



**European Commission consultation meeting on the EU resettlement scheme
Brussels, Friday 12 December 2008**

BACKGROUND PAPER FROM UNHCR: EU RESETTLEMENT

I. CONTEXT: PROPOSAL FOR AN EU RESETTLEMENT SCHEME

The European Commission's Policy Plan on Asylum (June 2008) offers an important opportunity to promote greater participation by EU Member States in worldwide refugee resettlement efforts. In this document, UNHCR outlines policy and procedural considerations to be examined and possible approaches to adopt in developing an EU resettlement scheme.

1. Introduction

UNHCR welcomes the importance placed upon resettlement as an important and integral part of the external dimension of EU asylum policy.¹ Resettlement is a concrete demonstration of responsibility sharing and provides refugees with protection and a durable solution. Several EU Member States have established resettlement programmes which have been in place for a number of years. Through these programmes, those Member States have provided protection to many vulnerable refugees. At the same time, such Member States have demonstrated responsibility-sharing with countries in the developing world and have also strengthened their own refugee protection systems through the development of good practices in the reception and integration of resettled refugees, partnerships and resource mobilization.

Political will is needed to reach a substantial and sustained EU commitment to resettlement which would result in additional resettlement places. UNHCR, governmental and non-governmental actors have been closely working with the Commission to urge more European countries to engage in regular resettlement, and existing resettlement countries to expand the number of places made available for resettlement. While there has been some increase in the uptake of resettlement by Member States in recent years, the European share of the global resettlement of refugees remains modest. At present, eight EU Member States have active resettlement programmes (Denmark, Finland, France, Ireland, the Netherlands, Portugal, Sweden and the UK, with the Czech Republic launching a pilot scheme in 2008). In 2007, EU Member States collectively resettled around 3,935 refugees (or 7.9% of the global total of resettled refugees).²

The Commission's Policy Plan on Asylum offers an important opportunity to promote greater participation by EU Member States in worldwide refugee resettlement efforts. However, resettlement must be a complement to – and not a substitute for – the provision of protection to persons who apply for asylum in the EU or at its borders. It should also function in parallel with the other durable solutions of voluntary repatriation and local integration, and wherever possible in a complementary manner.

¹ See Annex 1: 'History: Recent developments on EU resettlement and UNHCR support'.

² See Annex 2: 'EU Member States undertaking resettlement of refugees from third countries'.

2. Current policy context

UNHCR believes that the Policy Plan represents a significant opportunity to advance efforts by EU Member States in global refugee resettlement. For UNHCR, solidarity with other (non-EU) countries is an important priority which is rightly reflected in the Policy Plan. The Policy Plan sets a 2009 timeline for proposals on a common EU resettlement scheme, Protected Entry Procedures³ and Regional Protection Programmes (RPPs). In particular, UNHCR welcomes the Commission's intention to increase resettlement in the EU by 'developing an EU resettlement scheme', working with UNHCR and NGOs. UNHCR considers that the role of both UNHCR and NGOs is vital to facilitate the operation of any resettlement scheme.

Since the issuance of the Commission's Policy Plan, resettlement has unquestionably entered into mainstream discussion, with particular references to it at the French Presidency Conference on Asylum in September 2008 (in Paris) and in the 'European Pact on Immigration and Asylum' (adopted by the Council in October 2008). Further, in September/October 2008, upon invitation by the UK and Ireland, Belgium and Bulgaria joined (as observers) a resettlement selection mission to Tanzania, in the framework of an European Refugee Fund (ERF) project. This is the first project where two EU resettlement states (UK and Ireland) have organized a joint selection mission. Further examples of progress in 2008 are the Czech Republic's pilot scheme to resettle a group of Myanmarese refugees out of Malaysia and the resumption of resettlement by France. This latter progress was no doubt encouraged by the increased EU funding for resettlement under the ERF III (which covers the period 2008-2013).

Finally, in recent months, much EU discussion on resettlement has concerned the needs of Iraqi refugees. Following the 25 September and 24-25 July 2008 Justice and Home Affairs (JHA) Council meetings, Conclusions were reached concerning the situation of Iraqi refugees in the neighbouring countries and internally displaced persons in Iraq. As mandated by the September Conclusions, the Commission led a resettlement mission to Syria and Jordan at the beginning of November 2008. The purpose of the mission was to examine the resettlement needs of refugees from Iraq (i.e. Iraqis and Palestinians), currently living in Syria and Jordan and to investigate the possibilities for resettlement in Member States willing to receive them.

