

UNHCR staff monitoring programmes at the Love A Child field hospital in Fond Parisien, Haiti.



Antigua and Barbuda  
Bahamas  
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)  
French overseas departments  
(Martinique, Guadeloupe)  
Grenada  
Guyana  
Haiti  
Jamaica  
St. Kitts and Nevis  
St. Lucia  
St. Vincent and the Grenadines  
Suriname  
Trinidad and Tobago  
United States of America

# North America and the Caribbean

## | OPERATIONAL HIGHLIGHTS |

- UNHCR continued to seek the political and financial support of the Governments of the United States and Canada in order to fulfil its protection mandate and find comprehensive solutions for refugees.
- In the United States, UNHCR sought to ensure that the country's laws and policies, as well as their implementation, were in accordance with its obligations under the 1967 Protocol Relating to the Status of Refugees. Specifically, UNHCR promoted reforms to the way in which the refugee definition is being applied under US law and monitored the implementation of 2010 guidelines concerning the release from detention of newly arrived asylum-seekers.
- In Canada, UNHCR worked with national and regional authorities to ensure that asylum-seekers were allowed into the country and had access to its refugee status determination procedures. In light of the implementation of the Balanced Refugee Reform Act, new legislation modifying the Canadian refugee protection system, UNHCR worked to ensure the inclusion of the right of asylum-seekers to an appeal on merit, if found not to be refugees by the Immigration Review Board.
- UNHCR staff undertook missions to air, land and sea ports of entry to provide training and information sessions, and monitor compliance by Canada with its refugee protection obligations under the international refugee instruments, while also seeking alternatives to detention. The Office worked to improve understanding among government officials on refugee integration issues.
- In the Caribbean, UNHCR provided humanitarian assistance and legal aid to asylum-seekers and refugees through its implementing partners and a network of 17 Honorary Liaisons. It also gave priority to seeking for durable solutions by supporting local integration and the strategic use of resettlement. UNHCR opened an office in the Dominican Republic and sent an emergency response team to Haiti to assist with the humanitarian operation that emerged after the devastating earthquake that hit the country at the beginning of 2010.
- The United States is the largest resettlement country in the world; it accepted some 54,000 people referred by UNHCR in 2010. In the same year, Canada resettled more than 12,000 refugees, of whom some 7,260 were referred by UNHCR.

- More than 80 per cent of UNHCR's global resettlement referrals are to the United States and Canada.

## | Working environment |

In the United States, the Government has confirmed its commitment to international obligations, particularly with regard to the parole of asylum-seekers. However, adjudications by the immigration courts and administrative and federal court appellate bodies sometimes diverged from international standards. While the United States continues to play a leading role in refugee protection, the political climate is influenced by concerns over national security issues, as well as by uncertainties generated by the economic downturn. As a result of competing priorities and changes in the composition of Congress following the November 2010 elections, the long-awaited comprehensive immigration reform remains pending.

A key component of Canada's protection regime is the Safe Third Country Agreement (STCA) between Canada and the United States. During 2010, Canada changed the implementation of the STCA. This affected access to procedures for asylum-seekers coming through the United States by removing source countries that previously appeared on the list of exceptions to application of the agreement and reducing admission to Canada on the basis of family reunification. The arrival by sea of a significant number of Sri Lankan asylum-seekers led the Government to introduce a legislative proposal to Parliament that is intended to discourage asylum-seekers from using smugglers by potentially establishing significant detention periods and other measures.

In the Caribbean, asylum-seekers and refugees travelling within complex mixed migratory movements lack protection safeguards. In 2010, the number of extra-regional asylum-seekers and refugees identified within large-scale migratory flows in the Caribbean increased significantly, with asylum-seekers coming from 30 countries. Despite a joint UNHCR-OHCHR advisory opinion which appealed to States not to return on humanitarian grounds Haitian nationals leaving their country because of the effects of the natural disaster, several countries have sent back hundreds of Haitians, including those who arrived before 12 January 2010.



