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## Resettlement of refugees: promoting greater solidarity

### Report<sup>1</sup>

Committee on Migration, Refugees and Displaced Persons

Rapporteur: Mr Eric VORUZ, Switzerland, Socialist Group

### Summary

It is estimated that there are 691 000 refugees in need of resettlement in 2014, with only 80 000 resettlement places available. Europe only resettled 5 500 people in 2013, involving 20 member States. These figures do not reflect the increasing need to resettle Syrian refugees.

Although efforts have been made by receiving States, it is clear that Europe is lagging behind and should do a great deal more. It is therefore time, as a matter of urgency, to increase and more efficiently process resettlement, relocation and humanitarian admission programmes in Europe.

Member States are urged to co-ordinate their work and create a dialogue with international and national partners to find sustainable solutions, and to pay attention to the successful integration of resettled refugees. The Committee of Ministers is invited to ensure that both European Union and non-European Union member States can work together on this issue of resettlement

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1. Reference to committee: [Doc. 13001](#), Reference 3894 of 1 October 2012.



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## A. Draft resolution<sup>2</sup>

1. The Parliamentary Assembly notes that in certain circumstances it is necessary to resettle refugees from their country of asylum to a receiving State.
2. There are many reasons for this, including limitations on the capacity of the country of first asylum to provide a durable solution, or concerns that the refugees may still be in an unsafe situation and threatened with *refoulement*, or that they may have particular vulnerabilities or humanitarian needs.
3. The Assembly considers that resettlement has three main objectives, namely to provide access to protection, to ensure lasting solutions and to strengthen solidarity and responsibility sharing between States.
4. Resettlement is conducted according to categories that have been established by the United Nations High Commissioner for Refugees (UNHCR). It is organised, in co-operation with the receiving countries, primarily by the UNHCR, with the support of the International Organization for Migration (IOM) and often in partnership with non-governmental organisations (NGOs) such as the International Catholic Migration Commission (ICMC).
5. Resettlement is not a new process, as it was used to a great extent after the Second World War, for example in the case of Hungarian refugees who had fled to Austria and Yugoslavia following the Soviet invasion of Hungary. It was also used for the large-scale resettlement of boat people who fled Vietnam in the 1980s, and now continues to be used around the world in a range of situations for individuals, families and groups with particular vulnerabilities.
6. For 2014, the UNHCR has estimated that globally 691 000 people are in need of resettlement, though only 80 000 resettlement places are currently available. This does not include the additional 30 000 places urgently needed in view of the massive outflow of refugees from Syria into neighbouring countries and the deteriorating situation both in Syria and its neighbouring countries.
7. The Assembly is concerned to note that out of 47 member States of the Council of Europe, only 20 engaged in resettlement programmes in 2013. They supply in total only 5 500 out of the nearly 80 000 resettlement places available globally. It is clear that Europe can and should do more.
8. In relation to Syria, there have been some commendable efforts by member States in providing asylum or humanitarian protection for Syrian asylum seekers and also admitting Syrian refugees under resettlement, humanitarian admission or other programmes. Yet, only 16 member States have participated in the UNHCR's call for the admission of 30 000 Syrian refugees in 2014, and more than 11 000 places are still needed.
9. The Assembly notes that, despite the support of the pilot project funded by the European Union (EUREMA), which is designed to relocate, with the support of the IOM, beneficiaries of international protection from Malta to other European Union member States, Malta is still straining to cope with the number of asylum seekers, refugees and beneficiaries of international protection that it receives.
10. Malta is not the only country and the Assembly remains concerned about the significant pressure on certain member States, especially on the borders of the European Union, in terms of receiving many people with international protection needs.
11. The Assembly highlights that resettlement is not a migration management issue but is a humanitarian decision deriving from member States' international legal obligation to protect any individual who satisfies the UNHCR's definitions of persons of concern.
12. The Parliamentary Assembly therefore invites Council of Europe member States to:
  - 12.1. increase substantially the number of places available for the resettlement and relocation of beneficiaries of international protection;
  - 12.2. increase the speed and flexibility of resettlement/relocation programmes by:
    - 12.2.1. refraining from implementing cumbersome procedures and criteria that would delay the resettlement process for people in need of urgent protection and solutions;
    - 12.2.2. adopting simplified procedures and innovative measures to provide more immediate protection to the most vulnerable in times of large-scale forced displacement;
    - 12.2.3. adopting an inclusive and flexible approach in the consideration of resettlement cases;

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2. Draft resolution adopted unanimously by the committee on 13 March 2014.

- 12.3. improve co-ordination and the allocation of funds when carrying out resettlement/relocation programmes by:
    - 12.3.1. improving the co-ordination of actors in the process, at international, national, regional and local levels,
    - 12.3.2. providing sufficient funds and human resources to carry out the programmes effectively;
    - 12.3.3. supporting and working with civil society and local authorities;
    - 12.3.4. supporting the exchange of best practices in the various existing forums;
  - 12.4. ensure the sustainability of any resettlement and relocation programmes by enhancing the national capacity to integrate resettled/relocated persons by:
    - 12.4.1. carrying out pre-departure orientation and health assessment programmes;
    - 12.4.2. providing the resettled/relocated persons and their family or dependants with access to rights similar to those enjoyed by nationals of the receiving State, including integration services, information on their rights and obligations relating to their protection status in a language they understand, adequate housing, access to work and training opportunities, social welfare and health care;
    - 12.4.3. raising public awareness of the resettlement processes, and creating a dialogue between the welcoming society and the resettled/relocated refugees;
    - 12.4.4. enhancing co-operation with civil society and the media;
  - 12.5. implement anti-fraud measures to ensure that only those with the most genuine needs are incorporated into standard operating procedures for all resettlement operations.
13. In relation to the emergency humanitarian situation created by the Syrian crisis, the Assembly urges member States to:
- 13.1. increase their pledges to welcome Syrian refugees and other people who seek refuge elsewhere due to the Syrian crisis, on the basis of resettlement, humanitarian admission and other forms of admission, in order to ensure that 30 000 Syrians benefit from international protection by the end of 2014, as well as the 100 000 places needed for 2015 and 2016;
  - 13.2. explore innovative solutions such as simplified and expedited family reunion for both refugees and subsidiary protection holders, and the extension of student or employment-related visas.
14. The Assembly encourages member States to continue supporting Malta in facing significant mixed migration flows, and to extend their support to other countries in difficulty in Europe.
15. The Assembly invites member States to make full use of the loans available from the Council of Europe Development Bank (CEB) and encourages the CEB to look favourably on any such requests.
16. The Assembly invites member States of the European Union to apply to the Asylum, Migrant and Integration Fund (AMIF) for support of their resettlement programmes.

