

# PREFACE



## PREFACE INTRODUCING RESETTLEMENT

### Definition

**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 a 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 naturalized citizen of the resettlement country.

### Functions

**Resettlement** serves three equally important **functions**.

*First*, it is a tool to provide international protection and meet the specific needs of individual refugees whose life, liberty, safety, health or other fundamental rights are at risk in the country where they have sought refuge.

*Second*, it is a durable solution for larger numbers or groups of refugees, alongside the other durable solutions of voluntary repatriation and local integration.

*Third*, it can be a tangible expression of international solidarity and a responsibility sharing mechanism, allowing States to help share responsibility for refugee protection, and reduce problems impacting the country of asylum.

### Resettlement within UNHCR's mandate

The Office of the United Nations High Commissioner for Refugees (UNHCR) was established on 1 January 1951 by UN General Assembly Resolution 319 (IV).<sup>1</sup>

UNHCR's work is humanitarian, social and non-political. UNHCR's Statute and subsequent resolutions from the United Nations General Assembly and the Economic and Social Council (ECOSOC) mandate the Agency to provide international protection to refugees and other persons of concern to the Office and – as a consequence – to seek permanent or durable solutions to their problem.<sup>2</sup> These two functions, international protection and the identification of durable solutions, can be considered UNHCR's core objectives, although its mandate has been expanded through subsequent UN General Assembly Resolutions. Resettlement plays a vital role in achieving both of these objectives.

<sup>1</sup> UN General Assembly, *Refugees and stateless persons*, 3 December 1949, A/RES/319, <http://www.unhcr.org/refworld/docid/3boof1ed34.html>

<sup>2</sup> The 1950 UNHCR Statute states that UNHCR “shall assume the function of providing international protection, under the auspices of the United Nations, to refugees who fall within the scope of the present Statute and of seeking permanent solutions for the problem of refugees by assisting Governments ... to facilitate the voluntary repatriation of such refugees, or their assimilation within new national communities.” (Emphasis added).

Resettlement under UNHCR auspices is an invaluable protection tool to meet the specific needs of refugees under the Office's mandate whose life, liberty, safety, health or fundamental human rights are at risk in the country where they sought refuge. Resettlement may be the only way to reunite refugee families who, as a result of flight from persecution and displacement, find themselves divided by borders or by entire continents. Emergency or urgent resettlement may be necessary to ensure the security of refugees who are threatened with *refoulement* to their country of origin or those whose physical safety is seriously threatened in the country where they have sought refuge.

Resettlement is also a durable solution, and a key component of comprehensive solutions strategies. Under a comprehensive approach to particular contexts, consideration of all three durable solutions (voluntary repatriation, local integration and resettlement), may identify resettlement as the optimal solution for the individual or refugee groups in question. Refugees may not have immediate protection needs, but nevertheless require a durable solution – an end to their refugee situation through resettlement.

## Impact of resettlement

Over the past sixty years resettlement has provided millions of people with protection and the opportunity to build new lives for themselves and their families. The refugees have made important contributions to the countries that received them,<sup>3</sup> and active engagement with resettled refugees has also fostered awareness and support for refugees among the publics of resettlement countries.

Resettlement has also brought about positive results that go well beyond those that are usually viewed as a resettlement outcome. In the face of a continued influx of refugees, the use of resettlement has convinced countries of first asylum to keep open their borders, thereby avoiding massive loss of life. In other situations resettlement has played a key role in unlocking the impasses in protracted refugee situations, and opening the possibilities of other durable solutions. Offering resettlement places to refugees in need is also an active expression of responsibility sharing with the countries that host the bulk of the world's refugees. Overall, resettlement is a dynamic and flexible tool, and when done effectively and with strategic vision, the results of resettlement can be powerful beyond the direct impact on the persons resettled.

## Partnership

The resettlement of refugees can only be achieved through collaboration with various partners, in particular resettlement States, international organizations and non-governmental organizations (NGOs). UNHCR identifies refugees in need of resettlement as part of its mandate, but it is States that offer permanent places of residence in their countries. NGOs and international organizations can also play a key role throughout the identification, pre-departure, and the post-resettlement integration processes.

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<sup>3</sup> For personal stories, see the News and Media section of the UNHCR website at <http://www.unhcr.org>

No country is legally obliged to resettle refugees. Only a limited number of States offer resettlement on a regular basis, allocating budgets, devising programmes and providing annual resettlement quotas. The number of these resettlement States that have established regular resettlement programmes and committed themselves to an annual quota has grown steadily. Some countries also accept refugees for resettlement on an *ad hoc* basis but have not officially established regular resettlement programmes with annual quotas. These countries do participate in responsibility sharing, but are not included as resettlement States.<sup>4</sup> Accepting refugees for resettlement is a demonstration of generosity on the part of governments and UNHCR welcomes the opportunities that continue to be offered by States for the resettlement of refugees. Finally, of course, refugees are themselves partners in the process, and – with the appropriate integration measures in place and support from receiving communities – eventually prove to be an asset for the resettlement State, through their contribution to society at large.