Findings from this mission fed into the 27 November 2008 JHA Council meeting. At this meeting, the Council adopted Conclusions which respond favorably to UNHCR's calls for more resettlement in the EU, stating that 'the objective could be to take in up to around 10,000 refugees, on a voluntary basis'.⁴ The Council's call for close cooperation between UNHCR and the Member States recognizes UNHCR's sustained efforts, including during the recent fact finding mission, to promote resettlement in the EU. The Conclusions are the most decisive and positive step the EU collectively has taken so far on resettling refugees. UNHCR and other international stakeholders look forward to seeing Member States act swiftly to fulfill their commitment and implement resettlement for vulnerable refugees from Iraq.

³ This notion is understood to allow a non-national to approach a potential host state outside its territory with a claim for asylum or other form of international protection, and to be granted an entry permit in case of a positive response to that claim, be it preliminary or final.

⁴ See Annex 3: 'Justice and Home Affairs Council Conclusions on the reception of Iraqi refugees, 27-28 November 2008'.

II. PROCEDURAL ASPECTS OF A POTENTIAL COMMON SCHEME

1. Introduction

UNHCR supports the ultimate objective of an EU resettlement scheme and believes that it has a critical role to play in its operation. Such an EU scheme should result in additional resettlement places beyond what Member States currently provide, should offer a high standard of protection and integration support for resettled refugees, and should not complicate the administration of resettlement by UNHCR and resettlement State authorities. UNHCR's task would be facilitated and expedited if there were ultimately a single referral and selection process for all EU resettlement countries, potentially based on overarching common criteria, as long as such a facility did not constitute another bureaucratic layer.

In the context of the Commission's decision to create an EU resettlement scheme, one important question relates to how the scheme could bring added value, extending beyond the opportunities already offered through the national resettlement programmes of some Member States. This links to the question of what the 'common' element should be, and how the joint efforts of EU Member States and institutions can improve the scope for protection in the EU overall.

For those States which are already resettlement countries, the most important 'added value' would be a commitment to further resettlement places, going beyond the numbers in pre-existing national quotas. For Member States which have not previously received resettled refugees, or not received them other than on an ad hoc basis, the decision to take part, even on a pilot basis would represent an important contribution and step forward for collective EU efforts.

UNHCR believes that Member States could usefully explore the use of multi-annual resettlement programmes. Such multi-annual programmes could facilitate a strategic use of resettlement and also assist the Commission more predictably to target and efficiently allocate necessary financial support. The multi-annual programmes could be developed in a similar fashion to those devised at the tour de table sessions on national refugee resettlement programmes held at the tri-annual Resettlement Working Group meetings, with the guidance of UNHCR and approval of the Commission.

2. Elements for implementation

Clearly, there are other elements of the implementation of an EU resettlement scheme which could be contemplated, and which could provide for more effective coordination, efficient use of resources, and impact of resettlement activities undertaken by EU States overall. Some of these possibilities – which take into account UNHCR's important facilitating role – are outlined below for consideration.

2.1 Criteria for resettlement

Member States which already have resettlement schemes have defined resettlement criteria, including some which are additional to those used by UNHCR in identifying and selecting refugees for resettlement referral.

If EU Member States wish to act collectively to provide more resettlement opportunities to refugees under a common scheme, there are significant efficiency benefits which could accrue from the application of joint criteria.

If several Member States were to offer resettlement places for a particular refugee caseload, the time and resources required for UNHCR to identify and prepare resettlement submissions could be significantly less if a single set of EU resettlement criteria were applied. Divergent criteria, by contrast, would require scrutiny of potential resettlement candidates with regard to a potentially wide range of different elements, and may entail lengthier processes to identify those candidates who might fit the criteria in each case.

If the number of resettlement places offered by a particular Member State is small, this labour-intensive exercise would be less efficient than a single review process based on common criteria. UNHCR is prepared to work with Member States with a view to developing common criteria which could meet the needs of an EU scheme. These could be based on those criteria defined by UNHCR in its Resettlement Handbook.⁵

In the case of those States with established resettlement schemes, UNHCR would encourage them to consider taking part in the development of and applying the ‘common’ criteria at least for those additional resettlement places they would propose to make available for the EU scheme. For those States which would consider undertaking resettlement for the first time within a joint EU effort, agreed common criteria based on UNHCR’s resettlement criteria⁶ would provide a starting point.

