



## The Chile Declaration and Plan of Action 2024–2034: A Blueprint for Addressing Climate and Disaster-Related Displacement in the Americas

February 2025

Forced displacement continues to present complex challenges across Latin America and the Caribbean, with climate change and disasters increasingly driving mobility in the region. Against this backdrop, the Chile Declaration and associated Plan of Action represent a critical regional effort to address these issues through a framework for protection and cooperation. This analysis outlines the main elements of the Declaration and Plan of Action, with a specific focus on displacement in the context of climate change and disasters.

This analysis is structured as follows: Part **A** outlines the background of the Cartagena +40 process; Part **B** offers an overview of the Chile Declaration and Plan of Action’s core principles and objectives; Part **C** identifies critical advocacy opportunities under the Plan of Action; and Part **D** concludes with reflections on the need for sustained, collaborative efforts to address these emerging displacement challenges. The **Appendix** provides a concise summary of key chapters of the Plan of Action (3, 4, and 5), highlighting measures for protection, monitoring, cooperation, and stakeholder engagement.

### CGRS AND THE CARTAGENA +40 PROCESS

CGRS actively engaged in the Cartagena +40 process from its early stages. While the [United States has not adopted](#) the Cartagena Declaration definition, CGRS offered its expertise to advocate for enhanced protection for individuals displaced by climate change and disasters in the Americas.

- ✓ CGRS submitted recommendations to governments in the region on [How the Cartagena +40 Process Can Improve Protection for Cross-Border Climate Displacement](#), outlining how international and regional refugee and human rights law can safeguard individuals displaced by climate change and disasters. With partner organizations, CGRS contributed [recommendations](#) to inform the Inter-American Commission on Human Rights’ own submission to the process.
- ✓ CGRS co-hosted the webinar [Cartagena +40: Where Next for Refugee Protection in Latin America?](#), featuring civil society organizations from across the region.
- ✓ At the 2023 Global Forum on Refugees, CGRS pledged to collaborate with partners in Australia and the United Kingdom to develop [practical guidance](#) on applying international and regional refugee and human rights law to protect climate-displaced individuals as part of the Multi-Stakeholder Pledge on [Climate Action](#), and in support of the goals of the [Cartagena +40 Multi-Stakeholder Pledge](#).
- ✓ In her capacity as Sérgio Vieira de Mello Chair of International Refugee Law at UC Law SF, CGRS’s Policy & Advocacy Director, Kate Jastram, signed the [2023 Declaration by Academia on the Integral Protection of Refugees and Other Forced Migrants and the Construction of an Effective Humanitarian Space in Latin America and the Caribbean](#). Karen Musalo, UC Law Professor and CGRS’s Founding Director, signed the Declaration in her personal capacity.

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## A. BACKGROUND

The Chile Declaration and Plan of Action,<sup>1</sup> adopted on December 12, 2024, marked the culmination of the Cartagena +40 process, an initiative to commemorate the 40th anniversary of the 1984 Cartagena Declaration on Refugees.<sup>2</sup> This tradition of regional collaboration, renewed every decade through the “Cartagena +” process, provides a platform for countries across Latin America and the Caribbean to assess past achievements, identify emerging challenges, and reinforce commitments to centering protection in addressing displacement.

One of the enduring strengths of the Cartagena + initiative is its ability to build upon and refine earlier regional efforts. For example, the 2014 Brazil Declaration and Plan of Action acknowledged the mounting challenges of climate-related displacement and called for integrated legal, policy, and practical responses to protect affected populations.<sup>3</sup>

In subsequent years, two regional intergovernmental consultation processes produced targeted reports outlining recommendations to better coordinate responses to cross-border displacement triggered by disasters.<sup>4</sup> In parallel, the States that adopted the Brazil Declaration commissioned a comprehensive study to inform policy improvements and enhance national frameworks to more effectively address displacement arising from climate change and disasters.<sup>5</sup> Collectively, these initiatives helped underscore displacement in the context of climate change and disasters as an urgent regional priority and positioned it as a central element of the Cartagena +40 process.

