



**UNHCR**

**United Nations High Commissioner for Refugees**

Haut Commissariat des Nations Unies pour les réfugiés

# **Country/Regional Operations Plan 2008-2009**

## **United States of America and the Caribbean**

## **COP/ROP for the United States of America and the Caribbean – 2008-2009**

### **Part One: Context and Strategy**

#### **Operational Context**

UNHCR Washington represents the Organization in the United States of America, and in twenty-four states and overseas territories, principally in the Caribbean.<sup>1</sup> The region is characterized by mixed migratory movements originating from diverse locations around the globe, as well as by intra-regional movements. Of the 13 independent states within the region, ten have acceded to the 1951 Convention and/or the 1967 Protocol, but only the United States and Dominican Republic have passed implementing legislation. UNHCR advises governments throughout the region on refugee status determination processes, refugee protection standards and best practices, and in at least nine states in the region UNHCR undertakes mandate refugee status determinations. The political climate throughout the region is dominated by national security and migration control concerns, often to the detriment of international protection needs. While there are presently no active conflicts in the region, there is potential for political instability and consequently, large-scale population movements – including mass migration and refugee flight by sea - from some of the Caribbean countries.

#### *United States*

The United States has traditionally been a strong supporter of refugee protection and assistance, both in the domestic and overseas context. It is a signatory to the 1967 Protocol and has a comprehensive set of laws and policies to implement its obligations under international refugee law. Currently, the United States is both the largest resettlement country in the world and the largest asylum country among ‘industrialized’ nations. More than 50,000 individuals sought asylum in the United States in 2006, and more than 40,000 refugees were resettled, representing virtually every region of the world. Resettlement to the United States accounts for over half of UNHCR’s resettlement globally.

The United States is also UNHCR’s largest donor, contributing approximately 23-25 percent of UNHCR’s annual budget each year. In Fiscal Year 2006, the United States contributed more than USD 330 million to UNHCR’s global programmes.

The United States also has a strong tradition of private sector charitable giving, contributing more than \$240 billion annually. While the arts and humanities, medical field, and educational institutions receive the largest share of these donations, the United States carries significant potential for private sector giving to UNHCR, and gradually the Organization is benefiting from such contributions.

The United States has a vibrant civil society. NGOs with expertise in refugee protection and human rights have traditionally expressed consistent and strong support for UNHCR’s work in their advocacy capacity and have also served as some of UNHCR’s strongest implementing partners in the field. Because of their expertise and strong presence, NGOs have significant influence on the attitudes of

---

<sup>1</sup> In addition to the United States of America and its overseas territories/commonwealths (American Samoa, Guam, the Northern Mariana Islands, and Puerto Rico), UNHCR Washington covers 12 independent Caribbean states: Antigua and Barbuda, Bahamas, Barbados, Dominica, the Dominican Republic, Grenada, Haiti, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, and Trinidad and Tobago. As of 1 January 2007, UNHCR Washington is given operational responsibility for the British overseas territories of Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Montserrat, and Turks and Caicos Islands, as well as some operational support functions for the French territories of Guadeloupe and Martinique. As such, the Regional Representation in Washington is directly responsible for, or provides operational support to, a total of 25 countries, territories and commonwealths.

both United States policymakers and the broader public toward refugees and UNHCR's role in relief efforts.

The prominent role that the United States plays in world affairs attracts significant attention from both domestic and international media. Therefore most major media outlets maintain a presence in the United States. Journalists often turn to UNHCR Washington as a critical source of information, particularly when refugee crises occur, such as in Lebanon in the summer of 2006, and with regard to high profile refugee situations. This media presence, however, also creates opportunities to highlight forgotten refugee situations that have faded from the headlines.

While the United States continues to embrace its role as a leader in refugee protection, the political climate continues to be dominated by United States foreign policy and national security concerns, both of which impact the United States approach to migration issues. The debate about how best to promote United States national security continues unabated, and the wars in Iraq and Afghanistan continue to top the list of issues that United States citizens are generally most concerned about.

This climate has brought an unprecedented level of attention to refugee and asylum laws and policies. New security measures have been instituted that prevent the admission of asylum seekers because they are overbroad in their scope and application. In other situations, security measures have slowed processing of refugees for resettlement resulting in long delays and in some cases a diversion of caseloads to other resettlement countries.

