The Solidarity Resettlement Programme, and alternatives, in Latin America

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For more than a decade, the countries in the Southern Cone of South America have had a regional Solidarity Resettlement Programme. The region's states are also assessing alternative approaches to support refugee mobility within the framework of current migration agreements.

To mark the twentieth anniversary of the 1984 Cartagena Declaration on Refugees,[1] the Latin American and Caribbean States undertook a consultative process which concluded with the adoption of the 2004 Mexico Declaration and Plan of Action.[2] The document was a guide to action regarding the protection of refugees in the region for the decade that followed, and featured the Solidarity Resettlement Programme, designed as a protection tool and a durable solution for Latin American refugees (primarily of Colombian origin) who faced risks in neighbouring countries. The Programme also aimed to be a mechanism for international solidarity and responsibility sharing among the region's states, seeking to bring relief to those countries hosting the greatest number of refugees. Between 2005 and 2014, some 1,151 refugees – the vast majority Colombians – were resettled from Ecuador and Costa Rica to Argentina, Brazil, Chile, Paraguay and Uruguay in the Southern Cone of South America.

These so-called emerging resettlement countries primarily received technical and financial support from UNHCR for the design and implementation of their programmes and also from traditional resettlement countries, including Norway and Australia. However, the process of integrating the refugees in their new homes was clearly different for the emerging resettlement countries from that of the traditional countries of resettlement.

In the first place, the Programme was based on the states' commitment to provide refugees with residence permits, documentation, and access to rights equal to those of foreigners who resided in the territory. But it was simultaneously based on the international community's commitment through UNHCR to finance the transfer of individual refugees or families and to contract local agencies and civil society organisations to implement the programme – that is, to manage the reception of and provision of lodging and food for the refugees, and to support the process of integrating them into the workforce. Local asylum authorities and the state should, however, have played a larger role in the integration process than they did.

In addition, while Colombian refugees who underwent resettlement are similar culturally and linguistically to people living in the countries of South America's Southern Cone, they mostly expected to be resettled to northern Europe or the United States, and the Southern Cone option was clearly perceived as the least desirable option. This disappointment, combined with the fact that the financial assistance and support differed from those that traditional countries could offer, in some cases led to a reluctance to integrate in a new society, and consequently to a refusal of the offer of resettlement or to their return shortly after arrival.

For those who accepted the offer of resettlement, structural difficulties typical of the receiving societies (relating to access to jobs or housing, income generation, public safety and so on) made the process of integration difficult.

Finally, geographic proximity to the countries of first asylum and to the country of origin led some refugees who were facing difficulties – albeit difficulties typical of the process of integration in any new society – to leave the resettlement country. According to a recent evaluation of the Programme, 78%

of the refugees who arrived in the Southern Cone through the Solidarity Resettlement Programme remained in the country of resettlement, while 22% left. The report noted that, "for the resettlement countries, the departure of many resettled refugees to return to their country of origin or to the country of first asylum, or to go to a third country, engendered the sense that the programme was failing, or that the resettlement was not the protection tool that the states thought it was when they originally committed to the Solidarity Resettlement Programme."[3]

However, as a protection tool, the Programme clearly had and still has positive aspects. With effort and perseverance, the resettled refugees are able to overcome initial obstacles although how well they do so depends on a wide range of issues.

Alternatives

At the first regional consultation in preparation for the thirtieth anniversary of the Cartagena Declaration, the authorities of the States Parties of the Southern Common Market (*Mercado Común del Sur*, or MERCOSUR) and its Associated States declared that they "recognise the value of the regional Solidarity Resettlement Programme as a concrete example of responsibility sharing" and recommended to "evaluate its continuity and/or expansion, according to the possibilities and experiences in the respective countries, in terms of quotas, the inclusion of refugees from outside the region and more state resources in financing" and "urge countries in the region to discuss the possibility of joining the regional resettlement programme (…)."[4]

The conclusions and recommendations of that consultation and three other consultations that took place within the framework of the Cartagena +30 process led to the adoption of the Brazil Declaration and Plan of Action.[5] One of the new programmes established in this Plan refers explicitly to the Solidarity Resettlement Programme and proposes various actions, including: the joint evaluation of the various national resettlement programmes "in order to identify obstacles and good practices during the selection and profiling phases and in the integration process"; cooperation with the countries of the Northern Triangle of Central America, given their vulnerability to the activities of transnational organised crime; and demonstrating solidarity with international humanitarian crises.

The states proposed the consideration of alternatives to the Solidarity Resettlement Programme, on the understanding that "these alternatives may be applicable in the absence of options for local integration of refugees in the host country or as a solidarity measure to share the burden of a country receiving a large number of refugees, thus becoming a regional responsibility-sharing mechanism."

The Brazil Plan of Action also includes the Labour Mobility Programme, which aims to facilitate the mobility of refugees within the scope of MERCOSUR's migration agreements, thus allowing refugees (as nationals of the countries that make up MERCOSUR) who are facing difficulties in local integration to migrate within the region. Necessary protection safeguards would include: recognising the extra-territoriality of refugee status to respect the principle of *non-refoulement*; assuring confidentiality; facilitating the issuance of personal identity and travel documents; and respecting family unity, in addition to those safeguards associated with their status as refugees.[6]

In response to this proposal, UNHCR commissioned a study of the applicability of the Agreement on Residence for Nationals of MERCOSUR's Member States to individuals with international protection needs in the region, and its compatibility with the standards of international refugee law.[7] This study indicates that the vast majority of refugees hosted in the region originate from within the region, primarily from Colombia. Traditional durable solutions for the Colombian population – who are settled mainly in Ecuador, Venezuela and in some Central American countries such as Costa Rica and Panama – are faced with a series of obstacles; therefore, the possibility of refugees moving within the regional space, either temporarily or permanently, appears to be an interesting alternative and, as mentioned

in the study, could be "a complementary component to the classic durable solutions".

Clearly, establishing this type of scheme would be an extremely interesting contribution from the MERCOSUR region, and from Latin America, to the debate on durable solutions for refugees.

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1. Declaración de Cartagena sobre los Refugiados de 1984, Cartagena de Indias, 22 de noviembre de 1984 http://bit.ly/CartagenaDeclaration1984

2. Declaración y Plan de Acción de México Para Fortalecer la Protección Internacional de los Refugiados en América Latina, Ciudad de México, 16 de noviembre del 2004 http://bit.ly/MexicoPlanOfAction2004

3. Ruiz H (2015) *Evaluation of resettlement programmes in Argentina, Brazil, Chile, Paraguay and Uruguay*, UNHCR http://bit.ly/UNHCRLatAmericaEvaluationResettlement

4. (2014) *Commemorative process of the 30th Anniversary of the Cartagena Declaration on refugees 'Cartagena+30': MERCOSUR Sub-Regional Consultation. Summary of conclusions and recommendations* www.acnur.org/t3/fileadmin/Documentos/BDL/2014/9777.pdf

5. http://bit.ly/Cartagenaplus30Declaration

6. See endnote 5

7. Bello J (2015) *El MERCOSUR y la protección internacional: aplicabilidad de las políticas migratorias regionales a la luz del Derecho Internacional de los Refugiados. Informe de la Consultoría del Alto Comisionado de Naciones Unidas para los Refugiados. Proceso Cartagena+30* http://bit.ly/Cartagenaplus30Process