

STATEMENT OF SHAINA ABER
on behalf of
THE LATIN AMERICA JOINT REGIONAL WORK GROUP MEMBERS
AT THE PUBLIC HEARING OF THE BUREAU OF POPULATION, REFUGEES, AND
MIGRATION, U.S. DEPARTMENT OF STATE
REGARDING THE U.S. REFUGEE PROGRAM FOR FISCAL YEAR 2009

June 11, 2008

The protracted humanitarian crisis in Colombia is arguably the most urgent in the Western Hemisphere, stemming from an armed conflict of over forty years, and resulting in the second largest internally displaced population in the world. Additionally, many Colombians have sought refuge and protection in other countries, namely Venezuela, Ecuador, Panama, and Costa Rica among other destinations. UNHCR's forward-looking initiatives in Colombia include: the opening of new offices in areas where with large internally displaced populations; plans to open an office in the port city of Buenaventura, a centre of growing external displacement; and work with communities-at-risk of displacement at the local level throughout Colombia, where UNHCR supports municipal governments' efforts as they create infrastructure to insulate vulnerable communities from coerced land-grabs by armed actors. UNHCR's work in partnership with UNICEF to support communities' efforts to build schools is particularly important to highlight, as this type of support will aid efforts to monitor and prevent the use and recruitment of child soldiers by irregular armed groups. UNHCR's recent IDP assistance work in Colombia has the potential to save lives and prevent displacement and we support its full funding by donor states.

The United States government in particular has an interest in promoting stability, security and human rights in this hemisphere. Unfortunately the needs of this population and the projects aimed at protecting and assisting the refugees and IDPS of Colombian extraction are too often neglected on the world scene. PRM's budget for the Latin American and Caribbean region is too often under-funded. In fact the entire the Western Hemisphere only receives 5% of the MRA funds worldwide, less even than the MRA funds allocated to Europe. Resettlement from the region has virtually disappeared since 2004. We encourage the United States to set aside sufficient resources to substantially fund refugee and IDP work in the region, raising the level of contribution to UNHCR's budget for regional needs from 20% of the UNHCR funding request back to the level of 25% so that UNHCR can continue its important work in the region.

The response to protection needs of the displaced population on the ground is far from sufficient. International oversight and support is required to ensure IDPs enjoy the full benefits guaranteed by Colombia's legal framework past constitutional interpretations. We recommend that the United States dedicate more resources towards supporting UNHCR's effort to strengthen and improve the territorial committees in Colombia as they work to assist and register new waves of displaced people.

We note with urgent concern emerging evidence of direct involvement by parts of the Colombian military in gross human rights abuses, extrajudicial executions, and forced displacement. The cases reportedly occur in areas with a high level of military presence or where military operations are frequent or constant. Illegal military actions generate instability, fear, and displacement in

rural areas, and call into question Colombian government's commitment to human rights and the rule of law. UNHCR should be commended for its human rights training efforts with Colombian military units, aimed at promoting a culture of respect for the rights of all citizens, including IDPs. We encourage the U.S. to fund attempts by the UNHCR to increase its field presence where the Colombian military operates.

Also of urgent concern is the very recent increase in threats and attacks on church leaders, NGOs, humanitarian and political organizations involved in pro-peace, pro-human rights movements. In early March, NGOs, church organizations, human rights advocates, and Afro-Colombian and indigenous groups demonstrated in Colombia's capital to protest the rise in direct state involvement in human rights abuses. A spokesman and chief aid to President Uribe, José Obdulio Gaviria, imperilled the lives and safety of these civil society groups by publicly declaring that the demonstrations were "convened by the FARC." A paramilitary unit known as the Black Eagles, encouraged by the Uribe Administration's allegations, then launched a barrage of threats and violence against the organizers of the peaceful rally. This evidences the coercive power of false government statements equating parishes, peace activists, and human rights defenders with violent leftist guerillas like the FARC. In spite of appeals by international NGOs for the government to retract these dangerous assertions, no government spokesperson did so. We commend the U.S. Embassy for taking seriously the threats against Church leaders and other humanitarian workers that followed Mr. Gaviria's dangerous blunder. We hope the United States will continue to voice its objections to Colombian government actions that corrode democracy, spur new displacements, and threaten to quell the voices of the growing Colombian peace movement.

