

# NORTH AMERICA AND THE CARIBBEAN



UNHCR

2013 GLOBAL REPORT

- Antigua and Barbuda
- Bahamas (the)
- Barbados
- Belize
- British overseas territories (Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Turks and Caicos Islands, Montserrat)
- Canada
- Dominica
- Dominican Republic
- Dutch overseas territories in the Caribbean (Aruba, Curaçao, Saint Maarten, Bonaire, Saint Eustatius, Saba)
- Grenada
- Guyana
- Haiti
- Jamaica
- Saint Kitts and Nevis
- Saint Lucia
- Saint Vincent and the Grenadines
- Suriname
- Trinidad and Tobago
- United States of America
- Territories with linkages to the United States (Puerto Rico and United States Virgin Islands)



Resettled refugees learn English at the International Rescue Committee's centre in Atlanta, United States

UNHCR / E. HOCKSTEIN



# | Overview |

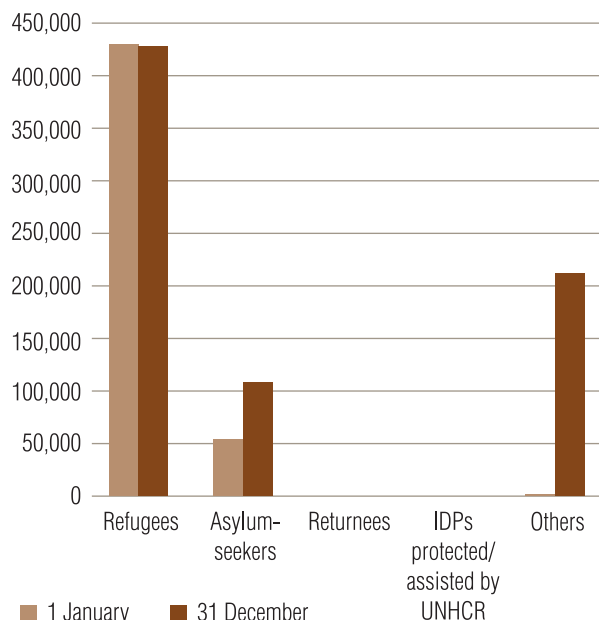


## Highlights

- In 2013, UNHCR conducted a comprehensive study of the root causes of increasing arrivals in the United States of America of unaccompanied and separated children (UASC) from Central America and Mexico. The majority (58 per cent) were in need of international protection.
- In Canada, the Refugee Appeal Division began reviewing first-instance decisions on refugee status determination (RSD), strengthening due process and procedural fairness within the asylum system.
- During the UNHCR–IOM co-sponsored Caribbean Regional Conference on the Protection of Vulnerable Persons in Mixed Migration Flows, States agreed to strengthen cooperation and address the international protection needs of individuals travelling across the region.
- In Haiti, UNHCR provided support to displaced lesbian, gay, bisexual, transgender and intersex (LGTBI) survivors of violence. Safe housing, vocational training and relocation were sustainable emergency measures provided to people facing stigma, discrimination and abuse.
- In 2013, 52,000 refugees from different countries were resettled in Canada and the United States.

This represented almost 75 per cent of resettlement arrivals at global level.

**People of concern to UNHCR in North America and the Caribbean | 2013**



# | Results in 2013 |

## Working environment

Canada continued to be a major host for those seeking asylum and resettlement.

In the United States, the Congress considered Comprehensive Immigration Reform legislation, which passed in the Senate but was still pending in the House of Representatives at year-end. The Senate legislation contains significant provisions relating to the country's asylum and resettlement systems and if adopted will establish a status determination procedure for stateless people. The number of individuals seeking asylum dramatically increased, especially for UASC. All UASC and 70 percent of adults claiming asylum were from El Salvador, Guatemala and Honduras.

A significant number of people continued to travel in unseaworthy vessels throughout the Caribbean. Sea rescues, maritime deaths, as well as missing people, were reported. The vast majority of intercepted individuals were subsequently detained and returned with insufficient protection safeguards, creating risks of *refoulement*.

The Dominican Republic's Constitutional Court ruling TC 168-13 denied nationality to anyone born in the country after 1929 to parents undocumented at the time of their birth registration. This affected tens of thousands of people, the majority of Haitian descent – depriving them of Dominican nationality and creating a significant stateless population. UNHCR, within the UN Country Team, worked with the Dominican authorities to find an adequate solution.

