



## CONCEPT NOTE

### **Caribbean Subregional Consultation of the Cartagena+40 Process Protection and Comprehensive Solutions for Persons in Situations of Human Mobility and Statelessness**

*Tuesday, 18 June 2024, Bogota*

#### **I. Introduction**

This document was prepared by the Technical Secretariat of Cartagena+40 (C+40), led by the Government of Chile, with the support of the United Nations High Commissioner for Refugees (UNHCR) and the Government of Colombia, to inform and guide discussions among the Caribbean States, during the Cartagena+40 Process.

The inclusion of the Caribbean into the Cartagena Process under the 2014 Brazil Plan of Action, mainly through the “*Regional Solidarity with the Caribbean Programme for a Comprehensive International Protection and Durable Solutions Response*”, has enabled many countries to advance their protection and solutions agendas for refugees, asylum seekers and stateless persons. This progress has been achieved through incremental, coherent and often sustained progress.

Examples of progress include the strengthening of asylum and international protection systems, efforts to enhance protection at sea, the implementation of protection-oriented legal stay arrangements for refugees and migrants, the formulation of progressive local integration policies, including guaranteeing the rights to work, education, and access to public health systems. Additionally, concrete measures to address statelessness and the expansion of resettlement opportunities for refugees have been significant achievements. Regional solidarity and the presence of UNHCR and the broader international community have driven this progress.

However, challenges to protection and solutions remain. These include managing mixed movements of refugees and migrants through a rights-based approach, ensuring protection-sensitive entry mechanisms, and establishing robust asylum systems and refugee status determination procedures. Other challenges involve sharing accurate information from countries of origin on protection needs, implementing protection considerations and moratoriums on forced return, and developing programmes to promote comprehensive durable solutions. The region also remains at the forefront of discussions on the adverse impacts of climate change and disasters and its link to displacement.

Accordingly, the objective of the *Caribbean Subregional Consultation on Protection and Comprehensive Solutions for persons in Situations of Human mobility and Statelessness* is to promote collective reflection and to identify, develop, and expand good practices that can provide a wide range of opportunities for the inclusion and integration of displaced and stateless persons, while supporting host communities; and to strengthen international protection in the Caribbean States and at sea.

This consultation will also provide an opportunity to reflect on the implementation of the 2018 Global Compact on Refugees and the application of its principles and objectives in the Caribbean and with the Cartagena Process.

## II. Objectives

This Consultation aims to identify and reflect on the region's current and future protection needs and develop common responses to protect people on the move and at risk of statelessness. A comprehensive and holistic approach is encouraged, considering the specific needs of forcibly displaced and stateless persons in countries of origin, transit, destination, and return while addressing the risks displaced persons face on the route, particularly at sea and in host countries.

In this context, a human-centered perspective, as well as a gender, intersectional and intercultural approach, addressing the risks and specific protection needs of people along their entire displacement route will contribute to the responses currently provided by States.

This Consultation will also help to identify and strengthen existing good practices on socio-economic integration and develop new ones to promote self-reliance strategies and policies, access to public and social services such as health and education, and social and labor market inclusion, with a focus on the role of host communities and local actors. In addition, the consultation aims to expand access to the wide range of opportunities available in the region through the active involvement of governments, the private sector, development actors, civil society and refugee-led organizations, as well as regional mechanisms on human mobility (Caribbean Community –CARICOM, Organization of Eastern Caribbean States –OECS, Caribbean Disaster Management Agency –CDEMA), contribute to mitigating the risk of displacement and provide mutually beneficial solutions for displaced, refugee and stateless persons, as well as host communities.

Additionally, it is necessary to envision more options for third-country solutions through resettlement and other lawful pathways, including labor, education, family reunification and other alternatives, with the support of international cooperation.

Finally, this Consultation will provide an opportunity to anticipate the challenges and opportunities that will emerge in the Caribbean over the next decade by fostering a constructive debate that places solidarity, international cooperation, and shared responsibility at the center of the discussions.

