

**UNHCR Canada
Country Operations Plan for 2002**

Part I: Executive Committee Summary

(a) Context and Beneficiary Populations

Canada is an important country of asylum and of resettlement, with its policy and practice often seen as setting the example for other countries. It is also a donor to UNHCR's program, and a key participant in the debate at the international level on a wide variety of protection and human security issues of concern to UNHCR.

With a rich tradition of welcoming immigrants, Canada's immigration and refugee policy have long been intertwined, although clear distinctions are becoming increasingly necessary. Canada has historically maintained a generous asylum policy, and Canadian public opinion has largely been sympathetic to refugees. However, calls for Canada to "tighten up" its asylum system are increasingly heard all along the political spectrum. Many Canadians believe that the country's openness is being taken advantage of by irregular migrants, who misuse the asylum procedure in order to enter and remain in the country. In addition, several high profile cases in recent years have fuelled allegations that Canada is a haven for criminals. This has led to a blurring of distinctions, with refugees, asylum-seekers, migrants and criminals often mentioned in the same breath. At the same time, the difficulties of dealing with mixed migration cannot be ignored.

As is the case with other industrialized countries, UNHCR's work in Canada is centered on promotion of protection and public awareness, rather than on implementation of material assistance programmes. The federal and provincial governments assist refugees and asylum-seekers, and federal government institutions are responsible for determination of refugee status in Canada, and for resettlement of refugees from overseas.

Protection: During 2000, 36,656 persons requested asylum in Canada. During the same period, the asylum applications of 34,253 persons were referred to the Immigration and Refugee Board for a decision. The number of asylum applications in 2001 and 2002 is expected to be at least similar to 2000 levels, if not on the rise. Canada's Immigration and Refugee Board rendered decisions on the asylum applications of 28,809 persons during the year 2000, with a recognition rate of 49% (or 13,990 persons). With climbing numbers of applications, the Board will face growing pressure to avoid the accumulation of a large backlog of undecided cases.

UNHCR in Canada provides information and advice to a wide range of governmental and non-governmental actors, and works in close and constructive collaboration with them to ensure the maximum standard of

protection. Canadian legislation gives UNHCR the role of observer in the national refugee status determination procedure. By acting as observer, UNHCR seeks to identify and, through subsequent actions, to help the Canadian government remedy shortcomings in the procedure, in the interest of ensuring that all those who are on Canadian soil and in need of protection are able to find it in Canada. In addition, there is an active non-governmental advocacy community in Canada, which looks to UNHCR for authoritative statements on fundamental issues of refugee protection. NGOs are also an excellent source of information for UNHCR on grass roots developments in the country.

Resettlement: During 2000, Canada admitted 10,236 refugees for resettlement, of whom 7,339 with government sponsorship and 2,897 with private sponsorship. An additional 2,806 persons arrived during the year to join close family members already settled in Canada as refugees. The target for government-sponsored resettlement admissions in 2001 remained unchanged, at 7,300. Efforts to promote more private sponsorships continue. Resettlement in 2002 is likely to be at least at 2001 levels.

UNHCR supports resettlement in Canada as a means of offering protection to refugees for whom no other durable solution is available. In this regard, it cooperates with NGOs, UNHCR field offices around the world and with the Canadian government. UNHCR trains Canadian NGOs and communicates UNHCR positions on current resettlement issues in Canada, thus ensuring that UNHCR's resettlement policies and priorities are known and followed. Since family unity is a key protection principle, UNHCR also promotes the reunification of refugee families in Canada by providing information and advice to NGO partners, lawyers and refugees as appropriate.

Public Awareness: UNHCR in Canada works to build public and governmental support for refugees and for UNHCR's work worldwide. UNHCR's advocacy for refugee protection and assistance helps to provide a global perspective in Canada. By promoting better understanding of the situation of refugees in Canada and worldwide, UNHCR can contribute to creating a public climate more conducive to refugee protection and assistance. The Canadian government is sensitive to public opinion, and thus this advocacy work can indirectly play a part in affecting government positions and result in greater Canadian government support for UNHCR's activities abroad, as well as for refugees in Canada.

(b) Main Programme Goals and Principal Objectives

UNHCR's presence in Canada serves three main purposes: to advocate for the highest possible standard of refugee protection in Canada's asylum policy and practice; to promote use of Canada's resettlement programme in a manner that responds to protection needs of refugees overseas as

identified by UNHCR; and to build public awareness of and support for refugees and for the work of UNHCR.