## **B. Draft recommendation<sup>3</sup>**

1. The Parliamentary Assembly, referring to its Resolution ... (2014) "Resettlement of refugees: promoting greater solidarity", considers that Europe has a binding responsibility to protect those seeking international protection, and has a long tradition of so doing.
2. In light of uneven and growing pressures on member States of the Council of Europe in terms of irregular migrants, asylum seekers and refugees, it is important to examine methods of solidarity and responsibility sharing. Resettlement and other innovative solutions for urgent humanitarian admission from third countries, as well as relocation under the pilot project funded by the European Union (EUREMA), are ways in which to share responsibility further.
3. The Parliamentary Assembly therefore urges the Committee of Ministers to consider holding a thematic debate on the issue of the resettlement of refugees in member States in order to:
  - 3.1. raise public awareness of the existing steps being taken by member States and best practices;
  - 3.2. encourage more State pledges to meet the resettlement and humanitarian admission needs in view of the large-scale forced displacement induced by the Syrian crisis, in addition to the global resettlement needs of 691 000 places;
  - 3.3. support Malta in facing significant mixed migration flows, and extend support to other countries in difficulty in Europe such as Bulgaria, Greece, Italy and Turkey, as appropriate;
  - 3.4. provide a forum for non-European Union member States to be involved along with European Union member States in the discussion on resettlement and relocation;
  - 3.5. consider means for the Council of Europe Development Bank to be more involved in the process of resettlement.

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3. Draft recommendation adopted unanimously by the committee on 13 March 2014.

## C. Explanatory memorandum by Mr Voruz, rapporteur

### 1. Introduction

*“An indispensable tool for an indispensable solution.”* António Guterres

1. Populations have moved around since time immemorial. Unfortunately, migration is not always voluntary and often results from a need to escape conflict or persecution.
2. Europe has always had a tradition of being a haven for those seeking refuge. However, although this tradition is firmly rooted in both customary and international law, and in the domestic legislation of Council of Europe member States, it is being put under severe strain.
3. In these times of crisis, it may prove challenging to uphold international obligations to provide asylum and protection and to maintain a spirit of generosity when local populations are suffering from high unemployment, budget restrictions, or even an increase in ethnic conflicts.
4. Across Europe, there has been a rise in xenophobic discourse, and regrettably, certain political leaders are also involved, failing to recognise the protection needs of many persons who seek asylum in their countries, and to ensure a protection-sensitive approach to domestic migration policies.
5. However, let there be no mistake: taking in refugees is not something deriving solely from the good will of States or from properly framed and quantifiable migration policies; it is an obligation under international law. Refugees do not come willingly but are forced to leave their country of origin because of war, civil unrest and other unforeseeable events. These individuals have rights that we cannot trample on with impunity.
6. While there have been commendable efforts to improve asylum systems in Europe, including in the European Union through the Common European Asylum System (CEAS), it must be acknowledged that the European system is now faced with considerable challenges.
7. One of the dangers for the European asylum system is the disproportionate burden on certain States, particularly those on the limits of the European Union's frontiers and especially countries bordering the Mediterranean.
8. Malta, a small country, is exposed in a disproportionate way to arrivals of migrants, refugees and asylum-seekers. Other larger countries such as Greece, Italy and Spain are also affected due to their geographical location.
9. The question of European solidarity vis-à-vis refugees and asylum-seekers is therefore not an insignificant one, and this is an issue the Parliamentary Assembly has already considered in [Resolution \(1820\) 2011](#) “Asylum seekers and refugees: sharing responsibilities in Europe”. In this text, the Assembly identified resettlement and relocation as relevant instruments for strengthening solidarity in Europe.
10. The aim of my report is to shed light on these mechanisms, assess how these tools can prove effective for strengthening solidarity in Europe, and propose measures for promoting them.
11. In order to prepare this report, a hearing was organised by the Committee on Migration, Refugees and Displaced Persons and I carried out a fact-finding mission in November 2013 to Bern and Geneva to meet with key international and national actors in this field. I would like to thank the Swiss parliamentary delegation for its help and the various partners, including the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), the International Catholic Migration Commission (ICMC), and the other national organisations and institutions whom I met, for the valuable information provided during my visit.

### 2. Resettlement and relocation: two tools to achieve the same aim – solidarity

12. I discuss in this report two tools that have different characteristics but the same objective, which is to strengthen solidarity between States while offering a lasting solution to people in need of international protection.

