

Reference Paper for the 70th Anniversary of the 1951 Refugee Convention

Resettlement policy and practice: evolution of a life-saving protection tool

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Abstract:

Current global forced displacement remains at unprecedented levels, with one per cent of the global population affected, 82.4 million people. With opportunities for voluntary repatriation and local integration of refugees increasingly limited, resettlement is becoming an even more important tool for protection and for finding solutions for refugees who are most at risk. Over the years, resettlement policy and practice have undergone significant changes, commensurate with the challenges of modern refugee situations. This paper provides a broad historical perspective on the use of resettlement as a tool of international protection and as a form of shared international responsibility. It then sets out the main shifts in resettlement policy and trends and examines the challenges and opportunities associated with resettling refugees, and their impact on refugees and communities in which they were resettled. Finally, it describes the ambition of resettlement in the Global Compact on Refugees and how that will need to be pursued.

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1. Introduction

“One cannot stress too greatly the importance of resettlement as a solution [...] we should never lose sight of the fact that there will always be a need for [...] resettlement of people on humanitarian grounds.” High Commissioner Félix Schnyder, 1961¹

Current global forced displacement remains at unprecedented levels. The UNHCR Global Trends report of 2020² shows that displacement now affects more than one per cent of the global population, 82.4 million people. With opportunities for voluntary repatriation and local integration of refugees increasingly limited, resettlement is becoming an even more important tool for protection and for finding solutions for refugees who are most at risk.

Over the years, resettlement policy and practice have undergone significant changes, commensurate with the challenges of modern refugee situations. This paper provides a broad historical perspective on the use of resettlement as a tool of international protection and as a form of shared international responsibility. It then sets out the main shifts in resettlement policy and trends and examines the challenges and opportunities associated with resettling refugees, and their impact on refugees and communities in which they were resettled. Finally, it describes the ambition of resettlement in the Global Compact on Refugees³ and how that will need to be pursued.

2. Resettlement and its legal framework

2.1 Definition and functions of resettlement

Resettlement involves the selection and transfer of refugees from a State in which they have sought protection to a third State which has agreed to admit them – as refugees – with permanent residence status. The status provided ensures protection against refoulement and provides a resettled refugee and his/her family or dependants with access to rights similar to those enjoyed by nationals. Resettlement also carries with it the opportunity to eventually become a naturalised citizen of the resettlement country.⁴

Resettlement serves three equally important functions, which have been endorsed by a wide range of States. First, it is a tool to provide international protection and to meet the specific needs of individual refugees whose life, liberty, safety, health and other fundamental rights are at risk in the country where they have sought refuge.⁵ Second it is a durable solution for

¹ Statement by Mr. Felix Schnyder, United Nations High Commissioner for Refugees, at the Intergovernmental Committee for European Migration (ICEM), fourteenth Session of the Council, 12 May 1961, available at: <https://www.unhcr.org/admin/hcspeeches/3ae68fd223/statement-mr-felix-schnyder-united-nations-high-commissioner-refugees-intergovernmental.html> [accessed 30 July 2021].

² UN High Commissioner for Refugees (UNHCR), Global Trends: Forced Displacement in 2020, available at: <https://www.unhcr.org/statistics/unhcrstats/60b638e37/global-trends-forced-displacement-2020.html> [accessed 30 July 2021].

³ United Nations High Commissioner for Refugees (UNHCR), Global Compact on Refugees, available at: <https://bit.ly/2DUrzXY> [accessed 30 July 2021].

⁴ UN High Commissioner for Refugees (UNHCR), UNHCR Resettlement Handbook, 2011, July 2011, available at: <https://www.refworld.org/docid/4ecb973c2.html> [accessed 30 July 2021].

⁵ For refugees whose physical safety is at risk resettlement may often be the only viable solution. Refugees identified for resettlement are amongst the most at risk. They include persons with serious protection concerns in the country of asylum, survivors of violence and torture, LGBTI, people at risk of violence and exploitation and persons with serious medical conditions whose medical needs cannot be adequately addressed in the country of asylum.

larger numbers or groups of refugees, alongside the other durable solutions of voluntary repatriation and local integration.⁶ Third, it can be a tangible expression of international solidarity and a responsibility sharing⁷ mechanism, allowing States to help share responsibility for refugee protection, and reduce the impact of hosting large numbers of refugees on countries of asylum.

2.2 International legal framework

UNHCR has been entrusted by the United Nations General Assembly with the mandate to provide international protection to refugees and, together with States, to seek solutions to refugee problems, as outlined in UNHCR's Statute.⁸ Securing international protection and seeking durable solutions for persons of concern to UNHCR remain core objectives of the organisation with resettlement playing a vital role in achieving both of these objectives. Since the Statute, policy on resettlement has also evolved through General Assembly Resolutions, UNHCR Executive Committee Conclusions, other General Assembly and Economic and Social Council (ECOSOC) Resolutions, and the Conclusions on International Protection. Though these conclusions and resolutions cannot be cited as hard law, they constitute authoritative non-binding guidance on the nature and extent of UNHCR's mandate.

The 1951 Convention Relating to the Status of Refugees (hereafter the 1951 Convention) represents the core instrument of international refugee law. It sets out who is a refugee and standards for their treatment.⁹ Whether or not a refugee-hosting country is a signatory to the 1951 Convention and/or its 1967 Protocol, and whether or not it has implemented its Convention obligations and established effective asylum legislation, has a profound impact on the refugees within its borders. An assessment of the protection environment is a key step in identifying appropriate durable solutions, including resettlement. The identification of refugees for resettlement is also guided by the protection mandate of UNHCR and the 1951 Convention and is a tool for achieving the values enshrined in the 1951 Convention.¹⁰ As a result, UNHCR resettlement categories are closely correlated to the rights enshrined in the 1951 Convention.¹¹

⁶ UNHCR recognizes three forms of durable solutions: 1. Voluntary repatriation, in which refugees return in safety and with dignity to their country of origin and benefit once more from national protection. 2. Local integration, in which refugees legally, economically and socially integrate in their host country, benefiting from the national protection provided by the host government. 3. Resettlement. For more information, see: <https://www.unhcr.org/solutions.html> [accessed 30 July 2021].

⁷ "Many commentators have criticised the negative connotations of the reference to burdens in the connection to refugees. This has prompted the increasing use of the term responsibility-sharing wording favoured by UNHCR and civil society." p. 664, Türk, V. and Garlick, M., 2016. From burdens and responsibilities to opportunities: The comprehensive refugee response framework and a global compact on refugees. *International Journal of Refugee Law*, 28(4), pp. 656-678.

⁸ UNHCR's Statute, adopted by the General Assembly in 1950 and extended by subsequent UN General Assembly Resolutions, states that UNHCR's functions are to: Provide international protection to refugees and Assist governments to find durable solutions for them. UN General Assembly, Statute of the Office of the United Nations High Commissioner for Refugees, 14 December 1950, A/RES/428(V), available at: <https://www.refworld.org/docid/3ae6b3628.html> [accessed 30 July 2021].

⁹ Additional regional legal instruments reflect further evolution in international refugee law. In certain regions, the 1951 Convention refugee definition has been broadened to include victims of indiscriminate violence. Such as the 1969 Organisation of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa and in Latin America, the 1984 Cartagena Declaration on Refugees.

¹⁰ UN High Commissioner for Refugees (UNHCR), Clarifying UNHCR Resettlement: A few considerations from a legal perspective, November 2013, ISSN 1020-7473, available at: <https://www.refworld.org/docid/5294b2f84.html>

¹¹ UN High Commissioner for Refugees (UNHCR), UNHCR Resettlement Handbook, Chapter 6, 2011, July 2011, available at: <https://www.unhcr.org/3d464e842.html> [accessed 30 July 2021].

UNHCR identifies refugees in need of resettlement as part of its mandate, but it is States that offer permanent places of residence in their countries. In contrast to the normative nature of voluntary repatriation and local integration, resettlement is a discretionary policy option. No State has a legal obligation to proactively admit refugees via resettlement who are still outside their jurisdiction; nor can a refugee claim a “right” to be resettled. Ultimately, accepting refugees for resettlement is a demonstration of solidarity on the part of governments.¹² However, UNHCR emphasises that the resettlement procedure should be in accordance with international human rights and refugee law standards.¹³

3. Historical overview of key trends and policy shifts

3.1 Resettlement pre- and post- World War II

Resettlement in one of its earliest incarnations can be traced back a century to the early 1920s, with the resettlement of White Russians.¹⁴ Resettlement became most prominent in the 1930s and the 1938 Convention Concerning the Status of Refugees makes a specific reference in its preamble to the “making of arrangements for the emigration of those who cannot be absorbed in the countries in which they have taken refuge.”¹⁵ At the end of World War II, resettlement was a central option in the international response to the refugee situation in Europe. Upon its establishment by the UN in December 1946, the International Refugee Organisation (IRO)¹⁶ was mandated to protect existing refugee groups and its main objective was repatriation. However, concerns by Western States relating to returning the displaced to communist regimes meant that resettlement became the preferred option.¹⁷

In the first four years of the IRO’s operations, the IRO resettled one million people¹⁸ (with many resettled outside of Europe to Argentina, Australia, Brazil, Canada, United States of America, Peru, Paraguay, and Venezuela).¹⁹ By the time the IRO was replaced by UNHCR in 1950,²⁰ international protection was firmly enshrined as the new organisation’s principal *raison d’être*

¹² While the term “international co-operation” is mentioned in the preamble paragraph of the 1951 Convention, the principle of responsibility-sharing has remained aspirational rather than a duty of States, at least from a legal point of view. See: Hashimoto, N., 2018. Refugee resettlement as an alternative to asylum. *Refugee Survey Quarterly*, 37(2), pp.162-186.

¹³ de Boer, T. and Zieck, M., 2020. The Legal Abyss of Discretion in the Resettlement of Refugees: Cherry-Picking and the Lack of Due Process in the EU. *International Journal of Refugee Law*, 32(1), pp.54-85.

¹⁴ The Bolshevik Revolution and consequent civil wars in Russia led to the exodus of the White Russians. See p. 7 in Simpson, J.H., 1939. *The Refugee Problem, Report of a Survey*. Oxford University Press: Oxford.

¹⁵ Convention concerning the Status of Refugees coming from Germany Geneva, February 10th, 1938 League of Nations Treaty Series, Vol. CXCLII, No. 4461. In the preamble reference is made to “making of arrangements for the emigration of those who cannot be absorbed in the countries in which they have taken refuge.”

¹⁶ Milner, J., 2003. Recent Developments in International Resettlement Policy; Implications for the UK Programme. In *Listening to the Evidence: The Future of UK Resettlement*, edited by Gelsthorpe V., and Herlitz L., 53-65. London: Home Office.

¹⁷ Hathaway, J. C., 2005. *The rights of refugees under international law*. Cambridge University Press.

¹⁸ International Refugee Organisation. 1951 Migration from Europe: A report by the Director-General to the General Council of the IRO on experience gained in the field of migration through the processing and transportation for resettlement of more than one million refugees. Geneva: IRO.

¹⁹ UN High Commissioner for Refugees (UNHCR), UNHCR Resettlement Handbook, 2011, July 2011, available at: <https://www.refworld.org/docid/4ecb973c2.html>. See also: Huhn, S., and Rass, C. A., The Post-World War II Resettlement of European Refugees in Venezuela: A Twofold Translation of Migration. In *Processes of Spatialization in the Americas*, Bern, Switzerland, available at: <https://doi.org/10.3726/b14987/23>.

²⁰ The General Assembly had resettlement in mind when, in the Resolution establishing UNHCR, it called on governments to cooperate with the High Commissioner by admitting refugees to their territories. See, General Assembly Resolution 428 (V) of 14 December 1950, para. 2(c).

and resettlement became one of its central and key tools. UNHCR made extensive use of resettlement as a means of finding solutions for European refugees in the post-War period.

Following the Soviet invasion of Hungary in 1956, 200,000 refugees fled to Yugoslavia and Austria. The international community responded swiftly with 180,000 refugees resettled to 37 countries (with the first 100,000 resettled within the first 10 weeks).²¹ Whilst the reaction of States to the Hungarian situation was widely considered as exemplary it has been perceived as politically motivated, given that the reception of refugees from communist countries was in line with Cold War priorities of the West.

