to coordinate improved attention to the protection needs of asylum-seeking and refugee children, including the implementation of regular best interests determination procedures;

- - UNHCR has intensified support to the networks of shelters providing basic assistance to migrants and asylum-seekers, sharing information materials on asylum and building their capacity to expand access to asylum along travel routes throughout the country.
- In Panama:
  - A protection roundtable has been established to improve the access to banking services and travel documents, and other legal needs identified in the Participatory Assessment;
  - A working group has been created to jointly assess and develop responses to vulnerable cases using the HRIT.
- In the USA:
  - the government has regular formal engagement meetings with civil society to discuss topics relating to gaps and developments in protection, including the detention of asylum-seekers, ATD, protection of unaccompanied and separated children and asylum adjudication. UNHCR participates in these meetings with 'observer' status;
  - the authorities have facilitated access for UNHCR to engage in monitoring efforts to look at conditions of detention and at access to protection for unaccompanied and separated children, and for adults and family units in accelerated procedures.
- Consuls from certain NTCA countries have sometimes played an important role in countries of transit and asylum in advising their citizens on their right to seek asylum, assisting with access to asylum procedures and reception sites, and other protection issues.
- At regional level, the UN Regional Protection Working Group, which supports UN Country Teams at country level, has focused recently on the protection of unaccompanied children.

RSD and other protection practices:
- UNHCR undertakes capacity building and provides technical advice to national authorities, in particular on child protection and RSD throughout the region. In the last year, UNHCR has opened new offices and increased its protection staff in Belize, El Salvador, Guatemala, Honduras, and Mexico, to serve this end.
- The Government of Canada is coordinating efforts to re-launch the Americas Chapter of the International Association of Refugee Law Judges (IARLJ). A judge from the Canadian Federal Court has assumed the Chair of the Americas Chapter.
- In Mexico:
  - a UNHCR-promoted cooperation work plan between Mexican asylum authorities and adjudicators in Canada and the USA reinforces RSD capability;
  - UNHCR has supported the creation of a university legal clinic to bolster legal aid responses in Mexico City and to provide learning opportunities as well as technical support to the emerging network of lawyers working in shelters and community-based organizations;
  - UNHCR has coordinated with asylum authorities to deliver a series of training sessions to Consuls of the NTCA countries.
- The USA, in coordination with UNHCR, deploys asylum officers to Belize on an ongoing basis to provide RSD support to the asylum authorities and has regularly included Belizean officials in its USCIS (US Citizenship and Immigration Service) training programme for new refugee and asylum officers.
- UNHCR facilitated a joint COI mission to El Salvador for the governments of Belize and Costa Rica in 2015 and is seeking to establish a partnership with the two countries for the ongoing sharing of information and good practices related to asylum.

- UNHCR facilitated a joint COI mission in El Salvador within the implementation of the USA-Canada-Mexico capacity building project in April 2016. Officials from the governments of USA, Canada and Mexico participated in the mission.
- Salvadorian Consuls have been coordinating informally with NGOs in El Salvador to secure relevant documentation from home for asylum-seekers in asylum and transit countries.
- In Panama, UNHCR builds capacity within the government through regular training and support to ONPAR (National Office for Assistance to Refugees) lawyers, as well as technical support to the National Refugee Commission.

  Solutions:
- In Costa Rica, UNHCR has worked directly with local authorities and the private sector to facilitate local integration, as well as with development and educational organizations to allow refugees and asylum-seekers to access loans to start or further develop their own business.
- In Mexico, UNHCR and partners in Mexico City and other parts of the country continue to reach out to the private sector in order to expand integration opportunities for refugees.
- In the USA:
  ➢ there is a robust civil society that is highly engaged in efforts to address protection gaps regionally. NGOs advocate for preserving the asylum space both domestically and in the region;
  ➢ the authorities and NGO partners offer integration support services for resettled refugees and, to a lesser extent, for asylum-seekers;
  ➢ the Refugee Congress – a group bringing together refugees from across the country (assisted originally by UNHCR) – has been an effective mechanism to engage the broader refugee population and to enhance advocacy efforts on behalf of all refugees.

C. Returnees with protection needs

1. Protection information management system

- In El Salvador, an information management system on child returnees allows those with protection needs to be referred to protection programmes in their areas of return (see below).
- In Honduras:
  ➢ the Social Sector National Information Centre (CENISS) registers information on all returned Hondurans, including the reasons for leaving. The system allows identification of returnees with protection needs and tracking of specific cases;
  ➢ an identification mechanism for returnees with protection needs has been established with UNHCR's technical support.