## 2.1. Definitions and distinction between the two tools

13. Resettlement is a tool aimed at resettling on a long-term basis refugees unable to return home or unable to remain in their first country of asylum. The Resettlement Handbook of the UNHCR provides the following definition of resettlement:

*“Resettlement involves the selection and transfer of refugees from a State in which they have sought protection to a third State which has agreed to admit them – as refugees – with permanent residence status. The status provided ensures protection against refoulement and provides the resettled refugee, and his/her family or dependants with access to rights similar to those enjoyed by nationals. Resettlement also carries with it the opportunity to eventually become a naturalised citizen of the resettlement country.”*

14. Resettlement is a historical instrument of international protection and has been used since 1920 (in connection with some 45 000 “White Russians” who had fled to China) and was employed to a greater extent after the Second World War. Among the most significant measures taken, mention should be made of the resettlement of Hungarians in the 1950s after the Soviet Union’s invasion of Hungary; the resettlement of members of the Asian minority expelled from Uganda in 1972; and the resettlement of Chileans who fled their country after the 1973 coup. The largest resettlement operation ever carried out involved the nearly 700 000 “boat people” who fled Vietnam in the 1980s.

15. Relocation is a recent, regional, and purely intra-European Union measure and involves the transfer of a beneficiary of international protection from one European Union member State to another. The following definition of relocation can be found in documents issued by the European Union:

*“The transfer of persons having the status defined by the Geneva Convention or subsidiary protection within the meaning of Directive 2004/83/EC [on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted], from the Member State which granted them international protection to another Member State where they will be granted similar protection and of persons having applied for international protection from the Member State which is responsible for examining their application to another Member State where their applications for international protection will be examined.”<sup>4</sup>*

16. So far, relocation is only in the pilot project stage, which has until now only been used in the case of Malta (with refugees being transferred from Malta to other European Union member States). In this case, the States taking part in the so-called “EUREMA” project have said that the measure was the result of a political decision to show solidarity with Malta.

17. Both resettlement and relocation depend entirely on the good will and voluntary participation of the receiving States.

## 2.2. Objectives

18. Both resettlement and relocation enable three objectives to be pursued: providing access to protection; ensuring a lasting solution; and strengthening solidarity and responsibility sharing between States.

19. The sustainability and success of any resettlement or relocation programme largely depend upon the receiving country and their local communities’ capacity to integrate the resettled persons.

## 2.3. Statistics: the huge gap between needs and the number of places available

20. The UNHCR estimates that approximately 691 000 persons are currently in need of resettlement, though only approximately 80 000 resettlement places are available on an annual basis. This figure does not include the additional resettlement needs generated by the massive outflow of refugees from Syria into neighbouring countries.

21. The UNHCR has identified the following priority situations for the strategic use of resettlement: Afghans in Iran; Afghans in Pakistan; Somalis in Kenya and Ethiopia; refugees in Turkey; Iraqis in Syria, Jordan and Lebanon; Colombian refugees; Congolese (Democratic Republic of the Congo) refugees, and Syrian refugees

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4. Study on the feasibility of establishing a mechanism for the relocation of beneficiaries of international protection, European Commission, JLS/2009/ERFX/PR/1005 – 70092056, June 2010:  
[http://ec.europa.eu/home-affairs/doc\\_centre/asylum/docs/final\\_report\\_relocation\\_of\\_refugees.pdf](http://ec.europa.eu/home-affairs/doc_centre/asylum/docs/final_report_relocation_of_refugees.pdf).

in the Middle East and North Africa (MENA) region and Turkey. There are also three priority situations identified to address protracted refugee situations: Eritreans in Sudan; Bhutanese in Nepal; and Myanmar refugees in Thailand and Malaysia.<sup>5</sup>

22. In 2012, the UNHCR submitted more than 74 800 persons for resettlement, with over 69 200 UNHCR-assisted departures to resettlement countries.<sup>6</sup>

23. Although the number of resettlement countries has increased since the 1980s, there are just 27 countries worldwide that have regular resettlement programmes.<sup>7</sup>

24. In light of such a large gap between the annual global resettlement needs and the corresponding number of places currently available, we might well ask whether the current pace of solidarity is capable of addressing the challenges faced in providing protection to those most in need.

### **3. Resettlement: a global tool**

#### **3.1. Resettlement: how does it work?**

25. UNHCR plays a key role in determining a refugee's need for resettlement and in ensuring that the pre-conditions for resettlement are met.

26. The first precondition is that an applicant is determined to be a refugee by the UNHCR,<sup>8</sup> though exceptions can be made in the case of non-refugee stateless persons for whom resettlement is considered the most appropriate durable solution, and also for the resettlement of certain non-refugee dependant family members to retain family unity.

27. The second precondition is that the prospects for all durable solutions, for example voluntary repatriation and local integration, were assessed and resettlement is identified as the most appropriate solution.

28. Refugees are subsequently identified as in need of resettlement when they are at risk in their country of refuge or have particular needs or vulnerabilities that fall within one or more of the following resettlement submission categories:<sup>9</sup>

- Legal and/or physical protection needs;
- Survivors of violence and/or torture;
- Medical needs;
- Women and girls at risk;
- Family reunification;
- Children and adolescents at risk;
- Lack of foreseeable alternative durable solutions.

29. The UNHCR focuses on resettlement as a key part of a comprehensive approach to solutions for both individuals and groups of refugees. In some cases, resettlement can be used to help resolve protracted refugee situations where refugees have been living in their host countries without a durable solution for a prolonged period of time.

30. The UNHCR prioritises submissions on a normal, urgent, or emergency basis based upon the resettlement need of the refugee(s). For both emergency and urgent cases, it is important for States to utilise mechanisms such as the Emergency Transit Facilities, and specialised programmes such as Emergency

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5. See also UNHCR, "Projected Global Resettlement Needs 2014", July 2013, [www.unhcr.org/51e3eabf9.html](http://www.unhcr.org/51e3eabf9.html).

