



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

North America and the Caribbean

Operational highlights

- UNHCR provided information on refugee issues to the Governments of the United States and Canada to promote greater understanding of its priorities and to obtain financial and political support for its global refugee programmes.
- The United States Citizenship and Immigration Services strengthened its capacity to protect refugees in the country, especially through its Asylum Division and the Refugee Corps.
- UNHCR made monitoring visits to major ports of entry in Canada to ensure compliance with international refugee law. According to official statistics, more than 99 per cent of asylum-seekers who met the exceptions to the Safe Third Country Agreement were allowed entry to Canada and had access to refugee status determination (RSD) procedures.
- In 2007, the United States resettled some 31,800 individuals submitted by UNHCR, which represents more than half of the refugees resettled globally under UNHCR auspices. Some 11,200 people were resettled in Canada.
- In the Caribbean, UNHCR improved the capacity of government and civil society partners to identify asylum-seekers within migration movements and to ensure that they have access to asylum procedures.



Working environment

The United States was the world's biggest destination for asylum-seekers in 2007, with some 49,200 new asylum claims (15 per cent of all applications in industrialized countries). However, the country's focus on national security issues had an impact on its asylum policies. The Department of Homeland Security continued to enforce the use of detention and strict border controls. An anti-immigration sentiment continued to be pervasive among some segments of the media and the public.

In 2007, some 28,500 people sought asylum in Canada. The acceptance rate rose from 23 to 42 per cent. A difficult environment prevailed, however, with the general public appearing to have lost confidence in the refugee system because of perceptions that it was being misused by undeserving claimants.

The Caribbean saw considerable mixed migration involving people from within and outside the region, most travelling by sea. In 2007, Caribbean States received asylum claims from nationals of 19 different countries in Latin America, the Caribbean, Africa and Asia. The majority of the asylum-seekers arrived individually within larger movements of mostly undocumented migrants. Only one Caribbean State has national refugee legislation, and only three States and

one overseas territory have functioning asylum systems. This presents a challenge to UNHCR as it seeks to protect people of concern within mixed migratory flows.

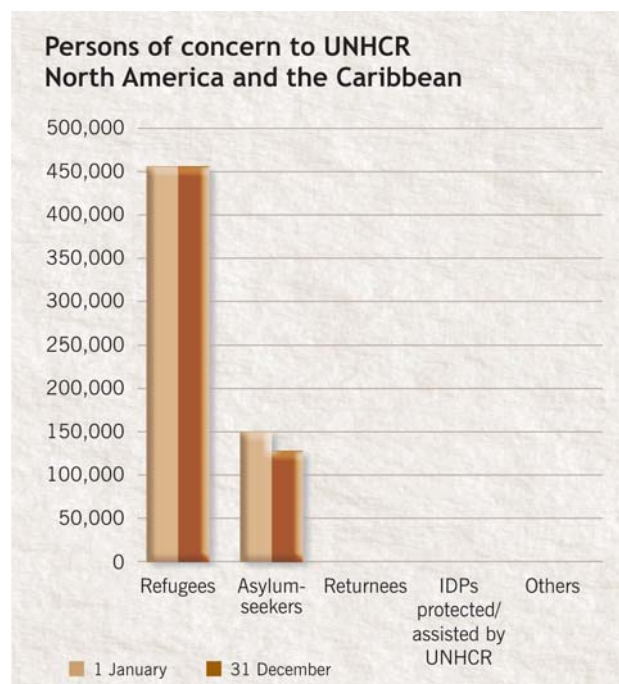




Photo by J. Rae

United States. A Somali refugee learns English at a resettlement centre in South Dakota.

Achievements and impact

In the United States, there were achievements in ensuring that international standards of protection were met for people of concern to UNHCR, despite the focus on national security. Congress enacted legislation that expanded the Administration's authority to exempt refugees and asylum-seekers from terrorism-related bars. The law exempted some groups from being labelled as members of a "terrorist organization", including many refugees from Myanmar. The legislation did not, however, change the broad definition of terrorism which continues to negatively impact large numbers of refugees and asylum-seekers.

