



COUNTRY OPERATIONS PLAN

**Country/Region: Northern South America and
Panama**

Planning Year: 2004

UNHCR REGIONAL OFFICE FOR NORTHERN SOUTH AMERICA AND PANAMA

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2004

PART I: EXECUTIVE COMMITTEE SUMMARY

a) Context and Beneficiary Population(s)

I. Introduction and Context

The operations of UNHCR's Regional Office for Northern South America and Panama, located in Caracas, Venezuela, are principally focused on providing access to international protection for the victims of the Colombian conflict in the neighbouring countries of Ecuador, Venezuela, Panama and Peru.¹ The Regional Office (hereby ROVEN or RO) carries out its work within a context of continuous violence in Colombia. The current Colombian Government, under the leadership President Alvaro Uribe Velez, has stepped up its campaign against Colombia's irregular groups² in an effort to rid the country of the violence that has characterised it for nearly forty years. Clashes between the different armed actors, especially noteworthy since 2002, have intensified causing the highest rates of Colombian external displacement thus far recorded by UNHCR in the Andean region. Due to the intermingling of victims of the conflict with armed actors and common delinquents, the victims of forced displacement are increasingly met by military build-ups at key border crossing points. The security agenda of the country of origin and the countries of asylum are increasingly overshadowing humanitarian considerations and forcing UNHCR to work in an ever more hostile environment.

President Alvaro Uribe Velez, since assuming power in August 2002, has called on neighbouring countries to actively pursue irregular armed groups that have crossed the border to seek resting places. Reality has shown that none of the neighbouring countries is immune to the presence in their territory of armed illegal actors. The neighbouring countries have also become, at times, part of the battlefield as armed actors cross the borders and attack civilian populations.³ It is noteworthy that the presence of armed irregular groups, present in 74% of the Colombian territory, is especially strong along Colombia's borders. In light of this, neighbouring countries are increasingly concerned

¹ The Regional Office also has under its responsibility Surinam and Guyana.

² Classified as terrorist groups by the US State Department, the EU, and the Colombian Government.

³ Refer to January 2003 attacks on indigenous communities in Punusa (El Darien province, Panama), as well as ongoing incursions in the Rio de Oro area (Zulia State, Venezuela).

about the regular and constant spill over of the Colombian conflict into their territories. Incursions by armed groups, rising crime, insecurity, drug-trafficking and a continuous influx of Colombian victims escaping the conflict are reported in all the neighbouring countries. Within this context, the RO's focus is necessarily on border regions, where UNHCR beneficiaries are most highly concentrated.

The situation in Colombia, which is not expected to considerably improve through 2004, is coupled with an increasingly worrisome deterioration in all the neighbouring countries in the political, social and economic areas, irrespective of the conflict in Colombia. The political situation in Venezuela, which hosts 58 refugees, 1,875 asylum-seekers and 12,920 persons of concern, continues to be the region's biggest question mark. Ecuador's new government, inaugurated in January 2004, is facing considerable internal strife in its first months of governing, which led to the dissolution of the governing coalition in July 2004, although it has shown disposition to maintain a liberal refugee policy. Ecuador is the country in Northern South America that continues to receive most of asylum requests from Colombians⁴. At September 2003, Ecuador hosted 4,955 refugees, 4,438 asylum-seekers and 5,261 persons of concern, most of them Colombians. Panama, officially host to 1,573 refugees and 107 asylum-seekers⁵, is characterised by political struggles and difficulties in attaining adequate space for effective governance, will be in full campaign mode in the lead up to the May 2004 elections and security concerns are likely to top the campaign agendas of all the candidates. Nevertheless, UNHCR's efforts will concentrate on assuring that humanitarian considerations are not left off the agenda when tackling national security concerns. In Peru, the government of Alejandro Toledo (2001-2006) will likely continue to face intense internal opposition, making his task of governing difficult. However, his government will remain keen on demonstrating to the international community the advances made towards democratisation and a state of law.

II. UNHCR's Role

Within the framework of a situation approach to the Colombian conflict, ROVEN aims to provide protection and seek solutions for refugees, asylum-seekers and persons of concern⁶ in neighbouring countries. Despite a number of constraints presented by the volatile regional environment described above, UNHCR is making progress in improving national refugee legislation and strengthening institutional protection frameworks in the main countries of asylum. UNHCR is also working to strengthen protection networks with Church, NGO partners and UN sister agencies at the regional level. During the remainder of 2003 and throughout 2004, ROVEN will seek to foster a regional vision of the protection and assistance to be afforded to the civilian victims of the Colombian conflict, which will enable ROVEN to take into consideration the similar needs of persons of concern in all the host communities of the neighbouring countries. A regional

⁴ Figures as at August 2003.

