

PROGRESS REPORT ON RESETTLEMENT

I. OBJECTIVE AND FOCUS OF THE PAPER

1. The purpose of this report is to provide an update on activities implemented by UNHCR, in cooperation with resettlement partners, since the June 2004 Progress Report on Resettlement. This paper looks at recent and current measures being taken by UNHCR and its resettlement counterparts to further strengthen the use of resettlement as an effective protection response to refugee problems and as a partnership based approach to finding durable solutions to refugee situations.

II. ENHANCING THE USE OF RESETTLEMENT AS A PROTECTION TOOL, AS A DURABLE SOLUTION AND AS A RESPONSIBILITY AND BURDEN SHARING MECHANISM

2. UNHCR has continued its efforts to expand the use of resettlement as a tool of protection, as a durable solution and as a burden and responsibility sharing mechanism *inter alia* by further diversifying the nationalities of refugees being resettled and the number of asylum countries from where resettlement takes place. One concrete outcome of these efforts was the Emergency Resettlement Operation for Uzbek refugees initiated in July 2005, which resulted in the humanitarian evacuation of 439 refugees from Kyrgyzstan and their subsequent resettlement to third countries. It is hoped that all of these refugees will have been resettled by the end of July 2006. Of the 29 Uzbek refugees in detention in Kyrgyzstan, 25 have been resettled, while four remain in detention and efforts continue to secure their release. This operation is an exemplary testimony to solidarity and burden and responsibility sharing by the international community. UNHCR would like to once again express its gratitude to Romania for its critical role in hosting and continuing to host the refugees, as well as to the many countries which offered and provided resettlement places. UNHCR is also encouraged by the resettlement of a number of emergency cases in Morocco to two Western European countries.

3. The methodology for the resettlement of groups continued to be tested in the Field, mainly in Africa, the Middle East and Central and Eastern Asia. Since 2004, 13 refugee groups (totalling approximately 43,000 persons) have been submitted for resettlement consideration, including Liberian refugees in Guinea and Sierra Leone respectively, Somali refugees in Kenya, Burundian refugees in the United Republic of Tanzania, Congolese refugee survivors of the Gatumba massacre in Burundi, Eritrean refugees in Ethiopia, Eritrean refugees in Saudi Arabia, and Myanmar refugees in Thailand. These group resettlement exercises illustrate the consolidation of the group resettlement methodology worldwide and the significant expansion of resettlement activities, particularly in Asia, during the last two years.

4. In efforts to redouble the search for durable solutions, the Agenda for Protection,¹ envisages that voluntary repatriation, local integration and resettlement be integrated into one comprehensive approach to durable solutions, which is to be implemented in close cooperation among countries of origin, host States, UNHCR and its partners as well as refugees.² It calls for the expansion of resettlement opportunities through enhancing the number of resettlement countries; using resettlement more strategically for the benefit of as many refugees as possible; developing capacity building programmes with new resettlement countries; encouraging increases in the resettlement quotas of resettlement countries; diversifying the intake of refugee groups; and introducing more flexible resettlement criteria. Moreover, States are encouraged to ensure that resettlement runs in tandem with a more vigorous integration policy aimed at enabling refugees to have residence status and equality of rights and opportunities in the social, economic and cultural life of the country.³

5. When resettlement efforts are undertaken as part of a comprehensive protection and durable solutions strategy, a number of benefits may be gained. This is what is referred to as the strategic use of resettlement, which is particularly relevant in protracted refugee situations where resettlement may be used strategically to promote other durable solutions. On a regional basis, another consideration is to explore ways to harmonize durable solutions strategies and the role of resettlement, as well as resettlement policies for similar populations, as means to mitigate any negative impact (e.g. secondary movements) that resettlement might otherwise have.

6. While the strategic use of resettlement can be promoted by a single resettlement State, coordination with a number of resettlement countries is likely to maximize benefits. Such coordination may involve negotiation of mutually agreeable arrangements between the international community and the country of asylum, possibly requiring a multi-year commitment by the international community to sustain the country burden sharing, as well as possible assistance to further local integration or enhance the livelihood of refugees in asylum countries.⁴ Hence, resettlement can have a direct and positive impact on the quality of asylum and prospects for other solutions.

