

## PROGRESS REPORT ON RESETTLEMENT

### I. OBJECTIVE AND FOCUS OF THE PAPER

1. This report provides an update on the resettlement activities of UNHCR, undertaken in cooperation with its partners, since the June 2006 Progress Report on Resettlement.<sup>1</sup> It looks at the measures taken by UNHCR to strengthen the use of resettlement as a protection tool and durable solution. The report also examines some current trends and challenges in expanding the use of resettlement.

### II. ENHANCING THE USE OF RESETTLEMENT

2. In 2006, the High Commissioner decided to transform the Resettlement Section into a Service, in line with the international community's renewed awareness of the importance of resettlement as a durable solution and protection tool. While this has resulted in positive outcomes, at the same time, it has brought new challenges.

3. In 2006, UNHCR made submissions of over 54,000 people for resettlement, 17 per cent more than in the previous year, and in 2007, the number of submissions grew to almost 99,000. For the first time in 20 years, UNHCR's submissions exceeded the global number of approximately 70,000 places made available by States. Increasing the Office's capacity to implement resettlement is timely, as UNHCR estimates that globally in 2008, there are 155,000 people in need of resettlement (i.e. 192 per cent more than the 2007 projections of 53,000 people). A further significant increase in resettlement needs is projected for 2009.

4. UNHCR is concerned, however, that the number of refugees in need of resettlement is growing without a corresponding increase in the number of places being made available by States. In 2008, some 70,000 places were made available, less than 50 per cent of the identified global needs. This constitutes a protection gap which will widen unless concerted efforts are made by the international community. For 2009, the projected global resettlement needs will likely increase to

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<sup>1</sup> *Progress Report on Resettlement* (EC/57/SC/CRP.15), 6 June 2006.

565,000 refugees,<sup>2</sup> partly due to the limited extent of the solutions found in recent years by the international community. However, the larger needs identified also reflect an improvement in UNHCR's ability to identify refugees in need of resettlement, and a more conscious and strategic use of this for durable solutions and protection purposes.

5. The Office's response to the disparity between needs and capacity has been three-fold: (i) to encourage more countries to establish resettlement programmes or consider UNHCR resettlement submissions; (ii) to work with established resettlement countries to increase their resettlement intakes of UNHCR-identified refugees; and (iii) to prioritize responses to resettlement needs and submissions, in light of the limited available resettlement places.

6. Although resettlement countries have not yet announced significant increases in their resettlement targets to meet the increasing global needs, progress has been made with regard to expanding the number of countries involved in resettlement. Since June 2006, 13 countries have indicated their interest or readiness to receive a limited number of resettlement submissions from UNHCR. While eleven of these countries are in Europe, progress has also been made in Latin America. UNHCR is exploring further opportunities to resettle refugees with other countries, consistent with its global strategic objective 5 and goal 5 of the *Agenda for Protection*.

7. In 2007, European countries provided only a modest 9 per cent (6,200 places) of the overall resettlement places in the world. It is hoped that the efforts of the European Commission to establish a common European Union resettlement scheme will enhance the capacity of European Union States to integrate resettlement into their asylum policies. With financial support from the European Commission, UNHCR has been facilitating a number of technical cooperation arrangements between established resettlement countries and potential resettlement countries in Europe, to help States develop effective resettlement and integration programmes. The Office is also encouraged that some European countries have engaged in bilateral arrangements with States outside the European Union to support new resettlement programmes.

8. In 2007, the number of resettlement departures increased by 69 per cent,<sup>3</sup> from 29,500 in 2006, to about 50,000 refugees. While this is a welcome improvement, the average processing time by States remains too long. There are lengthy delays before acceptance decisions are made and departure for resettlement takes place, not infrequently more than two years later. In addition to the length of time between UNHCR submissions and resettlement departures, there is also a lack of predictability in processing times. The Office recognizes that States have to undertake various checks on refugees (e.g. health and security requirements) prior to granting resettlement. Extended or unpredictable waiting periods, however, can have a serious detrimental impact on the wellbeing of refugees who often have to wait in dangerous and difficult situations. The protection role of resettlement may thus be brought into question, and its strategic use in specific situations compromised.

