

REPORT ON THE
ANNUAL TRIPARTITE CONSULTATIONS ON RESETTLEMENT

(Geneva, 14-15 June 2005)

Introduction

The 2005 Annual Tripartite Consultations on Resettlement (ATC) were held in Geneva on 14-15 June 2005. Governments, non-governmental organizations and UNHCR met for the two-day event. The agenda and list of participants together with presentations, background documents and other supporting materials will be included in the proceedings of the ATC 2005.

Day 1: 14 June 2005

1. Opening statements

1.a Statement by the Chairperson, Mr Henrik Ankerstjerne, Danish Immigration Service

1.a.1 The Chairperson welcomed the participants to the ATC and noted that resettlement has become even more visible on the international agenda. In this connection, he mentioned the European Commission's draft proposal for an EU resettlement scheme and the Mexico Plan of Action.

1.b Statement by Ms Mette Marie Honore, Danish Refugee Council

1.b.1 Ms Honore, on behalf of the Danish Refugee Council and the NGO network, thanked the Danish Chair and UNHCR for their collaboration in planning this year's tripartite meeting. In particular, she welcomed discussions at EU level exploring how European countries can increase their involvement in resettlement. In this connection, she welcomed the inclusion of the perspective of European NGO's in this year's ATC agenda.

1.b.2 The NGO network strongly encouraged UNHCR to continue to prioritize resettlement as an important component of international protection, in particular the decision to promote a Resettlement Service. She noted that there are acute shortfalls between refugees in need of resettlement and UNHCR's offices capacity to resettle them. For example, the five country offices that state they can only achieve less than one third of their resettlement caseloads account for one quarter of the entire caseload in Africa, representing 7,050 refugees in need of resettlement.

1.b.3 NGO's understand the importance of voluntary repatriation but also cautioned UNHCR against overlooking the importance of resettlement during voluntary repatriation campaigns such as those relating to Liberian, Sudanese and Somali refugees.

1.b.4 NGO's would like to highlight the success of the UNHCR-ICMC deployment scheme as one vehicle for increasing capacity. In 2004, the deployment scheme

deployed 62 people to 35 field officers, generating referrals for more than 14,000 refugees in need of resettlement and assisting in the verification of more than 19,000 in group submissions to 11 countries.

1.b.5 To maximize the potential of the tripartite relationships, NGO's must be included wherever possible. For example, NGO's would appreciate receiving the minutes of working group meetings and being consulted about issues such as the finalization of chapter 7 of the resettlement handbook on group processing methodology. NGO's also believe that chapter 4.9 of the resettlement handbook should be reexamined in light of the need to resolve protracted refugee situations which have resulted in large numbers of refugees being warehoused around the world.

1.c **Statement by Ms Erika Feller, Director of the Department of International Protection, UNHCR (attached)**

1.d **Statement by Ms Eva Demant, Chief of the Resettlement Section, UNHCR (attached)**

2. **Adoption of the agenda and minutes of the 2004 Annual Tripartite Consultations on Resettlement**

2.1 The agenda and the minutes of the 2004 ATC were adopted by consensus.

3. **UNHCR presentations of the Projected Global Resettlement Needs 2006**

3.1 **AFRICA: Mr David Lambo, Director of the Africa Bureau, UNHCR**

3.1.1 Mr David Lambo highlighted the challenges of finding a balanced approach to durable solutions in Africa. Although resettlement remained alive and well, both as a tool of protection and a durable solution, the 2006 projected global resettlement needs in Africa was 26,000 persons while UNHCR only had the capacity to resettle 15,900 persons. It was noted that the Resettlement Hubs and the Branch Offices in Africa had been active in trying to identify and respond to resettlement needs and refugees were being resettled from about 40 countries.

3.1.2 It was stressed that striking a balance between the three durable solutions is an area that causes some problems. Voluntary repatriation is still the preferred durable solution for refugees and – especially in the earlier stages of a voluntary repatriation process – resettlement may have a negative impact in some countries. Resettlement may also act as a pull factor in causing irregular movements of refugees from one country to another where we have a particularly active resettlement program. Some Branch Offices have also found it difficult to address and manage expectations of refugees and issues of staff security arise. However, it was acknowledged that this is part of what makes resettlement the challenging and labour intensive task to which UNHCR remains committed. He especially thanked countries contributing to strengthening the staffing resources in Africa.

3.1.3 Looking to the future, Mr Lambo stated that resettlement is likely to remain a viable option as a solution for refugees in Africa even if the refugee numbers on the continent are going down. The way forward for 2006-2007 is to consolidate

resettlement opportunities in individual countries and improve our ability to identify and process cases. He stressed that refugee populations have to be managed adequately to optimize opportunities available for resettlement and to avoid problems of corruption and fraud.

3.1.4 Sudan Special Operations Unit, UNHCR

3.1.5 Mr Mohamed Dayri, Senior Legal Adviser, stated that the peace agreement signed in January 2005, by the government of Sudan and the Sudan People's Liberation Movement, put an end to the years of civil war in Sudan. Provided peace is sustained, voluntary repatriation will be a viable durable solution for most Sudanese refugees.

3.1.6 However, the cessation of hostilities in the south of Sudan has not reduced significantly the numbers of new arrivals in countries of asylum. Continued availability of assistance, such as education and health services, as well as resettlement opportunities in asylum countries, may dissuade many Sudanese refugees from considering repatriation just as it offers an incentive for the new would-be asylum seekers to leave Sudan. However, at the same time there still remain protection related reasons which compel Sudanese to leave south Sudan to seek asylum in neighboring Uganda.

3.1.7 At the regional resettlement strategic planning meeting in Kenya in 2004, the nexus between resettlement and voluntary repatriation was explored. Parameters for the use of resettlement during voluntary repatriation operations were documented as a working base for resettlement planning in the repatriation context. The various stages of a repatriation operation; spontaneous returns, promotion by UNHCR, and the residual caseload, require different modes of resettlement delivery to mitigate the negative impact that a resettlement program may have on building repatriation momentum. Resettlement used strategically, should benefit the entire refugee population, including enhancement of voluntary repatriation opportunities. To maximize complementarities and minimize possible discord with other durable solutions, particular care would be needed to identify individuals or groups who qualify for resettlement with a minimum impact on the willingness of the majority to return to their country of origin, and a maximum on the willingness of the host country to promote local integration of refugees in the residual population.

3.1.8 In the lead up to organized repatriation, UNHCR should start to identify Sudanese refugees who are unwilling or unable to return home, for refugee and protection related reasons, and those with particular vulnerabilities. It is believed that resettlement will provide an important protection tool and durable solution for those with specific vulnerabilities who remain in the countries of asylum; that is, refugees for whom repatriation is not feasible, even where others might be able to return in safety and with dignity.

3.1.9 Certain individuals continue to be afraid or are unwilling to avail themselves of repatriation. They will not be expected to return during the initial phase of repatriation. These categories may include: women and children who fear harmful traditional practices and lack effective State protection; unaccompanied minors with no prospects for family reunification; child-headed households and

former child soldiers; survivors of trauma or torture, including sexual and gender-based violence, prior to and during flight from Sudan.

- 3.1.10 The dynamics that give rise to residual refugee population of an organized voluntary repatriation should be analyzed and addressed in a systematic and comprehensive manner during the various stages of repatriation.

3.1.11 Questions on the situation in Africa

- 3.1.12 In summarizing the presentations on Africa, the Chair raised concern about the possible risks of promoting return to Sudan too soon and the impact this may have for individuals still at risk.

- 3.1.13 Mr Dayri clarified that UNHCR is not envisaging promoting return to south Sudan at the current time. Organized returns are only foreseen as of October after the end of the rainy season. The conditions in south Sudan are not conducive for promotion of return, but UNHCR has been approached to facilitate such movements. Community based projects have been initiated in south Sudan, including health and education, as especially education remains a concern for the refugee community. UNHCR is preparing the ground for a dignified and a safe return to south Sudan but is not envisaging promoting repatriation to south Sudan in 2005 nor in 2006.

- 3.1.14 The meeting requested clarification with regard to the approximate 3000 Mandingo refugees in Guinea and repatriation to Liberia. In response, Mr Lambo acknowledged the problem, and stated that the issue is still under consideration within the office.

