

CHILE DECLARATION 2024

A Framework for Cooperation and Regional Solidarity to Strengthen the International Protection of Refugees, Displaced and Stateless Persons, and Implementation of the Global Compact on Refugees in Latin America and the Caribbean

Santiago de Chile, 12 December 2024

We, the participating Governments of the countries of Latin America and the Caribbean,

Gathered in the city of Santiago to commemorate the fortieth anniversary of the 1984 Cartagena Declaration on Refugees, which reaffirmed the generous tradition of asylum and refuge¹ in Latin America and the Caribbean,

Emphasizing the validity of the Cartagena Spirit, and highlighting that the expanded definition of refugee in the Cartagena Declaration has been incorporated by most Latin American and Caribbean countries into their domestic legislation to a large extent, providing an effective international protection instrument to support the expansion of the humanitarian practices of States,

Recognizing the principles of solidarity, international cooperation and shared responsibility of the 1984 Cartagena Declaration on Refugees and the contribution made in the commemorative processes, which every ten years identify new humanitarian challenges and propose effective responses to improve protection and solutions for refugees, displaced and stateless persons in the region, in particular the multiple advances achieved and the good practices adopted in the last decade in Latin American and Caribbean countries, reported in the two Triennial Progress Reports of the Brazil Plan of Action – periods 2015-2017 and 2018-2020 – as well as in the Final Implementation Report of the 2014-2024 Plan, developed by Brazil with the support of the Office of the United Nations High Commissioner for Refugees (UNHCR),

Highlighting in particular the positive impact of the programmes *Quality Asylum, Local Integration, Borders of Solidarity and Safety, Cities of Solidarity, Solidarity Resettlement, Human Rights Observatory for Displacement, Regional Solidarity with the Caribbean, Solidarity with El Salvador, Guatemala and Honduras, and Eradicating Statelessness*, implemented by several States in the region with the support of UNHCR, and with good practices that have proven to be innovative, effective and sustainable,

Reaffirming the principles of the 1984 Cartagena Declaration on Refugees; the 1994 San José Declaration on Refugees and Displaced Persons; the 2004 Mexico Declaration and Plan of Action to Strengthen the International Protection of Refugees in Latin America; the 2010 Brasilia Declaration on the Protection of Refugees and Stateless Persons in the Americas; the Brazil Declaration, A Framework for Regional Cooperation and Solidarity to Strengthen the International Protection of Refugees, Displaced and Stateless Persons in Latin America and the Caribbean and its 2014 Plan of Action; and the Brasilia 100

¹ NB: Language agreed in the Mexico and Brazil Declarations and Plans of Action; the term "asylum" refers to the refugee status set out in the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, for those countries that have incorporated it into their legislation, to the expanded definition of a refugee as recommended by the 1984 Cartagena Declaration on Refugees,

Points: Inputs from Latin America and the Caribbean to the 2018 Global Compact on Refugees,

Recognising the convergence and complementary nature of International Human Rights Law, International Refugee Law and International Humanitarian Law, to provide a common legal framework to strengthen protection in the light of the *pro persona* principle,

Countries where the Inter-American Court of Human Rights applies *recognize* the developments of its jurisprudence and doctrine, and the role of national courts and administrative bodies in prevention, protection and solutions for refugees, displaced and stateless persons in the region,

Reiterating the commitment to the principles and tools of the 2018 Global Compact on Refugees, with emphasis on the principle of shared responsibility, part of which already constituted core elements of the Cartagena Process; and affirming the importance of reinforcing its objectives of: 1) Ease the pressures on host countries; 2) Enhance refugee self-reliance; 3) Expand access to third-country solutions; 4) Support conditions in countries of origin for return in safety and dignity,

Highlighting the complementarity of the Global Compact on Refugees and the Global Compact for Safe, Orderly and Regular Migration, and their common origin in the 2016 New York Declaration for Refugees and Migrants,

Noting the conclusions of the UNHCR Executive Committee on international protection, and in particular conclusion 117, adopted during the 75th session on durable solutions and complementary pathways, and of the general comments, conclusions, recommendations and decisions of Human Rights Treaty Bodies, in guiding regional policies and strategies on issues within their competence,

Reaffirming the relevance of the Guiding Principles on Internal Displacement adopted by the United Nations in 1998 and of the national regulations on this matter laid down by different countries in the region; as well as the need to find solutions to internal displacement in the region from an early stage and address its structural causes,

Reiterating the right of all persons to seek and receive asylum and refuge, the principle of non-discrimination and the *jus cogens* nature of the principle of *non-refoulement*, including non-rejection at borders and indirect refoulement, and the consequent need to continue to implement effective measures, including registration and documentation,

Recognizing the need for early action to address the root causes of the flows of refugees and asylum seekers, as well as new cases of statelessness, a cause for great concern in the countries of the region,

Reaffirming the need to consolidate a comprehensive protection approach that engages States and other key actors in ensuring protection and solutions for refugees and displaced and stateless persons, at all stages of displacement, in countries of origin, transit, destination and return,

Promoting the strengthening of, access to and respect for due process and International Human Rights Law standards in refugee status determination procedures, and recognising the importance of temporary protection mechanisms and temporary

protection or stay agreements with minimum standards as effective and practical tools to guarantee access to rights, especially in situations of large-scale movements, and the complementary protection mechanisms approach, taking into account national legislations,

Underlining that the primary responsibility for the protection of refugees, displaced and stateless persons lies with States, and that the participation and cooperation of concerned actors as part of a whole of society approach is essential to respond effectively and sustainably to the humanitarian, development and protection challenges, including in addressing the structural causes, such as violence, conflict, measures contrary to International Law, among others, that generate such displacement,

Affirming the importance of addressing the specific protection needs and rights of refugee, displaced and stateless women and girls, and ensuring their meaningful, equal and full participation in policies, programmes and activities to address displacement,

Highlighting the obligation to respect, protect and promote the human rights of refugees and displaced and stateless persons, bearing in mind full respect for the best interests of children and adolescents, the principle of family unity, the right to family life, and the principle of non-discrimination,

Reaffirming that everyone has the right to a nationality, and rules on acquisition, loss, renunciation and deprivation of nationality are required to meet the standards set out in International Law, including universal birth registration without discrimination, the application of measures to protect the children of refugee or displaced women, and the establishment of specific procedures for the determination of statelessness, as well as facilities for naturalisation, in line with national legislation, with a view to preventing and eradicating statelessness,

Bearing in mind the objectives of the Global Alliance to End Statelessness, based on our commitment to eradicating statelessness,

Recognizing the importance of legal, socio-economic and socio-cultural integration, and of generating shared opportunities for refugees, displaced persons and stateless persons, in host countries and communities, through the implementation of inclusive public policies, recognising in this regard the contribution of the private sector and development and financial actors, along with local authorities and municipalities, civil society organisations, and organisations led by refugees and displaced persons,

Recognizing the great efforts made by host countries in the region to care for, assist, protect and provide access to services for refugees, displaced persons and stateless persons, amidst the continuing financial difficulties these countries and UNHCR are facing, and recalling the urgent need to support them, in accordance with the principle of shared responsibility, in order to achieve durable solutions,

Emphasizing the importance of promoting a comprehensive territorial approach and of relying on the support of local governments and host communities, which have primary responsibility for the challenges of fostering integration, inclusion, and social cohesion,

Recognizing that solutions are unavoidable components of an effective protection system, and affirming the continued need for a comprehensive durable solutions strategy – legal, socio-economic, cultural – which provides for flexible and adaptable, complementary and

inclusive implementation of local integration, resettlement and complementary pathways of admission and stay, and voluntary repatriation,

Highlighting the potential of resettlement and other pathways of legal admission to third countries as a solution to address displacement challenges in the region, according to the principle of shared responsibility,

