

NGO Statement on the Americas

This statement has been drafted in consultation with, and is delivered on behalf of, a wide range of NGOs and aims to reflect the diversity of views within the NGO community in the Americas.

Madam/Mr. Chair:

First and foremost, the Americas are facing an unparalleled displacement crisis involving people fleeing their countries, thus putting them in heightened risk situations further exacerbated by COVID-19, an already grave situation which demands coordinated efforts from governments, civil society actors, and the international community to reduce the suffering and regain stability in the region. Another alarming corollary in the region is the impact climate change has on at-risk countries, particularly in the North of Central America (NCA). Governments' recognition of these crises is key to ensuring a timely and effective humanitarian response.

Recently, PAHO declared that more than one million people in the Americas have now died from COVID-19 complications, and over 52 million have been infected¹. The pandemic has brought a multidimensional crisis throughout the region as it has ravaged public health systems, deteriorated social protection, and diluted the economies. According to ECLAC, in a context of global contraction, Latin America and the Caribbean is the region that has been hardest hit by the crisis engendered from COVID-19² and will become the world's most indebted region. The entity said that the region's recovery "will be slow and depend in part on effective vaccine distribution and stable oil prices".

Moreover, border closures and other movement restrictions to curb the spread of COVID-19 have had a severe impact on people on the move who face greater risks to cross international borders in order to seek protection. Most of them are using irregular crossings by land or sea. Likewise, the growing militarization of borders³ poses additional concerns on how Governments deal with large population flows implementing a securitization approach, which is of course not tolerable. These measures drive more people into the grip of smugglers and traffickers and expose them to dreadful threats. As an example of this, at least 688 people died crossing on different migration routes in the Americas in 2020, making that year one of the deadliest on record, according to IOM. During the first two months of 2021, 130 deaths have been already recorted⁴.

The pandemic has also led to the loss of jobs and incomes, aggravating protection risks on refugees throughout the region. Although some Governments implemented economic aids, most

¹ <https://www.paho.org/en/documents/paho-covid-19-daily-update-13-march-2021>

² The number of people living in poverty went from 185.5 to 209 million people, reaching 33.7 per cent of the total population. Extreme poverty has increased by eight million, to 78 million people. More information at: https://repositorio.cepal.org/bitstream/handle/11362/46504/40/S2000880_en.pdf

³ More recently, Peru deployed 1,200 military to the border with Ecuador aimed at responding to the new arrivals of Venezuelans. More information at: <https://reliefweb.int/sites/reliefweb.int/files/resources/2021-02-01%20Weekly%20Situation%20Update%2025-31%20January%202021.pdf>. Following this measure, Ecuador deployed 200 military personnel to the Southern border with Peru. More information at: <https://reliefweb.int/sites/reliefweb.int/files/resources/2021-02-08%20Weekly%20Situation%20Update%201-7%20February%202021.pdf>

⁴ More information available at: <https://missingmigrants.iom.int/region/americas>

of them only targeted the host population. Now that measures are being eased, refugees and asylum seekers are suffering job insecurity and other risks associated to labour exploitation. The pandemic has also negatively affected many people on the move's mental health and posing long-term consequences for those already suffering from mental illnesses.

We have taken note that the States have begun the implementation of vaccination plans for the population; most of these plans would be leaving refugees and migrants behind⁵. This situation is unacceptable for us. As mentioned by the UN Secretary-General, "Exclusion is costly in the long-run whereas inclusion pays off for everyone"⁶. We call on States in the region to include refugees and migrants within their vaccination plans and campaigns on equal foot as the local population. This also cannot come at the cost of being deported, returned or refouled to the country of origin for being in an irregular situation.

Despite some countries efforts in the last years to guarantee the right to nationality and prevention of statelessness (Chile, Colombia, Dominican Republic, Haiti, Panama, Paraguay, Uruguay), access to birth registration, including late birth registration, and identity documentation continue being a problem for children whose parents are under irregular situation. States must ensure that all children at birth are immediately registered in the civil registry and obtain a birth certificate.

With this outlook in mind, NGOs view with concern the humanitarian needs people on the move are presently facing in the region amidst a widespread economic crisis resulting from the pandemic. On that note, we recall upon States to assume their commitments within the framework of the **Global Compact on Refugees** and remember those sub-regional agreements such as the Brazil Plan of Action and the Comprehensive Regional Protection and Solutions Framework as part of the political efforts to address the current forced displacement crisis in the region.