Importantly, any selection criteria – whether common or not – should be applied in a non-discriminatory and needs-based manner, notably with respect to ethnicity and religion, in cooperation with UNHCR. They should be applied flexibly by Member States to resettle refugees recognized under UNHCR’s mandate and to target less desirable refugee caseloads, and to promote exceptional measures, which may include streamlining the resettlement process and expanding family reunification schemes.

2.2 Selection missions and dossier submissions

Some resettlement countries undertake ‘selection missions’ to refugee host countries in order to interview resettlement candidates directly, and/or to oversee or carry out other parts of the pre-departure process.

In other cases, resettlement selections take place on the basis of ‘dossier submissions’, that is, case files selected and provided by UNHCR to the responsible authorities. The resources which the State deploys in order to make a selection are obviously less in the case of a dossier-based submission, by contrast with visits to the field by selection teams, which can often have limited geographic scope and risk refugees being left without a durable solution. The information needs of States receiving dossier submissions are met by material provided by UNHCR in the resettlement candidate’s file. In case of emergency, urgent or medical cases, selection of resettlement candidates is almost invariably done ‘on paper’, as time constraints and safety reasons may not allow for a selection mission.

⁵ See: UN High Commissioner for Refugees, *Resettlement Handbook (revised September 2007)*, 1 November 2004, <http://www.unhcr.org/refworld/docid/3ae6b35e0.html>.

⁶ Under UNHCR’s criteria, priority attention for resettlement should be given to those refugees with acute legal and physical protection needs and in particular to the most vulnerable, such as women-at-risk and unaccompanied children and adolescents. Other categories of persons who fall under UNHCR’s criteria include survivors of violence and torture, refugees with medical needs, family reunification cases, older refugees and refugees without local integration prospects. See: UN High Commissioner for Refugees, *Resettlement Handbook (revised September 2007)*, 1 November 2004. Chapter 4: UNHCR Criteria for Determining Resettlement as the Appropriate Solution, <http://www.unhcr.org/protect/PROTECTION/3d464db54.pdf>.

For States considering a first venture into resettlement potentially under an EU scheme, dossier submissions could be seen as an expedient approach. Where the proposed number of resettlement places is small, the resulting resource benefits could be significant. UNHCR would encourage Member States to consider selections on a dossier basis, including particularly for small resettlement targets and caseloads.⁷

Where States wish to undertake or continue with selection missions, UNHCR is also prepared to assist. In the context of a common EU scheme, consideration could be given in the longer term to joint EU resettlement selection missions, which could enable direct Member State involvement in the process with fewer resource issues. As exemplified by the recent inaugural joint mission carried out by the UK and Ireland, ERF funding could be one source of funds to support such efforts.

2.3 A coordinated approach

A more coordinated EU approach to resettlement, whether within or beyond the context of RPPs, would be a first step in working toward the objective of an EU resettlement scheme. A coordinated approach could include:

- *Establishment of a consultative forum:* Over the past year, the Commission has hosted two ad hoc expert meetings between UNHCR, NGOs and Member States for information exchange on resettlement (November 2007 and May 2008). The Commission could consider formalizing and building on this practice by setting up a European consultative group on resettlement. UNHCR could act as chair of the consultative group, which would enhance the group's credibility and provide it with expert guidance on resettlement. The group could also bring in the expertise of the European Parliament. Within this forum, EU countries could usefully coordinate among themselves and with UNHCR on priority groups and locations for resettlement and on timing of selection missions, in order to facilitate UNHCR's preparation of dossiers and visits of delegations. Clearly, any consultative group should be complementary to existing international mechanisms conducted within UNHCR auspices, such as the Resettlement Working Group and the Annual Tripartite Consultations on Resettlement process (noting that the latter represent useful fora among a wider group of countries).
- *Cooperation on preparation and delivery of pre-departure cultural orientation:* While some pre departure orientation for refugees awaiting resettlement is necessarily country-specific, a certain level of collaboration in this respect could be useful.
- *Knowledge sharing:* Technical cooperation and exchange of experience could take place between existing and potential resettlement States, within and beyond the EU. Such cooperation could *inter alia* focus on enhancing the capacity of Member States to receive and support the integration of resettled refugees. More broadly, both Member States and NGOs could take advantage of UNHCR's resettlement expertise by deploying resettlement staff to countries of first asylum to work alongside UNHCR. Such deployments would foster the direct transfer of information between resettlement field operations and refugee-receiving countries and organizations.
- *Joint administrative support:* At the operational level, there would be a need for administrative support with any EU resettlement scheme. This could be one of the tasks of a European Asylum

⁷ For example, in the context of the Western Newly Independent States (within the framework of the Regional Protection Programmes), dossier submissions are recommended, given the relatively small group in need of resettlement and the potential for emergency resettlement needs.