Emphasizing the need to establish safeguards that returns of refugees and asylum seekers to the country of origin are informed, voluntary, safe, dignified and humanitarian, respecting the principle of non-refoulement and International Human Rights Law, with a gender, intersectional and intercultural approach, and with support for sustainable reception, reintegration and reinsertion; this should allow for interruption of the cycle of displacement and onward movements in the region, and promotion of social cohesion with the receiving communities,

Affirming that it is urgent to address the rising xenophobia, racism, discriminatory practices and stigmatization, through education, sensitization and intercultural promotion policies, at all levels of society, and that comprehensive and sustainable solutions are essential to strengthen social cohesion and solidarity,

Highlighting the relevance of promoting regional cooperation, collaboration and coordination between humanitarian, development and peacebuilding actions, with emphasis on efforts to integrate and include displaced and stateless persons in national plans and systems, through the adoption and implementation of public policies, the strengthening of cooperation with international financial institutions and multilateral development actors and the private sector, taking into account national policies and plans,

Recognizing that the adverse effects of climate change and disasters are aggravating the multiple causes of displacement and that they have a disproportionate and unequal uneven humanitarian impact in Latin America and the Caribbean, hence requiring a comprehensive and inclusive approach to protection and solutions that includes planning, prevention, protection and resilience measures to address the needs of refugees, displaced and stateless persons and their host communities,

Recognizing legal and humanitarian developments in protection at a national and regional level, including complementary pathways of admission and solutions to displacement in contexts of disasters and adverse effects of climate change,

Reaffirming the solidarity and international cooperation required by the Caribbean countries and the value of incorporating them into the Cartagena process in the Chile Declaration and Plan of Action,

Recognizing the following as essential elements of the Cartagena Process: the need for ongoing assessment of displacement dynamics and protection needs; the urgent need for adaptable and innovative responses; and the recognition of the importance of a coordinated and collaborative approach to respond to the challenges of forced displacement and the risks of statelessness affecting the entire route, reaffirming the need to consider national legislation,

In this context,

Recognizing that the lifting of measures incompatible with International Law and the UN Charter would not only contribute to the full enjoyment of human rights by refugees, displaced and stateless persons, but also strengthen international efforts towards protection, assistance, and sustainable and durable solutions, fostering an environment conducive to social, economic and political stability, particularly in developing countries,

Underlining the solidarity and the important contributions of all cooperating countries and organizations, through their technical and financial advice, to support those countries hosting large numbers of refugees, refugee status claimants, displaced and stateless persons,

Recognizing the continued and sustained effort of the United Nations Agencies, Funds and Programmes and other regional and international bodies, including intergovernmental, bodies, to improve the humanitarian response and the search for solutions, in close coordination and with the consent of the States concerned,

Highlighting the important participatory, inclusive and constructive dialogue promoted during the Cartagena+40 Process, through three thematic consultations and a subregional consultation with Caribbean countries and territories, held in April, May and June 2024 in Mexico City, Brasilia and Bogota. These resulted in recommendations for the Chile Plan of Action, with the participation of States, organizations of refugees and displaced persons, civil society organizations, local authorities and municipalities, regional and subregional mechanisms, United Nations agencies, funds and programmes and other international organizations, academia, national institutions for the promotion and protection of human rights, the private sector, international development and financial actors, and cooperating countries,

AGREE TO:

Approve this Chile Declaration and Plan of Action as a “A Framework for Regional Cooperation and Solidarity to Strengthen Protection and Inclusive Solutions for Refugees, Displaced and Stateless Persons, and the Implementation of the Global Compact on Refugees in Latin America and the Caribbean”,

Resolve that this Declaration and the Plan of Action provide a regional framework to provide a response, over the next 10 years, to the protection and solution needs of refugee status claimants, refugees, displaced persons, returnees, repatriated and stateless persons and other persons in need of international protection in Latin America and the Caribbean,

Recognize the commitment and progress made by the countries of Latin America and the Caribbean in implementing the Global Compact on Refugees and the mechanisms deriving from it, according to the principle of shared responsibility,

Promote the Chile Plan of Action as a framework to strengthen the regional implementation of the 2018 Global Compact on Refugees, fostering its implementation is in line with the objectives and follow-up arrangements established in the Compact, i.e. the Global Refugee Forums and the High-Level Officials Meetings,

Promote, within the framework of the Chile Plan of Action, the exchange of good practices with the potential to be replicated in the region, especially those that have had a significant impact at local, national and regional level,

Reaffirm the importance of including a perspective that ensures that people are at the centre of all actions and guarantees a gender, intersectional, intercultural and diversity approach with differentiated emphasis for groups and people in situations of vulnerability,

Recognize that the participation of refugees, displaced and stateless persons, including women and girls, in the design, implementation, monitoring and evaluation of protection and solutions policies that concern them is crucial, and that it is an indispensable condition for these to be effective and sustainable,

Encourage the adoption and implementation of comprehensive, supportive and sustainable solutions strategies, following a collaborative approach and ensuring human rights are respected and enforced,

Promote a regional and supportive approach to address displacement aggravated by multiple causes, including sudden or slow-onset disasters, environmental degradation and the adverse impacts of climate change, also with a focus on the specific needs of host communities, in order to facilitate the establishment and strengthening of policies from a protection perspective,

Strengthen coordination with subregional, regional and global cooperation mechanisms linked to human mobility,

Reaffirm that the Cartagena+40 Process and the Chile Declaration and Plan of Action will contribute to deepening the levels of articulation, complementarity, cooperation and convergence among regional and subregional coordination mechanisms that address issues related to the international protection of refugees, displaced and stateless persons, (ref)

Urge the State of Chile to continue to lead the Cartagena+40 Process over the next decade for the effective implementation of the Chile Plan of Action in Latin America and the Caribbean, with the support of a rotating vice presidency,

Consider that organizations of refugees and displaced persons, civil society organizations and academia could establish a network to follow up on the Chile Plan of Action,

Establish a Support Platform, inspired by the Global Compact on Refugees, to convene cooperating countries and international development and financial actors, to contribute by means of technical, material and financial assistance to implementation of the Chile Plan of Action, the scope and objectives of which will be defined in consultation with the member States,

Invite United Nations Agencies, Funds and Programmes, other regional and international organizations, the International Red Cross and Red Crescent Movement, and development and financial actors to provide humanitarian accompaniment and support for the implementation of the Chile Plan of Action within their respective mandates,

Strengthen the *Cities of Solidarity* programme among the cities of Latin America and the Caribbean that are part of it and those that wish to be part of it, reinforcing coordination with other regions,

Invite the private sector to establish a Regional Network of Solidarity Enterprises, which cooperate in a coordinated manner with States to promote the socio-economic inclusion of refugees, displaced and stateless persons, taking into account national legislation and plans in this area,

Request that UNHCR provide its cooperation and technical assistance to the leadership of the State of Chile and to the States as technical secretariat for the implementation of the Plan of Action; and contribute to the broad dissemination of the results of the Process, including drafting of the Cartagena+40 Memories,

Request that the Government of Chile officially forward the content of the Chile Declaration and Plan of Action 2024-2034 to the Heads of State of the participating countries, the UN Secretary-General and other relevant actors so that they can disseminate its objectives and achievements in international forums,

Express our deep appreciation to the Government and people of Chile, as the lead country of the Cartagena+40 Process and host of the Commemorative Ministerial Event held in Santiago on 11-12 December 2024; to the governments of Brazil, Colombia and Mexico for co-hosting the Caribbean thematic and sub-regional meetings; to UNHCR as technical secretariat; the essential contributions of technical bodies; organizations of refugees and forcibly displaced persons, civil society organisations, local authorities and municipalities, regional and sub-regional mechanisms, agencies, funds and programmes of the United Nations and other international organisations, academia, national institutions for the promotion and protection of human rights, the private sector and international development and financial actors, which made important contributions to this commemorative process.

