

The Mexico Plan of Action: protecting refugees through international solidarity

by William Spindler

Although challenges remain, the Mexico Plan of Action has made significant progress in addressing refugee and IDP protection needs in Latin America.

In the 1980s, Central America was one of the main battlegrounds of the Cold War. What began essentially as social conflicts over the lack of land for poor peasants, unequal distribution of wealth and restricted enjoyment of civil and political rights became proxy wars over ideology and geopolitics as the United States and the Soviet Union supported opposite sides in Nicaragua, El Salvador and Guatemala. As a result of these wars, over 2 million people were forced to abandon their homes and became refugees or displaced within their own countries.

Faced with this pressing humanitarian crisis, UNHCR and a number of government experts and eminent jurists from Latin America came up with an innovative and creative response which drew upon the generous Latin American tradition of asylum: the Cartagena Declaration.¹

The Declaration took its name from the historic city of Cartagena de Indias in Colombia, where it was adopted in November 1984. The Cartagena Declaration is best known for widening the definition of refugees to include those who have fled their countries because their lives, safety or freedom have been threatened by generalised violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order.

Twenty years after the Cartagena Declaration, another conflict is now threatening the region's stability. The 40-year old conflict in Colombia has resulted in the forced displacement in and outside the country's borders of over three million men, women and children.

Set against this grim background and building upon the earlier Cartagena Declaration, the endorsement in November 2004 by 20 Latin American countries of the Mexico Declaration and Plan of Action² was a genuine milestone.

Action-oriented plan

More than a simple declaration of good intentions, the Mexico Plan of Action set out concrete steps to address the main challenges to the protection of refugees and internally displaced people (IDPs) in Latin America. In particular, the action-oriented plan aims to further the development of asylum systems and protection capacity of governments and NGOs.

"The Mexico Plan of Action focuses on solidarity and on partnership," explains Philippe Lavanchy, Director of UNHCR's Bureau for the Americas. "Only by working together can we hope to better protect refugees and displaced people while looking for solutions to their plight."

The Plan of Action proposes concrete actions that include working to achieve self-sufficiency and local integration in the cities (the 'Cities of solidarity' programme), stimulating social and economic development in border areas to benefit refugees and the local population (the 'Borders of solidarity' programme) and establishing a programme of resettlement in Latin America as a way to ease pressure on those countries receiving large numbers of refugees (the 'Resettlement in solidarity' programme).

The Plan, which is also designed to address the humanitarian needs of people fleeing violence in Colombia, includes a comprehensive programme to assess the needs of refugees and of local host communities, especially in border areas of neighbouring countries, allowing for complementary humanitarian and development-oriented activities.

"The spirit of solidarity between neighbours is the best guarantee for refugees," UN High Commissioner for Refugees António Guterres told a group of ambassadors and government delegates meeting in Geneva in October 2005 to review the Plan's progress. "The plan makes a crucial

Working with traumatised IDP children, Carepa, Uraba, Colombia



link between internally displaced people and refugees – protection and durable solutions for one group must include the other – and elaborates practical methods to assist the internally displaced. This must happen within the UN collaborative approach and will require commitment, clear thinking, and additional funding.”

Achievements and challenges

Since November 2004, when the Plan of Action was adopted in Mexico City, there has been considerable progress in some areas such as legislation, refugee status determination, resettlement, capacity building and protection in border areas. Equally encouraging are the recent examples of regional cooperation to strengthen national eligibility practices.

However, important challenges remain. The implementation of some programmes has been uneven as a result of the practical difficulties to provide effective protection in some situations, notably in the context of the Colombian conflict, and insufficient resources available.

Among the specific achievements of the Plan of Action are the adoption of new asylum legislation in Argen-

tina and the expansion of refugee protection learning programmes for border authorities in various countries. Discussions continue on the contents of new draft legislation on asylum and on refugee status determination procedures with the authorities of Chile, Costa Rica, Ecuador, El Salvador, Mexico, Panama and Uruguay.

At the same time, there has been significant progress in the implementation of the resettlement component of the Mexico Plan. Argentina has now joined Brazil and Chile as emerging resettlement countries for refugees facing very serious security risks in their country of first asylum and constructive discussions are ongoing with Uruguay and Mexico. Although the numbers of refugees benefitting from resettlement are still relatively small, it is important to support these emerging resettlement countries in providing regional solutions for mostly Colombian refugees.

The Plan’s durable solutions component also foresees the enhancement of local integration and the promotion of refugee self-reliance in both urban centres and border areas affected by the Colombian conflict.

In Costa Rica, micro-credit and job placement initiatives have produced measurable results. In Ecuador, UNHCR is promoting development support for refugee-hosting areas. In Brazil, UNHCR signed an agreement with a financial institution specialised in the provision of credit to the poorest segments of the population to ensure access to credit for production, housing and meeting urgent needs for both refugees and the local population in areas where there are many refugees. In Colombia, UNHCR continues to work closely with authorities in urban areas to guarantee IDPs’ access to housing, education, health care and income-generation projects and to ensure their property rights are protected.

If the Mexico Plan of Action is to live up to its ambitious goals, however, a greater commitment from the international community will be needed. Solidarity, after all, is not just a regional but a universal principle.

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1. www.acnur.org/index.php?id_pag=2302
2. full text at www.acnur.org/biblioteca/pdf/3016.pdf