

A man in a dark suit is looking down at an open book in his hands. He is in a library or study, with bookshelves visible in the background. The lighting is soft and even.

North America and the Caribbean

Antigua and Barbuda

Bahamas

Barbados

British overseas territories (Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Turks and Caicos Islands, Montserrat)

Canada

Dominica

Dominican Republic

French overseas departments (Martinique, Guadeloupe)

Grenada

Haiti

Jamaica

St. Kitts and Nevis

St. Lucia

St. Vincent and the Grenadines

Trinidad and Tobago

United States of America

Working environment

Canada and the United States have the two largest resettlement programmes in the world. Moreover, both countries receive a large number of asylum-seekers. The United States has consistently been the largest or second-largest recipient of asylum-seekers, while Canada ranked fifth in 2006. Despite the relatively complex asylum procedures in both countries, their acceptance rates are higher than in most industrialized states.

The United States' preoccupation with national security continues to have a negative affect on access to protection for asylum-seekers and refugees. The material-support bar and other terrorism-related restrictions on admission to the country, while mitigated by limited waivers, affect many refugees in need of resettlement and asylum-seekers in the United States.

Apart from the United States, UNHCR's office in Washington covers 12 independent states and 12 overseas territories or departments, principally in the Caribbean. The region is characterized by mixed migratory movements originating from diverse locations around the world, as well as by intra-regional movements. Ten of the 12 independent Caribbean states have acceded to the 1951 Refugee Convention and/or the 1967 Protocol, but only the Dominican Republic has passed implementing legislation.

UNHCR advises governments in the region on refugee status determination (RSD) procedures,



refugee-protection standards and best practices, and undertakes mandate RSD in nine states. The political climate in the region is dominated by national security and migration-control concerns, often to the detriment of international protection needs. The potential for political instability exists in the region and carries the threat of large-scale population movements—including mass migration and refugee flight by sea—from some of the Caribbean countries.

Strategy

In North America, UNHCR assists governments in maintaining high standards of refugee protection. These standards ensure that asylum-seekers are granted full access to RSD procedures; that people of concern are given alternatives to detention; that gender-based RSD claims are considered in a manner consistent with international standards; and that separated children are treated appropriately.

Currently, with the strong emphasis on national security and migration, UNHCR is working to help Canada and the United States in finding the right balance between legitimate security concerns and international refugee-protection needs.

Another priority for UNHCR in North America is to ensure continued political and financial support for UNHCR's operations worldwide. The Office will engage

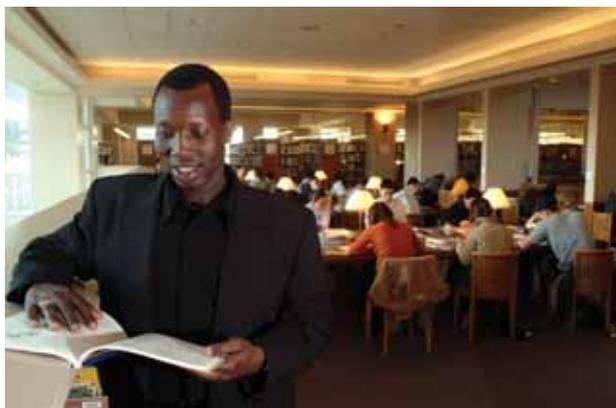
in dialogue with both countries on matters of policy and strategy.

Resettlement is a key area of cooperation between UNHCR and the North American countries. In 2008 and 2009, the Office will increase submissions to both the United States and Canada and strengthen its capacity to process cases for resettlement while maintaining the integrity of resettlement programmes worldwide.

In the Caribbean, UNHCR will strengthen its and the regional governments' ability to react promptly and efficiently to any group of asylum-seekers. It will assist governments to make prompt RSD decisions; build protection networks with NGOs and the legal and academic communities; and strengthen its network of honorary representatives. UNHCR will also support activities to reduce and prevent statelessness in the Bahamas and the Dominican Republic.

Constraints

UNHCR's work in North America is greatly affected by political considerations. In the United States, policies and admission bars that inhibit or prevent certain refugees from being resettled in the country and certain individuals from being granted asylum are significant constraints. These policies restrict the ability of refugees to find a durable solution in the United States. Lawmakers, including some who favour strengthening



UNHCR/B. Denny

William Pioth, a Sudanese refugee in Canada, enjoys the same right to education as Canadian citizens.

refugee protection, are reluctant to challenge restrictive national-security legislation. In such an environment, UNHCR expects that the judiciary will play an important role in striking a balance between individual (and refugee) rights and national-security concerns.

In Canada, UNHCR does not have enough staff to cover all land-border ports of entry and airports as well as visit detention centres where asylum-seekers could be sent by border officials. This makes monitoring of access to the territory difficult, including compliance with the terms of the Safe Third Country Agreement through which asylum-seekers arriving at border ports of entry are directed back to the United States and given an appointment for an eligibility interview at a later stage in Canada - without knowing if they qualify for an exception under the Safe Third Country Agreement.

