



**New Zealand  
Immigration Service**  
*Te Ratonga Manene*

## **Refugee Resettlement as a Tool of International Protection and Durable Solution**

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It is an honour and privilege to have this opportunity to make a few remarks on the theme: "Resettlement as a Tool of International Protection and Durable Solution".

The fundamental principles of refugee resettlement - as a tool of protection and durable solution - have been outlined by the previous speakers, and I concur with many of the points raised. I should like to focus my remarks on how resettlement responsibilities translate in practice and the challenges this poses, not only to governments but - more importantly - to the institution of protection and the well-being of individual refugees for whom we strive to find solutions. I should also like to draw connections between the subject of this session and the theme of the conference.

### ***1. International Trends and Protection Responsibilities***

It is becoming increasingly important for States to be aware of global trends and developments associated with population mobility, including mass outflows of refugees and displaced people. These will inevitably have consequences for governments by way of requests for humanitarian assistance including resettlement places and subsequent claims for refugee status.

The nature and characteristics of such population movements are changing and increasingly mixed and include "economic migrants" and trafficked persons who may, or may not, be refugees. Managing and responding to such population flows is one of the significant challenges on the agenda of the international community at present, with unanimity on the need to intercept trafficking and to ensure the protection needs of those who are smuggled are identified and met. The way in which States respond will have short and longer-term implications, not only on domestic but also international relationships, particularly regional relationships. It is therefore important that States have a sound understanding of the nature, origins and characteristics of "push" factors as they occur and that responses take into account the potential for creating "pull" factors, with concomitant impacts on the global protection system.

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Increasingly, governments are expected to engage and contribute to fora and processes involving the international community's dialogue on, response to and management of issues relating to mass outflows, protection of refugees, human trafficking through the establishment of systems of bilateral and multilateral understanding, agreements and protocols. There is consensus that co-operation and capacity building among governments and international agencies is required to meet the challenge presented by irregular population flows. It is no longer tenable to act unilaterally or in an ad-hoc way in response to these issues. There is too much at stake politically, economically and socially. The challenge is to ensure that the international protection system operates in a cohesive and effective manner whilst efforts are also made to focus on root causes or irregular population movements.

**2. *The Resettlement Responsibility***

The responsibility of refugee protection lies foremost with States. So too, the responsibility to uphold the integrity of refugee resettlement - as a tool of protection - should be cornerstone to governmental refugee resettlement programmes. It is therefore incumbent on States to pay particular attention to the resettlement of individual refugees with special protection needs. It is also incumbent on States to ensure that refugee resettlement is delivered in accordance with established international practice - and that a concerted effort is made by all stakeholders to remain true to the principles of protection. This includes the responsibility to ensure that resettlement is the appropriate solution and that a comprehensive approach to resettlement activities serves to enhance - rather than diminish - the viability of other solutions such as voluntary repatriation and integration in the country of refuge. In so doing, international co-operation is critical. That is, States must recognise that international solidarity and responsibility sharing are of direct importance to the effective implementation of refugee protection principles, and hence refugee resettlement.

**3. *Comprehensive Strategies***

The need for "comprehensive strategies" in respect to refugees has been highlighted by the UNHCR, and requires no elaboration from me except to say that it remains an important challenge, which cannot be met by the UNHCR alone. It is essential that States engage in comprehensive strategies - in partnership with the UNHCR and non-governmental agencies - that serve to reinforce protection principles and enhance the international response to refugee problems. Such strategies should include all stakeholders (including refugees) and, where possible, the States from where individuals have fled for fear of persecution. That is, the residual effects of resettlement should not be seen to include populations of people for whom no durable solution can be found, but rather the opposite. Hence, it is the responsibility of the international community to engage in bilateral, regional and multilateral efforts to map a *comprehensive plan of action* to find durable solutions for all refugees and, thereby, give resettlement the legitimacy it deserves.

#### **4. *Strengthening Partnerships to Improve Refugee Resettlement***

Strengthening partnerships to improve refugee resettlement was the theme of the 1999 Regional Tripartite Consultations on Resettlement held in Auckland, New Zealand. The consultations explored gaps in resettlement delivery with specific reference to the UNHCR guidelines on resettlement and procedures for case identification and referral. Although the consultations were held in New Zealand some two years ago, the questions raised are pertinent to today's discussion and the theme of this conference. For instance:

- (i) In addition to the UNHCR guidelines on resettlement, what operational guidelines are in place to ensure individual refugees in need of resettlement have access to resettlement opportunities?
- (ii) What are the attributes or characteristics used to identify relevant actors in the field to assist in the identification of refugees in need of resettlement, and once relevant actors are identified, how can their activities be best co-ordinated to ensure a comprehensive and cohesive approach to case identification and referral?
- (iii) What are the various models for co-operation and partnerships in the case identification and referral process?
- (iv) What mechanisms are in place to allow for effective and comprehensive input from stakeholders in the refinement of resettlement policy and practice?