The Government has also undertaken a comprehensive review of foreign aid with the stated objective of ensuring the effective use of taxpayer dollars in support of United States foreign policy goals. The long-term impact that this initiative will have on refugee funding modalities and levels is still uncertain.

The prioritization of national security concerns and the military intervention in Iraq also dramatically affected the mid-term congressional elections that took place in November 2006. The Democratic Party assumed control of both the House of Representatives and the Senate, thus leading to significant changes in congressional committee structure and composition. The full impact that this will have on migration issues is yet to be seen. Congressional and presidential elections will take place in 2008.

### *Caribbean*

The Caribbean region is the site of steady and significant mixed migratory movements, primarily characterised by the movement of persons by sea on a South to North trajectory. The majority of migrants are Cuban, Haitian or Dominican, but an increasing number of extra-continental migrants come from Africa and are often poorly documented and arrive in an irregular manner. The northern Caribbean has witnessed periodic mass migration situations in the past from both Haiti and Cuba. Asylum seekers and refugees are found within these wider migratory movements. With the exception of Haiti, all Caribbean states and territories receive arrivals of undocumented persons, including asylum seekers, on a regular basis, albeit to different degrees depending largely on geographic position.

Systematic interception, detention and return policies are widely implemented in the region. Returns to Haiti and Cuba are often implemented through bilateral MOUs which lack specific asylum safeguards. The majority of Caribbean states do not have adequate procedures to identify asylum seekers and provide no written guidance to immigration, border and police officials. Only one Caribbean state has national refugee legislation, and only three states have ad hoc national refugee

status determination procedures. Most Caribbean states do not have reception or assistance mechanisms in place, have no national legislative frameworks for refugee protection, and are reluctant to provide residence documents to recognized refugees. As a result, a number of Caribbean countries have refugee or asylum seeking populations in protracted situations with no durable solutions in sight.

Within this context, UNHCR is obliged to provide substitute services in many Caribbean states, including delivery of humanitarian assistance and Mandate refugee status determination. UNHCR works with three NGO partners and through a network of 12 Honorary Liaisons who support UNHCR with assistance delivery, counselling, refugee status determination, durable solutions activities, media monitoring, and reporting on arrivals and asylum practices. Mandate status determination and legal advice to states on asylum claims is particularly resource-intensive in the Caribbean, since asylum seekers are scattered across a number of states and territories with diverse operational environments.

After a period of political crisis in Haiti in 2004 and 2005, relatively peaceful and representative elections were conducted in early 2006, and the number of Haitians interdicted at sea dropped. However, by the end of 2006, security had begun to deteriorate as a result of ongoing political instability and the activities of armed gangs. Concerns persist about the level of preparedness of the Caribbean states to adequately respond to any mass population movement within the region. Due to receiving states' territorial size and resources, even small numbers of arrivals are perceived as having a disproportionate impact, requiring UNHCR support.

## **UNHCR strategy**

### **Achievements to date**

#### *United States*

UNHCR's operational objectives in the United States fall principally into three areas: maintaining high standards of protection for refugees and asylum seekers, facilitating durable solutions, principally through resettlement, and mobilizing public and governmental support for refugees and UNHCR's activities. UNHCR pursues these objectives through public advocacy and policy development by way of extensive collaboration with governmental and non-governmental counterparts.

With respect to the first goal, to ensure that international standards of protection are met for all persons of concern to UNHCR taking into account their age, gender and personal background, in the United States, there were significant achievements in 2006.

Despite continued difficulties with terrorism-related bars to admission, that unintentionally have seriously affected applicants for asylum and refugees being processed for resettlement in the United States, some progress was made in 2006. Several waivers of the "material support to terrorism" bar were issued for refugees from Myanmar who are in camps located in that region. This allowed over 2,100 refugees to be resettled to the United States in the second half of the year. At the end of 2006, the Administration proposed legislative and administrative initiatives which would expand its authority to declare the inapplicability of terrorism-related bars. In early 2007, a series of further waivers followed, addressing both a number of other refugee populations as well as duress situations for some refugees.