7. The Mexico Plan of Action and the proposed Somali Comprehensive Plan of Action are both comprehensive durable solutions strategies that include resettlement components. There are various examples of past and current situations where the use of resettlement as a durable solution can be considered an act of responsibility and burden sharing resulting in secondary benefits for refugees other than the ones being resettled. These examples include resettlement out of the then Federal Republic of Yugoslavia, Guinea, Côte d'Ivoire, Kenya, Malaysia, Pakistan, Thailand and Turkey.

8. At the start of its chairmanship of the Working Group on Resettlement (WGR) in June 2005, Norway announced that enhancing the strategic use of resettlement, particularly in protracted refugee situations, would continue to be a high priority for the WGR. A "Core Group on Bhutanese Refugees in Nepal" was formed, with the objective of finding comprehensive durable solutions for the Bhutanese refugee population in Nepal by *inter alia* using resettlement strategically. The Core Group, which comprises Australia, Canada, Denmark, the Netherlands, Norway, the United States and UNHCR, has met four times since the WGR meeting in November 2005.

¹ A/AC.96/965/Add.1, 26 June 2002.

² Agenda for Protection, introduction to Goal 5 "Redoubling the search for durable solutions".

³ Agenda for Protection, Goal 5, Objective 5.

⁴ The Strategic Use of Resettlement (A Discussion Paper Prepared by the Working Group on Resettlement), EC/53/SC/CRP.10/Add.1, 3 June 2003, section IV, p. 4 ff. See also The Multilateral Framework of Understandings on Resettlement (High Commissioner's Forum: FORUM/2004/6, 16 September 2004).

III. MANAGING AND PLANNING RESETTLEMENT MORE EFFICIENTLY

9. While progress has been made in the methodology used by UNHCR offices to identify resettlement needs, gaps and capacities, further concerted efforts are required in this area. Some offices, for example, tend to consider specific refugee populations as being unsuitable for resettlement because of the challenges this would pose in terms of resources, processing complexities and management issues; and so the identification of resettlement needs may rather be a reflection of challenges, not the actual and up-dated needs according to a thorough understanding of refugee dynamics. So, too, in some operations comprehensive durable solutions thinking has not yet developed to a level that can be translated into practice and offices may be reticent to engage proactively in dialogue with refugees about their durable solutions needs for fear of raising expectations about resettlement which are potentially unrealizable. Similarly, some offices face difficulties articulating resettlement needs and methods of delivery when voluntary repatriation is being facilitated for refugees of the same nationality – even if their protection needs may differ and grounds for resettlement justifiable.

10. UNHCR offices are required to proactively plan for resettlement and report on resettlement needs in a manner that is reflective of actual needs based on existing criteria and policy directives, as distinct from field-level capacity and challenges to service delivery. In addition to the UNHCR Projected Global Resettlement Needs, the results of this exercise are used to prepare the Indications Chart which records – in a matrix format – the projected resettlement needs for the coming year, UNHCR's capacity to address them, and the resettlement places offered by governments in response to the identified needs. These planning tools are shared with the resettlement countries in the lead-up to the Annual Tripartite Consultations on Resettlement (ATC) held in June each year in Geneva. The *Indications Chart* is regularly updated – so that it at any given time reflects a comprehensive plan for the year ahead – to inform UNHCR and resettlement countries of anticipated gaps and overlaps in programme delivery.

11. At UNHCR Headquarters linkages with interlocutors in the Regional Bureaux were further strengthened through the continuation of monthly meetings allowing for improved communication on policy and procedural developments as well as an increased understanding of and cooperation on resettlement activities. Regional coordination and planning were further improved through the consolidation of the two Regional Resettlement Hubs in Nairobi and Accra and the establishment of a Regional Resettlement Hub in Beirut in December 2005. These links were further strengthened as a result of annual regional strategic planning meetings held in Africa, the Middle East and Asia respectively.

IV. A MORE TRANSPARENT AND RELIABLE RESETTLEMENT PROCESS

12. Managing risk to ensure the integrity of resettlement continued to be a priority for UNHCR. The UNHCR Resettlement Anti-Fraud Plan of Action recommends a dedicated staff position to coordinate its implementation. Such a position was created and filled in 2005 and aims to upgrade field offices' capacity to prevent and mitigate fraud in the resettlement process. Steps were also taken to further develop practical tools such as Standard Operating Procedures (SOPs) on resettlement and risk assessment frameworks in field operations, with the aim to enhance the integrity of protection and resettlement delivery. To date, approximately 80 per cent of the field offices involved in resettlement operations around the world have completed SOPs on resettlement. Further development of global baseline SOPs commenced and will continue into 2006-2007.