Nonetheless, there were many refugees who were still displaced in Europe, most as a result of the World War II.²² One explanation for this gap was that States, bar a handful, had become more focused on their own interests and imposed greater restrictions to manage migration flows. In addition, resettlement States were selecting refugees based on their integration potential with the “most skilled and most employable [...] being taken first, while the less skilled and less able-bodied [...] being rejected by the selection missions of the immigration countries.”²³ As a result, in 1959 UNHCR called for States to view resettlement through a humanitarian lens. Following UNHCR’s appeal to resettlement countries for funds and resettlement quotas, the refugee situation in Europe reached resolution by the mid-1960s.

The 1970s proved to be important in terms of fostering the concepts of international solidarity and burden-sharing in the search for solutions. In this period,²⁴ resettlement responses also began to shift focus outside of Europe. The 1970s also saw the emergence of resettlement quota programmes for certain nationalities that required urgent resettlement due to threat to life. Resettlement States were mainly Western European and had devised these programmes in response to civil society advocacy efforts regarding human rights abuses.²⁵ Resettlement was used as a solution for Ugandan Asians and Latin American refugees. The first major operation was in August 1972, when about 40,000 Asians were expelled from Uganda by Idi Amin Dada Oumee.²⁶ By the autumn of 1974, every refugee had been placed in one of 25

²¹ Cellini, A., 2017. The resettlement of Hungarian refugees in 1956. *Forced Migration Review*, 54, available at: <https://www.fmreview.org/resettlement/cellini>. See also: UN High Commissioner for Refugees (UNHCR), *Refugees*, Number 144, Issue 3, 2006, available at: <https://www.unhcr.org/4523cb392.pdf> [accessed 30 July 2021].

²² As of 1st January, 1959 there were 132,000 in Europe, including 33,000 in France, 15,000 new non-Hungarian refugees and 9,000 new Hungarian refugees in Austria. Statement by Dr. Auguste R. Lindt, United Nations High Commissioner for Refugees, at the Special Meeting on World Refugee Year, Tenth Session, Council of the Intergovernmental Committee for European Migration (ICEM), 9 April 1959, <https://www.unhcr.org/admin/hcspeeches/3ae68fb41c/statement-dr-auguste-r-lindt-united-nations-high-commissioner-refugees.html> [accessed 30 July 2021].

²³ Statement by Dr. Auguste R. Lindt, United Nations High Commissioner for Refugees, at the Special Meeting on World Refugee Year, Tenth Session, Council of the Intergovernmental Committee for European Migration (ICEM), 9 April 1959, <https://www.unhcr.org/admin/hcspeeches/3ae68fb41c/statement-dr-auguste-r-lindt-united-nations-high-commissioner-refugees.html> [accessed 30 July 2021].

²⁴ Milner, J., 2003. Recent Developments in International Resettlement Policy; Implications for the UK Programme. In *Listening to the Evidence: The Future of UK Resettlement*, edited by Gelsthorpe V., and Herlitz, L., 53-65. London: Home Office.

²⁵ Mainly Chileans and Indo-Chinese refugees benefited, but also Argentinians, Bolivians, Brazilians, and Central Americans.

²⁶ See, UN High Commissioner for Refugees (UNHCR), *Report of the United Nations High Commissioner for Refugees*, 1 January 1974, A/9012, available at: <https://www.refworld.org/docid/3ae68c3c4.html> [accessed 14 July 2021] The great majority of Ugandan Asians affected held British passports, and over 27,000 were subsequently admitted to the United Kingdom. There remained, however, some 6,000 to 7,000 persons of undetermined nationality, for whom alternative solutions had to be sought. Over 2,500 of these were accepted forthwith by Canada (1,370), Denmark (16), India (208), Switzerland (190) and the United States of America (784,

receiving countries with 6,218 having been resettled.²⁷ There has been some indication that the Ugandan Asians were accepted by resettlement countries as they were primarily from a relatively well-off entrepreneurial class.²⁸ Following the 1973 coup d'état led by Augusto Pinochet in Chile, UNHCR managed to secure the creation of six safe havens within Chile primarily for refugees from Bolivia, Brazil, Paraguay and Uruguay.²⁹ These safe havens were seen as a great innovation of the time³⁰ and between September 1973 to March 1974 3,500 refugees availed themselves of the protection of UNHCR in the safe havens. Many of these foreign refugees were resettled, with over 2,600 leaving Chile to 39 countries.³¹

3.2 Indochina and the Comprehensive Plan of Action

The upheavals which followed the communist victories in 1975 in the former French colonies of Indochina—Vietnam, Cambodia and Laos—caused more than three million people to flee these countries over the next two decades.³² In 1979, UNHCR and the Socialist Republic of Vietnam signed a Memorandum of Understanding establishing the Orderly Departure Programme (ODP), under which persons could leave Vietnam in a safe and organised way rather than becoming boat people.³³ More than 650,000 people were resettled to more than

via Italy, on parole basis). Meanwhile, the High Commissioner, at the request of the Secretary-General, had appealed to a number of Governments for their assistance in admitting the Ugandan Asians and in contributing the necessary funds for their resettlement and care and maintenance. The remaining 3,650 Uganda Asians of undetermined nationality were evacuated to transit centres, with permanent resettlement opportunities offered by many countries, including Australia, Austria, Belgium, Brazil, Canada, Guyana, the Netherlands, New Zealand, Norway, Sweden, Switzerland, the United Arab Emirates and the United States of America. In addition, Denmark accepted to receive a further number of persons with disabilities. See also, p. 69, UN High Commissioner for Refugees (UNHCR), *The State of The World's Refugees 2000: Fifty Years of Humanitarian Action* (2000), available at: <https://www.unhcr.org/3ebf9bab0.html> [accessed 30 July 2021].

²⁷ See p. 178, Loescher, G., 2001. *The UNHCR and World Politics: A Perilous Path*.: Oxford University Press, available at <https://www.oxfordscholarship.com/view/10.1093/0199246912.001.0001/acprof-9780199246915>.

²⁸ In the Canadian context, a relevant historical record is: LAC, Records of the Immigration Branch, RG 76, volume 990, file 5850-3-650 "Background Paper," September 25, 1972, 2, cited in Muhammedi, Shezan. "'Gifts From Amin': The Resettlement, Integration, and Identities of Ugandan Asian Refugees in Canada." (2017), available at: <https://ir.lib.uwo.ca/etd/4438/> [accessed 30 July 2021].

²⁹ UN High Commissioner for Refugees (UNHCR), *The State of the World's Refugees: In Search of Solidarity*, 2012, available at: <https://www.refworld.org/docid/5100fec32.html> [accessed 30 July 2021].

³⁰ Loescher, G. 2001. *The UNHCR and World Politics: A Perilous Path*.: Oxford University Press, available at <https://www.oxfordscholarship.com/view/10.1093/0199246912.001.0001/acprof-9780199246915> [accessed 30 July 2021].

³¹ Loescher, G. 2001. *The UNHCR and World Politics: A Perilous Path*.: Oxford University Press, available at <https://www.oxfordscholarship.com/view/10.1093/0199246912.001.0001/acprof-9780199246915>

³² p. 79, UN High Commissioner for Refugees (UNHCR), *State of the World's Refugees 2000: Fifty Years of Humanitarian Action*, available at: <https://www.unhcr.org/publications/sowr/4a4c754a9/state-worlds-refugees-2000-fifty-years-humanitarian-action.html>. [accessed 30 July 2021].

³³ UNHCR has embarked on a number of similar innovative protection mechanisms. In 1999 and 2000, for example, approximately 1,500 Tutsi refugees who were at risk in the Democratic Republic of the Congo (DRC) were evacuated to Benin and Cameroon where they remained temporarily while interviews were conducted by resettlement countries. Similarly, in 1999-2002, an evacuation to Romania was arranged when over 4,500 refugees from Bosnia-Herzegovina and Croatia were relocated to Romania for resettlement processing. The Emergency Transit Facility (ETF) was established in 2008 and was inspired by these ad hoc experiences, initially to provide urgent or emergency protection to refugees in the process of resettlement. Subsequently, the facility has evolved beyond emergencies to include cases where resettlement countries are unable to accommodate refugees immediately. Two forms of ETF exist, an Emergency Transit Centre (ETC) with a central physical infrastructure for accommodating evacuated refugees. In other cases, an Emergency Transit Mechanism (ETM) houses refugees in a variety of locations in urban areas. (see: UN High Commissioner for Refugees (UNHCR), *Guidance Note on Emergency Transit Facilities: Timisoara, Romania / Manila, Philippines / Humenné, the Slovak Republic*, 4 May 2011, available at: <https://www.refworld.org/docid/4dddec3a2.html> [accessed 29 July 2021]). Further, in 2016, UNHCR assumed a role in the Protection Transfer Arrangement (PTA) which offers another innovative life-saving mechanism that provides individuals exposed to extreme risks in the North of Central America (NCA) countries with safe and legal access to a durable solution in a resettlement country,³³ either directly from their countries of origin or via a transit country. Since the PTA programme started in the region in 2016 6,884 persons from El

30 countries over a 15-year span. Another important milestone in the response to the emergency was the adoption of a regional approach - the Comprehensive Plan of Action (CPA) for Indochinese Refugees (1988-1996) - which was the first attempt to involve all concerned parties (countries of asylum, of origin, and of resettlement), as well as the donor community in a coordinated, solutions-oriented set of arrangements. This was a significant moment for UNHCR because the CPA situated resettlement within a broader comprehensive response to resolve a complex refugee situation³⁴ and laid foundations for the future in terms of processing modalities such as refugee status determination, family reunification, and resettlement screening.³⁵

Although the CPA was not a perfect process and some aspects of its implementation and long-term outcomes have been reviewed critically,³⁶ the CPA represents an example of a situation in which States recognised and acted upon their converging interest in a collaborative response to refugee movements and provided protection in various ways.³⁷ The CPA has therefore been noted as being one of the most successful examples of UNHCR-led international cooperation to resolve a refugee crisis in modern times³⁸ and it ultimately resulted in one of the biggest resettlement operations, with over 1,311,183 refugees³⁹ resettled to more than 15 countries⁴⁰ in a twenty-year period.⁴¹

Salvador, Guatemala, and Honduras have been identified for referral to the PTA program, while 1,304 individuals have departed to resettlement countries (see: UNHCR, 2018, Evaluation of effectiveness of the Protection Transfer Arrangement in Central America, available at: <https://www.unhcr.org/research/evalreports/5c7e63064/evaluation-effectiveness-protection-transfer-arrangement-central-america.html> [accessed 30 July 2021]).

³⁴ See UN High Commissioner for Refugees (UNHCR), Comprehensive Plans of Action: Insights from CIREFCA and the Indochinese CPA, 1 January 2006, available at: <https://www.refworld.org/docid/4ff163c82.html>; See also: Milner, J., 2003. Recent Developments in International Resettlement Policy; Implications for the UK Programme. In *Listening to the Evidence: The Future of UK Resettlement*, edited by Gelsthorpe V., and Herlitz L., 53-65. London: Home Office.

³⁵ Similarly, a number of ideas that have subsequently resurfaced, not least ideas such as transit processing centres (as outlined above) or even tradable resettlement quotas, had their genesis in the CPA. p. 31. Betts, A. 2006. Comprehensive Plans of Action: Insights from CIREFCA and the Indochinese CPA. UNHCR: New Issues in Refugee Research, Working Paper No. 120.

³⁶ See for example: Shamsul B., 1992. Refugee Status Determination under the Comprehensive Plan of Action (CPA): A Personal Assessment, *International Journal of Refugee Law*, Vol. 4, no. 4; Astri, S. 1998. Burden Sharing during Refugee Emergencies: The Logic of Collective versus National Action, *Journal of Refugee Studies*, Vol. 11, no. 4; W Courtland Robinson, 2004. 'The Comprehensive Plan of Action for Indochinese Refugees, 1989–1997: Sharing the Burden and Passing the Buck' 17 JRS 319; Kumin, J. 2008. 'Orderly Departure from Vietnam: Cold War Anomaly or Humanitarian Innovation?' 27 RSQ 104, 114–16; R Towle 2006. 'Processes and Critiques of the Indo-Chinese Comprehensive Plan of Action: An Instrument of International Burden-Sharing?' 18 IJRL 537.