With respect to UNHCR's goal of ensuring that refugee protection safeguards are respected within broader migration control efforts, there were several achievements. For example, while throughout 2006 asylum-seekers continued to be detained in penal facilities affecting their ability to meaningfully

access the asylum system, for the first time, a comprehensive bill to address this issue was introduced and gained significant support with members of Congress.

On the issue of meaningful access to the asylum process, there was progress on providing volunteer lawyers for the approximately 8,000 unaccompanied children annually placed in immigration removal proceedings. Legislation which would encourage government funding for development of pro bono counsel networks for unaccompanied children passed the Senate by unanimous consent. In addition, the Office of Refugee Resettlement launched a three year pilot programme to facilitate pro bono counsel for unaccompanied children in its custody. The National Center for Refugee and Immigrant Children funded by UNHCR trained 455 pro bono attorneys and matched 385 unaccompanied children with pro bono legal counsel. These initiatives will assist in the promotion of systemic change by demonstrating the critical role attorneys play in ensuring that children are able to present claims for protection such as asylum as well as the benefits to the government of more efficient case processing and less children failing to appear for their court hearings.

In support of the goal of ensuring that asylum and refugee adjudicators are familiar with international refugee law, UNHCR continued to train new asylum and refugee corps officers on international refugee law and provided input into an asylum training module for immigration enforcement personnel.

UNHCR and United States Government cooperation on interception as well as contingency planning was significantly enhanced. Among other activities, UNHCR staff learned more about United States interception practices through an observation mission on a United States Coast Guard cutter and United States authorities responsible for Caribbean contingency planning were trained in ProGres and UNHCR registration standards.

The United States now provides UNHCR the largest number of resettlement places of any country in the world accepting at least half of the persons whom UNHCR has identified as needing resettlement. In 2006, more than 27,000 persons of concern to UNHCR were referred to the United States. In addition, the United States contributed 6.4 million in additional funding to support UNHCR global resettlement operations. UNHCR has maintained an excellent working relationship with key partners throughout the United States, and the United States continues to rely heavily on UNHCR for identification of individuals and populations in need of resettlement. UNHCR Washington worked closely with HQs, resettlement NGOs and the United States Government on ensuring that programme integrity remains a priority in all aspects of the resettlement process and to pro-actively address issues relating to possible fraud and misrepresentation.

The rights of refugees resettled to the United States continue to be generally well respected. Refugees can adjust their status to that of permanent resident, and after five years may acquire citizenship. Refugees may fully participate in the economic system and civil society. There are significant governmental efforts to aid refugees to achieve self sufficiency. Substantial assistance is provided for certain categories of refugees with special needs, such as unaccompanied minors. Support for refugee resettlement remains strong in the public and private sectors.

In terms of other durable solutions, persons obtaining asylum in the United States share most of the same legal rights and benefits as resettled refugees, thus local integration of asylees follows a similar track as resettled refugees. A significant improvement in recent years is that the process for asylees to adjust to permanent resident status has been accelerated due to changes in United States legislation that lifted an annual quota for adjustment. In the United States, UNHCR is generally involved in

voluntary repatriation only on an individual basis, and facilitates this durable solution when a refugee or asylee requires legal or financial assistance in order to repatriate.

UNHCR's role in the region is not only to focus on the needs of asylum seekers and refugees within the United States and the Caribbean, but to represent the needs and protection concerns of refugees around the world. UNHCR Washington fulfills the goal primarily through its external relations, public information, and private sector fundraising functions.

Given the significant interest and support for UNHCR's global programmes that the United States has historically demonstrated, UNHCR Washington dedicates significant resources to raising awareness of and facilitating the flow of reliable information about refugee situations and UNHCR's role in addressing such situations. The United States Government, NGOs, media, academia, and the larger public therefore frequently turn to UNHCR as a source of information.

### *Caribbean*

UNHCR's work in the Caribbean was guided by the overarching goal of enhancing protection and durable solutions for asylum seekers and refugees in mixed migratory movements, sometimes arriving in mass numbers. To meet this goal, UNHCR Washington undertook a broad range of activities to enhance regional preparedness for mass arrivals by sea, to promote asylum safeguards in interception practices, to promote alternatives to detention, and to advocate for the passage of national refugee legislation and establishment of national eligibility procedures. In the two Caribbean states with functioning ad hoc RSD procedures, UNHCR supported the governments to strengthen their procedures, giving legal/technical advice and in-country training to government officials, while sensitizing them to the plight of refugees and the migration-asylum nexus. In states where no national procedures exist, UNHCR performed RSD under mandate, a necessary safety-net to ensure that all identified asylum seekers have access to fair and efficient asylum procedures. Cooperation was enhanced with several states within the region on contingency planning for mass migration or refugee movements in the northern Caribbean.