13. As part of the continued efforts to further develop and disseminate policy, standards and guidelines on resettlement, training activities were undertaken to broaden the knowledge base of staff in the Field in terms of identification and processing methodologies and improved quality assurance and compliance systems. Two regional UNHCR policy workshops on the "identification of resettlement

needs” were organized in New Delhi and Nairobi benefiting 55 UNHCR staff members. In addition, six workshops that form part of the Refugee Status Determination-Resettlement Learning Program (RSD-RS LP) were held in Africa, Asia and the Middle East, providing training for a total of 128 UNHCR staff. Additionally, a Training of the Trainers (Tot) component was introduced and was offered to selected staff who graduated from the RSD-RS LP. Two courses were organized, one in Africa and one in Asia, for a total of 20 field staff. The Tot aims at enhancing UNHCR’S capacity to replicate training activities on refugee status determination and resettlement in the Field.

14. UNHCR furthermore organized and facilitated three training workshops for approved International Catholic Migration Commission (ICMC) roster members. The workshops provided basic training for 45 roster members in refugee status determination, resettlement and management of protection activities. The objective is to improve organizational understanding prior to deployment and ensure resettlement delivery in compliance with UNHCR standards.

15. Following its partial revision in 2002 focusing on the areas of resettlement management and processing, the Resettlement Handbook was substantially reviewed and updated in 2004. The revision took into consideration the goals outlined in the Agenda for Protection and the developments related to the Convention Plus initiative. Particular attention was devoted to the strategic use of resettlement and group resettlement, for which operational guidelines for field operations were provided. The revised Resettlement Handbook is posted on UNHCR’s website and is being translated into French and Spanish.

V. REINFORCING RESETTLEMENT THROUGH PARTNERSHIPS

16. Partnership in resettlement continued through enhanced working relations with States, including through the Annual Tripartite Consultations, the Working Group on Resettlement and through bilateral meetings. Furthermore, UNHCR continued to support the development of a more active involvement of NGOs in resettlement and is working on ways to strengthen such partnerships to enhance resettlement and protection delivery more broadly. A constructive workshop on partnership with NGOs in the field of resettlement was held in Washington in March 2005. The conclusions of this workshop were shared among all participants and at the Annual Tripartite Consultations on Resettlement held in June 2005 in Geneva.

17. UNHCR aims to enhance its relationship with NGOs to achieve a transparent and cohesive framework and avoid the establishment of parallel systems for resettlement. At the same time, UNHCR will continue to assist States in identifying durable solutions for refugees, a responsibility that has been entrusted to UNHCR by the United Nations General Assembly.⁵ Without well-coordinated partnerships and detailed operational procedures, it would be more difficult to prevent fraud and malfeasance, to ensure a consistent application of resettlement criteria and to ensure that refugees’ expectations do not result in protection problems in the field. UNHCR believes that the preferred and most effective partnership model for a greater involvement of NGOs and other international organizations in resettlement operations is one where the respective UNHCR country offices coordinate the operations, including the referral of submissions to resettlement countries.

18. Partnerships with NGOs in resettlement operations are achieved partly through the deployment of NGO personnel to UNHCR field operations. The UNHCR-ICMC Resettlement Deployment Scheme is one example of such a partnership which proved an invaluable mechanism to support field resettlement operations and enhanced UNHCR’s capacity to identify and refer refugees for resettlement. In 2004-2005, 121 deployments were supported through the Scheme, which targeted 63 country operations -

⁵ Statute of the Office of the United Nations High Commissioner for Refugees (General Assembly resolution 428(v) of 14 December 1950).

the majority being in Africa where UNHCR's resettlement activities have expanded in recent years, including through the establishment of the Regional Resettlement Hubs. Other deployments were equally distributed in Central Asia, East Asia, Eastern Europe and Middle East. The success of this initiative is linked to the continuation of support by resettlement countries which provide the greater part of the necessary funds to UNHCR for the continuation of the programme.

