

UNHCR Resettlement Submission Categories



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

This presentation:

- Reviews UNHCR's **resettlement submission categories**, and the requirements for submission under these categories;
- Highlights **key protection considerations** and **operational considerations** relevant to submission under these categories.

UNHCR Resettlement Submission Policies



To be submitted for resettlement by UNHCR, individuals or families must:

- A) meet the **preconditions for resettlement consideration**; *and*
- B) fall under one or more of the **UNHCR resettlement submission categories**.

The priority of the case (**emergency, urgent or normal**) impacts the timing of the submission.

A) UNHCR Preconditions for Resettlement Consideration

1. the applicant is **determined to be a refugee by UNHCR***; and
2. the prospects for all durable solutions were assessed, and **resettlement is identified as the most appropriate solution.**

* Exceptions can be made for **non-refugee stateless persons** for whom resettlement is considered the most appropriate durable solution, and also for the resettlement of **non-refugee dependent family members** to retain family unity.



B) UNHCR Resettlement Submission Categories

Applicants must meet the requirements for submission under **one or more** of these categories:

- **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**

B) UNHCR Resettlement Submission Categories

The Resettlement Submission Categories:

- should be seen as **inclusive**;
- may **overlap**, and submissions can often effectively be made under both **a primary and secondary category**.



Resettlement Priority Levels

Emergency:

- Security and/or medical condition **requires immediate removal**;
- Ideally, **seven-day maximum** between the submission of an emergency case and the refugee's departure.

Urgent:

- Serious medical risks or other vulnerabilities requiring **expedited resettlement within six weeks** of submission;
- Ideally, cases to be submitted within two weeks of identification.

Normal:

- Majority of cases, **without immediate medical, social or security concerns** which would merit expedited processing.

Minimize the time between identification and submission so that normal and urgent cases don't become emergency cases.

Legal and/or Physical Protection Needs

A refugee's situation must meet **one or more** of the following conditions:

- Risk of **immediate or long-term threat of *refoulement*** to the country of origin or expulsion to another country from where the refugee may be *refouled*; *or*
- **Threat of arbitrary arrest, detention or imprisonment:** *or*
- **Threat to physical safety or human rights** in the country of refuge which renders asylum untenable.



Legal and/or Physical Protection Needs

Considerations:

- Threat / risk must be **real and direct**, not accidental;
- Target can be **individual or group**;
- Threat must **continue to exist**;
- Threat / risk may require **emergency / urgent resettlement intervention**;
- Other temporary protection measures may be required.

Note: Every **country bears the primary responsibility to provide protection** to and ensure the safety of refugees on its territory or at its borders.



Survivors of violence and/or torture

What is violence or torture?

- UNHCR encourages **a broad interpretation of the terms violence and torture**;
- Survivors may have been **subjected to, experienced or witnessed**:
 - **physical harm or severe mistreatment** including **sexual and gender-based violence**;
 - **severe humiliations and intimidation** with threats;
 - **substantial non-criminal detention**, including kidnapping;
 - the **violent death or severe mistreatment, including rape**, of near family members.

Survivors of violence and/or torture

A refugee submitted under this category:

- has **experienced torture and/or violence** either in the country of origin or the country of asylum; *and*
- **may have lingering physical or psychological effects** from the torture or violence, although there may be no apparent physical signs or symptoms; *and*
- could face further **traumatization and/or heightened risk** due to the conditions of asylum or repatriation; *and*
- may require **medical or psychological care, support or counselling** not available in the country of asylum; *and*
- requires resettlement to meet their **specific needs**.

Survivors of violence and/or torture

Operational Considerations:

- Ideally, the submission would include an **expert assessment by psychologist or psychiatrist**, and a **medical report** if there are any physical symptoms or injuries;
- There may be a need for **medical treatment / psycho-social counselling** in the country of asylum pending resettlement;
- Refugees may require **post-arrival support services**; both medical and psycho-social.



Medical Needs

Operational Considerations:

- Very **limited availability of quota places** for refugees with medical needs;
- An **independent, qualified medical doctor** must complete a **Medical Assessment Form (MAF)** determining the diagnosis and prognosis;
- **Supporting documents** (x-rays, ultrasounds, medical reports) to included in the file;
- **Timely identification** of medical conditions can make a significant impact on the prognosis, and **improve the likelihood of acceptance** by a resettlement country.

Medical Needs

All of the following **four conditions must be met:**

- **Diagnosis:** Life threatening, or irreversible loss of functions, or obstacle to normal life; *and*,
- **Treatment:** Not available or accessible in country of asylum and medical evacuation not feasible; *and*,
- **Prognosis:** Favorable prognosis for cure in resettlement country, or the stay in first asylum causes or worsens health condition; *and*,
- **Informed Consent:** Resettlement is the expressed wish of the individual.

Medical Needs

Prioritization

Priority Level	Severity of Condition: Any medical condition that:	Time frame for medical intervention	Time frame for resettlement (departure)
Emergency	-is immediately life threatening (i.e. life-saving surgery)	< 1 month	within 1 week
Urgent	-requires life-saving interventions, but that is not immediately life threatening. -is at risk of major progression or complication without further intervention (i.e. many cancers).	1 to < 6 months	within 6 weeks
Normal	-is not life threatening or at risk of major progression/ complication, but requires intervention in order to ensure reduction of risk of progression/complications and to improve the person's quality of life and overall functioning	≥ 6 months	within 52 weeks

Women and Girls at Risk

Rationale for the Submission Category

- To provide international protection and assistance through resettlement to refugee **women who face particular protection problems as a result of their gender**;
- To obtain **priority processing and accelerated departure** for those refugee women and girls considered “at risk”;
- To ensure that refugee women at risk receive **specialized care**, if needed, and appropriate support upon arrival in the country of resettlement with a view to achieving socio-economic integration and self-sufficiency;
- To highlight the need for other **short-term protection interventions** required pending resettlement.

