



North America and the Caribbean

Recent developments

UNHCR's regional office in the United States promotes protection, assistance and durable solutions for refugees, and sustains and enhances political and financial support for the Office. In the past few years, UNHCR's work has been undertaken in a challenging environment in the United States, due in part to the "war on terror" and its political ramifications. In the Caribbean, UNHCR has faced complex challenges, including promoting accession to the relevant international refugee instruments, reception of individual asylum-seekers, and preparations for mass influx. UNHCR's initiatives to increase protection for unaccompanied and separated refugee children and improve the treatment of asylum-seekers in detention have had positive effects. The transfer of custody and care of unaccompanied children from the Immigration and Naturalization Service to the Office of Refugee Resettlement (ORR) has resulted in a dramatic reduction in the number of children held in jail-like settings, as well as a commitment by ORR to provide care to children in their custody. Moreover, legislation is pending to provide children in custody with pro bono lawyers and guardians, and UNHCR will launch a national initiative to increase the availability of pro bono counselling for unaccompanied children in immigration proceedings.

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



The United States receives more asylum applications than any other country in the world. As a result, its asylum procedures and reception standards affect asylum-seekers, and set standards for other countries. The steady increase in asylum applications has been met with a decline in accessibility to asylum and in the level of treatment of those seeking protection. This is mainly attributable to the current overriding preoccupation with national security and terrorism, which has created a climate of public opinion in which asylum-seekers and refugees are "suspect". At the same time, there are fears of major refugee movements, particularly from the Caribbean. The heightened security has also affected the number of refugees accepted for resettlement in the United States. It is highly probable that in 2005, the United States will fall short of its resettlement target of 70,000 refugees. Restrictive border control measures and the detention of asylum-seekers continue to be key elements of United States policy and practice, which have been further reinforced since 2003, by the transfer of immigration functions to the Department of Homeland Security (DHS).

Canada remains an important country of asylum and resettlement, and Canadian asylum and resettlement policies and practices set a fine example for other countries. Canada has traditionally

maintained a generous asylum policy, but there has been increasingly negative public sentiment towards perceived abuse of the asylum procedure. In December 2003, a reorganization plan was introduced, whereby certain responsibilities (for detention, removals, and pre-removal risk assessment) were transferred to the Canada Border Services Agency, under the newly created Department of Public Safety and Emergency Preparedness.

The Safe Third Country Agreement, which states that Canada and the United States recognize each other as a safe place for refugee claimants to seek asylum, and allows either country to turn back refugee claimants at the border because they could have pursued their refugee claim in the first country, was signed by Canada and the United States on 5 December 2002. It is expected to come into effect as soon as the United States adopts accompanying regulations. UNHCR has been invited by the Parties to review the agreement, as well as to monitor the implementation of the accord. UNHCR's offices in Canada and the United States have jointly submitted a monitoring plan which was discussed by both Governments and UNHCR at a tripartite meeting in August 2004.

In the Caribbean, UNHCR responded to the unfolding crisis in Haiti which led to an outflow of



USA: Resettled Somali Bantu women after clothes-shopping in K-Mart, Utica. *UNHCR/H. Caux*

some 510 Haitians to Jamaica, and approximately 30 to Cuba. The United States policy of interdiction and return of Haitians in the Caribbean prevented larger numbers of Haitians from seeking asylum in neighbouring countries. UNHCR collaborated closely with the Governments of Cuba and Jamaica in providing care and assistance for both groups. The 30 Haitians in Cuba voluntarily returned home, and by July 2004, 280 persons had voluntarily repatriated from Jamaica. UNHCR subsequently monitored the returnees and no significant problems were recorded.

Strategic objectives

UNHCR's activities in the United States and Canada will continue to focus on refugee protection, refugee resettlement, public information and external

relations, as well as the mobilization of financial resources in the public and private sectors. The offices in the United States and Canada will consult on and coordinate approaches to immigration, refugee, and border security, including monitoring activities related to the United States/Canada Safe Third Country Agreement.

UNHCR's principal objectives are: to ensure access to asylum and the proper treatment of those seeking international protection; make sure that refugees in need of resettlement have access to resettlement programmes in the United States and Canada; to increase public awareness of UNHCR's work; and, to sustain government and private sector donor support for UNHCR's programmes worldwide. To reach these objectives, the Office will raise awareness on refugee issues among civil society networks, NGOs, decision-makers, and governmental institutions.

In the Caribbean, UNHCR will focus on building asylum capacity for regular asylum processing, and for dealing with possible larger population movements in the region. The Office's main objectives will be: to promote accessions to the international refugee instruments by any State not already party to them; to promote the drafting and adoption of refugee protection legislation and policies in all States; to advise governments on issues of international refugee law, especially as applicable to mass exodus; and, to ensure the appropriate treatment of arriving asylum-seekers.

Operations

In the **United States**, UNHCR will advocate on behalf of asylum-seekers requesting protection in the United States, and provide advisory services to the Government on international refugee protection standards. The Office will, in particular, focus on mitigating the negative effects of restrictive legislation and policies by establishing a positive relationship with the DHS, working more closely with the ORR regarding separated children, and advising interlocutors on gender-sensitive approaches to asylum. The Office will strengthen its ties to NGOs, international agencies, Congress, and the general public, to bolster understanding and support for UNHCR's resettlement policies and priorities worldwide. The production of resettlement materials for distribution at state refugee conferences, and large refugee events will be increased to enhance outreach activities. The organization will develop greater networks within the United States and with international media based in the United States, and provide information, contacts and interviews to those media contacts. UNHCR aims to increase the level of funds received from the private sector.

The **Caribbean** continues to experience significant mixed migratory movements, which include economic migrants, as well as individuals seeking protection. UNHCR will work through its existing network of Honorary Liaisons, as well as collaborate with the International Organization for Migration and regional organizations, to sensitize

governments in the region of the benefits of accession to international legal refugee instruments and the adoption of domestic laws and procedures. The Office will train governmental and non-governmental partners on refugee law.

Given the lack of local integration prospects in **Cuba**, the Office will continue to give priority to the resettlement of a group of some 40 refugees who continue to be dependent on UNHCR's assistance.

UNHCR's activities in **Canada** concentrate on refugee protection, resettlement, resource mobilization and public awareness. The Office cooperates closely with governmental and non-governmental partners on refugee protection issues, including those arising from mixed migration flows. UNHCR will collaborate with resettlement agencies, refugee advocacy organizations, and NGOs and individual lawyers/counsel in order to receive information updates on issues of concern to the Office. The Office will also train and disseminate materials on refugee law.

UNHCR will raise public awareness of its work, and maintain fund raising activities needed to protect and assist the world's refugees through an integrated communication and branding strategy which incorporates public information, public affairs and private sector fund raising.

Budget (USD)	
Country	Annual Programme
Canada	1,367,958
Cuba	490,000
United States of America	2,880,564
UNHCR office in New York ¹	2,215,510
Regional activities ²	200,000
Total	7,154,033

¹ For a description of the activities relating to the UNHCR office in New York, please refer to the Headquarters chapter under Executive Direction and Management.

² Includes protection of refugees and capacity building in the Caribbean.