

Promoting Equity in Resettlement: A Proposal for the Global Compact on Refugees¹

Problem

Resettlement is sometimes referred to as a golden lottery ticket. Not only is it available to relatively few refugees, historically its use has been far from equitable. Depending on the population and location, refugees have had radically disparate chances of accessing resettlement. Prior to the 1990s, resettlement countries named the populations that they would accept and the U.S., as the largest receiving country, set up its own hubs to process these populations of concern. Most resettlement took place near these hubs. In 1995, the U.S. radically redefined its eligibility criteria and shifted primary responsibility for the identification and referral process to UNHCR, designating any case of any nationality referred by UNHCR as a Priority 1 referral.

The new U.S. policy was a positive step towards expanding access to resettlement for populations that had not previously benefited. However, the expansion of capacity to conduct resettlement activities in more locations proceeded slowly. As UNHCR was expected to generate an ever-increasing number of resettlement referrals to fill the quotas of existing and emerging resettlement countries (and to make up for the decline of the large Indochinese and Soviet caseloads), an inevitable focus was often on potential high-volume locations with fewer logistical complications.

This may have been particularly true of Africa, the continent whose resettlement trends RefugePoint has studied most closely. A document prepared by UNHCR's Resettlement Service in 2000 reported that, "as recently as 1997, more than three-quarters of the refugees resettled from Africa were Somalis in Kenya."²

Discussion

UNHCR and its partners have made commendable strides in ensuring that resettlement is now more equitable, with expanded access points in many more countries, and established criteria to identify those most in need. In 2016, UNHCR reports³ that in Africa alone it referred 29 nationalities for resettlement from 34 countries of asylum, a record high on both counts, while simultaneously referring the highest number from Africa ever – 43,978.

¹ Prepared by Amy Slaughter for the Zolberg Institute Experts Meeting on the Global Compact on Refugees, New York, October 2-3, 2017.

² UNHCR Resettlement Section, Background Note for the Agenda Item: Reflection on the Changing Nature of Resettlement and the Impact upon the Operational Environment, "Evolution of Resettlement Policy and Refocusing of Operations Worldwide." Prepared for the Annual Tripartite Consultations on Resettlement, Geneva, Switzerland, 3 July 2000 (on file with the author).

³ UNHCR 2018 Projected Global Resettlement Needs (June 2017).

While UNHCR now reports retrospectively each year on the number of nationalities and countries of asylum from which it referred, there are no forward-looking targets set around these numbers or any other proxy for equitable access to resettlement. The only targets that are routinely set by UNHCR and resettlement countries are “volume” targets – total numbers of refugees referred for resettlement overall and at regional levels.⁴

RefugePoint has proposed that UNHCR consider measures for equity to complement the measures of volume. One proposal has been to take as a benchmark the average of 1% of the global refugee population referred for resettlement each year. It seems safe to assume that at least 1% of any population is at heightened risk and cannot stay safely where they are. Applying this lens to each country of asylum would focus attention on the reasons that the countries are meeting, exceeding or falling short of the 1% benchmark. Reasons for falling short are often very valid, given the context and strategies employed in particular countries. But in some cases, this analysis can reveal gaps in resources, capacity, training or other issues that are solvable.

Without an indicator around equity to keep the resettlement community’s attention focused on this, there is a risk of backsliding into a “numbers game” of filling quotas against urgent deadlines with easily accessed populations. We also miss the opportunity to tell a “good news” story by highlighting the vast improvements in equity that have been made since 1997. Finally, keeping an eye on equity is smart management of a complex resettlement system to maintain a steady “pipeline.” It wasn’t long ago that thousands of resettlement slots would go unused each year due to unforeseen blockages in the high-producing hub sites.⁵

Proposal

The Comprehensive Refugee Response Framework (CRRF) promotes equity on the receiving side of resettlement, i.e. equitable responsibility-sharing among states. We propose that equity issues on the sending side of resettlement not be overlooked.

The main language in the CRRF relating to resettlement is found in paragraphs 14-16. These paragraphs focus on “third countries” – existing and prospective resettlement countries – and what they are encouraged to do to expand resettlement opportunities. A corollary ask of UNHCR and its operational partners might be to expand access points to resettlement and ensure a measure of equity in the resettlement process.

⁴ UNHCR’s Projected Global Resettlement Needs document includes country-level resettlement targets but they are treated as soft targets and for the past several years (excepting the 2018 document) the report-back has only been on the “Top 10s,” which has the effect of obscuring where there are challenges reaching the targets in the other 80 some countries from which some degree of resettlement takes place.

⁵ A stark example of this is the severe drop in resettlement referrals in 2012, due in part to security issues in the Dadaab camp in Kenya, which prevented resettlement processing at the high volume expected.