³⁷ Türk, V. and Garlick, M., 2016. From burdens and responsibilities to opportunities: the comprehensive refugee response framework and a global compact on refugees. *International Journal of Refugee Law*, 28(4), pp. 656-678. For a detailed analysis of the further reasons for its success, see Suhrke A., 1998. Burden-Sharing during Refugee Emergencies: The Logic of Collective versus National Action, 11 JRS 396. See also UN High Commissioner for Refugees (UNHCR), 'Comprehensive Plan of Action for Indo-Chinese Refugees to End in June 1996', 6 Mar 1996, available at: <https://www.un.org/press/en/1996/19960306.ref1135.html> [accessed 30 July 2021].

³⁸ Betts, A. 2006. Comprehensive Plans of Action: Insights from CIREFCA and the Indochinese CPA. UNHCR: New Issues in Refugee Research, Working Paper No. 120.

³⁹ This excludes arrivals to the US under the Orderly Departure Programme.

⁴⁰ Resettlement countries were Australia, Belgium, Canada, Denmark, Finland, France, Germany, Japan, Netherlands, New Zealand, Norway, Sweden, Switzerland, United Kingdom and United States. UN High Commissioner for Refugees (UNHCR), *The State of The World's Refugees 2000: Fifty Years of Humanitarian Action* (2000).

⁴¹ The Indochinese CPA and has been compared to an early example of the Strategic Use of Resettlement (SUR), in terms of its approach and ideas. UN High Commissioner for Refugees (UNHCR), *Great expectations: A review of the strategic use of resettlement*, August 2013, PDES/2013/13, available at: <https://www.refworld.org/docid/520a407d4.html> [accessed 30 July 2021].

3.3 Shift in focus to individual protection needs

Within UNHCR, questions about the appropriateness of resettlement as a durable solution were being raised.⁴² As a result of the large scale and automated resettlement of refugees from Indochina, many within UNHCR questioned⁴³ whether resettlement had become “divorced in its functioning from fundamental principles of protection and become a migration programme in disguise [...] These concerns led to a widespread sense of disenchantment with resettlement as a solution for large numbers of refugees.”⁴⁴

Within UNHCR resettlement was no longer being viewed as the ultimate solution,⁴⁵ and focus shifted to other durable solutions, most prominently voluntary repatriation. This also impacted negatively on the institutional capacity to perform resettlement functions. Appropriate identification and efficient processing of refugees in need of resettlement proved challenging with resettlement activities often being relegated to junior staff who lacked appropriate training.⁴⁶

In 1991, the 42nd session of the UNHCR Executive Committee⁴⁷ endorsed and clarified the role of resettlement in the context of the protection mandate of the organisation, by reaffirming the link between international protection and resettlement, emphasizing resettlement as an instrument of protection. UNHCR began to apply protection related “criteria to resettlement for

⁴² UN High Commissioner for Refugees (UNHCR), New Directions for Resettlement Policy and Practice, 14 June 2001, EC/51/SC/INF.2, available at: <https://www.refworld.org/docid/3da1b32b2.html> [accessed 30 July 2021].

⁴³ Many within UNHCR believed that the use of resettlement under the CPA had created a pull factor that led many Indochinese to leave their homes for economic or social reasons rather than fleeing persecution. A 1985 UNHCR study on the Vietnamese boat people concluded that somewhat less than two-thirds of arrivals at the time had no claim on refugee status and no claim to international protection and did not need resettlement. See p. 259 Loescher, G. 2001. The UNHCR and World Politics: A Perilous Path.: Oxford University Press, available at <https://www.oxfordscholarship.com/view/10.1093/0199246912.001.0001/acprof-9780199246915>. “This large scale and automated resettlement of Indo-Chinese refugees was eventually critically reviewed from within the UNHCR leading to ‘considerable disenchantment’ with the programme due to its abandonment of promoting first country asylum and because resettlement created a pull factor that led many Indo-Chinese to leave their homes for economic or social reasons rather than fleeing persecution.” See p. 2 UN High Commissioner for Refugees (UNHCR), Postmillennial UNHCR refugee resettlement: New developments and old challenges, November 2013, ISSN 1020-7473, available at: <https://www.refworld.org/docid/5294b3964.html>. On 14 June 2001, the Executive Committee (ExCom) of the High Commissioner’s Programme made a remark that during the large-scale resettlement programmes of the 1970s and 1980s, “resettlement was considered by many as having been divorced in its functioning from fundamental principles of protection and become a migration programme in disguise, which was compounding rather than resolving the problem.” See p. 1 UN High Commissioner for Refugees, New Directions for Resettlement Policy and Practice, 14 June 2001, EC/51/SC/INF.2 (2001a) available at: <http://www.unhcr.org/refworld/docid/3da1b32b2.html>. See also, Troeller, G., UNHCR Resettlement: Evolution and Future Direction, International Journal of Refugee Law, Volume 14, Issue 1, January 2002, Pages 85–95.

⁴⁴ p. 1 UN High Commissioner for Refugees (UNHCR), New Directions for Resettlement Policy and Practice, 14 June 2001, EC/51/SC/INF.2, available at: <https://www.refworld.org/docid/3da1b32b2.html> [accessed 30 July 2021].

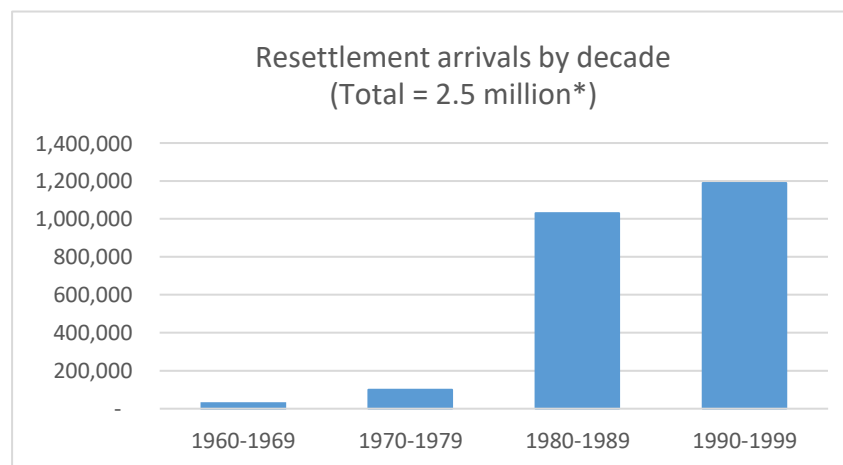
⁴⁵ Even as early as 1985, a paper presented to the Executive Committee stated: “If voluntary repatriation is the happiest of durable solutions, resettlement in third countries may be termed in contrast the solution of last resort.” As cited in UN High Commissioner for Refugees (UNHCR), Resettlement in the 1990s: A Review of Policy and Practice, December 1994, EVAL/RES/14, p. 6. available at: <https://www.refworld.org/docid/4d58d3612.html> [accessed 30 July 2021].

⁴⁶ “In the circumstances, it is understandable that representatives dealing with major assistance or repatriation operations involving tens or hundreds of thousands of refugees, commonly delegate responsibility for the resettlement of a few individual cases to junior staff. Inexperienced staff working in the field, commonly lacking basic training or guidance on resettlement policy, have all too often selected cases inappropriately or for the wrong reasons.” p. 8 UN High Commissioner for Refugees (UNHCR), Resettlement in the 1990s: A Review of Policy and Practice, December 1994, EVAL/RES/14, available at: <https://www.refworld.org/docid/4d58d3612.html> [accessed 30 July 2021].

⁴⁷ Executive Committee of the High Commissioner’s Programme, Resettlement as an Instrument of Protection No. 67 (XLII) - 1991, 11 October 1991, No. 67 (XLII), available at: <https://www.refworld.org/docid/3ae68c4368.html> [accessed 30 July 2021].

more diverse, if normally numerically limited groups.”⁴⁸ The nature of resettlement shifted to a highly diversified approach offering flexibility and specific tailoring to individualised protection and solutions needs.⁴⁹ In addition, UNHCR also sought to enhance the role of resettlement by pursuing it as an integral part of a comprehensive range of responses available, and not as an isolated activity. “The goal was to realise the full potential of resettlement as a tool of international protection, as a durable solution, and also as an expression of international solidarity and burden or responsibility-sharing.”⁵⁰

In the early 1990s there was also a significant change in the perception of the refugee issue by most governments. Many countries began experiencing a rise in the arrivals of asylum-seekers resulting in a decline in public support for refugee resettlement.⁵¹ Resettlement States began to reduce their quotas, which had as much to do with so called resettlement fatigue as with a lack in compelling political or ideological reasons to resettle large numbers of refugees.⁵²



* These include non-UNHCR referrals

Amid the ongoing CPA, resettlement was deployed by UNHCR throughout the 1990s as a crucial protection tool where other solutions were not feasible. In 1992, following the first Gulf War, UNHCR sought to resettle some 30,000 Iraqis from Saudi Arabia after efforts to secure voluntary repatriation and local integration failed.

Between 1991 and 1997, approximately 24,260 Iraqis were accepted for resettlement.⁵³

The beginning of the dissolution of Yugoslavia in the early 1990s shifted the focus of resettlement once more to Europe. The Yugoslavia Wars displaced 3.5 million persons

⁴⁸ p. 88 Troeller, G., UNHCR Resettlement: Evolution and Future Direction, International Journal of Refugee Law, Volume 14, Issue 1, January 2002, Pages 85–95, available at: <https://doi.org/10.1093/ijrl/14.1.85>.

⁴⁹ UN High Commissioner for Refugees, New Directions for Resettlement Policy and Practice, 14 June 2001, EC/51/SC/INF.2.

⁵⁰ “Often, a combination of solutions, each specifically addressing the particular circumstances and needs of the various groups within the same refugee population, is the most effective way to achieve a lasting solution in the interests both of the refugees and of the concerned States.” p.p. 1-2 UN High Commissioner for Refugees (UNHCR), New Directions for Resettlement Policy and Practice, 14 June 2001, EC/51/SC/INF.2, available at: <https://www.refworld.org/docid/3da1b32b2.html> [accessed 30 July 2021].

⁵¹ The increase at the end of the Cold War in arrivals from Eastern Europe to Western States meant that attitudes began to shift because, “with so many direct arrivals at their frontiers why should governments continue [...] with overseas refugee resettlement admissions.” p. 577 Troeller, G., 1991. UNHCR Resettlement as an Instrument of International Protection: Constraints and Obstacles in the Arena of Competition for Scarce Humanitarian Resources, International Journal of Refugee Law, Volume 3, Issue 3, Pages 564–578.

⁵² Loescher, G. 2001. The UNHCR and World Politics: A Perilous Path. : Oxford University Press, available at <https://www.oxfordscholarship.com/view/10.1093/0199246912.001.0001/acprof-9780199246915>

⁵³ U.S. Department of State, 2000. Near East-South Asia Admissions Program Fact Sheet released by the Bureau of Population, Refugees, and Migration, available at: [Fact Sheet: Near East/South Asia Admissions Program \(state.gov\)](https://www.state.gov)

between 1991-1999.⁵⁴ A major challenge arose in 1992 with the resettlement of inmates from places of detention in Bosnia and Herzegovina. An emergency operation started on 1 October 1992 with the help of the International Committee of the Red Cross (ICRC) who transferred detainees to a UNHCR centre at Karlovac in Croatia. By early July 1993, 22 countries had offered temporary protection or resettlement to the ex-detainees and their families and over 11,000 people had left for third countries. By June 1997, UNHCR had been directly involved in the resettlement of some 47,000 refugees from former Yugoslavia.⁵⁵

A related protection issue for UNHCR arose in 1999 with the outflow of thousands of refugees from Kosovo. In the 10 days following the commencement of hostilities nearly 120,000 refugees had arrived in Albania. By 4th April, the situation in former Yugoslav Republic of Macedonia (FYROM) had reached the point where UNHCR recommended the beginning of international evacuation of some of the refugees to ease the burden on the humanitarian operations.⁵⁶ Resettlement was used to support the UNHCR relief operation and the “humanitarian evacuation programme” (HEP). By the end of the emergency, almost 96,000 refugees in 28 host countries⁵⁷ had benefited from the programme.⁵⁸

3.4 Strengthening resettlement capacity and enhancing consultation

Responding to Executive Committee encouragement⁵⁹ on the need for close consultation between UNHCR and States in resettlement activities, UNHCR took steps to develop regular multilateral consultative processes. States were looking increasingly to UNHCR to take the lead in determining who should be resettled and encouraged UNHCR to define global resettlement needs.⁶⁰ UNHCR thereafter developed the Resettlement Handbook which defined the differing categories of refugees who would qualify for resettlement⁶¹ and outlined

⁵⁴ UN High Commissioner for Refugees (UNHCR), *The State of the World's Refugees: In Search of Solidarity*, 2012, available at: <https://www.refworld.org/docid/5100fec32.html> [accessed 30 July 2021].

