

**ANNUAL TRIPARTITE CONSULTATIONS ON RESETTLEMENT**  
**Geneva, 18-19 June 2002**

**Discussion Note by Australia for the Agenda Item: Strategic Use of Resettlement**

**Introduction**

During the past two years, most notably at the 2001 Tripartite Consultations on Resettlement, the International Conference on the Reception and Integration of Resettled Refugees and through the Global Consultations on International Protection, the important role of resettlement has been reaffirmed and its evolving nature recognised.

The current resettlement environment is one marked by challenges and opportunities. The response to the events of 11 September has inevitably and understandably led to a greater focus by states on questions of identity and border control. The increasing incidents of people smuggling and trafficking presents states with challenges to their sovereignty by criminal syndicates. There is growing public discontent in many countries, with a perceived inability to preserve national identities and for Governments to control illegal migration eroding public confidence and increasing resentment towards those perceived to be 'foreign'. But we also see promising changes in Afghanistan which hold out hope for the resolution of the largest and most protracted refugee situation of recent times. We see the slow but positive progress in the diversification of resettlement countries and a renewed attention to its possible role in the European context.

The task for resettlement countries is to examine how resettlement can be used strategically to address these challenges and opportunities to ensure that a greater number of refugees are given necessary protection.

Australia remains committed to resettlement – both as a protection and durable solution tool - and sees resettlement and its strategic use as having complementary benefits to a wider and important agenda to encourage the orderly movement of people, including where appropriate refugees.

For the purposes of discussion this paper poses a number of questions in order to examine the extent to which resettlement is used strategically.

**The use of Resettlement**

Resettlement to a third country can be seen as a tool to:

- a) complement asylum through:

- i) supplementing or enhancing protection in the country of first asylum
  - ii) creating protection space where a country of first asylum is overwhelmed with a mass influx and states wish to share the burden of first asylum through physical means either instead of, or in addition to, financial and other aid support
  - iii) providing alternative first asylum where the protection is thought to be ineffective or at risk, for example for a particular group
- b) effect family reunification with a refugee already in the third country
  - c) provide a durable solution, either instead of, or in addition to voluntary repatriation and/or local integration.

This paper focuses on the third of these approaches, resettlement as a durable solution.

## **THE CONTRIBUTION MADE BY RESETTLEMENT**

Resettlement provides a good outcome for refugees, albeit not without considerable adjustment challenges for many. If resettlement is to be used strategically, its timing, criteria and quantum should:

- a) minimise pull factors out of the country of origin into the country of first asylum, or further to another country if prospects of resettlement are perceived as better there
- b) not reduce the commitment of the international community to create the conditions conducive to voluntary repatriation, nor the refugees' preparedness to return home when conditions permit
- c) encourage the country of first asylum to continue to provide effective protection and to provide local integration to the limit of its capacity, supported by the international community.

The proposition of this paper is that resettlement can contribute more when it is used strategically as part of a comprehensive approach to resolving refugee situations.

Resettlement is not a substitute for overt migration tools, but of course the early and orderly provision of durable solutions, so important in refugee protection, will also contribute overall to management of the orderly movement of people.

## **SOME QUESTIONS**

The following questions are proffered to assist discussion of the extent to which resettlement is currently being used strategically, generally and with respect to particular caseloads, and where planning for and delivery of resettlement could be improved.

- 1) What period of time is 'reasonable' to adjudge whether voluntary repatriation is possible before resettlement is provided?
- 2) Should scarce resettlement places be used primarily for those with truly no other option for a durable solution, or only as part of a comprehensive package for the resolution of protracted refugee situations?
- 3) Should resettlement ever be made available in the absence of voluntary repatriation and local integration? If so, in what circumstances?
- 4) Should there be any difference in the availability of resettlement in countries of first asylum which are signatories or not?
- 5) Should migration options also be available for refugees before resettlement is provided? Should resettlement places be used for those who have not tested their eligibility for migration, particularly those who appear eligible for family migration?
- 6) Should resettlement be used for refugees who are intercepted as part of a secondary movement adjudged unnecessary for protection reasons? Or should it be used only where readmission is not possible?
- 7) Should refugees who refuse a place with a particular resettlement country have the same priority for subsequent referral?
- 8) Given the reduction in the global numbers of refugees [likely to reduce still further should repatriation to Afghanistan be sustained], is there need for the current level of resettlement places? Or if protracted refugee situations are to be resolved, is there an even greater need? If so, how many?

- 9) What is the explanation for concern that UNHCR's referrals for resettlement are exhibiting a lower or questionable need for resettlement and are often inadequate to fill quotas?
- 10) Why are the numbers of resettlement places and countries offering them relatively small? What can be done to increase the availability of resettlement if that is judged necessary?
- 11) What is needed to ensure that there are resettlement places available in each region, particularly given that refugee situations are generally found in regions with high proportions of developing countries?

## **CONCLUSION**

Resettlement should not be considered as the magic answer nor be merely an adjunct or afterthought in considering solutions for refugees. Registration and planning for comprehensive solutions, including resettlement, should occur at the outset of a refugee situation. Only then can the integrity of resettlement be assured and its full potential as a tool complementary to asylum and as part of a package of solutions be realised.

## **FUTURE ACTION**

UNHCR's commitment to review protracted refugee situations over coming months provides an important opportunity to examine some of these issues and to propose comprehensive solutions, incorporating resettlement.

It is proposed that the Resettlement Working Group examine some of these questions in order to support UNHCR in their review. The next meeting of the Tripartite Consultations could also examine these issues and provide input to the Resettlement Working Group to assist them in their deliberations.