CHAPTER TWO

CHAPTER TWO
THE EVOLUTION OF RESETTLEMENT

Introduction

Resettlement serves three equally important functions:

First, it is a tool to provide international protection and meet the specific needs of individual refugees whose life, liberty, safety, health or other fundamental rights are at risk in the country where they have sought refuge.

Second, it is a durable solution for larger numbers or groups of refugees, alongside the other durable solutions of voluntary repatriation and local integration.

Third, it can be a tangible expression of international solidarity and a responsibility sharing mechanism, allowing States to help share each other's burdens, and reduce problems impacting the country of first asylum.[1]

Purpose

The purpose of this chapter is **to highlight**:

- the history and evolution of the use of resettlement as a tool of international protection and a durable solution;
- conceptual developments including the strategic use of resettlement within comprehensive solutions strategies;
- operational developments to improve the management of resettlement; and
- current challenges to resettlement.

[1] UNHCR, *Global Consultations on International Protection/Third Track: Strengthening and Expanding Resettlement Today: Dilemmas, Challenges and Opportunities*, 25 April 2002, EC/GC/02/7, II A 5, http://www.unhcr.org/refworld/docid/3d62679e4.html

IN THIS CHAPTER

2.1 THE HISTORY OF RESETTLEMENT

Resettlement is recognized today as a vital instrument of international protection, integral to comprehensive protection and durable solutions strategies. While resettlement has been undertaken in one form or another since the international refugee protection system was formed, its use and importance has evolved over the decades.

Between the two World Wars, resettlement was used as the principal or partial solution for a number of refugee situations. During the early 1920s, for example, some 45,000 White Russians who had fled to China after the Russian Revolution were resettled elsewhere. In the 1930s, a succession of international refugee organizations was charged with resettling Jews and others who were fleeing Nazi persecution.

When the United Nations replaced the League of Nations in 1945, it established (in 1946) a new body, the International Refugee Organization (IRO). The IRO's mandate was to protect existing refugee groups and one new category – the 21 million or so refugees scattered throughout Europe in the aftermath of World War II. Initially, the IRO's main objective was repatriation, but the political build-up to the Cold War tilted the balance instead towards resettlement of those who had "valid objections" to returning home. "Valid objections" included "persecution, or fear of persecution, because of race, religion, nationality or political opinions". Over five years, from 1947 to 1951, the IRO resettled well over a million people (four-fifths of them outside Europe), while repatriating a mere 73,000.

By the time the IRO was replaced by the Office of the United Nations High Commissioner for Refugees (UNHCR), international protection was firmly enshrined as the new organization's principal *raison d'être*, and resettlement was a key tool.

UNHCR made extensive use of resettlement as a means of resolving the situation of finding solutions for European refugees after the Second World War. For the next three decades all three durable solutions – voluntary repatriation, local integration and resettlement – were considered equally, depending on circumstances.

Resettlement evolved in the context of the Cold War. The historical effort to help displaced people in the aftermath of World War II matched the desire of governments to facilitate the movement of certain people for foreign and domestic policy reasons.

Three large movements are worthy of mention: the resettlement of Hungarians in the 1950s, of Ugandan Asians in 1972, and of Latin Americans from Chile starting in 1973. The Soviet invasion of Hungary in 1956 caused 200,000 refugees to flee to Yugoslavia and Austria, many of whom were later resettled in other countries. In 1972, most of its Asian minority were expelled from Uganda. With the help of UNHCR, the International Organization for Migration (IOM), the International Committee of the Red Cross (ICRC), and the United Nations Development Programme (UNDP), some 40,000 Ugandan Asians were resettled within a few months to 25 countries. Following a coup d'état in Chile in September 1973, refugees from neighbouring countries were faced with the threat of *refoulement*. The High Commissioner appealed to the military government and simultaneously requested assistance from resettlement countries. By March 1974, nearly

5,000 people had been resettled to 19 countries. Resettlement, mainly to other countries in the region, continued to play a prominent role in Latin America throughout the 1970s and in Central America in the 1980s.

2.1.1 Indo-Chinese "boat people"

The largest and most dramatic example of resettlement occurred in the aftermath of the Indo-Chinese conflict, when the mass exodus of "boat people" caused a major protection crisis in the region. By 1979, certain asylum countries refused to accept more refugees, prevented boats from landing, and in some cases towed them out to sea. Confronted with this political and humanitarian crisis, the international community agreed that Vietnamese boat people arriving in first asylum countries in South East Asia would be allowed to land, but would then be resettled to other countries. The adoption of this "blanket" resettlement policy safeguarded the concept of first asylum, thereby averting the immediate threat of massive loss of life. More than 700,000 Indochinese were resettled in the years that followed.

However, the situation changed in 1986, after departures from Viet Nam increased suddenly and massively. The number of boat people in camps leapt from 31,694 at the beginning of 1986 to 65,349 by early 1989. Since there had not been a significant deterioration in the human rights situation in Viet Nam, it became clear that the exodus, while retaining a refugee dimension, was increasingly driven by economic factors.

Comprehensive Plan of Action

The adoption of a *Comprehensive Plan of Action* (CPA) in 1989 addressed the issue in a global and systematic way. The CPA ended blanket resettlement processing, and included the following elements:

- All Vietnamese boat people would be permitted to land in first asylum countries and would be screened for refugee status.
- All boat people who qualified as refugees would be resettled in a third country.
- Those who did not qualify would have to return to Viet Nam under a guarantee, monitored by UNHCR, that they would not be prosecuted for illegal departure.
- A programme would be set up by UNHCR to provide reintegration assistance to the returnees.
- The Orderly Departure Programme (ODP)[2] would be expanded, its criteria liberalized and its procedures simplified to allow easier legal emigration for eligible groups such as family reunification cases and former re-education camp internees.

[2] Mainly in an effort to open up the possibility of legal emigration from Viet Nam and so reduce the number of clandestine departures, which had resulted in considerable loss of life at sea, UNHCR helped set up an Orderly Departure Programme, known as the ODP, which provided a safer, officially-sanctioned channel for emigration.

A mass information campaign was launched in Viet Nam to discourage those who would not qualify as refugees from embarking on a life-threatening journey in the mistaken belief that they would automatically be resettled. The implementation of the information campaign and the beginning of voluntary repatriation to Viet Nam brought about a substantial drop in the number of boat people.

After the CPA, the use of large-scale resettlement as a solution waned. In retrospect, the decision in 1979 to adopt blanket resettlement was seen as a major "pull-factor" causing very large numbers of people to leave Viet Nam primarily for economic and social reasons, rather than to seek protection. Meanwhile, elsewhere in the world, refugees in desperate need of resettlement suffered from lack of available places. This led to a widespread sense of disenchantment with resettlement as a solution for large numbers of refugees.

***Push* and *pull* factors**

All migration involves *push* and *pull* factors. When examining forced migration attention is given to root causes of flight, or *push* factors. However, there are also *pull* factors that influence refugees' flight patterns, and impact the implementation and success of durable solutions.

When assessing voluntary repatriation, UNHCR should be convinced that the decision of refugees to return is due mainly to positive *pull* factors in the country of origin, rather than *push* factors in the host country, or negative *pull* factors in the home country, such as threats to property.