2. Protection and assistance mechanisms

- In El Salvador, inter-institutional SOPs were created to refer child returnees with protection needs to local protection centres in their areas of return that provide them with legal and psychosocial assistance and coordinate protection services locally. In 2015, two pilot centres started providing services to returned children with protection needs, including those who became IDPs after return, as well as assisting with relocation.

- In Guatemala, UNHCR is supporting community-based child protection mechanisms in selected municipalities, involving communities, local, and indigenous authorities.
- In Honduras, specific SOPs were created and piloted as from 2015 to identify cases of adult and child returnees with protection needs.

3. Referrals, partnerships and coordination

- In El Salvador, the UN system has developed a joint Support Plan for PESS. UNHCR is assisting with an IDP profiling study led by the government.
- In Honduras, *Casa Alianza* and UNHCR worked on the protection of children at risk in coordination with DINAF [Direction for Childhood, Adolescence and the Family)] in 2015.
- In the NTCA countries, the European Union has supported UNHCR in developing studies on returnees with protection needs in 2014.

Endnotes

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1 UNHCR is entrusted by the United Nations General Assembly with responsibility for providing international protection to refugees and others of concern, and together with Governments, for seeking solutions for their problems. *UN General Assembly, Statute of the Office of the united Nations High Commissioner for Refugees*, 14 December 1950, A/RES/428(V), http://www.refworld.org/docid/3ae6b3628.html; See also, UNHCR, *Policy Framework and Implementation Strategy: UNHCR's Role in Support of an Enhanced Humanitarian Response to Situations of Internal Displacement*, 9 February 2007, available at: http://www.unhcr.org/46641fff2.html. See also, UNHCR, *The Protection of Internally Displaced Persons and the Role of UNHCR*, 27 February 2007, available at: http://www.unhcr.org/50f951df9.html.

2 United Nations Office on Drugs and Crime (UNODC), *Global Study on Homicide 2013: Trends, Contexts, Data*, 10 April 2014, https://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf, p. 126. This is the most recent comparative study available and uses national data from up to 2012.

3 Ibid, p. 126.

4 In 2011, Honduras recorded 7,104 intentional homicides, giving it a rate of 91.4 homicides per 100,000 inhabitants for that year. In 2012, Honduras recorded 7,172 intentional homicides, producing a rate of 90.4 homicides per 100,000 of population in that year. See UNODC, *Global Study on Homicide 2013: Trends, Contexts, Data*, 10 April 2014, https://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf, p. 126. The exact homicide figures are the subject of disagreement and dispute between different Honduran national entities. The official figures released by the government thus differ from those released by the National Observatory on Violence (*Observatorio Nacional de la Violencia*) of the University Institute on Democracy, Peace and Security (*Instituto Universitario en Democracia, Paz y Seguridad*, IUDPAS) of the Autonomous National University of Honduras (*Universidad Nacional Autónoma de Honduras*, UNAH), despite the fact that the latter uses figures provided by the National Police, including its State Office of Forensic Medicine (*Dirección General de Medicina Forense*). As the figures and analysis released by the UNAH National Observatory on Violence tend to be more complete and transparent, they will be used here preferentially, except where otherwise indicated.

5 La Prensa Gráfica, *El Salvador con más homicidios en C. A.*, 3 January 2016, http://www.laprensagrafica.com/2016/01/03/el-salvador-con-mas-homicidios-en-c-a.

6 The extreme homicide rates in El Salvador and Honduras appear to exceed even the rates of 'violent deaths' - i.e. homicides + direct conflict deaths - in countries presently experiencing armed conflict (with the exception of Syria). See, for example, Geneva Declaration on Armed Violence and Development (GDAVD), *Global Burden of Armed Violence 2015: Every Body Counts*, October 2015, Chapter Two, http://www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3_Ch2_pp49-86.pdf.

7 See Consejo Ciudadano para la Seguridad Pública y la Justicia Penal, *For the Fourth Consecutive Year, San Pedro Sula is the Most Violent City in the World*, 20 January 2015, http://www.seguridadjusticiaypaz.org.mx/lib/Prensa/2015_01_20_seguridad_justicia_y_paz-50_most_violent_cities_2014.pdf.

8 El Faro, *La ciudad más violenta del mundo*, 26 January 2016, http://losblogs.elfaro.net/cronicasguanacas/2016/01/la-ciudad-m%C3%A1s-violenta-del-mundo.html.