- 3.1.15 The US delegation took interest in the documents relating to resettlement needs in Africa and the Americas. She requested further clarification on the possible consolidation of the numbers of locations in which resettlement processing was done and how this may affect the number of referrals. Clarification was also sought with regard to how the Regional Hubs had been used to address gaps between the needs and capacities in the region, especially referring to the apparent lack of capacity in Tanzania for group processing. On Uganda and Sudan, it was noted that many of the 194,000 Sudanese had dim prospects of integration and/or return, yet only 60 persons out of the 194,000 were being considered for possible resettlement. It was proposed that the group resettlement methodology could be considered for this larger population.

- 3.1.16 Mr Lambo clarified that the colleagues at the Resettlement Hubs should be allowed to develop the administrative and management capacity to deal with the expansion of resettlement programs. Resettlement processing is labour intensive and many Branch Offices do not have the staffing capacity. Additional staffing is welcome, but this has to also be appropriately managed. The Hubs have worked fairly well, especially in providing support to the offices. However, it is important to note that they are not meant to run the country programs.

- 3.1.17 UNHCR clarified that the processing of the 1972 Burundians would be on-going. Verification and registration would be undertaken across several camps. Ms. Feller also underlined that resettlement poses some important dilemmas for UNHCR: that is, how to expand the use of resettlement, to which UNHCR is

committed, as well as how to manage some of the auxiliary problems which flow from an expanded resettlement program. It was also noted that the management by resettlement countries of their own immigration programs is posing from time to time real protection problems for refugees. Specific reference was made to situations where perceived strict application of criteria had led to deaths or where HIV positive refugees had been abandoned by, or chosen to abandon, family where they fear this will jeopardize the chances to access resettlement programs.

- 3.1.18 The Australian delegation sought clarification on the pull factor and asked if studies had been carried out in specific situations and what possible strategies are taken to mitigate the risks. In referring to consolidation of resettlement in Africa, it was highlighted that resources and logistics could also be considered from the side of the resettlement countries. With regard to the management of resettlement in the Sudan context, the Australian delegation proposed that resettlement countries could be involved in the discussions to have a collective understanding about the most appropriate way to try and manage programs in that context.
- 3.1.19 The Refugee Council of the USA raised a query concerning the 238 Ogoni Nigerian refugees in the Compasi Camp in Benin. In addition, clarity was sought for what would be done to compensate for the identified lack of capacity to make adequate referrals in Ghana, Senegal and Mali and what specific provisions had been made for unaccompanied refugee children and women at risk as this was not addressed in the resettlement needs document.
- 3.1.20 ICMC raised a question on what the Africa Bureau would be doing to better equip protection officers to identify cases for resettlement processing in the field.
- 3.1.21 Mr Lambo acknowledged that no specific study had been done on resettlement creating a pull factor, and felt that this would have to be done. However, the issue is known to cause movement not only between Africa and Europe, or Africa and non-African countries but also within Africa from one country to another. It would be a good idea to seek solutions for this phenomenon in conjunction with some of the resettlement countries, for a full transparent picture of the situation.
- 3.1.22 Mr Lambo also clarified that consolidation does not imply resettlement programs are going to be limited, but that capacity issues and some of the very traumatic issues that Erika Feller raised need to be examined. Management of the programs needs to be examined in order to improve without damaging or limiting our potential for resettling refugees. However it is expected that the number of refugees in Africa generally is going to decrease over the next few years.
- 3.1.23 With regard to equipping protection officers to identify cases for the resettlement staff in Africa, Mr Lambo remarked that the real problem was insufficient number of Protection Officers in the field. He underlined that resettlement has always been a tool of protection, but perhaps there is a need to sensitize protection staff more on the issue of resettlement as a durable solution. There is a tendency in Africa to always talk about voluntary repatriation immediately when you talk about durable solutions. Protection Officers must analyze these refugee situations better and identify needs which can be drawn to the attention of the Resettlement Hubs.

3.2 THE AMERICAS: Mr Manuel Jordao, Senior Protection Officer, Americas Bureau, UNHCR

3.2.1 Mr Jordao indicated that the Bureau was committed to using resettlement as a tool of international protection, a durable solution for individuals and groups, and as a solidarity and responsibility sharing mechanism. It was underlined that the Mexico Declaration and Plan of Action constitutes a sound framework - established by 18 Latin American countries to deal with the situation in the America's region with almost 4 million refugees, asylum seekers, IDPs and others of concern. The political situation in Latin America is increasingly unstable manifested by the fact that the America's region is facing a steady growth trend in terms of forced displacement, while worldwide refugee numbers tend to decline. The following was highlighted:

- The ramifications of the Colombian conflict are a serious destabilizing factor in the region. Tension, crime, and violence are also increasing in border areas hosting significant populations of concern to UNHCR. The situation is increasing the pressure in the asylum institution, as well as in the existing regional resettlement program.
- The main official refugee populations are found in Costa Rica and Ecuador. However, Colombians are also in other countries living in an invisible and clandestine manner, out of fear of further persecutions. Venezuela is in the process of completing the regularization of 7,270 Colombians. At the same time, Colombians are entering Brazil and arriving in countries as far distant as Chile.
- The refugee situation shows the arrival of a growing number of women at risk, refugees who are victims of torture and systematic violence, individuals facing physical and protection risks and those for whom local integration is not a viable option. In such cases, resettlement is increasingly used as the most effective protection tool.
- Resettlement needs in Ecuador and Costa Rica are between 1,000 and 1,200 persons. The situation of refugees in Cuba remains difficult to solve. An appeal was made to resettlement countries to assist in finding a solution for some 55 refugees of Afghan, Iraqi, Palestinian and Sudanese origin who are in Cuba. The meeting was further informed that until end-2005, the integration for more than 300 refugees in Chile and Brazil would be promoted.
- Concerning the Mexico Plan of Action (MPA), the Bureau had begun to define the terms for resettlement cooperation agreement with Uruguay that could follow the model already agreed with Argentina, but this would require funding which could be explored in the context of North-South cooperation. This would be important to sustain the MPA in its first stage and the creation of a regional resettlement capacity in Latin America.

3.3 ASIA AND PACIFIC: Ms Janet Lim, Director of Asia and Pacific Bureau

- 3.3.1 Ms Lim stated that since 2003 the total number of resettlement cases from the Asia region has been increasing and it is projected that this trend would continue in 2006. Increased resettlement since 2003 has expanded the protection space for the various population of concern to UNHCR. The established regional objectives relating to protection and durable solutions can only be met if there are new opportunities for resettlement. In this connection, it was remarked that the strategic use of resettlement has impacted this region in two ways: (i) resettlement is not only used as a durable solution but also as a tool of protection, and (ii) resettlement is used to leverage other solutions within the framework of Convention Plus.
- 3.3.2 It was noted that in Malaysia, staff capacity permitting, UNHCR anticipates an increase to some 2,000 persons for 2005 and 2006. Apart from extending temporary protection to the Rohingas and the Achenese, UNHCR has also entered into negotiations with the government on local solutions for these groups by granting them access to basic services and possibly work-permits. This positive indication, including public announcement from the government has yet to be implemented. Resettlement is also undertaken for the Chins and other minorities and nationalities. To maintain the government's confidence in UNHCR's ability to find solutions, quick resettlement is needed. It has also helped to strengthen UNHCR's position when negotiating local solutions for 3,000 Achenese and Rohingas.
- 3.3.3 In Thailand, the successful resettlement of the Lao Hmong was reported to have had a positive spin-off. It opened the door to a more positive view by the government about the resettlement of the Myanmar refugees. Resettlement is currently the only solution for the urban refugees from Myanmar and with their recent transfer to the camps on the Thai border resettlement needs to be expedited. The total number of persons in the resettlement pipeline with various countries is about 5,000. The speed at which these cases can be submitted for resettlement will have an impact on the Thai Government's level of comfort with the asylum system that is currently being established through the provincial admission board. The planned group resettlement from the overcrowded Tham Hin camp is considered a major achievement and important step for the expansion of resettlement in Thailand, as repatriation prospects are less optimistic given recent developments in Myanmar. This is a significant start for durable solutions to a protracted situation.
- 3.3.4 In Cambodia, the re-establishment of constructive dialogue with the Vietnamese and Cambodian authorities on the situation of the Montagnards has resulted in the conclusion of a tripartite memorandum of understanding which is aimed at securing asylum space and finding solutions for some 750 Montanans in Cambodia. Although initially UNHCR was not provided access to the returnees, UNHCR's national officers in Hanoi were permitted to visit some of the returnees in two provinces and no evidence of ill-treatment was noted. In the interests of finding solutions, UNHCR suggested that resettlement countries may wish to reconsider rejected cases on humanitarian grounds.
- 3.3.5 It was further reported that concerted efforts need to be made to find a solution for the Bhutanese refugees in Nepal. In view of the deteriorating security situation in Nepal and the increasing tensions within the camp population, the urgency of finding a solution for this protracted refugee population was urged.

