

# North America and the Caribbean

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

## Major developments

In March 2003, the Canadian Government announced that it would re-examine its national refugee system. In general, public perceptions of the refugee system were negative. There were a range of reasons for this including: the backlog of asylum applications; perceived inconsistencies in decision-making; disproportionately high acceptance rates compared to other countries; the appointment mechanism of the Immigration and Refugee Board (IRB); and the non-removal of failed refugee claimants.

On 12 December, the Government introduced a plan for reorganization, under which some of the responsibilities of Citizenship and Immigration Canada (CIC), such as detention, removals, and pre-removal risk-assessment, were transferred to the Canada Border Services Agency (CBSA). These functions now fall under the newly-created Department of Public Safety and Emergency Preparedness. At the time of publication, it had yet to be decided exactly how responsibilities would be divided between CIC and CBSA.



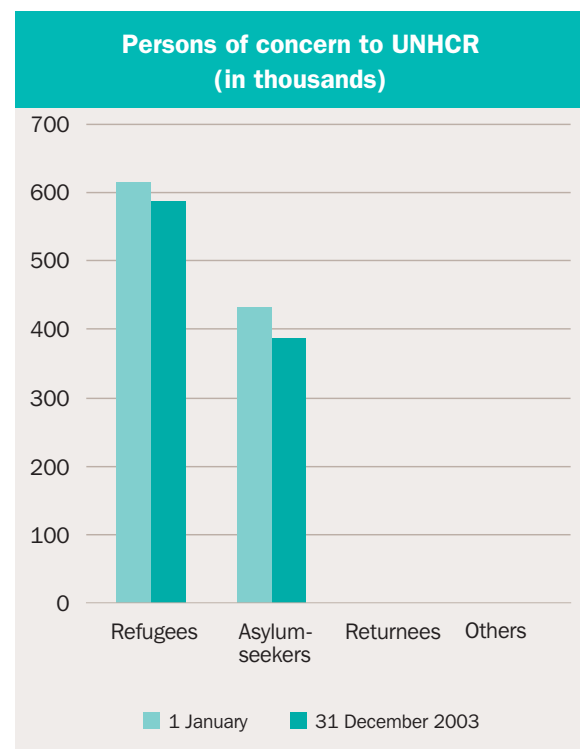
In the USA, the Government's primary focus was on the threats posed by international terrorism and the war in Iraq which, as in 2002 and late 2001, continued to result in a restrictive asylum environment. The Department of Homeland Security came into existence in March. It took over the functions of 22 agencies, including the Customs Service, the Secret Service, the Coast Guard, and the Federal Emergency Management Agency. The former Immigration and Naturalization Service, whose functions were also taken over by this new federal department, was in turn split into three separate agencies, with important practical implications for the implementation of national immigration, refugee and asylum policies.

## Challenges and concerns

The reorganization of Canadian Government departments will have to be monitored carefully by UNHCR, and will necessitate sustained dialogue with the Government and other stakeholders.

Developments in the international arena, and the ongoing emphasis on security measures, continued to have adverse effects on the US resettlement

programme. In 2003, there were 28,422 arrivals (well below the approved ceiling of 70,000). At the same time, the Government continued to provide additional funds, encouraging UNHCR to increase the





Canada: A resettled "lost boy", William Pioth at his job. UNHCR/B. Dennehy

number of referrals, while NGOs advocated for an independent role in the referral process.

Continued unrest in Haiti and the potential for mass exodus prompted UNHCR to increase efforts to develop contingency plans with States likely to be affected. The Office promoted accession to the international refugee instruments and the development of national legislation and procedures for more regulated, humane and efficient treatment of asylum-seekers and refugees. In Cuba, resettlement solutions were found for 31 cases. However, that left another 32 cases still pending at the end of the year, due mainly to new security procedures in a number of resettlement countries. In the meantime, refugees continued to depend on UNHCR's assistance.

## Operations and progress towards solutions

In the USA and Canada, UNHCR pursued its objectives of refugee protection, resettlement and the mobilization of support through collaboration with

governmental and non-governmental partners and, where appropriate, through public advocacy.

In **Canada**, missions were undertaken to the ports of entry, to ensure that asylum-seekers had access to the territory and to RSD procedures in the country. UNHCR submitted a proposal for monitoring the "safe third country" agreement between Canada and the USA and, together with CIC, established a working group on the standard operating procedures governing its implementation.

During the year, the Office conducted regular visits to major CIC-run detention centres as well as to provincial jails. In Spring 2003, the Ontario Regional Detention Working Group was established to promote best practices. UNHCR also promoted better reception and care for separated children arriving in Canada, including finding alternatives to detention. The Office held several training sessions on the issue of separated children for implementing partners and government bodies.

UNHCR provided comments to the IRB on the Chairperson's Action Plan to streamline the RSD process,

and monitored closely the implementation of this plan. Furthermore, the Office provided legal opinions or letters of support on behalf of claimants to the Immigration Division (ID), Refugee Protection Division (RPD) or during the Pre-removal Risk Assessment (PRRA).

During the year, there was close collaboration between the UNHCR offices in Canada and the USA on the "safe third country" agreement. The two offices submitted a draft monitoring plan to the Governments of Canada and the USA. The Mexican Commission for Attention to Refugees (COMAR) sent two officials to Canada to be trained by the IRB in Toronto. Two IRB officials also went to Mexico to conduct on-the-job training for COMAR officials.