The Honorary Liaison network was expanded with the recruitment of a new Honorary Liaison for Bahamas. The network was strengthened through the successful organization of a training and participatory planning workshop, where UNHCR and the Honorary Liaisons jointly assessed the impact of previous efforts and charted a new strategic direction to enhance refugee protection in the Caribbean. The Honorary Liaisons were also trained in RSD procedural standards, registration, and migration-asylum nexus, and trafficking issues.

UNHCR strengthened its capacity to deliver vital humanitarian assistance and protection to refugees and asylum seekers in the Caribbean. In the Dominican Republic, UNHCR began to work with a new implementing partner, and, in less than one year, a programme was built which served the most vulnerable or needy asylum seekers and refugees through delivery of humanitarian assistance, micro-credit assistance, education and health services and other essential services otherwise unavailable. In Trinidad and Tobago, UNHCR expanded the activities of its NGO partner beyond material assistance to also include support for mandate RSD activities, including registration and counselling. UNHCR also improved its own RSD case management and began to develop SOPs to bring the office in line with UNHCR's RSD procedural guidelines. As a result, the RSD backlog was reduced. In Jamaica, UNHCR developed a new partnership with an implementing agency which delivered crucial assistance to a small but vulnerable group of Haitian refugees. UNHCR enhanced the capacity of the new partner to do programme implementation, financial control and reporting, and UNHCR also

assisted the agency to begin developing a strategy to move the Haitian refugees from assistance to self-sufficiency.

UNHCR continued to pursue a durable solutions strategy in the Caribbean which emphasized local integration. In a region from which UNHCR has rarely resettled refugees, eleven persons were identified for resettlement and ten were submitted during 2006. All refugees (mainly Haitians) who approached UNHCR to request voluntary repatriation were fully counselled and assisted with return when appropriate.

### Protection and Solutions Strategy for 2008-2009

#### Overall Objectives and their Links to GSOs/ RSOs

UNHCR Washington, through a strategic directions exercise, has established the following overall objectives, in line with the Organization's Global Strategic Objectives, the Regional Strategic Objectives set by the America's Bureau and the Mexico Plan of Action:

1. Ensure international standards of protection are met for all persons of concern to UNHCR in the United States taking into account their age, gender and personal background.
2. Advocate for and support the United States Government in the enhancement of its asylum system and in its efforts to address statelessness issues.
3. Strengthen, promote, and achieve - through vigorous, fund raising, public information, public awareness, media relations and effective partnerships with NGOs, other UN agencies, and governments - support for UNHCR's global programmes, enabling protection and assistance to beneficiary populations.
4. Promote and support refugees obtaining a durable solution through the coordinated and complementary use of resettlement, local integration, and voluntary repatriation.
5. Promote and strengthen international protection and durable solutions for asylum seekers and refugees in the Caribbean travelling in mixed migratory movements.
6. Implement effective contingency planning and preparedness measures for mass migration and refugee emergencies in the Caribbean.

A summary elaboration for each objective/theme is provided in the following.

#### **1. Ensure international standards of protection are met for all persons of concern to UNHCR in the United States taking into account their age, gender and personal background.**

One of UNHCR Washington's primary goals through 2009 is to ensure that international standards of protection are met for all persons of concern to UNHCR in the United States, taking into account their age, gender and personal background. The office will work to meet three objectives under this goal. First, UNHCR Washington is striving to ensure that the United States asylum laws do not prevent access to refugee protection through automatic, expansive bars to eligibility which are inconsistent with the 1951 Convention. Given the United States government's current focus on national security, UNHCR Washington's particular emphasis in this area will continue to be on the material support and terrorism-related bars. These bars continue to significantly impact the ability of refugees to resettle or

gain asylum in the United States. To meet this objective, UNHCR Washington will continue to work with Congress, key Departments in the executive branch, the media and NGO partners in support of both legislative and administrative initiatives to lessen the impact of these overly broad bars to refugee protection. UNHCR Washington will also continue to work to discourage the enactment of legislation which would expand these automatic bars.

