

A man with dark skin and short hair, wearing a light blue polo shirt and blue jeans, is sitting on a white plastic chair. He is looking down and appears to be holding something small in his hands. The background is a weathered concrete wall with blue graffiti. To the right, a yellow door is partially visible. The overall scene is outdoors in bright daylight.

# North America <sup>and</sup> the Caribbean

**Antigua and Barbuda**

**The Bahamas**

**Barbados**

**Belize**

**British overseas territories (Anguilla,  
Bermuda, British Virgin Islands, Cayman  
Islands, Turks and Caicos Islands,  
Montserrat)**

**Canada**

**Dominica**

**Dominican Republic**

**Dutch overseas territories in the Caribbean  
(Aruba, Curaçao, Saint Maarten,  
Bonaire, Saint Eustatius, Saba)**

**Grenada**

**Guyana**

**Haiti**

**Jamaica**

**St. Kitts and Nevis**

**St. Lucia**

**St. Vincent and the Grenadines**

**Suriname**

**Trinidad and Tobago**

**United States of America**

**Territories with linkages to the United States  
(Puerto Rico and US Virgin Islands)**





Staff of UNHCR's partner, Action by Christians for the Abolition of Torture, registering internally displaced Haitians in Port-au-Prince (Haiti).

UNHCR/E. HOCKSTEIN





## | Working environment |

In the United States of America, screening and access to asylum procedures for a significant number of unaccompanied and separated children (around 18,000 minors were apprehended by the authorities in 2011) attempting to cross the border from Mexico pose serious concerns. The detention of asylum-seekers arriving without papers or with false documents remains mandatory. Meanwhile, the application of membership of a “particular social group” as a ground for granting asylum remains inconsistent across the country, and the Government has not yet issued clarifying regulations. Nonetheless, in 2012 the United States accepted more people for resettlement than any other country in the world.

Canada, which is second to the United States in the number of people it accepts for resettlement annually, saw the passage of the Protecting Canada’s Immigration System Act in June 2012. The Act was the culmination of a series of bills introduced over the past three years to reform the country’s asylum system and curb human smuggling. The law introduces a series of restrictive procedural requirements that aim to deter abusive applications for asylum from those arriving in large groups or by using the services of human smugglers. Canada has also introduced an assisted voluntary return and reintegration programme.

People of concern to UNHCR continue to move to or through Caribbean countries in mixed migratory flows. The vast majority are people from the subregion striving to reach North America. They often use unseaworthy vessels and need to be rescued at sea. Maritime interceptions by the authorities, often without adequate protection screening and safeguards, are common and may lead to people of concern being forced to disembark in countries unable to provide adequate protection. In some instances they may be sent back to their countries of origin.

A significant number of individuals, mostly descendants of Haitians migrants born outside Haiti or children unable to acquire nationality from their mothers due to nationality laws, have become, or are at risk of becoming, stateless in the Caribbean.

In Haiti, the number of IDPs is expected to decline in the course of 2013. However, this does not necessarily mean that those leaving the IDP camps have found durable solutions or are now no longer displaced. IDPs in Haiti suffer human rights violations, including forced evictions, sexual and gender-based violence (SGBV) and child trafficking. The joint UNHCR-OHCHR request that countries in the region not return Haitian nationals on humanitarian grounds has gone largely unheeded.

## | Strategy |

UNHCR’s strategy for North America and the Caribbean will focus on consolidating and building on States’ pledges made at the December 2011 Ministerial Conference; maintaining political and financial support for global humanitarian programmes; raising public awareness on priority issues of concern to UNHCR; and gradually increasing private support for global programmes.

The ultimate aim is to promote a favourable protection environment for all persons of concern, including by making accessible fair and timely services for asylum-seekers, refugees and victims of trafficking through national asylum procedures. UNHCR will make protection interventions and help build the capacity of its implementing and operational partners. Finally, UNHCR will seek to ensure that protection safeguards are respected by States in their management of mixed migration flows by land and sea.

**Constraints**

In the United States, significant constraints arise from laws which include broad criminal and terrorism-related bars that inhibit or prevent certain categories of refugees from being resettled in the country and forbid the granting of asylum to some individuals. The exemption process is lengthy and involves many government agencies. Legislation that may resolve these issues is not likely to pass in the present Congress in the near future. It is thus expected that the judiciary will play an important role in striking a balance between protection and national security concerns. The same applies to other draft bills tabled before Congress to reform refugee legislation.

In Canada, UNHCR remains concerned about detention practices. Processing backlogs in the asylum system both within the country and overseas sometimes obstructs the provision of timely protection. UNHCR's ability to support protection activities in Canada is limited owing to resource constraints.