The picture was more mixed when it came to refugee protection safeguards within broader migration-control efforts. Asylum-seekers in the United States continued to be detained in penal facilities, affecting their ability to access the asylum system. There was, however, greater awareness among the media, public and Congress on detention issues. At the end of the year, the Department of Homeland Security issued new guidelines on the parole of asylum-seekers from

detention, which appeared to be a step backward from the previous policy. The previous policy, though not followed consistently, favoured the release of asylum-seekers who had established their identity and were not liable to flee or present a danger to the community.

There was progress in the treatment of the approximately 8,000 unaccompanied children placed annually in immigration removal proceedings. The House of Representatives passed legislation that would mandate that the claims of unaccompanied children are heard in a non-court setting and that would encourage government funding for the development of *pro bono* counsel networks.

In Canada, UNHCR continued to advocate the highest possible standards in refugee protection. The Office made several recommendations on management and operational issues relating to asylum-seekers at land ports of entry. This led to better treatment and processing of asylum-seekers, as well as improved coordination between UNHCR and the Government on refugee issues. The year also saw an improvement in the conditions of detention for those held on immigration charges, particularly in provincial jails.

In the Caribbean, UNHCR conducted RSD for more than 100 asylum-seekers and assessed options for durable solutions for more than 50 refugees. UNHCR also provided governments with advisory opinions on asylum claims in national procedures, visited detention centres to help identify asylum-seekers within undocumented migrant groups, and provided training in international refugee law to immigration officials. These efforts led to improved national capacities and awareness of refugees' protection needs within broad migration movements.

Constraints

In the United States, terrorism-related bars continued to have a negative impact on asylum-seekers, refugees and resettlement. Some people conditionally approved for resettlement were not resettled because of these bars. Refugees were also affected by delays in the adjustment of their legal status in the country.

In Canada, the Immigration and Refugee Board (IRB) is the only body that conducts RSD, and there is no merit-based appeals mechanism. Since early 2006, UNHCR had been voicing concern that unless the IRB filled vacant posts it might face a new backlog of asylum claims. That fear has now become a reality, with the number of asylum-seekers awaiting a decision, some 37,500, almost double what it was in mid-2006.

Progress in the Caribbean was limited by the complexity of mixed migratory movements, the low political priority given to asylum issues, and constraints on UNHCR's human and financial resources. Systematic interception, detention and return policies were widely implemented in the region – to the detriment of asylum-seekers and refugees, due to the lack of appropriate asylum safeguards.

Operations

UNHCR's objectives in the **United States** fell into three general areas: maintaining high standards of protection for refugees and asylum-seekers; facilitating durable solutions, primarily through resettlement; and mobilizing public and governmental support for refugees and UNHCR. The Office pursued these objectives through public advocacy and policy development, collaborating extensively with governmental and non-governmental counterparts.

UNHCR sought to ensure that laws and policies, and their implementation, were in accordance with the

obligations under the 1967 Protocol of the Refugee Convention. To ensure that asylum adjudicators in the United States were well versed in international refugee law, UNHCR participated in the training of new asylum and Refugee Corps officers. The Department of Homeland Security finalized an asylum training module for immigration enforcement personnel. UNHCR also trained private and non-profit lawyers representing asylum-seekers. Furthermore, UNHCR provided *amicus* briefs in six cases raising refugee protection issues of wide impact, including the first asylum case before the United States Supreme Court in a decade. The office in Washington acted as a spokesperson on global refugee issues to national and international media in the United States.

UNHCR's objectives in **Canada** fell into three overlapping areas: refugee protection, resettlement and the mobilization of support for refugees and the work of the Office. In 2007, these were pursued by working closely with governmental and non-governmental counterparts and through public advocacy.

UNHCR's monitoring visits to major ports of entry in Canada were intended to ensure compliance with international refugee law. The Office monitored detention facilities regularly to ensure that people of concern were not mixed with accused or convicted criminals. The Office and the Canadian Red Cross co-hosted a series of roundtable discussions on detention and alternatives to detention. These resulted in a set of recommendations aimed at reducing the use of detention. UNHCR also conducted training sessions for officials from the Government, NGOs, educational institutions and civil society; the sessions included a roundtable discussion on mental health and Canada's refugee protection system.

