

## Expanding Access to Resettlement and Complementary Pathways for Admission

### Global Compact on Refugees: Thematic Discussion 4

*This written submission supplements and should be read in conjunction with Canada's oral interventions delivered at Thematic Discussion Four on November 14, 2017 (see Annex I).*

In the unanimously-adopted *New York Declaration on Refugees and Migrants*, United Nations Member States, including Canada, expressed their clear intention to “expand the number and range of legal pathways available for refugees to be admitted to or resettled in third countries”, encouraging states yet to establish resettlement programmes to consider doing so and states with existing resettlement programs to consider increasing their size.<sup>1</sup> Similar commitments are included in the Comprehensive Refugee Response Framework (CRRF), in which UN member states expressed their intention to provide resettlement places and other legal pathways on a scale that would meet the annual resettlement needs identified by the United Nations Refugee Agency (UNHCR).<sup>2</sup>

To this end, the Global Compact on Refugees and its Programme of Action in particular need to include clear and concrete measures to support this growth and innovation in resettlement activities. Canada submits the following recommendations in this regard.<sup>3</sup>

#### **1) Measures to expand access to resettlement**

In line with the commitments made by states in the New York Declaration, Canada recognizes that increasing global resettlement capacities over time can significantly contribute to comprehensive refugee responses. Resettlement is a vital tool for protection, durable solutions, and responsibility sharing. The Programme of Action should support expanded access to resettlement by:

***Preserving the protection and humanitarian character of third country solutions:*** Resettlement programmes should be protection-centred. Where complementary pathways are pursued, they should be in addition to State-led resettlement activities and should ensure effective refugee protection. In both cases, the availability of third country solutions must not be used as a substitute for the right to seek and enjoy asylum. As stated in the New York Declaration, new and existing resettlement programs should incorporate a non-discriminatory approach and a gender perspective throughout.

***Expanding resettlement capacity:*** UNHCR, resettlement States and other interested States should support the establishment and expansion of resettlement programmes in new and emerging resettlement countries, including through facilitating and channelling support and expertise in a strategic and coordinated manner, as well as through State-to-State bilateral advocacy and capacity-building support. Canada applauds efforts to enhance resettlement activities through the Emerging Resettlement Countries Joint Support Mechanism (ERCM), and will continue to offer technical assistance

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<sup>1</sup> New York Declaration, paragraphs 77 and 78.

<sup>2</sup> New York Declaration, Annex 1 paragraphs 10, 14, 16.

<sup>3</sup> These recommendations build on a careful assessment of UNHCR proposals from its resettlement non-paper (June 2017) and other proposals that have materialized in the thematic discussions to date.

through the Global Refugee Sponsorship Initiative and other forms of support to states interested in exploring private and community sponsorship models of resettlement.

In support of expanded resettlement activities, Canada welcomes UNHCR's proposal to work with stakeholders at the Annual Tripartite Consultations on Resettlement (ATCR) to develop and refine public messaging on the benefits of welcoming refugees as well as the integrity of resettlement programs, with a view to increasing public confidence in the process. The private and civil society sectors, academia, and other stakeholders could also be engaged with UNHCR and governments in working to enhance the evidence base in relation to the economic, social and cultural contributions of resettled refugees to host countries and communities.

**Supporting the strategic and coherent use of resettlement:** Resettlement priorities identified by UNHCR and strategies for refugees in need of resettlement should be considered as elements of comprehensive refugee responses. Specific resettlement activities within those commitments should be established in a way that aligns with and is responsive to UNHCR's global, regional, and national protection and solutions strategies (i.e. through the Global Refugee Response Group and any associated resettlement core groups, pledging conferences, solidarity conferences, or context-specific compacts).

States should make multi-year resettlement commitments where possible. These commitments help key resettlement partners, including UNHCR, the International Organization for Migration, and settlement organizations to better plan their operations, while helping to ensure an effective and comprehensive response to priority refugee situations. Within multi-year commitments, specific resettlement activities should be flexible and responsive to need, as well as anchored in UNHCR's strategies and priorities.