### III. Context and current practices

With extensive porous maritime borders and limited financial, human, and material resources, Caribbean countries and territories have long faced challenges related to mixed movements of refugees and migrants. In recent years, these challenges have intensified, exacerbated by disasters affecting Caribbean countries and territories, the effects of climate change, political instability, gang violence and the deteriorating humanitarian situation in different countries.

Furthermore, Caribbean countries have historically highlighted the need to balance border security considerations with respect for the rights of displaced persons, international protection considerations and sustainable solutions for those in need.

### III. Technical and strategic areas of discussion

The focus areas of this Consultation have been defined in response to the priorities and needs identified in the region in recent years, in synergy with the principles outlined in the Global Compact on Refugees. The consultation aims to create an inclusive space for reflection on the formulation of common strategies, commitments and responses to support countries of origin, transit, destination and return and their host communities as key actors for sustainable development and the integration and self-reliance of displaced persons.

In this context, technical areas of discussion have been identified, each with specific issues to be addressed and accompanied by guiding questions to steer the debate towards developing common solutions.

Participants in the Consultation are encouraged to frame their contributions and interventions around one or more of the proposed questions to achieve an effective outcome for the consultation process.

The presentation of good practices that can be adapted, replicated, or generalized at the regional level is also encouraged. Innovative responses and solutions are welcome to facilitate new pragmatic programs, policies, and strategies. Participants are also invited to review the document on State Interventions and Presentation of National Good Practices, available [here](#).

#### SEGMENT 1: STRENGTHENING INTERNATIONAL PROTECTION IN THE CARIBBEAN

##### 1) Strengthening protection at sea, refugee status determination systems and temporary or complementary protection mechanisms, and voluntary repatriation

- What measures can be taken to bolster measures guaranteeing the protection of individuals in distress at sea?
- What measures can transit and destination countries adopt to establish protection-sensitive entry systems that balance their legitimate interest in controlling unauthorized entry and their human rights and refugee law obligations?
- What measures can countries undertake to establish or reinforce their asylum systems, and what forms of assistance could facilitate these efforts? What protection-sensitive mechanisms, beyond asylum systems, can be implemented in situations involving the mixed movements of refugees and migrants?

- How to ensure that returns are carried out with respect for the human rights and dignity of returnees, and how to develop safeguards to ensure respect for the principle of non-refoulement?

## 2) Eradication of statelessness

- What measures can be adopted to ensure full access to birth registration, including via late birth registration, to populations in situations of vulnerability and/or human mobility?
- What measures and programs can be established to guarantee that individuals can access documentation proving their nationality?
- What measures can be adopted to prevent discrimination of any kind with regard to the acquisition and confirmation of nationality?
- What obstacles do countries face in establishing legal frameworks to address statelessness, including procedures to identify and protect stateless people, and what kind of assistance could help them achieve this?
- How can more countries in the region adhere to one or both UN Statelessness Conventions and incorporate their relevant provisions into domestic law?
- How can Caribbean countries cooperate to document individuals effectively in situations of human mobility?

## SEGMENT 2: SUPPORTING HOST COMMUNITIES TO ENHANCE SOCIAL INTEGRATION AND REINFORCING RESPONSIBILITY-SHARING MECHANISMS

### 1) Economic inclusion, integration, self-reliance, and strategies to support and benefit host communities

- What measures can be undertaken to expand the access of forcibly displaced and stateless populations to national public health and medical systems?
- What innovative mechanisms can be implemented in cooperation with the private and financial sectors or international agencies to create sustainable employment/labor integration opportunities for displaced persons and their host communities?
- What initiatives (including appropriate documentation) can be taken to avoid informality, thus contributing to self-sufficiency and, simultaneously, to host countries' financial health and fiscal revenues?

### 2) Expanding lawful admission pathways to third countries as a means of responsibility-sharing and cooperation tool to bolster protection and solutions

- What measures can be implemented to expand resettlement opportunities for refugees within and outside the region?
- How can complementary pathways for admission to third countries, such as humanitarian, labor or study pathways, be strengthened as durable solutions? What other innovative complementary pathways can countries develop to enhance responsibility-sharing?
- How can family reunification be leveraged as a pathway for admission and legal residence providing a viable solution for a significant part of the population in human mobility?