



**UNHCR**  
The UN Refugee Agency



# COMPLEMENTARY PATHWAYS FOR ADMISSION OF REFUGEES TO THIRD COUNTRIES

## Key considerations

Office of the United Nations High Commissioner for Refugees  
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Cover photo: Canada. Mohammed Hakmi, 26, a Syrian refugee from Lebanon, poses for a portrait at Bonfire Interactive, a tech company that hired him through Talent Beyond Boundaries (TBB) in collaboration with Canada's economic immigration program in Kitcheners. IRCC has a pilot project under way with Talent Beyond Boundaries (TBB) - who try to match refugee skills with employers - to facilitate their immigration to Canada through economic immigration programs. Bonfire interviewed Mohammed while in Lebanon and agreed to hire him. He arrived in Canada on 20 March 2019. © UNHCR/Annie Sakkab

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📷 Portugal. A Dream to Rebuild. Architecture teacher Alexandra Paio comments on 22-year-old Syrian student Alaa's latest project, which combines social housing and the use of public spaces bringing low paid workers and students together. Since 2014, the Global Platform for Syrian Students has been able to provide scholarships for 150 students who are now studying in 10 countries across the world. © UNHCR/Bruno Galan Ruiz

## PURPOSE OF THE DOCUMENT

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In the *New York Declaration for Refugees and Migrants* (NYD),<sup>1</sup> States agreed that “*third countries would consider making available or expanding resettlement and complementary pathways for admission of refugees*”. Building on this commitment, the *Global Compact on Refugees* (GCR),<sup>2</sup> affirmed by the UN General Assembly in December 2018, recognizes that complementary pathways for the admission of refugees can facilitate access to protection and/or solutions, and are an expression of solidarity with host countries and communities. It also appreciates the need for complementary pathways to be made available to refugees on a more systematic, organized

and sustainable basis, incorporating appropriate protection safeguards and recommends that this is pursued through the three-year (2019-2021) Strategy on resettlement and complementary pathways. This document outlines examples of complementary pathways for admission of refugees to third countries, highlights the refugee protection considerations in their design and implementation, and suggests ways to increase their availability and predictability.<sup>3</sup>

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<sup>1</sup> United Nations General Assembly, *Resolution No. A/RES/71/1 adopted by the General Assembly on 19 September 2016, New York Declaration for Refugees and Migrants*, paras 77-79 and Annex I, paragraphs 10 and 14-16, available at <https://bit.ly/2o9ltXe>

<sup>2</sup> United Nations High Commissioner for Refugees (UNHCR), *Global Compact on Refugees* <https://bit.ly/2DUrzXY>

<sup>3</sup> This document relates to complementary pathways for admission of refugees as outlined in the *Global Compact on Refugees* (see para 94-96) and is distinct from the objectives of the *Global Compact for Safe Orderly and Regular Migration* (GCM) which relates to enhancing the availability and flexibility of pathways for regular migration (see objectives 5, para 21) of the GCM <https://bit.ly/2O0qujb>

# WHAT ARE COMPLEMENTARY PATHWAYS FOR ADMISSION?

Complementary pathways for admission are safe and regulated avenues for refugees that complement resettlement by providing lawful stay in a third country where their international protection needs are met. They are additional to resettlement and do not substitute the protection afforded to refugees under the international protection regime. Complementary pathways include existing admission avenues that refugees may be eligible to apply to, but which may require operational adjustments to facilitate refugee access.



Resettlement is an invaluable tool for international protection to address the needs of refugees whose life, liberty, safety, health or fundamental human rights are at risk in the country where they sought refuge.<sup>4</sup> It also provides refugees with a durable solution, and serves as a responsibility sharing mechanism by signalling support for countries hosting large refugee populations.<sup>5</sup>

Complementary pathways can help refugees access protection and solutions when durable solutions are not achievable for all members of a refugee population, particularly in large scale and protracted situations.<sup>6</sup> They can also contribute to safe and orderly movement of refugees across borders and help third countries address labour or skills shortages.

Complementary pathways are diverse by nature, and can benefit refugees in a variety of ways depending on their specific objectives. For example, some complementary pathways for admission, such as humanitarian admission, private or community sponsorship programmes or humanitarian visas, may be intended for persons in need of international protection. The objectives of these pathways often overlap with those of resettlement as they can be a tool for protection and a mechanism for

responsibility-sharing for refugees. These pathways can provide flexibility and complement resettlement by offering additional opportunities for refugees who have resettlement needs.