The second objective is to ensure that the United States respects the principle of *non-refoulement* and that all asylum-seekers have access to asylum procedures. To meet this objective, UNHCR Washington will work with the Department of Homeland Security (DHS) to include adequate quality assurance measures in the United States' expedited removal procedures implemented at its ports of entry and along the interior of its borders. UNHCR Washington will also obtain regular statistics on Coast Guard interdiction practices and use other available contextual information to determine whether and how to address inconsistencies in shipboard screening mechanisms.

UNHCR Washington's final objective is to ensure that access to the United States asylum process is meaningful. Accordingly, UNHCR will work with DHS to decrease the unnecessary detention of asylum-seekers in penal facilities which severely hinders their ability to gain legal counsel. Without legal representation, it is very difficult to navigate the complex United States asylum laws and adversarial system and meaningful access to asylum is compromised.

## **2. Advocate for and support the United States Government in the enhancement of its asylum system and in its efforts to address statelessness issues.**

Under the second theme, UNHCR Washington's goal is to advocate for and support the United States government in its efforts to improve its asylum system and to address statelessness issues. In meeting this goal, UNHCR Washington has three main objectives. First, UNHCR Washington aims to promote United States asylum procedures that are consistent with UNHCR guidance, particularly with respect to unaccompanied children's cases. In the United States, asylum-seekers, including unaccompanied children, are placed in adversarial proceedings. In addition, guidelines for deciding unaccompanied children's cases are in need of improvement. To meet this objective, UNHCR Washington will work with Congressional leaders in support of legislation to switch the responsibility for adjudicating children's asylum claims to the Asylum Division, the agency with specially trained Asylum Officers who conduct non-adversarial asylum interviews more appropriate for children. UNHCR Washington will also work with the Asylum Division and the Immigration Courts to improve guidelines for adjudicating children's asylum claims.

Second, UNHCR Washington seeks to promote a full and inclusive application of the 1951 Convention refugee definition in the United States by asylum adjudicators. Recent precedent decisions by the Board of Immigration Appeals on topics such as asylum claims based on membership of a particular social group and terrorism-related bars to asylum and refugee protection demonstrate the need for further education of adjudicators on the refugee instruments and UNHCR guidance. UNHCR Washington plans to address this need by continuing to intervene in precedent-setting cases on fundamental refugee definitional issues. The office will also seek a regular role in the training of Immigration Judges and Board of Immigration Appeals Members. UNHCR Washington will continue to train new Asylum Division and Refugee Corps adjudicators and to encourage refresher training for Asylum Officers on the role of UNHCR and international refugee law.

Third, UNHCR Washington intends to foster United States actions to prevent and reduce situations of statelessness. The United States is a leader in supporting work on statelessness issues around the globe and UNHCR is just beginning to raise the awareness of Congressional members on these issues.



At the same time, there is little information collected on the situation of stateless individuals residing in the United States. UNHCR will further strengthen its partnership with the United States government on raising awareness of the work of the United States, UNHCR and partner agencies on global statelessness issues. UNHCR will also collect information and work with an appropriate partner such as a law firm, academic institution or other non-governmental organization to prepare a report on the issues facing statelessness individuals in the United States. UNHCR will present any findings and recommendations to the appropriate United States government agencies.

**3. Strengthen, promote, and achieve - through vigorous, fund raising, public information, public awareness, media relations and effective partnerships with NGOs, other UN agencies, and governments - support for UNHCR's global programmes, enabling protection and assistance to beneficiary populations.**

The United States remains UNHCR's largest donor, traditionally providing 23-25 percent of UNHCR's Annual Budget. UNHCR Washington will continue to work toward sustaining, or if possible, enhancing UNHCR's stature as the organization leading global refugee protection, thereby resulting in increased financial support for UNHCR's operations.

UNHCR's ability to articulate global refugee needs and its efforts to address such needs has become increasingly critical in the United States context. The United States government has undertaken a significant reform of its foreign assistance programmes, which could fundamentally affect its support for multilateral institutions such as UNHCR.