## Achievements and impact

In 2010, UNHCR continued to work to ensure that international standards of protection were met for all people of concern in the United States. With support from UNHCR and non-governmental partners, the Department of Homeland Security developed an assessment tool to identify those suitable for alternatives to detention. The tool is currently being reviewed by other Government actors, before full implementation can begin. The United States Government established an internal working group on stateless individuals in the country in an effort to develop more consistent administrative policies for their treatment. Although the terrorism-related grounds for inadmissibility continue to affect thousands of refugees, the Government has continued to expand the availability of the exemptions to this bar.

In Canada, key objectives for UNHCR in 2010 were to improve detention conditions for asylum-seekers, to ensure access to information and support regarding asylum procedures and the separation of people of concern who were detained from criminals. Cooperation with the Canadian Border Services Agency (CBSA) was expanded through training and information sessions for hundreds of CBSA employees at airports and land borders as well as for their

staff college teachers. UNHCR also provided training and observed hearings conducted by Immigration and Refugee Board (IRB) decision-makers.

In the Caribbean, UNHCR's work was driven by the Haiti emergency. As part of the international community response to this crisis, UNHCR, in coordination with OHCHR, played a key role in the protection of internally displaced persons and host communities in Haiti, as well as for Haitians and their families in the Dominican Republic. In 2010, UNHCR registered twice as many asylum-seekers in the Caribbean region than the year before and expanded resettlement activities in cooperation with the Governments of the United States, Norway and Sweden.

## Constraints

In Canada, despite recent staff appointments, the IRB lacks sufficient resources to address its workload. The number of asylum-seekers awaiting a decision at the IRB stood at 51,000 at the end of 2010. While Canada has made a commitment to increase resettlement arrivals, it has asked UNHCR to decrease the number of resettlement referrals, since Canadian authorities already have a large resettlement backlog.

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

| Country  |                          | PILLAR 1<br>Refugee programme | PILLAR 2<br>Stateless programme | PILLAR 4<br>IDP projects | Total             |
|--|--------------------------|-------------------------------|---------------------------------|--------------------------|-------------------|
| Canada   | Budget                   | 1,874,052                     | 0                               | 0                        | <b>1,874,052</b>  |
|  | Expenditure              | 1,642,648                     | 0                               | 0                        | <b>1,642,648</b>  |
| United States of America<br>Regional Office <sup>1</sup> | Budget                   | 4,682,806                     | 653,822                         | 11,682,356               | <b>17,018,984</b> |
|  | Expenditure              | 3,762,022                     | 644,958                         | 4,177,764                | <b>8,584,744</b>  |
|  | <b>Total budget</b>      | <b>6,556,858</b>              | <b>653,822</b>                  | <b>11,682,356</b>        | <b>18,893,036</b> |
|  | <b>Total expenditure</b> | <b>5,404,670</b>              | <b>644,958</b>                  | <b>4,177,764</b>         | <b>10,227,392</b> |

<sup>1</sup> Covers 15 independent countries and 15 overseas territories or departments, principally in the Caribbean, and includes activities in Haiti and the Dominican Republic.

The main constraints to UNHCR's protection activities in the Caribbean in 2010 included a highly complex mixed migration and maritime environment, and limited asylum safeguards. Efforts to improve the protection environment were hampered by the lack of refugee documentation, work permits and residency rights, as well as limited resources for monitoring in the subregion.