Santiago, 12 December 2024

CHILE PLAN OF ACTION 2024-2034

A Framework for Cooperation and Regional Solidarity to Strengthen Protection and Inclusive Solutions for Refugees, Displaced and Stateless Persons, and Implementation of the Global Compact on Refugees in Latin America and the Caribbean

PREAMBLE

On the occasion of the fortieth anniversary of the 1984 Cartagena Declaration on Refugees, the Government of Chile, with the support of the United Nations High Commissioner for Refugees (UNHCR) as Technical Secretariat, the assistance of the Governments of Brazil, Mexico and Colombia, as well as technical agencies², brought together the governments of Latin American and Caribbean countries, organizations led by refugees and displaced persons, local authorities and municipalities, civil society organizations, representatives of academia, international organizations, national institutions for the promotion and protection of human rights, regional and subregional coordination mechanisms, the private sector and international development and financial actors, as well as cooperating countries, in order to identify the main needs and opportunities for protection and alternative, comprehensive and sustainable solutions in the region, and to propose the design of common responses for refugees, displaced and stateless persons.

Within the framework of the principles and spirit of the 1984 Cartagena Declaration, the Cartagena+40 Process was organized as a space for reflection on the new dynamics of displacement in Latin America and the Caribbean, as present in countries of origin, transit, destination and return. In an environment of open and inclusive exchange, existing and future challenges and opportunities were analysed, with the goal of creating a strategic regional framework of priorities, using existing good practices and strengthening existing standards. Combined with the regional approach and international cooperation, we agree on the need to involve transit countries and acknowledge their crucial role in protection and solutions for displaced persons.

In this context, three thematic consultations were held in Mexico, Brazil and Colombia, as well as a subregional consultation for the Caribbean. These analysed, respectively, the themes of Protection for Persons in Situations of Human Mobility and Statelessness; Inclusion and Integration through Alternative, Integral and Sustainable Solutions; Protection in Contexts of Disaster Displacement; and Protection and Integral Solutions for Persons in Situations of Human Mobility and Statelessness in the Caribbean. As a result of each meeting, and based on the contributions of the various actors involved, the Chilean presidency drew up conclusions and recommendations, which were shared and served as input for the drafting of the Declaration and the present Plan of Action.

In view of the legitimacy of the Plan of Action and the changing realities in the region, which could lead to new displacements, the countries agreed to prioritize an approach based on the principles of the Cartagena+40 Process. Its programmes will be characterized by their flexibility and adaptability, allowing it to remain a space for ongoing reflection and seeking shared and solidarity-based responses, in line with the 2018 Global Compact on Refugees and its follow-up and implementation mechanisms.

Constructive, non-conditional and mutually beneficial international cooperation is essential to stimulate development in our nations, and to contribute to the resilience of asylum seekers, refugees, displaced and stateless persons, by means of minimizing development asymmetries. The

² Inter-American Commission on Human Rights (IACHR), the Inter-American Development Bank (IDB) and the Platform on Disaster Displacement (PDD).

Plan of Action therefore recognizes the value of technical cooperation and national capacity-building as cornerstones for addressing specific challenges, and addressing the structural root causes of displacement.

INTRODUCTION

Challenges and Opportunities for Refugees, Displaced and Stateless Persons in Latin America and the Caribbean

In the last decade, the region has witnessed an increase in the complexity and magnitude of displacement and various reports indicate that the human mobility and displacement situation in the region will not lessen in the medium or long term, and that it may indeed escalate, presenting a challenge in terms of resources.

It has been observed that people are facing increasing risks along the routes they take, such as extortion, kidnapping, disappearances, death and violence (including gender-based violence), forced recruitment, exploitation and trafficking. Of particular concern is the disproportionate impact on women, children and adolescents and persons in vulnerable situations, who represent a significant proportion of those on the move. Similarly, difficulties have been identified in accessing birth registration procedures and obtaining documentation to accredit nationality, hindering the acquisition of a nationality at birth and increasing the possibility of statelessness.

Given their changing characteristics as countries of origin, transit, destination and return in a context of large-scale mobility, States recognize the crucial need to adopt a comprehensive and mutually supportive regional approach, with a human rights perspective, at all stages of displacement. It is particularly important to collaborate at international, regional and local levels with public, private and other stakeholders to agree on advisory, funding, technology transfer and other measures in order to achieve social cohesion that meets the needs of and addresses the challenges faced by host communities.

The region has opportunities to link the protection of refugees, displaced and stateless persons with the development of host communities through legal, socio-economic and cultural inclusion. Innovative initiatives have been developed, such as internal planned relocation, socio-economic integration programmes, expanded resettlement and complementary admission pathways; these are effective tools to broaden the spectrum of possible durable solutions for refugees, displaced and stateless persons.

Latin America and the Caribbean is one of the regions most vulnerable to natural disasters and the adverse effects of climate change, including weather events, and one third of its population lives in high-risk and disaster-prone areas, requiring the adoption or implementation of adequate protection and resilience measures.

In this context, the Cartagena +40 Process, in line with the Global Compact on Refugees and complementary to other cooperation mechanisms linked to international protection and the principles of the Cartagena Declaration and Process, provides a reworked framework for action to improve policies and strategies on international protection, solutions and eradicating statelessness. It represents a space for collaboration to strengthen international cooperation, in accordance with the principles of solidarity, cooperation and shared responsibility, with full respect for human rights and contributing to the search for peace.

The Chile Plan of Action, in addition to being a space for proposing innovative responses that facilitate flexible and effective actions, will translate the good practices developed in the framework of the Mexico and Brazil Plan of Action into regional standards. These best practices will replicate the positive impacts in terms of protection and solutions, and provide innovative responses to the current challenges.

CHAPTER 1

Protection Needs Throughout the Displacement Cycle

During the consultations numerous good practices developed in recent years under the 2014 Brazil Plan of Action were collected and shared, demonstrating the importance and value of scaling them up to regional level. In particular, programmes such as *Quality Asylum*, *Borders of Solidarity and Safety*, *Solidarity with the Caribbean* and *Solidarity with Northern Central America* were shown to be effective tools of the Cartagena Process for strengthening protection and finding solutions, in the countries that have implemented them.

In this context, it was recommended that programmes for the protection of refugees, displaced and stateless persons throughout the displacement cycle be improved and strengthened, by means of the following:

1) “Comprehensive Protection in Countries of Origin, Transit, Destination and Return”, and “Borders of Solidarity and Safety” Programmes

It is essential to adopt a “whole society approach” that promotes joint work and collaboration in the design, coordination and implementation of protection strategies and solutions between States, international and regional agencies, civil society, refugees, displaced and stateless persons, as well as academia, local authorities, municipalities, host communities, the private sector and development and financial actors.

Based on the good practices implemented in some countries as presented in the consultations, the following actions are recommended:

- (a) Guarantee a regional approach to protection by strengthening identification, reception, assistance and referral mechanisms – especially in border areas – and designing appropriate tools and policies to address the specific needs of asylum seekers, refugees, displaced and stateless persons, with a gender perspective and a special focus on persons in situations of vulnerability.
- (b) Consider the adoption of national regulatory frameworks on internal displacement, and prevention, protection and care policies for displaced persons in communities of origin, including the promotion of information and the development of educational and training activities, the creation of safe spaces, coordination between public protection entities, civil society and humanitarian actors, as well as the development of initiatives that especially protect children and adolescents, women and persons in situations of vulnerability.
- (c) Strengthen systems for collecting data on internal and cross-border displacement, and improve the voluntary exchange of such information between countries in the region along the displacement route, with disaggregated information on persons in situations of vulnerability, respecting the right to privacy and protection of personal data, and fully safeguarding the principles of necessity, proportionality and confidentiality.
- (d) Develop tracking and registration systems, including biometric systems, highlighting the importance of traceability to safeguard family unity and prevent and respond to family separation and disappearances along the displacement route, respecting the right to privacy and protection of personal data, and fully safeguarding the principles of necessity, proportionality and confidentiality,
- (e) Guarantee timely identification, assistance, registration and referral processes, as appropriate, with adequate, safe and dignified reception conditions for asylum seekers, refugees and displaced persons, in both transit and host countries, including to counter trafficking and smuggling of persons, in line with international standards.