Other complementary pathways for admission, such as family reunification, education and labour opportunities, are entry or migration avenues that can and should increasingly be made available to persons in need of international protection. In addition to enhancing responsibility-sharing, these pathways enable refugees to access their right to family unity, or harness their existing professional and educational qualifications, and strengthen their capacities and skills. As a consequence, these pathways would normally be appropriate for refugees who have certain skills and knowledge, or family links in a third country.

An important feature of many complementary pathways is that refugees are able to exercise control over their own solutions by accessing them independently using publicly available information and processes. By allowing refugees to access new and existing pathways autonomously, third country solutions for refugees can be achieved on a greater scale.

<sup>4</sup> United Nations High Commissioner for Refugees (UNHCR), Resettlement Handbook, available from <http://www.unhcr.org/46f7c0ee2.pdf>

<sup>5</sup> *Ibid.*

<sup>6</sup> United Nations High Commissioner for Refugees (UNHCR), Note on International Protection, 16 June 2017 <https://bit.ly/2FtC2lg>



📷 Canada. From far and wide. Marion Adams and Thuy Nguyen play with the Nouman family at a beach in Toronto. From coast to coast, Canadians continue to show an outpouring of support for Syrian refugees. By housing them and including them as members of the community, they create powerful, if unlikely, bonds of friendship. From Far and Wide profiles the diverse group stepping up to welcome these families, unbound by geography or language. © UNHCR/Annie Sakkab

## WHAT ARE THE OBJECTIVES OF COMPLEMENTARY PATHWAYS FOR ADMISSION?

Through the promotion, facilitation and establishment of complementary pathways, three overarching and inter-related objectives can be pursued.

### 1. Ease pressure on host countries

While resettlement remains a fundamental tool for responsibility-sharing, complementary pathways can also represent a powerful expression of solidarity and responsibility-sharing by reducing economic, social and political costs to States managing mass influx and protracted refugee situations. Along with resettlement, offers of complementary pathways are an indispensable aspect of the GCR and comprehensive refugee responses that are designed to contribute to more predictable burden- and responsibility-sharing.





## 2. Expand third country solutions for refugees

Complementary pathways are not intended to substitute States' obligations to provide international protection to refugees, including through access to territory. Rather than replacing resettlement, they provide an additional and complementary avenue for refugees to access international protection and a pathway to a long-term solution. By facilitating safe entry to third countries, they also offer refugees an alternative to unregulated and dangerous onward movement. By making more third country solutions available to refugees complementary pathways serve the important objective of increasing access to protection and solutions.

As envisaged in the GCR, the engagement of a broad range of stakeholders has the potential to expand the availability of third country solutions for refugees. As such, a multi-stakeholder and partnership approach with international organisations, IOM, civil society, local communities, refugees, the private sector, academic institutions and other partners outside the traditional humanitarian sphere is a key aspect of complementary pathways.

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<sup>7</sup> Until a durable solution is secured, refugees remain of concern to UNHCR regardless of their situation and/or temporary movement outside of their country of first asylum.

## 3. Enhance refugee self-reliance and build capacities to attain a durable solution

Complementary pathways can also serve the objective of enhancing refugee self-reliance and helping them to attain a durable solution in the future. This is particularly the case for education and employment opportunities, and other skills-based pathways for admission. These pathways can also be beneficial for third countries by helping to address labour or skills shortages, and building public support for refugees by demonstrating the positive contributions that refugees can bring to receiving societies.

While these pathways may initially provide refugees with temporary stay arrangements, they could be part of a progressive approach to solutions. Through harnessing refugees' existing capacities and skills and providing them with opportunities to learn new skills and acquire more knowledge, refugees are better able to contribute to their own future solutions. This may include sustainable, safe and dignified return to their own country or integration in another country.<sup>7</sup>

# EXAMPLES OF COMPLEMENTARY PATHWAYS FOR ADMISSION

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The models described below represent a non-exhaustive list of complementary pathways for admission of refugees to third countries. These models may be combined, either concurrently or sequentially, in order to provide access to protection and solutions for refugees.