Support Office; the goal should be to bring added value through a coordinated approach. Tasks of the Office might include the dissemination of European good practices surrounding dossier submissions, joint missions, quota management and coordination of particular refugee populations.

- *Common commitment to emergency resettlement needs:* Resettlement is seen by many States as a tool which can serve specifically to address emergency resettlement needs in crisis situations, where effective protection and durable solutions are not otherwise available because of the intensity of conflict, imminent threats to individuals, burdens felt by host states, or other strains on available humanitarian support. It is in this context that EU Member States are encouraged to consider also a wider application for the proposed common EU scheme. Part of the EU resettlement programme could involve a common EU resettlement commitment in emergency situations, where UNHCR calls for a rapid resettlement response; and/or where the international community is seeking to resolve a protracted refugee situation. The common commitment of Member States to emergency resettlement needs could encompass several components: first, an undertaking to accept emergency resettlement dossier submissions in order to provide adequate treatment for refugees with complicated and serious medical needs/disabilities; and second, provision of EU support for the Evacuation Transit Centre (ETC), both financial and in terms of places (see below). Finally, the Commission and Member States may wish to revisit the notion of Protected Entry Procedures where regular resettlement process might be too slow or otherwise inappropriate for particularly urgent cases.

- *Joint effort to make a strategic use of resettlement:* Member States should make a collective effort to operate wherever possible in a strategic manner to maximize the benefits, directly or indirectly, for others in need of protection beyond the refugees being resettled (e.g. to improve asylum conditions in the host country). Although strategic resettlement will require a greater focus on resettlement of groups of persons, Member States should recall that this would not eliminate the need for individual screening to identify potential exclusion cases or inadmissibility according to international legal standards.

2.4 Evacuation Transit Centre

As a solution to a sharp rise in the number of UNHCR's emergency resettlement interventions and corresponding increase in protection concerns, UNHCR has devised a project to establish a centre which will be used for the temporary relocation of refugees-at-risk in need of emergency resettlement. The so-called Evacuation Transit Centre (ETC) will provide interim protection pending onward resettlement to a third country. The ETC – situated in Romania within the premises of the Regional Centre for Accommodation and Asylum Procedures Timisoara, administered by the Romanian Immigration Office – is due to open in December 2008.

The establishment and functioning of the ETC will involve the joint efforts of the Romanian Immigration Office of the Government of Romania, the International Organization for Migration and UNHCR, based on a Tri-Partite Agreement signed on 8 May 2008 and ratified by the Parliament of Romania (effective 24 November 2008).⁸ In line with its mandate, UNHCR will cooperate with local NGOs. In terms of process, beneficiaries eligible for emergency evacuation to the ETC will include those people recognized as refugees by UNHCR and those who meet the UNHCR

⁸ *Agreement between the Government of Romania, the United Nations High Commissioner for Refugees and the International Organisation for Migration regarding Temporary Evacuation to Romania of Persons in urgent Need of international protection and their Onward Resettlement*, 8 May 2008; see press release at http://www.unhcr-budapest.org/index.php?option=com_content&task=view&id=153&Itemid=72.

resettlement criteria. The initial caseload will not exceed 30 cases or 100 persons, although the capacity of the ETC is 250. The refugees will remain in the ETC for a period of 6 months, depending on their physical condition and the speed of the procedures of the respective resettlement countries.

Beyond providing financial support to the facility, EU support from Member States could entail an undertaking to allocate resettlement places for refugees transferred to the ETC. The ETC's geographical position – on European territory – could streamline resettlement procedures for European countries. Indeed, Member States resettling out of the ETC could usefully economise human and financial resources by avoiding or reducing the need for field selection missions. Allocation of resettlement places by Member States in the Central European region embarking on resettlement programmes could represent an especially significant opportunity to further the existing momentum on refugee resettlement in the EU.