When planning resettlement operations, the challenge for UNHCR is to ensure that those in need have access to protection and resettlement, while making sure that resettlement is not perceived to be an alternative migration route. With proper management and oversight, resettlement has been expanded in concert with other durable solutions to benefit greater numbers of refugees, without creating economic migration *pull* factors. The development of efficient and effective systems to register refugees, protect data integrity and prevent fraud has enhanced the scope and flexibility of resettlement. Timely and pro-active case identification based on fair, consistent and transparent application of UNHCR's resettlement categories is also vital.

2.1.2 Shift to focus on individual protection needs

Changing attitudes to resettlement, particularly in light of the Vietnamese experience, led to a decline in resettlement places available during the 1980s and 1990s, and a shift in the language used to refer to resettlement. Voluntary repatriation became the preferred durable solution, and resettlement was increasingly focused on individual protection cases. The resettlement numbers dropped significantly. Whereas one in every twenty of UNHCR's global refugee population was resettled in 1979, the ratio fell to less than one in every 400 by 1994. There were 34,640 refugee departures in 1994,[3] which represented a

[3] UNHCR, *Report of the United Nations High Commissioner for Refugees* [covering the period 1 Jan. 94-31 Mar. 1995], 25 April 1995, E/1995/52, http://www.unhcr.org/refworld/docid/3c90b2801.html

shortfall of over 24,000 places from projected resettlement needs. The drop in numbers also reflected the fact that major resettlement countries were focusing their efforts on other refugee groups or populations in refugee-like situations, and not resettlement cases identified by UNHCR.

In the late 1980s, the major focus of resettlement activity shifted to the Middle East. The Iran/Iraq war and repressive regimes generated significant protection and resettlement needs. Serious religious persecution of Iranian Baha'i followed the creation of the Islamic Republic of Iran in 1979, and many of those who sought asylum in neighbouring countries such as Turkey and Pakistan during the 1980s were later resettled. In 1991 the first Gulf War displaced approximately two million Iraqis in scarcely three weeks. While the majority voluntarily repatriated, resettlement was the only durable solution for some Iraqis at risk in Turkey. In 1992, following the first Gulf War, UNHCR sought to resettle some 30,000 Iraqis from Saudi Arabia after efforts to secure voluntary repatriation and local integration failed. Between April 1992 and June 1997, approximately 21,800 Iraqis were accepted for resettlement under one of the only multi-year larger scale movements of the 1990s.

Another major challenge arose in 1992 when inmates from places of detention in Bosnia and Herzegovina needed to be resettled. An emergency operation started on 1 October 1992 under an agreement with the International Committee of the Red Cross (ICRC) who transferred detainees to a UNHCR centre in Croatia. By early July 1993, 22 countries had offered temporary protection or resettlement to the ex-detainees and their families and over 11,000 people had left for third countries. By June 1997, UNHCR had been directly involved in resettling some 47,000 refugees from former Yugoslavia.

In 1999, following the Kosovo crisis, resettlement was used to support the UNHCR relief operation and "humanitarian evacuation programme" (HEP). By the end of the emergency, almost 96,000 refugees in 28 host countries had benefited from HEP. Some of the host countries used their annual resettlement quotas to support this burden-sharing initiative. Refugees that were received as part of the HEP under regular resettlement quotas were allowed to remain permanently in the receiving country.

2.1.3 Strengthening resettlement consultation: the WGR and the ATCR

The "automatic refugee status" linked to fleeing the Cold War, which had guided some receiving States on who should be resettled, disappeared at the end of the 1980s. As a result, States increasingly looked to UNHCR for guidance on resettlement. Over the following years, the ratio of departures to UNHCR-identified refugees increased, as the major States refocused their resettlement programmes on cases identified by UNHCR. The need for consultation mechanisms between UNHCR and resettlement partners became more pronounced as States encouraged and supported UNHCR to strengthen its systems for identifying, submitting and resettling refugees.

Responding to ExCom encouragement and the recommendations of an internal evaluation on resettlement policy and practice conducted in 1994,[4] UNHCR took steps in the mid 1990s to develop regular multilateral consultative processes, strengthen its resettlement management capacity, and articulate resettlement policy and criteria. The release of the first version of this UNHCR Resettlement Handbook in 1996 was an outcome of these efforts. The Handbook established a comprehensive reference of UNHCR resettlement criteria, standards, procedures and priorities, and was complemented by a training programme for resettlement staff and government and NGO partners.

Working Group on Resettlement (WGR) and Annual Tripartite Consultations on Resettlement (ATCR)

The evaluation highlighted the importance of dialogue and cooperation between all the partners involved in resettlement, and called for UNHCR to establish mechanisms of systematic consultation with these partners. This led to the formation in 1995 of the Working Group on Resettlement (WGR), comprised of resettlement States, UNHCR, and International Organizations (initially only the International Organization for Migration). The WGR began meeting informally in 1995, and invited non-governmental organizations (NGOs) from resettlement States to their first formal meeting held in October 1995, in recognition of the role of NGOs as partners in action. This was the foundation of the Annual Tripartite Consultations on Resettlement, the first of which was held in June 1996. The Consultations quickly became a valued forum for strengthening partnerships and enhancing a consultative and collaborative approach to resettlement.

Working Group meetings are usually convened twice yearly, and the Chair rotates between resettlement States. The WGR provides an informal forum to discuss policy directions on resettlement and steer efforts to enhance the use of resettlement as a tool of international protection, a durable solution and a responsibility and burden-sharing mechanism. Since its formation the WGR has also assumed a prominent role in the protection initiatives of UNHCR, notably during the Global Consultations and the Convention Plus discussions, and as part of UNHCR's ongoing efforts to find solutions for protracted refugee situations. The WGR also supports the work of the ATCR helping both to prepare its meetings and follow up its recommendations.

UNHCR's Annual Tripartite Consultations on Resettlement (ATCR), held annually in June or July, have become the main forum for furthering the resettlement agenda. The work of the ATCR has *inter alia* focused on strengthening the role and strategic use of resettlement, promoting the emergence of new resettlement countries and the diversification of resettlement programmes and opportunities.

Participants in the ATCR include resettlement States, UNHCR, International Organizations and NGOs. Coordination is provided by the Working Group Chair, with support from the UNHCR and the NGO Focal Point, who is typically from the same country as the current Chair. The inclusion of NGOs is important to ensure a more effective and transparent consultation process.

[4] UNHCR, *Resettlement in the 1990s: A Review of Policy and Practice*, EVAL/RES/14, December 1994, http://www.unhcr.org/3ae6bcfd4.pdf

The ATCR and WGR meetings offer resettlement States, NGOs and UNHCR important opportunities to share information on resettlement needs and priorities, address operational issues, develop joint strategies to respond to specific populations in need of resettlement, and build consensus in ExCom for resettlement through many avenues, including establishing new programmes. At these meetings, UNHCR draws attention to populations for whom resettlement is a priority or could be used strategically, and it is here that UNHCR's report on Projected Global Resettlement Needs[5] is discussed in detail with partners.

2.1.4 Integration initiative

The establishment of regular opportunities to consult and the enhanced focus on harmonizing resettlement efforts also supported the expansion of the community of resettlement States in the late 1990s. Some of the "traditional" resettlement States generously provided financial assistance to help UNHCR diversify resettlement opportunities and set up twinning programmes between traditional and emerging resettlement States. The support also enabled UNHCR to assist States to establish the institutional infrastructure and programmes necessary for the successful integration of resettled refugees.

