

Standing Committee Speech 2018

Madam Chairperson,

Distinguished delegates,

What is happening in the Americas merits our concern, both in terms of enduring conflict and new forms of displacement. But also brings us hope with its strong tradition of solidarity and leadership in innovation for protecting and improving the lives of refugees, asylum seekers, internally displaced and stateless persons.

Over thirty years ago, the region put itself at the forefront of refugee protection with the adoption of the Cartagena Declaration on Refugees which calls for the extension of protection to those in need, including by broadening the refugee criteria and seeking new approaches to address displacement. This instrument enabled the provision of effective protection for many persons at risk who would have otherwise remained particularly vulnerable.

In 2014, virtually all States and territories in Latin America and the Caribbean, renewed their commitment to effect positive change in the lives of forcibly displaced and stateless persons by agreeing on areas for intervention and specific programmes and thereby adopting the Brazil Declaration and Plan of Action.¹

Three years on, States in the region conducted the first triennial progress review on the implementation of the Brazil Plan of Action. As part of this review, preparatory meetings took place focusing on Quality of Asylum, the Eradication of Statelessness, Comprehensive Solutions with emphasis on Local Integration, Solidarity with the NCA countries and Solidarity with the Caribbean.

On 19 and 20 February this year, the Government of Brazil hosted a ministerial meeting in Brasilia to take stock of the progress achieved to date under the Brazil Plan of Action and to consider how progress made can contribute to the adoption of the programme of action of the Global Compact for Refugees.

In Brasilia, 35 States and territories renewed their commitment and agreed on a regional compilation of good practices, known as the 100 Points of Brasilia, highlighting the importance of regional cross-fertilization between Latin America and the Caribbean, and of regional solidarity and responsibility sharing.

In relation to local integration, it's crucial to continue advancing on the adoption of public policies for the effective inclusion of refugees and stateless persons. The most tangible example from the region is the *Cities of Solidarity* initiative to give due recognition and support to local municipalities, as key actors, on the frontline, when it comes to socioeconomic and cultural inclusion and solutions for refugees and migrants alike. This contributes to the effective implementation of the sustainable development goals (SDG), which mainstream the programmatic principle of leaving no one behind. The final criteria of cities of solidarity have been endorsed in principle and we do hope to involve other key

¹ <http://www.unhcr.org/56601a5f6.pdf>

stakeholders to make this initiative comprehensive and synchronized with existing platforms, to be launched regionally in the near future.

Distinguished delegates,

The Americas region also pioneered in the regional application of the Annex 1 of the New York Declaration. In October last year, Belize, Costa Rica, Guatemala, Honduras, Mexico and Panama have agreed to the Comprehensive Regional Protection and Solutions Framework, known as MIRPS for its acronym in Spanish.

MIRPS countries committed to focus greater efforts on strengthening protection responses and intensifying the search for solutions for persons of concern, through a joint regional approach that enhances cooperation and shared responsibility. These countries are now working towards the implementation of over 180 commitments outlined in three-year National and Regional Action Plans to address the situation in countries of origin, transit and asylum/destination.

These undertakings were the result of an extensive consultative process with more than 1,000 persons of concern and 270 national and regional civil society organisations including the regional network of Ombudspersons' Offices, the Catholic Church through its regional CLAMOR network, the regional network of the Red Cross, the regional alliance of the Academia, and civil society organizations, particularly RNCOM and GAR-PAB.

This process is being directly supported by the Organization of American States and the Central American Integration System. Regional linkages with a wider range of partners, including in particular financial and development agencies and the private sector, will help catalyse the transformation in the way States, UNHCR and other actors work to more effectively mitigate and respond to displacement. These efforts are also being complemented and strengthened by the support provided by UN joint initiative aiming at supporting States and substantially reducing violence.

Political will and State actions notwithstanding, protection mechanisms and social services in Central American countries are over stretched. Countries need the support of the international community to complement their efforts aimed at providing protection and solution responses, and to achieve the desired impact, as part of the integrated approach envisaged in the Global Compact on Refugees.

Ladies and gentlemen,

As part of the implementation of the programme of Quality of Asylum (QAI), specialized registration units for the case management of differentiated protection needs were created (for instance, separated or unaccompanied children), including in border areas. Civil society organizations are increasingly providing legal counselling and representation to asylum seekers and refugees through the creation of a regional network with the support of the Inter-American Institute of Human Rights.