These challenges mean that UNHCR must be able to demonstrate the critical nature of its mandate and operations. UNHCR Washington plans to achieve this through systematic outreach to the United States Congress, the Department of State, the NGO community, and the media in order to share information about key organizational priorities and activities to address such priorities. It will facilitate missions by UNHCR Headquarters and field staff to Washington to support this outreach. It will facilitate missions to the field by interested NGOs and other policymakers, and will lead a congressional staff delegation to one key UNHCR field operation. It will also collaborate closely with both UNHCR Headquarters and field offices to ensure a consistent and reliable flow of information to inform its advocacy with interlocutors based in Washington.

**4. Promote and support refugees obtaining a durable solution through the coordinated and complementary use of resettlement, local integration, and voluntary repatriation**

UNHCR Washington activities to maintain and enhance the use of resettlement are directly related to the global strategic objective of promoting and apply resettlement as an effective protection tool, durable solution, and burden and responsibility sharing mechanism. UNHCR referrals to the United States increased in 2006 both in numerical terms and as a proportion of the United States resettlement programme. The goal is to continue this trend. Resettlement activities also complement global strategic objective of implementing comprehensive strategies to resolve refugee situations to the extent that the office is successful at encouraging United States responsiveness to use resettlement in a complementary fashion to address protracted situations. As noted above, there is a close correlation in the United States between the treatment of refugees who have been granted asylum and those resettled. Consistent with the goal of promoting and supporting local integration, UNHCR Washington's objective is to encourage that appropriate measures are taken towards the successful integration of refugees, particularly of individuals with special needs (e.g. unaccompanied minors, women, etc.).

<b>Planning Figures for the United States of America</b>				
<b>Population</b>	<b>Dec. 2006</b>	<b>Dec. 2007</b>	<b>Dec. 2008</b>	<b>Dec. 2009</b>
Refugees*	848,137	918,000	927,000	877,000
Asylum-seekers**	95,996	87,000	82,000	82,000
<b>Total</b>	<b>944,133</b>	<b>1,005,000</b>	<b>1,009,000</b>	<b>959,000</b>

\*includes asylum-seekers with final grant of asylum

\*\* asylum-seekers with pending applications

UNHCR Washington's strategy with regard to the Caribbean is built around the following two central themes.

### **5. Promote and strengthen international protection and durable solutions for asylum seekers and refugees in the Caribbean travelling in mixed migratory movements**

Under this theme, UNHCR will seek to ensure that asylum seekers and refugees travelling within complex migratory movements in the Caribbean, including those subject to at-sea interception, are identified, protected from *refoulement*, and provided access to fair and efficient asylum procedures, alternatives to detention, adequate assistance, and durable solutions. To achieve this objective, UNHCR Washington will implement legislative advocacy, training and capacity-building activities to encourage and enable Caribbean governments to receive, determine the status of, and protect refugees, while continuing to perform mandate RSD in countries unable or unwilling to do so. It is foreseen that, given lack of resources and/or capacity, UNHCR and its partners will continue to be the principal source of assistance and durable solutions support for refugees. UNHCR will continue to pursue a durable solutions strategy in the Caribbean which emphasizes the importance of local integration options in combination with voluntary repatriation and the targeted use of resettlement.

UNHCR's material and legal assistance and durable solutions activities in the Caribbean will continue to be planned in close consultation with UNHCR's Honorary Liaisons and implementing/operational partners in the Caribbean states, who conduct assessments of refugee needs and capacities. Due to the urban and dispersed nature of most refugee populations in the Caribbean, most needs are assessed not on a community basis but rather on a case-by-case or family basis, through direct counselling and home visits by UNHCR and partner staff in the context of RSD, assistance delivery or durable solutions work. UNHCR Washington has begun to explore how age, gender and diversity methodology can be modified to meet the needs of the urban refugee operational context in the Caribbean, taking into account the urban and dispersed characteristics of the population as well as the demographic profile in most Caribbean countries: largely single adult males of diverse socio-cultural, racial, religious and linguistic backgrounds. UNHCR Washington has begun a process of dialogue with partners about an assessment strategy and, contingent upon resources, will formalize AGDM methodology in the Caribbean 2008 and 2009.