Recognizing that receiving communities are more likely to endorse and support national resettlement policies when integration is "successful", UNHCR launched a broad integration initiative in 2000. The emergence of new resettlement countries and the growing diversity of UNHCR resettlement submissions highlighted the need to complement the well-defined and commonly endorsed resettlement guidelines outlined in the Resettlement Handbook with guidelines on the reception and integration of refugees in their new communities.

The International Conference on the Reception and Integration of Resettled Refugees (ICRIRR), held in Sweden in April 2001, provided an international forum for the exchange of integration experiences, processes and procedures, and served to strengthen formal and informal links between the traditional and new or emerging resettlement countries. The mutually supportive network of implementing partners formed amongst the resettlement countries helped underpin UNHCR's own capacity-building initiatives, and assisted the new countries to mobilize the resources they required to sustain their resettlement programmes.

A set of principles was endorsed at the conference which provided the foundation for a new handbook: *Refugee Resettlement: an International Handbook to Guide Reception and Integration*.[6] Targeted at programme planners, it gives examples of good practices for managing initial reception, preparing host communities, language training, education, and employment and addresses issues that planners should consider in order to ensure that the needs of all resettled refugees are taken into account.

[5] The *UNHCR Projected Global Resettlement Needs* reports are produced annually based on the information submitted by each country operation's proactive resettlement planning. These reports are generally for restricted distribution, though a public version is often made available following the ATCR.

[6] UNHCR, *International Conference on the Reception and Integration of Resettled Refugees, 25-27 April 2001-Norrköping, Sweden. Proceedings Report*, 27 April 2001, http://www.unhcr.org/refworld/docid/3da1b7034.html

The Handbook describes integration in the following manner:

- Integration is a mutual, dynamic, multifaceted and ongoing process. From a refugee perspective, integration requires a preparedness to adapt to the lifestyle of the host society without having to lose one's own cultural identity.
- From the point of view of the host society, it requires willingness for communities to be welcoming and responsive to refugees and for public institutions to meet the needs of a diverse population.
- Integration is multi-dimensional in that it relates both to the conditions for and actual participation in all aspects of the life of the country of resettlement as well as to refugees' own perceptions of acceptance by, and membership in, the host society.
- Opportunities for resettled refugees to become citizens and to enjoy full and equal participation in society represent an overarching commitment by governments to refugee integration.
- Family reunification is crucial to refugee integration. Similarly, relatives and ethnic community networks can play key roles in successful refugee integration.
- A multi-dimensional, comprehensive and cohesive approach that involves families, communities and other systems can help refugees to restore hope and to rebuild their lives.[7]

2.1.5 Resettlement as a durable solution reconsidered

After the turn of the century, the reality that the majority of refugees were in protracted refugee situations with no prospect of timely and safe solutions, the proliferation of conflict-driven displacement and the increasing pressures of mixed migratory flows compelled UNHCR and the international community to reconsider the use of resettlement as a durable solution, particularly for groups.

It is a fundamental objective of resettlement policy to provide a durable solution for refugees unable either to voluntarily return home or remain in their country of refuge. As the High Commissioner stressed, in "*too many places refugee protection is becoming eroded for want of durable solutions. Let us remember that, for the refugee, the ultimate protection lies in the solution*."[8]

Resettlement acquired new impetus and a broader focus following adoption of the *Agenda for Protection* in 2002 and the Convention Plus initiative in 2004. The *Agenda for Protection* called for the expansion of resettlement opportunities by:

- enhancing the number of resettlement countries;
- making more strategic use of resettlement to benefit as many refugees as possible;
- developing capacity-building programmes with new resettlement countries;

[7] UNHCR, *Refugee Resettlement. An International Handbook to Guide Reception and Integration*, September 2002, http://www.unhcr.org/refworld/docid/405189284.html

[8] See UNHCR, *Chairman's Summary: Inaugural Meeting of the (Convention Plus) Forum*, 27 June 2003, http://www.unhcr.org/refworld/docid/471dcaedo.html

- encouraging resettlement countries to increase their quotas;
- diversifying the intake of refugee groups; and
- introducing more flexible resettlement criteria.

Improvements undertaken by UNHCR include better management of its resettlement activities; a more comprehensive approach to the use of resettlement as a durable solution; enhanced partnership in resettlement processing; planning for the use of resettlement in a more strategic manner to maximize the benefits offered by this solution to individuals other than those who are resettled; the inclusion of a proactive planning tool for resettlement in Country Operations Plan under which all UNHCR field offices are responsible for examining possible resettlement needs within their operation; and the introduction of a methodology for group resettlement.

Resettlement therefore, has re-emerged as an important expression of international solidarity and responsibility sharing and a durable solution, while remaining an invaluable tool of protection. The emphasis now is on proactive planning to comprehensively assess and identify resettlement needs, and using resettlement strategically within a comprehensive approach to durable solutions in order to maximize the protection benefits.

2.2 ENHANCING THE USE OF RESETTLEMENT

2.2.1 Strategic use of resettlement

Charged by the *Agenda for Protection* to explore the strategic use of resettlement, the Working Group on Resettlement analyzed how resettlement can be planned to maximize the *overall* benefits, beyond those accruing to the refugees being resettled. It was recognized that resettlement needs to be approached in an integrated manner, from policy formation through selection to the integration of resettled refugees in their new countries. Overall, creating the conditions for a more strategic use of resettlement allows States to engage in truly international cooperation and solidarity for the benefit of refugees, and to make multi-year commitments to enhance predictability and support comprehensive solutions.

The Working Group on Resettlement defined the **strategic use of resettlement** as "*the planned use of resettlement in a manner that maximizes the benefits, directly or indirectly, other than those received by the refugee being resettled. Those benefits may accrue to other refugees, the hosting state, other states or the international protection regime in general.*"[9]

A number of short, midterm, or sometimes longer-term protection benefits derive directly or indirectly from the use of resettlement. While some benefits, such as the decongestion of camps, can be direct results of resettlement, and other situations may lead to unplanned dividends, achieving *specific* protection

[9] UNHCR, *The Strategic Use of Resettlement*, 3 June 2003, http://www.unhcr.org/refworld/docid/41597a824.html

benefits requires concerted and coordinated efforts and investments by stakeholders.

UNHCR's 2010 *Position Paper on the Strategic Use of Resettlement*[10] emphasized that these specific protection results could be designed in a way to progressively achieve larger strategic impacts over time. Strategic planning includes clear illustration of incremental protection dividends expected from diverse resettlement contributions over a period of time, in order to maximize concerted efforts by various stakeholders.

The position paper outlines examples of the types of protection benefits that may arise in the context of resettlement through the engagement of key stakeholders. Possible benefits in the **countries of first asylum** include:

- **strengthen the protection environment**, by encouraging host States to retain access to asylum, adhere to the principle of *non-refoulement*, reduce detention and widen the protection space;
- **unlock alternative durable solutions** through encouraging dialogue with a host country on building a more favourable protection environment and forging strategies for comprehensive solutions;
- **impact the behaviour and attitudes in countries of asylum** encouraging them to provide refugees with access to livelihood opportunities, health care, employment, education and to freedom of movement and residence;
- **decongest or consolidate camps** and reduce demands on assistance programmes and scarce environmental resources;
- **reduce unnecessary in-country population movements**, such as between urban areas and refugee camps and settlements, by strengthening access to resettlement in a balanced and equitable way within countries of asylum;
- **foster community cohesion** and provide opportunities for services previously accessible to refugees to be made available to neighbouring host communities; and strengthen civil society participation and capacity in the area of refugee protection;
- **influence the behaviour and attitudes of refugees** and others of concern, for example by reducing dependency and sexual and gender-based violence, increasing enrollment in education and vocational training and encouraging livelihood options;
- **facilitate remittances** from resettled refugees to refugees in countries of asylum;
- **strengthen refugee mobilization and participation** in peace-building initiatives.