Nine of the Caribbean countries (Antigua and Barbuda, the Bahamas, Dominica, the Dominican Republic, Haiti, Jamaica, St. Kitts and Nevis, St. Vincent and the Grenadines, Trinidad and Tobago) have acceded to the 1951 Refugee Convention, but national legal frameworks have been adopted only in the Dominican Republic and the Bahamas. The region thus suffers from a lack of administrative frameworks and effective protection mechanisms and, more generally, from the absence of political will to find solutions to asylum, refugee and statelessness problems. UNHCR covers a vast geographical area in the Caribbean, largely without presence, which does not allow for effective advocacy.

**Operations**

In the **United States**, UNHCR monitors detention practices and seeks to ensure that asylum-seekers have access to refugee status determination (RSD) procedures. It supports the development of alternatives to detention policies for asylum-seekers, including families and minors, which favour release unless detention is unavoidable. Moreover, UNHCR will work with the Government to ensure the integrity of the asylum system by developing mechanisms to guard against fraud while safeguarding the rights of those in need of protection. As part of this, it will advocate for the clear separation of asylum and security-related issues.

To strengthen its advocacy and media campaigns, UNHCR will conduct Congressional briefings and organize field missions to regions of strategic interest to the United States. It will also work to maximize support for resettlement.

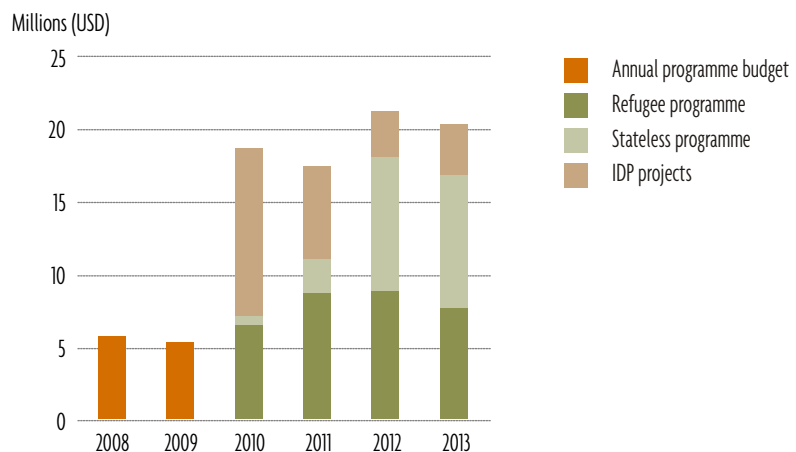
In **Canada**, UNHCR will focus on the implementation of the reformed refugee asylum and determination system and on effective coordination around resettlement priorities and programmes. It will also continue to raise public awareness of refugee issues and expand its fundraising activities in the private and corporate sectors.

In the **Caribbean**, UNHCR will increase the number of its missions to the region to help Governments in RSD, seek alternatives to detention and identify durable solutions, including resettlement for urgent cases. It will also bolster its work with NGOs in delivering basic humanitarian assistance and supporting local integration. UNHCR will work with all relevant stakeholders on statelessness issues, paying special attention to the Bahamas, Barbados, the Dominican Republic and Haiti.

**Financial information**

Following a regional trend in the Americas, the operations in Canada, the United States and the Caribbean (except for Haiti and the Dominican Republic, which benefit from earmarked contributions) have seen a decrease in their budget allocations. This was mainly due to the global financial crisis and reallocation of resources within UNHCR to cope with numerous unforeseen emergencies. Protection needs, especially in the Caribbean, remain high in terms of access to territory and procedures, detention conditions, the risk of *refoulement* and lack of basic services.

**UNHCR's budget in North America and the Caribbean 2008 – 2013**



**UNHCR's budget in North America (USD)**

OPERATION	2012 REVISED BUDGET (as of 30 June 2012)	2013			TOTAL
		REFUGEE PROGRAMME PILLAR 1	STATELESS PROGRAMME PILLAR 2	IDP PROJECTS PILLAR 4	
Canada	1,451,045	1,675,489	33,225	0	1,708,714
United States of America Regional Office <sup>1</sup>	20,105,657	6,077,271	9,286,420	3,513,278	18,876,969
<b>Total</b>	<b>21,556,702</b>	<b>7,752,760</b>	<b>9,319,646</b>	<b>3,513,278</b>	<b>20,585,683</b>

<sup>1</sup>Includes Puerto Rico, the US Virgin Islands, 12 independent Caribbean States, 3 other CARICOM States and UK and Dutch territories in coordination with the Europe Bureau.