

COUNTRY OPERATIONS PLAN – 2002

Country: Mexico

Part I : Executive Summary

(a) Context and Beneficiary Populations

Political context and UNHCR's role

Looking at the future, UNHCR's presence in Mexico and the six other countries under the aegis of R.O. Mexico will continue to focus on the strengthening of the protection framework and the development of national constituencies. In this sense, emphasis will continue to be placed on the promulgation and actual implementation of the required legislation and the establishment of refugee status determination procedures and mechanisms for receiving asylum-seekers.

In Mexico this will mean participation of UNHCR in the eligibility committee which will hopefully be operational by 2002, with continued training and support to the various government entities involved in the process, namely the National Institute of Migration and the *Comisión Mexicana de Ayuda a Refugiados* (COMAR). In addition, UNHCR will need to actively supervise access to asylum in the context of migration control, which receives far greater attention and resources than refugee matters do. Such supervision of access will be carried out, among other means, through the Refugee Protection Network, which will have established focal points for the northern, central, and southern regions of Mexico.

In Central America (Guatemala, El Salvador, Honduras, Nicaragua, and Belize), where governments still have not assumed the full responsibilities associated with the 1951 Convention and the 1967 Protocol, UNHCR's work is more difficult and protracted. Results in this context are incremental and require continuous discussions, negotiations and training. As UNHCR no longer has a direct presence in any of these countries and the issue of migration control looms large, obstacles to achieving impact are many and extremely limited resources constrain UNHCR operations.

Cuba is not party to the 1951 Convention or the 1967 Protocol. The government abides by the principle of *non-refoulement* and allows asylum-seekers to have access to UNHCR. The R.O. Mexico Eligibility Committee carries out refugee status determination under UNHCR's Mandate, with UNHCR requesting admission by the Cuban Government of newly recognised refugees under mandate. Extension of authorisation of stay is negotiated while resettlement is explored. For the time being, local integration is still not a feasible durable solution for refugees in Cuba.

Emergency assistance to newly arriving asylum seekers and refugees is provided by UNHCR through the Cuban Red Cross (CRC), after careful assessment of each case. UNHCR will continue to provide protection and assistance to this population

while negotiating the gradual establishment of national structures to offer adequate protection to asylum seekers and refugees, in accordance with international standards. In the meantime, resettlement will remain the alternative for effective durable solutions.

Overview of Beneficiary Populations

Beneficiary populations have reduced from 14,566 Guatemalans residing in settlements in southern Mexico at the end of 2000, to 12,185 Guatemalans and their Mexican-born children residing in Chiapas at mid-year 2001 as a product of successfully implemented voluntary repatriation and local integration programmes aimed at achieving durable solutions. In 2002, UNHCR should no longer be providing direct assistance to Central American refugees in the region. The largest remaining refugee group is in Chiapas, but with government support of fast-track naturalisation it is expected that the roughly 5,000 Guatemalans will be naturalised by the end of 2004. In this regard, UNHCR's role will be primarily one of support to this process ensuring that all refugee men and women are able to participate in an equal manner. A similar process is expected to take place with the long-staying Central American refugees living in urban areas in Mexico, thought to be about 3,500 individuals. Furthermore, UNHCR will continue to make recommendations to amend the General Population Law and its regulation in greater harmony with international standards and practice. In Guatemala the government has agreed to exempt some 720 Central American refugees from the costly procedure to become permanent residents and allow them to apply for citizenship directly. If all goes well during 2001, the long-staying refugee population in Mexico and Central America should be decidedly smaller and less vulnerable.

The main beneficiary population in 2002 will consist of newly arriving refugees from the region, primarily Colombia, and from problem areas around the world (Afghanistan, Iran, Iraq, the former Soviet Union, and Sierra Leone). As these individuals normally do not speak Spanish and are culturally and sometimes racially very different from the national populations, they have a more difficult time in integrating. This results in longer periods of assistance and different types of assistance, such as language classes, being provided.

The population of concern in Cuba consists of newly-arriving refugees and refugee students (some 700), mainly from the Western Sahara, who came from their first country of asylum (Algeria), to Cuba on scholarships. A significant number of asylum-seekers, 125 in 2000 and 64 at mid-year 2001, are reaching Cuba because it is one of the few countries that do not impose severe visa requirements to foreigners. In the past, this population consisted largely of single, urban, adult males coming from other regions, mainly the Middle East, Central Asia and Africa. However, the profile began to change during 2001, with the arrival of entire families and female-headed households, in particular from Afghanistan.

Policy Issues

While R.O. Mexico will continue to work with key implementing partners in all countries to increase their capacities and find alternative sources of funding, the process will be time consuming and we should not expect immediate results. This is particularly true in Central America. Assisting implementing partners in fund-raising will be a key activity for the office during 2002.