While UNHCR Washington's principal focus under this theme will continue to be refugee protection, the Office has recently begun preliminary exploration of statelessness issues in the Caribbean states with a view to identifying opportunities whereby UNHCR, in cooperation with others, can lend its expertise. In the Caribbean region, statelessness affects mostly Haitian nationals. Although it is difficult to obtain reliable statistical data on the scale of the problem, even by the most conservative estimates, statelessness is believed to affect tens of thousands of Haitians spread across a number of Caribbean states. In the Caribbean, statelessness primarily affects the descendants of migrant workers

but also impacts on the children of undocumented asylum-seekers and refugees. In the past, UNHCR's sporadic engagement has not resulted in any major breakthrough in addressing the root causes and consequences of statelessness. Limited financial and human resources available at present will dictate the parameters of UNHCR's involvement in the immediate future. If resources allow, UNHCR will seek to promote greater acknowledgement of the issue by States, leading to credible assessments of the dimension of the problem, while providing technical/legal advice that better enables states to develop effective mechanisms to identify and protect stateless persons as well as to reduce and prevent situations of statelessness. UNHCR will seek to complement and bolster the efforts and expertise of national experts, sister agencies, NGOs and other relevant international organizations.

## **6. Implement effective contingency planning and preparedness measures for mass migration and refugee emergencies in the Caribbean**

Under this theme, UNHCR will encourage states to engage in concerted contingency planning efforts which rely on enhanced regional dialogue and coordination. In 2008 and 2009, UNHCR will enhance ongoing efforts to encourage governments to establish national and regional contingency planning structures that ensure effective cooperation and fair and equitable responsibility sharing. UNHCR will strengthen engagement with UN Country Teams, civil society and NGO actors who have the ability to complement government capacity. UNHCR will further assist states to undertake quantitative and qualitative needs assessments, including engagement with other actors to fill identified gaps.

The below planning figures include only refugee and asylum seeking populations in the Caribbean, and do not include stateless persons (no reliable data available).

<b>Planning Figures for the Caribbean</b>				
<b>Population</b>	<b>Dec. 2006</b>	<b>Dec. 2007</b>	<b>Dec. 2008</b>	<b>Dec. 2009</b>
0-4	93	100	110	126
5-17	742	805	875	993
18-59	927	1,005	1,095	1,235
60 and >	93	100	110	126
<b>Total</b>	<b>1,855</b>	<b>2,010</b>	<b>2,190</b>	<b>2,480</b>

### Partnership and Collaboration

#### *United States*

To advance UNHCR's protection and durable solutions goals in the United States as well as global operations and refugee programmes broadly, UNHCR Washington will continue to maintain a close working relationship with its key governmental interlocutors, including the Department of State, the Department of Homeland Security, the Department of Justice, the National Security Council, the Department of Health and Human Services, the United States Agency for International Development, the United States Congress, and a range of other agencies as appropriate. This will include regular meetings to discuss UNHCR priorities and the United States role in supporting such efforts.

UNHCR Washington will maintain very strong working relations with civil society, primarily through two NGO coalitions: InterAction and Refugee Council USA. UNHCR will also work with the numerous asylum and refugee advocacy groups and asylum legal services providers, the private immigration bar, immigration advocacy groups, policy think tanks, and academic institutions. This

will include a regular exchange of information as well as joint strategizing on legislative and administrative issues affecting refugees. UNHCR Washington will also participate in conferences and other fora hosted by NGOs and academic institutions. Finally, UNHCR Washington will serve as a liaison between NGOs conducting field missions and UNHCR offices in the field to ensure a common understanding of such missions and an effective gathering of information and recommendations regarding UNHCR's operations.

Given the vast size and population of the United States, and the limited resources of the office, fostering and maintaining partnerships and collaboration with key actors in the public and private sectors remains central to UNHCR Washington's work to promote durable solutions. Thus, the office will continue to expand its relation with state and local officials, particularly with the state coordinators of refugee resettlement, and their organization (SCORR).

### *Caribbean*

UNHCR will continue to implement protection, assistance and durable solutions activities through a network of pro bono Honorary Liaisons in each Caribbean country and with three established NGO implementing partners. UNHCR will also continue to work very closely with the United States and Caribbean governments to strengthen regional cooperation, particularly in the area of contingency planning for mass migration and refugee movements in the Caribbean.

