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Is ‘integration potential’ a criterion for resettlement?

Thank you. It is my privilege to represent UNHCR’s Resettlement Service at this biannual meeting and to participate in these discussions. ECRE and UNHCR, and in particular the Resettlement Service, enjoy excellent cooperation and it is indeed an honour to be here with ECRE members today to discuss a very important issue that strikes at the core of resettlement as a protection tool and a durable solution. I have been asked to provide a few remarks on the question: *Is ‘integration potential’ a criterion for resettlement?*

Let me talk about resettlement and integration from UNHCR’s perspective.

Resettlement is a durable solution that is not fully reached with a refugee’s transfer to a third State. Integration is essential to the durability of resettlement.

The resettlement country should ensure protection against refoulement and provide a resettled refugee and her/his family or dependants access to civil, political, economic, social and cultural rights similar to those enjoyed by nationals. The resettlement country should also allow for refugees to become naturalized citizens.¹ While these rights are fundamental to integration, the process of integration has a subjective dimension for the receiving community and the resettled refugee. It’s a process that brings about change, adaptation and harmonization. This process is as challenging as it is rewarding.

Integrating resettled refugees is beneficial for both the refugees and the receiving State. Resettled refugees become independent and active participants of society through integration. This, in turn, empowers them to make valuable contributions to the host society. It is therefore crucial for resettlement States to have services in place to facilitate integration, such as language and vocational training and programmes to promote access to education and employment.

It is also important to provide refugees (and indeed the receiving communities in the country of resettlement) with social and cultural orientation to assist in managing their expectations prior to and after their arrival in the resettlement country. Orientation will ease the process of adjustment into the new community and fosters a positive attitude toward integration. It is equally essential to create the possibility of and

¹ UNHCR, *Resettlement Handbook*, November 2004, <http://www.unhcr.org/refworld/docid/3ae6b35e0.html>.

support for family reunification. The family unit is the fundamental building block of society. Family reunification should be facilitated by resettlement States to complement the process of integration and to build supportive communities. Successful integration is thus largely dependent on the political will and commitment of the resettlement country and the resources governments allocate to resettlement and integration programmes. Providing a foundation for effective integration and 'integration potential' therefore largely rests with the State.

According to UNHCR and its ExCom member States, the focus of resettlement is to ensure international protection for refugees most in need. That is, the primary purpose of resettlement must always be the provision of individual protection for those refugees who cannot be provided with adequate protection in the country of asylum. It is also acknowledged that resettlement can provide a durable solution and serve as a tool for burden and responsibility sharing and, when used strategically, can create opportunities for comprehensive solutions to the plight of refugees.

It is UNHCR's position that individuals should be selected for resettlement by States on the basis of protection needs, taking into account security concerns but not so-called 'integration potential criteria'. It is important to distinguish considerations of integration from assessments that are related to concerns about public security.² To select refugees according to ill-defined notions of integration potential puts at risk the very foundation upon which UNHCR's global resettlement activities are built.

There is a risk of unwarranted discrimination being raised between refugees, or mistaken conclusions being reached, where selection criteria relating to integration potential are applied in refugee resettlement programmes. Many factors, such as language skills and access to formal education, clearly impacts the immediate contribution the refugee can make to the receiving society, but it must be remembered that these factors will likely be entirely beyond the control of individual refugees. It's a *catch 22* for the refugee. To judge refugees' integration potential as a way to decide on their protection by way of resettlement shows total disregard for the affects of persecution and the human rights violations they have endured, and overshadows the precarious situation they face as refugees. It is tangential to the core protection needs faced by refugees.

In fact, the overwhelming majority refugees in need of resettlement on protection grounds do have qualifications, skills and attitudes that are transferable in the resettlement country context. So, the question that arises when a State decides to use 'integration potential' as a criterion for resettlement is: How is integration potential measured? I would like to pose a follow-up question: Does a newly born baby have integration potential?

The integration of refugees in a country of resettlement is a process not a criterion.

