

North America and the Caribbean

Major developments

Canada and the United States signed a “safe-third country” agreement on 5 December 2002, which, with some exceptions, requires individuals to seek asylum in the first of the two countries they reach. The agreement includes provisions that allow UNHCR to play a part in monitoring its implementation. This accord is expected to enter into force in 2003.

In Canada, a new immigration and refugee law entered into force in June 2002. This law established a consolidated procedure for assessing asylum applications on the basis of the 1951 Convention, and other instruments (such as the 1984 Convention against Torture, and the Canadian Charter of Rights and Freedoms). The new law broadened the categories of persons who are not admissible to the asylum procedure; reduced access to appeals before removal in some cases; increased the penalties for people-smuggling and trafficking; and clarified the grounds for the detention of asylum-seekers.

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



In the United States, the Government created the Department of Homeland Security (DHS), a security-focused entity, which brought together 22 separate agencies, including the Customs Service, the Secret Service, the Immigration and Naturalization Service, the Coast Guard, and the Federal Emergency Management Agency. The creation of the DHS was approved by Congress in late 2002, to become operational in early 2003. In its efforts to address matters relating to national security, the Government of the United States also established special registration requirements for nationals of some 20 countries.

In the Caribbean, the political situation in Haiti continued to cause concern. Supporters and opponents of the Government became increasingly vocal. Gang violence increased throughout the country and large demonstrations were organised by supporters and opponents of President Aristide.

Challenges and concerns

In Canada, the new immigration and refugee law was to have established an appeal division within the Immigration and Refugee Board (the quasi-judicial body responsible for refugee status determination in Canada), which would have given UNHCR the right to make submissions at the appeal level. However, the Government subsequently announced that, for the time being, it would not enact that part of the law owing to the large volume of claims.

For the second year in a row, refugee arrivals to the United States under the country's resettlement programme were greatly reduced by the suspension of processing and the additional security measures applied to resettlement applications following the terrorist attacks of 11 September 2001. Only some 26,210 refugees were resettled to the United States in 2002 (out of a planned total of 70,000). This trend led to a reduction in funding for United States resettlement NGOs, and affected the capacity of states and local communities to receive and integrate refugees. UNHCR's projections for 2003 indicated that

this slow-down of resettlement to the United States would continue.

In the Caribbean, UNHCR continued its efforts to persuade Barbados, Cuba, Grenada, Guyana, and St. Lucia to accede to the 1951 Refugee Convention and/or the 1967 Protocol. In the Caribbean countries that were signatories to these refugee instruments, there was a persistent lack of implementing legislation, and a reliance on ad hoc administrative procedures to determine refugee status. Another continued cause for concern was the countries' poor institutional capacity and, in particular, their lack of preparedness to receive large numbers of asylum-seekers (in the event of an exodus within the region). In Cuba, despite the willingness of the authorities, the lack of job opportunities and a restrictive economic situation represented a major challenge to the search for durable solutions for refugees.

Operations and progress towards solutions

In Canada, UNHCR organised several workshops on protection issues. In November, in support of the Global Consultations on International Protection, the Office organised a workshop on "Voluntary Return to Countries of Origin of Persons in Need of Protection" at the Canadian Council for Refugees'

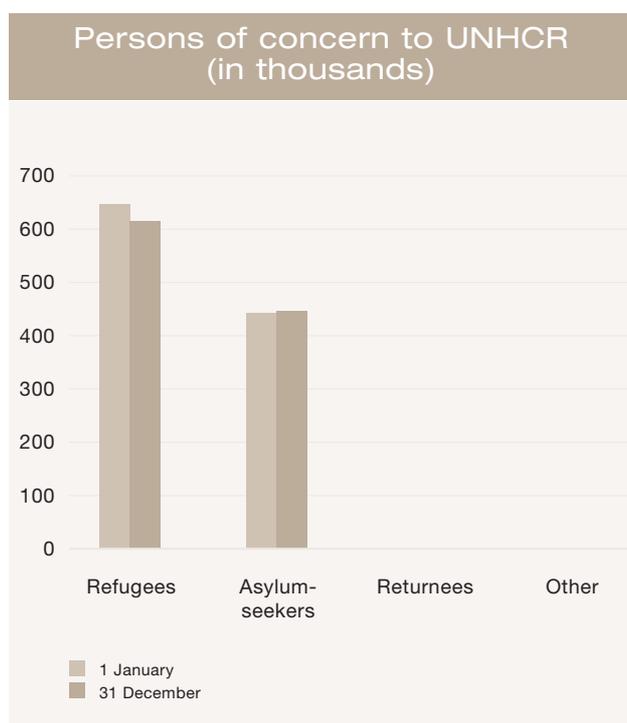
autumn conference. The event brought UNHCR together with government officials, NGOs, and IOM. At the conference, the Office also made a presentation on interception, to promote the incorporation of refugee protection safeguards into countries' interception measures. In December, UNHCR organised a highly successful three-day workshop entitled "Refugees and Human Rights," which focused on the UN and OAU human rights mechanisms.