Canada supports the proposal to develop a digitally-enhanced "ecosystem" for collaboration in the area of refugee identity management, including registration, documentation, and biometrics. This should be done in a way that facilitates triage or identification of cases suitable for resettlement or complementary pathways; aids in the tracking and assessing of third country solutions activities; safeguards both the integrity of the system and the privacy of implicated individuals; and is not incompatible with resettlement country systems.

Criteria for monitoring and evaluation in relation to resettlement and complementary pathways should be established. The development of these criteria could be included in a wider process to establish a responsibility-sharing mechanism for comprehensive refugee responses, and build on existing reporting frameworks and be supported by necessary data. All data should be disaggregated by sex, gender, age and disability.

**Promoting timely resettlement:** Canada supports the UNHCR proposal to work with resettlement States and other interested States to achieve the prompt resettlement of UNHCR-referred cases, both in the context of existing or protracted refugee situations and situations with emerging resettlement needs. This should be supported through the use of flexible, fit-for-purpose processing modalities that engage relevant stakeholders; expanded and strengthened use of platforms, such as emergency transit centres, for emergency processing, including through increasing support for transit countries; and information-sharing on best practices among established and emerging resettlement States.

Appropriate benchmarks for processing timelines around resettlement should be established. Data on processing times and modalities could be collected and analysed to support evidence-based measures to improve efficiency and timelines.

Finally, Canada supports the UNHCR proposal that resettlement States should dedicate a portion of their resettlement quota to the timely processing of emergency cases referred by UNHCR. Recognizing that resettlement is a critical, life-saving protection tool, the Programme of Action should support effective responses to the emergency protection needs of refugees in vulnerable situations, particularly women, girls, and persons with disabilities or mental health issues.

**Expanding partnerships:** In support of scaling up whole-of-society approaches, UNHCR, resettlement States, other interested States, and key partners should establish platforms to enable peer-to-peer communication and support among civil society, the private sector, academia, local governments, refugee and host communities, and other actors to share knowledge and experiences related to supporting refugee resettlement and third country integration. These stakeholders should also be included in the work of a Global Refugee Response Group, through consultation, participation in context specific compacts or other mechanisms as appropriate.

UNHCR, resettlement States and other interested States should explore alternative and innovative models for financing resettlement, with the goal of growing the proportion of private funding covering costs associated with resettlement and complementary pathways.

## **2) Measures to expand access to complementary pathways for admission**

Recognizing that resettlement is only one element of a comprehensive response, States should endeavour to develop and expand complementary pathways of various kinds. Complementary pathways should be context-specific, sensitive to protection needs, engage multiple stakeholders, and be implemented in a way that respects the principle of *non-refoulement* of refugees. They should be pursued in addition to State-led resettlement programs. States should make complementary pathways as accessible as possible, including by expanding eligibility and easing administrative requirements in recognition of the particular circumstances of refugees.

In order to expand access to complementary pathways for admission, Canada recommends the following for the Programme of Action:

**Leveraging private and community sponsorship models of resettlement:** Resettlement States, in collaboration with UNHCR and other stakeholders, should assist interested States and other national and local partners to establish or expand private/community sponsorship programmes for refugees, including through training, public education, technical guidance and capacity building. The work of the Global Refugee Sponsorship Initiative serves as a concrete platform in this regard.

**Generating opportunities for labour mobility:** Resettlement States and other interested States, in collaboration with UNHCR, the private sector, and other stakeholders, should explore frameworks to admit refugees through established or new economic migration programs. States pursuing labour and other economic pathways for refugees should work with UNHCR and the private sector to facilitate skills assessment and documentation and accreditation requirements, among other necessary requirements for admission, and ensure that such pathways are in line with international labour standards.