Integration requires receiving States and civil society to ensure that refugees have access to the resources required for their longer term stability and adjustment to the new society and to foster a sense of belonging and participation. Integration is a mutual, gradual and multi-faceted process, with inter-related legal, socio-economic and cultural dimensions. Willingness and care is required to welcome refugees and support them through public and private institutions, granting access to services and opportunities to reveal their potential and finally providing the possibility of naturalization.

² UNHCR, *Addressing Security Concerns without Undermining Refugee Protection*, <http://www.unhcr.org/refworld/docid/3c0b880e0.html>.

So too, refugees must abide by the laws and adapt to the customs and lifestyle of their adopted country whilst being able to maintain their own sense of cultural identity. Refugees should take the values of their hosts into account, but the attitude of the receiving community and its institutions is also of paramount importance.³

The discussion about the 'integration potential' of refugees might usefully move forward by focusing on the 'integration capacity' of States or how resettlement programmes can promote potential for integration. The responsibility rests on receiving countries to ensure access to necessary support services in place to facilitate integration by arriving refugees.⁴

What are the benchmarks for successful integration?

Even without knowing these benchmarks, some States are making decisions on 'integration potential' in the way they design and direct their resettlement programmes. A number of States add their own criteria to the global resettlement criteria used by UNHCR. This is understandable as resettlement is not a right and admissibility is a State decision. However, one issue of concern to States, in view of their domestic challenges, is the refugees' ability to integrate into society. Some States thus seek to use indicators of 'integration potential' similar to those applied when considering standard immigration, such as language skills, education, and professional background. While many refugees have integrated and made considerable contributions to their host societies, particularly where they have been given appropriate support, the strict application of such criteria could prevent refugees from obtaining the protection or durable solution they need.

UNHCR has therefore urged States to consider integration issues flexibly, not to penalise refugees who need protection, and to develop effective programmes to address settlement needs. Indeed, as the Annual Tripartite Consultations on Resettlement (ATCR) underscores, 'integration potential' is for the most part a measure of the State's capacity to aid effective integration.

States may also impose 'informal criteria', based on domestic policy considerations rather than strict legislative requirements, when selecting refugees for resettlement. Some States have included limitations on, for example, family size; restrictions on age or gender, such as a preference against the elderly for fear of the cost to the community, or against men of a certain age group for fear of a possible security risk; and, restrictions on certain sensitive national or ethnic groups. These "informal criteria" are generally not based on legislation or formal policies and are usually not announced formally or publicly, but may nonetheless have an important impact on which cases are accepted by States for resettlement. Such criteria can be discriminatory and, can also reduce the transparency and predictability of the process considerably. Equally important, such informal criteria undermine the core

³ UNHCR, *Conclusion on Local Integration*, No. 104 (LVI), 7 October 2005, <http://www.unhcr.org/refworld/docid/4357a91b2.html>; UNHCR, *Note on the Integration of Refugees in the European Union*, May 2007, <http://www.unhcr.org/refworld/docid/463b24d52.html>.

⁴ Because of the importance of integration to resettlement, UNHCR launched an Integration Initiative in 1991. *Refugee Resettlement: An International Handbook to Guide Reception and Integration*, issued in October 2002 (<http://www.unhcr.org/refworld/docid/405189284.html>), together with the Foundation for Survivors of Torture (VFST), an Australian NGO, is an important outcome of this initiative. Targeted at program planners, it sets out best practice in various countries in the areas of initial reception, ways of preparing receiving communities, language training, education, employment, and the special needs of children. A follow-up international conference is planned for early 2009.

humanitarian and non-discriminatory principles on which the work of UNHCR is founded.