In furtherance of the outcome of the International Conference on the Reception and Integration of Resettled Refugees held in Sweden in April 2001, the UNHCR Office in Canada oversaw the completion of the *International Handbook to Guide the Reception and Integration of Resettled Refugees*. The Handbook was published and launched at the fifty-third session of the Executive Committee in October 2002, and serves as a useful guide for countries receiving resettled refugees.

In the **United States**, there were major achievements in respect of children included in the legislation which created the Department of Homeland Security. UNHCR, in collaboration with concerned NGOs dealing with refugee women and children, advocated the removal of custodial responsibility for unaccompanied alien children, including asylum-seekers. In November 2002, the United States Congress agreed to transfer this responsibility to an office within the Department of Health and Human Services, which has a more consistent focus on child welfare.

The Office made great progress in raising public awareness on refugee issues in the United States. In June, UNHCR organised a highly successful four-day commemoration of World Refugee Day (WRD) at Union Station in Washington DC. UNHCR Goodwill Ambassador, Angelina Jolie, and the US Secretary of State, Colin Powell, launched the WRD activities, as well as a poster contest on refugee themes, which was followed by musical performances by over 100 refugees. Ms. Jolie gave special briefings on Capitol Hill and elsewhere. The events were widely covered by the media, including by sources that do not usually cover humanitarian issues.

In the **Caribbean**, UNHCR made progress in building asylum capacity in the region. The Caribbean network of protection partners was expanded with UNHCR's appointment and training of honorary





Resettled Sudanese refugees at Meadowbrook High School, Richmond, Virginia.
UNHCR / P. Moutziz

liaison officers in Barbados and Haiti. In addition, UNHCR conducted training sessions with government and civil society representatives throughout the region. These were consolidated at a regional protection conference held at the end of the year. As a result of the Office's efforts to promote the Caribbean countries' accession to the 1951 Convention and/or the 1967 Protocol, St. Kitts and Nevis acceded to the 1951 Convention in February 2002.

from the Government. As a result, the Office was able to successfully promote the resettlement of vulnerable Colombian refugees to the United States resettlement programme.

UNHCR for USA increased its focus on private sector fund raising, which led to individual donors contributing more than one million US dollars in 2002.

Funding

Various private sector fund raising activities were launched in Canada, including a contract signed by UNHCR with a direct-marketing firm, which led to the Office increasing its donor base to over 1,200 by the end of the year. UNHCR raised over USD 230,000, mainly through direct mail (plus proceeds from a benefit concert for the UN programmes in Afghanistan).

In the United States, UNHCR identified additional funding

Voluntary Contributions – Restricted / Earmarked (USD)

Earmarking ¹	Donor	Annual Programme Budget	
		Income	Contribution
United States of America			
	Japan Association for UNHCR (JPN)	473	473
North America			
	United States of America	1,793,000	1,793,000
Total		1,793,473	1,793,473

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

Budget and Expenditure (USD)

Country	Revised Budget	Expenditure
	Annual Programme Budget	
Canada	1,097,930	984,258
Cuba	581,000	481,793
United States of America ¹	5,142,352	4,970,438
Regional Projects ²	206,155	161,890
Total	7,027,437	6,598,379

¹ Includes costs related to the Liaison Unit in New York as follows: Revised Budget of USD 2,088,111 and Expenditure of USD 2,017,997.

² Includes local integration and capacity-building activities in the Caribbean.