



COUNTRY OPERATIONS PLAN

Country: Canada

Planning Year: 2004

UNHCR Canada: Country Operations Plan for 2004

PART I: EXECUTIVE COMMITTEE SUMMARY

a) *Current context*

1) Canada remains an important country of asylum and resettlement, and Canadian policy and practice are often seen as setting the example for other countries. Canada has been a member of UNHCR's Executive Committee since 1957, is a donor to UNHCR's programs, and a prominent advocate on the international stage for many issues of core concern to UNHCR. These complementary roles shape UNHCR's activities in Canada. In addition, Canadian private donors are providing additional funds to support UNHCR's programmes.

2) During 2002, 29,573 refugees found a durable solution in Canada. This included 15,161 persons recognized as Convention refugees by Canada's Immigration and Refugee Board, 10,391 selected overseas for resettlement, and 4,021 immediate relatives of refugees who arrived in Canada for family reunification. This is an increase of about 1,000 persons over 2001, and a significant achievement for a country of 30 million people.

3) Although immigration and refugee policy have long been intertwined, clear distinctions have become more necessary than ever before. Canada has traditionally maintained a generous asylum policy, but many Canadians increasingly feel that the country's openness is being taken advantage of by persons who abuse the asylum procedure in order to enter and remain in the country. This concern has grown since the terrorist attacks of September 11, 2001, and there is a new focus on border security, as well as on immigration and refugee policy.

4) The relationship between Canada and the United States in the area of immigration and refugee policy has also taken on particular importance. On December 12, 2001, Canada and the United States signed a 30-point Action Plan for creating a "secure and smart" border. This plan contains several elements of interest to UNHCR, including a commitment to coordinate the two countries' visa policies, to undertake joint activities in the area of overseas interception, and to negotiate a "safe third country" agreement to enhance the management of refugee claims. This agreement was indeed signed on December 5, 2002, entitled "Agreement for cooperation in examining the refugee status claims of nationals of third countries". It will come into effect once the U.S. has promulgated the necessary implementing regulations. (The Canadian regulations have been issued).

5) In June 2002, the long-awaited new Immigration and Refugee Protection Act entered into force. It introduced several changes to Canada's system of refugee protection: front-end screening for refugee claimants; a consolidated procedure for assessing protection needs under the 1951 Convention, the Convention against Torture, and the Canadian Charter's prohibition of cruel and unusual treatment or punishment; and a pre-removal risk review. The Act also addressed a long-expressed UNHCR concern, establishing an appeal on the merits within the refugee determination system, and giving UNHCR the possibility to intervene in that procedure. However, just prior to entry into force,

the government announced that implementation of the appeal procedure would be deferred.

6) Although Canada experienced a significant increase in applications for asylum during 2001, the number fell by 25% in 2002, in large part due to the introduction of visa requirements for citizens of Hungary and Zimbabwe, and to the introduction by the U.S. of a visa requirement for citizens of Argentina (many of whom had then been asking for asylum in Canada). During the year, the Immigration and Refugee Board decided on the asylum applications of 32,466 persons (an increase of 14.5% over the previous year). 47% were recognized as refugees, 34% were rejected on the merits of their claims, and 19% of applications were withdrawn or declared abandoned by the Board. Despite the drop in new applications, there was a backlog of 52,000 undecided applications at the end of 2002.

7) Canada implements a major refugee resettlement program. This program has two tracks: refugees may be resettled with support of the federal government, or with private sponsorships. The private sponsorship arrangement, which is not subject to numerical limitation, has recently attracted renewed attention, as some European countries consider starting resettlement programs of their own.

8) Canada's resettlement programme continued on track in 2002. 10,391 refugees were resettled, of whom 7,340 with government sponsorships and 3,045 with private sponsorships. The largest single group resettled were Afghans, accounting for around 30% of all admissions. 14% of resettled refugees were selected directly in their countries of origin under the "source country" program. The largest number of persons admitted under this program were Colombians (1,200).

9) The need for close cooperation between UNHCR and the Canadian authorities on resettlement is greater than ever, in view of changes in the new Immigration and Refugee Protection Act. The Act stipulates that candidates for government-sponsored resettlement must be referred by designated organizations. So far UNHCR is the designated referral organization for the Canadian resettlement program.

10) In 2002, Canada was UNHCR's tenth largest donor, with a total contribution of US\$18.9 million or 1.8% of UNHCR's 2002 budget. This was an increase of 10% over the 2001 contribution. The Canadian government follows UNHCR's worldwide operations closely, participates actively in UNHCR's Executive Committee, and consults Canadian NGOs on UNHCR-related issues. The UNHCR Office in Canada will remain actively engaged in responding to the government's interests and concerns, and in seeking to sustain and if possible, to increase, Canada's financial contribution to UNHCR.