⁵⁵ UN High Commissioner for Refugees (UNHCR), 1998. *Resettlement Handbook*. available at: https://biblioteca.hegoa.ehu.eus/downloads/6682/%2Fsystem%2Fpdf%2F799%2FResettlement_Handbook.pdf, [accessed 30 July 2021].

⁵⁶ Gushulak, Brian D., et al. "The Practice of Immigration Health in Complex Emergency Situations-A Case Study of Kosovo from March to July 1999." *Refuge: Canada's Journal on Refugees* (2000): 46-52, available at: <https://refuge.journals.yorku.ca/index.php/refuge/article/view/22053/20721>, [accessed 30 July 2021].

⁵⁷ Although not many people benefited from resettlement due to the limited response of receiving countries, the territorial proximity of the conflicts enable most refugees who wanted to seek refuge in western countries to leave the conflict regions. Krasniqi, Adam, and Brigitte Suter. "Refugee resettlement to Europe 1950-2014: An overview of humanitarian politics and practices." (2015), available at: <http://ls00012.mah.se/bitstream/handle/2043/19587/WPS%2015.1%20Krasniqi%20and%20Suter.pdf?sequence=2&isAllowed=y>, [accessed 30 July 2021].

⁵⁸ See: UNHCR, "Kosovo Emergency", UNHCR Global Report 1999, available at: <http://www.unhcr.org/3e2d4d5f7.pdf>. UN High Commissioner for Refugees (UNHCR), *UNHCR Resettlement Handbook*, 2011, July 2011, available at: <https://www.refworld.org/docid/4ecb973c2.html>, [accessed 30 July 2021]. See also UN High Commissioner for Refugees (UNHCR), 2000. *The Kosovo refugee crisis, An independent evaluation of UNHCR's emergency preparedness and response*, available at: <https://www.unhcr.org/3ba0bbeb4.pdf>, [accessed 30 July 2021].

⁵⁹ UN High Commissioner for Refugees (UNHCR), Executive Committee 42nd session. 1991. Contained in United Nations General Assembly Document No. 12A (A/46/12/Add.1).

⁶⁰ UNHCR initiated an evaluation in 1994 of its global resettlement policy and practices. UN High Commissioner for Refugees (UNHCR), *Resettlement in the 1990s: A Review of Policy and Practice*, December 1994, EVAL/RES/14, available at: <https://www.refworld.org/docid/4d58d3612.html> [accessed 30 July 2021].

⁶¹ These were: "Resettlement as seen by UNHCR is the third and last resort in terms of durable solutions, and is normally pursued only when no other option is or appears to be available to guarantee protection and offer a future commensurate with fundamental human rights. Resettlement is linked to legal and/or physical protection when a refugee meets one or more of the following conditions : —security threat in the asylum country resulting from pursuit by persons from, or connected with, those involved with persecution in the country of origin; —immediate or long-

the process, criteria, goals, and objectives of the UNHCR resettlement programme. The Handbook was central to promoting a better understanding of resettlement and at enhancing consistency in the practice of actors working in resettlement. UNHCR also began to provide States with resettlement priorities in the form of Global Assessment reports⁶² (which set out projected numbers for resettlement based on regional assessments). Organisational changes were also implemented, with the establishment of the Resettlement Service at Headquarters and the opening of Regional Hubs and Offices to oversee resettlement activities in respective regions.

In 1995, UNHCR held the first consultations with Governments on resettlement. Separate consultations with NGOs were also held in recognition of the role of NGOs as partners in action and to further reflect refugee voices.⁶³ It was subsequently decided that tripartite consultations should take place on an annual basis with the first formal meeting held in 1996. This meeting became the foundation of the Annual Tripartite Consultations on Resettlement (ATCR) which quickly developed into a valued forum for strengthening partnerships and enhancing a consultative and collaborative approach to resettlement.⁶⁴ As part of the ATCR process, a Working Group on Resettlement (WGR) was also established to support the work of the ATCR through smaller and more targeted consultative forums to discuss specific policy and operational aspects of resettlement. The WGR also assumed a prominent role in the Global Consultations and the Convention Plus discussions, and as part of UNHCR's ongoing efforts to find solutions for protracted refugee situations. The ATCR was also the forum at which UNHCR presented an overview of global resettlement needs to advocate with States for quotas which aligned with broader protection and solutions strategies and to raise awareness of populations who are most at risk and which are recommended for resettlement by UNHCR. These needs are documented in UNHCR's annual Projected Global Resettlement Needs (PGRN).⁶⁵

term threat of refoulement, forcible return, to the country of origin, or deportation to another country owing to non-accession or non-respect for (or reservations to) the 1951 Convention/1967 Protocol; — threat to physical safety or freedom in country of asylum analogous to that considered under the definition of refugee and rendering asylum untenable; — threat to physical protection arising from armed attacks in areas where asylum seekers or refugees are located. In addition to resettlement to guarantee security, resettlement must be considered in other situations, in order to provide humanitarian protection. Resettlement as a form of humanitarian protection relates primarily to the following four categories of refugees defined by UNHCR as vulnerable groups, to which should be added the difficult category of longstayers, who also require concerted attention: — women-at-risk; — victims of torture/violence; — physically or mentally disabled refugees; — medical cases where appropriate treatment in the country of asylum is inadequate; — longstayers as defined by a UNHCR field office, based on prevailing government policy, or unacceptable conditions of asylum in a certain timeframe when no other durable solution is in prospect. A refugee falling within one of the above mentioned categories would qualify for resettlement on the basis of humanitarian protection." p.p. 566-567 in Troeller, G., 1991, UNHCR resettlement as an instrument of international protection: constraints and obstacles in the arena of competition for scarce humanitarian resources. *International Journal of Refugee Law*, 3: 564.

⁶² UN High Commissioner for Refugees (UNHCR), *Assessment of Global Resettlement Needs for Refugees in 1995*, 1 December 1994, available at: <https://www.refworld.org/docid/3ae6b31c84.html> [accessed 27 July 2021]

⁶³ The specific role and function of NGOs within a country's resettlement programme varies from country to country. NGOs play a significant role in providing resettlement support, both in countries of asylum, and in countries of resettlement. NGO partners are involved in a wide range of operational, outreach and advocacy activities. The work of NGOs can have positive impacts on fundraising and advocacy for various refugee groups and information dissemination.

⁶⁴ The size of the ATCR community has grown significantly with close to 30 resettlement States and 240 participants in attendance during the last ten years including States, Civil Society, IOM, academia, research institutions and think tanks, and the private sector, reflecting the broadening of partners engaged in resettlement.

⁶⁵ UN High Commissioner for Refugees (UNHCR), *UNHCR Projected Global Resettlement Needs 2022*, June 2020, available at: <https://www.unhcr.org/protection/resettlement/60d320a64/projected-global-resettlement-needs-2022-pdf.html> [accessed 23 July 2021]

In light of the growing number of new stakeholders and ascent of complementary pathways, the ATCR structure and participation was revised in 2019. A significant milestone in the evolution of the ATCR are ongoing efforts to achieve meaningful representation of refugees at the ATCR and WGR.⁶⁶

3.5 Resettlement in the 21st century

3.5.1 Resettlement as a durable solution reconsidered

Despite the significant progress made in policy, guidance and annual consultations during the 1990s,⁶⁷ resettlement was still seen as the solution of last resort, lacking champions among the senior echelons of UNHCR and in the governments that made up UNHCR's Executive Committee. However, after the turn of the century, the reality that the majority of refugees were in protracted refugee situations⁶⁸ with no prospect of timely and safe solutions, the proliferation of conflict-driven displacement and the increasing pressures of mixed migratory flows compelled UNHCR and the international community to reconsider the use of resettlement as a durable solution, particularly for groups.

*"In too many places refugee protection is becoming eroded for want of durable solutions. Let us remember that, for the refugee, the ultimate protection lies in the solution."*⁶⁹

UNHCR undertook several high-level initiatives to analyse gaps—application, implementation, and normative—and explore ways to respond. A particularly important part of this process was the Global Consultations on International Protection (2000-2001) which concluded that in order to strengthen respect for the 1951 Convention and the international protection regime, resettlement should be seen as an important tool for protection, providing durable solutions and as an element of burden-sharing. Resettlement therefore needed to be approached in an integrated manner, from policy formation through selection to the integration of resettled refugees in their new countries.⁷⁰ One result of the Consultations was the adoption of the Agenda for Protection (2002-2010)⁷¹ which represented the first comprehensive framework

⁶⁶ In 2019, a Refugee Advisory Group (RAG) was established under the Chairmanship of the UK and delivered the first ever Refugee Statement at the ATCR. In 2020, a Refugee Steering Group was created, tasked to form a Global Refugee Advisory Group (RAG) by 2023. Moving forwards, the Refugee Steering Group (RSG) will have an important advisory role in the ATCR planning cycle working closely with the ATCR Chair. The RSG will liaise between the chair and the refugee community, coordinate refugee participation and statements at the ATCR and the WGR, create spaces for refugees to engage in discussions on matters of their own concern related to resettlement and complementary pathways. The Refugee Steering Group was formed in 2020 by more than 20 refugees representing national, regional and global refugee-led organizations and networks and with refugees working in refugee settlement and integration agencies were also represented.

⁶⁷ UN High Commissioner for Refugees (UNHCR), New Directions for Resettlement Policy and Practice, 14 June 2001, EC/51/SC/INF.2, available at: <https://www.refworld.org/docid/3da1b32b2.html>, [accessed 23 July 2021].

⁶⁸ UNHCR defines protracted refugee situations as "one in which refugees find themselves in a long-lasting and intractable state of limbo. Their lives may not be at risk, but their basic rights and essential economic, social and psychological needs remain unfulfilled after years in exile." EC/54/SC/CRP.14, 10 June 2004.

⁶⁹ UN High Commissioner for Refugees (UNHCR), Chairman's Summary: Inaugural Meeting of the Forum, 27 June 2003, available at: <https://www.refworld.org/docid/471dcaed0.html>, [accessed 23 July 2021].

⁷⁰ UN High Commissioner for Refugees (UNHCR), The Strategic Use of Resettlement (A Discussion Paper Prepared by the Working Group on Resettlement), 3 June 2003, EC/53/SC/CRP.10/Add.1, available at: <https://www.refworld.org/docid/41597a824.html>, [accessed 23 July 2021].

⁷¹ UN High Commissioner for Refugees (UNHCR), Agenda for Protection, October 2003, Third edition, available at: <http://www.unhcr.org/refworld/docid/4714a1bf2.html>, [accessed 23 July 2021]. For an overview of the implementation of the Agenda for Protection, see also UNHCR, Agenda for Protection: Review and Way Forward, 48th Standing Committee, EC/61/SC/INF.1, May 2010, available at: <http://www.unhcr.org/4c0527999.html>.

for global refugee policy refocusing attention on the search for solutions, as well as the provision of international protection.

The Agenda for Protection set out clear goals for strengthening international protection, and practical strategies to supporting solutions, including resettlement. With respect to resettlement, the Agenda for Protection called on states to: increase their resettlement numbers; diversify the kinds of refugee groups accepted for resettlement; introduce more flexible criteria in order to secure more options for durable solutions, especially for refugees from protracted situations; and place greater emphasis on gender-related protection needs (in addition to women-at-risk programs) within resettlement schemes.⁷² It also called for the expansion of resettlement through capacity building programmes for new and emerging countries.

3.5.2 Enhancing the use of resettlement

In the wake of the Agenda for Protection, UNHCR called for a new approach involving “a number of special agreements aimed at managing the challenges of today and tomorrow in a spirit of international cooperation.”⁷³ This evolved into the Convention Plus Initiative (2003-2005) which envisioned the development of ‘special agreements’⁷⁴ in three areas inadequately covered by the existing refugee regime: the strategic use of resettlement, targeting development assistance, and irregular secondary movements.