- 3.3.6 In India, it was added, the Convention Plus framework was used to resolve the situation of almost 10,000 remaining Afghan refugees. The majority of these are Sikhs and Hindus who are well integrated and have chances to eventually obtain Indian nationality. Finding resettlement for some 1,200 ethnic Afghans who have little prospects for local integration would assist in encouraging the Indian government to speed up the naturalization of the large numbers of Afghan refugees in India. For the large number of **Chin** refugees from Myanmar, UNHCR has started to conduct a comprehensive study of their protection, assistance, self-reliance and durable solution needs. A number of extremely vulnerable individuals and protection cases identified will be submitted for resettlement as will family reunification cases.
- 3.3.7 UNHCR access to **North Koreans** varies depending on the attitude of the hosting country. UNHCR has tried to facilitate the onward movement of North Koreans, but South Korea has been the only country giving access. No country has yet indicated interest in accepting North Koreans for resettlement.
- 3.3.8 Questions on the situation in Asia**
- 3.3.9 Canada requested that additional background information on the Tibetan situation be provided and enquired as to whether Tibet would become an issue for discussion with respect to resettlement possibilities.
- 3.3.10 Australia indicated that resettlement countries, UNHCR and the Thai Government will need to manage the resettlement process quite carefully and also need to consider reinvigorating the local resettlement working group to coordinate appropriately.
- 3.3.11 New Zealand indicated that there has been some concern raised by NGOs on household surveys used to gain an indication of preference with regard to repatriation or resettlement. Resettlement may be quite a foreign concept to many refugees. Secondly, there is some concern about whether the best interest determination has been applied to the large number of unaccompanied minors. If not, New Zealand urged that the best interests of child determination be utilized.
- 3.3.12 USA indicated that the US Congress passed legislation – the North Korea Act – which obligates the US government to provide support. The US remained interested in offering resettlement where it is appropriate and where it would not interfere with other streams that already exist. US underlined that is willing to offer resettlement to some refugees, however, US anticipates that there could be lengthy security checks.
- 3.3.13 Other issues raised by delegations including: (i) the United Kingdom, concerning the treatment of exclusion provisions in case of group resettlement (ii) Denmark inquired about the type of the test cases of the Bhutanese in Nepal that have been accepted by Canada and if this included unaccompanied minors or women at risk cases, and (ii) Sweden inquired as to how the resettlement program for the Burmese was strategic.
- 3.3.14 In response to the comments and observation made by various delegations, Ms Lim stated that 20,000 Tibetans have been in Nepal for a long time. The

protection situation for Tibetans in India and Nepal has been quite sustainable, which is why resettlement has not been considered for this population.

3.3.15 In Thailand Ms Lim said that UNHCR would be participating in the Provincial Admission Board that makes the individual assessment of asylum seekers. It was reiterated that, at present, voluntary repatriation for the Burmese population is not a possibility because of the recent political development in Myanmar. The strategic use of resettlement in Thailand has improved protection space by enabling UNHCR to set up a regular asylum system for incoming Myanmar refugees and allowed better access to the refugees.

3.4 EUROPE: Mr Rob Robinson, Deputy Director, Europe Bureau, UNHCR

3.4.1 Mr Robinson stated that the resettlement activities in Europe reflect similar trends as in the previous year. The resettlement agenda fits strategically into the objectives of the Bureau when looking at statelessness, or asylum system development. UNHCR looks forward to EU harmonization of the asylum system and hopes to see some level of acceptable harmonization by the year 2010. UNHCR is following with interest the regional protection plan drawn by the EU Commission.

3.4.2 The Europe Bureau is currently involved in a protection gaps analysis for Eastern Europe. This gaps analysis could also be a tool to look more closely at the resettlement situation in Europe.

- In 2003, 127,000 persons sought asylum in these 36 countries during the first quarter. For the first quarter of 2005, this has fallen by 36 percent. In domestic policy in countries in Europe it is very difficult to separate the question of migration and asylum, but compared to 2 years ago in Europe it's down 31 percent. The largest decrease in people seeking asylum is in the ten new EU states. This is 50 percent less than 2 years ago.
- The largest group of asylum seekers comes from Serbia and Montenegro, followed by Russian Federation, China, Turkey, Iraq and Georgia. Resettlement countries should talk strategically on how to address the problem of Chechen refugees especially those stranded in Azerbaijan, Georgia and Ukraine; Chechens, or citizens of Russian are not considered as refugees in the Western CIS countries.
- In Europe, UNHCR is concerned about the situation of vulnerable groups originating from Africa. In Russian Federation, Ukraine and Turkey, UNHCR is concerned about the racially motivated attacks and close to zero tolerance with regard to asylum and integration prospects of these refugees.
- The situation of persons of ethnic minorities coming from Serbia and Montenegro remains a concern. Several thousand Roma who are in a very vulnerable legal position is a matter of concern. UNHCR is mindful of the fact that promoting resettlement at a large scale could create a pull factor. It is difficult to articulate a strategy for resettlement in a regional context for a certain group without knowing what impact it might have in other areas.

3.4.3 Questions on the situation in Europe

3.4.4 The resettlement country delegates asked if UNHCR had been approached by the EU Commission concerning the resettlement component of the regional protection programs and if UNHCR will be able to co-operate by providing resettlement places for these programs; for example, in Ukraine, and what would be the affect on the Ukraine asylum policies if EU started resettlement from Ukraine. Other questions concerned the rather slow and cumbersome asylum policy of Russia and what was the real extent of the number of African refugees in Russia who require resettlement.

3.4.5 In response to the questions concerning Ukraine and Russia, Mr Robinson stated that UNHCR had held meetings with the EU Commission and was content to note that the Commission welcomed UNHCR's input and its comments have been incorporated. It was further noted that the long waiting period of asylum in Russia was a matter of real concern to UNHCR. With respect to African refugees in Russia, about 50 persons had been recognized as the most vulnerable and in need of international protection; however, given the vast size of Russia, it was very likely that many African refugees in Russia were not know to UNHCR.

3.5 CASWANAME: Mr Radhouane Noucier, Deputy Director, Bureau of Central Asia, South West Asia, North Africa and the Middle East

3.5.1 Mr Noucier reported that the CASWANAME region continues to host a large number of refugees. The volatile situation in the asylum institution in that region gives ground for the continuation of resettlement as a tool of protection.

3.5.2 At the legislative level, there has not been any major development affecting the asylum framework in the region. It was noted, however, that Syria was considering accession to the 1951 Convention and had recently submitted to UNHCR a number of questions raised by parliamentarians and ministers relating to the impact accession might have on the Syrian legal system. As to the situation of Palestinian refugees in the country, UNHCR has submitted a comprehensive reply clarifying all the points raise by the Syrian government.

3.5.3 It was noted that UNHCR's protection and resettlement capacity was being enhanced in North African countries. Submissions for resettlement from that sub-region and the Middle East would be made through the UNHCR Resettlement Hub in Lebanon.

3.5.4 Resettlement in North Africa and Middle East

3.5.5 The number of Iraqis fleeing to Syria and Jordan in particular continues to rise. Both Syria and Jordan are showing signs of inhibition in relation to the temporary protection of Iraqis. As a result, some deportations have been reported from Jordan and Syria. Yet, the two countries have informed UNHCR that they will resume the implementation of regulations on the stay of Iraqis. In the meantime, UNHCR is developing criteria for conducting RSD for Iraqis in the region neighboring Iraq, so that those with serious protection risks and accompanying cases could be identified and submitted for resettlement.