At its conclusion, it was endorsed by participants that the roles of non-governmental organisations (NGOs) be clarified to ensure that they are well equipped to work in partnership with governments and the UNHCR in terms of assisting with the identification of refugees in need of resettlement. The meeting also recognised the need to be creative in identifying opportunities for new and different partnership roles and that secondments are a practical way of building partnership between governments, the UNHCR and NGOs. So too, the importance of strengthening partnerships - other than by way of secondment - and that a more purposeful sharing of information and pooling of effort between different players be explored in order to make the best use of existing resources (i.e. increased co-operative effort between governments to co-ordinate activities in the field).

#### **5. *Achieving "Best Practice" in the Delivery of Refugee Resettlement***

The development of the UNHCR Resettlement Handbook in 1997 marked an important milestone in the articulation of resettlement policy and practice, which has immeasurably enhanced global resettlement activity. Still, the effective implementation of the resettlement guidelines - at the field level - remains a challenge. The "buy-in" of resettlement countries to receive submissions through the UNHCR and to maintain

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flexible and responsive resettlement systems hinges on a few critical aspects of resettlement delivery: (i) the integrity of operations; (ii) transparency and consistency in the process; and, (iii) capacity to deliver quality outcomes.

The integrity of resettlement operations is critical to ensure that individuals most in need of resettlement are identified and assisted within a reasonable time. So too, the integrity of resettlement is vital to sustain public support for resettlement programs and thereby ensure governments uphold the principles of protection. It follows that post-arrival services are geared to address the special needs of individuals and, therefore, work in harmony with the selection process. So too, transparency in the way resettlement is done, not only at the field level in terms of case identification and assessment, but also the adjudication by the UNHCR and governments is critical to ensure both integrity and confidence in the process.

It should be recognised that the adjudication of resettlement eligibility by governments needs to be balanced against national considerations. Finding the balance is of vital importance to sustain “buy-in” by governments and their respective constituents. Just as the responsibility rests with governments to ensure flexible and responsive admission criteria and to provide post-arrival services to facilitate the reception and integration of resettled refugees, so too governments must manage risk whilst upholding principles of protection and human dignity. This balance needs to be factored into the resettlement equation and managed within the framework of comprehensive strategies.

One of the ways to measure the quality of refugee resettlement programs is through the quality of settlement outcomes. This is not to suggest that refugee resettlement criteria be based on an ill-defined notion of “integration potential”, but rather to recognise the relationship between the implementation of resettlement policy and practice and the post-arrival challenges faced by individual refugees. That is, the delivery of resettlement should serve to strengthen and improve access to refugees most in need of protection as well as recognise their special needs and, thereby, mitigate the adverse effects of resettlement that are beyond the capacity of post-arrival services to address.

It is the responsibility of all stakeholders to embrace change for the betterment of refugee protection. Still, some of the major inhibitors to achieving “best practice” in the area of refugee resettlement are systemic in nature. The development of consistent and professional standards in the delivery of resettlement not only applies to different refugee populations in different geographic regions but also the capacity of those empowered to shape the process. The challenge is to embrace new and innovative approaches at all levels of activity. The current financial and human resource constraints faced by the UNHCR - and governments - presents an opportunity to create an environment for change and embrace to new and emerging realities. In prioritising activities in the refugee resettlement area, change to cumbersome and ill-equipped and costly organisational structures - which have ill-served refugees - must rank highly in order to achieve quality results. Improvements in the way resettlement is delivered will have a corresponding

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positive impact at the post-arrival end of the continuum.

So too, the challenging operational environment of resettlement presents a number of opportunities to reinforce bilateral and multilateral co-operation. The important contribution of new and emerging resettlement countries presents an opportunity to enhance global co-operation and strengthen the search for solutions. Vital to this is the role of governments and NGOs to share ideas on how resettlement might be improved and to take initiatives that can be translated into real benefits for refugees. An integrated approach across all sectors of activity - at the field level and at our respective capitals - should aim to reinforce effective and efficient ways to improve the process. It is the responsibility of all stakeholders to achieve service excellence in the refugee area. To find solutions to problems and to be pro-active in addressing needs are fundamental to resettlement work.

Chairman, conference participants, I should like to thank you for this opportunity and for your attention, and I look forward to today's discussions and the positive outcomes of this important conference.

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