- (f) Adopt effective alternatives to administrative detention and any form of deprivation of liberty related to displacement contexts in line with international standards and take effective measures to eliminate immigration detention, especially of children.
- (g) Guarantee access to the territory for persons with international protection needs, respect for the principle of non-refoulement and the right to seek and receive asylum, the development of coordination mechanisms between the relevant authorities, such as border and refugee authorities, including training, protocols and management and organization programmes to ensure borders of solidarity and safety; and guarantee non-criminalization for irregular entry of refugees.
- (h) Consider the expedited issue of provisional identity documents that contain the same characteristics as national identification documents, facilitate the exercise of rights, have a minimum initial validity of two years, are renewable and allow access to permanent residency.
- (i) Adopt assistance mechanisms for returnees with protection needs – including through inter-agency roundtables – by strengthening development programmes, to promote reception and reintegration and ensure the exercise of their basic rights such as identity, health, employment, education and housing.

2) “Quality Asylum” Programme

The consultations highlighted that, in recent years, the region has registered an exponential increase in the number of claims for refugee status recognition; and that this situation has required that asylum systems be strengthened and adjusted to new scenarios, through adapted, efficient and pragmatic responses, such as differentiated procedures, including accelerated and simplified procedures, the methodology of *prima facie* recognition, and group recognition of refugees. It was stressed that strengthening these systems is a priority for the countries of Latin America and the Caribbean and is vital to guarantee the rights of asylum seekers and those seeking international protection in accordance with the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, the expanded definition in the 1984 Cartagena Declaration on Refugees, incorporated into the domestic legislation of various Latin American and Caribbean countries, as well as other rights guaranteed by International Law, including International Human Rights Law, as applicable.

The Quality Asylum Initiative (QAI), set out in the 2014 Brazil Plan of Action, contributed significantly to this, strengthening case registration and processing and improving application management capacities; technical cooperation between countries in the region, including twinning programmes, also made a contribution. We will therefore continue to adopt best practices in modernizing asylum systems for more efficient, fair and speedy refugee status determination procedures.

A call was made to preserve the integrity of the asylum system and to guarantee the recognition of refugee status, in line with the 1951 Convention Relating to the Status of Refugees, its 1967 Protocol, and International Refugee Law, in view of its neutral, humanitarian and apolitical character.

Based on these good practices and the interventions carried out during the consultations, it is recommended that the following actions be taken forward:

- (a) Reaffirm the importance of implementing the expanded definition of refugee as contained in the Cartagena Declaration on Refugees of 1984 and incorporated into the internal regulations of various Latin American and Caribbean countries, and highlight its value as a pragmatic tool to manage and improve efficiency in the resolution of an increasing number of claims for recognition of refugee status and to reduce delays in decision-making in those countries that recognize this definition.

- (b) Promote digitization and the use of new technologies – such as biometric registration, digital signatures, secure and prompt remote access to files, remote interviews, or others that may emerge in the future – in the different phases of the refugee status determination process, developing comprehensive case management systems that cover registration, management and decision-making; ensure due protection safeguards, including respect for the principle of confidentiality, the protection of human rights, especially the right to privacy, data protection, equality and non-discrimination, to avoid the persecution and criminalisation of asylum seekers and refugees.
- (c) Adopt or amend internal regulations to incorporate high standards of protection under International Refugee Law and Human Rights Law, and to include provisions on specific protection needs based on age, gender and diversity.
- (d) Establish appropriate protocols to differentiate, simplify and streamline refugee status determination procedures, including by seeking to eliminate certain unwieldy administrative steps, stages or requirements, on the basis of specific or designated profiles, or by resorting to group or *prima facie* examinations, as appropriate.
- (e) Promote the decentralization of asylum systems, and provide for mobile brigades for border, remote or hard-to-reach areas where there is an influx of asylum seekers, including through the use of modern technological systems.
- (f) Establish specialized exclusion analysis units within refugee systems to ensure due process systems, guaranteeing due process, as well as country of origin information (COI) research to carry out updated studies on this matter, promoting regional or intercountry cooperation for the exchange or generation of such information.
- (g) Ensure sufficient structures and budgets so that the bodies responsible for carrying out refugee status determination procedures can operate efficiently; and offer specialized and permanent training to public servants involved in the various phases of the procedure, establishing programmes for their care and well-being.
- (h) Encourage technical cooperation between countries – exchange of best practices, including twinning – and technical support from UNHCR as strategic allies in strengthening and developing the capacities of national asylum systems.
- (i) Promote training and technical capacity-building for relevant entities in the national asylum and migration systems, with the support of UNHCR and its regional training programme on International Refugee Law, in line with and in follow-up to the Brazil Plan of Action.
- (j) Promote the exchange of good practices through annual meetings of national refugee status determination commissions or mechanisms, under the auspices of subregional integration forums, among others.
- (k) Establish guidelines to facilitate the creation of coordinated mechanisms for issuing travel and identity permits and documents for refugees, to ensure their validity and acceptance at regional level.
- (l) Recognize the importance of involving asylum seekers during the claim process, and provide all the necessary tools and support to ensure their participation, facilitating access to legal assistance and representation, as well as interpretation and translation services.

3) “Alternative and Complementary Protection Mechanisms” Programme

Several countries in the region highlighted that they had developed or strengthened complementary or temporary protection mechanisms, allowing access to legal stay or regularization, to address large-scale arrivals of displaced persons in need of international protection. It was stressed that it is essential that these measures should not affect or exclude the right to seek and receive asylum, but should provide alternatives that offer a quicker and faster protection response, alleviate pressure on asylum systems and safeguard their integrity and efficiency.

Based on practices developed throughout the region and interventions carried out in the consultations it was agreed to recommend the adoption of the following actions:

- (a) Adopt temporary protection measures based on humanitarian considerations, which are not a substitute for the right to seek and receive asylum, guarantee non-refoulement, provide access to basic services and grant regular stay for a reasonable period of time in order to ensure stability.
- (b) Adopt complementary protection mechanisms based on protection of the human rights of displaced persons who do not meet the conditions to be recognized as refugees and are covered by the principle of non-refoulement and, if possible, incorporate legal State protection regimes for this group of persons into the legislation of each State.
- (c) Adopt, as appropriate, regularization and regular stay agreements, frameworks and standards that contain international protection considerations, are not a substitute for the right to seek and receive asylum, incorporate guarantees of non-refoulement and ensure access to basic services.
- (d) Ensure, in line with national legislation, that persons covered by these types of mechanisms obtain a legal status that facilitates their access to residence, documentation, health, education, formal work, the banking and financial system and housing, among others, supporting integration in the host country.
- (e) Promote family unity and guarantee the right to family life by promoting family reunification, flexible proof of family ties and a concept of extended family, prioritizing assistance to unaccompanied minors in accordance with the principle of the best interests of the child; joining efforts to prevent situations of family separation; and establishing and facilitating family reunification as a means of admission and regularization that represents a suitable solution for a significant part of the displaced population, including children and adolescents.
- (f) Guarantee adequate technical training for the different authorities, and State migration agents in general, involved in these various protection alternatives and responses.

4) “Zero Statelessness” Programme

In the last decade, the region has made significant progress in the prevention, protection and eradication of statelessness, through ratifications of the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, the establishment of statelessness determination procedures and the granting of facilities for naturalization. During the consultations, participants agreed on the need to address both new and ongoing challenges related to the administrative and procedural barriers faced by stateless persons, or those at risk of statelessness at birth, and in general the challenges that increase the risk of statelessness for children and adolescents.

Several delegations expressed the need to further facilitate birth registration, including late registration, the simplification of procedures for the validation and issuance of identity and civil registration documents – including the issuance of copies and duplicates – and underlined the

importance of strengthening cooperation and information exchange among Latin American and Caribbean registration agencies, highlighting the role of organizations such as the Latin American and Caribbean Council for Civil Registration, Identity and Vital Statistics (CLARCIEV).