3.5.6 In Lebanon, around 135 Iraqis belonging to a long-standing population are being cleared by DHS for resettlement. The group of Iranian Kurds, ex-Al Tash,

staying in the no-man's land between Jordan and Iraq has now been transferred to the camp of Al Ru'weished. About 200 Iranian Kurds, ex-Al Tash, have been interviewed recently in Al Ru'weished camp by Sweden and Ireland. Appreciation was also expressed for the active involvement of New Zealand in the resettlement of this population.

- 3.5.7 In Jordan, no solution has been reached for almost 900 refugees, ex-Iraq. UNHCR appeals to resettlement countries to provide resettlement opportunities for these people. Sudan might be willing to offer hospitality to the Palestinians. UNHCR is seeking confirmation of the offer. UNHCR is consulting with the concerned parties and at this stage it is not possible to say if there is a firm interest by Sudan to receive the population.
- 3.5.8 The Government of Iraq has recently approved the transfer of 300-500 persons from Al Tash to the Kurdish area of North Iraq. UNHCR is hopeful that this transfer will encourage some resettlement countries to consider providing a solution to the Iranian Kurds in Al Ru'weished camp as well as a group of Iranian Kurds who are still stranded on the Iraqi side of the border with Jordan.
- 3.5.9 A group of 74 Sudanese emerged recently at the border area between Iraq and Jordan. They used to live in Baghdad and claim to originate from Darfhur. UNHCR is trying to deliver some relief items to them and is collecting information at the same time.
- 3.5.10 With regard to the situation in Saudi Arabia, 220 Eritreans refugees have been interviewed and submitted for resettlement while a residual population of 38 Iraqis are at Rafha camp.

3.5.11 Central Asia and South West Asia

- 3.5.12 In Central Asia there are two projects that concern resettlement; the protection gap initiative and the cessation for the Tajik refugees. However, the two projects were put on hold because of the events in Andizhan, Uzbekistan.
- 3.5.13 The peaceful revolution in Kyrgyzstan, the "Tulip Revolution", did not create any outflow of asylum seekers or people seeking refuge while demonstrations on 13-14 May 2005 in the town of Andizhan were severely repressed by the Uzbek authorities. This resulted in 444 asylum seekers in Kyrgyzstan hosted in a camp. They have been all registered as asylum seekers by the Kyrgyz authorities. The Kyrgyz have accepted that UNHCR participate in refugee status determination for these asylum seekers.
- 3.5.14 UNHCR reported that among the group was a specific sub-group commonly referred to as "the businessmen" who have been jailed for long time in Andizhan and who are accused by the Uzbek Government as being Islamic fundamentalists and terrorist and having links with the Chechens and with Al-Qaeda.
- 3.5.15 In view of the developments of the situation in Central Asia, the resettlement plans need to be reviewed. UNHCR would undertake refugee status determination with the Kyrgyzstan authorities and look into excludable elements during the RSD process. Should the situation in Uzbekistan worsen, the

Kyrgyzstan authorities would have difficulties to accommodate more than 500 asylum-seekers.

3.5.16 With the situation in Kazakhstan, UNHCR was promoting steps to realize the naturalization of Afghan refugees who had been living in Kazakhstan for a very long time. However, following discussions it was realized that naturalization is not possible. It is likely, therefore, that the number of Afghans to be considered for resettlement will increase.

3.5.17 In Turkmenistan, President Bashit has agreed to the naturalization of 9,700 Tajik refugees in Turkmenistan.

3.5.18 In Iran and Pakistan resettlement is considered for vulnerable individuals and protection cases, as UNHCR has not reached the stage of including resettlement as part of a comprehensive solution for Afghans in Iran and Pakistan.

3.5.19 Questions on the situation in CASWANAME

3.5.20 The Canadian delegation raised concerns on the capacity of UNHCR to process the 600 Ethiopians and 600 Somalis in Yemen. They reported that they will be creating a new full processing mission in Abu Dhabi and was requesting UNHCR to comment.

3.5.21 The ICMC questioned the protection situation of religious minorities in Pakistan and asked to know whether there were concrete resettlement plans for them.

3.5.22 The Norwegian delegation sought clarification on the Iranian Kurd refugees in Iraq and Jordan. They asked to know whether these refugees would be locally integrated or whether there would be a need for resettlement. With regard to Iranian Kurds in Jordan, they were interested to know if the group will be indefinitely admitted in Jordan.

3.5.23 The US Refugee Council sought information on the resettlement activities in Israel and why resettlement from Israel was not mentioned in UNHCR's Projected Global Resettlement Needs.

3.5.24 As regards the Ethiopians and Somalis in Yemen, UNHCR stressed that 600 Ethiopians in Yemen had already been re-interviewed and proposed to resettlement countries. It remained only the Ethiopians of Oromo origin that needed to be interviewed.

3.5.25 Mr Noucier replied to the query of ICMC saying that although there is a distinction between Afghans and non-Afghans, when it comes to resettlement the same opportunities are given for all non-Afghan refugees, giving priority to individuals most in need of resettlement according to protection principles.

3.5.26 With regard to the group of Iranian Kurds, UNHCR informed the meeting that efforts continued to be made to find durable solutions for them. Protection in the no-man's land is not appropriate, and UNHCR is therefore appealing for resettlement countries to provide interventions for those remaining Iranian Kurds. As for the Iranian Kurds in Jordan, UNHCR informed the meeting that

they had been accepted on a permanent basis. They will be locally integrated and there will no longer be a need for resettlement.

- 3.5.27 Replying to the US Refugee Council, UNHCR informed the meeting that there was ongoing activity in Israel for “enemy aliens” and for those who are in need of resettlement.

4. Human resources needed to underpin UNHCR’s resettlement activities: Mr N. Mbaidjol, Deputy Director, DIP, UNHCR

- 4.1 The figures in the Projected Global Resettlement Needs for 2006 show an increase from 2005 to 48,000 plus, but UNHCR only has the capacity to address the resettlement needs of 34,000 refugees. Hence, there is a gap between the capacity in the field and the individual resettlement needs identified by UNHCR. The Projected Global Resettlement Needs does not mention how UNHCR is trying to cope with the situation of limited resources and capacity in terms of staffing or how UNHCR can sustain its capacity in 2006.
- 4.2 Nevertheless, UNHCR stated that it would continue deploying staff in cooperation with ICMC to areas where resettlement needs are increasing. Deployment means a lack of resources, and the figures there are quite high. UNHCR is contemplating about 39 deployments to fill the staffing shortage in the field. A total of 25 country offices worldwide believe that their projects for resettlement needs will not be met by their staffing resources in 2006.
- 4.3 In Africa for instance, 14 out of 31 country offices do not have the sufficient human resources and capacity to deliver the projected needs. This task leaves them into possible maintenance of 11,000 plus refugees in the whole region of Africa. The deficit for each of the countries is at least 40 percent of the total projected resettlement needs.
- 4.4 In the Americas region, three countries will not be able to meet the projected needs unless additional resources are found. Although the absolute number is less than 600 people, the deficit represents 30 percent.
- 4.5 In South and South East Asia, the situation is better; only two country offices believe that they do not have the capacity to face their needs. The projected needs are only 300 persons, which is some 6 percent of the total need in the region. The capacity issue mainly concerns Cambodia. The projected maintenance needs represents 49 percent of the country office needs.
- 4.6 Support to field operations will continue through resettlement training programs, aiming at increasing the capacity of field offices to identify and submit resettlement cases and to improve the quality of submissions. Training in resettlement has been included in the UNHCR protection training programs, and complemented by dedicated sessions of trainers, to enhance the capacity of field offices. It will implicate training events at local level.
- 4.7 In 2003, five workshops were conducted on RSD and resettlement and 4 workshops in 2004. Two training of trainers were held last year. In 2002 and 2004 two training programs were organized for ICMC roster members before being deployed to the field. This year workshops are also planned.

4.8 The additional staffing resources since 2003 have increased UNHCR's resettlement workforce. In 2003, resettlement departures have increased by 23 percent compared to 2002. In 2004 there has been an increase of 50 percent compared to 2003.

4.9 Comments and questions

4.10 The Australian delegation noted that human resources to support resettlement are particularly important. It is useful to be able to identify the capacity gap. In the Projected Global Resettlement Needs document it is difficult to know what is needed from the resettlement country donors to bridge those gaps. It would therefore be useful to have a greater specification and UNHCR's perspective about what is needed in these locations to bridge those gaps. Is it more deployments? Is it professional or local staff? Do we need to consider special operations funding for a large resettlement program for example like the one that is starting to develop in Thailand? What about the co-ordination across countries working with UNHCR to bridge these capacity gaps. Is it this forum or the resettlement working group? This should be an opportunity to present specific proposals together in a coordinated way to agree on the priorities to address and bridge the gaps between capacity and needs.

