UNHCR Resettlement Submission Categories
This presentation:

- Reviews UNHCR’s resettlement submission categories, and the requirements for submission under these categories;
- Highlights key protection considerations and operational considerations relevant to submission under these categories.
UNHCR Resettlement Submission Policies

To be submitted for resettlement by UNHCR, individuals or families must:

A) meet the **preconditions for resettlement consideration**; and
B) fall under one or more of the UNHCR **resettlement submission categories**.

The priority of the case (**emergency, urgent or normal**) impacts the timing of the submission.
A) UNHCR Preconditions for Resettlement Consideration

1. the applicant is determined to be a refugee by UNHCR*; and
2. the prospects for all durable solutions were assessed, and resettlement is identified as the most appropriate solution.

* Exceptions can be made for non-refugee stateless persons for whom resettlement is considered the most appropriate durable solution, and also for the resettlement of non-refugee dependent family members to retain family unity.
B) UNHCR Resettlement Submission Categories

Applicants must meet the requirements for submission under **one or more** of these categories:

- Legal and/or physical protection needs
- Survivors of violence and/or torture
- Medical needs
- Women and girls at risk
- Family reunification
- Children and adolescents at risk
- Lack of foreseeable alternative durable solutions
B) UNHCR Resettlement Submission Categories

The Resettlement Submission Categories:

- should be seen as **inclusive**;
- may **overlap**, and submissions can often effectively be made under both a **primary and secondary category**.
Resettlement Priority Levels

Emergency:
- Security and/or medical condition requires immediate removal;
- Ideally, seven-day maximum between the submission of an emergency case and the refugee’s departure.

Urgent:
- Serious medical risks or other vulnerabilities requiring expedited resettlement within six weeks of submission;
- Ideally, cases to be submitted within two weeks of identification.

Normal:
- Majority of cases, without immediate medical, social or security concerns which would merit expedited processing.

Minimize the time between identification and submission so that normal and urgent cases don’t become emergency cases.
A refugee’s situation must meet one or more of the following conditions:

- Risk of **immediate or long-term threat of refoulement** to the country of origin or expulsion to another country from where the refugee may be *refouled*; or
- **Threat of arbitrary arrest, detention or imprisonment**: or
- **Threat to physical safety or human rights** in the country of refuge which renders asylum untenable.
Legal and/ or Physical Protection Needs

Considerations:

- Threat / risk must be real and direct, not accidental;
- Target can be individual or group;
- Threat must continue to exist;
- Threat / risk may require emergency / urgent resettlement intervention;
- Other temporary protection measures may be required.

Note: Every country bears the primary responsibility to provide protection to and ensure the safety of refugees on its territory or at its borders.
Survivors of violence and/or torture

What is violence or torture?

- UNHCR encourages a broad interpretation of the terms violence and torture;
- Survivors may have been subjected to, experienced or witnessed:
  - physical harm or severe mistreatment including sexual and gender-based violence;
  - severe humiliations and intimidation with threats;
  - substantial non-criminal detention, including kidnapping;
  - the violent death or severe mistreatment, including rape, of near family members.
Survivors of violence and/or torture

A refugee submitted under this category:

- has experienced torture and/or violence either in the country of origin or the country of asylum; and
- may have lingering physical or psychological effects from the torture or violence, although there may be no apparent physical signs or symptoms; and
- could face further traumatization and/or heightened risk due to the conditions of asylum or repatriation; and
- may require medical or psychological care, support or counselling not available in the country of asylum; and
- requires resettlement to meet their specific needs.
Operational Considerations:

- Ideally, the submission would include an expert assessment by psychologist or psychiatrist, and a medical report if there are any physical symptoms or injuries;
- There may be a need for medical treatment / psycho-social counselling in the country of asylum pending resettlement;
- Refugees may require post-arrival support services; both medical and psycho-social.
Medical Needs

Operational Considerations:

- Very **limited availability of quota places** for refugees with medical needs;

- An **independent, qualified medical doctor** must complete a **Medical Assessment Form (MAF)** determining the diagnosis and prognosis;

- **Supporting documents** (x-rays, ultrasounds, medical reports) to included in the file;

- **Timely identification** of medical conditions can make a significant impact on the prognosis, and **improve the likelihood of acceptance** by a resettlement country.
Medical Needs

All of the following **four conditions must be met:**

- **Diagnosis:** Life threatening, or irreversible loss of functions, or obstacle to normal life; *and,*

- **Treatment:** Not available or accessible in country of asylum and medical evacuation not feasible; *and,*

- **Prognosis:** Favorable prognosis for cure in resettlement country, or the stay in first asylum causes or worsens health condition; *and,*

- **Informed Consent:** Resettlement is the expressed wish of the individual.
**Medical Needs**

