

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	

Recent Developments

Haitian migrants departed by boat in increasing numbers during the weeks preceding the May elections, providing a reminder of the continuing instability in the Caribbean region. Most were reportedly fleeing grinding economic hardship in Haiti and did not request asylum after landing in the Bahamas or being interdicted at sea by the United States Coast Guard.

In April, the Government of Canada tabled Bill C-31, the Immigration and Refugee Protection Act, which would effect major changes in the arrangements governing refugee protection in Canada. The Canadian Government also prepared extensively for a possible repeat of the 1999 arrival in British Columbia of rickety boats carrying Chinese migrants, but by early August no new boats had landed.

Strategic Objectives: Progress and Constraints

In the United States and Canada, UNHCR continued to advocate international protection standards and best practices, facilitate resettlement as a durable solution and foster public support for refugees and UNHCR's global programmes.

UNHCR welcomed progress on several long-standing protection issues in Canada. In February, for example, the Government abolished the "Right of Landing Fee" (C\$ 975) which refugees had previously been required to pay before becoming permanent residents. Bill C-31, the proposed new Immigration and Refugee Protection Act, would establish a right of

appeal for rejected asylum-seekers, ensure consideration in the procedure of Canada's obligations under the Convention against Torture, and enable foreigners ordered to leave Canada to apply for a pre-removal risk assessment.

Another positive development occurred in June, when the United States Board of Immigration Appeals designated a decision on a previous legal case as having set a precedent by granting asylum based on "fear of domestic violence for reasons of membership of a particular social group and religion". This complies with UNHCR's own guidelines. The Government also informed UNHCR of the ongoing construction of a family shelter facility for detained refugees awaiting a decision on their asylum applications. This would enable families to remain together and mitigate the psycho-social effects of separation, especially on children.

In the Caribbean, UNHCR strengthened the regional framework for refugee protection by encouraging accession to international refugee law and statelessness instruments. Several governments in the region may soon be ready to accede to the 1951 Convention and the 1967 Protocol. UNHCR also sought to consolidate lasting solutions for the remaining refugees in the region.

Activities until 30 June

UNHCR's legal and resettlement counsellors in the United States and Canada responded to literally hundreds of queries each month from refugees and asylum-seekers, their lawyers and family members, as well as from immigration and status determination authorities. Responses included legal opinions intended to assist decision-makers in evaluating individual



asylum claims. UNHCR also organised protection training for government and NGO staff across Canada and the United States.

In **Canada**, UNHCR organised a workshop on statelessness early in the year, which has led to renewed consideration of the issue in governmental and non-governmental circles. A seminar on comparative asylum procedures, conducted jointly by UNHCR and Canada's Immigration and Refugee Board, was offered in four locations across the country and attended by nearly all Board members. The Office worked successfully with the Department of Citizenship and Immigration to ensure that Bill C-16, the Citizenship of Canada Act, complied with the spirit of the 1961 Convention on the Reduction of Statelessness. Concerned about Convention refugees in Canada who are unable to obtain permanent resident status because they lack satisfactory identity documents, UNHCR commissioned an expert legal opinion on the issue, which was shared with the Government and the public. In January, Canada launched its Urgent Processing Pilot (UPP) project in Ankara, Nairobi and Islamabad. The UPP aims to resettle refugees having critical protection needs within five days. By the end

of June, the Government and UNHCR had brought 13 refugees to Canada under the project. To increase awareness of refugee issues, UNHCR began testing interest among teachers by holding a workshop and disseminating educational tools at a recent teachers' conference in western Canada. The agency received favourable reactions from the teachers and is planning to follow up on their interest.

In the **United States**, six workshops on religious persecution and asylum were organised for more than 200 immigration judges at their annual conference in Las Vegas. UNHCR met monthly with the State Department Bureau for Population, Refugees and Migration (PRM) to exchange views and resolve concerns regarding its operations. Similar monthly meetings with the Immigration and Naturalisation Service (INS) achieved concrete results, including agreed procedures for visits to ports of entry and detention facilities, and measures to improve conditions for detained asylum-seekers in Guam. UNHCR supported drafting of legislative proposals aimed at restricting the detention of asylum-seekers, and these were later incorporated into a bill on the re-organisation of the INS which is expected to be presented in

the Senate in the coming months. UNHCR also focused on facilitating increased referrals of refugees for resettlement from Africa and the Middle East, including Afghan women-at-risk from Pakistan and India. The Office moved forward with an initiative to raise awareness about refugees among school children and has a growing database of teachers interested in refugee issues. Thousands of teaching kits, videos and posters have been distributed to schools.