6. UNHCR's 2013 resettlement statistics will be made officially available in spring 2014.

7. Argentina, Australia, Belgium, Brazil, Bulgaria, Canada, Chile, Czech Republic, Denmark, Finland, France, Germany, Hungary, Iceland, Ireland, Japan, Netherlands, New Zealand, Norway, Portugal, Romania, Spain, Sweden, Switzerland, United Kingdom, United States and Uruguay.

8. That is to say, those who satisfy the definition of a refugee under the 1951 Geneva Convention relating to the Status of Refugees.

9. See the UNHCR Resettlement Handbook, July 2011: [www.unhcr.org/4a2ccf4c6.html](http://www.unhcr.org/4a2ccf4c6.html).

Dossier Submissions, which enable them to respond quickly to such requests. Currently, only around 10% of the nearly 8 000 persons identified with urgent and emergency resettlement needs each year are able to be processed through specialised urgent/emergency resettlement programmes.

31. Emergency resettlement is challenging, while the ability of States to respond quickly varies. Sweden and Norway, for example, are usually able to process emergency cases within the ideal time frames of one week. Other countries often take longer.

**The specific case of women and girls at risk**

Many women refugees, in addition to experiencing the difficulties common to all refugees, often find themselves in an even more vulnerable situation.

Like men, they have fled persecution, but their flight has made them even more vulnerable. Many families are separated during their flight and many women are deprived of their traditional (family) support and are then faced with new responsibilities that they have never had to take on before. Many women have fled with their children and older members of their family, while their husbands have stayed on (for example, in order to continue to look after their cattle). They are also exposed to additional protection problems specific to their gender (rape, sexual abuse, exploitation, even forced marriage, to name but a few). This type of abuse is widely reported, especially as far as female Syrian refugees in Jordan are concerned. This was confirmed by Mr Stefan Schennach (Austria, SOC) who reported back to the Migration Committee (20 November 2013, Paris) on his visit to Jordanian camps in July 2013. In the camps, it is claimed that a trade in girls, who are sold for marriage (from the age of 10 or 11), has been established.

Some countries, such as Norway (60% of its resettlement quota is allocated to vulnerable women and girls), have introduced specific resettlement programmes for women and girls at risk.<sup>10</sup> These programmes enable them to be admitted as a matter of priority and their departure can be quickly organised.

32. Those identified as being in need of resettlement by the UNHCR are submitted to potential resettlement States. These States examine the submission either on a dossier basis (based on the UNHCR's Resettlement Registration Form (RRF) and supporting documentation), or on the basis of an interview with the applicant(s) through selection missions in the countries of first asylum. Although dossier processing enables less costly and expedited decisions and departures as well as a solution for refugees who may be difficult to access due to the security situation in their host countries, selection missions are most often the receiving States' method of choice.

33. In most cases, the IOM organises the logistics of the transfer (exit clearances, pre-embarkation and transport arrangements, transit and arrival assistance, operational and medical escorts, when necessary) for all resettlement countries and carries out pre-departure arrangements (including pre-departure health assessments and pre-departure information briefings/cultural orientation sessions) at the request of the destination country.

34. It is essential that there is good co-ordination between all actors throughout this whole process. The UNHCR's Annual Tripartite Consultations on Resettlement (ATCR) and the Working Group on Resettlement (WGR) are the primary annual meetings for furthering the resettlement agenda, with resettlement States, the UNHCR, the IOM, international organisations and non-governmental organisations (NGOs) participating in these fora.

35. Since 2012, Core/Contact Groups have been established, by the ATCR/WGR process, to focus on a strategic and collaborative approach to resettlement for the priority situations identified by the UNHCR (see paragraph 21). Contact Groups typically comprise the UNHCR, the IOM and selected resettlement countries, and are chaired by a participating country. Sweden, for instance, chairs the Contact Group for the resettlement of Afghans from Iran as well as the newly formed Contact Group on Syrian refugees.

36. Indeed, a Core Group on Syrian Resettlement, chaired by Sweden was recently inaugurated on 12 December 2013 in Geneva. The UNHCR is also co-ordinating a Resettlement Working Group comprised of the host countries neighbouring Syria and the wider region to exchange information and identify areas for co-operation on resettlement and humanitarian admission of Syrian refugees.

10. See for example, the United States example: UNHCR, "Resettlement and Women at Risk: Can the Risk Be Reduced?":

[www.unhcrwashington.org/sites/default/files/2013%20Jan%2007%20US%20Resettlement%20of%20Women%20at%20Risk.pdf](http://www.unhcrwashington.org/sites/default/files/2013%20Jan%2007%20US%20Resettlement%20of%20Women%20at%20Risk.pdf).

37. The European Commission-funded project called “Linking-In EU Resettlement”, which was jointly co-ordinated by the IOM, the UNHCR and the ICMC, played a strong role in bringing together all relevant policy makers and practitioners involved in resettlement and integration of resettled refugees through the medium of the “European Resettlement Network” (ERN). The ERN is an inclusive network that supports the development of resettlement in Europe by connecting a variety of actors involved in refugee resettlement. Network members have a shared commitment to refugee resettlement and refugee protection, to ensuring the provision of durable solutions for refugees, and to ensuring refugees resettled to Europe receive integration support that provides them with the tools necessary to become fully participating citizens. The central tool of the ERN is its website,<sup>11</sup> which provides a platform to exchange information and expertise on resettlement priorities, processes and practices. The ERN also hosts the campaign “Resettlement Saves Lives” mobilising support for resettlement in Europe and promoting the resettlement of 20 000 refugees in Europe each year by 2020.