4.11 It was further added that UNHCR needed to ensure the necessary capacity in regard to a possible EU resettlement programme. Information is needed about the type and number of staff needed to bridge the gap. It is easier to earmark funding or find additional funding through governmental systems to such programs if the gaps are more specific.

5. Strengthening Partnerships- the role of NGOs in the resettlement process Presentations by RCUSA and UNHCR (attached)

6. Update by UNHCR

6.a Women-At-Risk Programmes – an assessment of their impact on refugee protection

6.a.1 Introduction: Ms Joyce Mends-Cole, Special Advisor on Gender Issues, DIP, UNHCR

6.a.2 Ms Mends –Coles mentioned how several Bureau representatives has spoken of the factors and the circumstances in different locations which place woman at particular risk, preventing them from returning to their countries of origin and necessitating their resettlement. A number of participants had reiterated these concerns and also called for improved capacity of protection officers to identify women at risk.

6.a.3 The UNHCR partnership with the Centre for Refugee Research at the University of New South Wales (Australia) was motivated by both internal and external impulses to improve the situation for refugee women. Internally, UNHCR recognized that the women-at-risk criteria and program required renewed emphasis in order to better protect women. Within UNHCR, it has been necessary to look at the broader question of violence and respond to sexual and

gender based violence more proactively. The external impulse was related to the identification of capacity and risk gaps. These tools should help UNHCR with standardization, in order to have a deeper understanding of women's experiences and risks they are facing, which helps improve the effectiveness of UNHCR's protection response.

6.a.4 Women at Risk Programmes: Ms Eileen Pittaway, the Centre for Refugee Research, University of New South Wales (UNSW), Australia

6.a.5 Ms Pittaway presented an overview of the Centre's activities in collaboration with UNHCR. Ms Pittaway noted that the problems in implementation of women-at-risk programs sometimes override the good intent, and that the UNSW research had shown that over the last 10-15 years nearly every refugee woman and girl had been at risk of rape and other forms of sexual and gender based violence. Indeed, many refugee women and girls experience multiple traumatic events, including repeated sexual and gender based violence as a form of persecution, during flight and in countries of asylum. The impact of each event is compounded by ensuing events and incidents, which are further compounded by a lack of adequate protection. This creates extreme levels of risk and vulnerability to further abuse and trauma.

6.a.6 Due to the lack of resources and the lack of effective systems in place to mitigate these risks, the international protection system often seems to fail to respond to the needs of refugee women. This has been documented in refugee situations around the world. This system's failure can lead to further instances of violence, exploitation, sexual abuse, trafficking and even death.

6.a.7 The UNHCR Women-At-Risk resettlement criteria were designed to provide a rapid and effective response to these women, but recent research shows that this program continues to fall short of its promise. The research conducted by the Centre for Refugee Research focused on two sites: Kakuma Camp in Kenya and the camps along the Thai border. One of the key questions has been how to differentiate in refugee situations whom to resettle when the majority of women are at risk. In the research findings there is confusion in definition and interpretation of the concept of women-at-risk. This includes the difficulty of identifying women experiencing extreme or unacceptable risk and women who are potentially at risk.

6.a.8 In identifying the issues and challenges, Ms Pittaway stated that there was failure in the implementation process including the assessment of risk and the removal of women from situations of dangers to resettlement in third countries, or other forms of protection. There was also lack of standard procedures for processing women-at-risk. Other issues such as fraud, a culture of distrust of refugee stories and fear of systems abuse by some refugees further complicated protection responses. Ms Pittaway added that UNHCR needs to overcome these barriers with the help of additional resources, which would address the need for: (i) a coordinated response to the special needs of women at risk in countries of resettlement; (ii) a registration of women at risk once they have been identified; (iii) systematic follow-up process for women at risk.

6.a.9 Ms Pittaway informed the meeting that the UNSW, in collaboration with UNHCR had started to develop a model by using a checklist to identify women

at risk. The model is compatible with current protection models of UNHCR. It strengthens the protection capacity program, the gender age and diversity mainstreaming program, and the strengthening protection capacity project. It will serve to enhance the practical implementation of the revised UNHCR guidelines for the protection of refugee women, and address protection commitments, made to refugee women and children, in Security Council Resolution 13 (25).

6.a.10 There will be one trial of the system on the Thai-Burma border, and additional funding would be required to trial the model at one of the camps in Chad. The model, which includes refugee participation in a workshop setting, is designed to identify the range of barriers that prevent the identification of women at risk and to work with refugee women and stakeholder agencies to develop systems to overcome and address these barriers. It will include working with these groups to identify a range of short, medium and long term protection solutions, including resettlement as one of the options, and an effective implementation and monitoring strategy.

6.a.11 The trial is divided into three parts:

- Working with refugee women to identify risks and solutions. This includes working with the women using techniques to assist them to identify what is happening in their lives and what they see as the key issues and solutions;
- Working with the NGOs, UNHCR and different representatives of various governments. The aim of these meetings is to produce local mechanisms to identify and respond to the needs of women;
- Establishing a register of women-at-risk.

6.a.12 Ms Pittaway highlighted a number of additional points from the project. First, was the development and implementation of a refugee women risk identification, and response system, with a training package. It was hoped that this would improve understanding of and the implementation of the women-at-risk program. Second, the project highlighted the need for an ExCom conclusion on women-at-risk, and UNHCR was urged to further this recommendation. Third, was the recognition that UNHCR and key stakeholders have an obligation to document best practice and build a model that is aimed at identifying and responding to the needs of refugee women.

6.a.13 In closing, Ms Pittaway stated that refugee women settle well in communities that are supportive and provide good social services. Groups of women are not doing well when such service structures are not present. Hence, it is important to develop models and systems that clearly identify and address the needs. It was reported that at the end of the year the Centre for Refugee Studies would convene an international conference to explore how models of resettlement services in Australia and internationally can identify gaps and how collectively solutions can be found. Of particular focus will be the needs of refugee women-at-risk, and how to provide a seamless service delivery from the moment of identification through to the moment where a durable solution is found.

6.b Best interest of the child determination: Mr C. Bierwith, Senior Protection Officer, DIP

- 6.b.1 UNHCR reported that the preparations of the UNHCR guidelines on the determination of the best interests of the child which constitutes part of the commitments made under the Agenda for Protection (Goal 6.2) had been reactivated at the end of last year. The first draft of the UNHCR guidelines were under review. The aim is to provide guidance on how and when to conduct best interest determination. The guidelines are not addressing state partners, although it is understood that the primary responsibility for unaccompanied and separated children rests with the State. Among the issues addressed in the draft are the following:
- When to make best interest determination;
 - Who should conduct the best interest determination;
 - What procedures should be followed;
 - What rights of the child the decision makers must be aware of;
 - How the criteria should be applied in a particular case, meaning balancing the different rights and criteria to address to the particularities of each and every individual child.
- 6.b.2 The next steps in the process will be to: (i) share the draft guidelines with experienced UNHCR colleagues in the field to see whether the guidelines can be implemented in practice; (ii) adjust the draft guidelines to the General Comment number 6, issue by the Committee on the Rights of the Child, issued a few days ago, 3rd June 2005. (This comment is addressing the treatment of unaccompanied and separated children outside their country of origin, and has comprehensive wording in relation to the best interest principle and how to apply this principle in relation to such children); and (iii) share the draft with external partners who already at an early phase contributed through their replies to our questionnaire. So too, UNHCR would invite interested governments to share views.
- 6.b.3 It was further reported that while in Europe the figures of unaccompanied and separated children had declined, the issue remains high on the agenda from a global perspective. Finally, UNHCR noted two key challenges in preparing the guidelines: (i) a deficit was observed in the differentiation between the general respect for the best interests of the child in relation to children and refugee children conducted by UNHCR vis-à-vis, a more formal process of best interest determination; and (ii) drawing the border between the responsibilities of UNHCR and the States.
- 6.b.4 Normally it's the State's responsibility to safeguard the rights of the child and ensure respect and observation of human rights. Whenever States make decisions and wherever States have mechanisms to manage properly the protection and welfare of unaccompanied and separated children, UNHCR's role will be of secondary nature. In cases where a country is willing to establish protection mechanisms under their national legislation, UNHCR's primary goal is assist in building capacity.
- 6.b.5 UNHCR acts as a substitute for the State on a broad range of assistance and support methods, to directly fill the protection gaps that might exist for refugee children. There are limits when it comes to adoption and the appointment of guardians when there is State legislation and UNHCR fully respects existing legislations in countries it operates in. Therefore the question of substitution is

most delicate when the respect of sovereign of States comes into play. However, when UNHCR's is acting in best interest determination, its role and function should be unquestioned. Best interest determination is needed in decisions such as submission of cases to resettlement countries, which are decisions within UNHCR competence.