In the **Caribbean**, UNHCR provided technical advice to the Ministries for Foreign and Legal Affairs in several island nations on questions related to accession to the international refugee instruments. Approximately 250 representatives of government, NGOs, media, academia and civil society have been trained on refugee law and international protection, contingency planning, conflict resolution, mediation and negotiation. These workshops have contributed to increased understanding of refugees and asylum-seekers, an improved protection framework with access to status determination procedures, enhanced national capacity to handle refugee issues and an enlarged network of voluntary agencies working with refugees. In the **Dominican Republic**, UNHCR continued to advocate lasting solutions for Haitian refugees. Some 300 refugees have been granted permanent resident status to date.

The High Commissioner's first official visit to **Cuba** took place in May during which she expressed appreciation for the country's generous treatment of refugees and encouraged accession to the 1967 Protocol. UNHCR trained immigration police officers and, in co-ordination with a national NGO, held a seminar on emergency preparedness for any possible future mass influx from Haiti.

Outlook for July – December

In Canada, UNHCR expects to appear at parliamentary hearings on the proposed Immigration and Refugee Protection Act in the autumn. In addition, UNHCR will be applying for intervenor status before the Supreme Court of Canada in the case of *Suresh v. Canada* (Citizenship and Immigration) which raises important questions of international refugee and

human rights law. The Office will also launch a public awareness campaign consisting of a television spot and print advertisements, in English and French, developed by a private firm working on a *pro bono* basis. The agency plans to make its educational materials known and available to Canadian teachers at several teachers' conferences in the autumn.

In the United States, UNHCR will encourage legislative reform aimed at limiting the expedited removal of improperly documented people to migration emergencies, and explore and promote alternatives to detention of asylum-seekers. UNHCR will help NGOs specialised in resettlement prepare to meet the special needs of Somali Bantus and Sudanese youth being resettled from Kenya. The United States Association for UNHCR (USA for UNHCR) will begin implementing a new public awareness and private sector fundraising strategy, comprising direct mail, corporate, foundation and internet components. UNHCR's 50th anniversary will also provide unique opportunities for advocacy, public outreach and constituency building.

UNHCR's strategic objectives in the Caribbean will be unchanged, although developments in Haiti warrant an increased focus on emergency preparedness and contingency planning. Trinidad and Tobago is currently formally considering ratification of the 1951 Convention and the 1967 Protocol and the Governments of Grenada, St. Lucia, and St. Kitts and Nevis are working towards building the necessary consensus for ratification within their different administrative bodies. A workshop on international protection and refugee law for officials in the region is planned for December in co-ordination with the Institute of International Mediation and Conflict Resolution in Washington D.C. The agency will carry out a review of its support for Western Saharan refugees in Cuba, 140 of whom are expected to finish their studies this summer and return to their first country of asylum.

FINANCIAL DATA (USD)

	Initial Budget		Revised Budget		Total Funds Available*		Total Funds Obligated	
	AB and TF	SP	AB and TF	SP	AB and TF	SP	AB and TF	SP
Countries								
Canada	971'883	0	1'083'101	0	461'100	0	461'100	0
Cuba	467'900	0	577'800	0	248'050	0	248'050	0
United States of America	4'186'627	0	5'531'500	0	2'180'909	0	2'180'900	0
Regional Projects **	125'000	0	125'000	0	46'960	0	46'960	0
Sub-total	5'751'410	0	7'317'401	0	2'937'019	0	2'937'010	0
Bureau at Headquarters	476'100	0	467'724	0	212'346	0	212'346	0
TOTAL	6'227'510	0	7'785'125	0	3'149'365	0	3'149'356	0

*Includes income from unrestricted contributions, income from contributions restricted to the region and countries within the region, opening balance and adjustments.

**Covers activities in the Caribbean.