38. As testified by an expert at the hearing organised by the Committee on Migration, co-ordination at the domestic level in resettlement countries is critical to ensuring the successful reception and integration of resettled refugees.<sup>12</sup> In view of the key importance of working together at the local level, the “SHARE Project” was initiated in March 2012. This project works towards the creation of a network of regional and local authorities (cities, municipalities and regions) as well as civil society partners working in the field of resettlement, protection and integration. SHARE is co-ordinated by the ICMC in partnership with the UNHCR, the City of Sheffield and other actors, and co-financed by the European Commission, as part of the wider ERN. This forum allows for sustainable dialogue, capacity building, and the sharing of best practices on reception and integration.<sup>13</sup>

39. In 2013, and continuing in 2014, the ERN entered a new phase of development under a joint IOM, UNHCR and ICMC project entitled “Strengthening the response to emergency resettlement needs”. This project supports the existing ERN and, as such, further promotes co-operation amongst different stakeholders and builds their capacity to increase and improve resettlement efforts. It also focuses on raising awareness of emergency resettlement.

### **3.2. Practice in Council of Europe member States: Europe bottom of the class where resettlement is concerned**

40. Europe has a very real opportunity to step up its solidarity efforts and to take measures to enhance its capacity to receive a larger number of resettled refugees in a dignified manner. It is a fact that Europe’s reception capacities via resettlement are far from being overfilled. To give the example of Switzerland, I am convinced, after my contacts with the authorities, civil society and international organisations, that there is capacity for a greater number of refugees to be resettled.

41. Of the 27 countries engaged in the resettlement of refugees in 2013, 20 were European. Although European States comprise nearly two thirds of those countries offering resettlement places annually, they provided just 5 500 places out of over 80 000 resettlement places available globally in 2013. The United States alone provides two thirds of the resettlement places made available in the world each year.

42. Nevertheless, things are moving in the right direction: in the last fifteen years, more European countries have developed resettlement programmes and others are prepared to consider resettlement submissions from the UNHCR. Some States have set up resettlement programmes and others offer places on an ad hoc basis or through specialised programmes.<sup>14</sup> Some countries, such as Hungary, Romania and Spain have recently established the legal basis for resettlement, and several other countries have also responded favourably to emergency and urgent resettlement submissions from the UNHCR. However, the figures are still low, and there is considerable scope for further progress.

43. Positive developments include the establishment in 2013 by the European Union of a Joint Resettlement Programme that provides member States with financial incentives to accept resettled refugees. Through the as yet to be adopted Asylum, Migration and Integration Fund (AMIF), further provision has been made for a Union Resettlement Programme, which will see continued financial incentives made available to member States for the resettlement of refugees from 2014-2020.<sup>15</sup>

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11. See: [www.resettlement.eu](http://www.resettlement.eu) .

12. See UNHCR (2013), The Integration of Resettled Refugees: Essentials for Establishing a Resettlement Programme and Fundamentals for Sustainable Resettlement Programmes, [www.refworld.org/docid/51b81d9f4.html](http://www.refworld.org/docid/51b81d9f4.html).

13. For further information on the SHARE Project, see [www.resettlement.eu/page/welcome-share-network](http://www.resettlement.eu/page/welcome-share-network).

14. See UNHCR Projected Global Resettlement Needs 2014, Table on Resettlement Departures 2008-2012, p. 82.

44. More recently, the European Council highlighted the “importance it attaches to resettlement for persons in need of protection and to contributing to global efforts in this field” in its 19/20 December 2013 conclusions.<sup>16</sup> This followed the communication from the Commission to the European Parliament and the Council on the work of the Task Force Mediterranean of 4th December 2013,<sup>17</sup> which identified the use of resettlement as a priority action to find durable solutions for those attempting to access asylum in Europe through the Mediterranean.

#### 4. Relocation: a tool used in the European Union

45. The European Pact on Immigration and Asylum of 2008 provides: “For those Member States which are faced with specific and disproportionate pressures on their national asylum systems, due in particular to their geographical or demographic situation, solidarity shall also aim to promote, on a voluntary and co-ordinated basis, better reallocation of beneficiaries of international protection from such Member States to others, while ensuring that asylum systems are not abused. In accordance with those principles, the Commission, in consultation with the Office of the United Nations High Commissioner for Refugees where appropriate, will facilitate such voluntary and co-ordinated reallocation. Specific funding under existing European Union financial instruments should be provided for this reallocation, in accordance with budgetary procedures.”<sup>18</sup>

46. In 2009, a pilot project (EUREMA) to help Malta, which is facing disproportionate migratory pressure owing to its geographical location, was established in the European Union and, in close co-operation with the Maltese authorities, is implemented by the IOM. From 2002 to 2011, 12 874 asylum applications were made in Malta. Of the individuals concerned, 346 were granted refugee status, 6 655 were granted subsidiary protection and 5 290 had their applications rejected. Up to October 2013, 2 026 asylum applications were made in Malta.<sup>19</sup>

47. Relocation has been carried out under phases I and II of the EUREMA project, with 12 member States participating, as well as under bilateral agreements established between Malta and certain other member States (eight in all).<sup>20</sup> In 2011, 227 persons were relocated under the EUREMA project and, according to a report published by the European Asylum Support Office (EASO),<sup>21</sup> 356 places were pledged in 2012 (including under bilateral agreements). According to the UNHCR, 350 beneficiaries of international protection were resettled/relocated from Malta in 2013 (as at 20 November 2013), with approximately 2 052 people resettled/relocated from Malta since 2005.<sup>22</sup>

48. EUREMA is an example of solidarity in practice. While the Maltese authorities had higher expectations, the responsibility sharing efforts made by the receiving States should nonetheless be applauded. However, it should also be pointed out that the United States has resettled more than 1 118 beneficiaries of international protection from Malta between 2007 and 2012.<sup>23</sup>

49. Although it cannot replace resettlement programmes, this relocation pilot project represents an embryonic example of European solidarity. It is the result of political will which can be built upon.