## Operations

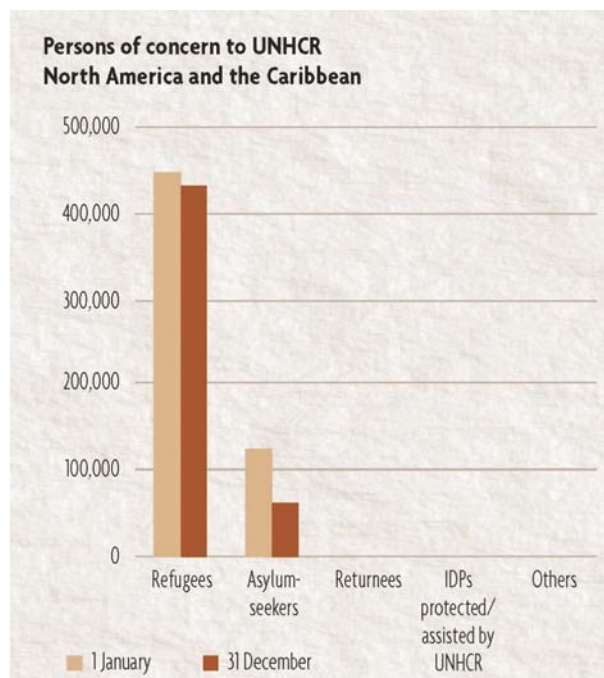
In the **United States**, the Office focused on training, counselling and advocacy activities aimed at ensuring that international protection standards were met for all people of concern. These included advocating for continued improvement of the asylum system as well as efforts to address statelessness issues.

In 2010, in **Canada** UNHCR continued to promote high standards of refugee protection in asylum policy and practice, and a generous resettlement environment. UNHCR provided input to the Government, Parliament and the IRB on various legislative proposals, such as the Balanced Refugee Reform Act, and Bill C-49 on smuggling.

Despite the particular challenges of 2010 related to the Haiti emergency, UNHCR made significant advances in the **Caribbean** in relation to refugee protection, including the prevention of *refoulement*; the prolonged, arbitrary detention of people of concern; and the prevention and reduction of statelessness. The Office initiated programmes to improve permanent residency and naturalization rights in some Caribbean States.

## Financial information

In 2010, the United States continued to be UNHCR's largest donor, contributing a record amount of USD 712.2 million or 38.2 per cent of total voluntary contributions. Two operations – Iraq and Pakistan – accounted for almost 40 per cent of the US contribution. Canada also remained a major donor, contributing USD 46.5 million to UNHCR in 2010.



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

| Earmarking / Donor                                       | PILLAR 4<br>IDP<br>projects | Total            |
|--|-----------------------------|------------------|
| <b>HAITI</b>   |                             |                  |
| Deutsche Stiftung für UNO-Flüchtlingshilfe (Germany)     | 26,918                      | 26,918           |
| European Commission                                      | 42,629                      | 42,629           |
| Australia for UNHCR                                      | 104,749                     | 104,749          |
| Brazil   | 800,000                     | 800,000          |
| España con ACNUR (Spain)                                 | 60,085                      | 60,085           |
| HQ online donations                                      | 5,742                       | 5,742            |
| Japan Association for UNHCR                              | 209,210                     | 209,210          |
| Private donors in Canada                                 | 6,065                       | 6,065            |
| Private donors in China                                  | 294,496                     | 294,496          |
| Private donors in Italy                                  | 246,569                     | 246,569          |
| Private donors in the Republic of Korea                  | 10,529                      | 10,529           |
| Private donors in United Kingdom                         | 1,505                       | 1,505            |
| Swedish Postcode Lottery                                 | 410,959                     | 410,959          |
| UN High Commissioner for Human Rights                    | 400,000                     | 400,000          |
| United States of America                                 | 3,800,000                   | 3,800,000        |
| USA for UNHCR  | 60,000                      | 60,000           |
| <b>Haiti subtotal</b>                                    | <b>6,479,456</b>            | <b>6,479,456</b> |
| <b>UNITED STATES OF AMERICA REGIONAL OFFICE</b>          |                             |                  |
| European Commission                                      | 2,985                       | 2,985            |
| <b>United States of America Regional Office subtotal</b> | <b>2,985</b>                | <b>2,985</b>     |
| <b>Total</b>   | <b>6,482,441</b>            | <b>6,482,441</b> |

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.