Improved and equitable access to resettlement can also impact the **regional context**, including: reducing push-pull factors leading to secondary movements, trafficking and smuggling; strengthening regional cooperation and migration management through responsibility sharing; and generally encouraging interest in strengthening refugee protection and developing resettlement programmes.

[10] UNHCR, *Position Paper on the Strategic Use of Resettlement*, 4 June 2010, http://www.unhcr.org/refworld/docid/4c0d10ac2.html

Strategic use of resettlement can also strengthen the protection benefits accruing to **resettlement countries**. These include: expanding the range and quality of services available to asylum-seekers; fostering positive attitudes towards refugees and reducing xenophobia, and enriching the cultural and socio-economic diversity within communities.

UNHCR has put strategic planning of resettlement into practice in order to enhance protection on a broader scale. These efforts have included various negotiated arrangements to improve the protection conditions in the country of asylum (such as mitigating the risk of *refoulement)*; and to ensure that appropriate documents are issued to asylum-seekers and refugees (e.g. in Egypt, and Turkey), that UNHCR has access to refugees in detention (e.g. in China) and that asylum space is kept open (e.g. in Syria).

Example: closing Al-Tanf camp

Al-Tanf was a refugee makeshift camp located on a narrow strip in no man's land between the borders of Syria and Iraq. It was set up in May 2006 for Palestinian refugees fleeing persecution in Iraq as no country in the region would accept them.

Refugees in the camp suffered from severely restricted freedom of movement, inadequate living conditions, physical insecurity, and very limited access to medical and other services. Constant exposure to harsh desert conditions including extreme temperatures, sandstorms, floods and the risk of fire threatened their health and well-being. With no prospect of admission to Syria or return to Iraq, resettlement was identified as the only viable durable solution for the Palestinian refugees in Al-Tanf and other camps.

As a result of joint efforts with the Syrian authorities and resettlement countries, more than 1,000 Palestinian refugees were resettled to third countries, including through the use of Emergency Transit Facilities. The Al-Tanf camp was finally closed in February 2010.

Resettlement of ex-Iraq Palestinian refugees is a concrete expression of responsibility sharing, and has helped to improve the protection environment in the region. Beyond ending the suffering of the resettled refugees, it has further strengthened UNHCR's cooperation and dialogue with the governments to help preserve and expand the existing protection space, and has contributed to a better and more systematic access to detention in some places. Overall, resettlement has resulted in better protection response to persons of concern in the region.

Resettlement must be integrated within broader protection and intervention strategies and reflect regional priorities. Experience has shown the importance of multi-year planning and sustained commitment to the phased implementation of comprehensive strategies, particularly where diplomatic efforts and development assistance are linked to the strategic use of resettlement.

In many situations States will need to adopt a multi-faceted approach involving development aid, diplomacy and engagements that go beyond resettlement itself. Defining in advance which potential protection benefits may realistically

result from resettlement and clarifying the roles of key stakeholders requires dialogue among interested States. The establishment of "core" or "focus groups", involving interested States, UNHCR and potentially NGO partners can provide an effective forum for dialogue and coordination. Involving a larger number of resettlement States demonstrates international solidarity and may maximize the strategic dividends.

Defining measurable benchmarks and time frames to evaluate protection benefits will assist to mobilize efforts and focus on results. NGOs and civil society (including refugees) have a key advocacy role to play supporting strategic resettlement initiatives and defining in advance which potential protection benefits may realistically result from resettlement engagement. While resettlement should not be conditional on improvements in countries of asylum, it can be linked to protection objectives such as improvement in detention conditions, work permits, and the opening of local integration for particular profiles of refugees.

Overall, resettlement should not be conditional upon other protection benefits that may arise from its use. In general, any protection benefits that result from the [strategic] use of resettlement should be seen as additional and complementary to the benefits gained by resettled refugees themselves.

2.2.2 Group methodology

Strategic use of resettlement called for greater focus on the resettlement of groups of persons. In collaboration with resettlement States UNHCR developed operational procedures to identify and facilitate the processing of groups of refugees in need of resettlement as a durable solution. Among groups that were resettled early in the 21st century were the Sudanese "Lost Boys", and the Somali Bantu, Madhiban and Benadir minorities, all from protracted refugee situations in Kenya. The UNHCR *Methodology for Group Resettlement*, released in 2003, provides UNHCR offices with a framework for the identification of refugee groups in need of resettlement.

A group is defined as a specific refugee population whose members have a sufficiently common flight history, circumstances, fear of return, and need for resettlement that can be credibly articulated and proposed for resettlement. Because simplified UNHCR submission procedures offer significant savings of time and energy, the group methodology facilitated the significant increase in the numbers of cases submitted for resettlement, as well as the geographic expansion of resettlement activities in the years to follow.

The methodology was field tested in Africa, the Middle East and Central and Eastern Asia and adapted to suit local contexts, in consultation with resettlement States. Resettled groups include: Liberian refugees from Guinea and Sierra Leone, Somali refugees from Kenya, Burundian refugees from the United Republic of Tanzania, Congolese refugee survivors of the Gatumba massacre from Burundi, Eritrean refugees from Ethiopia, Eritrean refugees from Saudi Arabia, Afghan refugees from Tajikistan, Uzbek refugees from Kyrgyzstan, Myanmar refugees from Thailand and Malaysia, and Bhutanese refugees from Nepal.

Identifying groups involves a careful weighing of various factors, protection concerns, and practical considerations – all with the aim of using resettlement strategically to improve the overall protection environment. To enhance collaboration around some protracted situations, States formed Core Groups within the Working Group on Resettlement. These Core Groups facilitated the engagement of the international community in seeking to unlock these protracted situations, both through policy making on comprehensive solutions, and coordinated multi-year resettlement planning. *The use of the group methodology is discussed in more detail in* ***Chapter 5.7***.

Example: Core Group on Bhutanese Refugees in Nepal

In November 2005, seven countries organized themselves in Geneva into a working group called the Core Group on Bhutanese Refugees in Nepal in order to provide political support to UNHCR and to encourage the governments of Nepal and Bhutan to work toward a comprehensive solution to this protracted refugee situation.

In the late 1980s, the Royal Government of Bhutan's efforts to impose a single national culture and language and to restrict citizenship led to a further rise in tensions and the eventual displacement of over 100,000 ethnic Nepalese from Bhutan to Nepal between 1988 and 1993. These refugees have resided in overcrowded camps in eastern Nepal since the early 1990s without any prospects of voluntary repatriation or meaningful local integration.

The initial Core Group members of Australia, Canada, Denmark, the Netherlands, New Zealand, Norway and the United States of America were joined in 2010 by the United Kingdom.