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15. LIBE Press release, “Civil liberties MEPs back funds for asylum migration and internal security”, 10 January 2014: [www.europarl.europa.eu/news/en/news-room/content/20140106IPR31906/html/Civil-liberties-MEPs-back-funds-for-asylum-migration-and-internal-security](http://www.europarl.europa.eu/news/en/news-room/content/20140106IPR31906/html/Civil-liberties-MEPs-back-funds-for-asylum-migration-and-internal-security).

16. Conclusions of the European Council (19/20 December): [www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/ec/140245.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/140245.pdf).

17. Communication on the work of the Task Force Mediterranean: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/docs/20131204\\_communication\\_on\\_the\\_work\\_of\\_the\\_task\\_force\\_mediterranean\\_en.pdf/](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/docs/20131204_communication_on_the_work_of_the_task_force_mediterranean_en.pdf/).

18. The European Pact on Immigration and Asylum of 24 September 2008 is available at: [http://europa.eu/legislation\\_summaries/justice\\_freedom\\_security/free\\_movement\\_of\\_persons\\_asylum\\_immigration/jl0038\\_en.htm](http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/jl0038_en.htm).

19. Statistics are available at: [www.unhcr.org/mt/statistics](http://www.unhcr.org/mt/statistics)

20. Key figures on EUREMA Pilot Project on Relocation, European Asylum Support Office, Fact Finding report on intra-EU relocation activities from Malta, July 2012, p. 4: [www.refworld.org/pdfid/52aef8094.pdf](http://www.refworld.org/pdfid/52aef8094.pdf).

21. EASO Fact finding report on intra-EU relocation activities from Malta: <http://easo.europa.eu/wp-content/uploads/EUREMA-fact-finding-report-EASO1.pdf>.

22. Statistics are available at: [www.unhcr.org/mt/statistics](http://www.unhcr.org/mt/statistics)

23. European Migration Network, Annual Policy Report 2012 on Migration and Asylum policy in Malta: [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/annual-policy/2012/18\\_malta\\_national\\_report\\_final\\_may2013\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/annual-policy/2012/18_malta_national_report_final_may2013_en.pdf).

## **5. What are the obstacles to resettlement and relocation?**

### **5.1. States' reticence**

50. In the 1970s and 1980s, a large-scale programme was carried out to resettle tens of thousands of "boat people" fleeing Vietnam, but there was considerable disillusionment when the number of people in the refugee camps rose from 31 394 to 65 349 between 1986 and 1989, even though the situation in Vietnam had not significantly deteriorated. Those involved were no longer only refugees but there were also a growing number of economic migrants. States, seeing in this a disguised migration programme, withdrew from the process, and resettlement took a back seat.

51. The risk of creating a pull factor should not be ignored and, even though the UNHCR takes all necessary precautions to prevent this from happening, it remains a legitimate concern of States.

52. Pull factors were also observed in the recent case of refugees fleeing from Libya for the Choucha camp in Tunisia and Salloum in Egypt. The volume of refugees entering these two countries, which were undergoing their own political transitions at the time, was such that, between March and December 2011, the UNHCR systematically submitted referred refugees for possible resettlement from Choucha and Salloum. From Tunisia alone, a total of 3 500 refugees were resettled in 2013. The success of this resettlement programme, however, did eventually attract more refugees and migrants, thereby necessitating a cut-off date for automatic submission for resettlement by the UNHCR to prevent a more pronounced pull factor.

53. In the case of Vietnam, the introduction of a screening process to identify and resettle only those with international protection needs ultimately helped resolve the pull factor issues, and the number of arrivals then reduced quickly.

54. In order to avoid creating pull factors and unduly influencing migration flows, the UNHCR gives priority, as far as is possible, to a regional approach<sup>24</sup> for resettlement in order to dissuade onward movements. For example, the fact that the resettlement of Iraqis and of Syrians occurs from all countries in the MENA helps dissuade refugees from taking risks associated with moving from one country to another in the region in the hopes of resettlement.

### **5.2. Security issues and risk of fraud**

55. Resettlement may provoke a desire for financial gain and it is crucial to combat fraud and corruption in this process. As pointed out in the UNHCR Resettlement Handbook, fraud can occur at practically every stage of the process (during registration, at the time of refugee status determination, and during assessments for durable solutions).

56. Fraud may consist of false declarations, identity fraud or family composition fraud (claiming a family situation more favourable for resettlement), document falsification, exploitation, etc. It is clear that such practices, if they remain undetected, tolerated (for instance, encouraged by corrupt officials) or go unpunished, harm the entire resettlement process by discrediting its very principle. In order to guarantee the credibility of the system, the UNHCR drew up a Resettlement Anti-Fraud Plan of Action in 2004.

57. Anti-fraud measures have now been incorporated into the standard operating procedures for all resettlement operations. These safeguards reduce fraud, protect refugees from victimisation, protect innocent staff from false allegations and contribute to the overall credibility and effectiveness of the UNHCR's resettlement activities.

### **5.3. Limited logistical capacities**

58. Clearly, the priority is to have enough places available for persons requiring resettlement. However, if resettlement is to be an effective instrument, the necessary logistics must also be set up. The procedures and criteria set out by resettlement States should therefore not be so cumbersome that they delay the resettlement process for persons in need of urgent protection and solutions.

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24. The regional approach is different from Regional offices (hubs), which simply co-ordinate the sending of submissions from each country.

59. The speed of the response can be paramount, as can be seen today with Syrian refugees. In this respect, the Core Group on Resettlement of Syrian Refugees, comprised of resettlement States and chaired by Sweden, was formed to examine strategies to increase the number of pledges and to speed up the process of resettlement. This work is done in response to and simplify procedures, and is timely in light of the need to situate resettlement within the larger emergency response.