11) As chair of the G8 in 2002, Canada launched a major campaign to support the New Partnership for Africa's Development (NEPAD), through a G8 Action Plan. UNHCR lobbied successfully for inclusion of issues relating to Africa's refugees and displaced persons in this Plan. The Office welcomed the Canadian Government's creation of a special Fund for Africa, and urged that this Fund also be used to support sustainable solutions for Africa's refugees.

12) The Canadian media and public demonstrate a high interest in refugee and humanitarian topics. Because of this interest, UNHCR launched private-sector

fund-raising activities in Canada during 2002. Four direct mail solicitations were sent out during the second half of the year. Total private sector income from Canadian sources in 2002 was US\$232,000. The Office is planning to expand these activities in 2003 and 2004.

13) As is the case in other industrialized countries, UNHCR does not implement an assistance program in Canada. The Office's activities are concentrated in the areas of refugee protection, resource mobilization and public awareness. UNHCR is not alone in this endeavor, since there is a vigorous non-governmental community in Canada. UNHCR cooperates closely with both governmental and non-governmental partners on a wide range of refugee protection issues, including those raised by the complex phenomenon of mixed migration.

14) UNHCR's presence in Canada serves three main purposes: to achieve the highest possible standard of refugee protection in Canada's asylum policy and practice; to promote utilization of Canada's resettlement programme in a manner which responds to protection needs of refugees overseas, as identified by UNHCR; and to build governmental and public awareness of and support for refugees and for the work of UNHCR. This includes mobilizing financial support for UNHCR from governmental and non-governmental sources.

b) Summary of goals and objectives

15) UNHCR's activities in Canada will continue to be oriented around three principal themes of refugee protection, refugee resettlement and the mobilization of public awareness and resources. These activities continue to reflect a number of the UNHCR global objectives as articulated in the 2003 Global Appeal, and "operationalize" several of the objectives contained in the Agenda for Protection. While all six goals of the Agenda for Protection are relevant to UNHCR's work in Canada, Goal 1 ("Strengthening implementation of the 1951 Convention"), Goal 2 ("Protecting refugees within broader migration movements"), Goal 3 (More equitable burden-sharing and capacity building), and Goal 5 ("Redoubling the search for durable solutions") are of particular importance.

Theme 1: Refugee protection	
Main Goal: To achieve the highest possible standard of protection in Canada for persons of concern to UNHCR, through full implementation of the 1951 Convention and other relevant refugee law and human rights instruments. (2003 Global Appeal Goals 1, 7, 9, 10; AFP Goals 1, 2)	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> ▪ Identification of and proper response to the needs of asylum-seekers and refugees, including access to protection within the broader context of mixed migration. 	<ul style="list-style-type: none"> ▪ Canadian policy, law, procedures and practice are monitored and comments submitted to the authorities as appropriate ▪ Well-reasoned interventions are made in precedent-setting cases at judicial/quasi-judicial levels ▪ Position papers, statements and reports are published on key refugee protection issues ▪ The Office organizes and participates in relevant conferences and training events

Theme 2: Refugee resettlement	
Main Goal: Maximize the availability of resettlement opportunities in Canada for refugees in need of resettlement, and thereby contribute to burden-sharing as well as the provision of protection and durable solutions for refugees (2003 Global Appeal Goals 6,7, 9, 10; AFP Goals 3, 5)	
Principal Objective	Related Outputs
<ul style="list-style-type: none"> ▪ Resettlement is an effective tool of protection and a durable solution. 	<ul style="list-style-type: none"> ▪ Understanding of UNHCR resettlement criteria and priorities ▪ Flexibility in Canadian resettlement policy ▪ UNHCR performs its role as a “referral organization” to the satisfaction of government counterparts

Theme 3: Public awareness and resource mobilization	
Main Goal: To build awareness of and respect for refugees, and support for the work of UNHCR (2003 Global Appeal Goal 9, AFP Goals 1-6)	
Principal Objective	Related Outputs
<ul style="list-style-type: none"> ▪ Broad public and governmental understanding of refugee issues, resulting in a sympathetic environment for refugees in Canada, and in political, moral and financial support for UNHCR’s work abroad. 	<ul style="list-style-type: none"> ▪ Through media interviews and public speaking engagements, UNHCR serves as a primary source on refugee issues ▪ Educational and public awareness materials are made available to a broad public ▪ Regular contacts with government counterparts, MPs and important members of civil society on UNHCR issues of concern ▪ The Canadian private sector fundraising program is expanded through direct mail, face-to-face fundraising, internet appeals and corporate partnerships.