## Prioritization

<table>
<thead>
<tr>
<th>Priority Level</th>
<th>Severity of Condition: Any medical condition that:</th>
<th>Time frame for medical intervention</th>
<th>Time frame for resettlement (departure)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency</td>
<td>- is immediately life threatening (i.e. life-saving surgery)</td>
<td>&lt; 1 month</td>
<td>within 1 week</td>
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</tbody>
</table>
| Urgent         | - requires life-saving interventions, but that is not immediately life threatening.  
- is at risk of major progression or complication without further intervention (i.e. many cancers). | 1 to < 6 months                     | within 6 weeks                      |
| Normal         | - is not life threatening or at risk of major progression/ complication, but requires intervention in order to ensure reduction of risk of progression/complications and to improve the person’s quality of life and overall functioning | ≥ 6 months                         | within 52 weeks                     |
Women and Girls at Risk

Rationale for the Submission Category

- To provide international protection and assistance through resettlement to refugee women who face particular protection problems as a result of their gender;
- To obtain priority processing and accelerated departure for those refugee women and girls considered “at risk”;
- To ensure that refugee women at risk receive specialized care, if needed, and appropriate support upon arrival in the country of resettlement with a view to achieving socio-economic integration and self-sufficiency;
- To highlight the need for other short-term protection interventions required pending resettlement.

EXCOM Conclusion 105/2006
Women or girls who have protection problems particular to their gender, and lack effective protection normally provided by male family members.

They may be: single heads of families, unaccompanied girls or women, or together with their male (or female) family members.
Women and Girls at Risk

Resettlement should be considered for a Woman or Girl at Risk when:

- She faces a **precarious security or physical protection threat** as a result of her gender;
- She has **specific needs** arising from past persecution and/or trauma;
- She faces **severe hardship** resulting in exposure to exploitation and abuse;
- She **lacks access** to traditional or alternative support and protection mechanisms.
Women and Girls at Risk

Women and Girls may be at risk of:

- **Being trafficked** or forced into prostitution;
- **Sexual violence**, sexual harassment or abduction;
- **Exploitation** in the informal sector;
- **Domestic violence**;
- **Stigmatization** by their families or the refugee community and risk violence as a result.
Family Reunification

Family Unity

- UNHCR promotes an inclusive culturally sensitive understanding of the family, focusing on the concept of dependency.

- Family unity should be supported and promoted at all times. All family members should be resettled together.

- Submission promoted under this category to reunite with family in a resettlement country, when the separation was involuntary and related to the refugee situation.

A person who depends substantially and directly on another for economic, social and/or emotional reasons is a dependant.

Reunification promoted for:

**Nuclear family members**
- spouses, including same-sex and common-law;
- dependent children regardless of age.

**Other dependants**
- relatives, including parents;
- other dependant members of the family unit.
Family Reunification

All four conditions must be met:

- At least one person within the family unit to be reunited is a refugee under the UNHCR mandate or a person of concern to UNHCR; and
- The individuals to be reunited are family members under UNHCR’s inclusive definition; and
- The individuals are reuniting with a member of the family already in a resettlement country; and
- The availability and accessibility of other family reunification or migration options has been reviewed and the submission of a resettlement case has been determined to be the most appropriate option given the resettlement needs and protection implications for the family member.
Children and Adolescents at Risk

A Child or Adolescent at Risk:

- is under 18;
- may or may not be an unaccompanied or separated child;
- has compelling protection needs which are not addressed in the country of asylum and resettlement has been determined to be the most appropriate solution.
Children and Adolescents at Risk

Operational Considerations

- A **Best Interests Determination (BID)** must identify resettlement as the most appropriate solution for unaccompanied or separated children;

- As well as family linkages, the **services and supports offered** for unaccompanied or separated children should be considered when determining the resettlement State to which the case should be submitted;

- **Records should be kept carefully to facilitate family tracing** and potential reunification in cases of unaccompanied and separated children;

- Children and adolescents may also be considered under any other submission category.
Lack of Foreseeable Alternative Durable Solutions

- Refugees have an on-going, not an urgent, need for resettlement;
- Mostly commonly used for group resettlement, but also applicable to individuals;
- Particularly useful in addressing protracted refugee situations;
- Applied in coordination with national or regional strategies to address the needs of specific refugee groups – advance consultation important.
Lack of foreseeable alternative durable solutions

When assessing submission under this category consider:

- **Objective indicators:**
  - legal protection in the country of asylum;
  - prospect of voluntary repatriation or local integration;
  - conditions of asylum;
  - socio-economic and psychosocial situation;
- **Priorities of resettlement States;**
- **Possible adverse effects.**
Overall:

- UNHCR resettlement activities must be carried out on the basis of a correct and consistent application of the resettlement submission categories and considerations detailed in the Resettlement Handbook;
- A coherent and transparent approach will strengthen the credibility of UNHCR and widen the confidence of refugees, resettlement countries and other partners.