Based on the good practices identified during the consultations, the following actions are recommended:

- (a) Promote adherence to international conventions on statelessness by developing national legislative frameworks in line with international and regional standards.
- (b) Establish specific procedures for the determination of statelessness that are efficient, accessible and reasonable in terms of processing time and that allow stateless persons who need it to simultaneously apply for international protection (refugee status, temporary or complementary protection); and request that legal aid offices and the UNHCR provide legal support to persons in vulnerable situations.
- (c) Issue identification, travel and residence documents for stateless persons, guaranteeing that they are free of charge, in view of national legislation.
- (d) Consider bringing registration procedures in line with international standards and facilitating access to civil registries – especially birth registration, including late registration – by making criteria more flexible, simplifying proof of birth, eliminating the requirement of an apostille for parents' documents, and resolving other existing administrative obstacles, as well as establishing instruments such as mobile registries or the digitalization of procedures and their remote access.
- (e) Strengthen consular networks and the attribution of powers for issuing documentation and carrying out birth registrations, including late birth registrations, including access for persons in transit.
- (f) Facilitate access to naturalization for stateless persons through flexible and simplified procedures that guarantee due process, especially in cases linked to the loss or deprivation of nationality; and maintain the principle of non-discrimination as a cross-cutting issue in matters of access, loss or deprivation of nationality, including on the grounds of gender.
- (g) Establish, at the regional level, document validation processes between countries that favour a direct and expeditious exchange between registry entities, including through the implementation of inter-institutional agreements; and adopt the necessary regulatory adjustments to simplify the legalization of documents issued abroad.
- (h) Favour binational or cross-border registration programmes in border areas, particularly for indigenous peoples, afrodescendants and other communities living in these areas, including persons in transit, and adopt regulatory frameworks that allow effective access to dual or multiple nationality for these communities, where appropriate, ensuring a rights-based and culturally relevant approach, taking into account national legislation.
- (i) Promote information and awareness campaigns on the importance of universal birth registration and the prevention and eradication of statelessness, and implement policies to identify and address the risk of statelessness in children and adolescents.
- (j) Recognize the importance of involving stateless persons in discussions and decisions on issues relevant to their lives, and actively support and promote the participation of stateless persons-led organizations in the development of policies and programmes.

CHAPTER 2

Comprehensive, Solidarity-based and Sustainable Solutions

During the consultations discussions were held on the importance of adopting and implementing a comprehensive strategy for solutions for refugees, displaced and stateless persons, and for supporting local populations and host communities in capacity-building, institutional preparedness, peaceful coexistence and social cohesion, to reduce situations of discrimination, racism, xenophobia, violence and trafficking in persons. The key role of UNHCR and other international organizations, as well as partnerships with the private sector and development actors, were also highlighted as important elements in achieving comprehensive and sustainable solutions.

The complexities faced by refugees, displaced and stateless persons in fully exercising their fundamental rights such as housing, health and education were also highlighted: the establishment or strengthening of comprehensive plans covering access to legal admission channels and documentation – including travel documents – is required for their proper integration. The importance of promoting inclusion and employment was highlighted, to ensure the resilience and self-sufficiency of refugees, and displaced and stateless persons, improve their contributions to host communities and generate shared opportunities and development.

Evidence shows that refugees, displaced and stateless persons contribute a labour-force, skills, knowledge and experience, as well as fostering innovation and economic, cultural and social diversification. These positive contributions need to be recognized and valued, where possible through statistical data, in order to foster more inclusive, prosperous, equitable and peaceful societies.

Participants in the consultations also referred to the applicable standards for the voluntary repatriation of refugees and the return of displaced persons, and the need for normative and institutional frameworks for the reception and reintegration of returnees.

In the case of voluntary repatriation of refugees, the need to promote tripartite agreements with UNHCR was mentioned: these respect international standards and guarantee the safety, dignity and human rights of returnees, and ensure the sustainable reintegration of returnees.

1) “Inclusive Policies to Promote Socio-Economic Inclusion” and “Cities of Solidarity and Support for Host Communities” Programme

In order to implement policies and programmes focused on providing access to various basic social services, and to facilitate social cohesion and peaceful cohabitation, the following actions are recommended:

- (a) Ensure the meaningful and effective inclusion and participation of refugees, displaced and stateless persons in the design, creation and implementation of policies that concern them, as well as in the activities and processes that take place in their host communities.
- (b) Promote the implementation of inclusive policies that promote the legal, socio-economic and cultural integration of refugees, displaced and stateless persons with the support of the private sector and development and financial actors.
- (c) Establish decentralized assistance systems of care for refugees, displaced or stateless persons that can be implemented at the local level, including one-stop shops for more comprehensive, coordinated and effective information, and faster processing and management of administrative and assistance procedures.

- (d) Promote and strengthen inclusive policies that enable asylum seekers, refugees, displaced and stateless persons to access public services and the formal labour market to promote their socio-economic integration, including a gender, intersectional and intercultural approach.
- (e) Ensure, within national possibilities, that documentation validly recognized by State authorities and the private sector, including financial service providers, is provided and issued swiftly for identification purposes and to enable access to services, the banking and financial system and the formal labour market, and to adequately disseminate the use and validity of such documents, thereby fostering adequate inclusion and integration.
- (f) Share evidence within the public sector and with the private sector about the positive impact of equitable recruitment of asylum seekers on local businesses and economies, and create opportunities for dialogue and collaboration between the two sectors.
- (g) Ensure universal access to health services and strengthen the tools and policies for preventing and responding to gender-based violence, provide access to sexual and reproductive health, and facilitate free psychosocial care along the entire displacement route.
- (h) Facilitate, simplify and promote effective access to care services, education, school retention and school certification for children and adolescents, with particular attention on unaccompanied or separated children and adolescents, both in the context of internal displacement and in countries of transit, destination and return and host communities.
- (i) Promote intercultural relations between the host community and displaced persons through sport, recreational activities, art, music, literature and culture, and encourage shared community spaces.
- (j) Develop, with the participation of refugees, displaced and stateless persons, initiatives, policies and strategies aimed at eradicating xenophobia and discriminatory practices and strengthening intercultural exchange, including training and awareness-raising for journalists and media to contribute to the strengthening of narratives that favour inclusion, social cohesion and integration, promoting evidence of their positive contributions in host communities.
- (k) Include host communities, refugees, displaced and stateless persons in the design and implementation of integration policies in order to identify the challenges they face and the best and most appropriate ways to address them, to promote effective social cohesion and interculturality and to facilitate understanding of the shared opportunities that their arrival brings to development and social well-being.
- (l) Expand and promote the “Cities of Solidarity in the Americas” programme to strengthen the capacities of host communities to implement integration policies, facilitating coordination between the different levels of government and State services, with a clear distribution of powers, allowing for adequate support to address the specific needs of the local communities and municipalities concerned.
- (m) Promote the implementation of twinning programmes between cities in Latin America and the Caribbean, including with other regions, and support the holding of an annual meeting of Cities of Solidarity in the Americas for the exchange of good practices, the identification of new challenges and opportunities, and the recognition of innovative local integration programmes.

- (n) Exchange good practices at regional level about effective measures that are in line with International Human Rights Law to respond to cases of xenophobia and discriminatory practices.

2) “Inclusive Employment” and “Solidarity Enterprises” Programmes

The consultations highlighted the findings of studies by expert institutions highlighting the contribution of refugees, displaced and stateless persons to the socio-economic development of the country and their host communities, including the numerous benefits in terms of demographic bonuses, tax revenue, integration of the local labour-force, production and business diversification, increased gross domestic product and reactivation of local economies. It was noted that the contribution of the private sector, development actors and international financial institutions is crucial to expanding opportunities for refugees, displaced and stateless persons and their host communities, and the role of international agencies in their respective areas of action was highlighted.