In 2007, after the collaboration of UNHCR and the Government of Nepal in the registration and census of the refugees in the seven camps, the Core Group called on all parties to work cooperatively to resolve the humanitarian situation, and announced their multi-year commitments to resettle the majority of the 108,000 Bhutanese refugees registered.

Mindful of the meaningful role that international solidarity and burden sharing can play, members of the Core Group reiterated their wish to work closely with the governments of Nepal and Bhutan to facilitate all forms of durable solutions. Some Core Group countries also stand ready to provide assistance for repatriation efforts to Bhutan.

By the end of 2010, over 40,000 Bhutanese refugees had been resettled as a result of the collaboration and commitment of all parties involved.

2.2.3 Focus on protracted situations

Over half of the refugees for whom UNHCR is responsible have been living in exile for years or even decades on end, without any immediate prospect of finding a solution to their situation. The plight of millions of refugees throughout the world who live in protracted refugee situations is one of UNHCR's and the international community's greatest challenges. Addressing the problem in a more effective

and equitable manner requires commitments from the international community: to action; to principles of international solidarity and responsibility sharing; to cooperation and coordination; to international human rights standards; and to the search for diversified and complementary solutions.

The 2009 ExCom *Conclusion on Protracted Refugee Situations* highlighted again that protracted refugee situations may increase the risks to which refugees are exposed. It emphasized the need to redouble international efforts and cooperation to find practical and comprehensive approaches to resolving their plight and to realize durable solutions for them. It called on States and UNHCR to actively pursue the strategic and increased use of resettlement in a spirit of international burden and responsibility sharing. It encouraged States to provide more resettlement places and to explore flexible resettlement criteria, acknowledging that many refugees in protracted situations may face difficulties in articulating a detailed refugee claim.

In December 2008 the High Commissioner's Dialogue on Protection Challenges focused on protracted refugee situations. It examined the many negative consequences they generate, and identified some emerging opportunities for resolving them.[11] The High Commissioner also launched a *Special Initiative on Protracted Refugee Situations*, which focuses on five situations in different parts of the world where refugees have been living in exile for long periods of time: Afghan refugees in the Islamic Republic of Iran and Pakistan; refugees from Myanmar in Bangladesh; Bosnian and Croatian refugees in Serbia; Burundian refugees in the United Republic of Tanzania; and Eritrean refugees in eastern Sudan.[12] Resettlement was identified as an integral component of durable solutions for three of these situations: the Islamic Republic of Iran and Pakistan, Bangladesh and eastern Sudan.

This identification of priority situations does not detract from UNHCR's ongoing focus on ameliorating conditions and finding solutions for refugees in protracted situations throughout the world.

2.2.4 Urban refugees

The release of UNHCR's revised urban policy in 2009 represents a new approach to addressing the issue of refugees in urban areas, including the recognition of their resettlement needs. This approach is a significant departure from the previous policy of giving primary attention to refugees in camps, and an acknowledgement that movement to urban areas can be a legitimate response to lack of access to livelihoods, education, and even physical and material security in camps.[13]

The revised policy reopens the complex discussion about the legitimacy of "secondary" or "onward" movements for refugees who have not found "effective

[11] UNHCR, *Protracted Refugee Situations*, 20 November 2008, UNHCR/DPC/2008/Doc. 02, http://www.unhcr.org/refworld/docid/492fb92d2.html

[12] For an overview of the five priority situations, see UNHCR, *Protracted Refugee Situations. High Commissioner's Initiative*, December 2008, http://www.unhcr.org/refworld/docid/496f041d2.html

[13] UNHCR, *UNHCR Policy on Refugee Protection and Solutions in Urban Areas*, September 2009, http://www.unhcr.org/refworld/docid/4ab8e7f72.html

protection". While ExCom Conclusion 58 stipulates that refugees who have found effective protection in a given country should normally not move to another State in an irregular manner, and some resettlement States have been hesitant to resettle those who they feel may have moved irregularly, UNHCR acknowledges that the actual effectiveness of protection offered must be carefully assessed.

Effective protection

"A refugee who is unable to live in decent and dignified conditions and who has no real prospect of finding a durable solution in or from their country of asylum within a reasonable timeframe cannot be considered to have found effective protection. When a refugee moves to seek reunification with immediate family members who are not in a position to reunite in that person's country of first asylum, and when a refugee moves as a result of other strong linkages with the country of destination, the onward movement may also be justified."[14]

It is a global priority for UNHCR to ensure that refugees who are in need of resettlement have fair and transparent access to resettlement processes, irrespective of their location. The policy recognizes that effective and equitable management of resettlement can be a particular challenge in urban settings, in general because refugees may be difficult to identify, and more specifically because the most vulnerable among them are sometimes the least visible and vocal.

Accurate and continuous registration of refugees in urban settings is vital to offering protection, including resettlement consideration. It must be complemented by effective outreach and identification and referral systems for vulnerable refugees for whom resettlement may be the most appropriate form of protection. The involvement of NGOs and other partners is critical – especially those involved in the provision of medical assistance, social or legal counselling. *Identification methods and partners are discussed in more detail in* ***Chapter 4***.

In order to avoid unrealistic expectations and the security problems that they can generate, UNHCR endeavours to keep all refugees fully informed about resettlement prospects and procedures. In the urban context, communicating with refugees can be more challenging, and resettlement activities must be tailored to the specific characteristics of each urban area and managed in a manner that mitigates the risks associated with resettlement. Refugees who are already in the resettlement process will be encouraged, for example, to remain actively engaged in self-reliance and educational activities pending the outcome of that process, and will also be urged to explore other solution options where these exist.

In follow-up to the release of the revised urban policy and the 2009 High Commissioner's Dialogue on Protection Challenges, UNHCR has identified seven "pilot sites" where special effort will be made to engage with partners. These cities are: Nairobi, Desamparados (San Jose), Kuala Lumpur, Dushanbe, Moscow, St Petersburg, and Cairo.

[14] *Ibid*, at para 154.

2.3 STRENGTHENING GLOBAL MANAGEMENT OF RESETTLEMENT IN UNHCR

Redoubling the search for durable solutions, including by expanding and making more efficient use of resettlement as called for by the Global Consultations and the *Agenda for Protection,* required UNHCR to increase its capacity to resettle refugees. The number of resettlement operations increased considerably, and in addition to developing policy guidance, UNHCR has strengthened its operational capacity and management of global resettlement activities.

The focus on multi-year planning, improvements in identification, increased capacity for resettlement processing, and the strengthened role of resettlement in comprehensive solutions strategies have all contributed to a significant increase in the identification and submission of persons in need of resettlement.

2.3.1 UNHCR-ICMC Resettlement Deployment Scheme

UNHCR established a deployment scheme in 1997 to increase its capacity to submit refugees for resettlement, and to provide an opportunity for skilled persons from NGOs to gain experience with a UNHCR resettlement field operation.

The deployment scheme offers an opportunity to bring experienced people from a variety of NGO and government backgrounds into the UNHCR organization, thus enhancing inter-organizational collaboration and expertise-sharing. Those deployed to a UNHCR field office increase their understanding of how the UNHCR resettlement programme functions, while UNHCR benefits from deployees' experience in community work in refugee-receiving and asylum countries.