## 1. Humanitarian admission

Humanitarian admission is an avenue that provides individuals in need of international protection with effective protection in a third country.<sup>8</sup> Humanitarian admission programmes are often implemented for a defined period of time using expedited and/or streamlined processes similar to resettlement.

Humanitarian admission programmes can be used as a tool for protection and/or a responsibility-sharing mechanism and are particularly valuable in situations of mass displacement where there is a need to provide protection and safety to large numbers of refugees within short periods of time.

While humanitarian admission programmes share many characteristics with resettlement, they may use eligibility criteria in addition to the established UNHCR Resettlement Submission Categories,<sup>9</sup> such as general humanitarian needs or existing links to the resettlement country. Through humanitarian admission programmes individuals may be granted temporary or other protection status and, as a consequence, may not have immediate access to a fully effective durable solution. Despite these differences, humanitarian admission programmes generally involve protection considerations and safeguards which are similar to resettlement.

Humanitarian admission has been used as an effective protection and burden-sharing tool, including as part of the Humanitarian evacuation/ admission Programme for Kosovar refugees in 1999.<sup>10</sup> More recently, a number of countries, including Germany, Austria and France have implemented humanitarian admission programmes for Syrian refugees in close collaboration with UNHCR.

## 2. Community sponsorship

Community sponsorship of refugees allows individuals, groups of individuals or organizations to come together to provide financial, emotional and practical support for the reception and integration of refugees admitted to third countries.

A clear distinction can be made between community sponsorship as a complementary pathway for admission and community sponsorship as a tool to support refugees admitted through other pathways. As a pathway for admission, community sponsorship programmes allow sponsors to support the entry and stay of nominated refugees in third countries. Conversely as a tool, community sponsorship can be used as a mechanism to engage individuals and communities in the reception and integration of refugees arriving through resettlement programmes, or other pathways, such as educational pathways<sup>11</sup> or humanitarian visas.<sup>12</sup>

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<sup>8</sup> Humanitarian admission may be used strategically as a tool of burden- and responsibility sharing, including for individuals benefitting from temporary protection or stay arrangements (TPSA), see <https://www.unhcr.org/5304b71c9.pdf>

<sup>9</sup> The Resettlement Submission Categories are described in Chapter 6 of the UNHCR Resettlement Handbook and are: Legal and Physical Protection Needs; Survivors of Violence and/or Torture; Medical Needs; Women and Girls at Risk; Family Reunification; Children and Adolescents at Risk; Lack of Foreseeable Alternative Durable Solutions <https://www.unhcr.org/46f7c0ee2.pdf>

<sup>10</sup> United Nations High Commissioner for Refugees (UNHCR), “The Kosovo refugee crisis: An independent evaluation of UNHCR’s emergency preparedness and response”, available at: <https://www.unhcr.org/afr/3ba0bbeb4.pdf>

<sup>11</sup> For example The World University Service of Canada’s Student Refugee Programme uses Canada’s private sponsorship programme to admit refugee students and provide them with scholarships, see <https://bit.ly/2Ue8ojC>

<sup>12</sup> For example the Humanitarian Corridors Project involves the admission of refugees through a humanitarian visa coupled with post arrival support through a community sponsorship model.





📷 Argentina. Visa programme helps young Syrian find a new country. Twenty-six-year-old Syrian Tony Kassab attends a Spanish class at a university in central Cordoba, Argentina where he recently arrived on a humanitarian visa from his hometown, Homs. © UNHCR/Frederick Bernas

Community sponsorship programmes that offer a pathway for admission in complement to resettlement and that are protection-sensitive can serve to expand the number of refugees who have access to protection and solutions and contribute to enhanced responsibility-sharing.

An example of a community sponsorship programme that serves as a complementary pathway for admission is Canada's long-established private sponsorship programme, which provides a distinct pathway for the admission of refugees to Canada that is additional to its government assisted refugee resettlement stream. The community sponsorship programmes recently implemented by the United Kingdom, Argentina and Ireland provide a mechanism for communities and private individuals to support the reception and integration of refugees who are admitted through an existing resettlement framework.

