

# Consultation Meeting of Latin America and the Caribbean as a Regional Contribution to the Global Compact on Refugees

Brasilia, 19-20 February 2018

## Concept Note

### Introduction

On 19 September 2016, Member States of the United Nations, in adopting the New York Declaration for Refugees and Migrants, reaffirmed their commitment to the international protection of refugees. They also recognized the importance of creating a framework of predictable and sustainable support and responses to crises that affect both refugees and host communities. This framework, based on a shared responsibility system, will be streamlined in the Global Compact on Refugees, to be adopted in 2018, in New York.

Since the 1984 Cartagena Declaration, Latin American and Caribbean countries have been working together and in solidarity to seek sustainable solutions to protect refugees, displaced persons and stateless persons. As a follow up to the Cartagena Declaration, essential regional frameworks have been adopted, including the 1994 San Jose Declaration on Refugees and Displaced Persons, the 2004 Declaration and Plan of Action of Mexico to Strengthen International Protection of Refugees in Latin America, as well as the 2014 Brazil Declaration and Plan of Action on International Protection and Sustainable Solutions for Refugees, Displaced and Stateless Persons in Latin America and the Caribbean.

As a way of assessing the implementation of the Brazil Plan of Action, the countries of the region held national consultation meetings and took part in four sub-regional consultation meetings. Next February, in Brasilia, the United Nations High Commissioner for Refugees (UNHCR) will present its preliminary report on the first three years of implementation of the Brazil Plan of Action, based on these consultations. The report will highlight best practices, challenges, recent improvements, and the overall high level of protection already established among countries of Latin America and the Caribbean.

### **International Protection of Refugees, Displaced and Stateless Persons in Latin America and the Caribbean**

Granting asylum for refugees and protecting human rights is a longtime tradition in Latin America and the Caribbean. Standards of protection, both in legislation and in governance, are generally high. Nevertheless, countries of the region still face challenges in fully implementing effective protection mechanisms for displaced persons, in particular regarding access to asylum, the quality of procedures for determining refugee status, access to dignified and sustainable livelihoods, effective enjoyment of fundamental rights, and the achievement of durable solutions for persons of concern.

The Cartagena Declaration is a non-binding regional instrument adopted in 1984, as the result of a Colloquium on International Protection of Refugees in Central America, Mexico and Panama, held in Cartagena de Indias, Colombia, which focused on legal and humanitarian issues that affected Central American refugees. Firmly grounded on the region's tradition of granting asylum, it reiterates important norms and principles of International Refugee Law and establishes a series of recommendations aiming to achieve durable solutions for those in need of international protection. Moreover, the Cartagena Declaration provided an extended refugee definition, which several countries have adopted in their national legislations.

Countries of the region reaffirmed the relevance of the Cartagena Declaration on its tenth anniversary. In 1994, they adopted the San Jose Declaration on Refugees and Displaced Persons, which also refers to the need to address the situation of internally displaced persons. In 2004, the twentieth anniversary of the Cartagena Declaration resulted in the adoption of the Declaration and Plan of Action of Mexico to Strengthen International Protection of Refugees in Latin America. This regional instrument reiterated fundamental principles of protection and, for the first time ever, introduced a regional plan of action, with innovative programmes of solidarity for the international protection of refugees.

In 2014, in Brasilia, the region adopted the Brazil Declaration and Plan of Action. The Brazil Plan of Action defined guidelines, to be implemented until 2024, to respond to the new challenges of international protection, bearing in mind the need for durable solutions in favour of refugees, asylum seekers, displaced and stateless persons in Latin America and the Caribbean. Chapter Eight of the Brazil Plan of Action sets forth how States will present their evaluations and follow-up reports on the document. UNHCR will prepare three-year progress reports on the priority programmes chosen by each State. Based on these reports, UNHCR will submit a final document at the end of the duration of the Plan of Action.

### **The New York Declaration and the Global Compact on Refugees**

Given the global situation affecting millions of displaced persons around the world, it is important to promote greater understanding among countries in Latin America and the Caribbean, so that their successful experiences, principles, values, and cooperation efforts feed into the future Global Compact on Refugees. The New York Declaration includes, in its Annex I, the Comprehensive Refugee Response Framework (CRRF), which contains what Member States have agreed are the elements for a more equitable and predictable sharing of international responsibilities for those forced to flee.

The implementation of the CRRF encompasses, among others, previously established practices and principles laid out in several regional initiatives which culminated in the 2014 Brazil Declaration and Plan of Action, consolidating the region's solidarity and responsibility-sharing progress during the last three decades in refugee matters and drawing up a roadmap for the next 10 years.

The New York Declaration calls upon UNHCR to initiate the application of the framework to a range of situations and, in consultations with Member States and relevant stakeholders, tasks the High Commissioner with developing a Global Compact on Refugees. UNHCR foresees that the Global Compact on Refugees will consist of two parts: (i) the CRRF as contained in annex I to the New York Declaration; and (ii) a Programme of Action, which will underpin the CRRF, to ensure its implementation and to share more equitably the responsibility for implementing it.

### **Sub-Regional Consultation Meetings**

As requested by States, UNHCR started in 2017 the triennial evaluation of the Brazil Plan of Action through the holding of sub-regional meetings prioritizing specific thematic programmes.

Deepening the priorities highlighted in Chapter 4 of the Brazil Plan of Action, five States of Central America (Honduras, Guatemala, Belize, Costa Rica and Panama) and México adopted the San Pedro Sula Declaration and agreed to working on the implementation of the Comprehensive Regional Protection and Solutions Framework (MIRPS), presented as a regional application of the CRRF and contribution to the Global Compact on Refugees.

The second meeting, held in Buenos Aires on 2-3 November 2017, discussed two programmes of the Brazil Plan of Action: Quality of Asylum and Eradication of Statelessness. The third sub-regional meeting, held in Quito on 13-14 November 2017, focused on Comprehensive, Complementary and Sustainable Solutions, in particular local integration, with the participation of municipalities that have adopted best practices in this programme.

The last regional meeting was held in Nassau, Bahamas, on 5-6 December 2017, as the second edition of the Caribbean Migration Consultations (CMC). On the occasion, participants revised the programme of Solidarity with the Caribbean region.

### **Scope and Purpose of the Regional Meeting and Expected Results**

In Latin America and the Caribbean, as mentioned above, many of the goals articulated in the Brazil Plan of Action mirror those of the New York Declaration. The Brasilia event will provide States with the opportunity to jointly reflect how the lessons and practices from the implementation of the Brazil Plan of Action can contribute to the Programme of Action of the Global Compact on Refugees.

The meeting will have the following main objectives: 1) compile a list of good practices and commitments from the region; 2) collectively look forward and reflect “Solidarity in Action”, including a discussion on how to further operationalize the commitments adopted to develop more predictable regional and global responsibility-sharing mechanisms; and 3) present recommendations that will serve as contributions of the region to the Global Compact on Refugees. A declaration is expected to be adopted by participants by the end of the meeting.