“Convention Plus means a stronger multilateral commitment to finding durable, sustainable solutions to refugee problems in a burden-sharing framework.”⁷⁵

Charged by the Agenda for Protection and the Convention Plus, a Working Core Group on Resettlement was formed to explore the strategic use of resettlement (SUR).⁷⁶ The latter was defined as the “planned use of resettlement in a manner that maximizes the benefits, directly or indirectly, other than those received by the refugee being resettled. The benefits may accrue to other refugees, the hosting state, other states or the international protection regime in general.”⁷⁷ When used strategically, resettlement not only benefits those who are resettled but

[accessed 23 July 2021]. The Agenda of Protection was unanimously endorsed by the 141 States parties to the 1951 Convention and/or its 1967 Protocol at the time, and was welcomed by the UN General Assembly in 2002.

⁷² UN High Commissioner for Refugees (UNHCR), *Refugee resettlement: 2012 and beyond*, 1 February 2013, ISSN 1020-7473, available at: <https://www.refworld.org/docid/510faac32.html>, [accessed 23 July 2021].

⁷³ UN High Commissioner for Refugees (UNHCR), “Lubbers Proposes ‘Convention Plus’ Approach to New Challenges”, UNHCR News Stories, 13 Sep. 2002, available at: <http://www.unhcr.org/3d81fe0d4.html>, [accessed 23 July 2021].

⁷⁴ These would be “written arrangements between UNHCR and Governments that, depending on their subject matter, are either drafted to be legally binding or intended to reflect an important degree of political commitment”. p. 1 UN High Commissioner for Refugees (UNHCR), *New Directions for Resettlement Policy and Practice*, 14 June 2001, EC/51/SC/INF.2, available at: <https://www.refworld.org/docid/3da1b32b2.html>

⁷⁵ Statement by Mr. Ruud Lubbers, United Nations High Commissioner for Refugees, at the First Meeting of the High Commissioner’s Forum, 27 June 2003, available at: <https://www.unhcr.org/protection/convention/3f12b8d34/statement-mr-ruud-lubbers-united-nations-high-commissioner-refugees-first.html>, [accessed 23 July 2021].

⁷⁶ UN High Commissioner for Refugees (UNHCR), *The Strategic Use of Resettlement (A Discussion Paper Prepared by the Working Group on Resettlement)*, 3 June 2003, EC/53/SC/CRP.10/Add.1, available at: <https://www.refworld.org/docid/41597a824.html>, [accessed 23 July 2021].

⁷⁷ Para 6, UN High Commissioner for Refugees (UNHCR), *The Strategic Use of Resettlement (A Discussion Paper Prepared by the Working Group on Resettlement)*, 3 June 2003, EC/53/SC/CRP.10/Add.1, available at: <https://www.refworld.org/docid/41597a824.html>, [accessed 23 July 2021]. The strategic utilization of resettlement

also brings protection dividends to the rest of the refugee community, for example by opening up possibilities for self-reliance, or by convincing countries of first asylum to maintain open borders. Therefore, the SUR “implies employing resettlement to achieve a goal beyond resettlement itself.”⁷⁸ SUR also called for greater focus on the resettlement of groups of persons.

The Working Core Group on Resettlement developed the Multilateral Framework of Understandings on Resettlement (MFU),⁷⁹ a non-binding agreement between States to guide parties (namely, UNHCR, refugee-hosting countries, resettlement countries, countries of origin, the International Organization for Migration (IOM) and other relevant resettlement partners) in designing comprehensive arrangements which involved multilateral resettlement operations. The MFU was an attempt to recreate “comprehensive plans of action that had been used 20 years before in Indochina...The inclusion of resettlement within such agreements was to be expected but it was also strategic. It was seen as a way to draw in new resettlement states and reinstate resettlement as a valid durable solution.”⁸⁰ Under the MFU resettlement countries were urged to develop flexible selection criteria in order to encompass persons of concern to UNHCR who may not fall within the terms of the 1951 Convention, which was particularly important for the development of the group resettlement methodology used to complement individual processing of refugees in need of resettlement.⁸¹ Therefore, and to some measure, resettlement was once again being viewed as a tool to provide a durable solution for greater numbers of refugees in order to potentially address protracted refugee caseloads. In collaboration with resettlement States, UNHCR developed operational procedures to identify and facilitate the processing of groups of refugees in need of resettlement as a durable solution⁸². Among groups that were resettled early in the 21st century

entered the Annual Tripartite Consultations on Resettlement (ATCR) agenda in 2001, and was part of Global Consultation discussions marking the 50th anniversary of the 1951 Convention. These discussions set the stage for collective agreements establishing SUR.

⁷⁸ UN High Commissioner for Refugees (UNHCR), Implementation of the Strategic Use of Resettlement, September 2011, available at: <https://www.refworld.org/docid/4ff147912.html>, [accessed 23 July 2021].

⁷⁹ The Framework was adopted at the High Commissioner's Forum in June 2004. UN High Commissioner for Refugees (UNHCR), Multilateral Framework of Understandings on Resettlement, 16 September 2004, FORUM/2004/6, available at: <http://www.unhcr.org/refworld/docid/41597d0a4.html>, [accessed 23 July 2021].

⁸⁰ UN High Commissioner for Refugees (UNHCR), Refugee resettlement: 2012 and beyond, 1 February 2013, ISSN 1020-7473, available at: <https://www.refworld.org/docid/510faac32.html>, [accessed 23 July 2021].

⁸¹ The group resettlement methodology aims to expand resettlement opportunities whilst achieving operational efficiencies and, where possible, making strategic use of resettlement. In practice, group processing involves a simplified large-scale processing of cases by UNHCR and resettlement States without requiring the full completion. The methodology was field tested in Africa, the Middle East and Central and Eastern Asia and adapted to suit local contexts, in consultation with resettlement States. Resettled groups include: Liberian refugees from Guinea and Sierra Leone, Somali refugees from Kenya, Burundian refugees from the United Republic of Tanzania, Congolese refugee survivors of the Gatumba massacre from Burundi, Eritrean refugees from Ethiopia, Eritrean refugees from Saudi Arabia, Afghan refugees from Tajikistan, Uzbek refugees from Kyrgyzstan, Myanmar refugees from Thailand and Malaysia, and Bhutanese refugees from Nepal. For more information, see: UN High Commissioner for Refugees (UNHCR), Resettlement Handbook, 2011, available at: <https://www.unhcr.org/46f7c0ee2.pdf>, [accessed 23 July 2021].

⁸² UNHCR internal guidance on Group Methodology indicates that members of a group being processed should ideally have the same nationality; share common characteristics; be clearly delineated and finite; location(s) should be known and established; and ideally group-members should possess some form of identification, photo or otherwise. Group members who have been identified for resettlement also typically share a common refugee story or claim. They may have fled during a similar period and for similar reasons, received similar treatment or had a particular and common experience in a country of origin or country of asylum. They also may share the same need for resettlement. UN High Commissioner for Refugees (UNHCR), Methodology for Resettlement of Groups, IOM/67 - FOM 67/2003, (UNHCR Internal).

were the Sudanese “Lost Boys”, and the Somali Bantu, Madhiban and Benadir minorities, all from protracted refugee situations in Kenya.⁸³

A more recent example was the resettlement of ex-Iraq Palestinian refugees from Al-Tanf, a makeshift refugee camp located on a narrow strip in no man’s land between the borders of Syria and Iraq. With no prospect of admission to Syria or return to Iraq, resettlement was identified as the only viable durable solution for the Palestinian refugees in Al-Tanf and other camps. By the time the camp was closed in 2010, more than 1,000 were resettled to third countries, including Belgium, Chile, Finland, Italy, Norway, Sweden, Switzerland and the United Kingdom.⁸⁴

By 2005-2006 there was a realisation within UNHCR that this promising concept could also have drawbacks and that it was a double-edged sword in terms of advancing UNHCR’s protection and solution agendas. Rather than being an outcome that returned resettlement to its roots, the relatively open SUR terminology seemed to be providing justification for those politicians and policy-makers who saw resettlement as a potential strategy for restricting asylum - such as the trading of asylum or readmission with resettlement arrivals. For instance, in one country, upon setting up a targeted program for Congolese refugees being resettled from Uganda and Rwanda, the country then initiated returns of rejected Congolese asylum seekers. In response, UNHCR stressed that, “resettlement should not become a substitute for asylum within a State for spontaneous arrivals; nor should it become the quid pro quo for a functioning re-admission arrangement.”⁸⁵ Another potential pitfall of the SUR was that by using resettlement to create other possibilities, there was a risk that the option of resettlement would limit the willingness of refugees and States in the region of origin to participate in other solutions.⁸⁶

Despite these pitfalls, SUR became the strand of Convention Plus that “came closest to meeting its ambitions”⁸⁷ even if it involved no binding commitments⁸⁸ and fell short of a special

⁸³ For example, SUR was used to unlock a durable solution for urban Afghan and Myanmar refugees who had spent nearly three decades in exile in India. The Hindu and Sikh refugees amongst them applied for naturalization while others were resettled (390 refugees had been resettled since 2005 to the US, Canada, New Zealand, Norway and Sweden). The benefits of this were not only the unblocking of a protracted refugee situation, but also improved protection space for new arrivals from Myanmar and Iraq. Another example of SUR was the resettlement of 8,500 Burundians (known as the ‘1972 Burundians’) in 2007 and 2008 of who had been living in UNHCR-assisted camps in Tanzania. Resettlement was applied in the context of comprehensive strategies, with all three durable solutions deployed to resolve a protracted situation.

⁸⁴ For more information, see: <https://www.unhcr.org/news/latest/2010/2/4b67064c6/end-long-ordeal-palestinian-refugees-desert-camp-closes.html?query=tanf>, [accessed 23 July 2021].

⁸⁵ p. 20 UN High Commissioner for Refugees (UNHCR), Great expectations: A review of the strategic use of resettlement, August 2013, PDES/2013/13, available at: <https://www.refworld.org/docid/520a407d4.html>, [accessed 23 July 2021].

⁸⁶ UN High Commissioner for Refugees (UNHCR), Great expectations: A review of the strategic use of resettlement, August 2013, PDES/2013/13, available at: <https://www.refworld.org/docid/520a407d4.html>, [accessed 23 July 2021].

⁸⁷ Betts, A. and Durieux, J-F., 2007. ‘Convention Plus as a norm setting exercise’, *Journal of Refugee Studies*, 20(3). See also: <https://www.unhcr.org/520a3e559.pdf>, [accessed 23 July 2021].

⁸⁸ States engaged at the time included: Australia, Brazil, Denmark, Ecuador, Egypt, the Islamic Republic of Iran, Kenya, Nepal, the Netherlands, Nigeria, South Africa, Sweden, the United Republic of Tanzania, Thailand, the United Kingdom, and the United States of America. The European Commission and the International Organization for Migration (IOM) were also engaged. These States made up the membership of the Convention Plus Core Group on the Strategic Use of Resettlement, which included States hosting refugees for protracted periods, as well as long-standing and emerging resettlement countries. See: UN High Commissioner for Refugees (UNHCR), Progress Report: Convention Plus, 8 November 2005, FORUM/2005/6, available at: <https://www.refworld.org/docid/471dc4f4d.html>, [accessed 26 July 2021].

agreement thanks to the Multilateral Framework of Understandings (MFU) on Resettlement. The purpose of the Multilateral Framework was to guide parties to situation-specific multilateral agreements in designing comprehensive arrangements which involve multilateral resettlement operations. Implementation of the Multilateral Framework, it was hoped, would enable UNHCR and States to make more strategic use of resettlement, in tandem with other durable solutions, while, over time, making resettlement available to more refugees.⁸⁹ The momentum gained from the MFU had a short life, however aspects of the MFU, like the recognition that resettlement could be used to assist groups of refugees as part of a broader strategy in a particular protracted context, were applied in other situations. In recognition of this potentially useful concept, UNHCR and some States began, under Swedish leadership in 2009, to undertake efforts to reinvigorate it. There were recommendations made to better monitor outcomes of SUR,⁹⁰ and in 2010, Sweden led discussions with UNHCR on intensifying the strategic use of resettlement in seven priority refugee situations in Africa, Asia, Europe, and the Middle East/North Africa.⁹¹ SUR was being defined as long-term endeavour, with observable results taking time to come to fruition.