Since 2016, the Global Refugee Sponsorship Initiative, a multi-sectoral partnership, has promoted community sponsorship for refugees, by sharing Canada's experience of private sponsorship and supporting new programmes to grow.<sup>13</sup>

<sup>13</sup> See <http://refugeesponsorship.org/>

### 3. Humanitarian visas

Humanitarian visas can be used to admit individuals in need of international protection to a third country where they are sometimes subsequently provided the opportunity to apply for asylum, including through expedited procedures. In this regard, they differ from humanitarian admission programmes through which individual legal status is often determined prior to arrival in the third country. Humanitarian visas have also been used to facilitate the admission of family members who would not otherwise qualify for family reunification under existing legislation, as well as other vulnerable refugees who cannot access effective protection in their first countries of asylum. In addition to being a stand-alone pathway, humanitarian visas can also be used as a tool to facilitate other pathways to a third country, such as community or private sponsorship programmes, or education opportunities.

Argentina and Brazil have used humanitarian visas as a tool to facilitate the admission of certain groups of refugees providing them access to a durable solution. While France, Italy and Switzerland have used the humanitarian visas as a pathway to allow persons in need of international protection to seek asylum on their territory.

## 4. Family reunification

Following separation caused by forced displacement resulting from persecution and war, family reunification is often the only way to ensure respect for a refugee's right to family unity with nuclear family members. To facilitate refugee attainment of this fundamental right, States are expected to provide the legal avenues for refugee to reunite with their nuclear family members, where more effective protection, longer-term solutions and family support are possible.<sup>14</sup>

In addition to family reunification for nuclear family members, family reunification pathways can reunite refugees with extended family members and those who have a relationship of dependency. Such pathways can help safeguard limited resettlement opportunities for refugees with pressing protection concerns in the first country of asylum. Although Family Reunification is one of UNHCR's resettlement submission categories, the use of resettlement for these purposes is limited to situations where family reunification through States immigration channels is not available or accessible. Given the limited number of resettlement places available, UNHCR encourages resettlement States to facilitate family reunification for refugees outside of their resettlement programmes. Moreover, family reunification pathways that reunite refugees with family members can play an important role in facilitating more effective integration of the entire family group in third countries.

Facilitating refugees' access to family reunification processes often requires a policy commitment at national level. This can be done through streamlined administrative and other procedures that address the specific practical, administrative and legal obstacles refugees can face. Streamlined procedures may include facilitated access to embassies, assistance

with documentation, visa waivers or the use of humanitarian visas for family reunification purposes.

In addition to its resettlement and humanitarian admission programmes Germany has used existing family reunification pathways to facilitate the reunification of Syrian and Iraqi nationals including refugees with their nuclear family members in Germany by providing counselling, assistance with the visa application and pre-departure orientation in collaboration with IOM. In addition, Germany and Ireland have implemented refugee specific family reunification programmes to facilitate the admission of extended family members of Syrian refugees.

## 5. Third country employment opportunities

Third country employment opportunities are safe and regulated avenues for entry or stay in another country for the purpose of employment, with the right to either permanent or temporary residence. Employment opportunities in third countries can help provide refugees with the opportunity to re-establish an independent, productive life and attain an adequate standard of living. Third country employment opportunities may be part of traditional immigration systems, which could be adapted to facilitate refugees' admission. They can also include temporary and permanent skilled entry arrangements specifically aimed at supporting refugees. Proper travel documentation for legal entry and stay arrangements and relevant protection safeguards for refugees throughout and following the duration of their employment is essential to sustain programmes of this type.<sup>15</sup>

In addition to building the skills of refugees, third country employment opportunities can also help countries meet any labour or skills shortfalls, and strengthen prospects for sustainable post-conflict reconstruction in the refugee's country of origin.

<sup>14</sup> UNHCR's Executive Committee ("ExCom") has adopted a series of conclusions that reiterate the fundamental importance of family unity and reunification and call for facilitated entry of family members of persons recognized in need of international protection. See in particular, ExCom Conclusions on Family Reunion, No. 9 (XXVIII), 1997 and No. 24 (XXXII), 1981; ExCom Conclusion on Refugee Children and Adolescents, No. 84 (XLVIII), 1997; and ExCom Conclusion on the Protection of the Refugee's Family, No. 88 (L), 1999. All ExCom Conclusions are compiled in UNHCR, Thematic Compilation of Executive Committee Conclusions, June 2011, Sixth edition, available at: <http://www.unhcr.org/refworld/docid/4e8006a62.html>.

