

EXECUTIVE COMMITTEE OF THE  
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NGO Statement on the Americas

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

Dear Chair,

**Since the onset of the COVID-19 pandemic, and throughout 2021, NGOs witnessed a striking deterioration of the rights of displaced people in the Americas.** Millions of people have been forced to use irregular routes and unofficial border crossings due to closed borders. They faced dire conditions while traversing dangerous routes, and were exposed to serious human rights violations, including human trafficking,<sup>1</sup> gender-based violence, forced recruitment and other forms of violence and exploitation.

**According to UNHCR, more than 18 million people are estimated to be forcibly displaced in the region, which accounts for 20% of the global figure.** Of these, almost five million are refugees and migrants from Venezuela, some 500,000 are asylum seekers from the North of Central America, and more than 110,000 have fled Nicaragua. There are also more than eight million internally displaced persons (IDPs) in Colombia, El Salvador, and Honduras. Additionally, Haitian's movement throughout the region on their way to Mexico and the U.S. hit record numbers this year.

The pandemic continues to have a widespread economic, social, and political impact on countries in the region. **The regional economic reduction in 2020 and 2021 increased extreme poverty and exacerbated long-existing income inequality.**<sup>2</sup> ECLAC announced in January that extreme poverty grew in 2021 reaching 86 million people, while poverty declined slightly, but still affected 200 million people.<sup>3</sup> The structural problems that held back growth in the region before the pandemic has become more acute and this will have negative repercussions for economic recovery despite an uptick in growth last year. The impact of increasingly recurrent weather events has led to the displacement of people who have lost their assets and livelihoods.

Governments have also introduced a raft of mobility restrictions, including greater militarization of borders, limiting access to safe and legal protection pathways, and using punitive measures such as detention and expulsion as deterrent mechanisms. These measures drove more people on the move into the hands of organized crime networks, which exposed them to physical violence and psychological trauma and abuse.

The increasing number of displaced people in the region has also added pressure on host communities and local authorities, aggravating xenophobic sentiments, stigmatization and discrimination against refugees and migrants.

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<sup>1</sup> According to UNODC and NGOs, Ecuador and Peru are facing an increase of human trafficking at the border, mainly sexual and labor exploitation.

<sup>2</sup> The Latin America and Caribbean region will see its pace of growth decelerate in 2022 to 2.1%, after reaching 6.2% on average last year, according to new estimates by ECLAC. Available at

[https://www.cepal.org/sites/default/files/presentation/files/220112\\_1250\\_220111\\_ppt\\_bp\\_2021\\_abi\\_version\\_final\\_rev4\\_ingles.pdf](https://www.cepal.org/sites/default/files/presentation/files/220112_1250_220111_ppt_bp_2021_abi_version_final_rev4_ingles.pdf)

<sup>3</sup> <https://www.cepal.org/en/pressreleases/extreme-poverty-region-rises-86-million-2021-due-deepening-social-and-health-crisis>

NGOs acknowledge the efforts of governments to include refugees, asylum seekers and migrants in national COVID-19 vaccination plans, particularly those with irregular status. NGOs have been a key player in the roll-out of vaccination brigades in host communities by reaching out and providing information to vulnerable populations in several countries such as Aruba, Brazil, Colombia, Ecuador, and Mexico. However, lack of access to healthcare, water, sanitation, and hygiene services in informal settlements and shelters is particularly acute.

In relation to the main displacement situations in the region, we would like to draw attention to the following:

- **Mixed flows in the Colombian-Panamanian border.** Approximately 130,000 people entered Panama (around 80% Haitians) in 2021, through the Darien Gap, northwards.<sup>4</sup> The conditions of this route are highly dangerous and have exposed the population to serious protection risks, such as gender-based violence and human trafficking. Humanitarian coordination gaps are also posing manifold challenges to provide life-saving assistance.
- **Haiti experienced profound instability as a result of the combined impact of the assassination of President Jovenel Moïse, the earthquake and tropical storm of August 2021, and rampant insecurity.** More than 4.9 million people (43% of the population) are in need of humanitarian assistance and protection. Last year, thousands of Haitians living across the region traveled northward towards Mexico and the U.S., seeking protection and better living conditions, often traversing extremely dangerous conditions to do so.
- **The U.S. continued to summarily expel people encountered at or near the border with Mexico, without giving them the right to claim asylum.** The U.S. has conducted over one million expulsions since the program began in March 2020, although the government did exempt unaccompanied children from the program and has allowed in some of the more vulnerable asylum seekers under a humanitarian exemption procedure. This policy, often referred to as Title 42, is enforced as a public health measure. However, many members of the medical community argue that the expulsions have no public health rationale.<sup>5</sup>
- **The U.S. government attempted to end the Migrant Protection Protocols (also known as “Remain in Mexico”), but due to a federal court ruling, the program was reinstated and expanded to additional nationalities.**<sup>6</sup> Remain in Mexico, which forced asylum seekers to stay in Mexico as their cases were processed in U.S. courts, originally applied to nationals from Spanish-speaking countries and Brazil, but has since been expanded to include all nationalities in the Western Hemisphere, including Haitians.
- **While attention has focused on the U.S.-Mexico border, the situation in the countries of North and Central America remains neglected.** The multidimensional crisis in the region is compounded by increasing levels of internal displacement in Honduras and El Salvador, totaling 318,000 people. There are hopes that with the launch of the Humanitarian Response Plans for 2021 and 2022 in Guatemala, El Salvador, and Honduras, which aims to reach 4.3 million people with the \$588 million

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<sup>4</sup> Most of the people arriving at the Darien Gap have formally or informally crossed the border between Ecuador and Colombia.