6.b.6 Questions concerning UNHCR's BID guidelines

6.b.7 The US delegation expressed interest in the draft BID guidelines and stated that a working group had been established to discuss the issue. The US remarked that only two countries in the world are not party to the Convention of the Rights of the Child and that the US would be reading the guidelines with great interest. The US invited UNHCR to include reference to other international instruments and obligations with respect to children; for example, The Hague obligations. The US welcomed UNHCR's willingness to share the draft and indicated that it would provide comments on the draft to UNHCR in a timely fashion.

6.b.8 NGO representatives acknowledged the importance of progress in this area and asked when the document would be finalized and what status the document would have in UNHCR's operations, and whether the guidelines would be evaluated following a period of implementation. Questions were also asked about the type of staff training that would be required and the qualification of staff to conduct best interest determinations.

6.b.9 In response, UNHCR indicated that the Convention on the Rights of the Child and other relevant international legal instruments, including The Hague Convention, formed the basis for developing the draft BID guidelines. The plan was to finish the consultative and drafting process in 2005. The BID guidelines would become an internal document and be binding for UNHCR staff. The guidelines would also inform UNHCR's partners, and be used to design and evaluate the projects of UNHCR's partners. The guidelines, however, would not be binding for States.

6.b.10 UNHCR acknowledged that there would be a need for training of UNHCR staff and others, such as implementing partners. Furthermore, appropriate mechanisms would need to be established to conduct best interest determinations in accordance with the guidelines, and there remained the question about standard operating procedures, especially in larger scale operations. It would be the role of UNHCR's protection and community services staff to supervise adherence to the guidelines and ensure quality control.

6.c The Role of Resettlement in Convention Plus Arrangements

6.c.1 UNHCR noted that the question as to how resettlement can trigger or hinder other solutions needs to be further explored. At a regional experts meeting on sustainable solutions in West Africa, the issue of timing resettlement vis-à-vis voluntary repatriation in the case of Sierra Leone and Liberia came up. The timing of resettlement for these two distinct situations adjusted to the realities on the ground. In some situations there is an incentive to resettle rapidly a group or groups of eligible refugees and then proceed with voluntary repatriation. It is essential that the eligible group for resettlement is identified in the comprehensive package within the broader group of refugees. The refugees

themselves should be adequately informed of eligibility criteria and the outcome of eligibility for resettlement. Providing information and managing realistic expectations are a major part of the solution.

- 6.c.2 UNHCR noted the positive developments concerning the group of Afghan refugees in India. It presented a very distinct and easily identifiable group. In this situation, resettlement can be an option for one group, which may actually pave the way for a more positive approach including naturalization of the other group.
- 6.c.3 To engage all stake holders in the planning and delivery of a comprehensive package is at the heart of Convention Plus approach for a comprehensive plan of action. The stakeholders include UNHCR, development partners, donor countries, countries hosting refugees, countries of origin and resettlement. It is essential to include and represent stakeholders in the political leverage to make a solution happen. In this connection, it was suggested that UNHCR develop a master plan in cooperation with all stakeholders for Tanzania. Based on the work carried out for the strengthening protection capacity project, there is a willingness on the part of the government, local and central, to discuss refugee solutions more openly, forming the building blocks for a master plan or solution.
- 6.c.4 It was further noted that a comprehensive plan of action for Somali refugees is in the making and a number of activities are underway. There is a case for trying to bring on-going resettlement initiatives into a broader package and to get resettlement initiatives out for particular situations, to bear upon a more positive attitude towards a mix of global solutions in countries of asylum.

7. Group resettlement and integration, including positive experiences from Australia, Canada, Norway and USA (attached)

7.1 Presentation by Australia

- 7.1.1 The Australian delegation provided a brief explanation of Australia's experiences with group resettlement in terms of on-arrival management and integration. It was noted that some groups were identified by UNHCR through the group processing methodology, while others could be termed groups for settlement purposes by virtue of their common characteristics as being from the same refugee population rather than through any formal group resettlement process. The Australian experience has shown that partnerships have been the key element in the successful resettlement of refugee groups.
- 7.1.2 It was noted that Australia's program has about 13,000 humanitarian entrants a year of which the vast majority are individual families and arrivals, rather than group arrivals. The Ethiopians from the Abu Rakhm camp in Sudan and the Liberian group were identified by UNHCR and ICMC assisting them to process those particular groups. Burundians and Congolese came on an individual basis, but using a group arrival package assisted Australia's settlement services to manage on-arrival aspects of the process. It was noted that regardless of how the refugees are presented for resettlement, whether through group identification or group referral methodology, the process requires a focus on each individual and each family unit.

- 7.1.3 Australia had used different ways to manage the arrival of refugees. For example, charter flights were used for groups of Liberians from Guinea. Similarly, for Ethiopian and Burundian group arrivals, Australia arranged for arrivals in groups in a staggered way. For some groups, efforts were made to gain a good understanding of the family and personal relationships between the people to ensure that those natural community linkages could be maintained for post-arrivals and help them with the resettlement process. Efforts were also made to link individuals with existing communities.
- 7.1.4 It was explained that Australia had adopted an integrated humanitarian resettlement services strategy. It is a six month program funded by the government and is delivered through a network of service providers to support the initial arrival and integration needs of resettled refugees. The aim is to help resettled refugees establish themselves on a permanent basis to become self-sufficient. Most of the service providers are NGOs or non-profit community based organizations. This strategy focuses on the following main areas of service provision:
- Services for initial information and orientation; linking the refugees' arrival into existing mainstream government service provision.
 - Coordination of services; that is, ensuring the services link together to address individual needs.
 - Services designed to meet specific health needs, including psycho-social services and torture and trauma counseling.
 - English language services (i.e. the Adult Migrant English Program), which includes language classes and intensive support to assist with integration, such as access to job programs and employment, access to public health services. Also, beyond the initial sequence of the resettlement period, ongoing access to interpreting and translating services.
- 7.1.5 Australia's integrated humanitarian resettlement services strategy is supported by the voluntary and community sectors. They provide an opportunity or capacity to link people to the wider community through establishing social connections. They try to channel volunteers through their professional service provision, and encourage volunteers linking these services to ensure quality in the voluntary sector and to ensure that it is integrated address the particular needs of the individuals.
- 7.1.6 The group arrival pattern and process has helped Australia to work more closely with the community sector and to plan a better approach to meet the particular needs of individuals. There is positive feedback from the community sector and ethnic communities which has helped to strengthen the communities themselves, and to galvanize support from the wider community.
- 7.1.7 One important factor the group process has allowed is to generate particular public and media interest and this had a positive impact on the community acceptance of these groups. By sharing information about the circumstances of the new arrivals and involving politicians put a real and human faith in the program.
- 7.1.8 The meeting was informed about some of the challenges faced by Australia's resettlement program, as follows:

- No existing support for new communities such as the availability of translators and interpreters, in particular languages.
- Concerns of *placing* particular groups of one nationality together with same nationality within a community. This might create difficulties, if there is a lack of knowledge of who the new arrivals are.
- The limited exposure of group arrivals to the *host culture* presents challenges for the provision of services. This issue is being addressed by offering cultural orientations programs through IOM and ICMC. They have also been working closely with IOM to have a better understanding of some of the health issues to have their service provision meet particular needs.
- The need to address vulnerable groups in a positive and concrete way to avoid the negative impact on the public sentiment towards the program.
- Ensure the programs work effectively and that the people are appropriately handled on arrival and interact positively with host communities.
- Ensure in meeting the best interests of the entrants themselves and to be flexible in their response to deal with the individual needs. The group arrivals or methodology provides some opportunities to target those services more appropriately.