<sup>15</sup> All workers, including refugees have the right to decent work, which include the opportunity to gain a living through work freely chosen and accepted, and to benefit from just and favorable conditions of work. For beneficiaries of third country opportunities who are not granted refugee status, international labour law standards applicable to migrant workers would apply, see particularly Migration for Employment Convention and related Recommendation (from 1949), and Migrant Workers Convention and related Recommendation (from 1975); see further here: <https://bit.ly/2L0o9HD>

Moreover, benefits could include remittance-transfers to the refugees' wider family and community networks in countries of first asylum as well as to countries of origin.

In partnership with UNHCR, Talent Beyond Boundaries (TBB), a civil-society initiative, has developed a talent register to facilitate employment for refugees in third countries through labour mobility schemes.<sup>16</sup> This programme, while still nascent, has led to initiatives by employers and government immigration departments in Canada and Australia to work within their respective migration frameworks to admit and employ a small number of qualified refugees.

## 6. Third country education opportunities

Third country education opportunities include private, community or institution-based scholarships, apprenticeships and traineeship programmes. When solutions-driven, such programmes can lead to both economic and social empowerment of refugees. These programmes normally provide refugees with appropriate safeguards, notably proper travel documentation and legal entry and stay arrangements for the duration of their studies/traineeship, and clear post-graduation options, which may include permanent residency or post graduate study or employment.<sup>17</sup>

Academic scholarships and study opportunities admit refugee students and academics to a third country to study, continue their education and/or undertake research. Civil society, universities and government actors can collaborate to develop and fund customized education or scholarship programmes. Essential components of such programmes include funding for travel, accommodation, subsistence, tuition, language training, cultural orientation and psychosocial support for successful refugee applicants. During, or upon completion, students may have the right to apply for asylum or request an extension of their studies in accordance with national legislation and policies. In some countries, students



France. Scholarship scheme gives hope to refugee students. Muhammad, 21, spent several years in Jordan, having fled the war in Syria. Awarded a scholarship by a regional government in southern France, he will soon begin studying at the University Paul Valéry in Montpellier. © UNHCR/Benjamin Loyseau

may be eligible to work part-time or to convert their legal status and their skills and training may also make them eligible for temporary or permanent work opportunities following completion of their studies.

Apprenticeships and traineeships in a third country allow refugees to re-train or upgrade their skills through workplace-based training in their area of occupation, tertiary study or field of expertise.

Examples of education schemes that offer complementary pathways to refugees include the Government of Japan Initiative for the Future of Syrian Refugees (JISR) which allows students to bring their spouses and children, the United World Colleges Scholarship programme,<sup>18</sup> and the Région Occitane-Pyrénées-Méditerranée Scholarship programme for Syrian refugees in France.

## 7. Other entry or stay options

Other safe and regulated avenues, aside from those mentioned above, could and should be made available to refugees. The type and nature of such avenues will largely depend on a State's national legal framework and could include temporary entry or stay arrangements outside the asylum process. One example of such avenues is medical evacuation pathways, which allow refugees with urgent medical needs to be admitted, often temporarily, to a third country for the purpose of medical treatment.

<sup>16</sup> See <https://talentbeyondboundaries.org/>

<sup>17</sup> UNHCR's Higher Education Considerations for Refugees in Countries Affected by the Syria and Iraq Crises contains detailed guidance on selection, process, and programme design for institutions and refugees, <https://bit.ly/2FuSCYd>

<sup>18</sup> See <https://www.uwc.org/unhcr>

# PROTECTION CONSIDERATIONS AND SAFEGUARDS

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As complementary pathways are often existing entry or migration avenues, they need to be carefully adjusted and implemented through operational approaches that safeguard the rights of refugees and their international protection needs.<sup>19</sup> States, in collaboration with other stakeholders, would need to take into account the following protection considerations and safeguards when establishing or implementing complementary pathways for admission for refugees.