<sup>5</sup> Fact sheet, *Title 42 Border Expulsions: How Biden and the CDC’s Misuse of Public Health Authority Expels Asylum Seekers to Danger*, Physician for Human Rights, Doctors for Camp Closure, Doctors for America, Human Impact Partners, May 2021: <https://phr.org/wp-content/uploads/2021/05/PHR-Title-42-Order-Fact-Sheet.pdf>

<sup>6</sup> Department of Homeland Security, *Guidance regarding the Court-Ordered Reimplementation of the Migrant Protection Protocols*, December 2, 2021. Available at [https://www.dhs.gov/sites/default/files/publications/21\\_1202\\_plcy\\_mpp-policy-guidance\\_508\\_1.pdf](https://www.dhs.gov/sites/default/files/publications/21_1202_plcy_mpp-policy-guidance_508_1.pdf)

USD requirements, the root causes of this crisis can be addressed in a coordinated, strategic, and more efficient manner.

- **Over 6 million Venezuelans have left their country to seek safety from violence, insecurity, and threats, with the vast majority (4.9 million) remaining in the region.**<sup>7</sup> NGOs welcome government measures to facilitate Venezuelans' access to migratory alternatives, as is the case in Brazil, Colombia, Ecuador, Peru, the Dominican Republic, and Trinidad and Tobago. However, these alternatives fail to bring long-term solutions for Venezuelans in the region, especially for the majority who intend to remain in host countries. Moreover, Venezuelans often face obstacles related to access to information about basic services, connectivity, administrative requirements, and additional costs that people cannot meet. Increased levels of xenophobia and exclusion also pose a critical protection gap for Venezuelans as evidenced most recently by violent acts in northern Chile. Drivers of the humanitarian crisis in Venezuela are estimated to continue to deteriorate, which will result in an increase of mixed migration across the region.
- **The humanitarian situation inside Colombia has worsened despite the “undeniable achievements” mentioned by the UN Secretary-General in his recent visit to the country.**<sup>8</sup> 253,000 new victims of forced displacement between January 1 and September 10, 2021, were documented by civil society. However, many of those affected are not registered in the official registry run by the Victims' Unit. At the same time, thousands have suffered confinement and mobility restrictions at the hands of armed groups. Other protection risks include massacres, targeted killings of social leaders and former combatants in reintegration processes, an increase in the recruitment of children, and victims from anti-personal mines and improvised explosives devices. The armed conflict also affected Venezuelans, as many suffer the same threats and humanitarian consequences as the local population. While the Government of Colombia is a model to the world in its implementation of Temporary Protection Status for 1.8 million Venezuelans, bottlenecks require changes in administrative approaches and ongoing international support to speed up access to documentation. Recurrent events of massive displacements in 2021 and early 2022 at the Colombian-Venezuelan border highlight the presence of non-state armed actors, and the need to step-up protection of the civil population.
- **More than 110,000 Nicaraguans have fled their country since 2018**, with the majority now in Costa Rica. Last year, Costa Rica received over 50,000 new asylum claims amid stretched capacities to fully process cases. Assessments from UNHCR and NGOs found Nicaraguans face difficulties in accessing employment opportunities and meeting basic needs such as food and housing. NGOs call on the international community to step up support for Nicaraguans and host countries.
- **Conditions for Venezuelans in the Caribbean, mainly in Aruba, Curaçao and Trinidad and Tobago, are worrying.** Cases of detention and deportation continue to rise, as well as family separation. The authorities' lack of capacity and political willingness makes the population more vulnerable,<sup>9</sup> with few prospects for reception and integration. While noting the Netherlands' recent decision to cut funding to Curaçao for its dangerous detention conditions, these measures alone will be insufficient to improve the conditions of Venezuelans in the Southern Caribbean.

