

NORTH AMERICA AND THE CARIBBEAN



A young Haitian at a UNHCR-supported centre in the Dominican Republic



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

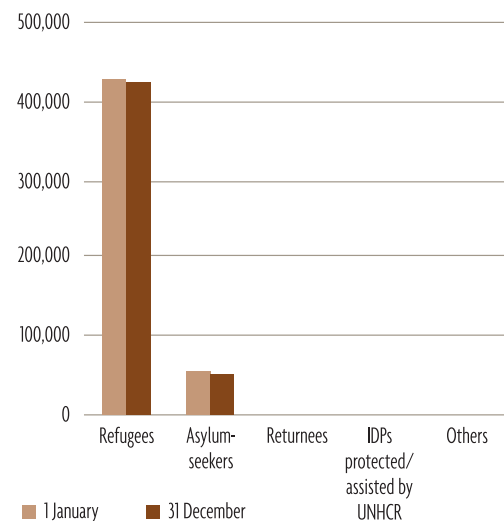
Overview



Highlights

- In cooperation with national authorities, UNHCR was able to monitor practices at some ports of entry to the United States as well as observe screening procedures on coastguard vessels in order to ensure that safeguards were in place to prevent *refoulement*. The Office gave special attention to the cases of unaccompanied and separated children at the border.
- Long-anticipated changes to Canada's asylum system came into effect through the 2012 Protecting Canada's Immigration Systems Act. The Act introduces an Appeal Division, measures to discourage the use of people smugglers, and the safe-country concept.
- UNHCR's cooperation with the United States and countries in the Caribbean focused on the protection of individuals in mixed migratory flows. The organization offered assistance and technical advice to avert *refoulement*, find alternatives to detention and deliver basic services.
- In June 2012 the National Eligibility Commission of the Dominican Republic resumed the processing of asylum claims after years of inactivity, demonstrating the strengthened relationship between UNHCR and the Dominican Republic.
- Documentation projects in Haiti and the Dominican Republic benefited more than 8,000 people who were at risk of becoming stateless. Individuals of Haitian descent were able to obtain birth certificates and other identification documents which provide access to education, health care and employment.
- More than 60,000 refugees found a long-term solution through resettlement in North America. The United States and Canada were the destinations for more than 80 per cent of all resettlement cases in 2012.

People of concern to UNHCR in 2012
North America and the Caribbean



The year 2012 saw elections in the United States, the Dominican Republic and the Bahamas. The new Governments in the Dominican Republic and the Bahamas have shown willingness to collaborate with UNHCR for the protection of people of concern. UNHCR will work with the United States to ensure that strengthening the asylum regime is high on the administration's agenda in its attempts to reform the country's immigration system. UNHCR will also engage with the Canadian authorities to safeguard the country's traditionally high protection standards in their recently changed asylum system.

The record number of interdictions in the Caribbean in 2012 was consistent with an increase in mixed migratory flows throughout the region. UNHCR was especially concerned about people travelling in unseaworthy vessels to seek asylum.

Achievements and impact

In 2012, UNHCR promoted refugee law in the United States by consulting on individual cases, organizing training programmes on adjudication, disseminating UNHCR's position papers and publications and submitting judicial interventions. It also enhanced monitoring at the border to improve access to protection for unaccompanied and separated children. UNHCR advocated for improved integration services for resettled refugees focusing on the promotion of best practices and the establishment of standards measuring integration, in particular for women at risk.

The search for durable solutions in the region was primarily focused on resettlement opportunities. Departures to the United States of refugees referred for resettlement by UNHCR rose to more than 52,000, representing 75 per cent of all such departures globally. Additionally, UNHCR referred almost 45,000 individuals for resettlement in the United States, representing some 66 per cent of all resettlement submissions. Canada received almost 10,000 refugees.

In 2012, in the Caribbean, UNHCR conducted 125 refugee status determination (RSD) interviews, either under its mandate, jointly with government counterparts or by providing advisory opinions. Rapid deployments of staff helped to make status determination and resettlement referrals more efficient. UNHCR, its implementing partners or honorary liaisons routinely monitored detention centres in the Bahamas, Belize, Jamaica, Trinidad and Tobago, and other territories in the Caribbean.

Technical capacity-building and training sessions on refugee law, RSD and protection screening were organized for local authorities in the Bahamas and the Turks and Caicos Islands. Training sessions conducted jointly by UNHCR and IOM took place in Jamaica, the Bahamas and Sint Maarten. Officials from the Cayman Islands, Belize, Jamaica and Trinidad and Tobago attended the San Remo Refugee Law Training programme, while Bahamian officials attended the United States Citizenship and Immigration Service's three-week course on asylum.

In Haiti, UNHCR expanded the scope of its referral partnerships to improve the capacity to identify and respond more effectively to the needs of persons of concern. This included the implementation of a project to assist lesbian, gay, bisexual, transgender and intersex (LGBTI) victims of sexual and gender-

based violence (SGBV). Forty cases of SGBV survivors with heightened protection risks found third-country solutions in Canada.