7.1.9 It was noted that although integration criteria are particularly useful in the resettlement process, integration considerations could be introduced in Australia's program. It was noted that there was a potential challenge in the context of group resettlement, particularly when it focused on identification of people by vulnerability. It was acknowledged that Australia was exploring ways to manage groups identified on the basis of vulnerability, and how to support them better as well as ensure balance in the humanitarian program.

7.1.10 Questions concerning Australia's approach to settlement services

7.1.11 The Australian delegation was asked: (i) whether a cultural orientation program was carried out prior to the refugees' departure for resettlement; and (ii) if refugees are settled immediately in the new premises when arriving in Australia or via transit centers.

7.1.12 In response, the Australian delegation informed the meeting that Australia has cultural orientation programs for all humanitarian entrants. They are carried out through IOM, ICMC and UNHCR. It allowed Australia to trial some different arrangements. ICMC used Australian trainers working in the NGO sector. It allowed them to create a direct connection between the cultural orientation trainers and the people going to Australia. Australia tried to put people directly in the community rather than in transit arrangements, although sometimes people spent a short time in temporary accommodation and then moved them to longer term accommodation.

7.1.13 The Refugee Council of Australia added that the initial support does not stop after the first six months of arrival but that there is a transition into a longer term support program, targeting the first 5 years of arrival. This is the opportunity for case management and specialized programs and linking these people into mainstreaming programs. Settlement through integration can go on for a period of time. The Australian delegation added that in 2003 the outcome of a review of services for humanitarian entrants and other migrants was that it needed to be

more flexible about the time period in which people are able to access in services.

- 7.1.14 More information was requested on the selection of individuals when identifying groups and whether the interviews are conducted by Australia or if they receive the RRF from UNHCR. It was also questioned as to how Australia deals with exclusion and security checks.
- 7.1.15 The Australian delegation stated that the referral processes varies from circumstance to circumstance and depends on the negotiations with the local office. In most instances a short form of RRF is received. Interviews are conducted by Australia. It is required by their legislation to assess every person individually, but the degree of assessment depends on the amount of information obtained on a particular group. Security checks are required for most nationalities, although it varies and proceeds based on the advice from our security agencies. Inclusion is also looked at on an individual basis as it is a requirement.
- 7.1.16 Finally, it was noted by an Australian NGO representative that everyone can integrate into a community if services are working well and programs applied correctly. Integration challenges can be overcome by carefully planning and finding a balance in the programs and the activities for a large population suffering from experiences of trauma and torture. This should be the emphasis of the discussions in terms of selection.

Day 2: 15 June 2005

8. Broadening the base of resettlement

8.a Presentation and discussion of developments in Europe and Latin America

8.a.1 Presentation by ECRE

8.a.2 ECRE informed the meeting that European countries' resettlement activities have traditionally focused on resettlement as a tool of international protection, often targeting the most vulnerable. This was considered to be a positive aspect of the focus on resettlement which should be maintained in the future. ECRE was of the view that Europe should substantially increase its resettlement activities, noting that: (i) Europe receives fewer than 5,000 persons a year, a small proportion of the total number of persons resettled around the world; and (ii) only 7 European countries are involved in resettlement, 6 of these are EU member states. It was further explained that Europe should increase resettlement activities for the following reasons:

- Resettlement creates the opportunity to provide protection and helps to formulate solutions, especially to those most in need such as the most vulnerable, or those in protracted refugee situations;
- It gives Europe the chance to exercise its solidarity with other countries, and take a share of its responsibility in the provision of this durable solution;
- It provides access to Europe for refugees at a time when huge efforts and resources are being invested in restricting access to the EU;

- It provides the opportunity to develop high quality reception and integration programs, and it also facilitates public understanding of the situation of all refugees, and their plight from a situation as they flee;
 - Resettlement to Europe would complement existing national asylum systems.
- 8.a.3 ECRE suggested three ways in which European resettlement activities could be increased: (i) expanding the existing national resettlement programs; (ii) establishing national programs in emerging countries that have not yet considered resettlement (European States could act in a coordinated way to expand these activities); and (iii) establishing national programs in countries that welcomed the establishment of an EU resettlement scheme proposed last year.
- 8.a.4 ECRE expressed regret that resettlement would be seen as one element of the regional protection program and not as a freestanding resettlement scheme. ECRE urges that it be included in the two proposed pilots that are being considered, and that resettlement be included in all the pilots. Countries in regions of origin are keen to have support from other countries in helping them provide durable solutions for the refugees they host. Resettlement schemes can be a support of this.
- 8.a.5 ECRE further expressed concern about the possible negative impact of the pilots in terms of shifting the responsibilities to countries in regions of origin; that this could put refugees at risk and exacerbate secondary movements, if people are sent back to countries before they have effective protection as the commission proposal requires. The resettlement scheme should result in an increase in resettlement places and not the near reallocation of existing places in existing national programs. It should also foresee the participation of all member states.
- 8.a.6 In this connection, ECRE added that the way EU incorporates resettlement into its activities should not undermine its function as a durable solution. The framework to be developed should foresee the rights and status granted to resettled refugees of permanent rather than temporary nature. In the long term the scheme should be expanded, into a truly joint European resettlement program. The recent paper, “The Way Forward: Europe’s Role in the Global Refugee Protection System towards a European Resettlement Program” sets out how such program could be developed, and how it could function. That is:
- A European resettlement program should allow for non EU European countries to participate or be associated with the program;
 - The program should be based on common criteria. The criteria should be based on the UNHCR resettlement handbook, chapter 4, and should commit European states to make a significant number of resettlement places available each year;
 - The allocation of resettlement numbers under the program should be determined in consultation with the UNHCR global resettlement needs assessment;
 - UNHCR has a key coordinating role to play, and it needs more resources to do this effectively. NGOs and refugees should also be more involved;
 - The program should develop mechanisms and make full use of the experiences and expertise. The involvement should be at all the stages of the resettlement process. Refugees also need to be engaged in the planning to manage expectations and address needs more effectively. One of the key

benefits of refugee involvement is that refugee populations receive more credible information on the function and the limits of resettlement.

8.a.7 Finally, ECRE expressed its satisfaction about Europe taking a more significant role in global resettlement and was pleased to note that the discussions are progressing. ECRE hopes that the collective European resettlement activities will develop with this tripartite model in mind, to enhance the efforts of all those involved in resettlement around the world.

8.a.8 Questions concerning the presentation by ECRE

8.a.9 A question was raised as to whether UNHCR was involved in the discussion on the EU resettlement scheme and how the resettlement activities would be undertaken.

8.a.10 In response, UNHCR indicated that it had followed the issue very closely with the Commission, however on the specific characteristics of how resettlement will feature as an EU initiative and the regional protection programmes, the Commission was better placed to respond. However it was likely to be quite loose and flexible as it would involve voluntary participation from States. The meeting was further informed that the EU Commission was trying to get indications from States on their interest.

8.a.11 The Refugee Council USA welcomed ECRE's involvement in resettlement and saw this as an opportunity to extend an invitation to ECRE and other European NGOs to liaise with the Refugee Council of the USA and share experiences on resettlement.

8.a.12 Sweden welcomed the EU resettlement initiative, adding that the focus should not only be on the number of available places but also on the alternatives or complementary activities within resettlement policy. These elements should be included outside the traditional resettlement setting, to enhance resettlement opportunities within Europe.

8.a.13 Three different presentations were made by three new resettlement countries on the promotional package.

8.a.14 Presentation by Brazil

8.a.15 Brazil informed the meeting that the Mexico Plan of Action which was signed in 2004 was a new framework for refugee and IDP protection in Latin America. The Action Plan focuses on the establishment of effective protection networks and durable solutions strategies in the region, implemented together with local governments and civil society partners.

