



RESETTLEMENT CRITERIA

Applying the resettlement criteria

1. UNHCR resettlement criteria

2. Resettlement country criteria



Basic considerations

- Consistent application of resettlement criteria and equal / fair access to resettlement consideration (note: the universal imperative)
- Transparency and probity at all levels
- Needs driven, not numbers driven
- Management of risks



UNHCR resettlement criteria

- Legal and physical protection needs
- Survivors of violence and torture
- Medical needs
- Women-at-risk
- Family reunification
- Children and adolescents
- Elderly refugees
- Lack of local integration prospects



Legal or physical protection needs

- 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
- Threat of arbitrary arrest, detention or imprisonment
- Threat to physical safety or human rights in the country of refuge which renders asylum untenable
- Threat / risk must be real and direct, not accidental or collateral
- Target can be individual or group
- Threat / risk may require emergency / urgent intervention
- Other short-term protection interventions may also be required

However, the country of refuge bears the primary responsibility to provide protection to and ensure the safety of refugees on its territory or at its borders



Survivor of violence or torture

- Torture and violence to be interpreted in line with *the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (see definition)
- Basic guidance on how to recognize and interact with survivors of violence or torture – WHO/UNHCR Publication: *Mental Health of Refugees*
- Expert assessment by psychologist or psychiatrist should be carried out and included in the RRF whenever possible
- Potential need for medical treatment / psycho-social counselling in country of asylum pending resettlement
- Need for post-arrival support services; both medical and psycho-social



Medical needs

- Life threatening, or irreversible loss of functions, or obstacle to normal life without proper treatment; and
- Adequate treatment not available in the country of asylum, or cannot be ensured through temporary medical evacuation; and
- Favourable prognosis that treatment and / or residence in country of resettlement would successfully address the health problem and, if possible, given the expected state of health after treatment / relocation, enable the individual to gain partial or total independence
- The particular situation in the country of asylum is the reason for, or significantly worsens, the health condition
- Is the expressed wish of the individual following counselling

Need for accurate and complete medical report(s)



Women-at-risk

Rationale for WAR criterion is:

- To provide international protection and assistance through resettlement to refugee women who face particular protection problems as a result of their sex
- To obtain priority processing and accelerated departure for those refugee women 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
- Definition of WAR (see RSHB, Chapter 4.5.2 p. 16)
- Other short-term protection interventions may be required pending resettlement

EXCOM Conclusion on WAR adopted in Oct. 2006



Family reunification

- Nuclear vs. extended family (principle of family unity)
- Concept of dependency:
 - Persons who depend substantially and directly, for economic reasons, but also taking emotional reasons into account
- Separation involuntary and for reasons related to refugee situation
- Most common area of fraud. Important to assess the genuine composition of families



Children, adolescents and elderly

- Not criteria but a set of considerations
- May be considered under other criteria
- Important to consider the “best interests of the child”
- Important to get expert advice and refer to guidelines beyond the Resettlement Handbook (i.e. 1989 Convention on the Rights of the Child, the BID Guidelines)



Refugees without local integration (and voluntary repatriation) prospects

- Consider cultural, religious and socio-economic context and quality of asylum in terms of access to basic rights and livelihood
- Objective indicators: legal protection and durable solutions, prospects for voluntary repatriation, conditions of asylum, socio-economic, psycho-social
- Consider adverse effects and priorities



Refugees without local integration (and voluntary repatriation) prospects

- Sometimes referred to as the “durable solutions” criterion for protracted situations
- A renewed effort to operationalise this criterion through an assessment of indicators in order to gauge level of resettlement
- Coordination within UNHCR and with countries of resettlement is crucial



Resettlement country criteria

The resettlement country criteria are considered in order to:

- Determine the most suitable country for a resettlement submission
- Determine the most appropriate submission procedure



“Non-criteria”

- Integration prospects in country of resettlement
- Availability of quotas or places and/or sponsors in country of resettlement
- To fulfil as wish
- To remove a problem



Preparation of a resettlement submission

- UNHCR Resettlement Handbook and Standard Operating Procedures
- Medical Assessment Form
- Best Interests Determination
- Psycho-social assessment
- Resettlement Registration Form



UNHCR submission decision

- Under what criteria should the case be submitted and to which country?
- Transparent and fair process / the universal imperative / consider priorities
- Routing and priority of submission
- Appeal process for decline decisions



Identification of suitable resettlement country

Considerations related to the refugee:

- Family links or connections
- Language and culture
- Medical and/or specific settlement needs
- Education, background and skills
- Family composition / size
- Personal preferences



Identification of suitable resettlement country

Considerations related to resettlement country:

- Availability of places / indications
- Selection criteria and priorities
- Selection mission or dossier consideration
- Presence of a supportive community
- Availability of services for specific needs
- Timeline for decision and travel



Resettlement country decision

- **UNHCR identifies and refers individuals for resettlement according to established international standards and the resettlement country makes the decision on admissibility according to government policy and/or migration regulations**
- **Resettlement countries usually make a decision after the applicant is interviewed by an immigration officer or, in specific situations, on a dossier basis**
- **Review procedures for decline decisions differ according to the policy of each country**



Pre-departure counselling and travel

- The role of IOM
- Cultural and pre-departure orientation
- Medical screening and follow-up
- Exit visa and travel arrangements
- Escort and transit arrangements for medical cases



Arrival services and integration

- Reception arrangements
- On-arrival accommodation
- Initial on-arrival support services (e.g. medical)
- Language training / cultural orientation
- On-going settlement and integration services
- Naturalisation and citizenship

Note: twinning for new resettlement countries