2.5 Reception and integration of resettled refugees

Resettlement is a complex and difficult process. In recent years, considerable attention has been paid by Member States to the challenge of integration of resettled refugees and the importance of resettlement running in tandem with a vigorous integration policy that aims at enabling refugees to obtain durable residence status and enjoy equality of rights and opportunities in the social, economic and cultural life of the country especially as regards to education, the labour market, family reunification and citizenship.⁹

For resettlement programmes to be successful, they need to be approached in an integrated manner from policy formation, to selection, reception and finally to the integration of resettled refugees in their new countries. They also require the close cooperation and involvement of all relevant stakeholders including at local level, of local communities and NGOs as well as the beneficiaries of the resettlement process. Underpinning an EU resettlement scheme should be a clear focus on the experiences already gained and lessons learned on the reception and integration of resettled refugees. In countries that are considering the establishment of resettlement programmes, these should build on and aim to improve refugee reception and integration mechanisms already in place. The Commission could consider formalizing and building upon good practice by including reception and integration in the agenda of the proposed European consultative group on resettlement.

Developing common standards for the reception and integration of resettled refugees under a common EU resettlement scheme could be a useful way for ensuring equality of treatment of resettled refugees by all EU Member States and addressing any push factors for onward movement from countries of resettlement. Such standards would ensure equality of treatment with nationals of the resettlement country in connection with rights to employment, education, housing, health as well as the right to family reunification and citizenship.

2.6 Involvement of non-governmental organizations (NGOs) and private sponsorship

In recent years, a number of European NGOs have developed strong expertise in resettlement and others are keen to develop this expertise. Commission-funded projects, as well as missions to resettlement and host countries, training, technical support and research have all been undertaken by

⁹ UN High Commissioner for Refugees, *Agenda for Protection*, October 2003. Third edition. Goal 5: Redoubling the search for durable solutions, Section 5, <http://www.unhcr.org/refworld/docid/4714a1bf2.html>

NGOs. Such NGOs support the idea of an EU resettlement scheme and wish to assist Member States to implement the scheme and initiate new resettlement activities.

NGOs have vital contributions to make, which have significant potential to save Member States resources and expand their resettlement capacity. The involvement of NGOs is particularly important in order to develop public support for resettlement and to underpin the integration of resettled refugees. One way to build public support for resettlement could be through the establishment of private sponsorship programmes, which enable refugees to be resettled with the support of private citizens or NGOs. Private sponsorship of resettled refugees could enhance cooperation among governments, NGOs and the private sector. The Commission and/or the European Asylum Support Office could take the lead in promoting this model at European level.

Based on the example of NGOs in non-EU resettlement countries, there is scope for NGOs to play a particularly important role in receiving resettled refugees. However, NGOs can be meaningfully involved at all stages of resettlement, that is, from identification and assessment of refugees through to reception and settlement processes. UNHCR would be willing to guide the Commission or Member States if they wish to make contact with or receive input from interested NGOs on how they could help to make resettlement work at the national or EU level.

2.7 Financial support

Underpinning any EU resettlement scheme would be the need for more flexible provision of support for resettlement activities than is currently provided through the ERF III. The incentives included in the ERF for the resettlement of vulnerable groups, such as women at risk, unaccompanied minors, persons with serious medical needs and RPPs population, are welcomed. However, the Commission could consider broadening the criteria for ERF support for resettlement, for example, to include elderly refugees within the vulnerable group, to pilot reception programmes for the vulnerable groups or to introduce a dedicated resettlement fund. Finally, in the context of the EU resettlement scheme, Member States and UNHCR donor countries could usefully supplement funding commitments with pledges to welcome a proportional number of refugees for resettlement.

III. LINK WITH REGIONAL PROTECTION PROGRAMMES

In the Policy Plan, the Commission announces its intention to further develop the Regional Protection Programs (RPPs) concept – by upgrading the RPPs pilot into a standing policy instrument with ‘regional multi-annual action plans’ and by examining potential new geographical priorities. Earlier Council Conclusions and Commission proposals have proposed that an EU resettlement programme be closely associated with the concept of RPPs and focus on RPP priority regions as identified by the Member States from time to time. There remain, however, compelling arguments for Member States to consider also offering resettlement places under a common scheme in response to urgent needs which arise in other contexts.