## The right to seek asylum and protection against refoulement

Systems and procedures need to be in place to guarantee protection against *refoulement* for refugees benefiting from complementary pathways in third countries. Refugees using work, education or other temporary opportunities should in principle also have the right to re-enter the first country of asylum and enjoy the same rights and status that they had prior to departure. If refugees cannot return to the first country of asylum or to their country of origin, they need to be able to seek asylum, or attain another secure legal status allowing them to remain in the third country after completion of the programme. Refugees must not be required to return to their country of origin as part of a process to extend their stay in a third country.

## Protection-centred criteria and programme design

It is important for complementary pathways to be non-discriminatory and not to distinguish on the basis of nationality, race, gender, religious belief, class or political opinion. Pathways need to be based on objective criteria, taking into consideration the specific situation of the refugees concerned such as educational and learning needs, which may have been affected by displacement, and/or medical or psychological needs resulting from forced displacement as well as the overall protection context in the country of asylum. For some pathways, such as humanitarian admission and community sponsorship

programmes, refugees with resettlement needs should be prioritized.

## Access to complementary pathways

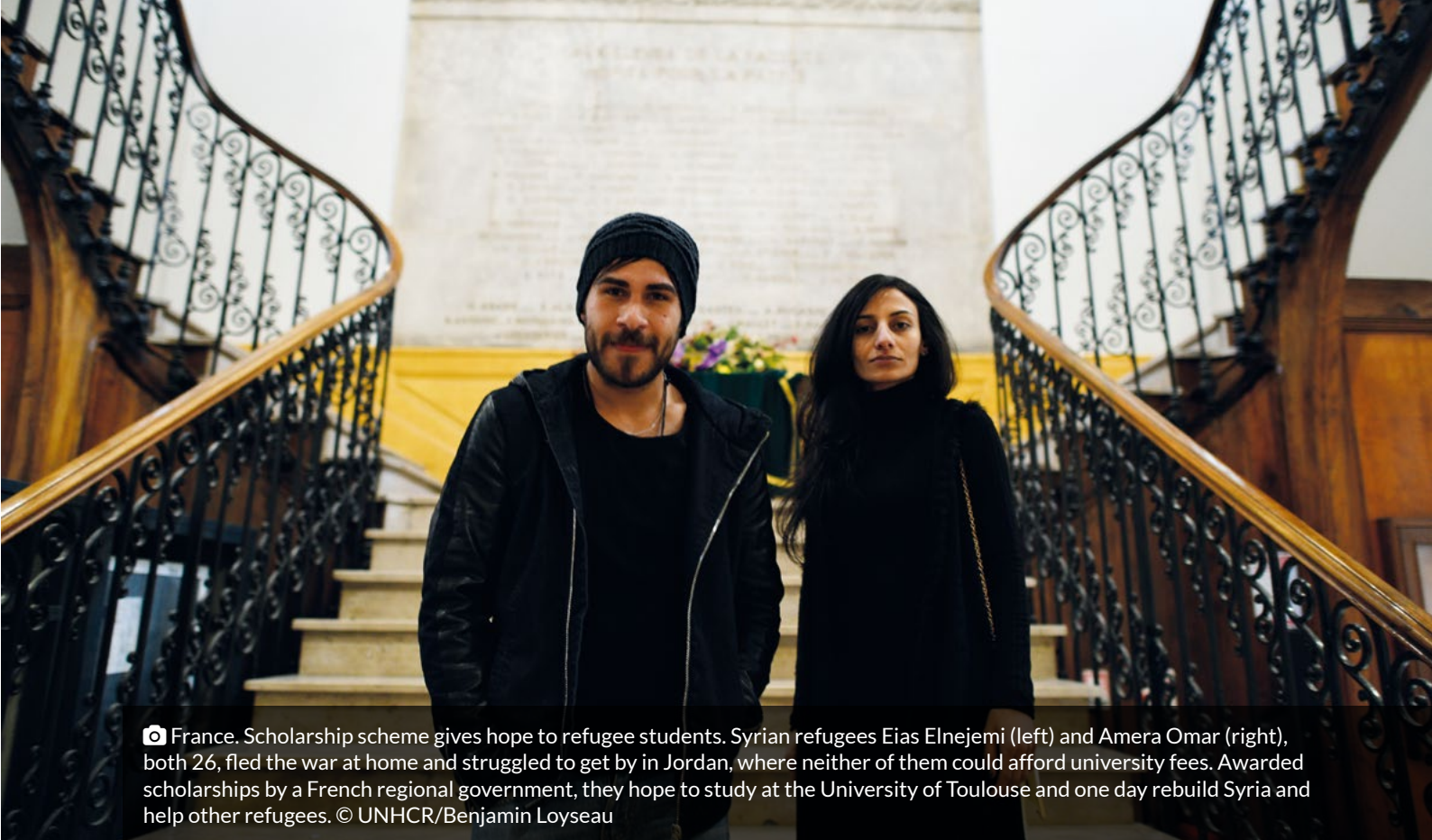
Facilitating refugee access to complementary pathways and removing the obstacles that they face is a primary objective. This may entail instituting more flexible legal and administrative procedures, such as simplified processes for refugee applicants, to address the specific difficulties and risks they encounter. The removal of barriers and obstacles preventing refugees from accessing pathways may also involve the modification of documentary requirements or financial guarantees, or flexibility with respect to requirements for refugees to return to the country of nationality or asylum. Establishing systems that refugees can access autonomously also has a direct impact on the ability of programmes to scale and reach more refugees.