The International Catholic Migration Commission (ICMC) has administered the deployment scheme since 1998, and has developed new tools to manage the scheme as it grows and changes over time. The deployment scheme is currently an important resource for UNHCR offices, enhancing their capacity to identify, assess, and submit resettlement cases.[15]

Although the formal status of persons working with UNHCR in resettlement may differ, throughout this Handbook, the term **"staff"** includes regular staff members, persons on temporary contracts, consultants, secondees, deployees and other affiliate workforce members, and staff of implementing partners specifically assigned to work with UNHCR.

[15] More information about the deployment scheme can be found at http://www.icmc.net/ and in Chapter 8 of this Handbook. Similar deployment schemes also exist to enhance the general capacity for protection work (Surge Protection Capacity Project), as well as to support refugee status determination (RSD) operations.

2.3.2 Structural developments

UNHCR has made a number of important structural changes, and has given increased attention to operational standards and safeguards to strengthen all stages of the resettlement process.

Upgrading and establishment of the Resettlement Service

In 2006, the Resettlement Section at Headquarters was upgraded to a Service, to improve the management of global resettlement activities and to reflect the important role of resettlement in UNHCR operations.

To ensure global coherence and consistency in resettlement delivery, UNHCR has strengthened its capacity to develop policy and provide regional oversight. UNHCR is thus better able to develop guidelines and operational tools to support field operations. Links within Headquarters, including between the Regional Bureaux, have also been strengthened, *inter alia*, by regular meetings that improve communication and coordination on policy and procedural developments and ensure that operational communications relating to resettlement activities are consistent.

Establishment of Regional Resettlement Hubs

Close coordination between UNHCR Headquarters and field offices is important for policy and operational purposes. UNHCR has established **Regional Resettlement Hubs** to improve coordination and planning in regions where the number of offices involved in resettlement, and the number of refugees resettled, have increased considerably.[16] These Regional Resettlement Hubs help manage the resettlement submissions on a regional basis and coordinate the implementation of global policies on a regional level, thereby ensuring greater consistency and transparency in the processing of resettlement. In addition, the Regional Resettlement Hubs reinforce the capacities of resettlement operations, a function that is particularly important for smaller country operations.

To facilitate coordination and provide a forum for planning, UNHCR holds annual regional strategic planning meetings on resettlement in each major region from where resettlement is undertaken. These meetings focus on issues and challenges that are specific to the regions concerned.

2.3.3 Operational tools

UNHCR has developed new tools to help the management of resettlement operations. It has streamlined identification and referral procedures, put in place an anti-fraud plan to enhance the credibility and reliability of processing, elaborated specific resettlement training programmes to strengthen staff

[16] Currently, there are two Regional Resettlement Hubs, also referred to as Regional Support Hubs: Nairobi (Kenya) and Beirut (Lebanon). There are also regional resettlement officers in Almaty (Kazakhstan), Bangkok (Thailand), Dakar (Senegal), Kinshasa (Democratic Republic of the Congo) and Pretoria (South Africa).

expertise, and increased the resources available for resettlement activities. UNHCR has also expanded its partnership arrangements with NGOs. These developments will be introduced in the operational chapters of this Handbook, where the stages of resettlement are discussed in greater detail. A few warrant mention here, however, due to their global nature: the global Baseline Standard Operating Procedures (SOPs), the *proGres* registration database, action to combat fraud, the *Heightened Risk Identification Tool* (HRIT) and the Emergency Transit Facilities.

Baseline Standard Operating Procedures (SOPs) on Resettlement

The Baseline Standard Operating Procedures on Resettlement[17] were developed by the Resettlement Service to ensure global standardization, transparency, and predictability in resettlement delivery, and to reinforce procedural safeguards to mitigate the risk of fraud. SOPs were previously developed independently by field offices, which presented considerable challenges in identifying gaps in service delivery. The global baseline SOPs set minimum standards against which all operations are measured, while still permitting office-specific procedures adapted to the size of the operation and the local situation. The baseline SOPs were introduced in the second half of 2007, but are continually updated and revised to reflect evolving resettlement policy developments.

proGres as a tool to manage resettlement

The *proGres* registration database was developed to help improve UNHCR registration standards and thus is not specifically a resettlement tool. However, when fully utilized, *proGres* is able to track information relating to individual refugees from the initial registration process until the implementation of the durable solution. By taking a comprehensive approach, it supports a wide range of UNHCR operations and situations, whether camp or urban based, from initial arrival and assistance provision, to refugee status determination, improved identification of specific needs, easy updating of changes in family composition, and transfer of data onto a Resettlement Registration Form (RRF). *proGres* also provides some useful safeguards against fraud by introducing biometrics to increase the security of registration documents, and providing the ability to conduct audit checks to assist with internal oversight. *proGres* is therefore a useful tool for the overall management of resettlement. *More detail on electronic records is provided in* ***Chapter 4.7.3***.

Combating fraud

Fraud and measures to prevent and address it have become serious concerns for both resettlement States and UNHCR. UNHCR developed a Resettlement Anti-fraud Plan of Action in 2004 in response to past experience of resettlement fraud which threatened the integrity of protection and resettlement activities.

[17] UNHCR, *Baseline Standard Operating Procedures on Resettlement*, revised 2011, (Internal) http://swigea56.hcrnet.ch/refworld/docid/48b6997d2.html

The Plan included the formulation of preventive strategies and tools to implement them from registration to resettlement processing; training and awareness-raising of UNHCR staff, implementing partners and refugees; and the development of policies related to the consequences of fraud. Anti-fraud measures have now been incorporated into the standard operating procedures for all resettlement operations. These safeguards reduce fraud, protect refugees from victimization, protect innocent staff from false allegations, and contribute to the overall credibility and effectiveness of UNHCR's resettlement activities. *Fraud safeguards are examined in more detail in* ***Chapter 4.4***.

Heightened Risk Identification Tool (HRIT)

The *Heightened Risk Identification Tool* (HRIT) was developed to enhance UNHCR's effectiveness in identifying refugees at risk by linking community-based and participatory assessments with individual assessment methods. The HRIT and accompanying User Guide have been designed to be used by UNHCR staff and implementing partners to identify individuals at risk who require immediate protection intervention. The tool has wide relevance and its use is not confined to the identification of refugees in need of resettlement. *More detail on the HRIT is provided in* ***Chapter 5.5.4***.

Emergency Transit Facilities

Threats of *refoulement* and other acute risks faced by refugees increasingly oblige UNHCR to resort to emergency resettlement, but the number of places available for "emergency" and "urgent" cases, and UNHCR's capacity to make emergency resettlement submissions, are both limited. Access to emergency resettlement is further restricted by procedural constraints such as security screening regulations, which delay decisions on admission to resettlement countries. There are also security situations or other specific contexts which prevent selection missions from resettlement States gaining access to refugees in the country of asylum. This combination of factors prolongs the stay of some refugees in some host countries and increases their exposure to protection risks.

To increase its capacity to provide protection, UNHCR has negotiated arrangements under which refugees may be evacuated temporarily to facilitate the processing for resettlement. Two models of temporary transit facilities have been established: an Emergency Transit Centre (ETC) model, as in Romania and the Slovak Republic, that have physical facilities for housing evacuated refugees, and an Emergency Transit Mechanism (ETM) such as that in the Philippines where there is no facility per se and where refugees are accommodated in a variety of types of housing. The term Emergency Transit Facility (ETF) is used to cover both situations.