Now, with regards to the main displacement crises in the region, we would like to highlight the following:

- **Venezuelans continue to leave their country.** As of February 5, 2021, around 5,563,687 people have left their country. NGOs are alarmed about the current dire conditions and needs of people in transit (also known as "*caminantes*") as well as the lack of adequate funds to respond as the crisis has stretched Governments' capacities to the limit⁷. According to the R4V Platform it is estimated that 48.5%⁸ of the 2020 Response Plan funding was met, mostly affecting NGOs, who received less funding. We believe this situation will get worse this year. Most Venezuelans have no documentation and live under an irregular status in host countries. Additionally, the population faces serious situations of discrimination and xenophobia, often fueled by hate speeches by authorities, including senior officials. Though Latin American and the Caribbean governments have taken solid steps to make flexible processes for refugees and waive administrative fees. However, access to documentation, including birth certificates, and temporary permits continue to be a pressing issue. The lack of regular status of most of Venezuelans abroad results in restrictions on livelihood opportunities and access to healthcare and education.
- As of June 2020, there are 833,274 forcibly displaced people from the NCA and Nicaragua, including 318,590 IDPs from El Salvador and Honduras. **Forced displacement from the NCA has continued to increase due to violence, poverty and**

⁵ UN and IACHR independent experts called on Governments to include refugees and migrants in national COVID-19 response and recovery plans. Full statement at: https://www.oas.org/en/iachr/media_center/PReleases/2020/303.asp

⁶ UN Secretary-General, *Policy Brief: COVID-19 and People on the Move*, June 2020:

https://reliefweb.int/sites/reliefweb.int/files/resources/sg_policy_brief_on_people_on_the_move.pdf

⁷ As of March 2021, the 2021 RMRP has so far received 2%

⁸ As of March 2021

the effects of climate change, with the devastating Tropical Storm Eta and Hurricane Iota⁹. The recent caravans of migrants from Honduras¹⁰ has once again highlighted the multiple risks that these people face on the routes, as well as the offensive state response at the borders, denying access to the territory and protection mechanisms. In this context, it is urgent to develop a Humanitarian Response Plan that allows an upscaling and coordinated strategy to face the rising humanitarian needs in the NCA.

- **Colombia, conflict continues.** The pandemic, continuity of armed conflict, disasters, climate change and continued and unprecedented migration due to the ongoing crisis in Venezuela have increased the number of people with humanitarian needs¹¹. Since the signing of the peace agreement, **a further 500,000 people have become newly forcibly displaced. More than 70,000 people were affected by confinement in 2020 alone.** Forced recruitment increased in 2020 compared to 2019¹². The peace process with the ELN remains formally at a standstill. Criminal groups and non-state armed actors have taken advantage of the pandemic. They have committed killings and other abuses against civilians in an effort to enforce their own measures to prevent the spread of COVID-19¹³. NGOs are also witnessing a worrisome link between the armed conflict and the Venezuela crisis, with vulnerable Venezuelan refugees and migrants being targeted and recruited by non-state armed actors.
- We acknowledge the new initiative adopted by Colombia aimed at providing a 10-year Temporary Protection Status to about 1.7 million Venezuelans in the country. However, this measure should not result in reducing the space for international protection.
- We continue to be troubled about the deterioration of human rights and serious restrictions on public liberties in Nicaragua. **About 108,325 Nicaraguans have applied for asylum, most of them in Central America and Mexico.** It's worth mentioning the underfunded response in host countries, mainly in Costa Rica, is limiting the provision of humanitarian assistance.
- Overall detention practices continue to be recurrent in the region¹⁴. We have serious concerns in relation to the increasing **collective detentions, expulsions and push-back procedures taken by authorities in the Caribbean without prior adequate legal analysis**, in addition to, restraining the right to request asylum or file legal remedies to defend their rights, particularly children¹⁵. Effective alternatives to detention in the context of migration must be adopted by States following a human rights approach.
- We want to remark on the Migrant Protection Protocols (MPP)¹⁶ in the US, also known as the "Remain in Mexico" program, forced thousands of asylum seekers to wait in Mexico for their immigration court proceedings in the US. Over 71,000 people had to wait in dangerous areas of Mexico. The Trump administration also signed agreements known as the Asylum Cooperative Agreements (ACAs) with El Salvador, Honduras, and Guatemala, which allowed the previous administration to divert individuals seeking asylum to these countries instead. These measures created hardship for asylum seekers along the border. The Biden administration, on January 20, 2021, closed the MPP program to new entrants. **On February 19, 2021, it began a phased entry plan to process asylum seekers into the United States who were in MPP in Mexico with**