On this issue, after the consultations the following actions are recommended:

- (a) Implement labour policies to promote decent work, formal employment and entrepreneurship opportunities aligned with the human potential of skills and competencies of refugees, displaced and stateless persons, including, inter alia, the facilitation of their formal recruitment, access to financial opportunities, and access to financial services opportunities and support from the private sector and banking, which will further contribute to promoting women's inclusion in the labour market and equality and to counteracting poverty, forced labour, human trafficking in all its manifestations, the informal market and dependence on humanitarian aid.
- (b) Enhance synergies between workers, trade unions and employers' associations to promote access to the formal labour market and decent work for refugees, displaced and stateless persons.
- (c) Facilitate access to the financial system, including the opening of bank accounts, enabling autonomous financial management, and including formal and secure remittances for asylum seekers, and displaced and stateless persons.
- (d) Identify sectors and jobs where there is a need for additional personnel to those available in the country, implementing voluntary labour interiorization and relocation projects, with the support of the private sector, government, development actors and international financial institutions, or international organizations in the areas of their competence, thereby promoting development in the host countries.
- (e) Identify new development opportunities for refugees, displaced and stateless persons and their host communities, by creating decent work, associated with new technologies or jobs of the future.
- (f) Prioritize the validation of degrees and diplomas, and the certification of skills, to guarantee decent work that corresponds to the individual skills and training of refugees, displaced and stateless persons, through the revision of national regulatory frameworks, and bilateral or regional programmes.
- (g) Strengthen partnerships with the private sector and promote a Regional Network of Enterprises Supportive of Refugees to expand employability, include more companies in the provision of jobs, advocate to ensure effective access to employment and promote socio-economic integration, taking into account national legislation.

- (h) Generate disaggregated statistics and collect data, adopting indicators and carrying out analyses to develop adapted and differentiated labour inclusion policies, guaranteeing the right to privacy, confidentiality and protection of personal data.
- (i) Establish job training and retraining programmes for displaced persons and nationals of host communities, along with initiatives that promote collaboration between local workers and refugees in community projects, thereby strengthening social cohesion.
- (j) Promote bilateral or regional agreements that allow refugees, displaced and stateless persons who have contributed for a period of time in one country to transfer or retain their interim contributions when they return to their countries of origin, ensuring their long-term social security.

3) “Resettlement and Complementary Pathways to Third Country Admission” Programme

Resettlement and complementary admission pathways, such as family reunification, study admission pathways, humanitarian visas and labour mobility policies and agreements, have the potential to ease the burden on the first host communities, provide solutions especially for those in need of international protection, and promote development in the host countries. The value of private or community sponsorship was highlighted as a strategy to support humanitarian visas and resettlement, fostering social cohesion, ensuring successful integration and promoting more equitable societies.

After the consultations, the following actions are recommended:

- (a) Ensure close coordination and complementarity between the different opportunities available for resettlement and complementary pathways for admission to third countries, both within and outside the region.
- (b) Expand and strengthen existing resettlement programmes, favouring community sponsorship as a way to mitigate and complement the cost to States and contribute to peaceful coexistence and social cohesion, by involving host communities in a direct and supportive way.
- (c) Expand, facilitate and streamline the measures aimed at ensuring the principle of family unity through accessible family reunification mechanisms and accelerated and effective processes for refugees, displaced and stateless persons.
- (d) Assess study or work mobility actions and programmes for refugees, displaced and stateless persons that contain protection guarantees and ensure sustainability and stability.
- (e) Favour digitalization and the use of new technologies to facilitate and make the procedures for applying for visas and other complementary admission pathways to be implemented faster, simpler and more operational and secure.
- (f) Create regional mechanisms for cooperation and exchange of information on resettlement and complementary admission pathways, guaranteeing the right to privacy, confidentiality and protection of personal data.

4) “Voluntary, Safe and Dignified Return and Sustainable Reintegration” Programmes

During the consultations it was stressed that returns, whether individual or collective, spontaneous or assisted, must be voluntary, safe and dignified. It was stressed that such returns

cannot in any case concern persons in need of international protection and must therefore unreservedly guarantee the principle of non-refoulement.

It was further highlighted that returns require guarantees of support for sustainable reception and reintegration; among other things, this contributes to preventing the reproduction of the reasons that caused the departure and promotes peaceful coexistence and social cohesion with the receiving communities. It was also emphasized that achieving voluntary, dignified and safe return requires the meaningful participation of multiple stakeholders, especially the returnees themselves and their host communities. In addition, it was reiterated that return policies and programmes should take into account a gender perspective and consider the opinions and best interests of children and adolescents in the decisions that affect them, that in this process the unity of the family must be respected and special attention be paid to the children of persons born abroad.

On this issue, the following is recommended:

- (a) Ensure that voluntary repatriation programmes, as well as voluntary, dignified and safe return, follow an informed decision using a humanitarian and human rights approach, with full and effective respect for the principle of non-refoulement, and take place in safe and dignified conditions. They must also be the result of public policy.
- (b) Facilitate during the preparation phase the issuance of documents necessary for travel, ensure adequate consular assistance and the issuance of personal documents necessary for effective reception and reintegration.
- (c) Develop governmental reception and reintegration policies that include the creation of public return offices, the creation of assistance and reception centres with multiple integrated services, including the establishment of referral systems to specialized territorial offices.
- (d) Facilitate the registration of civil registry deeds drawn up abroad such as for births, marriages and deaths, as well as the recognition and validation of educational qualifications, diplomas and certification of skills and abilities.
- (e) Promote access to employment and public services for successful and effective socio-economic reintegration, such as access to health and housing, access to public schools, validation of skills and qualifications acquired abroad, and specific care as required, such as mental health.
- (f) Directly involve host or receiving communities of returnees as a fundamental requirement for the effectiveness and sustainability of reintegration policies, in particular municipalities and local authorities, which play a crucial role in facilitating access to employment, housing, work and other services and rights, and promote the implementation of community-based approaches that also benefit receiving communities.
- (g) Generate disaggregated statistics and collect data, adopting indicators and conducting analyses to develop adapted and differentiated inclusion policies for returnees.
- (h) Mobilize adequate budgetary investment to address the needs of returnees, including to support them during transit and reintegration, by promoting international financial and technical cooperation.

CHAPTER 3

Protection in Situations of Forced Displacement Due to Disasters

The consultations found that rising forced internal and cross-border displacement in the context of disasters and adverse effects of climate change will be one of the main challenges of the next decade.

The consultations highlighted, however, that this type of displacement is multi-causal, as it brings together various risk factors that can interact: environmental, political, geopolitical, demographic and socio-economic. In addition, it was found that disasters can exacerbate pre-existing situations of vulnerability or create new ones, negatively impacting the ability of people and communities to prepare for, respond to and recover from a disaster or the adverse effects of climate change. Moreover, when evacuation or relocation does not take place in a planned and safe manner, there is an increased risk to life and property, limited enjoyment of human rights and differentiated impact on certain groups and persons in vulnerable situations, including refugees, displaced and stateless persons.

Several needs were highlighted: to promote policies ranging from prevention and preparation to reintegration and solutions, taking into account that the displacement cycle requires a comprehensive approach addressing the multi-causal dimension that characterizes it; to ensure that programmes are designed using a differentiated and human rights-based approach, taking into account that persons and groups in situations of vulnerability, including previously displaced persons, require particular attention, in both the legal and operational spheres; to monitor that humanitarian policies, measures and assistance are provided in accordance with the principles of humanity, impartiality and non-discrimination; stressing the importance of promoting regional cooperation, collaboration and coordination between humanitarian and development actions.

In this context, and as advanced in the Brazil Plan of Action, the consultations agreed on the urgency of addressing this issue in-depth. In 2018, UNHCR published the study [Cross-Border Displacement, Climate Change and Disasters: Latin America and the Caribbean. Study prepared for UNHCR and PDD at the request of the Governments participating in the 2014 Brazil Declaration and Plan of Action.](#) The report highlights that the region's response is one of the most developed globally, as it incorporates disaster risk regulations and good practices, humanitarian visa programmes and other humanitarian normative practices as effective protection tools to provide a solid basis for tackling future displacement at the regional level.