For UNHCR, SUR continued to be a main focus as well as for States into the new decade. UNHCR's 2010 Position Paper on the Strategic Use of Resettlement⁹² emphasized that specific protection results could be designed in a way to progressively achieve larger strategic impacts over time. Strategic planning needed to include clear illustration of incremental protection dividends expected from diverse resettlement contributions over a period of time, in order to maximize concerted efforts by various stakeholders. The position paper outlined examples of the types of protection benefits that may arise in the context of resettlement through the engagement of key stakeholders.⁹³

3.5.3 Supporting the integration of resettled refugees

*"Resettlement is protection plus. It involves more than the relocation of refugees to a third state; it involves a process of being received and integrated within a new society."*⁹⁴

Whilst there is no agreed upon definition, integration is understood as a mutual, dynamic, multifaceted and on-going process with three interrelated dimensions: legal, economic and

⁸⁹ UN High Commissioner for Refugees (UNHCR), Multilateral Framework of Understandings on Resettlement, 16 September 2004, FORUM/2004/6, available at: <https://www.refworld.org/docid/41597d0a4.html> [accessed 26 July 2021].

⁹⁰ UN High Commissioner for Refugees, The Strategic Use of Resettlement, 12 October 2009, available at: <http://www.unhcr.org/refworld/docid/4b8cdcee2.html>

⁹¹ UN High Commissioner for Refugees (UNHCR), UNHCR Position Paper on the Strategic Use of Resettlement, 4 June 2010, available at: <https://www.refworld.org/docid/4c0d10ac2.html>, [accessed 23 July 2021].

⁹² UN High Commissioner for Refugees (UNHCR), UNHCR Position Paper on the Strategic Use of Resettlement, 4 June 2010, available at: <https://www.refworld.org/docid/4c0d10ac2.html>, [accessed 23 July 2021].

⁹³ For example, possible benefits in the countries of first asylum include strengthening the protection environment, by encouraging host States to retain access to asylum, adhere to the principle of non-refoulement, reduce detention and widen the protection space and unlock alternative durable solutions through encouraging dialogue with a host country on building a more favourable protection environment and forging strategies for comprehensive solutions.

⁹⁴ UN High Commissioner for Refugees (UNHCR), Working Group on Resettlement Geneva, 24-25 February 2009, Measuring resettlement outcomes by looking at integration indicators <https://www.unhcr.org/4fbcbcc9.pdf>, [accessed 23 July 2021].

social-cultural.⁹⁵ The 1951 Refugee Convention lists a range of socioeconomic and legal rights to be accorded to all refugees to allow them and their families to integrate and eventually to naturalize. The very definition of resettlement stresses that permanent status and rights are to be accorded to refugees voluntarily selected by a State. Ensuring that refugees have access to these rights is essential to the durability of resettlement,⁹⁶ and involves a process of refugees being received and integrated within a new society.

Recognizing that receiving communities are more likely to endorse and support national resettlement policies when integration is “successful”, UNHCR launched a broad integration initiative in 2000. The emergence of new resettlement countries and the growing diversity of UNHCR resettlement submissions also highlighted the need to complement the well-defined and commonly endorsed resettlement guidelines outlined in the Resettlement Handbook with guidelines on the reception and integration of refugees in their new communities. Hence, in 2002 a new UNHCR handbook, *Refugee Resettlement: an International Handbook to Guide Reception and Integration*⁹⁷ was launched which laid out key integration principles for States and key stakeholders to guide reception and integration activities.⁹⁸ The new Handbook complemented the Agenda for Protection⁹⁹ which called on States to put in place policies to ensure that resettlement operated in tandem with sound integration policies ensuring that resettled refugees enjoyed equality of rights and opportunities in the social, economic, and cultural life of the resettlement country.

An ongoing challenge for UNHCR has been the application by some resettlement countries of selection criteria based on integration potential rather than protection needs.¹⁰⁰ Such restrictive criteria undermine the protection foundation upon which resettlement is based and have led UNHCR to advocate with States to resolve integration concerns by focusing on the integration capacity of receiving communities rather than on the refugees.¹⁰¹ In addition, inherent to the understanding of integration is that it requires both the individual and host society to make considerable efforts. The expectation that refugees need to meet specific criteria to be able to integrate runs counter to this understanding. Governments, NGOs, volunteers, the local population, and refugees themselves all contribute to the integration process. Integration occurs at the community level and integration strategies that promote

⁹⁵ UN High Commissioner for Refugees (UNHCR), Executive Committee of the High Commissioner's Programme, Conclusion on Local Integration No. 104 (LVI) - 2005, 7 October 2005, No. 104 (LVI), available at: <https://www.refworld.org/docid/4357a91b2.html>, [accessed 23 July 2021]. See also p. 13 UN High Commissioner for Refugees (UNHCR), *Refugee Resettlement. An International Handbook to Guide Reception and Integration*, September 2002, available at: <https://www.refworld.org/docid/405189284.html>, [accessed 23 July 2021].

⁹⁶ UN High Commissioner for Refugees (UNHCR), Progress report on resettlement, 5 June 2012, EC/63/SC/CRP.12, available at: <https://www.refworld.org/docid/520b3b0d4.html>

⁹⁷ See: UN High Commissioner for Refugees (UNHCR), *Refugee Resettlement. An International Handbook to Guide Reception and Integration*, September 2002, available at: <https://www.refworld.org/docid/405189284.html>. The Handbook was updated in 2021, available online here: <https://www.unhcr.org/handbooks/ih/>.

⁹⁸ The principles resulted from discussions at the International Conference on the Reception and Integration of Resettled Refugees (ICRIRR), held in 2001.

⁹⁹ The work on integration was driven by the Agenda for Protection, and also at this time there was the recognition that it had ‘become increasingly important to look at the quality of life issues inherent in the durable solution aspect of resettlement. The Integration Initiative ties together the two ends of the resettlement spectrum.’ The Initiative led to the ICRIRR and eventually the publication of the *Refugee Resettlement. An International Handbook to Guide Reception and Integration*, September 2002, available at: <https://www.refworld.org/docid/405189284.html>

¹⁰⁰ UN High Commissioner for Refugees (UNHCR), Progress Report on Resettlement, 6 June 2006, EC/57/SC/CRP.15, available at: <https://www.refworld.org/docid/4651c1f42.html>, [accessed 23 July 2021].

¹⁰¹ Strengthening and Expanding Resettlement Today: Dilemmas, Challenges and Opportunities, Global Consultations on International Protection, 4th mtg., EC/GC/02/7, 25 April 2002.

inclusiveness, embrace diversity and foster the engagement and support¹⁰² of a broad range of actors (grassroots initiatives, refugee-led organisations,¹⁰³ diaspora)¹⁰⁴ support the integration process.¹⁰⁵

There is no global standard on resettlement and integration outcomes and one of the major challenges in the context of measuring success is securing an evidence base for key areas of integration.¹⁰⁶ UNHCR has worked with States on the development of indicators to measure integration outcomes for resettled refugees through the Working Group on Integration¹⁰⁷ as well as for refugees more generally.¹⁰⁸ States have also developed instruments to measure refugees' economic and social outcomes, and there is ongoing collaboration to establish benchmarks and criteria to evaluate integration.¹⁰⁹

Existing evidence on integration outcomes demonstrates¹¹⁰ that immediate programmes and support upon arrival should include housing, health care, language learning and post-arrival orientation. Investments made in the short-term to support refugees can yield positive economic impacts over time.¹¹¹ Long-term investment in integration policies and programming (including interpretation, case management, income support, housing, health care, language training, education and training, services to meet specific needs, employment support and social support) is often necessary, including upfront planning and resourcing and although,

¹⁰² Garnering public support for refugee resettlement can be complex. "Developing a granular understanding of how different concerns are triggered in different contexts is the first step to building public support for resettlement." p. 20 Fratzke, Susan, Maria Belen Zanzuchi, Kate Hooper, Hanne Beirens, Lena Kainz, Nathan Benson, Eliza Bateman, and Jessica Bolter. 2021. Refugee Resettlement and Complementary Pathways: Opportunities for Growth. Geneva and Brussels: UNHCR and MPI Europe.

¹⁰³ Olliff, L., 2018. From Resettled Refugees to Humanitarian Actors: Refugee Diaspora Organizations and Everyday Humanitarianism. *New Political Science* 40.4: 658-674.

¹⁰⁴ In the US for example, Iraqi diaspora groups were engaged in NGO coalitions lobbying the Bush administration to resettle Iraqi refugees. See for example: Libal, K., & Harding, S. (2007). The politics of refugee advocacy and humanitarian assistance. *Middle East Report*, 37(244), 18.

¹⁰⁵ See for example the Intercultural Cities Programme is a network which supports cities across Europe to manage diversity positively and realise the diversity advantage through approaches that cut across institutional silos, foster political local leadership and mobilize practitioners, private sector, civil society and communities, available at: <https://www.coe.int/en/web/interculturalcities/participating-cities>.

¹⁰⁶ Pressé, D. and Thomson, J., 2008. The resettlement challenge: Integration of refugees from protracted refugee situations. *Refuge: Canada's Journal on Refugees*, pp.94-99.

¹⁰⁷ UN High Commissioner for Refugees (UNHCR), Working Group on Resettlement Geneva, 24-25 February 2009, Measuring resettlement outcomes by looking at integration indicators, available at: <https://www.unhcr.org/4fbcfbcc9.pdf>, [accessed 23 July 2021].

¹⁰⁸ UN High Commissioner for Refugees (UNHCR), Refugee Integration and the Use of Indicators: Evidence from Central Europe, December 2013, available at: <https://www.refworld.org/docid/532164584.html>, [accessed 23 July 2021].

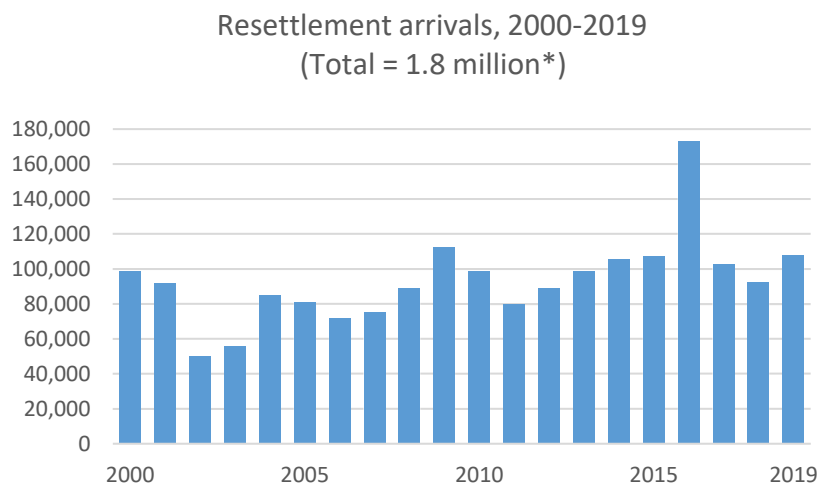
¹⁰⁹ See for example the UK Home Office <https://www.gov.uk/government/publications/home-office-indicators-of-integration-framework-2019> as well as work by the Government of Canada on Monitoring and Evaluation of resettlement: <https://www.canada.ca/en/immigration-refugees-citizenship/corporate/reports-statistics/evaluations/resettlement-programs.html>.

¹¹⁰ Esses, V.M., Hamilton, L.K. and Gaucher, D., 2017. The global refugee crisis: Empirical evidence and policy implications for improving public attitudes and facilitating refugee resettlement. *Social Issues and Policy Review*, 11(1), pp.78-123.

¹¹¹ One study found that investing €1 in welcoming refugees can yield nearly €2 in economic benefits within five years. The study also considers the most effective models that capitalise on these economic benefits. Philippe Legrain, 2016, Refugees Work: A Humanitarian Investment that Yields Economic Dividends, available at: http://www.opennetwork.net/wp-content/uploads/2016/05/Tent-Open-Refugees-Work_V13.pdf, [accessed 23 July 2021].