⁹ According to the Regional Group on Risks, Emergencies and Disasters for Latin America and the Caribbean (REDLAC), these events have affected more than 9.2 million people in the southeast of Mexico, parts of Belize, Guatemala, El Salvador, Nicaragua, Costa Rica and Panama, Honduras and parts of northern Colombia

¹⁰ Approximately 9,000 people in January 2021

¹¹ According to the HNO 2021, 6.7 million people in Colombia are in need of humanitarian assistance: 1.5 million more than in 2020

¹² <https://reliefweb.int/report/colombia/save-children-spike-killing-and-recruitment-children-and-youth-colombia>

¹³ <https://www.hrw.org/news/2020/07/15/colombia-armed-groups-brutal-covid-19-measures>

¹⁴ Between August 2019 and August 2020, 134,000 apprehensions were carried out in the US-Mexican border.

¹⁵ On 9 December 2020 the IACHR issued the Resolution 93/2020 granting precautionary measures to six migrant children in Trinidad and Tobago. Available at: <http://www.oas.org/en/iachr/decisions/pdf/2020/93-20MC1100-20-TT.pdf>

¹⁶ More info on MPP program impact on asylum seekers from NCA at: <https://www.hias.org/blog/hias-report-maps-process-ending-mpp-humanitarian-disaster>

pending cases. The new administration suspended the ACAs on February 6, 2021. In an Executive Order signed on February 2, 2021, the administration also initiated a review of refugee resettlement from NCA to the US. Prospects for further policy change depend on the result of this review and the recommendations they entail, as well as further actions by the new administration.

- Lastly, Mexico received over 41,000 new asylum applications in 2020, mostly from Hondurans, Haitians, Cubans, Salvadoreans, Venezuelans and Guatemalans. **NGOs call on the authorities to address the serious delay in the processing of applications and boost changes on detention and family reunification as well as on the search for missing migrants.** Attention must also be paid to the growing asylum requests by children in the country. It is necessary to strengthen the safeguards for this population, taking into account the recent entry into force of the refugee law reform.

As humanitarian organizations, and key partners in the region, we call on States and international community to:

1. Facilitate mobility across the region by opening and strengthening safe and regular channels to enter countries both for those in need of international protection and migrants including through humanitarian admission, family reunification, and other alternative arrangements established by domestic legislations.
2. Develop and provide fully access to arrangements aimed at regularizing the situation of refugees and migrants or grant them permanent residence documentation according to domestic regulations, with specific measures on people in an irregular situation. This must be accompanied by the need of adopting new regulations or law reforms as most of them are outdated and do not have specific provisions on how to manage large population flows.
3. Adopt effective measures to condemn any act, manifestation, or expression of xenophobia and related intolerance against refugees and migrants.
4. Recognize the significant contributions of refugees and migrants to development and local economy in destination countries. In those terms, more efforts are needed to promote the inclusion of this population in national systems.
5. Deepen cooperation with the humanitarian community, including NGOs, aimed at facilitating access to the population and delivery of life-saving aid.
6. Include refugees and migrants in vaccination plans and campaigns under the same conditions as nationals, irrespective of their status and ensuring protection from *refoulement*. In that sense, we call for escalation of international cooperation to Latin American and the Caribbean countries to respond to the COVID-19.
7. Ensure that border management is firmly based on human rights principles and standards.
8. The international community must step up multi-year humanitarian and development funding to support host countries, particularly those most affected by large population flows.
9. We reiterate the importance of an articulated UN-led humanitarian response in the region. It is vital for the UN to uphold its partnerships and work with a wide range of actors, including NGOs and civil society actors, as well as the private sector.
10. We urge Governments, the UN and the international community to develop and support a humanitarian response plan for the NCA to address the devastating humanitarian effects of violence, poverty and climate change.

Madam/Mr. Chair, given these and other challenges we need to ensure not only that adequate funding is available to continue the work of NGOs but to ensure access to affected populations.

Thank you.