UNHCR considers that the EU resettlement scheme should be in addition to and at the same time complement the RPPs. It should extend beyond the RPPs priority regions identified and be used flexibly, including in crisis situations. The delays experienced in the launch of projects under the current ‘pilot’ RPPs suggest that the RPPs concept would not lend itself to addressing large-scale and quickly evolving emergency situations. For this reason, resettlement resources and commitments must be provided more quickly to meet needs which may arise in such displacement crises, precisely when swift resettlement responses are needed. A more flexible approach would also maximize the strategic benefit of resettlement in such cases, by creating more protection space

for other refugees for whom other durable solutions may be possible. Further, if the resettlement component of the RPPs is to have added value, EU Member States must support it by offering more resettlement places.

IV. CONCLUSION

The European Commission's Policy Plan on Asylum offers an important opportunity to promote greater participation by EU Member States in worldwide refugee resettlement efforts. In this document, UNHCR has presented procedural considerations to be examined and possible participatory approaches for Member States in an EU resettlement scheme; taking into account the history of EU resettlement policy and UNHCR's crucial role in the operation of any such scheme. UNHCR hopes that the Member States can usefully apply these procedural considerations to obtain the political will necessary to reach a substantial and sustained EU commitment to resettlement. In turn, an EU resettlement scheme will ensure recognition of resettlement as an important component of both the EU's domestic and international refugee policy.

UNHCR
December 2008

ANNEX 1 – History: Recent developments on EU resettlement and UNHCR support

In June 2004, in response to the European Council's conclusions at Thessaloniki, the European Commission issued a Communication on 'Improving Access to Durable Solutions', which proposed the setting up of an EU resettlement scheme.¹⁰ In November 2004, the General Affairs and External Relations Council endorsed the notion of resettlement as a durable solution for refugees, stating that 'the targeted use of resettlement will demonstrate the Community's commitment towards international efforts to find comprehensive and effective solutions to protracted refugee situations'.¹¹ The Council welcomed the inclusion of resettlement in the Commission's proposed Regional Protection Programmes (RPPs), for implementation '.. in close liaison with UNHCR'. The Council stated its view that an EU resettlement scheme should be situation-specific, flexible and allow Member States to choose whether or not to participate. The Hague Programme, adopted by the European Council in November 2004, reiterated the call for RPPs, incorporating capacity-building activities and 'a joint resettlement programme for Member States wishing to participate'.¹²

In 2005, the UK Presidency convened a seminar on resettlement, involving Member States and other stakeholders, to examine the concept and potential operation of a joint scheme, among other EU resettlement issues. In September 2005, the Commission issued a detailed proposal for pilot RPPs for the priority regions identified by the Council, namely Tanzania, in the Great Lakes region, and the Western Newly Independent States (WNIS) – Ukraine, Moldova and Belarus.

UNHCR welcomed the initiatives of the Council and the Commission, and expressed its readiness to assist in the development and implementation of further resettlement to the EU. UNHCR also encouraged the Council, Member States and the Commission to work to ensure that a common EU resettlement scheme would result in additional resettlement places in the EU, going beyond the total of existing national resettlement programmes. It also proposed that such a scheme be used as a flexible tool, extending beyond the priority regions identified for RPPs, to other situations where pressing resettlement needs might arise, including emergencies which could occur outside the Council's timetable for identification of RPP priorities.¹³ UNHCR emphasized that RPPs should be seen as initiatives which are complementary to the provision of protection in Europe, and developed in close collaboration with the third countries involved, to focus on those countries' genuine needs and ensure co-ownership of the process.

In 2006, the Commission selected a number of projects for funding under the Aeneas 2005 budget line. Two projects proposed by UNHCR were selected which were associated with RPPs, for capacity-building activities in Tanzania and Belarus respectively. In December 2006, the Commission issued the contracts for these projects, and implementation started in January 2007. As a result, capacity-building activities in the context of UNHCR's projects are underway in these regions. Given the delay in the commencement date for the funding and subsequent launch of the RPPs projects, detailed assessment of their results will not be available before 2009.

In March 2007, a meeting of the Committee on Immigration and Asylum provided an opportunity to invite EU Member States' views toward the development of resettlement into an 'effective protection and burden-sharing instrument in the service of the EU asylum policy'. In April 2007,

¹⁰ COM(2004)410 final, 4.6.2004, paragraph 22ff.