During the year-long Cartagena +40 process<sup>6</sup>—launched at the 2023 Global Refugee Forum under the leadership of the Government of Chile, with support from the United Nations High Commissioner for Refugees (UNHCR) and the governments of Brazil, Colombia, and Mexico—a series of consultations was held. The consultations focused on the process’s core pillars of protection, durable solutions, and disaster-related displacement, and included an additional meeting addressing the specific needs of Caribbean nations.<sup>7</sup>

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<sup>1</sup> [Chile Declaration and Plan of Action 2024–2034](#) (Dec. 12, 2024, Santiago, Chile) (hereinafter, CDPA).

<sup>2</sup> [Cartagena Declaration on Refugees](#) (Nov. 22, 1984, Cartagena, Colombia).

<sup>3</sup> [Brazil Declaration and Plan of Action 2014–2024](#) (Dec. 3, 2014, Brasilia, Brazil), p. 4.

<sup>4</sup> See The Nansen Initiative, [Protection for Persons Moving Across Borders in the Context of Disasters: A Guide to Effective Practices for RCM Member Countries](#), (2016); and South American Conference on Migration, [Regional Guidelines on the Protection and Assistance of Cross-border Displaced Persons and Migrants in Countries Affected by Disasters](#) (2018).

<sup>5</sup> David Cantor, [Cross-Border Displacement, Climate Change and Disasters: Latin America and the Caribbean](#), UNHCR and Platform on Disaster Displacement (2018).

<sup>6</sup> See Government of Chile, [The Cartagena +40 Process in Brief](#) (last accessed on Dec. 20, 2024).

<sup>7</sup> See Cartagena +40 Technical Secretariat, [First Thematic Consultation: Protection of Persons in Situations of Human Mobility and Statelessness](#) (2024); [Second Thematic Consultation: Inclusion and Integration through Alternative, Comprehensive and Sustainable Solutions](#) (2024); [Third Thematic Consultation: Protection in Contexts of Forced Displacement due to Disasters](#) (2024); and [Caribbean Subregional Consultation: Protection and Comprehensive Solutions for Persons in Situations of Human Mobility and Statelessness](#) (2024).

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## B. OVERVIEW AND ANALYSIS

This section examines the Chile Declaration and Plan of Action, with a focus on their response to climate and disaster-related displacement. It explores the framework's principles, objectives, and proposed measures, including cross-border protection and regional cooperation strategies tailored to address climate-related challenges.

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### 1. *The Chile Declaration and Plan of Action in Brief*

The Chile Declaration reaffirms the commitments of Latin American and Caribbean countries to the protection of refugees, displaced individuals, and stateless persons. It builds on the principles of the 1984 Cartagena Declaration on Refugees and subsequent regional declarations, emphasizing the need for international cooperation, shared responsibility, and solidarity. It recognizes the importance of providing durable solutions, including local integration and resettlement, while also addressing the root causes of displacement, such as violence, conflict, and climate change.

The Declaration also promotes a comprehensive protection approach that involves States, civil society, and other actors in ensuring the rights and well-being of displaced persons throughout the displacement cycle. Likewise, it highlights the need to combat xenophobia and discrimination and to ensure the inclusion of displaced persons in host communities.

The accompanying Plan of Action outlines concrete measures and programs to achieve the Declaration's objectives in five chapters:

- Chapter 1: Addresses the protection needs of individuals throughout the displacement cycle, including border security and asylum systems.
- Chapter 2: Focuses on comprehensive, inclusive, and sustainable solutions, such as socio-economic integration, employment, resettlement, and voluntary return.
- Chapter 3: Explores the specific challenges of protection in the context of forced displacement due to disasters and climate change.
- Chapter 4: Proposes monitoring and coordination mechanisms for the Plan of Action's implementation.
- Chapter 5: Outlines the cooperation of other stakeholders, such as civil society, academia, the private sector, and international organizations, in supporting the Plan of Action's implementation.

Together, the Declaration and Plan of Action stand out for their largely positive, protection-centered language that addresses the main challenges of human mobility in the region: risks for migrants along routes, statelessness, internal and cross-border displacement, and vulnerability to disasters and climate change. Rather than introducing entirely new frameworks, the Declaration and Plan of Action build on existing efforts by reaffirming commitments to established programs and mechanisms. Additionally, they seek to align regional efforts with global frameworks in the

Americas, such as the Global Compact on Refugees, fostering greater coherence and coordination in addressing displacement.