9 See, for example, the homicide figures for cities in the annual bulletins produced by IUDPAS-UNAH and available here: http://www.iudpas.org/boletines/boletines-nacionales.

10 See, for example, the homicide figures for rural areas in the annual bulletins produced by IUDPAS-UNAH (ibid). In some smaller Salvadorian municipalities, a murder rate of over 300 has been recorded. See Fundaungo, *Atlas de la violencia en El Salvador (2009-2012)*, November 2013, http://fundaungo.org.sv/pdf/2014/Atlas_de_violencia.pdf, p. 99.

11 UNHCR, *Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from El Salvador* (hereafter '*El Salvador Guidelines*'), March 2016, http://www.refworld.org/docid/56e706e94.html, p. 8. Between 2010 and 2015, the proportion of homicide victims for each year who are male has not dropped below 90%. See figures in the annual bulletins produced by UNAH and available here: http://www.iudpas.org/boletines/boletines-nacionales.

12 UNHCR, *El Salvador Guidelines*, pp. 8-9; Geneva Declaration, *Global Burden of Armed Violence 2015*, October 2015, Chapter Three, http://www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3_Ch3_pp87-120.pdf, pp. 97 and 109. This is certainly suggested by the fact that for 2013 (the latest year for which gender disaggregated data is available on this point) – of the cases of female homicides where the location of death was known – 82% (403 of 494) were carried out in the street. IUDPAS-UNAH, 'Resultados del análisis enero-diciembre 2013', *Boletín Muerte Violenta de Mujeres y Femicidios*, No. 8, June 2014, http://www.iudpas.org/pdf/Boletines/Genero/MMEd08EneDic2013.pdf, p. 6-9.

13 For each year between 2010 and 2015, females were overwhelmingly the victims of sexual violence, representing between 84.7% and 92.6% of reported cases in the respective year. The vast majority of these female victims were in the age range 10 to 19 years. See figures in the annual bulletins produced by IUDPAS-UNAH and available here: http://www.iudpas.org/boletines/boletines-nacionales.

14 UNHCR, *El Salvador Guidelines*, pp. 8-9. La Tribuna, *Más de 1,200 mujeres están desaparecidas*, 3 December 2014, http://www.latribuna.hn/2014/12/03/mas-de-1200-mujeres-estan-desaparecidas/; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf, pp. 25-26; United States Department of State, *2015 Trafficking in Persons Report - Honduras*, 27 July 2015, http://www.refworld.org/docid/55b73be7c.html.

15 UNHCR, *El Salvador Guidelines*, p. 9; La Prensa, *"Imperios de la extorsión" están en Honduras y El Salvador*, 1 July 2015, http://www.laprensa.hn/honduras/854572-410/imperios-de-la-extorsi%C3%B3n-est%C3%A1n-en-honduras-y-el-salvador; La Nación, *El infierno del 'impuesto de guerra' de los pandilleros en Honduras*, 13 June 2015, http://www.nacion.com/mundo/centroamerica/Honduras-Teguciglapa-Centroamerica-impuesto-pandillas_0_1493250773.html; Tiempo, *La Extorsion Abarca Esferasin Inimaginables en Honduras,* 2 March 2016, http://www.tiempo.hn/la-extorsion-abarca-esferas-inimaginables-en-honduras/; El Nuevo Diario, *Maras quiebran los pequeños negocios en Honduras*, 13 May 2015, http://www.elnuevodiario.com.ni/internacionales/359903-maras-quiebran-pequenos-negocios-honduras/; El Heraldo, *La extorsión ataca chicleras y pulperías*, 7 April 2014, http://www.elheraldo.hn/metro/587187-213/la-extorsion-ataca-chicleras-y-pulperias; El Heraldo, *Extorsiones en capital de Honduras generan desplazamientos internos*, 7 April 2014, http://www.elheraldo.hn/sucesos/619934-219/extorsiones-en-capital-de-honduras-generan-desplazamientos-internos; La Prensa, *Con cámaras de seguridad y trancas se cuidan mareros en Honduras*, 25 August 2013, http://www.laprensa.hn/especiales/328419-273/con-c%C3%A1maras-de-seguridad-y-trancas-se-cuidan-mareros-en-honduras; La Prensa, *Extorsiones dejan al año L1,200 millones a mareros en Honduras*, 7 May 2013, http://www.laprensa.hn/especiales/328424-273/extorsiones-dejan-al-a%C3%B1o-l1200-millones-a-mareros-en-honduras;

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