“the delivery of programs and services for refugees may seem like a costly endeavour, it is repaid over time in refugees’ contributions to society in both economic and social terms.”¹¹²

3.5.4 Growing resettlement needs and declining global resettlement places



* This includes non-UNHCR referred cases

Although resettlement reemerged as an important expression of international solidarity and responsibility sharing and a durable solution, as well as an invaluable tool of protection,¹¹³ resettlement numbers declined in the early 2000s. There are a number of reasons cited¹¹⁴ for this decline, that include revelations of corruption within UNHCR

that had taken place in the late 1990s,¹¹⁵ which served to erode confidence in resettlement. A more significant factor which considerably altered the resettlement landscape, was the fallout of 11th September 2001. Heightened security concerns led to greater restrictions on refugee admissions in major resettlement countries, with the United States programme being the most impacted.¹¹⁶ These stringent security screening protocols resulted in refugees remaining for long periods on waiting lists.¹¹⁷

The increase in annual resettlement numbers, beginning in 2008 were largely due to the resettlement of Bhutanese refugees from Nepal and of Iraqis and Syrian refugees from the Middle East. More than 112,000 Bhutanese were resettled between 2008-2018, 85 per cent of whom to the United States.¹¹⁸ To date, 161,703 Syrians and 134,337 Iraqis have departed following a UNHCR referral.¹¹⁹ The resettlement of Iraqis and Syrians has been instrumental

¹¹² Esses, V.M., Hamilton, L.K. and Gaucher, D., 2017. The global refugee crisis: Empirical evidence and policy implications for improving public attitudes and facilitating refugee resettlement. *Social issues and policy review*, 11(1), pp.78-123. See also, Hugo, G.J., Vas Dev, S., Wall, J., Young, M.E., Sharma, V. and Parker, K., 2011. *Economic, social and civic contributions of first and second generation humanitarian entrants*.

¹¹³ UN High Commissioner for Refugees (UNHCR), *UNHCR Resettlement Handbook*, 2011, July 2011, available at: <https://www.refworld.org/docid/4ecb973c2.html>, [accessed 23 July 2021].

¹¹⁴ Another referenced included the failure to successfully replicate the Comprehensive Plan of Action (CPA) model in Somalia.

¹¹⁵ Up to 70 people in UNHCR’s Nairobi office had reportedly been involved in a complex scheme to extort money from refugees to access resettlement.

¹¹⁶ Givens, T., Freeman, G.P. and Leal, D.L. eds., 2008. *Immigration policy and security: US, European, and Commonwealth perspectives*. Routledge.

¹¹⁷ UN High Commissioner for Refugees (UNHCR), *Progress Report on Resettlement*, 7 June 2004, EC/54/SC/CRP.10, available at: <https://www.refworld.org/docid/41597b644.html>, [accessed 23 July 2021].

¹¹⁸ This was a longstanding caseload. A core group of eight countries came together in 2007 consisting of Australia (5,554), Canada (6,500), Denmark (874), New Zealand (1002), the Netherlands (327), Norway (566), the United Kingdom (358) and the United States of America (84,819). For more information see: <https://www.unhcr.org/news/latest/2015/11/564dded46/resettlement-bhutanese-refugees-surpasses-100000-mark.html>, [accessed 23 July 2021].

¹¹⁹ See UNHCR resettlement data portal, https://rsq.unhcr.org/#_ga=2.157872883.833001664.1627286803-1803348376.1585639226. Accessed 27th July, 2021.

in stabilizing an otherwise volatile region and maintaining asylum space. The resettlement of Bhutanese from Nepal was critical in concluding a long-standing refugee situation and minimizing the risk of further refugee outflows from the region.

*“Syria is the biggest humanitarian and refugee crisis of our time, a continuing cause of suffering for millions which should be garnering a groundswell of support around the world... A tragedy of this scale demands solidarity beyond funding. Put simply, we need more countries to share the load by taking a greater share of refugees from what has become the biggest displacement crisis of a generation.”*¹²⁰

The situation in Syria¹²¹ and the movement of refugees and migrants to Europe in 2016 prompted a number of States, particularly in Europe, to establish new resettlement programmes (the number of States providing resettlement places increased from 24 in 2010 to a high of 35 in 2016 and 2017).¹²² Many were encouraged to do so by a series of initiatives led by the European Union.¹²³ Other States, including Argentina and Brazil, made new commitments to the resettlement of Syrians in the context of the Leaders’ Summit on Refugees, which was convened in New York in 2016. A number of States with existing programmes also increased the number of places offered, including France, Sweden, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.¹²⁴ As a result, resettlement departures reached a 20-year high in 2016 with close to 173,000 refugees able to depart (of which 126,300 refugees referred by UNHCR).¹²⁵

The EU has continued to show a growing interest in – and capacity to provide - this key protection tool. The EU has increasingly viewed resettlement as an important intervention to prevent dangerous movements over the Mediterranean Sea towards Europe, from primarily the Middle East and North Africa. The increased emphasis on resettlement by the European Commission, together with financial incentives made available through the Asylum, Migration and Integration Fund (AMIF) in 2015, has led both to increases in existing resettlement programs and to new programs or initiatives being launched by EU Member States.

¹²⁰ Filippo Grandi, UN High Commissioner for Refugees 15 March 2016, available at <https://www.unhcr.org/news/press/2016/3/56e6e3249/syria-conflict-5-years-biggest-refugee-displacement-crisis-time-demands.html>, [accessed 23 July 2021].

¹²¹ By 2013, the High Commissioner called on States to provide resettlement or other forms of admission for up to 30,000 Syrian refugees. In response, 23 States, the European Union, IOM, and UNHCR joined together as a Core Group, chaired by Sweden, to further coordinate efforts and mobilise support for additional pledges toward this goal. These 30,000 places represented only the first benchmark in achieving solutions for Syrian refugees, by 2014 UNHCR called upon States to make multi-annual commitments towards an additional 100,000 places for Syrian refugees by 2016. See: High-Level Segment on Solidarity and Burden-sharing with Countries Hosting Syrian Refugees, held in October 2013.

¹²² This figure has fluctuated over time ranging from a low of 19 in 2004 to a peak of 34 in 2017.

¹²³ Programmes of Member States of the European Union (EU) have traditionally provided about (or below) 10 percent of the globally available places. In 2015, the Council of the European Union and the European Commission agreed to set up an EU-wide resettlement scheme, aiming to encourage Member States to admit a total of 20,000 persons over a two-year period. 50,000 million euros were made available for Member States through the Asylum, Migration and Integration Fund (AMIF) to facilitate resettlement efforts.

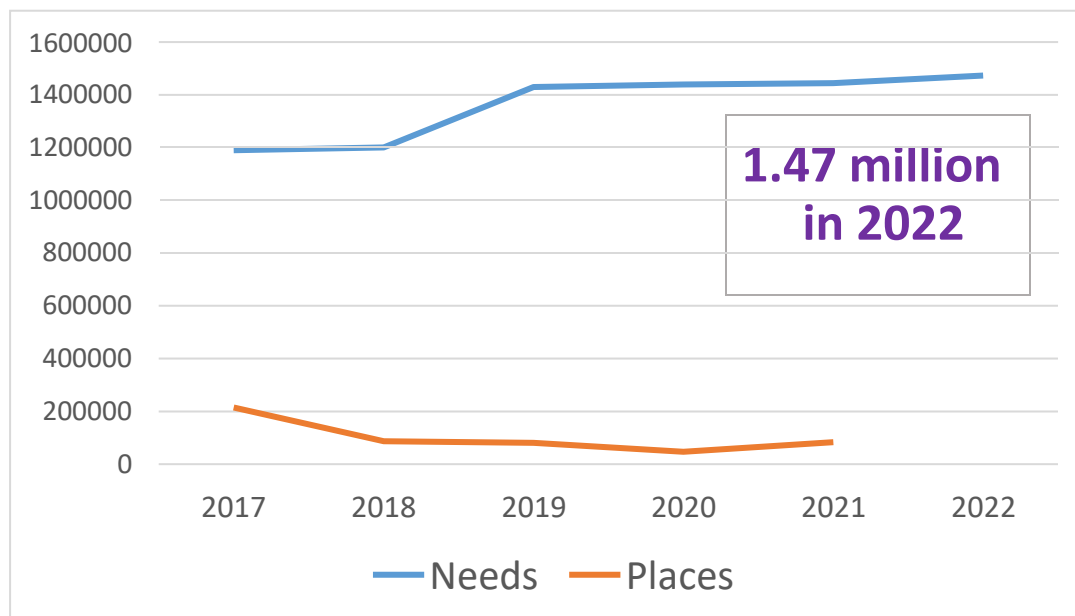
¹²⁴ The following States offered resettlement or humanitarian admission programmes in 2016: Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, Croatia, Czechia, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Italy, Ireland, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Portugal, Rep. of Korea, Romania, Spain, Sweden, Switzerland, United Kingdom, Uruguay, United States.

¹²⁵ See UNHCR resettlement data portal, https://rsq.unhcr.org/#_ga=2.157872883.833001664.1627286803-1803348376.1585639226, accessed 27th July, 2021.

Central Mediterranean Priority Situation

UNHCR continues to advocate for increased access to resettlement and complementary pathways in the 15 countries along the Central and Western Mediterranean routes to ensure a comprehensive regional protection response, reduce onward movements and avoid the creation of pull factors towards Libya and Niger. It is estimated that approximately 349,710 individuals are in need of resettlement in countries along the Central Mediterranean route in 2021, which includes 15 countries of asylum.

Despite these developments in 2016, there has been a shrinkage of the global resettlement space in real terms, and a widening gap in securing solutions. Considering the continuously growing refugee population under UNHCR's mandate, global resettlement needs continue to increase. This means rising needs but decreasing opportunities for resettlement. The main cause of this reduction is due to the fluctuations of resettlement quotas. Whereas some countries have increased their quotas, some have dramatically contracted, leaving others unable to make up the difference.



Graph: Those in need of resettlement (blue) and resettlement places (orange).

A significant impact on global resettlement numbers, however, was due to the reduction in the United States annual resettlement quota in 2017. By 2018, the total number of countries offering resettlement dropped to 29. Resettlement departures numbered 92,424 in 2018 (55,680 UNHCR-referrals) and 107,769 in 2019 (63,726 UNHCR-referrals). In 2020, UNHCR saw the lowest resettlement numbers with 34,400 (22,800 UNHCR-referrals) refugees resettled and only 25 countries accepting referrals.¹²⁶ Even though the COVID-19 pandemic has added an additional layer of complexity, the resettlement places made available by States in 2020 were significantly lower than in prior years. For 2022, projected global resettlement needs stand at 1.47 million.¹²⁷ Looking forward, resettlement places are likely to increase due to the

¹²⁶ UNHCR, 'Resettlement at a Glance (January – December 2020)' (fact sheet, 1 March 2021).

¹²⁷ UN High Commissioner for Refugees (UNHCR), UNHCR Projected Global Resettlement Needs June 2022, available at: <https://www.unhcr.org/protection/resettlement/60d320a64/projected-global-resettlement-needs-2022-pdf.html> [accessed 27 July 2021].

current United States administration's stated commitment to resettlement.¹²⁸ For fiscal year (FY) 2022, the president declared his intention to increase the admissions ceiling to 125,000 places¹²⁹ (to begin in October 2021) as well as raise the FY 2021 ceiling to 62,500.¹³⁰

4. Global Compact on Refugees and third-country solutions

*"The numbers of refugees, the levels of hatred and the threats to long-established norms and standards all remain high...At a time when the right to asylum is under assault, when so many borders and doors are being closed to refugees, when even child refugees can be divided from their families, we need to reaffirm the human rights of refugees, and the global compact on refugees gives us a blueprint."*¹³¹

In 2016, the UN General Assembly (UNGA) unanimously adopted the New York Declaration for Refugees and Migrants (New York Declaration). The New York Declaration affirms the importance of the international refugee regime and contains a wide range of commitments by Member States to strengthen and enhance mechanisms to protect people on the move. Resettlement held global attention with States committing to work towards increasing resettlement places on a scale that would match the annual needs identified by UNHCR. In its paragraphs 77-79, the State parties expressed their intention, "to expand the number and range of legal pathways available for refugees to be admitted to or resettled in third countries."¹³²

The New York Declaration envisioned the development of a Comprehensive Refugee Response Framework (CRRF),¹³³ including the commitment to develop and adopt a global compact for refugees. In the course of the two years that followed the adoption of the New York Declaration, extensive consultations were led by UNHCR with Member States, international organizations, refugees, civil society, the private sector, and experts, drawing

¹²⁸ 'Executive Order on Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration', updated 4 February 2021.