60. As mentioned previously, the European Union-funded project “Strengthening the response to emergency resettlement needs”, which continues to support the work the European Resettlement Network, is also contributing towards the need for States to better respond to emergency situations such as the Syrian refugee crisis, and has also been involved in improving the timeliness of responses.

#### **5.4. Restrictive criteria defined by States**

61. Certain resettlement States have adopted restrictive criteria when considering resettlement submissions. For example, some select refugees on the basis of the so-called “integration potential” criteria. In this case, States do not select individuals with mental health problems, those with HIV or a history of drug abuse, illiterates or elderly persons, or refugees of certain nationalities. This undeniably limits access to resettlement, especially for the most vulnerable.

62. In view of the often urgent nature of the situation, coupled with the cumbersome procedure to prepare and process resettlement cases, it is important for States to be inclusive and flexible in their consideration of resettlement cases and to bear in mind that the need for protection and particular consideration for vulnerability are the key criteria for resettlement and relocation.

63. According to the UNHCR, resettlement is based on a humanitarian approach and States should refrain from limiting acceptance of refugees with “high needs” and focusing on “integration potential” above protection needs.

#### **5.5. Ability to integrate**

64. Resettlement States attach considerable importance to the ability of resettled persons to integrate. As the IOM’s Director General has said repeatedly, resettlement carries with it a responsibility to resettle refugees to a better place where the prospect for reaching their full potential is high. It goes without saying that resettlement cannot be considered entirely successful if it is not accompanied by successful integration into the new host society. The first few days and months in the resettled refugees’ life in their new country can be critical to the success of their integration.

65. However, successful integration is a two-way process. Refugees are better able to integrate when resettlement States have in place measures to ensure sufficient support for their successful integration. In order to better facilitate the integration of refugees, the UNHCR launched “The Integration of Resettled Refugees: Essentials for Establishing a Resettlement Programme and Fundamentals for Sustainable Resettlement Programmes”<sup>25</sup> on the occasion of the 2013 Annual Tripartite Consultations on Resettlement.

66. In order to facilitate the integration of those who have been resettled in their new host country, these individuals are given by national authorities, often in co-operation with the IOM and ICMC, preparatory pre-departure cultural orientation courses. The trainers are usually bi-cultural and share linguistic and/or cultural familiarity with both the refugees’ country of origin and that of the receiving society. The content of the orientation varies, as it is tailored to the resettlement realities of the country of destination, but usually consists of general information on the travel process, the new host country (legal framework, civic participation), common integration challenges (attitudes and values), and basic language classes. Moreover, efforts are made to manage the expectations of the refugees. The level of information they receive often also depends on the amount of time available between the acceptance of their case and their subsequent departure for resettlement (which could take up to several months).<sup>26</sup>

67. There are several examples of good practices for cultural orientation programmes among member States. Norway<sup>27</sup> for example has, since 2003, used exclusively bi-cultural or cross-cultural trainers in delivering the programmes. Other countries, such as the Netherlands, have developed cultural orientation curricula and training materials.<sup>28</sup>

25. [www.refworld.org/docid/51b81d9f4.html](http://www.refworld.org/docid/51b81d9f4.html).

26. See also the Comprehensive guide to resettlement “Welcome to Europe”, ICMC, July 2013: [www.resettlement.eu/sites/icmc.ttp.eu/files/ICMC%20Europe-Welcome%20to%20Europe\\_0.pdf](http://www.resettlement.eu/sites/icmc.ttp.eu/files/ICMC%20Europe-Welcome%20to%20Europe_0.pdf).

### **5.6. Ability to co-ordinate and inform**

68. Good co-ordination and information amongst the responsible national authorities allow for the successful integration of resettled refugees.

69. Decisions to accept submissions for resettlement are made at the national level in co-ordination with international organisations. Yet, there are many other actors that can contribute to the success of the resettlement programmes, mainly with regard to the reception and integration of the resettled refugees. Too often, civil society, local authorities and the media are not involved or made aware of the process or decision-making, or the communication is limited to a minimum. Yet, if you involve those stakeholders, you build a sense of ownership and create new links to optimise the process (for instance, between medical services, schools and local authorities).

70. Civil society and local authorities have the capacity to welcome and accompany resettled refugees by offering language courses, medical services, social assistance, housing, education and professional training, etc. Civil society has the experience and knowledge to find innovative solutions to create a positive and welcoming environment that can benefit and complement the efforts of local authorities. For this, the dialogue needs to be created.

71. Agreed budgets need to be provided to local authorities with proper guidance on how to use them. A transparent and monitored system encourages political leaders, administrators and inhabitants to see resettlement as a positive tool for solidarity and provide informed public support to the national commitments. It also helps to avoid animosity and unfounded fear in the local community.

72. International organisations such as the IOM, the UNHCR and international NGOs such as the ICMC continue through the establishment and co-ordination of the European Resettlement Network and the SHARE project to be supportive of national programmes in raising awareness of resettlement and sharing best practices.

73. Independence and empowerment of resettled refugees can only be attained through such dialogue and support of all stakeholders.

### **6. Times of crisis and the use of enhanced and temporary measures**

74. Although the UNHCR focuses on advanced planning in order to make a comprehensive assessment of resettlement needs, unexpected crises will always remain the unknown factor in the equation. The UNHCR is frequently faced with this reality and therefore has to consider enhanced or emergency resettlement, as well as other measures that can provide more immediate protection to the most vulnerable in times of large-scale forced displacement.

75. Given these challenges, there is a pressing and immediate need to make greater efforts to seek out innovative methods in order to better respond to emergencies, including enhanced or group resettlement, humanitarian admission, and family reunification or the admission of relatives, as well as to make use of Emergency Transit Facilities, videoconferencing for resettlement interviews, and in-country or cross-border transfer mechanisms that enable resettlement countries to access refugees who are in insecure areas.