Constraints

While the changes to Canada's asylum laws attempt to guard against fraudulent claims, they also significantly limit access to appeal for some categories of claimants, end certain statutory stays of removal, and introduce bars to complementary protection schemes. UNHCR has offered to work with the Canadian authorities to minimize potential negative effects of the new laws.

In Haiti, political instability, which has led to three changes of Government in the past 20 months, as well as targeted killings, human rights abuses and continuous reports of SGBV, remain of serious concern to UNHCR. Despite UNHCR's requests to all countries and territories in the region not to deport Haitian refugees without screening them for protection needs, returns of those intercepted at sea continued.

Operations

In the **United States**, UNHCR advocated for a more generous interpretation and application of the definition of refugee to ensure that all individuals in need of protection benefited from a full and fair assessment of their claims. Alternatives to detention for asylum-seekers were discussed with the Canadian authorities in dedicated forums. In December 2012, UNHCR participated in the Open Society Justice Initiative to launch the report entitled *Citizens of Nowhere: Solutions for the Stateless in the United States*. The United States designated Congolese survivors of the Mudende massacre to be a group of special concern. This group of approximately 10,000 people is the first of some 50,000 Congolese whom UNHCR expects to be resettled to the United States over the next four years. UNHCR published a study entitled "Resettlement and Women at risk: Can the risk be reduced?" that was shared with United States partners in advance of an expected increase of women-at-risk cases from within the resettled Congolese population.

In 2012, UNHCR engaged in **Canada's** asylum system reform process, establishing a constructive dialogue with the authorities and monitoring legislative developments. UNHCR's collaboration with the Government included completing several joint-visits to detention centres in Ottawa, Toronto and Montreal, participating in hearings, and providing relevant training to Government officials. The Immigration and Refugee Board of Canada will update its *Vulnerable Claimants Guidelines* to address issues related to unrepresented claimants.

In the **Caribbean**, UNHCR advocated successfully for enhanced access to territory in a number of countries and provided assistance and basic services to the most vulnerable people of concern. Refugee status determination (RSD) interviews were also conducted with the aid of an affiliated workforce. More than 100 cases/200 people were referred for resettlement in 2012, compared to only four in 2011.

In **Haiti**, UNHCR focused on preventing and reducing the risk of statelessness and assisting SGBV victims. With the help of a local partner, UNHCR identified more than 4,000 extremely vulnerable people living in IDP camps who were in need of documentation, including 1,100 women and 2,500 children. Obtaining legal birth certificates for the children is a priority.

As part of the 2012 SGBV strategy, UNHCR has strengthened its referral mechanisms. A digital case management system was introduced and recorded 438 new cases for 2012. In addition, the SGBV call centre became operational 24-hours a day. The centre received almost 5,000 calls in 2012. A third safe house was established for LGBTI victims of sexual violence to provide

shelter and rehabilitation services. UNHCR sought solutions outside Haiti for some 145 vulnerable women and children urgently in need of protection.

The National Eligibility Commission (CONARE) was reactivated in the **Dominican Republic**, and has already begun to address the backlog of nearly 800 asylum applications. Almost 2,500 individuals at risk of becoming stateless obtained identity documents in 2012, thanks to UNHCR's partners and the Haitian Embassy in Santo Domingo. Another 950 individuals whose Dominican birth certificates are being disputed by the authorities received legal advice on administrative documentation procedures.

| Financial information |

Total expenditure in the subregion was USD 14.6 against an overall budget of USD 21.6 million in 2012. This gap hindered the effectiveness of UNHCR's work in the region in several areas. Given the absence of the appropriate legal frameworks in the vast majority of Caribbean States, meeting the needs of asylum-seekers and refugees caught up in mixed migratory flows

in the region would have required more substantial investment in order to provide screening and profiling and RSD services, adequate reception facilities and durable solutions. The Office was not able to conduct critical monitoring or to provide support programmes for unaccompanied and separated children at the border between Mexico and the United States.

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	1,440,845	152,427	0	1,593,272
	Expenditure	1,439,963	142,826	0	1,582,789
United States of America Regional Office¹	Budget	7,316,786	9,492,805	3,203,654	20,013,245
	Expenditure	4,921,684	6,118,673	1,991,868	13,032,225
	Total budget	8,757,631	9,645,232	3,203,654	21,606,517
	Total expenditure	6,361,647	6,261,499	1,991,868	14,615,014

¹ Includes 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 2 Stateless programme	PILLAR 4 IDP projects	All pillars	Total
UNITED STATES OF AMERICA REGIONAL OFFICE				
Canada			2,306,921	2,306,921
Central Emergency Response Fund		407,375		407,375
Charities Aid Foundation			93	93
European Union	5,160,317			5,160,317
Holy See		5,000		5,000
United Nations Population Fund		98,431		98,431
United States of America			200,000	200,000
United States of America Regional Office subtotal	5,160,317	510,806	2,507,014	8,178,137
Total	5,160,317	510,806	2,507,014	8,178,137

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) Reserve.