

NORTH AMERICA AND THE CARIBBEAN

Regional Overview

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



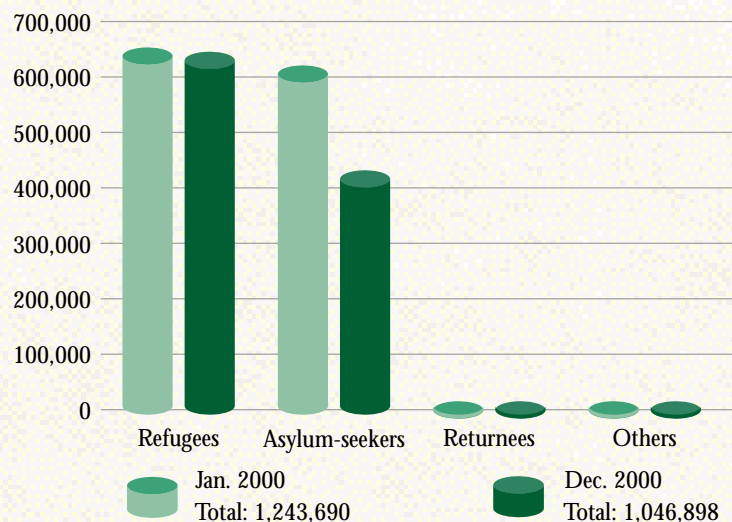
MAJOR DEVELOPMENTS

In both the United States and Canada, a number of high profile cases served to draw the spotlight onto refugee and migration issues, but at the same time led to charges of abuse of asylum systems, and heightened public security concerns. UNHCR continued to advocate the highest standards of refugee protection, and worked to sensitise government officials, legislators and the general public to refugee protection concerns and to UNHCR's need for a broad base of support.

In Canada, UNHCR gave evidence in early 2000 to the House of Commons' Standing Committee on Citizenship and Immigration, which was looking into "Illegal Immigration and Asylum". In April, the Minister of Citizenship and Immigration presented a new "Immigration and Refugee Pro-

tection Act" to Parliament. In July, UNHCR published detailed comments on it. It would have represented the first complete overhaul of Canadian immigration law in a quarter of a century, but consideration of the Bill stopped when federal elections were called in November. The Bill was to be submitted to Parliament again in

Persons of Concern to UNHCR



2001. In December 2000, the Canadian Supreme Court granted UNHCR's request to intervene in an important case, to be heard in 2001, during which the Court will address some key international refugee law questions. At year's end, asylum remained a high profile issue, and the number of people who had sought asylum in Canada in 2000 (around 36,000) was 20 per cent more than in the previous year. At the same time, Canada met its refugee resettlement target in 2000, admitting just over 10,200 refugees for resettlement, three-quarters of them with government sponsorships and just one-quarter with private sponsorships.

During the year, the Immigration and Refugee Board made decisions on the asylum applications of nearly 29,000 persons, of whom 48 per cent were recognised as refugees. The Board completed its consideration of the claims of the 599 much-publicised Chinese "boat people," who had arrived in 1999 and most of whom were held in detention. By year's end, around half of the group had been returned to China. Throughout the year, UNHCR monitored the situation of the detainees as well as the asylum procedures for the entire group.

In the United States, following UNHCR's advocacy efforts throughout 2000, the Immigration and Naturalisation Service (INS) made two significant policy decisions, which strengthened compliance with international protection standards. First, INS announced that NGOs would be given the same access to the expedited removal process as UNHCR. This is an accelerated procedure that allows for the removal of people who do not present proper documents at ports of entry. UNHCR had been the only outside entity allowed to observe this process, but UNHCR's limited resources made it difficult to conduct adequate monitoring alone. Secondly, INS issued comprehensive standards for detention, which apply not only to INS detention facilities, but also to over 900 local and county jails, which are also used by INS to hold migrants, including many asylum-seekers.

In the Caribbean region, UNHCR continued to push for accession by the remaining five non-signatory states to the refugee and statelessness instruments, and focused on strengthening the institutional capacity of countries in the region to receive asylum-seekers. Trinidad and Tobago signed the 1951 Refugee Convention relating to the Status of Refugees and its 1967 Protocol. This was particularly important in view of the potential for further instability in Haiti, where violence related to the presidential election in November led to an increase in asylum-seekers arriving in nearby Caribbean countries. In May, the High Commissioner visited Havana, the first visit to Cuba by a UN High Commissioner for

Refugees. Among other issues, Mrs Ogata encouraged Cuba to accede to international refugee law and to establish a legal framework for receiving asylum-seekers and refugees.

CHALLENGES AND CONCERNS

In Canada, the increase in asylum applications presented challenges for the Immigration and Refugee Board, which sought to reduce the average case processing time from nine to six months. By the end of the year, the recognition rate stood at 58 per cent, which compares positively with rates in other industrialised countries. At the same time, refugee and immigration issues took on increased prominence in the public debate, although not always from a positive angle. Refugees and asylum-seekers were often linked to real or perceived security problems.

In the United States, UNHCR remained concerned about those aspects of the 1996 immigration legislation that adversely affect refugees and asylum-seekers. These include the "expedited removal" of undocumented persons arriving in the country, the increased use of detention of refugees and asylum-seekers, and the barring of access to asylum, and the *refoulement* of those convicted of relatively minor crimes.