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<sup>2</sup> This figure is based on projected global resettlement needs as of May 2008 and includes refugees not previously reported in global resettlement projections, such as those in protracted situations for whom resettlement is a viable durable solution and those for whom group resettlement is envisaged.

<sup>3</sup> This figure only concerns UNHCR submissions and does not include refugees resettled through private sponsorship or family reunion programmes not involving UNHCR resettlement submissions.

9. A target priority set by UNHCR for 2007-2009 concerns the number of women and girls at risk. This category should make up at least 10 per cent of the overall resettlement submissions. UNHCR has thus focused on identifying and submitting this vulnerable category of refugees in line with the guidance received from the Executive Committee in its Conclusion No. 105 (2006). The total number of women and girls at risk submitted for resettlement increased to almost 6,000 (72 per cent) in 2007; however, only some 2,500 were able to depart. In some countries, the 10 per cent target was even surpassed in 2007.<sup>4</sup> UNHCR is nevertheless concerned that some resettlement countries are imposing requirements which make the processing of women-at-risk cases extremely arduous, e.g. requiring death certificates for deceased husbands and custody documents for children. The Office has encouraged resettlement States and partners to modify policies and practice in line with Conclusion No.105 which calls for “establishing measures to enable the speedier departure of refugee women at risk and their dependants”.

10. Other positive results during the reporting period include: (i) the development of field-friendly managerial tools to improve predictability in the planning and delivery of resettlement (e.g. management of selection missions by resettlement countries and the enhanced use of the UNHCR registration database *proGres*); (ii) anti-fraud training, awareness raising and policy guidance on the consequences of fraud;<sup>5</sup> (iii) improved partnerships with non-governmental organizations (NGOs), including more flexible arrangements for NGO deployments under the UNHCR-ICMC<sup>6</sup> Resettlement Deployment Scheme; and, (iv) the signing of an agreement with Romania and the International Organization for Migration (IOM) in May 2008 to facilitate the evacuation of refugees facing immediate and life-threatening risks.

11. The temporary evacuation of refugees to Romania is expected to reduce the pressure on the few countries that offer emergency resettlement places and open a wider range of options for those needing emergency resettlement. A similar agreement is being negotiated with the Philippines. This new evacuation capacity will be a key tool for UNHCR to meet its global strategic objective 1.1, aimed at improving protection against *refoulement*.

12. UNHCR has reached out to NGOs to find more partnerships to enhance operational and advocacy efforts on resettlement. The Office views its resettlement NGO partners as “strategic partners, not implementing ones”.<sup>7</sup> This includes working with the NGO sector to strengthen delivery across a broad range of resettlement activities, such as developing ways to identify refugees at heightened risk, joint training and advocacy platforms to promote awareness and consistent messages on resettlement and integration. In addition, proposals for enhanced operational partnerships with NGOs are being examined for operations in Africa, the Middle East and Latin

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<sup>4</sup> In a number of operations, particularly those using the group resettlement methodology, the resettlement of women at risk is under-reported as this criterion has not been captured in resettlement statistics.

<sup>5</sup> *Addressing Resettlement Fraud Perpetrated by Refugees*, March 2008. UNHCR Refworld, available at: <http://www.unhcr.org/cgi-bin/txis/vtx/refworld/rwmain?docid=47d7d7372>.

<sup>6</sup> ICMC: the International Catholic Migration Commission

<sup>7</sup> Opening Statement by Mr António Guterres, United Nations High Commissioner for Refugees, at the 58th Session of the Executive Committee of the High Commissioner’s Programme, 1 October 2007; <http://www.unhcr.org/admin/ADMIN/4700eff54.html>

America with a view to strengthening field-level capacity. UNHCR remains committed to engaging proactively with the NGO sector to further develop innovative ways to combine resources and activities in support of resettlement.