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## 2. *Climate and Disaster-Related Displacement*

The Declaration and Plan of Action demonstrate a strong understanding of the complexities of climate and disaster-related displacement and provide a robust framework to address its multifaceted challenges in the Latin American and Caribbean region.

Importantly, the Plan of Action:

- Recognizes the multi-causal nature of displacement, explicitly acknowledging that climate and disaster-related displacement is rarely solely attributable to environmental factors. It points to the interplay of environmental, political, geopolitical, demographic, and socioeconomic factors that contribute to displacement.<sup>8</sup>
- Highlights that climate change and disasters exacerbate pre-existing vulnerabilities and disproportionately affect specific groups, including those already displaced. It calls for human rights-based policies and programs, with particular attention to the needs of vulnerable populations.<sup>9</sup>
- Emphasizes the need for comprehensive strategies that address all stages of displacement, from prevention and preparedness to response, recovery, and durable solutions.<sup>10</sup> Similarly, it considers internal displacement, planned relocation, and cross-border displacement.
- Stresses the importance of regional cooperation and solidarity, recognizing the transboundary nature of climate-related displacement.<sup>11</sup>
- Draws upon and integrates existing frameworks and legal instruments relevant to climate and disaster-related displacement, including the Guiding Principles on Internal Displacement,<sup>12</sup> the Sendai Framework for Disaster Risk Reduction,<sup>13</sup> the Global Compact on Refugees,<sup>14</sup> the Global Compact for Migration,<sup>15</sup> and relevant regional agreements.<sup>16</sup>

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<sup>8</sup> CDPA, p. 30.

<sup>9</sup> *Id.*, p. 30–31.

<sup>10</sup> *Id.*, p. 31.

<sup>11</sup> See, e.g., CDPA, chapter 3: “Regional Solidarity in Situations of Forced Displacement Due to Disasters.”

<sup>12</sup> [U.N. Guiding Principles on Internal Displacement](#), U.N. Secretary-General, U.N. Doc. E/CN.4/1998/53/Ad.2 (1998).

<sup>13</sup> [Sendai Framework for Disaster Risk Reduction 2015–2030](#), U.N. Doc. A/RES/69/283 (2015).

<sup>14</sup> [Report of the United Nations High Commissioner for Refugees: Part II: Global Compact on Refugees](#), U.N. Doc A/73/12 (Part II) (2018).

<sup>15</sup> [Global Compact for Safe, Orderly and Regular Migration](#), U.N.G.A. Res 73/195 (2018).

<sup>16</sup> See CDPA, p. 30.

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### 3. *Protection in the Context of Climate and Disaster-Related Cross-Border Displacement*

Recognizing that climate change and disasters can compel individuals to cross international borders, chapter 3 of the Plan of Action includes a dedicated section on the “Protection and Inclusion of Cross-Border Displaced Persons.” This section acknowledges that such individuals may require international protection. Significantly, it reaffirms the applicability of the principle of *non-refoulement*, including the prohibition of rejection at borders, and promotes the accessibility of asylum procedures for individuals displaced in this context.<sup>17</sup> Additionally, it asks States to consider complementary forms of international protection and alternative mechanisms—such as humanitarian-based temporary protection programs—for individuals who do not qualify as refugees.<sup>18</sup>

Despite their positive language, the Declaration and Plan of Action stop short of explicitly stating that existing international protection frameworks apply to those displaced by climate change and disasters across borders. Instead, they employ cautious and occasionally contradictory language, reflecting an apparent desire on the part of States to maintain flexibility in their responses.

For example, while recognizing the applicability of refugee protection, the Plan of Action does not mention the Cartagena Declaration in this section. Additionally, it states that UNHCR’s guidance on protection in the context of climate displacement<sup>19</sup> “could be taken into account on a voluntary basis.”<sup>20</sup> This phrasing, unfortunately, could leave room for States to overlook positive language about access to asylum and complementary protection. However, it also provides an important steppingstone for continued advocacy.

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### 4. *Cooperation to Address Climate and Disaster-Related Displacement*

The Declaration and Plan of Action underscore the importance of regional cooperation to address displacement caused by climate change and disasters, including when it occurs across borders.<sup>21</sup> They call for the promotion and implementation of humanitarian agreements to ensure protection and inclusion for displaced persons.