In order to strengthen their asylum systems, States are encouraged to allocate more financial and human resources, including the implementation of twinning programmes to

reinforce the capacities of asylum authorities dealing with increasing numbers of persons in need of international protection (the good practices of Canada, the United States of America and Mexico have supported Costa Rica and Panama).

Considering the prevailing situation of displacement in various regions of the Americas, UNHCR has focused its work and presence in border areas, giving priority to access to the territory, admission and reception arrangement, registration and profiling, the identification of differentiated protection needs and the implementation of referral mechanisms. This operational priority is being pursued in support of existing government efforts and by a privileged collaboration with IOM, other UN agencies, and civil society organizations.

The Americas have made also important advances on sexual and gender-based violence and child protection. A Regional Safe Spaces Network has been established (in cooperation with civil actors and community volunteers) providing information and ensuring access survivors of sexual gender-based violence (SGBV) and children at risk, to specialized and multi-sectoral services along the displacement cycle across countries.

Emphasis has also been given to the Protection from Sexual Exploitation and Abuse (PSEA), including the reinforcement of complaint mechanisms for persons of concern, taking into account their age, gender and diversity, particularly by activities in border areas.

Distinguished delegates,

Within the context of the Brazil Plan of Action, countries in the Americas continued to make important strides toward the eradication of statelessness. While challenges remain, significant progress has been made, as outlined in the regional report to this Standing Committee. Chile and Haiti acceded to the statelessness conventions, an important step that hopefully will be emulated by other countries, particularly in the Caribbean region. Important legal developments were also adopted in Brazil, Colombia, Cuba, Costa Rica and Ecuador to prevent statelessness, facilitate naturalisation of stateless persons or establish statelessness determination procedures. In Costa Rica, 1,885 children born to Nicaraguan migrant workers and the indigenous community, also known as the *Chiriticos*, were assisted in 2017 with late birth registration and nationality documentation. These projects to resolve statelessness, together with legislative amendments in Costa Rica, put the country at the forefront to achieving their goal of ending statelessness this year. Draft legislation on statelessness is currently being discussed in Argentina, Paraguay and Uruguay.

UNHCR will convey a regional meeting in May this year to agree on expected outcomes for the 2019 event that will evaluate the global campaign to end statelessness. The preparatory meeting will also see the launch of a regional “Zero Statelessness” initiative to reach the eradication of statelessness.

Third country resettlement remains a critical protection tool in the region. In 2017, thanks to the efforts of receiving countries, over 26,000 persons were resettled to Canada and over 24,000 to the United States of America. Argentina, Brazil and Chile have made important advances in designing and implementing resettlement and community-based sponsorship programmes. They are doing this in cooperation with UNHCR and IOM and applying a whole-of-society approach with the support of the Emerging Resettlement Country

Mechanism. In the Caribbean, an intra-regional transfer mechanism for refugees to facilitate resettlement from within the region has been established.

In Central America, the Protection Transfer Arrangement (PTA), with the strong support of the United States of America, has been a practical, life-saving protection tool providing safe access to durable solutions for individuals at heightened risk. Building on the PTA pilot that started in 2016, UNHCR has expanded the identification and referral capacity of three countries of origin and facilitated the movement of individuals to four resettlement countries. In 2018, approximately 1,000 persons are expected to be processed through the PTA, with at least six resettlement countries offering this durable solution. Australia, Canada and Uruguay have already received cases and Brazil and Argentina are also expected to implement the programme. UNHCR strongly encourages States to join the implementation of this critical programme, even small quotas could make a big difference in the lives of those at risk.

Distinguished delegates,

One year after the conclusion of a peace agreement between the Government of Colombia and the then Revolutionary Armed Forces of Colombia (FARC), efforts continue to consolidate this historic process.

The persistence of forced displacement remains as one of the pending challenges.

Conflict over control of territory and populations, mainly along the Pacific Coast and borders regions, resulted in the murder of 78 community leaders and members of social organizations, and in the internally displacement of 68,000 people in 2017. The presence of the State in remote and border areas in Colombia is paramount to pursue sustainable peace. Development and the improved provision of public services in these areas offer the best means to protect and stabilize affected communities thereby gradually ending the cycle of violence and displacement that Colombia has endured for more than half a century.