⁵ Figures as at August 2003.

⁶ For the purpose of this document, the use of the term "persons of concern" is used to refer to those populations that for one reason or another have not formally applied for asylum, but lives in refugee-like situations and have fled Colombia for reasons of persecution or generalized violence.

vision will also permit UNHCR to present its programme before the donor community with a consistent and coherent strategy and plan of activities.

ROVEN's strategy in 2004 will continue to try to advance in the following three areas in a complementary and parallel manner:

- a) Ensure the right to seek asylum and have access to assistance in border areas;
- b) Consolidate the national legal framework in Venezuela, Ecuador, Panama and Peru;
- c) Develop and strengthen protection networks, especially in border areas;

III. Protection Issues

In Ecuador, Panama and Peru, UNHCR's main task is to improve existing institutional frameworks. Three key areas will be focussed on in 2004: 1) Improving eligibility mechanisms; 2) Ensuring documentation (for all members of the family, including women and children); 3) Guaranteeing the rights of refugees and asylum-seekers, especially the right to work.

Two years after the official approval of the Basic Refugee and Asylum Law, the Venezuelan Government formally published the regulations required for the implementation of the law in August 2003. The regulations outline the procedures that shall regulate the entry and stay of asylum-seekers in Venezuela. The Government also formally nominated the Refugee Commission, whose work will include RSD in agreement with national and international principles, and the definition of policies and programmes to effectively deal with the country's refugee situation.

By the end of 2003, a regional study to assess the dimension and characteristics of the population of "persons of concern" in Ecuador, Venezuela and Panama will be completed. The information provided by the study will enable ROVEN to adapt the region's protection framework to more effectively meet the needs of the Colombian victims of the conflict living in neighbouring countries during 2004. This will include, but is not limited to, formally registering these populations and seeking to ensure the rights they are entitled to by international and national law. It will also include directing community projects to those localities where the refugee population is located.⁷ ROVEN will continue to ensure in 2004 that community projects include women in their design and implementation, as well as meet the special needs of vulnerable populations.

With regards to durable solutions, UNHCR is in a difficult position at the present time to actively promote voluntary repatriation as the situation within Colombia continues to worsen and much of the same is predicted for 2004. Nevertheless, there are some cases where the situation does enable UNHCR to support this durable solution, but this option

⁷ Community projects are being implemented since 2003; modifications will be made in the target populations should the assessment demonstrate that more acute needs are in other places.

is evaluated on a case by case basis, always ensuring that the refugee is fully informed of the situation in their hometown. Local integration is a more viable solution at the present time. Community projects and micro-credit schemes aim to promote this solution. As for resettlement, since January 2003, a resettlement unit with regional coverage was opened in Quito, Ecuador to facilitate this durable solution for the most needy cases, especially those who continue to face threats to their personal security in the country of asylum. As of September 2003, this unit had referred 196 individuals for resettlement and during 2004, this programme will be further consolidated.

IV. Security Situation

The security situation in the neighbouring countries has become progressively worse over recent months, mirroring the increased levels of violence within Colombia following the collapse of the peace process in February 2002. Statistics regarding common crimes, homicides and kidnappings have sharply risen along the length of the borders where UNHCR's most important work is carried out.

Most Colombian refugees, asylum-seekers and persons of concern are located in border regions such as Darien (Panama) Sucumbíos, Carchi and Esmeraldas (Ecuador), and the Venezuelan states of Tachira, Apure, Zulia and Amazonas. The levels of insecurity in all these locations has considerably increased over the past several months, making the security of UNHCR's beneficiaries, implementing partners and staff an ever more prominent concern. The situation is not expected to improve in 2004.

V. Overview of each beneficiary population

The dramatic widening and worsening of Colombia's conflict has affected particularly Colombia's border departments with Ecuador, Panama, Venezuela and Peru. Human rights violations and generalised conflict have entailed forced displacement on a larger scale of individual cases and small groups to border areas of neighbouring countries, often within traditional population movements across permeable borders, where they mingle with local population. Likewise, the number of individual cases from Colombia arriving in larger urban centres has considerably increased, albeit on a smaller scale than the caseload in border areas. The refugee population for 2004 is expected to have much the same characteristics as in the present.