**Facilitating academic and educational pathways:** Similarly, these stakeholders, in collaboration with the educational sector and other actors, should facilitate academic and educational pathways through student visas, scholarships, apprenticeships, traineeships, community sponsored permanent pathways, and partnerships with academic institutions. States and UNHCR should work with academic institutions to facilitate equivalency recognition in support of prompt resumption of study.

**Promoting family reunification:** Resettlement States and other interested States, in collaboration with other stakeholders, should strengthen existing avenues to family reunification for refugees, for example through family sponsorship programs.

**Exploring humanitarian visa schemes:** Resettlement States and other interested States, in collaboration with UNHCR, should explore the use of humanitarian visa schemes in addition to other third country pathways.

Finally, efforts to open complementary pathways to refugees should be supported by a robust statistical and identity management foundation facilitating the identification of possible candidates (i.e. for labour, academic, family class, or other pathways) as early as possible.

## **Annex: Canadian Delegation Statements on Resettlement and Complementary Pathways**

*As delivered*

### Global Compact on Refugees: Thematic Discussion Four

Geneva – November 14, 2017

#### **Panel Two: How can we expand access to resettlement?**

Madame Chair,

Resettlement is a vital tool for protection, durable solutions, and responsibility sharing. In this regard, Canada has the following recommendations for the Programme of Action:

- First, it should affirm that resettlement programmes are to be protection-centered, flexible, and responsive to need. Programs should be anchored in UNHCR's strategies and priority situations, and premised on predictable engagement, including through multi-year commitments like those Canada employs.
- It should also support the strategic use of resettlement, calling for commitments to be established as part of comprehensive responses, for instance through the Global Refugee Response Group and any associated resettlement core groups, pledging conferences, solidarity conferences, or context-specific compacts.
- It should call for the establishment of new resettlement programs and the expansion of existing ones, supported by a multilateral mechanism engaging diverse stakeholders to share information, technical support, and resources in a strategic manner. Canada notes efforts under the Emerging Resettlement Countries Joint Support Mechanism in this regard and offers help in bridging to related capacity building efforts including the Global Refugee Sponsorship Initiative.
- Madame Chair, the Programme of Action should incorporate best practices for effectiveness and efficiency, focusing in particular on whole-of-society approaches and innovative financing.
- Finally, recognizing that resettlement is a critical, life-saving protection tool, the Programme of Action should support effective responses to the emergency protection needs of refugees in vulnerable situations, particularly women and girls facing specific risks. Innovative modalities like Canada's efforts under the Urgent Protection Program are an example of initiatives that could be promoted.

#### **Panel Three: How can we expand access to complementary pathways for admission?**

Madame Chair,

In addition to expanding resettlement as discussed this morning, growing complementary pathways will mean greater access to protection and solutions for refugees, and better global responsibility sharing. Canada has the following recommendations for the Programme of Action in this area:

- First, it should encourage states to pursue private or community based refugee sponsorship. Canada is pleased to support global capacity building in this area through the Global Refugee Sponsorship Initiative, and we thank UNHCR, the University of Ottawa, and our other partners for their ongoing collaboration.
- It should encourage states to make complementary pathways as accessible as possible, including by expanding eligibility and easing administrative requirements. Canada recently expanded its eligibility criteria for family reunification by raising the age of dependence from 18 to 21.
- Similarly, the Programme of Action should encourage states to make labour pathways more available to refugees, for example by facilitating access and incorporating protection-sensitive safeguards where needed and by working with civil society and private sector partners to facilitate skills assessment; accreditation; documentation; language support; and training.
- The Programme of Action should also encourage education pathways, such as university scholarships, for example along the lines of the Student Refugee Program operated by the World University Service of Canada, as well as apprenticeships and traineeships.
- Finally, Canada appreciates the efforts of the OECD and UNHCR to develop data in this area. As we know, the robust collection, analysis and evaluation of data related to refugee outcomes achieved helps to build public confidence in, and support for, third country solutions and provides a solid evidence base to demonstrate the valuable contributions refugees make to our society. We hope to see the Programme of Action encourage such valuable data practices for resettlement and complementary pathways as well.