Many Colombians continue to flee primarily to Ecuador, with close to 5,000 persons seeking asylum in 2017, about 10 percent increase compared to 2016. Ecuador and Venezuela continued to generously provide asylum to Colombians in need of international protection, as well as providing access to basic services and socio-economic inclusion. Ecuador has made considerable progress with the adoption of a rights-focused Human Mobility Law, and is now providing national IDs to refugees which look no different to with those of Ecuadorian citizens, a decision which facilitates access to services. The authorities are also working actively with UNHCR to include refugees in national social programmes.

Ladies and gentlemen,

The movement of large numbers of Venezuelans in the region, as well as the hardships and risks that many of these persons endure, are of particular concern. While the response of States has been generous, some are reaching a saturation point and are beginning to institute restrictive measures. UNHCR has been following the spirit of the New York Declaration in its response to assist States cope with complex movements involving the arrival of an increasing number of Venezuelans.

UNHCR calls on States receiving and/or already hosting Venezuelans to admit them into their territory and to ensure access to international protection in accordance with the 1951 Convention/1967 Protocol and the Cartagena Declaration. Since 2014, over 135,000 asylum claims have been filed by Venezuelans throughout the region and another 360,000² have obtained other forms of protection, including alternative legal arrangements, such as visas or special permits providing for their legal stay in the countries that host them.

However, hundreds of thousands of Venezuelans remain in an irregular situation, making them particularly vulnerable to exploitation, trafficking, violence, forced recruitment, sexual abuse, discrimination and xenophobia. Insecure border areas, where criminal and armed groups operate, increase protection risks and violence, particularly child recruitment, labour and sexual exploitation. While there are no official estimates, the increasingly invisible nature of this group is particularly worrying.

It is important to recall that Venezuela remains a very generous host country for thousands of refugees from the continent and beyond, in a spirit of solidarity and responsibility sharing.

Distinguished delegates,

The causes of flight are many, but Venezuelans who left their country in recent months are especially at risk and a significant proportion are in need of international protection. UNHCR is supporting some States with reception, registration and profiling to inform immediate protection responses, assistance needs and emergency shelter options. UNHCR is also working with other UN agencies, Ombudsperson offices, faith-based and civil society organizations and academia to forge networks to support host communities. UNHCR has strengthened its protection monitoring presence along the borders in Brazil, Colombia, Ecuador, Peru and Venezuela to identify risks, in particular with regards to access to territory and protection. Latin American countries have long established protection legal frameworks. A regional and comprehensive vision will not only bring improved protection and relief to displaced Venezuelans and affected host communities, but also stabilize the situation in each country and in the region as a whole. In this regard and based on their good practice, MERCOSUR countries, as a regional protection space, could also consider leading the way by providing complementary forms of protection, in addition to the recognition of refugee status, making yet another key contribution to the Global Compact on Refugees. We also call on the international community to actively support these efforts.

Countries in the Southern Caribbean have also become hosts to increasing arrivals of Venezuelan citizens. The influx has particularly impacted these countries given their limited absorption capacity. Most have yet to adopt a national legislation on asylum or to implement it in practice. In the absence of proactive measures to protect and assist the growing population of concern there is a real risk that Venezuelans become increasingly invisible and exposed to abuse and exploitation. Emphasis should be given to ensure access to territory with relevant protection safeguards, including respect for the principle of *non-refoulement*,

² For updated statistics on Venezuelan asylum seekers and beneficiaries of other forms of protection, see <https://data2.unhcr.org/en/situations/vensit>

protection against arbitrary detention and due process. It is imperative for the international community to support the efforts of the Southern Caribbean countries in the fulfilment of their protection responsibilities. Rescue-at-sea measures are also needed to prevent further deaths at sea. The Brazil Plan of Action and the New York Declaration provide platforms to support southern Caribbean countries and the Caribbean Community (CARICOM) to address the situation

Madam Chairperson,

Taking into consideration the regional leadership in protection matters, the Americas can significantly contribute to the development of the Global Compact on Refugees. UNHCR calls on the Americas region to raise your voices and share your good practices so they can be replicated in other parts of the world.

Thank you.