## Legal status and documentation in third countries

Refugees benefiting from complementary pathways need to have access to legal status and documentation in the third country. In this respect, flexibility is required due to the specific situation of refugees. For example, refugees are often not able to approach the authorities of their country of origin to authenticate or obtain personal documents. Where applicable, the issuance of Refugee Convention Travel Documents or other travel documents adapted to

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<sup>19</sup> Regardless of the type of domestic legal status granted to refugees, they should be granted standards of treatment commensurate with the 1951 Refugee Convention and International Human Rights Law.



📍 France. Scholarship scheme gives hope to refugee students. Syrian refugees Eias Elnejemi (left) and Amara Omar (right), both 26, fled the war at home and struggled to get by in Jordan, where neither of them could afford university fees. Awarded scholarships by a French regional government, they hope to study at the University of Toulouse and one day rebuild Syria and help other refugees. © UNHCR/Benjamin Loyseau

international standards to address biometric and security imperatives may be required.<sup>20</sup>

### Access to justice, rights and services in third countries

Refugees benefitting from complementary pathways require access to institutional mechanisms and procedures that provide access to justice, including fair employment practices, freedom from discrimination and exploitation or from other risks associated with third-country mobility, irrespective of their legal status. In this regard, the International Labour Organization's guiding principles on the access of refugees and other forcibly displaced persons to the labour market is a key reference.<sup>21</sup> Support services such as health, education, legal aid/assistance, housing, counselling and psycho-social services, and language support are also important. Consideration needs to be given to providing refugees with initial targeted support upon arrival in the third country and ensuring that there is adequate social

and legal support until such time as a longer-term option or durable solution is found.

### Respect for the right to family unity

Practice has demonstrated that ensuring family unity supports refugees to maximize the opportunities provided to them through complementary pathways such as education and labour opportunities. As such, it is important to ensure that refugees arriving through complementary pathways, including those with temporary residence in third countries, are able to maintain family unity wherever possible.

### Prevention of statelessness

It is important that complementary pathways do not increase the risk of statelessness, for example, through limited access to birth registration documents for refugees and their families in third countries.

<sup>20</sup> United Nations High Commissioner for Refugees (UNHCR), *Conclusion of the Executive Committee No. 114 (LXVIII) 2017 on Machine-readable travel documents for refugees and stateless persons*, paras. 1 and 5, available at <http://www.refworld.org/pdfid/59df19bc4.pdf>

<sup>21</sup> See ILO, *Guiding principles on the access of refugees and other forcibly displaced persons to the labour market*; <https://bit.ly/2j3E1dx>.



📷 Brazil. Syrian refugee Hanan, (3rd from left), 12, confers with newly-made Brazilian friends during classes at the Duque de Caxias Municipal School, in the Glicerio neighborhood of downtown Sao Paulo, Brazil. Hanan arrived in Sao Paulo with her mother, Yusra Bakri, in early 2015 and was recognized as a refugee by the Brazilian government on September of that year. Around 4 million Syrians left their country due to the 6-year conflict between rebels and the Bashar Al Assad government, 2,000 came to Brazil, that since 2013 has issued more than 7000 “humanitarian visas” to victims of the Syrian civil war. © UNHCR/Gabo Morales