76. The UNHCR and IOM signed tripartite agreements with the Governments of Romania (2008) and Slovakia (2009) to establish Emergency Transit Centres (ETC). The ETCs offer the possibility for refugees to be evacuated to safety while their cases are processed for onward resettlement, particularly when resettlement countries have difficulty accessing refugees due to security or other considerations.

77. The ETC in Romania (Timisoara) can accommodate 200 refugees, and the ETC in Slovakia (Humenné) 150 refugees. They usually accommodate refugees for a period of six months. In 2012, both ETCs facilitated the evacuation of 150 and 168 refugees respectively for onward resettlement, and were utilised by the Netherlands, Sweden, Finland, Germany, and the United Kingdom.

78. Could we not consider the use of various measures to relocate Syrian refugees at risk to safe third countries, or large-scale resettlement on the basis of a simplified procedure? The precedent exist: during the war in the former Yugoslavia, European countries agreed to the resettlement of refugees, albeit on the basis of temporary protection.

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27. Norway's Cultural Orientation Programme is available at: [www.iom.int/cms/en/sites/iom/home/what-we-do/resettlement-assistance/norwegian-cultural-orientation-programme.html](http://www.iom.int/cms/en/sites/iom/home/what-we-do/resettlement-assistance/norwegian-cultural-orientation-programme.html).

28. The Netherlands Cultural Orientation programme for dossier cases (NLCO) is available at <https://www.nlco.iom.int/>.

79. As Syria's neighbouring countries are currently hosting more than 2 million Syrian refugees, the UNHCR has already announced the goal of providing up to 30 000 Syrian refugees with resettlement, humanitarian admission, or other forms of admission (such as family reunification) by the end of 2014 to express solidarity with these host countries. In pledging in addition to their current resettlement quotas, States would help to ensure that resettlement opportunities would still be available for vulnerable refugees in other parts of the world.

80. The UNHCR has also indicated that, to date, the total official and unconfirmed pledges from 20 countries now stands at more than 18 879 places for 2013/2014. An unprecedented majority of these pledges comes from European States.<sup>29</sup> The UNHCR has stated that it remains confident that the 30 000 goal will be met by the end of the year through a significant number of submissions to the United States.

81. Of note, is the offer by Germany to take 10 000 Syrian refugees under a Temporary Humanitarian Admission Programme. Amongst others, Sweden has pledged to receive 1 200 Syrian refugees and Norway 1 000, while Austria and France each pledged to receive 500 Syrian refugees. It is critical that European States continue to take the lead in keeping up the momentum created by considering further pledges of places for Syrian refugees on a multi-annual basis towards the UNHCR's goal of securing resettlement and other forms of admission for an additional 100 000 Syrian refugees in 2015/2016.

82. Other innovative solutions to respond to the urgent humanitarian needs triggered by the Syrian crisis have included family reunification, and namely the admission of relatives who may not be eligible under the traditional family reunification programmes. For instance, 15 federal States in Germany have launched their own reception programmes for Syrian nationals with relatives in Germany. Switzerland has also provided recently temporary visas to help Syrians reunite with relatives. I regret that this programme was unfortunately only for a limited period (September to November 2013).<sup>30</sup>

83. Alongside its regular resettlement programme that resettles 750 refugees per year, the United Kingdom has created the vulnerable persons relocation scheme for Syrian refugees, in close consultation with the UNHCR.<sup>31</sup>

## 7. Conclusions and approach to follow to strengthen solidarity

84. Under no circumstances should resettlement and relocation be seen as migration management tools. They are humanitarian tools and their primary aim is to bring about a lasting improvement in the protection of refugees. Those submitted for resettlement are those who fall within the UNHCR mandate and within one or more of the UNHCR's resettlement submission categories.

85. Both globally and at European Union level, States' participation in resettlement or relocation programmes provides significant support for countries of first asylum and sends the message that these countries are not being left alone to shoulder the responsibility of protecting refugees. It is also a message to encourage them to maintain an open admissions policy and to avoid the risk of push-backs.

86. If European States strengthened their commitment to resettlement, they could make a significant contribution to increasing international protection and to solidarity with countries that host the vast majority (80%) of the world's refugees.

87. As I have highlighted, of the approximately 80 000 resettlement places provided on average each year, European countries account for just over 5 500 places. The remainder are mainly provided by the United States, Canada and Australia. European reception capacities need to be enhanced to receive an increased number of resettled refugees.

88. Some encouraging developments are taking place. More and more European countries have undertaken to provide resettlement places each year, and the European Union's pilot relocation programme, as well as its Joint Resettlement Programme, are steps, albeit tentative, in the right direction.

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29. Resettlement, Humanitarian Admission, or Other Forms of Admission for Syrian Refugees 2013/2014 Pledges, UNHCR data, 11 February 2014, [www.unhcr.org/52d565699.html](http://www.unhcr.org/52d565699.html).

30. For more information, please refer to the Press release by the Swiss Federal Department of Justice and Police: [https://www.bfm.admin.ch/content/bfm/fr/home/dokumentation/medienmitteilungen/2013/ref\\_2013-11-297.html](https://www.bfm.admin.ch/content/bfm/fr/home/dokumentation/medienmitteilungen/2013/ref_2013-11-297.html).

31. Statement by the United Kingdom Home Secretary, 29 January 2014: <https://www.gov.uk/government/speeches/oral-statement-by-the-home-secretary-on-syrian-refugees>.

89. The Syrian crisis provides an opportunity for – and, indeed, imposes a duty on – Europe to go beyond fine words and show solidarity in practice. The tools and mechanisms are there, so let us make use of them! I urge all European States on an individual level to provide resettlement or humanitarian admission places for Syrian refugees and to consider together immediate measures to enable a larger number of these refugees to obtain protection in Europe.