### *Assumptions and Constraints*

#### *United States*

In 2008 and 2009, it can be expected that the political climate in the United States will continue to be dominated by foreign policy and national security concerns. Thus, one can expect that certain members of Congress will continue to propose strict immigration enforcement and/or national security legislation that will either ignore the difference between migrants and refugees or will specifically restrict asylum eligibility. The 2008 presidential elections could bring new opportunities and constraints.

The ability of UNHCR Washington to leverage sustained or additional United States funding for the Organization will continue to be constrained by external factors, including the United States budget as a whole and the availability of discretionary funding within that budget. A key factor in UNHCR's success in overcoming this challenge will be its ability to articulate refugee needs and the Organization's achievements in meeting such needs.

The degree to which UNHCR globally identifies and seeks to resolve protracted situations through complementary use of durable solutions, will in large measure dictate the specific goals and objectives of UNHCR Washington in terms of resettlement. These are not set by UNHCR Washington but by the organisation globally on an on-going basis.

A significant constraint for UNHCR continues to be United States policies and bars (e.g. material support and other "terrorist" bars) that inhibit or prevent certain refugees from being admitted to the United States. These policies directly constrain the ability of refugees to achieve a durable solution in the United States. Indirectly, UNHCR Washington efforts to overcome these bars and policies requires a significant investment in staff resources that detracts from the time to work on durable solutions.

## *Caribbean*

In 2008 and 2009, asylum issues can be expected to continue to figure at the very bottom of Caribbean national agendas. UNHCR enjoys cordial relations with Governments in the region, but access to information is often limited. Most Caribbean states lack the political will and determination to pass refugee legislation, establish refugee status determination procedures or facilitate local integration, and often view refugee issues (including passing refugee legislation or preparing for refugee emergencies) as a political liability. National media and public opinion tends to conflate irregular migration, crime rates and asylum-seekers, fuelling negative stereotypes. Balancing the high demands of individual case work (RSD and durable solutions) with the demands of contingency planning, training, capacity-building and advocacy activities, is an added internal challenge to UNHCR given staffing and financial resource constraints.

### *Potential for Durable Solutions and Phase Out*

#### *United States*

In the United States, UNHCR continues to maintain and implement new methods to ensure resettlement remains a durable solution including ongoing liaison work with resettlement partners and by providing timely information to UNHCR field offices regarding United States resettlement policy. Local integration of refugees largely progressed well, supported by an established legal and economical framework. UNHCR Washington efforts are assisting in the promotion of durable solutions globally. The need for durable solutions generally, and resettlement in particular, will be ongoing thus the opportunity for phase-out is not foreseen.

#### *Caribbean*

The Caribbean region is the site of continuous mixed migratory movements, and thus the asylum seeking and refugee population is constantly changing, both in size, in profile, and in prospects for durable solutions. UNHCR's involvement in providing vital substitute services (including assistance to vulnerable cases and mandate refugee status determination), as well as continuous training and capacity-building activities to strengthen national asylum capacities, will continue to be needed in the foreseeable future. While risks of mass migration and refugee movements in the Caribbean region persist, UNHCR's continued engagement in contingency planning and regional preparedness will also remain necessary.

### *Summary Management Strategy for UNHCR*

UNHCR Washington will continue to conduct strategic directions exercises with the aim of establishing and adjusting its own objectives and targets, in line with the Organization's Global Strategic Objectives and the Regional Strategic Objectives. In this context, a set of objectives for each goal/theme was established and specific areas for priority action and performance targets were agreed upon. Particular emphasis will be paid to continuously improve on the integration of all appropriate functions into the work of all units and to maximize the benefit of the resulting synergies. All-staff retreats will be held to further enhance, prioritize and streamline UNHCR Washington's activities. Due consideration will be given to enhancing efforts directed at consolidating results-based management, including through improved participatory and cross-functional policy development, planning and evaluation, to help ensure that processes support the achievement of goals and objectives for the benefit of refugees and other persons of concern to UNHCR. Specific attention will also be directed at keeping abreast of and supporting the UNHCR Structural and Management Change

process as well as the changing working environment. In the context of ongoing efforts towards the effectiveness of the implementation of human resource policies, all-staff Code of Conduct sessions will be conducted on a regular basis.