VI. ENLARGING THE POOL OF RESETTLEMENT COUNTRIES

19. Efforts continued to expand resettlement opportunities and broaden the base of resettlement by engaging more States in considering the establishment of resettlement programmes. Reflecting positive developments in recent years to expand resettlement opportunities in Latin America, in June 2005 Argentina became a new resettlement country. A resettlement meeting held in Ecuador in early February 2006, to pursue the Solidarity Resettlement component of the 2004 Mexico Plan of Action, offered an excellent opportunity to deepen multilateral cooperation on resettlement and increase the number of resettlement countries, as called for in the Agenda for Protection. The meeting resulted in a number of conclusions and recommendations that UNHCR has translated into a "roadmap". The "roadmap", which contains a series of concrete project proposals in Latin America, has been shared with donor countries for their consideration and support.

20. Among the countries attending the WGR meeting in March 2006 were seven observers (Belgium, Czech Republic, Estonia, Germany, Mexico, Switzerland and Japan). This is the first time that non-resettlement countries have been invited as observers to attend a regular WGR meeting. The seven aforementioned observer countries have also be invited to attend the Annual Tripartite Consultations in June 2006, where the dialogue with potential resettlement countries will continue.

21. Another positive development in this area is the proposal by the European Commission to establish a European Union (EU)-wide Resettlement Scheme. In July 2005, UNHCR actively participated in an EU seminar on resettlement hosted by the United Kingdom. The main objective of the seminar was to promote discussion amongst EU Member States on the key principles, benefits and potential challenges of resettlement, and was aimed at policy makers and practitioners working in the area of resettlement. The seminar also looked at different models of resettlement and promoted expansion of its use either through new national programmes or through the establishment of an EU-wide Resettlement Scheme.

VII. THE RECEPTION AND INTEGRATION OF RESETTLED REFUGEES

22. UNHCR acknowledges that reception schemes and integration programmes are important components of successful resettlement programmes. Accordingly, discussions have been held on these issues at the Annual Tripartite Consultations on Resettlement, which have proven to be especially beneficial to new resettlement countries. A twinning programme between Ireland and Finland, the MORE Project, was implemented from November 2003 to April 2005. The MORE Project was sponsored by the European Refugee Fund. The Project Partners included the Ministry of Labour of Finland and the Reception and Integration Agency of the Department of Justice, Equality and Law Reform of Ireland, the main government departments dealing with resettlement in the respective countries. The Project was implemented in cooperation with UNHCR, the European Council on Refugees and Exiles (ECRE) and the International Organization for Migration (IOM). The objective of the project was to establish comprehensive models and effective procedures in the areas of selection, reception and integration of resettled refugees that can be utilized by other EU countries. The target audience was professional staff of central and local government departments, civil society actors and resettled refugees in the two countries.

23. Resettlement efforts are currently being hampered by the introduction of anti-terrorist legislation, which is directly impacting the selection of refugees in need of resettlement. Furthermore, in spite of the clear protection nature of resettlement, in the last years, some resettlement countries are increasingly resorting to selection criteria based on integration potential rather than protection needs. An approach that emphasizes immigration criteria (such as integration potential) rather than protection needs may result in putting the lives of vulnerable refugees at risk when no other solutions are available.

24. UNHCR has expressed its concern over the negative impact of the aforementioned measures and will continue its efforts to ensure that refugees in need of resettlement have access to this solution and to balance the needs and concerns of resettlement countries where this is compatible with UNHCR's mandate responsibilities.

VIII. CHALLENGES AND OUTLOOK

25. In addition to countering the negative effects of anti-terrorism legislation, restrictive legislation and criteria focusing on domestic considerations such as a refugee's integration potential rather than protection needs or vulnerabilities, the critical funding situation of UNHCR is of major concern with regard to the implementation of its resettlement as well as other programmes. Continued donor support for resettlement in 2004-2006 has enabled UNHCR to sustain its commitment to strengthen operational capacity to address global resettlement needs and UNHCR is most appreciative to several of the major resettlement countries for also providing additional funding to UNHCR in support of resettlement activities. However, expanding or even maintaining the current resettlement capacity is a major challenge for UNHCR in the current financial environment and will require sustained commitment from donors.

26. As a result of the decision to upgrade the resettlement function within UNHCR, a Resettlement Service was established on 1 January, 2006, as part of the Division of International Protection Services (DIPS). The creation of the Resettlement Service, headed by an officer at the D1 level, is intended, despite financial restraints, to further strengthen UNHCR's capacity to be responsive to resettlement countries and other partners; to continue to build upon initiatives to be proactive in terms of promotion and advocacy of resettlement; and actively to further pursue resettlement innovations in line with the Agenda for Protection, the Convention Plus initiative and the Multilateral Framework of Understandings on Resettlement.