UNHCR will continue promoting Cuba's accession to the 1967 Protocol through negotiations with key state institutions, as well as sensitisation activities addressed to government officials and the academia. Discussions continue within Cuban Government institutions towards a favourable decision on accession to the 1967 Protocol. Depending on the outcome in 2001, these discussions may continue into 2002.

UNHCR will continue working with governmental and other actors with a view to gradually establishing national mechanisms for protection and assistance to asylum seekers and refugees. Links with immigration authorities should be strengthened as well as the mechanism of assistance to asylum seekers and refugees through the Cuban Red Cross.

To strengthen NGO and government's institutional capacities in the region, UNHCR will continue to work at increasing awareness and sympathy for refugee issues via established public information campaigns, including all forms of media, and activities with different sectors of society.

Security

The evolving situation in Chiapas may affect refugee security in that state. UNHCR will continue to remain alert to refugee security issues that might arise. The Office will also continue to maintain close contacts with MINUGUA in order to monitor the situation in Guatemala.

(b) Main Programme Goals and Principal Objectives

- **develop national structures** to support the implementation by governments of the 1951 Convention and the 1967 Protocol, and develop refugee protection networks to ensure that civil society plays a role in the protection of asylum seekers and refugees;
- **support local NGO partners** in expanding their capacities and funding base to assure that they become self-sustaining while continuing to provide assistance to newly arriving refugees; and
- **develop national constituencies** to increase awareness of the refugee plight and the right to seek and enjoy asylum.

Name of Beneficiary Population/Theme: Promotion of Refugee Law, Strengthening Capacities of National Structures and Protection Monitoring.	
Main Goal(s): Protection standards, as indicated in the 1951 Convention and the 1967 Protocol, for asylum seekers and refugees are applied in Mexico and Central America.	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • In Mexico, participate in the Government's eligibility committee ensuring that international standards are applied. 	In Mexico <ul style="list-style-type: none"> • Fully functioning eligibility committee. • Cases are processed in a timely fashion avoiding prolonged assistance.

<ul style="list-style-type: none"> • In Honduras, Nicaragua and El Salvador, promote the promulgation of refugee law and adopt refugee status determination procedures. • In Guatemala, ensure final adoption of draft refugee legislation, which is already very advanced. • In Belize, ensure that the eligibility committee resumes its functions. • In all countries develop national refugee protection networks. 	<p>In Honduras, Nicaragua and El Salvador</p> <ul style="list-style-type: none"> • Draft laws are finalised and passed. • RSD procedures are developed and applied. <p>In Guatemala</p> <ul style="list-style-type: none"> • Law is passed. • Eligibility committee is established with UNHCR's participation (in voice not vote). <p>In Belize</p> <ul style="list-style-type: none"> • Eligibility committee is convened and meets as required so as to avoid extended asylum assistance. <p>In all countries</p> <ul style="list-style-type: none"> • Key actors in the network are trained. • Flow of information is established. • Activities are co-ordinated.

<p>Name of Beneficiary Population/Theme: Refugees receiving legal and material assistance in Mexico, Central America and Cuba</p>	
<p>Main Goal(s): Newly recognised refugees receive adequate assistance and legal orientation from national NGO partners.</p>	
<p>Principal Objectives</p>	<p>Related Outputs</p>
<ul style="list-style-type: none"> • In Mexico, <i>Sin Fronteras</i> is able to include refugees into its other assistance programmes. • In Guatemala, <i>ASI</i> will continue to assist refugees even with reduced UNHCR funding. • Focal points established in Belize, El Salvador, Honduras and Nicaragua provide assistance to newly arriving 	<p>In Mexico</p> <ul style="list-style-type: none"> • Needy refugees are provided with assistance for food and lodging for a maximum of six months. • Newly arriving refugees receive orientation as a first step towards local integration. • The Mexican government (at no cost to UNHCR or <i>Sin Fronteras</i>) provides proper documentation to all newly recognised refugees. <p>In Guatemala</p> <ul style="list-style-type: none"> • Needy refugees are provided with assistance for food and lodging for a maximum of six months. • Newly arriving refugees receive orientation as a first step towards local integration. <p>In Belize, El Salvador, Honduras, and Nicaragua</p>

<p>refugees.</p> <ul style="list-style-type: none">• In Cuba, newly recognised refugees receive assistance for food and lodging pending identification of a durable solution.	<ul style="list-style-type: none">• Needy refugees are provided with assistance for food and lodging for a maximum of six months.• Newly arriving refugees receive orientation as a first step towards local integration. <p>In Cuba</p> <ul style="list-style-type: none">• Recognised refugees are provided with assistance for food and lodging while awaiting a durable solution.• Resettlement and Voluntary Repatriation are facilitated as possible.
---	--