The consultations also highlighted some relevant precedents for addressing this issue from a protection and solutions perspective, such as the 1998 Guiding Principles on Internal Displacement; the Framework Convention on Climate Change and its Paris Agreement; the Sendai Framework for Disaster Risk Reduction 2015-2030 (delete references); the 2018 Global Compact on Refugees; the 2018 Global Compact for Safe, Orderly and Regular Migration; the Colombian Constitutional Court's ruling on Internal Forced Displacement due to environmental factors, including events associated with climate change, Sentencia T-123 of 2024 and the request for an Advisory Opinion on Climate Emergency and Human Rights submitted by Chile and Colombia to the Inter-American Court of Human Rights in 2023, among others.

Based on the above, the following programmes were identified to strengthen protection and solutions to displacement in the context of disasters and the adverse effects of climate change, both internal and cross-border:

1) “Prevention, Preparedness, Response and Humanitarian Action in Affected Countries” Programme

The consultations highlighted the need to incorporate the protection of persons in vulnerable situations, including asylum seekers, refugees and displaced persons, into relevant policies, such as prevention, preparedness and resilience policies, using an age, intersectionality and intercultural approach, and to ensure such policies are age and gender sensitive. Emphasis was placed on the multi-causal dimension of displacement and the importance of integrating and

addressing displacement aggravated by multiple causes, including those due to disasters and the adverse effects of climate change, in the relevant national normative frameworks, policies and strategies, as well as ensuring safety, dignity and solutions in all phases of displacement, including the return to communities and territories of origin

Based on these priorities, the following recommendations for action were identified:

- a) In contexts of disasters or adverse effects of climate change, ensure the inclusion of displaced persons in the design and implementation of policies, programmes and responses and ensure their full exercise of rights.
- b) Strengthen national systems for forecasting, registration, data collection and disaggregated statistical information about the population at risk and the internally displaced population, in order to provide differentiated assistance to groups or persons in situations of vulnerability.
- c) Develop and strengthen multi-hazard and inclusive early warning systems that anticipate and prepare for events to reduce human and property losses, and that consider the specific differences of populations at risk of displacement (such as education levels and cultural or linguistic differences, etc.) for awareness-raising, communication and dissemination purposes.
- d) Establish and strengthen legal frameworks for the protection of displaced persons in contexts of disasters or the adverse effects of climate change, as well as policies and programmes for comprehensive assistance, and that address the specific needs of persons and groups in vulnerable situations, ensuring planned evacuation and relocation – striving in all cases to minimize the impact of displacement; guarantee access to protection and humanitarian assistance, including livelihoods, medical care, basic services and sanitation, and decent and adequate shelter or housing; comprehensively address the needs of separated families, where family members are deceased or missing; and provide for the provision of complete, timely and differentiated information.
- e) In contexts of disasters or adverse effects of climate change, ensure the inclusion of displaced persons in the design and implementation of policies, programmes and responses and ensure their full exercise of rights.
- f) Create inter-agency and intersectoral coordination mechanisms that address displacement in contexts of disasters or adverse effects of climate change in a multidisciplinary manner, bringing together specialists in international protection, climate change and disaster prevention and response.
- g) Guarantee access to justice for internally displaced persons in contexts of disasters and adverse effects of climate change.
- h) Prioritize voluntary and planned relocations, respectful of the needs and characteristics of the affected persons and groups, involving them significantly in the design, planning and management of the policies adopted; and incorporate in these a comprehensive restorative response, which where appropriate includes in the integration or reintegration strategies the recovery of their property or possessions.
- i) Ensure the necessary funding for a comprehensive approach to internal displacement and facilitate economic and humanitarian support from the international community, international agencies or cooperating countries; reinforce the evidence and data necessary for the provision of adequate assistance.

- j) Involve international agencies in accordance with their respective mandates – civil society, organizations led by displaced persons and refugees, organizations led by women, afrodescendants or indigenous peoples, host communities and their local authorities – in prevention, preparedness, response and humanitarian action programmes, in accordance with national legislation.
- k) Conduct studies, with support from academia, refugee and IDP organizations and other relevant actors, to identify and understand the multidimensional causes of displacement and investigate the links between disasters and the adverse effects of climate change and the associated protection risks for specific communities and groups, with a view to generating evidence for the design of relevant policies and regulations.

2) “Protection and Inclusion of Cross-Border Displaced Persons” Programme

During the consultations, several delegations addressed that people crossing borders in contexts of disasters and the adverse effects of climate change may be in need of international protection, and that regional and national regulations need to provide different protection responses, as appropriate. It was also highlighted that it is essential to find solution allowing displaced cross-border individuals and groups to have access to safe places and benefit from comprehensive assistance policies and programmes, especially for those in vulnerable situations. ✱

The following recommendations for actions were identified:

- (a) Improve data and knowledge in terms of statistics, trends and dynamics of cross-border displacement in the context of disasters and the adverse effects of climate change.
- (b) UNHCR's considerations on international protection claims in the context of the adverse effects of climate change and disasters could be taken into account on a voluntary basis.
- (c) Promote that persons displaced across borders in contexts of disasters and the adverse effects of climate change are able to access refugee status determination procedures and other forms of international protection, where applicable, observing in all cases the principle of non-refoulement on the basis of International Human Rights Law.
- (d) Consider, for this type of displacement, the actions recommended in the *Alternative and Complementary Protection Mechanisms Programme* of this Plan, with their characteristics and safeguards.
- (e) Ensure the socio-economic integration of cross-border displaced persons, facilitate family reunification and consider complementary pathways such as humanitarian admission to third countries or community sponsorship as a solution to ease the burden on countries of origin and host countries.
- (f) Incorporate refugees, displaced and stateless persons into national disaster response systems, including social protection, disaster insurance and other benefits, on an equal basis with nationals of the host country.
- (g) Promote the inclusion and effective participation of refugees, displaced and stateless persons, along with their host communities and local authorities, in policies and measures related to cross-border displacement responses, including national adaptation, comprehensive disaster risk management and resilience plans.
- (h) Improve the technical capacities of State officials involved in border management and other related issues.

3) “Regional Solidarity on Displacement in the Context of Disasters” Programme

The consultation emphasized the need to address disaster-related displacement, both internal and cross-border, in a context where the Cartagena Process principles of solidarity, shared responsibility and international cooperation are vital. Disasters put countries to the test, affecting State structures, infrastructure, response systems and even reconstruction capacity. At the same time, cross-border displacement, often due to the nature of its causes, tends to be sudden and occurs in the context of humanitarian emergencies, requiring rapid and coordinated reactions.

In this context, it was stressed that the solidarity approach – be it bilateral or multilateral – and support and coordination with other stakeholders, such as local host and displaced communities, local authorities and municipalities and even the international community, is particularly important.

In this regard, it was highlighted that displacement in the context of disasters has been integrated into the working agendas of subregional dialogue processes and forums on human mobility, such as the Caribbean Community (CARICOM), the Caribbean consultations on Migration (CMC), the Regional Conference on Migration (RCM), the South American Conference on Migration (CSM), and the Central American Integration System (SICA), the Regional Conference on Migration (RCM), the South American Conference on Migration (CSM) and the Central American Integration System (SICA). Guidelines, manuals, cooperation frameworks, mechanisms or procedures linked to this type of displacement and disasters have been developed within these bodies.