A number of recent steps have been taken by UNHCR to improve conditions for States and NGO partners and to facilitate the integration process. I should like to conclude my remarks by highlighting a few of these:

1. Pursuant to a recommendation of the ATCR, key data within the Resettlement Registration Form (RRF) can now be shared by States with NGO partners to assist with programme design and early intervention for individuals with specific needs. UNHCR has redesigned the RRF to provide for consent by the individual refugees for information about her/his specific needs to be shared with settlement (post-arrival) NGOs. Such sharing of information is to be protected by confidentiality agreements.
2. The Resettlement Service has recently finalised the development of its in-house self-study learning programme. The UNHCR Resettlement Learning Programme will be made available to NGO partners as a resource on UNHCR's resettlement policy and practice and as a learning tool to develop expertise in resettlement delivery. While this is essentially an in-house training tool, we will nevertheless explore ways to assist NGOs in using it.
3. Many of you would be aware of the UNHCR-ICMC Resettlement Deployment Scheme. In recent years we have strengthened the Scheme to maximise potential for collaboration with settlement NGOs and to bridge the information gaps between pre and post arrival aspects of resettlement delivery. I urge you to consider making use of the Deployment Scheme. The Resettlement Service is keen to deploy people with resettlement experience to the field.
4. The recent Working Group on Resettlement discussed the concept of twinning between new / emerging and established resettlement States. UNHCR in collaboration with the UK Chair of the WGR is keen to maximise opportunities for twinning between NGOs in the area of integration. This will be a key theme at next year's ATCR.
5. The Resettlement Service – together with NGOs - has been a key architect in the design and development of the Heightened Risk Identification Tool (HRIT). The HRIT methodology allows for the active involvement of NGO partners in front-end resettlement delivery. The methodology was piloted in Bangladesh in 2007 – with very positive results. I have just returned (this week) from multi-disciplinary team mission to eastern Sudan where we used the methodology to assist in mapping the protection needs and strategic use of resettlement for the Eritrean refugees. The strategic use of resettlement, such as will evolve in eastern Sudan, will require proactive engagement by States to consider refugees who are in need of protection. If resettlement States use restrictive criteria such as 'integration potential' it will undermine such strategic initiatives. UNHCR is therefore calling on resettlement States to show flexibility, especially with regard to protracted refugee situations. The eastern Sudan situation could be an ideal site for an EU Regional Protection Programme.
6. UNHCR is making more effective use of Participatory Assessments and linking these to the Country Operations Planning process. These activities, together with the Regional Strategic Planning Meetings on Resettlement are open to the active participation of NGO partners.

7. UNHCR is sensitive to the needs of new resettlement States vis-à-vis the size and composition of their resettlement programmes. UNHCR is aware of the need to be supportive of new resettlement countries and sensitive with regard to submissions, particularly as settlement services are often not as well tested or robust as those in established resettlement countries.
8. The Resettlement Service has had discussions with key stakeholders about the potential for enhanced use of regular migration programmes to assist refugees. Refugee sensitive migration programmes will continue to be a theme for discussion at the WGR and ATCR.
9. ECRE and UNHCR joined forces earlier this year to develop the UNHCR-NGO Joint European Advocacy Platform on Resettlement. This outlines the common position of UNHCR and ECRE on resettlement and related policy issues and serves as a European-wide advocacy tool. UNHCR urges all ECRE members to make use of this tool to ensure a cohesive approach to issues of mutual concern. One of the key positions in that document is to advocate for a non-discriminatory and needs-based approach to the selection of refugees for resettlement. On the question of integration potential it states:

“Organisations should work towards the withdrawal of all governments of ‘integration-potential criteria’ when selecting refugees. This criterion is subjective and is not based on the refugees’ need for protection. Integration is a ‘two-way process’ and refugees who might otherwise be seen as ‘vulnerable’, ‘difficult to integrate’ and/or in need of special services have the ability to become valued members of their communities, given adequate support.”⁵

Thank you for your attention. We have an opportunity to hear from my fellow speaker from the UK Refugee Council, and afterwards I look forward to responding to any questions you may have. I would like to take this opportunity to thank ECRE and its members for their excellent cooperation with UNHCR and support for refugees.

Thank you.

⁵ UNHCR-NGO Joint European Advocacy Statement on Resettlement (25 June 2008, Geneva), http://www.ecre.org/resources/ECRE_actions/1162.