The first tripartite agreement was signed in November 2008 by UNHCR, the Government of Romania and IOM. It established the Emergency Transit Centre (ETC) in Timisoara, which accepts a maximum of 200 persons at any given time. Similar agreements followed with the Philippines in 2009, for facilities in Manila, and, in 2010 with the Slovak Republic for facilities located in Humenné.[18]

[18] For more information on the figures, rationale and some of the challenges related to emergency

Evacuation to an ETF:

- provides timely and effective protection to an individual or group of individuals of concern to UNHCR;
- demonstrates a tangible form of responsibility and burden-sharing, enabling States not otherwise involved in emergency resettlement to accept cases from an ETF;
- provides access to groups of refugees whose asylum context prevented them from being processed for resettlement;
- enables refugees to live in a safe and secure environment, where services and assistance are available while they await for resettlement;
- offers resettlement countries a safe, stable location in which resettlement procedures such as interviews, cultural orientation courses and language classes may be conducted in optimal conditions;
- permits UNHCR, IOM, and Implementing Partners (IPs) to provide essential services and assistance to refugees coming from the most precarious situations, including refugees whose life, liberty or integrity are at risk in their first country of asylum;
- encourages States hosting ETFs to become involved in resettlement.

Active coordination of the overall evacuation process is required on the part of UNHCR field staff, ETF staff and Headquarters to ensure that emergency evacuation movements take place efficiently and in a predictable and systematic manner, minimizing unintended negative consequences.

Before an evacuation takes place, there usually must be agreement from a resettlement State to interview the refugees concerned, or to consider the case through a dossier review. This mitigates both the risk of refusal, and the danger that refugees may be stranded at the ETF, which could potentially jeopardize the entire process.[19] In exceptional circumstances refugees may be evacuated before a resettlement country has been identified. *Further information on the evacuation procedures is provided in Chapter 7.6.4.*

2.4 FURTHER EXPANDING THE RESETTLEMENT BASE

The number of resettlement countries has grown from the 10 "traditional" countries in the 1980s, to 25 countries that have established resettlement programmes, or have committed themselves to implementing programmes.[20]

resettlement, see UNHCR, *Information Note on Emergency Resettlement and the Use of Temporary Evacuation Transit Facilities*, 19 May 2010, http://www.unhcr.org/refworld/docid/4bf3adfb2.html

[19] Some Tripartite Agreements contain clauses that allow the host country to suspend the arrival of new cases if refugees in country remain too long without a solution. Under this suspension, no new refugees would be allowed to come to the ETF until the residual caseload drops to an agreed level.

[20] For more information on current resettlement trends and figures, see the *Resettlement Fact Sheet*, available from the Resettlement page under Durable Solutions on the UNHCR Intranet or *Frequently Asked Questions about Resettlement* from the Resettlement page on the UNHCR web site at http://www.unhcr.org

Resettlement States worldwide (as of December 2010)

Argentina, Australia, Brazil, *Bulgaria, Canada, Chile, the Czech Republic, Denmark, Finland, France, *Hungary, Iceland, Ireland, Japan (pilot programme), the Netherlands, New Zealand, Norway, Paraguay, Portugal, Romania, Spain, Sweden, United Kingdom, Uruguay, United States of America

* programme to be implemented as from 2012

Nevertheless, the overall number of resettlement or "quota" places that individual States provide has not kept pace with the number of refugees identified as in need of resettlement, or UNHCR's enhanced and predictable submission capacity.

UNHCR continues to pursue three parallel efforts to bridge the gap. These are:

- encouraging more countries to establish resettlement programmes (or to consider *ad hoc* resettlement submissions from UNHCR);
- requesting established resettlement countries to increase their existing (annual or multi-year) resettlement programmes; and
- prioritizing responses to resettlement needs and submissions, in light of the limited resettlement places available.

The ATCR forum has also played a crucial role in encouraging the expansion of the resettlement and providing support for new resettlement countries. Since the major push to expand the number of resettlement States in the late 90s, two major regional initiatives have encouraged more States to participate: the Latin American Solidarity Resettlement Programme and the proposal for a joint European Union resettlement programme.

2.4.1 Solidarity Resettlement Programme

In November 2004, on the 20th anniversary of the Cartagena Declaration on Refugees, the Mexico Plan of Action (MPA) was adopted by 20 Latin American Countries. The MPA is an innovative protection initiative for the region. Addressing both refugee and IDP movements, it focuses on urban settings and marginalized border areas. The MPA also gave new impetus to resettlement in the region through its Solidarity Resettlement Programme. Chile and Brazil had been resettling small numbers of refugees since 2002: they have increased their quotas, and have been joined by Argentina, Uruguay and Paraguay.

The main principles of the Programme are responsibility sharing, international solidarity and the promotion of the strategic use of resettlement in the region. Resettlement helps maintain an open space for asylum in the three countries which currently host the greatest number of asylum-seekers and refugees, namely Costa Rica, Ecuador, and Venezuela. The Solidarity Resettlement Programme concretely expresses the will of Latin American countries to support countries in the region hosting large number of refugees. The programme receives financial and technical support from established resettlement countries to consolidate the existing programme and to build the capacity of the new resettlement countries in Latin America.

2.4.2 European resettlement and the European Refugee Fund

UNHCR, governments and non-governmental actors have been working closely with the European Commission to encourage more European Union Member States to engage in refugee resettlement, and to encourage established European resettlement countries to increase the number of places available.

The European Commission's European Refugee Fund currently provides various forms of financial assistance to Member States that carry out resettlement, and allocates funds for the resettlement of specific categories of refugees.

These initiatives have supported the emergence of new resettlement countries in Europe including the Czech Republic, France, Romania, Portugal, Spain, Bulgaria, and Hungary. The overall number of European places, nevertheless, remains relatively low.

Essential reading

- UNHCR, *Refugee Resettlement. An International Handbook to Guide Reception and Integration*, September 2002, http://www.unhcr.org/refworld/docid/405189284.html
- UNHCR, *Protracted Refugee Situations*, 20 November 2008, UNHCR/DPC/2008/Doc. 02, http://www.unhcr.org/refworld/docid/492fb92d2.html
- UNHCR, *Protracted Refugee Situations. High Commissioner's Initiative*, December 2008, http://www.unhcr.org/refworld/docid/496f041d2.html
- UNHCR, *UNHCR Policy on Refugee Protection and Solutions in Urban Areas*, September 2009, http://www.unhcr.org/refworld/docid/4ab8e7f72.html
- UNHCR, *Progress report on resettlement*, 31 May 2010, EC/61/SC/CRP.11, http://www.unhcr.org/refworld/docid/4c5ac6942.html
- UNHCR, *UNHCR Projected Global Resettlement Needs 2011*, June 2010, http://www.unhcr.org/refworld/docid/4c5acc3e2.html

2.5 CURRENT RESETTLEMENT ENVIRONMENT AND CHALLENGES

History has shown that when the needs are compelling, and the political will exists, resettlement can be arranged quickly and efficiently. Recognizing the international community's renewed awareness of the strategic potential of resettlement, UNHCR has enhanced the positioning of this important tool within broader protection frameworks, and resettlement has become part of the operations of the majority of UNHCR offices throughout the world.

Renewed attention on resettlement has presented both opportunities and challenges.