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<sup>7</sup> Data from the R4V Platform as of January 2022. Available at <https://www.r4v.info/en/document/r4v-latin-america-and-caribbean-venezuelan-refugees-and-migrants-region-january-2022>

<sup>8</sup> UN News, *Colombia's peace process is taking 'deep roots', but all sides must work together to overcome lingering challenges*, November 21, 2021. Available at <https://news.un.org/en/story/2021/11/1106542>

<sup>9</sup> Amnesty International, *Still No Safety: Venezuelans Denied Protection in Curacao*, October 11, 2021. Available at <https://www.amnesty.org/es/wp-content/uploads/2021/10/EUR3547242021ENGLISH.pdf>;

- **Conditions for Dominicans of Haitian descent in the Dominican Republic have continued to worsen throughout the pandemic.** The lack of identity documentation has resulted in exclusion from healthcare and state relief. Further disruptions to crucial civil registration procedures have resulted in delays and backlogs leaving stateless people and those whose nationality is at risk, completely vulnerable to the multiple effects of COVID-19.<sup>10</sup>
- **Humanitarian access has significantly worsened in recent years due to political, administrative and security constraints<sup>11</sup>** (for instance, in Colombia, Haiti, Nicaragua, Honduras, Mexico and Venezuela) with adverse consequences on the populations we serve. Likewise, the pandemic created additional impediments to ensure humanitarian assistance reaches where it is most needed.

**We make the following calls to action to governments, the international community, and UNHCR:**

1. Ensure that governments do not use the pandemic as a justification to create or normalize border closures, not fulfill their commitments or international obligations, or deny access to the territory for those in need of international protection and the right to apply for asylum. The focus requires supporting host countries, especially those that have been disproportionately affected by COVID-19.
2. Ensure that the irregular entry and permanence of people on the move are not criminalized and that any administrative or civil penalty related to their irregular entry is proportional and reasonable, while ensuring that alternative measures to detention and information are provided. The best interest of the child shall be a primary consideration in all the measures affecting them in situations of mobility.
3. Implement urgent policies to prevent and respond effectively to acts or expressions of discrimination, xenophobia and related intolerance against refugees and migrants.
4. Adopt efficient measures to facilitate access to documentation and migratory alternatives for people in an irregular status considering the circumstances of entry, length of stay and other factors, especially those related to family unity.
5. Guarantee humanitarian reception centers, mainly at borders, in accordance with human rights standards, include safe spaces for children, people with disabilities, women and LGBTIQ+ individuals at risk.
6. Guarantee that deportations, removals, and readmissions are executed after exhausting all administrative and judicial options with fair procedural safeguards and access to justice. To achieve that, people should have access to legal remedies and counsel, preferably free of charge.
7. Adopt policies that allow long-term continuity of efforts to guarantee economic and social rights, with a strong emphasis on the right to work, thereby ensuring that the full enjoyment of these rights will not depend on future administration changes.
8. Enhance adequate adaptation and resilience with frontline communities in the face of changing and complex humanitarian situations related to climate change, forced displacement, public health emergencies, economic instability, and increase multi-year, collaborative and flexible planning and multi-year funding mechanisms guaranteeing accountability.

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<sup>10</sup> CESF Consortium, *Together we can: The COVID-19 Impact on Stateless people & a Roadmap for change*, June 2021, [https://files.institutesi.org/together\\_we\\_can\\_report\\_2021.pdf](https://files.institutesi.org/together_we_can_report_2021.pdf)

<sup>11</sup> ACAPS, *Humanitarian Access Overview*, December 2021. Available at [https://www.acaps.org/sites/acaps/files/crisis/humanitarian-access/2022-01/acaps\\_humanitarian\\_access\\_overview\\_december\\_2021.pdf](https://www.acaps.org/sites/acaps/files/crisis/humanitarian-access/2022-01/acaps_humanitarian_access_overview_december_2021.pdf)

9. UNHCR continues to play a key protection role on internal displacement in the region. The UN agency should expand its operational presence and financial resources in countries where internal displacement is reported in consistency with the Cartagena Declaration and the Brazil Plan of Action.
10. Stronger action from UNHCR is needed to prioritize the region and secure funding to address the humanitarian crises affecting millions of people.
11. We strongly support the emphasis of UNHCR on local partnerships among stakeholders in the protection of refugees, and stateless people, following the recommendations of the 2021 UNHCR-NGO Regional Consultations. Promoting these partnerships between local NGOs, refugee, migrant, and IDP-led organizations and complementing actions with hosting communities is paramount.
12. Ensure that the response to the outflow from Venezuela also addresses the needs of people in the country of origin, as well as, at host countries. Support and resources for host countries in the region should not affect the funds needed to respond to the humanitarian needs within the country.
13. The environment for delivering humanitarian assistance has changed under COVID-19, and the need for localization must be accelerated. Furthermore, reaching those who need it most is a serious challenge in the region. UNHCR and humanitarian actors need to adopt new modes of operation to reach the most vulnerable.
14. Finally, we call on the U.S. government to terminate Remain in Mexico and Title 42 immediately and to adopt effective evidence-based measures to safely resume asylum processing.

Dear Chair, we commend UNHCR's presence in the region as critical to upholding international standards and principles; we look forward to continuing to partner with Latin American and Caribbean governments, UN agencies, and local organizations both on the ground and in the process leading up to the 2023's Global Refugee Forum.

Thank you.