## Operational coordination

The search for durable solutions, including the expansion and more efficient use of resettlement, requires capacity within UNHCR as well as within resettlement States. UNHCR's Resettlement Service within the Division of International Protection assists Field Offices and Regional Bureaux to expand and diversify resettlement activities in different operational contexts, improve access for refugees as well as operational standards and coordination to deliver a coherent and predictable resettlement programme that addresses refugees' needs with diligence, integrity, transparency and accountability.

The focus on multi-year planning, the strengthened role of resettlement in comprehensive solutions strategies and improvements in the identification of persons at risk are key factors in UNHCR's capacity to identify and submit persons in need of international protection and a durable solution for resettlement consideration by States.

## Consultation and collaboration

The Working Group on Resettlement (WGR) and the Annual Tripartite Consultations on Resettlement (ATCR) process is the primary vehicle for collaborative efforts between UNHCR, governments, NGOs, and international organizations to enhance the use of resettlement, identify and address challenges, and shape joint strategies and directions for the future. The Resettlement Service serves as the Secretariat for the WGR and the ATCR, while the chairmanship rotates among the government members of resettlement States, and an NGO focal point is traditionally drawn from the same State as the current Chair.

<sup>4</sup> The online version of this Handbook includes Country Chapters in which each resettlement State describes their own resettlement programme, <http://www.unhcr.org/resettlementhandbook>

The ATRC/WGR process has evolved since 1995 and usually includes two Working Group meetings and the Annual Tripartite Consultations on Resettlement held each year in June/July. The Working Group meetings (restricted to full government members of the WGR and with limited NGO presence) provide a smaller and more targeted consultative forum to discuss specific policy and operational aspects of resettlement, whereas the ATRC is a large-sized meeting with full participation of all invited partners.

The ATRC provides the opportunity to share information on specific populations in need of resettlement, analyze resettlement policy issues, identify and address operational challenges, and promote the emergence of new resettlement States and the diversification of resettlement programmes.

## Setting priorities

UNHCR strives to meet the challenges of identifying the people most in need of resettlement, ensuring global consistency and predictability in resettlement delivery, and maintaining the capacity to manage resettlement activities.

Resettlement cannot be viewed in isolation from other protection interventions. UNHCR offices incorporate resettlement needs into their protection assessments and their overall durable solutions strategies, and the efficient and effective identification of refugees for resettlement consideration is a part of each office's overall protection strategy. Refugees under UNHCR's mandate are considered to have met the preconditions for resettlement consideration if resettlement has been identified as the durable solution most appropriate for them.<sup>5</sup> As the number of refugees identified as in need of resettlement far outstrips the availability of resettlement places, further planning and prioritization are required to make decisions on which cases to submit in a given year.

UNHCR Headquarters compiles information on the resettlement needs and processing capacity of country operations to prepare an annual report on the *Projected Global Resettlement Needs*,<sup>6</sup> which reflects the global resettlement needs for the following year(s) and the rationale and scope of UNHCR's resettlement operations worldwide. This document is presented to the resettlement partners at the Annual Tripartite Consultations on Resettlement (ATRC), and serves both as a primary planning tool and the main reference document for discussions with resettlement States on the allocation of their resettlement quota.

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<sup>5</sup> For further guidance on the identification of refugees in need of resettlement, submission priorities and the resettlement submission categories please see [Chapter 5](#) and [Chapter 6](#).

<sup>6</sup> This document is produced annually. For example, see UNHCR, *UNHCR Projected Global Resettlement Needs 2011*, June 2010, <http://www.unhcr.org/refworld/docid/4c5acc3e2.html>

## Integration

To truly be a durable solution, resettlement must offer refugees the support and opportunities to facilitate their integration into their new community. Integration programmes require coordination, cooperation and collaboration. Investments need to be made at an early stage to ensure that sound coordinating infrastructures and processes are established; that cooperative relationships are fostered between players, and relevant personnel have opportunities to develop their expertise in integration programme development and implementation. At the local level, communities must be prepared to welcome and support resettled refugees, and opportunities to bring newcomers and their new community members together to build relationships and identify and address issues are critical to the programme's success. These tasks require an investment in time, resources and expertise, and new resettlement States have welcomed the advice and support of States with established integration programmes.

Refugees generally have a high level of motivation not only to rebuild their own lives, but also to make a meaningful contribution to the receiving society. The fact that they have survived often horrific experiences is testimony to their resilience. While countries resettling refugees are motivated by humanitarian concerns, they also believe that refugee resettlement, along with their general migration programmes, enrich them as societies.