## Achievements and impact

In 2013, UNHCR advocated for maintaining or expanding protection space in the subregion. Operations focused on promoting international protection standards, detention alternatives, adequate refugee status determination (RSD) procedures, and reception conditions. Particular attention was paid to groups with specific needs, including UASC travelling in mixed migratory flows and others of concern, who faced stigma, discrimination and abuse.

Following the implementation of the national refugee reform, UNHCR in Canada observed the application of the revised asylum procedures and provided judicial support for cases that set a positive precedent. Cooperation with the Immigration and Refugee Board and the Canadian Border Security Agency was renewed, maintaining open and constructive dialogue aimed at further strengthening the substance and quality of standards in refugee protection.

Meanwhile, in the United States, the organization undertook a study on the integration of Congolese

women-at-risk, with the University of Texas, to help identify gaps and best practices in addressing the needs of this vulnerable population. UNHCR trained more than 150 asylum- and refugee-adjudication officers on its mandate and international refugee law, and conducted 400 interviews with Central American and Mexican UASC for the Office's research study on the root causes of such movements to the United States. An upward trend in the arrivals of UASC required the establishment of adequate protection responses for those requiring international protection.

Following the Caribbean Regional Conference on the Protection of Vulnerable Persons in Mixed Migration Flows, held in the Bahamas in May 2013, UNHCR and Caribbean States committed to strengthening cooperation to address the needs of those in need of international protection, and work to build stronger asylum systems region-wide. Some progress towards protection safeguards in mixed migration has already been achieved in the Bahamas, Belize and Jamaica.

In the Dominican Republic, profiling of the refugee and asylum-seeker population continued, with figures indicating more than 1,700 people of concern. Legal and material assistance was provided to the most vulnerable cases. UNHCR and the UN Country Team worked with the authorities towards restoring nationality for those Dominicans affected by the Constitutional Court ruling.

During 2013, UNHCR's partners recorded almost 1,000 SGBV cases in Haiti – more than 20 per cent of whom were LGBTI survivors of violence. The SGBV emergency hotline centre reported more than 10,000 phone calls, of which almost 400 were recorded as incidents needing immediate assistance and follow-up. Activities related to statelessness prevention in Haiti focused mostly on accession to the UN Statelessness Conventions and the reform of the civil registry, as well as the drafting of a new law on nationality. While Haiti lacked a legal framework and administrative procedures to regularize the status of asylum-seekers and refugees, UNHCR and the Haitian Ministry of the Interior agreed to deliver joint attestations to asylum-seekers and refugees in the country. The documents aim to prevent detention and *refoulement*. As a result, no detention cases were reported.

## Constraints

While the United States and Canada remained the two main receiving countries for resettlement in 2013, with more than 52,000 resettled refugees, unmet resettlement needs remained high. The time taken to process resettlements, and the application of high-security thresholds for screening cases, restricted the number of resettlement arrivals possible in the United States. Rising numbers of asylum-seekers from Central America

triggered a political debate about increasing their access to protection in the United States.

Although resettlement arrivals in Canada increased by 12 percent compared to 2012, the high level of resettlement arrivals expected was not met. UNHCR remains confident that Canada will continue to work toward meeting its generous objectives in the near future.

The Government of the Dominican Republic gave reassurances that, following the Constitutional Court ruling, none of the tens of thousands of people affected would be left stateless, and that their acquired rights would be respected. UNHCR remained available to provide the authorities with all necessary technical and legal advice and support.

Throughout 2013, the SGBV response in Haiti remained limited owing to the lack of adequate numbers of safe house options for survivors and their dependents, particularly for LGBTI groups.

## Operations

In 2013, Protecting **Canada's** Immigration System Act (PCISA) resulted in a 50 per cent fall in asylum applications. The reduction also followed the designation of almost 40 States as “safe countries of origin”. The Refugee Appeal Division began receiving cases during the year; and second instance reviews promised to strengthen the Canadian asylum system’s fairness and efficiency. More than 12,000 refugees were resettled to Canada in 2013, the majority under the private sponsorship programme.