In the context of cross-border displacement, this includes (a) concluding bilateral or multilateral agreements on cooperation and mutual assistance, which would facilitate access to territory, documentation, and essential services; (b) incorporating disaster-related displacement into agreements on the free movement of persons; and (c) strengthening the capacities of border and

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<sup>17</sup> “(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.” CDPA, p. 33.

<sup>18</sup> See *id.*, p. 33 (c), and p. 19 (3).

<sup>19</sup> UNHCR, *Legal Considerations Regarding Claims for International Protection Made in the Context of the Adverse Effects of Climate Change and Disasters* (Oct. 1, 2020).

<sup>20</sup> *Id.*, p. 33 (b).

<sup>21</sup> *Id.*, p. 34 (3. Regional Solidarity on Displacement in the Context of Disasters).

migration authorities through training and cross-border disaster simulations. The Plan also highlights the need for continued regional dialogues to share best practices, foster solidarity, and secure international technical and financial support for disaster-affected and host countries.

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### C. ADVOCACY OPPORTUNITIES FROM NOW UNTIL 2034

The Plan of Action, designed for implementation over the next decade, presents key opportunities for advocacy. First, UNHCR will support the establishment of a Technical Secretariat to assist with the Plan's implementation.<sup>22</sup> More specifically, governments and other stakeholders will hold biennial preparatory meetings to monitor the Declaration and Plan of Action's progress, offering a potential engagement opportunity for stakeholders, including civil society and academia.<sup>23</sup>

Additionally, the Plan of Action specifically calls on civil society, academia, and refugee-led organizations to establish an independent monitoring mechanism, creating a platform for continued advocacy, accountability, and collaboration to strengthen protection systems and solutions for displaced persons in the region.<sup>24</sup> This monitoring mechanism could collect and share data, promote advocacy alliances, mobilize resources, coordinate collaborative actions, analyze progress and challenges, and provide recommendations to States during the biennial reviews. In that regard, greater stakeholder awareness and engagement could be facilitated if, for example, the Technical Secretariat published the recommendations submitted to the Government of Chile during the preparatory process, as well as interventions made by governments and others during the four preliminary consultations.<sup>25</sup>

Finally, the Plan of Action references the request for an Advisory Opinion on the Climate Emergency and Human Rights—submitted to the Inter-American Court of Human Rights by the governments of Chile and Colombia in 2023<sup>26</sup>—as precedent for the importance of addressing climate-related displacement from both a protection and solutions perspective.<sup>27</sup> While the Advisory Opinion has not yet been issued at the time of this writing, it could offer crucial guidance on how existing legal frameworks protect individuals displaced by climate change and disasters.<sup>28</sup> This guidance, in turn, may shape the contours of the commitments incorporated in the Declaration and Plan of Action and strengthen avenues for advocacy.

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<sup>22</sup> See CDPA, chapter 4, p. 36.

<sup>23</sup> *Id.*

<sup>24</sup> See CDPA, chapter 5, p. 39.

<sup>25</sup> See UNHCR, [Cartagena +40](#) (last accessed on Jan. 27, 2025).

<sup>26</sup> [Request for an Advisory Opinion on the Climate Emergency and Human Rights Submitted by the Republic of Colombia and the Republic of Chile](#), Petition to the Inter-American Court of Human Rights (2023).

<sup>27</sup> CDPA, p. 31.

<sup>28</sup> Felipe Navarro, [How the Inter-American Court Could Advance Protection for Climate-Displaced Individuals](#), *Just Security* (June 2024).

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## **D. CONCLUSION**

The Chile Declaration and Plan of Action underscore Latin America and the Caribbean's global leadership in recognizing the urgency of protecting people displaced by disasters and the adverse effects of climate change. Building on the 2014 Brazil Plan of Action, chapter 3 of the Chile Plan of Action lays the groundwork for capacity-building, closer cooperation among diverse stakeholders, and alignment with existing regional mechanisms to safeguard displaced populations.

Sustained advocacy by civil society, academia, and refugee-led organizations over the next decade will be critical to ensuring that governments live up to their commitments. This includes fully leveraging existing refugee and human rights frameworks in the context of climate and disaster-induced displacement. By applying these instruments effectively, governments can foster comprehensive solutions, strengthen regional leadership, and ensure robust protection for those most at risk.