¹¹ GAERC Conclusions, 2 November 2004, 13588/04 REV 1 (presse 295), page 17.

¹² OJ C 53/5, paragraph 1.6.2.

¹³ *UNHCR Observations on the Communication from the European Commission to the Council and the European Parliament on Regional Protection Programmes (COM(2005)388)*, 10 October 2005, <http://www.unhcr.org/protect/PROTECTION/4360a5ab2.pdf>

UNHCR convened an International Conference on Iraq which, *inter alia*, addressed questions around durable solutions for refugees in the region, including resettlement needs.

In June 2007, the European Commission issued its Green Paper on the Future Common European Asylum System (Green Paper). This document consisted of thirty-five questions and formed the basis for a wide consultation. Eighty-seven stakeholders, including Member States, UNHCR, civil society and academics responded. The external dimension of asylum – comprising primarily the RPPs, resettlement and Protected Entry Procedures – was one of the areas covered. UNHCR submitted a detailed response to the Green Paper, including on the external dimension.

Thereafter, the second half of 2007 saw UNHCR facilitate the most concrete discussions to date on EU resettlement. Discussions in various fora notably focused on increasing collaboration between Member States and augmenting the total of EU resettlement places.

In June 2007, UNHCR hosted an EU-specific side meeting for Member States at UNHCR's Annual Tripartite Consultations on Resettlement. In November 2007, resettlement discussions included the MOST (Modelling of Orientation, Services and Training Related to Resettlement) Conference in Madrid, UNHCR's Regional Resettlement Initiative Meeting in Budapest, the first European UNHCR-NGO Forum on resettlement in Lisbon and the inaugural European Commission-chaired ad hoc meeting of Member States in Brussels.

The renewed interest in resettlement continued throughout the first half of 2008. Following on from its presentation in June 2007 (in the Hague), UNHCR gave further presentations in January (in Prague) and April 2008 (in Brussels) as part of the ERF-funded Durable Solutions in Practice Workshop series (organized by Fedasil, CGRA and COA). In May 2008, UNHCR Brussels delivered formal interventions at a European Parliament discussion hosted by CCME; the Commission-hosted ad hoc expert resettlement meeting of Member States; and at an IOM regional meeting held in cooperation with the Commission.

Also in May 2008, UNHCR, IOM and the government of Romania signed an agreement which was ratified by the Parliament of Romania (effective 24 November 2008) to establish an Evacuation Transit Centre (ETC) in Romania. The facility will host refugees identified by UNHCR as needing resettlement, but who cannot safely remain in their first country of asylum for the formalities to be completed. In July 2008, UNHCR hosted both its Annual Tripartite Consultations on Resettlement (in Geneva) and a Technical Meeting on the Establishment of Resettlement Schemes in Central Europe (in Bucharest).

In June 2008, one year following the issuance of its Green Paper, the Commission released its Policy Plan on Asylum,¹⁴ drawing on responses obtained through the Green Paper process. The Policy Plan lays out the main steps to be taken to complete development of the Common European Asylum System in the near future.

¹⁴ European Union: European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions, Policy Plan on Asylum. An Integrated Approach to Protection Across the EU*, 17 June 2008, COM(2008) 360, <http://www.unhcr.org/refworld/docid/4860eee72.html> (English), <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain/opendocpdf.pdf?reldoc=y&docid=4860ef1d2> (French).

Note: for UNHCR's Response to the European Commission's June 2007 Green Paper, see: UN High Commissioner for Refugees, *UNHCR's Response to the European Commission's Green Paper on the Future Common European Asylum System*, September 2007, <http://www.unhcr.org/refworld/docid/46e159f82.html>.

ANNEX 2 – EU Member States undertaking resettlement of refugees from third countries

2008 (January - June)	
Resettlement Country (EU Member State)	Number of Refugees resettled
Belgium	2
Denmark	179
Finland	454
France	14
United Kingdom	352
Greece	2
Ireland	40
Italy	30
Netherlands	287
Spain	3
Sweden	218
EU Total	1581

2007	
EU Resettlement Country	Number of Refugees
Austria	1
Belgium	17
Czech Republic	8
Denmark	480
Finland	714
France	5
United Kingdom	348
Germany	3
Ireland	107
Italy	40
Netherlands	425
Portugal	12
Spain	3
Sweden	1772
EU Total	3935