In the **United States**, the Refugee Congress helped raise awareness about global resettlement issues and provisions of Comprehensive Immigration Reform relevant to refugee protection. UNHCR undertook an extensive study to examine the reasons why children were displaced from El Salvador, Guatemala, Honduras and Mexico. The Office conducted individual interviews with more than 400 UASC who arrived in the United States during or after October 2011. UNHCR monitored the screening and access of UASC to the asylum procedure at the United States’ southern border, and established that the majority were in need of international protection.

The Office and its partners provided protection and durable solutions support, as well as material assistance, to refugees and asylum-seekers in **Caribbean States and territories**. In almost all cases, UNHCR assumed responsibility for conducting RSD under its mandate. Nevertheless, in 2013 the organization also assisted the Bahamas, Belize and Jamaica to activate eligibility committees that adjudicated asylum claims, and provided advice to States performing RSD, such as Aruba, Cayman Islands and Turks and Caicos Islands. The most vulnerable asylum-seekers and recognized refugees received legal and humanitarian assistance, delivered through the Local Honorary Liaison. This included: support for local integration (i.e. naturalization); detention centre monitoring and advocacy for alternatives to detention; delivery of shelter, food, education, health care and special-needs assistance.

In 2013, the National Eligibility Committee of the **Dominican Republic** processed hundreds of claims, the vast majority from Haitian nationals. Unfortunately, all cases were rejected. UNHCR sought resettlement options for those cases that it nonetheless deemed in need of international protection. Moreover, the Office, within the UN Country Team, worked with the authorities to develop a solution for the tens of thousands of Dominicans deprived of their nationality as a consequence of the Constitutional Court ruling of September 2013.

In the context of prolonged displacement in **Haiti**, risks of SGBV remained, despite significant efforts by the Government and local and international organizations. Through partnerships with local NGOs, UNHCR’s projects focused on an SGBV referral mechanism that received incident reports, including physical assault, sexual aggression and rape. All cases reported received counselling, medical support and legal advice as well as access to vocational training and income-generating opportunities. LGBTI survivors of SGBV, who remained particularly vulnerable to stigma and discrimination and even targeted physical abuse, received shelter through safe houses and relocation, albeit limited. Haiti ratified both UN Statelessness Conventions, and UNHCR worked with the authorities on a nationality law.

# | Financial information |

UNHCR's initial financial requirements for 2013 in the subregion stood at approximately USD 20.6 million. Resources available allowed for expenditure

of USD 11.8 million, limiting the Office's capacity to enhance protection in the region.

## Budget and expenditure in North America and the Caribbean | USD

Operation		PILLAR 1 Refugee programme	PILLAR 2 Stateless programme	PILLAR 4 IDP projects	Total
Canada	Budget	1,675,490	33,225	0	<b>1,708,715</b>
	Expenditure	1,502,483	29,856	0	<b>1,532,339</b>
United States of America Regional Office <sup>1</sup>	Budget	6,106,270	8,850,354	3,935,343	<b>18,891,967</b>
	Expenditure	5,033,119	4,179,188	1,088,159	<b>10,300,466</b>
<b>Total budget</b>		<b>7,781,759</b>	<b>8,883,579</b>	<b>3,935,343</b>	<b>20,600,682</b>
<b>Total expenditure</b>		<b>6,535,602</b>	<b>4,209,044</b>	<b>1,088,159</b>	<b>11,832,805</b>

<sup>1</sup> Includes Haiti, Dominican Republic, Puerto Rico, the US Virgin Islands, 12 Independent Caribbean States, three other CARICOM States, and British and Dutch overseas territories in coordination with the Europe Bureau.

## Voluntary contributions to North America and the Caribbean | USD

Earmarking / Donor	PILLAR 1 Refugee programme	PILLAR 2 Stateless programme	All pillars	Total
<b>UNITED STATES OF AMERICA REGIONAL OFFICE</b>				
Holy See	5,000			<b>5,000</b>
Private donors in the United States of America	250,000		7,203	<b>257,203</b>
United Nations Programme on HIV and AIDS		25,000		<b>25,000</b>
United Nations Trust Fund for Human Security		283,550		<b>283,550</b>
<b>UNITED STATES OF AMERICA REGIONAL OFFICE Total</b>	<b>255,000</b>	<b>308,550</b>	<b>7,203</b>	<b>570,753</b>
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Note: Includes indirect support costs that are recovered from contributions to Pillars 3 and 4, supplementary budgets and the "New or additional activities – mandate-related" (NAM)