Colombian refugees encounter various hardships in neighbouring States. Concerns for their physical security have arisen, as irregular armed groups pursue civilian targets across porous borders. Lack of access to the labour market is a continuing problem, particularly for the large numbers of often-invisible refugees yet to be registered with the UNHCR.

We are extremely concerned about the confinement of Colombian refugees in the southern jungle region of Panama, and the persistent threats of deportation and targeted violence perpetrated against Colombian asylum-seekers in Panama City, particularly in the Curundú district. The lack of freedom of movement for Colombian asylum-seekers in the Panama's southern jungle has impeded access to necessary medical care, employment opportunities, and meaningful education. We encourage UNHCR and Panamanian authorities to find a durable solution for Colombian refugees in the Darién jungle. The confinement, isolation, and temporary legal status of these refugees in Panama, denies them any hope of local integration, making them suitable candidates for third-country resettlement.

In Ecuador, the situation for many of the estimated 250,000 Colombian is also cause for serious concern. The majority of Colombian refugees living in Ecuador have yet to be registered by UNHCR and the Ecuadorian government. In response, UNHCR is supporting a promising initiative by the Ecuadorian government to launch a massive registration campaign along Ecuador's northern border. UNHCR is currently planning to support the Ecuadorian government in launching a plan to quickly register and provide documentation for the "invisible" Colombian refugees in three points along Ecuador's northern border. The success of this registration program depends largely on funding from donor states, education of Ecuadorian authorities about the conditions facing refugees in country of origin, and monitoring and accompaniment of the massive registration process by the UN, NGOs and human rights experts. These efforts will

provide relief for many of the refugees living in the northern border region, though we remain concerned about the security situation for these refugees, in the face of numerous border incursions by illegal armed groups, and the recent violation of Ecuador's border by the Colombian government's armed forces. UNHCR, in cooperation with Ecuadorian authorities, has opened its first information center for newly arrived Colombians on the Ecuadorian border. The center is intended to help newly arrived refugees understand their rights as they enter their country of refuge. The center is hailed as an important preliminary step toward reaching the largely invisible Colombian refugee population in Ecuador, and we hope to see more such initiatives in years to come.

In the Ecuadorian interior, homelessness and joblessness are prevalent among the Afro-Colombian refugee population, regardless of individuals' capacities or professional training, and their local integration prospects remain low even after years of residing as recognised refugees within Ecuador. Colombian women refugees, particularly those who are heads-of-household, face gender and nationality-based discrimination, and are often forced into sexually exploitative situations. Return is impossible for the vast majority of Colombian refugees, and Ecuador is home to the largest refugee population in Latin America. PRM must begin to devote more serious attention to burden sharing with the Ecuadorian government, funding Ecuador's burgeoning asylum system to encourage its progress in recognizing and providing safe-haven for Colombians fleeing violence and persecution. Increased funding will allow the growth of local integration programs, the reinstatement of food rations, and an increased focus on providing physical security for refugees who face continued threats by Colombian armed groups.

Haiti remains a place of serious concern that warrants international attention. The central government lacks control over much of Haiti. In its absence, criminal gangs have emerged as de facto authorities forcing thousands of Haitians to leave their homes. Approximately one-third of the population in Haiti is internally displaced; thousands more have crossed the border into the Dominican Republic or braved the seas in boats to escape the generalised or targeted violence.

We remain concerned about the plight of Haitians residing in the Dominican Republic. The Dominican Republic's asylum adjudication system is nearly non-existent. Some Haitian refugees have waited sixteen years for an asylum decision. In the past fifteen years, the Dominican Republic has granted a total of five asylum petitions, only one of which was that of a Haitian national. We encourage PRM to identify vulnerable Haitian refugees for resettlement from the Dominican Republic, and to work closely with NGOs in the region to further identify the most urgent cases. United States should place pressure upon the Dominican Republic to fulfil its obligations and responsibilities to refugees and stateless persons under the *1951 Refugee Convention* and other instruments of international law. PRM should likewise recognise the special vulnerability of Haitian refugees and the large number of descendents of Haitians residing in the Dominican Republic who are stateless or at risk of statelessness, and fully fund UNHCR's efforts to address the protection needs of this population.