Most of the victims of Colombia's conflict seeking protection in border areas of neighbouring countries fulfil the elements of the refugee definition of the 1951 Convention or the 1984 Cartagena Declaration. The vast majority of Colombians in need of protection in border areas are women and children from rural areas, of mestizo or African descent with only very basic education. Equally, indigenous groups (Baris in Venezuela, Kichwas and Kofanes in Ecuador and Emberas and Kunas in Panama) constitute a significant part of the rural population of UNHCR concern and their social characteristics add to the complexity of the overall caseload.

Refugees and asylum-seekers in urban areas have traditionally been mostly educated, middle-class persons who arrive on an individual basis and who originate from urban areas. The composition of the urban caseload, however, is changing as increasingly asylum-seekers with the characteristics described in the above paragraph are gravitating towards urban centres away from border regions. This phenomenon has recently been on a sharp rise in Ecuador, where the number of asylum-seekers in Quito, Santo Domingo de los Colorados and Guayaquil has substantially increased since 2002. This trend is expected to increase during 2004. The reasons for fleeing the country are common to both urban and rural populations: in most cases death threats, targeted persecution and /or indiscriminate massacres by guerrilla groups or paramilitaries are being reported.

VI. Linkages to other countries within a defined “situation”

RO Venezuela works in close coordination with the Branch Office in Bogotá (COLBO) in formulating joint strategies for the treatment of internal and external displacement. UNHCR’s policies in the Colombian conflict reflect the fact that the problem of forced displacement of victims of the conflict, whether internally or into neighbouring countries, comes from the same root causes. Since 2001, both ROVEN and COLBO have established a number of small offices in the field. Constant coordination between the field offices in Colombia and in the neighbouring countries has been instrumental in coordinating an effective response to protection needs in border areas.

VII. Capacity and presence of implementing partners

ROVEN has concentrated significant efforts since 2002 in strengthening and expanding implementing arrangements to reach a more significant portion of the population of concern. Nevertheless, civil society and NGOs are in general weak in the bordering countries and have little experience in dealing with issues of human rights and humanitarian concerns. ROVEN has focussed its efforts on identifying and building the capacities of implementing partners and is beginning to enjoy the fruits of these labours.

The main UNHCR implementing partners are Church-related organizations. The association of UNHCR with the Catholic Church is strategic in the sense that it grants UNHCR access to strong national networks that are already well-established, thus enforcing UNHCR’s credibility among the receiving communities. In addition, the partnership with the Church allows UNHCR to leverage their already existing capacity with regards to human rights issues, as the latter incorporate refugee issues to their agendas. The regional encounter with Bishops organized by UNHCR and held in March 2003 has reinforced our partnership and the Church’s position as a strong advocate for the victims of the Colombian conflict.

VIII. Presence and role of other UN agencies and international organizations and coordination efforts

Important operational arrangements have been made with major international organisations and NGOs, including the Germany Cooperation Agency (GTZ), the

International Organisation for Migration (IOM), the International Red Cross and Red crescent (ICRC), Project Counselling Service (PCS), Catholic Relief Service (CRS), OXFAM, Médecins sans Frontières (MSF) and Comitato Internazionale per lo Sviluppo dei Popoli (CISP). The purpose for establishing operational arrangements is to strengthen the presence of humanitarian actors in the most affected regions at the border and implement complementary projects for refugees.

During 2003, one of ROVEN's main work objectives will be to strengthen interagency coordination in favour of Colombia refugees. Already, in Ecuador and Panama UNHCR is carrying out projects together with other UN agencies. During 2003, coordination in Venezuela will be enhanced and a regional comprehensive multi-agency approach to the humanitarian aspects of the Colombian conflict in the neighbouring countries will be advanced. By 2004, the UN Country Teams in each of the three main countries will be working in close coordination on a number of projects to enhance the protection and assistance afforded to Colombian refugees.

IX. Administrative Considerations

Over the past several years, ROVEN's administrative priority has been focussed on ensuring a minimal UNHCR presence in key border areas. In addition to the main office in **Caracas**, ROVEN has established over the past three years a number of sub-offices⁸ including:

- Venezuela: **San Cristobal** (Tachira), **Guasualito** (Apure), **Machiques** (Zulia)
- Ecuador: **Quito**, **Lago Agrio** (Sucumbíos) and **Ibarra** (Imbabura)

During 2004, ROVEN's priority will be to consolidate the process of decentralization, ensuring always that the sub-offices are sufficiently equipped and staffed to carry out their functions.

⁸ For the purposes of this paper, sub-office refers to all offices under the purview of the RO, including liaison offices, field offices, field locations, outposts and antennae offices.