UNHCR reached out to the media and other relevant institutions to sensitize the public on asylum matters. High profile refugee-related events, such as World Refugee Day in Toronto, Montreal and Ottawa, helped to create understanding and increase awareness of refugee issues.

In the **Caribbean**, UNHCR provided legal advice to governments on individual asylum claims and refugee policy; trained government officials; and stepped in where national capacities were lacking, principally to conduct RSD and facilitate voluntary repatriation and resettlement. Humanitarian assistance, legal aid services and support for local integration were provided to almost 1,000 asylum-seekers and refugees through a network of three non-governmental organizations and 12 honorary liaisons. In the Dominican Republic, a micro-credit programme for Haitian refugees and asylum-seekers was expanded. The first resettlement

selection mission by resettlement officials from the United States took place during the year. UNHCR also cosponsored an inter-governmental seminar on migration, refugee protection and trafficking, which provided a consultation and capacity-building opportunity for Governments in the region.

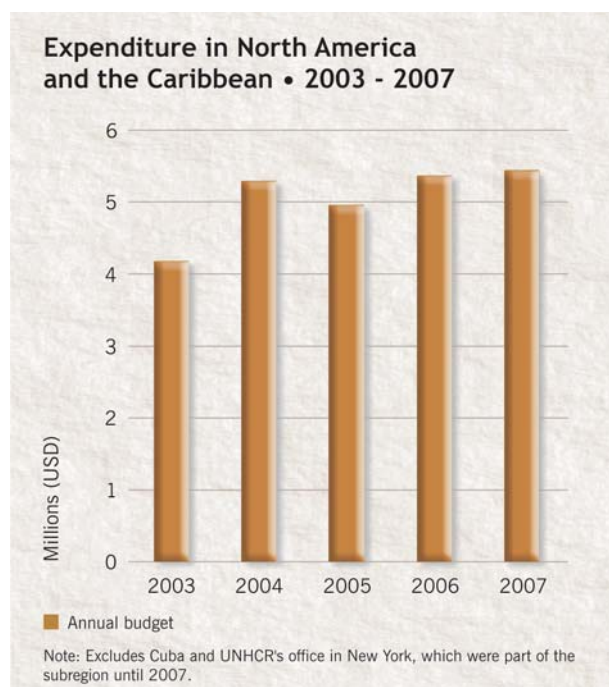
Financial information

Expenditure in the region has remained relatively stable since 2003. In 2007, some 42 per cent of funding for UNHCR's operations in North America and the Caribbean came from earmarked contributions. Although operations in the Caribbean were fully funded, the budget covered only a small part of the needs in the region. The lack of physical presence and limited financial and human resources have prevented UNHCR clearing a backlog of pending RSD claims, promoting local integration of refugees or effectively carrying out its mandate on statelessness in the region.

In 2007, the United States was again UNHCR's largest donor, with a contribution of USD 367 million. This represents some 29 per cent of the total contributions received by UNHCR. Canada contributed CAD 40 million, its highest contribution in the last 15 years.

UNHCR placed increasing emphasis on private-sector fundraising in the United States in order to broaden its

donor base and raise awareness of its activities. In Canada as well, private-sector fundraising attracted new donors and generated greater awareness of refugee issues. Gross revenue from private donors was some CAD 1.2 million. A *pro bono* advertising campaign was launched to attract more support from the private sector, and improvements were made to the content, design and usability of the UNHCR Canada website.



Budget and expenditure (USD)		
Country	Annual budget	
	Final budget	Expenditure
Canada	1,697,865	1,673,945
United States of America ¹	3,799,126	3,780,983
Total	5,496,991	5,454,928

¹ Includes legal assistance and durable solutions for asylum-seekers and refugees in the United States, as well as protection of refugees and capacity building in the Caribbean. In 2007, the budget for the New York Office was moved to the Executive Office, Headquarters.

Restricted voluntary contributions (USD)		
Earmarking	Donor	Annual budget
North America and the Caribbean	United States	1,898,000
	Sub-total	1,898,000
Canada	United States	3,000
	Sub-total	3,000
United States and the Caribbean	United States	186,200
	Sub-total	186,200
Total		2,087,200

Note: Contributions shown exclude indirect support costs that are recovered from contributions against the "New or additional activities - mandate related" (NAM) Reserve.