Women and Girls at Risk

Who are Women and Girls at Risk?

- Women or girls who have **protection problems particular to their gender**, and **lack effective protection** normally provided by male family members.
- They may be: **single heads of families, unaccompanied girls or women**, or together with their male (or female) family members.



Women and Girls at Risk

Resettlement should be considered for a Woman or Girl at Risk when:

- She faces a **precarious security or physical protection threat** as a result of her gender;
- She has **specific needs** arising from past persecution and/or trauma;
- She faces **severe hardship** resulting in exposure to exploitation and abuse;
- She **lacks access** to traditional or alternative support and protection mechanisms.

Women and Girls at Risk

Women and Girls may be at risk of:

- **Being trafficked** or forced into prostitution;
- **Sexual violence**, sexual harassment or abduction;
- **Exploitation** in the informal sector;
- **Domestic violence**;
- **Stigmatization** by their families or the refugee community and risk violence as a result.



Family Reunification

Family Unity

- UNHCR promotes an **inclusive culturally sensitive** understanding of the family, focusing on the concept of **dependency**.
- Family unity should be supported and promoted at all times. All family members should be **resettled together**.
- Submission promoted under this category to **reunite with family in a resettlement country**, when the separation was involuntary and related to the refugee situation.

A person who depends substantially and directly on another for economic, social and/or emotional reasons is **a dependant**.

Reunification promoted for:

Nuclear family members

- **spouses**, including same-sex and common-law;
- **dependent children** regardless of age.

Other dependants

- **relatives**, including parents;
- **other dependant** members of the family unit.

Family Reunification

All four conditions must be met:

At least **one person within the family unit to be reunited is a refugee** under the UNHCR mandate or a person of concern to UNHCR; *and*

The individuals to be reunited are **family members under UNHCR's inclusive definition**; *and*

The individuals are reuniting with a **member of the family already in a resettlement country**; *and*

The **availability and accessibility of other family reunification or migration options has been reviewed** and the submission of a resettlement case has been determined to be the most appropriate option given the resettlement needs and protection implications for the family member.

Children and Adolescents at Risk

A Child or Adolescent at Risk:

- is under 18;
- may or may not be an **unaccompanied or separated child**;
- has **compelling protection needs** which are not addressed in the country of asylum and resettlement has been determined to be the most appropriate solution.





Children and Adolescents at Risk

Operational Considerations

- A **Best Interests Determination (BID)** must identify resettlement as the most appropriate solution for **unaccompanied or separated children**;
- As well as family linkages, the **services and supports offered** for unaccompanied or separated children should be considered when **determining the resettlement State** to which the case should be submitted;
- **Records should be kept carefully to facilitate family tracing** and potential reunification in cases of unaccompanied and separated children;
- Children and adolescents may also be considered under any other submission category.

Lack of Foreseeable Alternative Durable Solutions

- Refugees have an **on-going, not an urgent, need for resettlement**;
- Mostly commonly used for **group resettlement**, but also applicable to individuals;
- Particularly useful in addressing **protracted refugee situations**;
- Applied in coordination with national or regional strategies to address the needs of specific refugee groups – **advance consultation important**.

Lack of foreseeable alternative durable solutions

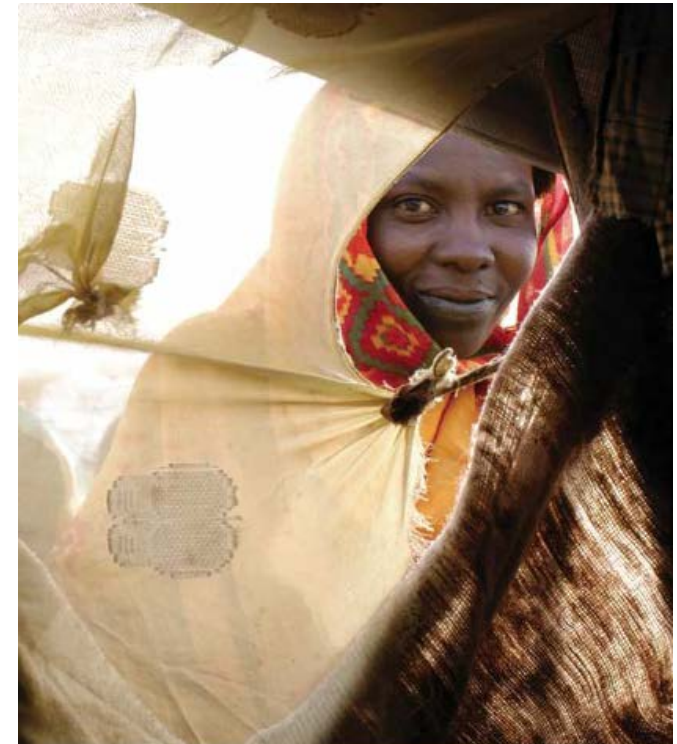
When assessing submission under this category consider:

- **Objective indicators:**
 - legal protection in the country of asylum;
 - prospect of voluntary repatriation or local integration;
 - conditions of asylum;
 - socio-economic and psychosocial situation;
- Priorities of resettlement States;
- Possible adverse effects.



Overall:

- UNHCR resettlement activities must be carried out on the basis of a **correct and consistent application of the resettlement submission categories** and considerations detailed in the Resettlement Handbook;
- A **coherent and transparent approach** will, **strengthen the credibility of UNHCR** and widen the confidence of refugees, resettlement countries and other partners.



UNHCR Resettlement Handbook