2006	
EU Resettlement Country	Number of Refugees
Austria	1
Belgium	14
Denmark	750
Finland	548
France	1
United Kingdom	349
Germany	10
Ireland	119
Italy	6
Netherlands	327
Sweden	1571
EU Total	3696

Source: Governments/UNHCR (November 2008)

ANNEX 3 – Justice and Home Affairs Council Conclusions on the reception of Iraqi refugees¹⁵

1. The Council recalls its conclusions of 24 July and 25 September 2008, in which:

- it considered it necessary to continue contacts in order to agree on the most appropriate forms of solidarity with all Iraqis, and agreed to return to the question;
- it noted, in this context, the Commission's intention to conduct a mission to Syria and Jordan, accompanied by the Member States concerned, in order to assess, together with the Office of the United Nations High Commissioner for Refugees (UNHCR), the situation of the most vulnerable Iraqi refugees in those countries, and to examine the possibilities for resettlement in Member States willing to receive them;
- it noted also that the United Nations High Commissioner for Refugees had expressed the hope that eventually most Iraqi refugees would be able to return to their country of origin in conditions of security, although, for some, resettlement would continue to be necessary.

2. That mission took place from 1 to 6 November in Syria and Jordan and the Council welcomes the report submitted by the Commission as a follow-up to it 1.

The Council notes in particular:

- the analysis of the difficult situation faced by many refugees from Iraq and their increasing need for assistance;
- the fact that return to Iraq is thought to be the only eventual solution for the great majority of Iraqi refugees;
- that return from Syria and Jordan is not, however, significant today;
- that local integration in Syria and Jordan can be a solution only for a very small number of refugees;
- the need for resettlement of a certain number of refugees who have no prospect of any other lasting solution, even in the long term; these are people in a vulnerable situation who are easily identifiable, especially those with medical needs, trauma or torture victims, members of religious minorities, or women on their own with family responsibilities;
- the fact that a greater effort towards resettlement in the countries of the European Union would send a positive signal of solidarity to all Iraqis and of cooperation with Syria and Jordan for the maintenance of their area of protection.

The Council also notes the particular situation of the Palestinians who have left Iraq for Syria, for whom no solution other than resettlement appears to be feasible.

3. The Council emphasises, as it did in its conclusions of 25 July 2008, that the main objective is to create the conditions in which displaced persons inside Iraq and refugees in neighbouring countries can return safely to their homes, while ensuring that the human rights of all Iraqis are protected and defended.

The Council also reaffirms its conclusions of 23 April 2007 on Iraq, which called for a comprehensive approach on Iraq.

¹⁵ Adopted by the 2987th Justice and Home Affairs Council meeting, Brussels, 27-28 November 2008, http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/jha/104360.pdf.

In this context, it notes that the Netherlands has convened a high-level meeting in The Hague on 1 and 2 December 2008 aimed at contributing to a coordinated response by the European Union to migratory flows from or to Iraq.

4. The Council recalls the humanitarian and financial aid provided by the European Union and Member States to Iraqi refugees, as well as the contribution of Member States which receive Iraqis who have submitted an asylum application on their territory.

However, given the current situation in Iraq and in neighbouring countries as well as the results of the mission conducted by the Commission, the Council considers it necessary to go further.

In this respect, it welcomes the fact that some Member States are already taking in Iraqi refugees, particularly under their national resettlement programmes.

5. In this context, as a signal of solidarity, the Council invites Member States to take in Iraqi refugees in a particularly vulnerable situation such as those with particular medical needs, trauma or torture victims, members of religious minorities or women on their own with family responsibilities.

This has to be done on a voluntary basis and in the light of the reception capacities of Member States and the overall effort already made in terms of taking in of refugees.

In consideration of the resettlement target set out by UNHCR, and taking into account the number of persons already taken in or planned to be taken in by Member States, in particular under their national resettlement programmes, the objective could be to take in up to around 10 000 refugees, on a voluntary basis.

In taking this approach, Member States should cooperate closely with UNHCR and the other competent organisations present in the region. They should bear in mind the importance of promoting reconciliation between Iraqi communities in Iraq.

6. It may be noted that the European Refugee Fund provides financial support for resettlement projects and that Member States have until 19 December 2008 to indicate on their intentions with a view to calculating the allocation of the funding for 2009.

The Commission is invited to report to the Council at the beginning of 2009 on the information gathered from Member States on the basis of these conclusions.