



North America and the Caribbean

Recent developments

The events of 11 September 2001, and the ongoing “war on terrorism” continue to influence North America’s immigration and asylum policies.

Prior to the events of 11 September, UNHCR’s protection activities in Washington focused primarily on ameliorating some of the negative effects on asylum-seekers of the immigration legislation passed in 1996. After these events, the Government instituted a number of anti-terrorism policies intended to identify and arrest suspected terrorists and provide greater protection for American citizens. The policies, however, have been the subject of national debate, with some arguing that they unnecessarily curtail civil liberties and have negatively affected asylum-seekers and refugees in the United States.

While UNHCR shares some of these concerns, it is to be noted that in 2002, the number of asylum-seekers in the United States exceeded 100,000, and in 2003 and 2004, the numbers are expected to stay at the same level. At a time when there are decreasing number of asylum-seekers in Europe, the United States still remains the country with the largest number of asylum claims. To maintain the highest level of protection for asylum-seekers,

Antigua and Barbuda
Bahamas
Barbados
Canada
Cuba
Dominica
Dominican Republic
Grenada
Haiti
Jamaica
St. Kitts and Nevis
St. Vincent and the Grenadines
St. Lucia
Trinidad and Tobago
United States of America



UNHCR will continue to: i) assess the impact of anti-terrorism policies on persons of concern to UNHCR; ii) visit detention facilities to monitor the conditions under which asylum-seekers and persons of concern to UNHCR are detained, and dialogue with the Department of Homeland Security (DHS) on improving conditions of detention; iii) finalise the Expedited Removal process study begun in 2002, and work with US authorities on implementation of its recommendations; iv) provide expert commentaries on US legislation of relevance to UNHCR's work; v) disseminate law related to refugees among decision makers, NGOs and others; and vi) provide advisory opinions on issues impacting the refugee process.

In 2003, political debate in Canada centred on developments in the United States and the greater focus on security since 11 September, as well as growing concerns over the abuse of asylum procedures, and the backlog of asylum applications. These issues led to discussions among civil society about Canada's role and responsibilities. Asylum, resettlement and overseas assistance remain the three main elements of Canada's refugee policy. Current debate in the country focuses on the respective emphasis to be placed on each of these, and may, over the coming months, lead to a revamping of certain aspects. However, resettlement is sure to remain an important element, and the Government will therefore

continue to ask UNHCR to submit sufficient cases to meet Canada's targets.

In the Caribbean, it is anticipated that the existing *ad hoc* procedures for processing asylum claims in the Bahamas and Jamaica will continue to operate effectively. UNHCR welcomes three important advances: the accession of St. Vincent and the Grenadines to the 1967 Protocol, the adoption of a mutually agreed procedure in Trinidad and Tobago, and the development of a refugee policy by government authorities in Barbados. In the Dominican Republic, UNHCR re-established its presence in July 2003 through the deployment of a JPO. The officer will assist the Dominican authorities in implementing RSD procedures for Haitian asylum-seekers, and work with NGOs to provide limited assistance to vulnerable Haitian refugees in the country.

Strategic objectives

UNHCR's activities in the United States and Canada will focus on: promoting the highest possible standard of refugee protection; ensuring that asylum-seekers, especially separated children, have access to RSD procedures; making certain that asylum laws comply with international standards; monitoring refugee resettlement



USA: From Africa to USA - a resettled Somali Bantu buying fruits at the supermarket – adjusting to a new way of life. UNHCR / H.Caux

programmes to ensure that they respond to the needs of refugees for protection and durable solutions; building public and governmental support for refugees and UNHCR worldwide; and promoting and facilitating sustained financial support for UNHCR's operations.

In the Caribbean, UNHCR will: monitor the refugee and asylum situation in the region; encourage the remaining non-signatory States to accede to the international refugee instruments; and build asylum capacity in all States.

Operations

In the **United States**, UNHCR will focus on changing the negative effects of restrictive legislation and policies by working with key administration policy-makers and NGOs. The Office will establish effective relationships with

new actors in the Department of Homeland Security, and work more closely with the Office of Refugee Resettlement regarding unaccompanied minors. In co-ordination with key decision-makers and with UNHCR offices in Canada and Mexico, UNHCR will monitor the implementation of legislation and policy that affects access to the asylum process at ports of entry, especially in light of the current anti-terrorism laws, the border agreement with Canada and a similar potential agreement with Mexico. Furthermore, the Office will pay particular attention to capacity-building and training of its implementing partners, NGOs and government officials, to ensure that refugees, asylum-seekers and stateless persons, especially those subject to detention, are provided with legal assistance and humane conditions during the asylum process in the United States and the Caribbean.

In the United States, UNHCR will maintain close ties with its governmental partners and with NGOs involved in

resettlement and advocacy. To this end, it is proposing a number of activities to strengthen ties to NGOs and advocates. The Office will meet with NGOs, and participate in national, regional, and local conferences on topics related to resettlement, with the aim of building a network of refugee communities that can support constituency-building, advocacy and private sector fund raising.

The establishment of positive relationships with government actors in **Barbados**, together with the identification of an effective Honorary Liaison Officer for the island, represents progress, which, it is hoped will culminate in accession to international refugee instruments. Protection networks will be strengthened through the enhancement of the Honorary Liaison network and the development of relationships with universities, ombudspersons and professional associations. In **Cuba**, UNHCR in co-ordination with the Government will carry out training on refugee law to local authorities and civil society. The Office will give priority to the resettlement of some 50 refugees who are dependent on UNHCR's assistance. In 2004, the Office will also work towards finding an implementing agency to carry out its material assistance programme for refugees. In the **Dominican Republic**, it is hoped that the establishment of a UNHCR presence will be instrumental in solving problems relating to access to asylum-seekers, RSD, and issues concerning identification documentation.

In **Canada**, UNHCR will concentrate on the following asylum policy issues: i) access to the RSD procedure in the context of the 2002 Immigration and Refugee Protection Act; ii) implementation of the USA/Canada "safe third country" agreement; iii) adequate standards of care and treatment for separated children; and iv) standards of protection for refugee women, and sensitivity to all gender-specific forms of persecution. In the context of any renewed debate in 2004 on Canada's refugee policy, UNHCR will continue to promote the retention of Canada's best practices.

In 2004, UNHCR's priorities for resettlement will include maximising the availability of resettlement opportunities in Canada by building political and public support. The implementation of the Immigration and Refugee Protection Act set out an important role for UNHCR as the resettlement referral organisation. The Office will promote maximum flexibility in Canada's resettlement policy and practice, in particular with respect to emergency submissions and for particularly vulnerable refugees. UNHCR will distribute the French version of the "International Handbook to Guide the Reception and Integration of Resettled Refugees" in order to support resettlement in Canada and emerging francophone resettlement countries.

In both the United States and Canada, UNHCR will expand its networks with local and international media, and continue to increase public and governmental understanding of refugee issues, with a view to creating a sympathetic environment for refugees and greater support for the work of UNHCR. In this regard, the Office will also build a network of Caribbean-based journalists. In Canada, UNHCR will concentrate on bringing refugee issues into youth and school programmes in partnership with NGOs and educational institutions.

Budget (USD)	
Country	Annual Programme
Canada	1,257,918
Cuba	502,000
United States of America	2,702,492
UNHCR Liaison Office in New York	2,061,702
Regional Activities ¹	213,000
Total	6,737,112

¹ Includes local integration of refugees and capacity-building in the Caribbean.