In this context, the following actions are recommended:

- (a) Promote and implement humanitarian agreements concerning displacement in the context of disasters.
- (b) Conclude bilateral or multilateral agreements on cooperation and mutual assistance between countries in disaster-prone areas, and/or establish regional and subregional humanitarian policies, including, in addition to access to territory and humanitarian assistance, access to documentation and services, as well as inclusion policies and solutions.
- (c) Incorporate displacement in contexts of disasters and adverse effects of climate change into bilateral or subregional agreements on free movement of persons.
- (d) Develop the capacities of the relevant border and migration authorities at regional and subregional level, including through cross-border exercises to simulate disasters, humanitarian crises and displacement.
- (e) Continue regional and subregional dialogues on displacement in contexts of disasters and adverse effects of climate change in order to share good practices, strengthen cooperation and solidarity with affected and host countries, and draw on guidelines, manuals, cooperation frameworks, mechanisms or procedures developed in subregional dialogue processes and forums, as valuable tools to guide actions over the next decade.
- (f) Promote technical and financial support from the international community, international development and financial actors, international organizations and cooperating countries, both for disaster-affected and recipient countries and communities, thus ensuring shared responsibility, in a spirit of solidarity and humanitarianism.
- (g) Promote the interoperability and interchangeability of displacement measurements, data and analysis between countries, fostering regional harmonization of monitoring and reporting criteria and methodologies, and the creation of common displacement indicators that allow for accurate, region-wide measurements.

CHAPTER 4

Follow-up and Coordination Mechanism for Implementation of the Plan of Action

During the consultations, it was stressed that Latin American and Caribbean countries have been collaborating for years in various regional and subregional coordination mechanisms related to displacement and international protection, focusing on geographical, political or thematic areas. The main mechanisms - in which the countries of the region participate in a differentiated manner - included the following, by order of creation: the Caribbean Community (CARICOM), the Southern Common Market (MERCOSUR) and its Meeting of National Refugee Commissions (MERCOSUR CONARES Meeting), the MERCOSUR Specialized Migration Forum (FEM), the Central American Integration System (SICA) and its CONARES Meeting of Mesoamerican countries, the Regional Conference on Migration (CRM - Puebla Process); the South American Conference on Migration (CSM - Lima Process), the Latin American and Caribbean Council for Civil Registration, Identity and Vital Statistics (CLARCIEV), the Community of Latin American and Caribbean States (CELAC), the Regional Asylum Capacity-Building Initiative (RACBI), the Regional Integrated Framework for Protection and Solutions (MIRPS), the MIRPS Support Platform, the Quito Process (PQ), the Declaration of Los Angeles; the Palenque Declaration and the Brasilia Consensus. At the global level, the 2018 Global Compact on Refugees, which brings together countries in the region on protection and solutions, is of particular significance.

Significant efforts were also made by the Caribbean to establish common responses to the challenges of displacement, including the Regional Approach to Migration Policy (RAMP) framework which, under CARICOM, is intended to advance the region's migration priorities and address key challenges and opportunities, including the protection and safety of refugees, displaced and stateless persons.

Facilitate the harmonization of the efforts made by the countries in the region, in this context of multiple mechanisms and bodies, in order to achieve greater efficiency and coherence in governmental efforts, as well as to avoid duplication and overlapping.

The Cartagena+40 Process could also contribute to the objectives of the 2018 Global Compact on Refugees, in the framework of which two Global Refugee Forums (GRF) – in 2019 and 2023 – and a High-Level Officials Meeting (HLOM) – in 2021 – have been held, where countries and forums in the region, among other actors, presented commitments to achieve the Compact's objectives. The Company promotes a new solutions-based paradigm, focused on alleviating the burden on host countries, and guided by the principles of shared responsibility, international cooperation and solidarity in humanitarian action, the principles that have characterized the Cartagena Process throughout its history.

The Chile Plan of Action appears to be the ideal space to host a mechanism in the region and therefore the space for regional implementation of the Global Compact on Refugees.

The Global Alliance to End Statelessness (Global Alliance) was launched in October 2024; the Chile Plan of Action can contribute to regional implementation of this Alliance insofar as there is also synergy and complementarity between the two bodies. Thus, the follow-up and coordination mechanism for the implementation of the Chile Plan of Action will be aligned with the Global Compact on Refugees and the Global Alliance and, in keeping with the spirit of the Cartagena Process, will be flexible, adapted, effective and sustainable.

The State of Chile will maintain its leadership to oversee the implementation of the Chile Plan of Action throughout the decade of its validity (2024-2034), with the support of a voluntary rotating vice-president, to be determined by consensus.

UNHCR will set up a Technical Secretariat, comprising Latin American and Caribbean States, to support the State of Chile and the vice-presidency for effective development of the follow-up and coordination mechanisms. Civil society, academia, organizations of refugees and displaced persons,

the private sector, development actors and international financial institutions, cooperating countries and other relevant actors may be consulted and invited to participate, as appropriate, in the meetings to monitor, update and follow up on the Chile Plan of Action. In particular, contributions may be requested from expert entities, such as those that participated in the design of the Cartagena+40 Process consultations, to support the implementation of the Chile Plan of Action or its revision throughout the decade.

The State of Chile will convene regional preparatory meetings, through the Technical Secretariat of Cartagena+40 and under the responsibility of UNHCR, six months in advance of these Global Compact instances – i.e. every two years – so that Latin American and Caribbean countries can address the progress of the Chile Plan of Action, contribute to it and, if appropriate, adapt their programmes according to the needs and interests of the countries.

It was also determined that coordination of the different regional and subregional spaces is possible with the leadership and articulation of their respective pro-tempore presidencies (PPT), without prejudice to preserving their particularities, mandates and specific orientations, concerning the geographic, political or thematic needs they address.

Moreover, it was stressed that it is important to strengthen cooperation between the bodies of the United Nations System, the Inter-American System for the Protection of Human Rights and the UNHCR for a more effective protection of refugees, displaced or stateless persons, and to continue stepping up this collaboration, including in the context of the cooperation frameworks between each country and the United Nations System.

CHAPTER 5

Cooperation of Other Stakeholders in the Chile Plan of Action

The Chile Plan of Action takes note of the 2023 Declaration by Academia within the framework of Cartagena +30 on the Integral Protection of Refugees and Other Forced Migrants and for the Construction of an Effective Humanitarian Space in Latin America and the Caribbean, in the framework of Cartagena+40, the Declaration of the Network of National Human Rights Institutions of the American Continent (RINDHCA) on its role and contribution to the Cartagena+40 process on Refugees – Declaration of Santa Cruz de la Sierra, Bolivia of 5 April 2024, the Declaration of Montevideo on Contributions of Cities of Solidarity to the Plan of Action of Chile (2024-2034) of 26 April 2024, the Declaration of Ministers of Interior and Security of the MERCOSUR States Parties and Associated States of Interest of the Cartagena+40 Process of 7 June 2024; and the various contributions FROM organizations led by refugees, stateless persons and civil society, formulated in the framework of the Cartagena+40 Process.

The Plan of Action invites civil society, academia and organizations of refugees, displaced and stateless persons to consider autonomously establishing a network to follow up the Chile Plan of Action. This space would allow for a coordinated and meaningful contribution through the following actions: a) collecting and sharing data, generating common inputs, promoting strategic advocacy alliances and mobilizing resources for implementation of the Plan; b) coordinating collaborative actions and contributing to the implementation of the Plan's programmes; and c) analysing progress and challenges in implementation and providing recommendations for States to consider when conducting the biennial review of the Plan. The network will be formed, led and articulated autonomously by its members or the groups that make it up.

The Chile Plan of Action calls for the creation of a Regional Network of Solidarity Enterprises that aligns with its programmes and objectives on issues of socio-economic inclusion and integration, improves access to the formal labour market, fosters the development of enterprises, businesses and employment, and promotes a space of shared opportunities for host communities.

The Chile Plan of Action will also seek to promote and strengthen, as appropriate, the Cities of Solidarity programme, through joint work with municipalities, local authorities, partners and other local actors.

Moreover, within the framework of the Global Compact on Refugees, the expression of solidarity, international collaboration and shared responsibility is manifested in concrete financial, material and technical actions by the international community to support host countries.

The Chile Plan of Action will create a Support Platform, inspired by the Global Compact on Refugees, focused on the implementation needs of the Chile Plan of Action and the Global Compact on Refugees.

Santiago de Chile
12 December 2024