8.a.16 After 7 months the following results had been achieved:

- International protection had been reinforced in sensitive border areas; what is called "fronteras solidarias", or solidarity frontiers. Different approaches have been used for different borders;
- Reinforced efforts have been made to find durable solutions for protracted, mostly urban refugee situations, "ciudades solidarias" or solidarity cities;

- Resettlement proposal in Latin America, “resntamiento solidario”, or solidarity resettlement.
- 8.a.17 The Mexico Plan of Action defines resettlement as a duty of international solidarity. It promotes a regional approach in the framework of Mercosur, however taking the specific circumstances in each country into consideration. The idea is to create conditions to receive mainly Colombian refugees but also refugees of other nationalities in the region. The objectives of 2003 were to focus on emerging resettlement countries, Brazil, Chile, Argentina, and Uruguay, and focus on local integration in destination countries.
- 8.a.18 It was concluded that extensive experience and support is needed to work with women at risk and that there is a need to reinforce existing programs in Brazil and Chile, based on past experience, both positive and negative. It should however be noted that Brazil has a fast-track emergency resettlement procedure, which provides a response within 72 hours from the time of submission.
- 8.a.19 The meeting was informed of the following recent developments:
- Chile had increased its number of resettled refugees;
 - Argentina had signed a memorandum of understanding with UNHCR on resettlement;
 - Uruguay was considering the possibility of becoming a resettlement country.
- 8.a.20 A number of challenges were outlined, as follows:
- South America had limited resettlement experience, which therefore needs to be further developed;
 - The economic integration and self-reliance process in the emerging resettlement countries is difficult due to the level of unemployment in the region and the generally negative perception of Colombians. The social and cultural integration of Colombian refugees is however relatively easy, because of the language;
 - Difficulties to manage Colombians as a group due to the extreme complexity of the conflict in Colombia. Each family is different and families should be resettled in different locations considering the numerous implications in the Colombian conflict (e.g. various agents of persecution);
 - Governments in emerging resettlement countries need to assume increased responsibility in terms of facilitating housing and self-reliance;
 - Financial support from the international community is required, in order for the emerging resettlement programmes to succeed.
- 8.a.21 The meeting was further informed that, in 2002, Brazil received the first resettled refugees of Afghan nationality. There was a high number of urgent cases, most of whom were women-at-risk and children and adolescents. In this connection, it was noted that refugees should be made aware that the program will not provide them with exceptional living standards, but with a durable solution. The process of rebuilding their lives will primarily depend on the refugees themselves and not only on financial assistance.
- 8.a.22 Brazil’s recommendations to other emerging resettlement countries:

- Videotapes to inform refugees about culture, climate, economic situation and conditions, job opportunities, and other aspects of life in the resettlement country should be distributed to resettlement candidates beforehand;
- Exchange information and experiences with traditional resettlement countries (e.g. twinning) on reception and integration;
- Interview resettlement candidates individually, including married couples. During the interview it is fundamental to inquire about the candidates' wishes, in order to determine their expectations and inform them of the reality of the resettlement country;
- UNHCR should provide authorities in the emerging resettlement country with more detailed information about the resettlement candidates' situation and living conditions in the country of first asylum (e.g. income and family composition);
- Compilation of manuals containing the fundamental rules and regulations of the resettlement country, also addressing public and private institutions that might be involved in the reception and integration procedures during the first critical months;
- Raise awareness among municipal authorities and local communities about the importance of granting resettled refugees access to social welfare programs. UNHCR must prioritize refugees in need of protection, especially vulnerable groups such as women-at-risk and unaccompanied minors;
- Governments and NGOs should not start a resettlement program without receiving prior training;
- Candidates should not be received without prior individual interviews while still in the country of first asylum, but exceptions can be made in case of urgent need;
- Financial assistance at a higher level than average salaries in the resettlement country may de-motivate refugees to become self-reliant;
- Receiving and assisting refugees as a group hinders their local integration and living in groups hampers assimilation of local habits, especially in the case of Colombian nationals. Group placements can also cause security problems given the complexity of the Colombian conflict.

8.a.23 In response to the presentation made by Brazil, the delegate from Chile described a different approach to Brazil's policy on reception and placement of Colombian refugees. Chile receives and settles Colombians in groups in order for them to create a network and assist each other. With regard to security issues, Chile has strengthened the national institutions responsible for refugees and thus its capacity to deal with such challenges. Chile mentioned the creation of new department that deals exclusively with refugees and resettlement. This has strengthened Chile's commitment to its resettlement program, which in turn has led to an increase in the number of places made available (now 100 persons/year).

8.b Elements of a promotional package

8 b i. Lessons learned by new resettlement countries: UK, Ireland (attached)

8.b.ii Integration practices and voluntary work: presentation by UK, Denmark (attached) and workshops

8.b.ii.1 Reports on the workshops

8.b.ii.2 The meeting broke into three separate workshops, covering the following areas where the capacity of volunteers can assist resettled refugees: (1) reception; (2) family life and (3) labour market. Each group then reported its recommendations to the Plenary.

8.b.ii.3 Reception

- There was a strong consensus that pre-departure cultural orientation was essential, and that it needed to be understandable, using appropriate language.
- Refugees should be informed about the possibilities for, and procedures to facilitate, family reunification.
- Refugees should be visible in their new communities and the need for resettlement should be clearly understood.
- Travel documents and medical documents should be clear.
- Need for safeguards and checks on volunteers, such as criminal record checks.
- Housing should respect the needs of individual refugees if possible.
- Refugees should be linked to the wider community, they should not become too reliant on the organizations supporting them.

8.b.ii.4 Family Life

- Family unity, family reunification, language, and schools are key to successful integration.
- Volunteers need to work with existing services. Volunteers cannot replace professional services nor should they try.
- Families can volunteer. Volunteering is not limited to a one-on-one program, families can undertake volunteering as an activity.
- Domestic violence must be recognized, and services need to be oriented to assist victims of domestic violence.
- The group noted the importance of school in family life.

8.b.ii.5 Labor Market

- Volunteers could help refugees prepare their CV's and develop job search and interview skills;
- Volunteers could assist new arrivals with the process of getting recognition of their skills and qualifications and in preparing to sit examinations in recognition of credentials;
- Volunteers could help refugees and advocate with prospective employers, or assist both refugees and employers to navigate programs and schemes that might assist refugees in gaining access to the workforce;
- Volunteers could assist in language training, tutoring, homework clubs, or offer study assistance programs for students who are finalizing their studies with a view to gaining entry to the workforce;
- Volunteers could assist refugees with their daily life needs, for example childcare which would allow them time to participate in the workforce;
- Connect volunteers with both elementary and secondary schooling sectors, as sound education will assist with employment prospects;
- Involve trade unions, church and community groups;

- Involve the corporate sector in volunteer work initiatives for skills training and to raise workforce awareness;
- Involve refugees as volunteers or interns in the workplace to improve prospects of employment;

9. Wrap Up

- 9.1 In closing, the Chair provided a brief overview of the discussions of the past two days. The meeting was reminded of the detailed briefings provided by UNHCR on global cross-cutting issues and the regional resettlement needs and priorities. These discussions covered important aspects of resettlement delivery, such as UNHCR capacity to meet the identified needs. The human resource needs of UNHCR were highlighted as a key determinant in resettlement delivery. In this connection, the Chair noted that UNHCR would present to resettlement countries specific details if further resources were required for 2006.
- 9.2 The Chair highlighted the important discussions on the Comprehensive Plan of Action for Somali refugees and what may become a comprehensive plan for different places in Africa and in South Eastern Europe as part of the European regional protection program. Reference was made to the positive experiences of the group resettlement methodology and countries were encouraged to move down that path. Reference was also made to broadening the base of resettlement, especially with regard to developments in the EU and Latin America, where indications suggest the possible emergence of new resettlement countries. This, it was noted, put emphasis on the need to develop a resource package to assist new and emerging resettlement countries.
- 9.3 Other discussions touched on the challenges to set up systems in countries where resettlement had recently commenced. Some good examples were provided on how the successful resettlement of refugees can be achieved despite the difficulties. These experiences could be incorporated into a promotional package for new resettlement countries. Finally, the meeting heard reports from the workshops covering the role of the voluntary sector and how volunteers can strengthen resettlement systems. In this context, the meeting discussed ways to strengthen partnerships and the role of NGOs in the resettlement process.
- 9.4 The Chair noted that overall the meeting was very productive and there was active participation, and thanked all participants and observer delegations.
- 9.5 Ms Demant, UNHCR, took the floor and on behalf of UNHCR and all ATC participants thanked the Government of Denmark and the Danish Refugee Council for their important role as Chair and NGO focal point for the ATC. The meeting congratulated Denmark for its effective stewardship. It was reported that Norway would assume the Chair at the next ATC and the Norwegian Refugee Council would become the focal point for NGOs.
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