Asylum issues are expected to remain a low priority on Caribbean national agendas. Striking a balance between individual case work (RSD and durable solutions), contingency planning, training, capacity-building and advocacy is a challenge for UNHCR given staffing and financial constraints.

Operations

In **Canada**, the Office seeks to ensure that asylum-seekers have access to full, fair and effective RSD procedures. In this context, it monitors implementation of the Safe Third Country Agreement, as well as claims lodged inland and at airports. The Office

also tries to persuade the authorities to process asylum claims in line with the highest protection standards, and monitors the detention policies and practices of the Government as they relate to people of concern to UNHCR.

Canada is a major donor, an active member of UNHCR's Executive Committee and a key participant in international debates on topics related to migration and asylum, human security and related subjects. UNHCR will redouble its efforts to obtain political and financial support from Canada for its operations worldwide.

In 2008-2009, the offices in Canada and the United States will seek the support of the two countries' Governments and NGOs for the resettlement of as many refugees as possible. In order to ensure coordination within the respective programmes, the offices will provide UNHCR staff worldwide with clear information on both Governments' resettlement objectives and concerns.

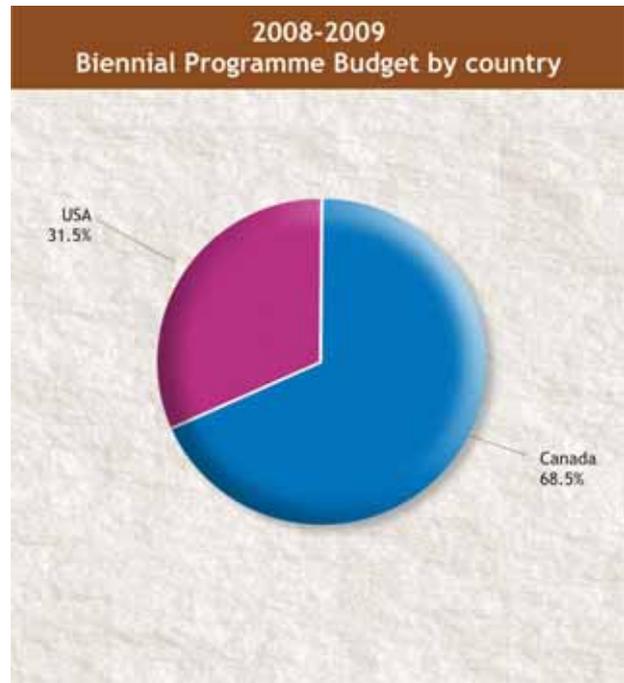
In the **United States**, UNHCR will promote legislation and policies that take refugee protection into account alongside legitimate security concerns. To this end, the Office will continue to push for a clear separation of asylum and terrorism issues among government agencies, Congress, the media and academic think-tanks.

UNHCR will promote screening procedures for asylum-seekers that guard against *refoulement*. This will be done by monitoring expedited removals at ports of entry and in the interior. The Office will also support the development of laws on the detention of asylum-seekers, including minors, that take their rights into account. Furthermore, UNHCR will encourage the Government to guard against diluting asylum procedures in its efforts to combat immigration fraud.

To bolster its advocacy efforts, UNHCR will conduct congressional briefings and organize missions to regions of strategic interest to the United States. It will promote tolerance and respect for people of concern to UNHCR through briefs for Congressional offices, administration officials and media campaigns. The Office will work to maximize support for resettlement both within the country and in other States, particularly those participating in the regional resettlement programme of the Mexico Plan of Action.

UNHCR will develop contingency plans for **the Caribbean** and review the human and material resources that could be mobilized in case of mass population movements. The Office will monitor political and human rights developments and socio-economic conditions while strengthening partnerships with international organizations in the region. The Office will also disseminate information to Caribbean states on procedural and legal issues related to large-scale refugee arrivals within broader migratory movements.

To make up for its lack of physical presence in the Caribbean, UNHCR will expand its network of honorary representatives in the region. The Office will assist the representatives by developing standard operating procedures for reception and referral of asylum requests. At the same time, UNHCR will promote legislation that guarantees minimum rights for refugees and others of concern. Other priorities are self-reliance projects and alliances with voluntary organizations to promote the local integration of refugees.



Budget (USD)			
Country	Annual Programme Budget		
	2007	2008	2009
Canada	1,877,024	1,859,532	1,857,566
United States of America ¹	3,477,033	3,999,002	4,096,060
Total	5,354,057	5,858,534	5,953,626

¹ Includes legal assistance and durable solutions for asylum-seekers and refugees in the United States, and refugee protection and capacity building in Trinidad and Tobago, the Dominican Republic and Jamaica. The budget for UNHCR's office in New York is now shown under Headquarters.