Shrinking protection space, shrinking humanitarian space, decline in availability of durable solutions

Resettlement must always be considered within the overall protection context, where there are major challenges. The climate for international protection continues to be restrictive in many ways, posing contemporary challenges and impacting the search for durable solutions including resettlement. During the past decade, the number of internally displaced persons (IDPs) has increased considerably, and there has been no reduction in the overall number of refugees, reflecting a decrease in the availability of durable solutions.[21]

Refugees and asylum-seekers are indiscriminately affected by measures introduced since the 1980s to control irregular migration, making asylum seeking and, irregular migration highly politicized and shrinking the overall protection space. These measures include more extensive border monitoring, posting liaison and "interdiction" officers abroad, stricter visa regimes, and carrier sanctions. As the options for regular arrival have reduced, refugees have increasingly relied on smugglers and traffickers to cross borders. UNHCR has highlighted concerns that measures to control or manage migration should include special safeguards for refugees and asylum-seekers to access territory and asylum procedures.

The international humanitarian space itself is also shrinking, as ongoing conflict, insecurity and instability in entire regions in Africa, Asia and the Middle East hinder access to UNHCR's persons of concern, and endanger those delivering humanitarian assistance.[22]

The possibility of resettlement creates high expectations among many refugees whose status or safety is insecure. Action to expose fraud, slow-moving processes, delayed departures or rejected resettlement applications can also put the safety of UNHCR and partner staff in the field at risk.

In many refugees' countries of origin, successful return and reintegration have been hindered by stalled or failed peace processes, the presence of landmines, insufficient registration, inadequate reception capacity, and shortages of services and livelihood opportunities. As per UNHCR's 2009 Global Trends report, only 251,500 refugees voluntarily returned to their country of origin with UNHCR support in 2009, less than half the number from 2008, and the lowest number since 1990.[23]

Host country economic difficulties, coupled with social and political factors have rendered the realization of full self-sufficiency a challenging prospect in many parts of the world, although local integration has emerged as a viable solution

[21] According to the UNHCR, *2009 Global Report* (p. 17), "At the beginning of 2009, there were more than 36 million people of concern to UNHCR (the highest figure on record), including some 10.4 million refugees. The number of people displaced within their own country as a result of conflict grew to an estimated 26 million, with 15.5 million of them benefiting from UNHCR protection and assistance." http://www.unhcr.org/gr09/index.html

[22] For a more detailed discussion of current protection trends, see UNHCR, *Note on international protection : report /by the High Commissioner*, 30 June 2010, http://www.unhcr.org/refworld/docid/4caaeabe2.html

[23] UNHCR, *2009 Global Trends*: *Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*, June 2010, http://www.unhcr.org/refworld/docid/4caee6552.html

for some refugees in Africa.[24] With the lack of voluntary repatriation and local integration opportunities, the need for resettlement is growing.

Gap between resettlement needs and resettlement places

There has been considerable expansion both in the number of resettlement places available and the number of departures since the mid 1990s.

However, despite the welcome addition of new resettlement countries, the overall number of places for resettlement has not kept pace with the increased resettlement need. In 2010 UNHCR estimated that over 800,000 refugees are in need of resettlement over the next several years. With only approximately 80,000 places available annually, there is a huge gap of vulnerable refugees without a solution.[25] UNHCR and existing resettlement partners continue to explore further opportunities to bridge the gap.

Concerns related to security

Security concerns have also come to the forefront, particularly since the terrorist attacks of 11 September 2001 in the United States of America. In response to concerns about terrorism, some States are interpreting and applying the definition of a refugee more restrictively, particularly with respect to the exclusion clauses. In the resettlement context, security concerns and domestic political pressures have also contributed to lengthening processing times and reducing options for certain refugee populations.

Fraud in the processes

Refugee status and resettlement places are valuable commodities, particularly in countries with acute poverty, where the temptation to make money by whatever means is strong. This makes the resettlement process a target for abuse. UNHCR has taken a strong stand to combat fraud and corruption to preserve the integrity of resettlement, and has put in place sanctions for refugees who perpetrate resettlement fraud.[26] The possibilities for abuse are not, however, a reason for reducing resettlement where the need for it persists.

Integration concerns

For resettlement to be truly a durable solution, resettled refugees require support to integrate into their new communities. Ensuring that the refugees they

[24] The United Republic of Tanzania naturalized 162,000 Burundians as part of the comprehensive solution to this refugee situation. A further 53,600 Burundian refugees opted to repatriate with the help of UNHCR.

[25] In 2009, 84,657 refugees departed to 24 countries of resettlement, the largest number since the early 1990s. For statistics and needs projections, see UNHCR, *UNHCR Projected Global Resettlement Needs 2011*, June 2010, http://www.unhcr.org/refworld/docid/4c5acc3e2.html and subsequent annual updates.

[26] See UNHCR, *Policy and Procedural Guidelines: Addressing Resettlement Fraud Perpetrated by Refugees*, March 2008, http://www.unhcr.org/refworld/docid/47d7d7372.html

resettle integrate effectively remains a major focus for resettlement States, and developing their structural capacity to receive refugees remains a challenge for some of the newer resettlement countries.

UNHCR has sought to draw the attention of States to the specific integration needs of resettled refugees, and to encourage integration programmes that focus on a two-way exchange to create welcoming communities and foster positive integration. Negative public attitudes towards persons of concern threaten the protection environment and increase difficulties for UNHCR to secure resettlement places for refugees from certain regions. Racial discrimination and related intolerance are common causes of flight which can also put refugees at risk at subsequent stages of the displacement cycle, including during integration into their new resettlement community.[27]

Managing resettlement effectively

Effective management of resettlement requires the active collaboration of many actors, including host countries, resettlement States, NGOs and other partner organizations, and the refugees themselves.

However, any collaboration has its challenges. While host country governments are generally supportive, some have imposed restrictions that limit the access of UNHCR and resettlement countries to refugees, hamper the departure of refugees and generally undermine resettlement country processing.

Discriminatory selection criteria adopted by some resettlement States can limit the access to resettlement for refugees most at risk, and have a negative impact overall on the global resettlement programme. The processing times for resettlement cases remains long and unpredictable, which has a particularly adverse impact on emergency and urgent cases. Restrictions and delays at any stage of the process can undermine effective protection.

UNHCR and resettlement partners continue to strive to overcome these challenges through improved cooperation and multi-year planning, strengthened partnerships to improve protection delivery, and more efficient processing.

Further reference

- UNHCR, *Frequently Asked Questions about Resettlement*, September 2009, http://www.unhcr.org/refworld/docid/4acod7e52.html
- UNHCR, *Note on international protection: report /by the High Commissioner*, 30 June 2010, http://www.unhcr.org/refworld/docid/4caaeabe2.html
- UNHCR, *2009 Global Trends*: *Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*, June 2010, http://www.unhcr.org/refworld/docid/4caee6552.html
- UNHCR, *Progress report on resettlement*, 31 May 2010, EC/61/SC/CRP.11, http://www.unhcr.org/refworld/docid/4c5ac6942.html

[27] UNHCR, *Combating Racism, Racial Discrimination, Xenophobia and Related Intolerance through a Strategic Approach*, IOM/067/2009 – FOM/066/2009, 21 December 2009, (Internal) http://swigea56.hcrnet.ch/refworld/docid/4b30941e2.html