UNHCR maintained strong links with CIC in connection with Canada's resettlement programme. For the second year in a row, Canada funded UNHCR resettlement officers deployed to expand UNHCR's capacity to identify and refer cases for resettlement. The Office also assisted the Government to identify suitable groups for "group processing," as a way to increase the number of persons being resettled in Canada. In order to help build public support for resettlement and refugees, UNHCR worked with CIC to develop positive media interest in the arrival of Canada's "group processing" pilot group: Sudanese and Somali refugees from Dadaab, Kenya. The Office oversaw the translation, editing and production of the French language version of the "Refugee Resettlement, Reception, and Integration Handbook."

UNHCR undertook several public information activities, including publications on statelessness, training on refugee law, and public speaking at various fora.

Consistent with the six goals of the Agenda for Protection, the Office made positive strides to promote effective protection in the **USA and the Caribbean**, and the strategic use of resettlement both as a protection tool and as a durable solution.

Throughout the year, UNHCR produced several reports on its monitoring of detention facilities across the USA, resulting in specific improvements in these centres. The Office prioritized work with the US Congress and the Administration to promote alternatives to detention. In order to promote access to asylum, an Expedited Removal Report containing recommendations was delivered to the

Department of Homeland Security. The Office issued various advisory opinions focusing on relevant issues in international refugee law, such as the promotion of gender-sensitive applications, refugee claims based on sexual orientation, and whether severe forms of domestic violence could be categorized as persecution, based on one of the Convention grounds.

A major US policy focus in 2003 was the care and custody of separated children. As a result of UNHCR's discussions with the Government, the care of these children was transferred from the immigration authorities to agencies with expertise in child welfare matters. Furthermore, through the work of the Office with NGOs and members of Congress, positive developments were made in promoting the Unaccompanied Alien Child Protection Act, which ensured legal representation and guardians for separated children.

In **Barbados**, UNHCR and IOM held a regional seminar on "Mixed Migratory Flows in the Caribbean: Contingency Planning, Migration Management and Refugee Protection." Nineteen countries and many regional organizations participated in the seminar.

In **Cuba**, UNHCR promoted durable solutions through resettlement for those refugees unable to repatriate voluntarily. The Office also provided basic assistance to those refugees who were unable to resettle or were awaiting resettlement, and adjudicated applications for asylum under its Mandate. In the **Dominican Republic**, an Associate Protection Officer was deployed to assist the Government to take action on pending cases and improve access to the refugee process. **St. Vincent and the Grenadines** acceded to the 1967 Protocol, and in **Trinidad and Tobago**, advocacy and capacity-building efforts resulted in ad hoc asylum procedures.

The US Government responded rapidly to UNHCR's referral of more than 9,000 Liberians in Côte d'Ivoire, and accepted an additional 1,200 Somali Bantus for resettlement, bringing the total of referrals to nearly 15,000. By December 2003, 1,000 of these Bantus had arrived and were adapting successfully to their new home. Another notable activity was the start of the Colombian resettlement programme to the USA. Although this involved relatively small numbers, it was the first US resettlement from within the Americas in recent years (apart from

Cubans and Haitians). During the year, UNHCR's resettlement section held discussions with the Bureau for Population, Refugees and Migration (BPRM) on the use of additional funds to enhance resettlement activities.

The Office worked to increase visibility and support for UNHCR in the media and among the general public in the USA and the Caribbean by providing information on refugee issues, operations, and projects targeting specific sectors, including schools, academics, journalists, and civic and professional organizations. Of particular note was the 2003 World Refugee Day (WRD) celebration in Washington, which reached 40,000 people through extensive advertising, promotional media, networking and events, including the participation of Goodwill Ambassador Angelina Jolie, and high-level government officials at several public events. For future WRD events, new partnerships were formed with the National Geographic Society and the Kennedy Centre.

## Funding

In Canada, UNHCR raised over USD 208,000 from private donors, mainly through direct mail. In the United States, USA for UNHCR remitted to UNHCR some USD 413,000 raised from the private sector. More than 40,000 private donors were first-time contributors to UNHCR, making a total of 70,000 donors by the end of 2003. A very successful fundraising event held in New York, with the participation of the High Commissioner, UN Secretary-General Kofi Annan, and Goodwill Ambassador Angelina Jolie, raised more than USD 100,000.

Voluntary contributions - Restricted / Earmarked (USD)			
Earmarking <sup>1</sup>	Donor	Annual programme budget	
		Income	Contribution
North America			
	United States of America	250,000	250,000
<b>Total</b>		<b>250,000</b>	<b>250,000</b>

<sup>1</sup> 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	1,281,093	1,214,879
Cuba	475,400	458,961
United States of America <sup>1</sup>	4,897,039	4,856,094
Regional projects <sup>2</sup>	178,580	161,144
<b>Total</b>	<b>6,832,112</b>	<b>6,691,078</b>

<sup>1</sup> Includes costs related to UNHCR's Office in New York as follows :  
Revised Budget: USD 2,043,188 and Expenditure: USD 2,039,861

<sup>2</sup> Includes refugee protection and capacity-building activities in the Caribbean.