### III. DECENTRALIZATION AND REGIONALIZATION

13. The regionalization of UNHCR's resettlement activities is aimed at strengthening support and oversight to operations in the Field. The regional resettlement functions also provide important linkages between the Field and Headquarters in terms of operational planning, resource mobilization, coordination with resettlement country programmes, and policy development. The regional resettlement hubs in Nairobi and Beirut are notable examples. The recent relocation of the regional resettlement function in West Africa, from Accra in Ghana to Dakar in Senegal, should be showing results by the end of 2008. Regional resettlement capacity was recently established in Pretoria, and a senior post was transferred from the Resettlement Service to the regional office in Bangkok in January 2008. The Resettlement Service will continue to monitor the decentralization and regionalization effort closely and to provide support and guidance when needed.

### IV. PROMOTING THE STRATEGIC USE OF RESETTLEMENT

14. Given the increase in resettlement needs globally and the limited number of places available, the Office tries systematically to use resettlement in a strategic manner in order to enhance protection more broadly. These efforts may include ensuring that residence permits are granted to refugees or that UNHCR has access to refugees in detention. In some protracted situations, the use of resettlement has contributed to unlocking other durable solutions and UNHCR will continue to maximize opportunities for the strategic use of resettlement in protracted refugee situations, notably those which the High Commissioner has prioritized.

15. To assist in this, UNHCR is encouraging States to consider multi-year planning and other means to enhance flexibility and predictability in programme delivery. The use of restrictive selection criteria and lengthy processing times undermine the strategic use of resettlement. This can cause hosting States to question the international community's commitment to burden and responsibility sharing, and may exacerbate tensions and protection problems for refugees. UNHCR is also concerned that efforts to promote the use of two multilateral frameworks of understanding (for Bhutanese in Nepal and for Iraqis in the Middle East, the Gulf States and Turkey) have not been fully successful. UNHCR encourages States to make more effective use of resettlement to further comprehensive solution strategies.

16. UNHCR acknowledges with appreciation the progress achieved to date in resettling refugees from outside the region in Chile and Brazil, in addition to the strengthening of regional solidarity pursuant to the Mexico Plan of Action. Challenges nevertheless remain with regard to funding the resettlement component of the Mexico Plan of Action. Although receiving resettlement countries are gradually assuming more costs for the resettlement of Colombian refugees, additional financial support is still needed to ensure the sustainability of these programmes.

## V. MANAGING RESETTLEMENT MORE EFFECTIVELY AND ADDRESSING KEY CHALLENGES

17. To strengthen organizational performance, in 2007 UNHCR introduced various tools to help field offices improve resettlement outcomes both qualitatively and quantitatively. These include the baseline standard operating procedures on resettlement; methodologies to identify refugees at heightened risk; performance indicators for resettlement staff; more precise programming instructions; and a revised planning process to assess resettlement needs and processing capacity. Resettlement planning has also been reinforced in the annual protection reporting and country operation planning (COP) exercises.

18. As resettlement opportunities are limited and the needs are great, the risk of pull factors, fraud, exploitation and corruption will continue to be a priority concern for UNHCR. The need to manage refugee expectations about resettlement is critical, particularly in protracted situations. The Office is thus pursuing efforts with all stakeholders to strengthen these aspects of resettlement delivery, as well as to ensure the safety of refugees and staff in the Field in relation to addressing these challenges.

19. Through the meetings of the Working Group on Resettlement, chaired by New Zealand in 2006-2007 and by Canada 2007-2008, UNHCR and resettlement States have addressed a number of key policy and operational issues. The Office appreciates the active participation and support of involved States in responding to requests for resources to address global resettlement needs and priorities; streamlining resettlement processing; mitigating risks associated with resettlement delivery; and promoting multilateral frameworks of understanding on resettlement. The Working Group on Resettlement has initiated and supported an expansion of cooperative approaches with States to enhance anti-fraud measures.

20. Progress has been made in recent years on elaborating and using resettlement processes such as group resettlement methodology. Nevertheless, further efforts are required to improve the identification and prioritization of resettlement needs, as well as to address protection gaps and capacity issues and ensure age, gender and diversity mainstreaming. The enhanced identification of refugees in need of resettlement brings greater demands in terms of adequate resources and capacity; processing complexities; managing refugee expectations vis-à-vis other solutions; and regional harmonization. Despite these challenges, UNHCR offices are becoming increasingly proactive in integrating resettlement within their comprehensive durable solutions and protection strategies. The challenge for the Office and its partners is thus to ensure that resettlement activities are being responsive to the needs that have been identified and prioritized.