A draft monitoring framework for the application of the CRRF created by UNHCR and circulated to NGOs in June (annexed here) includes a few proposed indicators around resettlement under “Objective 3: Expand Third-Country Solutions,” namely:

- Increase in the number of countries with resettlement programmes
- Increase in the number of resettlement spaces made available
- Expansion of access to third countries through complementary pathways to admission

We propose that some measure of equitable access to resettlement be added, such as:

- Increase in the number of nationalities referred for resettlement and the number of countries of asylum from which refugees are referred

and/or

- Increase in the number of countries of asylum from which at least 1% of the refugee population is referred for resettlement annually

Conclusion

With few resettlement slots available in relation to the global need, it is all the more incumbent on the resettlement community to ensure that the slots are used as equitably as possible, so that access to resettlement is not simply an accident of geography. A benchmark of 1% per host country would do much to help ensure predictable planning and would facilitate the annual process of setting country-level targets, with each UNHCR country office asked to rationalize its targets in relation to the benchmark. The “pull factor” of resettlement would also be mitigated if it were available in more countries. Secondary migration to resettlement hub locations depletes refugees’ assets and heightens their vulnerabilities.

Annex:

UNHCR: “Draft Monitoring Framework and Indicators for the Application of the Comprehensive Refugee Response Framework” (June 2017)

As of 2 June, 2017

This document presents a draft of initial concept for monitoring the application of the CRRF in the selected pilot countries. The finalisation of a CRRF monitoring framework will be done in consultation with CRRF partners in the field. .

Background

To ensure a more comprehensive and predictable response to large movements of refugees, based on the principles of international cooperation and responsibility-sharing, UN Member States have committed themselves to implementing a comprehensive refugee response framework (CRRF).¹ Specifically, the UN General Assembly has requested that UNHCR – in close coordination with relevant States and through a multi-stakeholder approach – develop and initiate the CRRF in a range of situations. While recognizing that each context will differ in nature, the CRRF as agreed by Member States includes those fundamental elements of reception and admission, support for immediate and ongoing needs, support for host countries and communities, and durable solutions that are essential to a comprehensive response. These elements are consistent with international law and good practice.

The General Assembly provided clear guidance on the *objectives* for the implementation of the CRRF in any given context, as follows: i) to ease pressures on the host countries involved, ii) to enhance refugee self-reliance, iii) to expand access to third-country solutions, and iv) to support conditions in countries of origin for return in safety and dignity.

Member States have requested that UNHCR assess the detailed practical application of the CRRF. Such strategic monitoring will serve several purposes. First, it will facilitate timely interventions to strengthen and re-orient specific responses, as needed. Second, it will enable Member States and the international community to set out concrete means and actions to fully operationalize the CRRF and support more predictable and sustainable responses, consistent with international responsibility-sharing. Third, lessons learned through monitoring will help inform Member States' formal consultations prior to the adoption of a global compact on refugees in 2018, as envisioned by the New York Declaration.²

Strategic Monitoring Framework

To facilitate the assessment of the CRRF's application, UNHCR is developing this draft strategic monitoring framework for use during the first five years of CRRF implementation (2017-2021). This framework will be applicable to the countries currently applying the CRRF. The finalisation of the framework will be done in consultation with CRRF partners in CRRF pilot countries. This framework will include a number of indicators enabling stakeholders to measure progress and identify priorities for reinforced efforts by the international community.

Wherever possible, CRRF indicators are aligned with those developed for the Sustainable Development Goals (SDGs).³ In addition to the indicators to be developed as part of this framework, additional qualitative interview based evaluations might be used to evaluate the application of the CRRF in some of the pilot countries.

The monitoring framework will measure progress and impact for strategic objectives at both country and global levels. Two sets of complementary indicators are as follows:

¹ New York Declaration for Refugees and Migrants, A/RES/71/1, Annex 1.

² See *Toward a global compact on refugees: a roadmap*, 17 May 2017, available at www.unhcr.org/towards-a-global-compact-on-refugees.

³ 2030 Agenda for Sustainable Development, A/RES/70/1. The SGD global indicators database is available at html.unstats.un.org/sdgs/indicators/database.

1- Universal indicators are anchored in the four objectives for the CRRF set by the General Assembly.⁴ Universal indicators will be monitored across all countries applying the CRRF, allowing for global analysis and lessons learned.

2- Country-specific indicators are anchored in the country context and national comprehensive refugee response plan, developed through a multi-stakeholder approach. Country-specific indicators should be aligned with national and local development plans wherever possible. In the case of a situational comprehensive response, situational or region-specific goals will be set.