## Appendix

### Select Chapter Highlights of the Chile Plan of Action

#### Chapter 3 – Protection in Situations of Forced Displacement due to Disasters

This chapter seeks to set the foundations for addressing displacement caused by disasters and the adverse effects of climate change. It recognizes that this displacement is multifaceted, often stemming from a combination of environmental, political, geopolitical, demographic, and socio-economic factors. The language also recognizes that disasters can worsen existing vulnerabilities, and stresses the importance of comprehensive policies that address prevention, preparedness, and solutions while upholding human rights.

Chapter 3 outlines three programs designed to strengthen protection and solutions for those displaced in the context of climate change and disasters, internally and across borders:

- "Prevention, Preparedness, Response, and Humanitarian Action in Affected Countries" Program: This program primarily focuses on strengthening internal capacity to manage disaster-related displacement. This involves incorporating the needs of displaced persons into national policies, bolstering data collection and early warning systems, and establishing legal frameworks to ensure access to essential services and humanitarian aid. The program also calls for planned relocation and evacuation measures to minimize the negative impacts of displacement on affected populations.
- "Protection and Inclusion of Cross-Border Displaced Persons" Program: This program focuses on the need for appropriate protection responses. Key recommendations include:
  - Considering UNHCR's *Legal considerations regarding claims for international protection made in the context of the adverse effects of climate change and disasters on a voluntary basis*.<sup>29</sup>
  - Ensuring access to refugee status determination procedures and other forms of international protection for those who qualify, while upholding the principle of *non-refoulement*.
  - Considering the implementation of alternative and complementary protection mechanisms described in chapter 1 of the Plan of Action.<sup>30</sup>

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<sup>29</sup> UNHCR, [\*Legal Considerations Regarding Claims for International Protection Made in the Context of the Adverse Effects of Climate Change and Disasters\*](#) (Oct. 1, 2020).

<sup>30</sup> The "Alternative and Complementary Protection Mechanisms" Program in chapter 1 of the Plan of Action promotes the use of temporary and complementary protection measures, recognizing the limitations of asylum systems in the region. Key recommendations include establishing protection measures based on humanitarian considerations, developing complementary protection mechanisms for individuals who do not meet refugee criteria, and ensuring access to basic services and rights.



- Facilitating the socio-economic integration of cross-border displaced persons, including supporting family reunification and exploring complementary pathways such as humanitarian visas or community sponsorship.
  - Enhancing the technical capacities of officials involved in border management and other relevant areas.
- “Regional Solidarity on Displacement in the Context of Disasters” Program: This program underscores the vital role of regional cooperation, shared responsibility, and international collaboration in addressing disaster-related displacement. Key recommendations include:
    - Promoting and implementing humanitarian agreements that specifically address displacement caused by disasters.
    - Establishing bilateral and multilateral agreements to enhance cooperation and mutual assistance between countries in disaster-prone regions. These agreements should address access to territory, humanitarian assistance, documentation, services, and integration policies.
    - Integrating considerations for disaster-related displacement into existing bilateral or subregional free movement agreements.
    - Developing the capacities of border and migration authorities across the region.

## **Chapter 4 – Follow-Up and Coordination Mechanism for the Implementation of the Plan of Action**

Chapter 4 outlines how the Plan of Action will be monitored and implemented over the next decade. It emphasizes the need for coordination among existing regional and subregional mechanisms related to displacement and protection. Some highlights include:

- Chile will oversee the Plan’s implementation, supported by a rotating vice-presidency.
- UNHCR will establish a Technical Secretariat, including Latin American and Caribbean States, to assist Chile.
- Regional meetings will be held every two years to assess progress, adapt programs, and contribute to discussions around alignment with the Global Compact on Refugees.

## **Chapter 5 – Cooperation of Other Stakeholders in the Chile Plan of Action**

Chapter 5 emphasizes the critical role of non-governmental stakeholders, such as academia, civil society organizations, and the private sector, in supporting the implementation of the plan's objectives. It acknowledges the 2023 Declaration by Academia<sup>31</sup> and encourages ongoing

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<sup>31</sup> See text box on CGRS and the Cartagena +40 Process, p. 1.

research, analysis, and policy recommendations from academic institutions regarding refugee protection.

The chapter also calls on civil society organizations, refugee-led organizations, and academia to form a network dedicated to activities such as:

- Collecting and sharing data.
- Advancing policy advocacy.
- Mobilizing resources.
- Monitoring the Plan's progress.