The office will also work to consult and co-ordinate with the UNHCR office in the United States of America. Many protection issues are cross-border in nature, and regular contacts between the offices are necessary, to have consistent approaches to similar problems. The two offices will also strive to pool resources as much as possible on public awareness projects that can be used on both sides of the border.

Protection: UNHCR in Canada will continue to implement its responsibility for monitoring the application of the 1951 Convention relating to the Status of Refugees. This work is done with the assistance of four legal officers, all qualified Canadian lawyers with experience in immigration and refugee law. They are posted in Montreal, Ottawa, Toronto and Vancouver, corresponding to the decentralized structure of the Immigration and Refugee Board.

UNHCR will likely adjust their work, in response to the expected passage of the proposed new Immigration and Refugee Protection Act. The proposed new law would give UNHCR an expanded observer role in the refugee status determination procedure. This would include the opportunity to observe proceedings at all divisions of the Immigration and Refugee Board and to make submissions to the new Refugee Appeal Division. The latter role would enable UNHCR to set out its views in precedent setting cases, where important issues of refugee law are at stake.

Canada's asylum procedure and resettlement programme are sensitive to the particular needs of refugee women. Less attention has been given, however, to refugee children, and in particular to separated children. In 2002, UNHCR will build on the work done in 2001, in particular the publication of UNHCR's report on separated asylum-seeking children in Canada and the October 2001 workshop on separated children. Issues of guardianship and care will be paramount, and UNHCR will encourage implementation of a resettlement programme benefiting separated refugee children.

Cooperation with Canadian non-governmental organizations continues to be key to UNHCR's work. Over the past eighteen months, relations with the umbrella Canadian Council for Refugees have been reinforced, and the partnership is now strong. However, Canadian settlement NGOs are only funded by the government to assist recognized refugees, and therefore gaps in counseling of asylum seekers remain. This problem is most acute in those regions where legal aid for asylum seekers is limited or unavailable, and is likely to intensify if anticipated reductions in legal aid occur elsewhere.

Year 2002: Country Operations Plan for Canada

Resettlement: UNHCR will advocate for the Government of Canada to maintain its 2002 resettlement programme at least at the same level as in 2001. It will participate actively in efforts to ensure that Canada's unique mechanism for private sponsorships enables at least several thousand others to be admitted to Canada. UNHCR will monitor legislative and policy developments concerning resettlement and will work with Canadian governmental and non-governmental entities to promote approaches that correspond to UNHCR's resettlement priorities.

Public Awareness: UNHCR's public awareness work in Canada will focus on the follow up of the educational campaign launched in late 2001, in cooperation with the Department of Citizenship and Immigration and the UN Association of Canada, and on strengthening and expanding relations with Canadian media. Conclusions will be drawn from work done in 2001 on assessing the potential of private-sector fund-raising for UNHCR in Canada, and several trial activities undertaken.

Theme: Protection advocacy	
Main Goal: Promote the highest possible standard of refugee protection in Canada	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Monitor Canada's compliance with the 1951 Convention, in accordance with the Office's responsibility under the Statute and under Article 35 of the 1951 Convention. 	<ul style="list-style-type: none"> • Comments to authorities on practice • Judicial interventions • Published position papers, statements and reports

Theme: Resettlement	
Main Goal: Ensure that Canada's refugee resettlement programme responds to protection and durable solutions needs of refugees, as identified by UNHCR	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Coordination of UNHCR and Canadian refugee resettlement operations, to meet refugee protection needs. 	<ul style="list-style-type: none"> • Resettlement applications presented to Canada by UNHCR have high rate of acceptance • Urgent protection cases are resettled rapidly • Canadian NGOs understand UNHCR's resettlement priorities and procedures

Theme: Public awareness	
Main Goal: To build public awareness of and support for refugees and for the work of UNHCR	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Accurate and positive media coverage of refugee issues and of UNHCR's role • Reinforced relations with all branches of Canadian government dealing with refugees and with UNHCR's work worldwide • Give teachers confidence and materials to introduce refugee issues in the classroom 	<ul style="list-style-type: none"> • Improved public understanding of refugee issues and of UNHCR's work worldwide • Reinforced Canadian government support for UNHCR • Students learn about refugee issues in the classroom