The Caribbean countries continued to receive not only refugees and asylum-seekers from the region, mostly Cubans and Haitians, but also to serve as a transit point for an increasingly significant number of extra-continental refugee and migratory movements. The challenge for UNHCR is to ensure the establishment of accessible, effective and self-sustaining protection systems, and to promote early warning mechanisms and contingency plans.

OPERATIONS AND PROGRESS TOWARDS SOLUTIONS

UNHCR's work in Canada and the United States centred on refugee protection, including resettlement, co-operation with governmental and non-governmental partners, and public advocacy.

More than 27,000 refugees found durable solutions in **Canada** during 2000, through recognition as refugees, resettlement or family reunification. UNHCR worked intensively with the Department of Citizenship and Immigration on a variety of resettlement initiatives, in particular the pilot project for urgent protection cases. Implemented in four locations during the year, the pilot

project brought 51 refugees to Canada in record time, after they had been identified by UNHCR as emergency cases. UNHCR and the Department of Citizenship and Immigration completed negotiations on Canada's loan to UNHCR of two immigration officers to work as resettlement experts in UNHCR's offices in Nairobi and Cairo, with costs covered by the Government of Canada. Both officers were deployed by year's end, for



an initial period of 12 months. UNHCR staff participated actively in discussions about Canada's Refugee Resettlement Model, and published five position papers on specific resettlement topics.

Other UNHCR activities during the year focused on the quality of protection in Canada. The Office organised a workshop for government officials and legal practitioners on the subject of statelessness as well as several NGO workshops on the same subject. UNHCR commissioned and published an expert legal opinion on the issue of identity and travel documents for recognised refugees who have not been granted permanent residence. The Office also took initiatives to encourage in-depth consideration by federal and provincial authorities of separated children who seek asylum in Canada, and commissioned a study on the situation of this group. Co-operation with advocacy organisations, under the umbrella of the Canadian Council for Refugees, was strengthened, and UNHCR's regional legal officers in Vancouver, Toronto and Montreal were frequently called upon by NGOs to provide advice.

In the **United States**, UNHCR continued to monitor the implementation of relevant legislation, and urged the Government to ensure better compliance with international standards by revising laws passed in 1996. The Office was particularly concerned with the expedited removal of undocumented arrivals, mandatory and long-term detention affecting asylum-seekers and refugees, and the legislative expansion of exclusionary bars to asylum, including a significant expansion of the category of crimes classified as aggravated felonies. The Office also worked to keep key leaders in Congress informed about UNHCR's operations throughout the world, testifying before Congress, and reporting on policy. Furthermore, UNHCR ensured that there were appropriate reception and assistance services for resettled refugees, particularly for women at risk, HIV-positive refugees and unaccompanied minors, such as the Sudanese "lost boys" from Kakuma camp (Kenya).

Also in the United States, UNHCR formed a consortium with local NGOs to provide persons going through the expedited removal process with *Know Your Rights* materials, as well as access to counsel. In addition, UNHCR negoti-

ated with the Government for additional financial and personnel support for resettlement activities and funding for two Junior Professional Officer posts.

UNHCR worked to increase public awareness of refugee issues in North America, in particular through projects aimed at teachers and pupils. In both Canada and the United States, UNHCR participated in several national teacher conferences, making presentations to teachers and distributing UNHCR educational materials. In the United States, UNHCR also distributed educational materials and posters through *Newsweek's* educational programme, and established a list of teachers to contact over the internet, to inform them of UNHCR's work by e-mail and online discussions, and through other list servers. In Canada, UNHCR spearheaded a public awareness campaign for schools, of which the centrepiece is a "school kit" designed to help Canadian teachers introduce refugee topics in the classroom. The Department of Citizenship and Immigration co-funded this project, through the UN Association of Canada. Distribution of the kits will begin in mid-2001. In both

countries, UNHCR staff received a growing number of invitations to participate as panelists, presenters and experts at conferences, workshops and university events.

In the **Caribbean** region, UNHCR continued to build a protection network, through the dissemination of information and training. Washington-based staff undertook missions to the Dominican Republic, the Bahamas, Jamaica and Haiti to promote the building of local capacity to deal with refugees and asylum-seekers. Dissemination efforts in the region continued to show results, with various Caribbean states involving UNHCR in the training of asylum officers. A new UNHCR project

in the Dominican Republic provided shelter and other support for asylum-seekers and refugees.

FUNDING

Due to its budget shortfall for the year, UNHCR reduced its programme costs and made other adjustments in the United States and Canada. In the United States, two staff members were laid off and funding for staff travel, to visit detention centres where asylum-seekers are held, was curtailed. This also caused the cancellation of NGO training activities on resettlement and a workshop in the Caribbean on refugee issues.

Voluntary Contributions - Restricted (USD)			
Donor	Earmarking ¹	Annual Programme Budget	
		Income	Contribution
United States of America	North America	100,000	100,000
Total²		100,000	100,000

¹For more information on the various earmarkings, please refer to the Donor Profiles.

²Total funds available for obligation in the region also included unearmarked voluntary contributions, broadly earmarked contributions, opening balances and adjustments.

Budget and Expenditure (USD)		
Country	Revised Budget	Expenditure
	Annual Programme Budget	
Canada	1,008,422	968,942
Cuba	552,300	501,078
United States of America ¹	5,108,944	4,963,426
Regional Projects ²	112,500	50,000
Bureau at Headquarters	434,230	408,850
Total	7,216,396	6,892,296

¹Includes costs related to the Liaison Unit in New York as follows : Revised Budget of USD 1,836,726 and Expenditure of USD 1,781,732

²Covers capacity-building activities