Indicators

Quantitative indicators will be clustered in four groups designed to measure the progress toward four objectives specified in Annex 1 of the New York Declaration. A fifth cluster will measure progress in the process of implementation of the CRRF globally. Indicators will be disaggregated, where relevant, by gender, age, race, ethnicity, disability and geographic location. Additional disaggregation characteristics that might prove necessary for meaningful monitoring of certain indicators might be added.

The finalisation of the indicators will be done in consultation with field operations and partners. The roll out will be done during the third quarter of 2017.

Objective 1: Ease pressure on host government

To measure progress toward this objective, indicators will target:

- Additional resources and technical support in CRRF countries
- Proportion of additional bilateral and multilateral official development assistance (ODA) used to address refugee and host community needs through support for local and national services and institutions
- Innovative solutions to persistent challenges that benefit refugees and host communities

Objective 2: Enhance refugee self-reliance

To measure progress toward this objective, indicators will target:

- Enhanced access of refugees and host communities to basic services such as health, water, sanitation and education
- Enhanced access of refugees and host communities to employment and livelihoods
- Enhanced freedom of movement for refugees
- Provision of civil documentation to refugees
- Inclusion of refugees and their hosts in national and local development plans

Objective 3: Expand third-country solutions

To measure progress toward this objective, indicators will target:

- Increase in the number of countries with active resettlement programmes
- Increase in the number of resettlement spaces made available
- Expansion of access to third countries through complementary pathways to admission

Strategic Goal 4: Support conditions in countries of origin for return in safety and dignity

To measure progress toward this objective, indicators will target:

- Advocacy efforts for improved conditions of return as well as number of successful informed and voluntary returns.
- Strengthened conditions in areas of return, including access to basic services

⁴ A/RES/71/1, Annex 1, para. 18.

- Progress in stabilization efforts, including in the areas of rule of law and security
- Remittances costs between refugees and countries of origin

Implementation of Comprehensive Refugee Response

To measure the progress in the overall implementation of the CRRF, indicators will include:

- Number of countries applying the CRRF
- Increase in the number and diversity of partners participating in the comprehensive response
- Number of national laws or policies strengthened consistent with the principles and practices contained in the New York Declaration and the CRRF

Reporting

Monitoring will be phased as follows: short-term (1-year stocktaking on universal indicators in September-October 2017); mid-term (2 years, September 2018) and intermediate-term (5 years, 2021). This phased approach will enable and facilitate adjustments as the application of the CRRF progresses. Country-specific indicators and baselines for all indicators will be established at country levels where possible in third quarter 2017 possible.

Short-term outputs: The first stocktaking exercise will be completed in September-October 2017.

Mid-term outcomes: The second stocktaking exercise, in September 2018, and will focus on the outcomes, results achieved and lessons learnt in the CRRF countries.

Intermediate-term impact: The third stocktaking exercise will be completed in 2021, five years following the adoption of the New York Declaration, and will focus on the impact of the CRRF implementation globally, as well as in CRRF countries.

Roles and responsibilities

The government, supported by UNHCR, will be responsible for overseeing the implementation of the monitoring activities.

At the country level, under the leadership of the Government, and with the support of UNHCR, relevant stakeholders (development, private sector, community based organisation, humanitarian, civil society, diaspora, refugee representatives, academia) participating in the development and implementation of the CRRF will: i) establish an appropriate process to report against the universal indicators; ii) develop and agree on the country-specific indicators to be applied and the process for data validation; and iii) report on both sets of indicators within the established timeframe.

All CRRF partners will harmonize their monitoring plans with the overall CRRF monitoring framework. The Government supported by UNHCR will be responsible for consolidating and reviewing data of all partners and ensure issuance of monitoring and narrative progress reports.

At the global level, UNHCR will be responsible for collating the results of universal indicators monitoring, preparing a synthesis report and presenting the findings to relevant stakeholders.

Quality Assurance

In each country, a data validation process will be guided by the following principles:

Accuracy - Monitoring data are correct and reflect the true situation. If data are estimated, this will be noted as well as the methodology explained. Deviations in quantitative data will be explained, and measurement error shall be maintained within an acceptable margin (less than 10 per cent).

Validity - The data should be reflective of actual results that are attributable to the programme. The methodology for gathering data must be rigorous, representative and transparent.

Reliability - Data collected over time are comparable. In particular, collection methods and analyses shall be consistent over time, permitting the identification of trends.

Timeliness - Data are collected in a timely manner and used to inform strategic planning and decision-making. At a minimum, monitoring data are reported annually.

Integrity – The measurement of indicators must be verifiable. Data quality is routinely assessed, and the results of such assessment are integrated into data collection processes and procedures.

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