21. There is also a need for solutions to complications which can result from the particular priorities and criteria set by resettlement countries. Resettlement countries determine the use and allocation of their resettlement places based, in part, on domestic considerations and constraints. Thus, the selection criteria, the size of targets and programmes, or the priority accorded to certain populations, may be overly influenced by domestic considerations, rather than with actual resettlement needs and priorities. One such State policy, which is of concern to UNHCR, is the selection of refugees according to so-called integration potential, which creates inequities and

protection gaps, and limits access to resettlement by some of the refugees most at risk, e.g. politically sensitive ethnic groups, single men or large families, and refugees with low education levels, medical needs or disabilities. The use of this type of selection criteria can lead to discrimination and misunderstandings within refugee populations, thus contributing to protection risks both for refugees being resettled, and for those remaining behind. UNHCR is furthermore concerned by certain State selection processes that may have a potentially negative impact on the welfare of refugees, notably with respect to HIV and DNA testing. UNHCR continues to urge States to observe the principles of voluntary and informed consent, and to uphold international standards with respect to pre and post-test counseling, confidentiality and non-discrimination.

22. UNHCR understands and shares the desire of States to ensure the effectiveness and integrity of their resettlement programmes. However, a balance must be struck between addressing these concerns and ensuring that critical refugee protection priorities are met. Ideally, systems that protect the integrity of the resettlement process should also serve to protect refugees. UNHCR believes that the identification and selection criteria and processes for individuals must be guided first and foremost by protection considerations. Measures to control fraud or address fears of public security should not be taken at the expense of refugees in need of resettlement, who pose no threat to the receiving community or the international community.<sup>8</sup>

## VI. OUTLOOK AND PRIORITIES

23. Significant progress has been made on resettlement issues in recent years with the support and cooperation of resettlement States, NGOs and receiving communities. These results could not have been achieved without the support of a few dedicated donor countries. The Office would like to record its appreciation to these donors for regularly providing additional funding for resettlement, thus enabling UNHCR to respond to increased needs at the field level in an affirmative and flexible manner.<sup>9</sup> However, the number of refugees in need of resettlement is increasing and further concerted efforts are required to support resettlement and ensure that priority is given to those most in need of this solution. UNHCR therefore encourages resettlement States to ensure that resettlement activities are balanced according to global needs and priorities, and to remove restrictive criteria that undermine the foundation upon which resettlement is based. UNHCR urges resettlement States and NGOs to move forward the issue of integration potential by focusing on the integration capacity of receiving communities. Resettlement countries share the responsibility to support the effective integration of resettled refugees, by fostering an environment in which refugees are treated with understanding, tolerance and respect, and by promoting access to naturalization.

24. UNHCR will continue to identify refugees in need of resettlement, giving priority to the most vulnerable, while encouraging States to initiate or expand resettlement programmes. The Office will also explore ways to increase the relevance of this function in UNHCR operations, particularly in protracted refugee situations, as well as to strengthen partnerships and increase the

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<sup>8</sup> *Addressing Security Concerns without Undermining Refugee Protection* - <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=3c0b880e0>

<sup>9</sup> Ranked according to contribution, these countries include: United States, United Kingdom, Norway, Australia, Spain, Belgium, Switzerland and the Netherlands. This list includes donor countries that contributed through the funding of some JPO positions.

engagement of States in the strategic use of resettlement. These efforts will serve to enhance the use of resettlement and ensure that it is delivered effectively, with integrity and with respect for protection principles and human rights.

25. Resettlement should not be about numbers, it should be about people in need of international protection; however, to refugees, the number of places made available, the number of submissions made, and the number of departures for resettlement are indeed important. Resettlement is, furthermore, about human participation in peace building. Despite their enormous losses, refugees are able to begin a new life with dignity and respect through resettlement with the support of receiving communities. Governments, NGOs, volunteers and refugees all contribute to the reception and integration of resettled refugees. UNHCR acknowledges and appreciates this essential contribution by States and communities towards strengthening global protection and solutions for refugees.