## Confidentiality and data protection

Bearing in mind the sensitive nature of refugees’ personal data and information, confidentiality and respect for refugees’ right to the protection of their personal data are relevant principles in the design and implementation of complementary pathways, as outlined in UNHCR’s *Policy on the Protection of Personal Data of Persons of Concern to UNHCR*.<sup>22</sup>

## Alignment with protection and solutions strategies

Where applicable, States are encouraged to work with UNHCR to identify contexts and refugee populations where opportunities for complementary pathways can have a strategic impact on protection environments in host countries in the context of comprehensive refugee responses.<sup>23</sup> In this regard, information sharing between UNHCR and States concerning the availability and uptake of complementary pathways for refugees in specific regions can help ensure that pathways align with broader protection and solutions strategies.

## Refugees at the centre of processes

It is recommended that individual refugees and their communities be included as active participants, analysts, and evaluators of their own protection and in the search for solutions. The integration of refugees’ perspectives in the design and implementation of complementary pathways is key to ensuring that their specific situation is taken into account. Regular feedback mechanisms, and consultations with refugees on the barriers that may prevent uptake, and ways of improving structures, can ensure that pathways are appropriate, safe, scalable and accessible for refugees.

Using communication methods that are tailored to provide refugees with information on complementary pathways, services and administrative support in a clear, timely and transparent manner can also facilitate refugees’ access and promote their autonomous uptake of such opportunities. Communication approaches that aim to make refugees fully aware of the parameters, conditions, requirements and procedures associated with the pathway will allow them to make fully informed decisions.

<sup>22</sup> UN High Commissioner for Refugees (UNHCR), *Policy on the Protection of Personal Data of Persons of Concern to UNHCR*, May 2015, Part 6, available at <http://www.refworld.org/docid/55643c1d4.html>

<sup>23</sup> United Nations High Commissioner for Refugees (UNHCR), position paper on the Strategic use of Resettlement; <https://bit.ly/2JJVHsN>

# EXPANDING COMPLEMENTARY PATHWAYS FOR ADMISSION

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As described in the GCR, there is a need to ensure that complementary pathways are available on a more systematic, organised and sustainable basis. Achieving this objective will be a central component of the three-year (2019-2021) Strategy on resettlement and complementary pathways. As part of the Strategy, contributions will be sought from all stakeholders to increase the availability and predictability of complementary pathways through various areas of focus, including the following:

## Enhancing partnerships and coordination

Expanded multi-stakeholder, multi-sectoral partnerships between UNHCR, States, international organisations, IOM, NGOs, civil society, the private sector and other relevant stakeholders can enhance States' capacity to realize and expand complementary pathways for admission of refugees. This has been evidenced through the work of existing multi-stakeholder initiatives such as the Global Refugee Sponsorship Initiative (GRSI) to grow community sponsorship and the UNHCR-Talent Beyond Boundaries (TBB) partnership with States to establish labour mobility pathways for refugees.

At the global level coordination structures such as the Annual Tripartite Consultations on Resettlement (ATCR) will be used to bring together relevant State actors and various other stakeholders to coordinate, promote and share best practices in the establishment and implementation of complementary pathways. Regional and national collaboration structures can also be established to coordinate complementary pathways programmes and initiatives and facilitate information-sharing and coherence at the field level.

## Building protection-sensitive, accessible and scalable systems

UNHCR, States, regional and intergovernmental bodies, civil society, academia and other stakeholders play a critical role to support the establishment and implementation of protection-sensitive, accessible and scalable systems that incorporate the necessary protection safeguards as well as reduce and remove legal, administrative and practical obstacles preventing refugees from accessing complementary pathways. The provision of information and counselling to refugees on available complementary pathways for admission by all stakeholders will also be key.

## Enhancing the evidence base

Building on recent initiatives, including the joint UNHCR-OECD report on *Safe Pathways for Refugees*,<sup>24</sup> UNHCR and other stakeholders will continue to work with States to improve the collection, analysis and evaluation of data related to the use of complementary pathways by refugees for the development of policy and programmatic responses, and as a support to systems building.

UNHCR, April 2019

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<sup>24</sup> See OECD-UNHCR Study on third country solutions for refugees: family reunification, study programmes and labour mobility, available at <https://www.unhcr.org/5c07a2c84>



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