¹²⁹ White House, 'Remarks by President Biden on America's Place in the World', updated 4 February 2021.

¹³⁰ Priscilla Alvarez, 'Biden Administration to Propose Significant Increase in Refugees Admitted to US', CNN, 6 February 2021; White House, 'Statement by President Joe Biden on Refugee Admissions', updated 3 May 2021.

¹³¹ United Nations Secretary General António Guterres, Global Refugee Forum's opening session, Geneva, December 2019.

¹³² UN General Assembly, New York Declaration for Refugees and Migrants : resolution / adopted by the General Assembly, 3 October 2016, A/RES/71/1, available at: <https://www.refworld.org/docid/57ceb74a4.html> [accessed 29 July 2021].

¹³³ At the Summit for Refugees and Migrants in New York on 19 September 2016, the United Nations General Assembly unanimously adopted the "New York Declaration for Refugees and Migrants" (General Assembly Resolution 71/1, available at undocs.org/a/res/71/1.) The latter reasserted the importance of the international refugee regime and shared responsibility and set out the key elements of a Comprehensive Refugee Response Framework (CRRF) designed to ease pressures on countries hosting large numbers of refugees, to enhance refugee self-reliance, to expand access to third-country solutions, and to support conditions in countries of origin for return in safety and dignity. The key elements of a comprehensive response include: a) rapid and well supported reception and admissions; b) support for immediate and on-going needs (such as protection, health and education); c) assistance for local and national institutions and communities receiving refugees; and d) expanded opportunities for solutions. For further information on the application of the CRRF in various contexts, see <http://www.unhcr.org/crrf>. As one of the recognized durable solutions for refugees, resettlement plays an important role in the New York Declaration with United Nations Member States expressing their intention "to expand the number and range of legal pathways available for refugees to be admitted to or resettled in third countries," New York Declaration, paragraphs 77 & 78. [unhcr.org/newyorkdeclaration](https://www.unhcr.org/newyorkdeclaration). There were similar commitments in the CRRF.

lessons from the application of the CRRF. This process culminated in the Global Compact on Refugees (GCR)¹³⁴ which was affirmed by the UN General Assembly in 2018.¹³⁵

4.1 Global Compact on Refugees

The GCR promotes responsibility sharing with host countries of asylum by focusing on solutions, both in expanding opportunities to access third countries and strengthening the resilience of refugees and their host communities, particularly through greater development cooperation, and fostering the necessary conditions for refugees to return to their home countries in safety and dignity.¹³⁶ UNHCR is expected to play “a supportive and catalytic role”¹³⁷ in realising the Compact’s objectives. A central arrangement set out in the GCR is the Global Refugee Forum (GRF) where States and other actors come together every four years to share good practices and contribute with financial support, technical expertise and policy changes to help reach the goals of the GCR.

“The objectives of the global compact as a whole are to: (i) ease pressures on host countries; (ii) enhance refugee self-reliance; (iii) expand access to third country solutions; and (iv) support conditions in countries of origin for return in safety and dignity. The global compact will seek to achieve these four interlinked and interdependent objectives through the mobilization of political will, a broadened base of support, and arrangements that facilitate more equitable, sustained and predictable contributions among States and other relevant stakeholders.”¹³⁸

The expansion of third-country solutions is one of the four objectives of the GCR. The GCR calls on States to establish, or enlarge the scope, size, and quality of resettlement programmes and advocates for more States to offer resettlement.¹³⁹ It also calls for greater investment in robust reception and integration services for resettled refugees to ensure sustainability of programmes. The GCR reaffirmed the need to complement traditional resettlement with new programs aimed at broadening third-country opportunities for refugees and called on States to facilitate complementary pathways and to establish community sponsorship programmes, including programmes promoted through the Global Refugee Sponsorship Initiative (GRSI).¹⁴⁰

¹³⁴ Paragraphs 90-93, The Global Compact on Refugees, available at: https://www.unhcr.org/gcr/GCR_English.pdf

¹³⁵ It has been described as a signal of “new moral and political undertakings by the world’s governments” which reaffirms “the essence of the Universal Declaration of Human Rights”. p. 571. Jane McAdam, The Global Compacts on Refugees and Migration: A New Era for International Protection?, International Journal of Refugee Law, Volume 30, Issue 4, December 2018, Pages 571–574, <https://doi.org/10.1093/ijrl/eez004>

¹³⁶ Türk, V., 2018, The Promise and Potential of the Global Compact on Refugees, International Journal of Refugee Law, Vol 30, No 4, 575–583.

¹³⁷ Para 33, The Global Compact on Refugees, available at: https://www.unhcr.org/gcr/GCR_English.pdf

¹³⁸ Para 7, The Global Compact on Refugees, available at: https://www.unhcr.org/gcr/GCR_English.pdf

¹³⁹ Para 90, The Global Compact on Refugees, available at: https://www.unhcr.org/gcr/GCR_English.pdf

¹⁴⁰ The GCR outlines measures to support States “to establish private or community sponsorship programmes that are additional to resettlement, including community-based programmes promoted through the Global Refugee Sponsorship Initiative (GRSI)”. United Nations High Commissioner for Refugees (2018), Global Compact on Refugees, <https://www.unhcr.org/5c658aed4>. In addition, six States (Argentina, Brazil, Canada, Ireland, New Zealand and Spain) used the opportunity of the Global Refugee Forum to reaffirm their commitment to community-based sponsorship, launching the GRSI States’ network to promote this approach with other States and facilitate technical and policy exchanges in relation to its application.

This translates into more opportunities¹⁴¹ for refugees who are at heightened risk,¹⁴² as well as better access for refugees to complementary pathways¹⁴³ that provide protection and solutions. Complementary pathways may offer permanent solutions immediately or contribute to durable solutions realized progressively through the use of a series of residency permits or visas. One important feature of complementary pathways is that refugees are able to exercise control over their own solutions by accessing them independently using publicly available information and processes. By allowing refugees to access new and existing pathways autonomously, third-country solutions for refugees can be achieved on a greater scale.

The GCR mandated responsibility to UNHCR to oversee the development of a three-year strategy to broaden the base of resettlement actors, increase resettlement opportunities, and identify complementary pathways for refugees to access solutions in third countries.¹⁴⁴

4.2 Challenges to increasing third-country solutions

Despite the objective of the GCR to expand third-country solutions, resettlement and complementary pathways face considerable challenges that result in opportunities remaining profoundly inadequate.

4.2.1 Challenges to the growth of resettlement

Current mechanisms, frameworks and partnerships continue to face challenges in reaching the desired outcome of both expanding the resettlement countries base and increasing the size, scope and quality of existing programmes. Any listing of such challenges would have to include the following:

Displacement globally vs. resettlement as a solution: Despite the doubling of the global refugee population in less than 10 years, resettlement opportunities have not kept pace. Third country solutions are only possible for a small fraction of the world's refugees.

Resettlement needs vs. State policies: UNHCR is guided by a needs-based approach with a focus on priority situations (currently, the Central Mediterranean, Syria and the CRRF countries) which is dependent on State's providing large and flexible quotas. However, the decline in quotas has brought into focus the tension between UNHCR's and resettlement States' priorities as some States will only be responsive to resettlement needs when they align to their foreign policy or domestic interests.

Individual protection needs vs. restrictive State criteria: Linked to the above is another persistent tension between UNHCR's approach to identifying the most at-risk individuals and restrictive admission criteria, such as integration potential, language or educational requirements or limitations regarding medical needs, family size or unaccompanied children.

¹⁴¹ "Contributions will be sought from States, with the assistance of relevant stakeholders, to establish, or enlarge the scope, size, and quality of, resettlement programmes" paragraph 91, The Global Compact on Refugees, available at: https://www.unhcr.org/gcr/GCR_English.pdf.

¹⁴² Para 91, States are called upon, with the assistance of relevant stakeholders, "to establish, or enlarge the scope, size, and quality of, resettlement programmes." The Global Compact on Refugees, available at: https://www.unhcr.org/gcr/GCR_English.pdf

¹⁴³ They include family reunification, scholarships and education programmes, employment opportunities in third countries, sponsorship pathways (i.e., private sponsorship schemes), and humanitarian pathways (i.e., humanitarian visas to access asylum and other types of humanitarian admission programmes) that are additional to resettlement and are based on different identification methodology than resettlement.

¹⁴⁴ Para 95, The Global Compact on Refugees, available at: https://www.unhcr.org/gcr/GCR_English.pdf

This practice undermines the needs-based¹⁴⁵ approach to resettlement, creating inequalities and protection gaps, and limiting the access of refugees most at risk. The danger is that the criteria for resettlement will become too heavily focused on integration potential, to the detriment of the important protection function it serves.¹⁴⁶

Resettlement as a complement, not alternative to asylum: Some States use resettlement to respond to migration challenges, reflecting more a migration management strategy rather than a humanitarian response. Using resettlement to restrict the admission of individual asylum-seekers can undermine the right to seek asylum.

Increased pressure on resettlement and integrity risks: With resettlement needs ever increasing and opportunities decreasing, the pressure on refugees and operations will intensify. Those seeking to capitalize on vulnerable refugees will seek opportunities to do so. The integrity of the resettlement system will continue to be tested.¹⁴⁷

Funding resettlement programmes: Resettlement programmes incur high costs for States, in particular integration support.¹⁴⁸ Planning and resourcing for the reception and integration of resettled refugees is often a major challenge for newer resettlement countries, as is systems building towards establishing sustainable programmes. Programmes are commonly constrained because local actors do not have sufficient capacity and resources.

Integration: Refugees bring with them important skills and resources, as well as diversity which, when appreciated and utilised, is a distinct social, cultural and economic benefit¹⁴⁹ for the host country. The arrival of resettled refugees can trigger positive social and economic changes, transform civic culture and local institutions, and promote social cohesion, particularly when local communities are engaged in welcoming them. For example, programs put in place for resettling refugees can contribute to fostering positive attitudes towards refugees¹⁵⁰ and have flow on effects in terms of supporting asylum seekers. There are many examples of the entrepreneurial achievements¹⁵¹ of refugees, and the positive impact that they

¹⁴⁵ Speech by Erika Feller (AHC-P) at ATRC 2006, Geneva [internal]

¹⁴⁶ Feller, E., 2006, Asylum, Migration and Refugee Protection: Realities, Myths and the Promise of Things to Come, International Journal of Refugee Law, Volume 18, Issue 3-4, September/December, Pages 509–536, <https://doi.org/10.1093/ijrl/eel016>.

¹⁴⁷ An attempt to address integrity challenges has been UNHCR's Policy on Addressing Fraud Committed by Persons of Concern, 2017. This Policy replaces the 2008 Policy on Resettlement Fraud, and complements the 2013 Strategic Framework.

¹⁴⁸ See for example discussions around housing related challenges in the EU context: <https://www.resettlement.eu/news/share-network-regional-conference-housing-refugee-inclusion>.

¹⁴⁹ Evidence suggests that factors which impact upon employment outcomes strongly relate to language proficiency as well as duration in the country of resettlement, recognition of previous education and work experience and the background profile of refugees including country of origin and their gender (as well as length of time spent in a refugee camp/settlement in the country of asylum). Mousa, S., 2018, Boosting Refugee Outcomes: Evidence from Policy, Academia, and Social Innovation, available at: <http://dx.doi.org/10.2139/ssrn.3259255>, [accessed 30 July 2012]. See also <https://www2.deloitte.com/global/en/pages/about-deloitte/articles/talent-displaced.html>, [accessed 30 July 2012]. See also: UN High Commissioner for Refugees (UNHCR), The labour market integration of resettled refugees, November 2013, PDES/2013/16, available at: <https://www.refworld.org/docid/5294b1935a8.html>, [accessed 30 July 2012].

¹⁵⁰ See for example Reyes, M. and Phillimore, J. 2020. Like Pebbles in a Pool: the effect of community sponsorship on knowledge about, and attitudes to, refugees in less diverse communities, Institute for Research into Superdiversity, University of Birmingham. www.birmingham.ac.uk/widerimpactscommunitysponsorship, [accessed 30 July 2012].

¹⁵¹ See Philippe L., 2016, Refugees Work: A Humanitarian Investment that Yields Economic Dividends, http://www.opennetwork.net/wp-content/uploads/2016/05/Tent-Open-Refugees-Work_V13.pdf, [accessed 30 July 2012].

make.¹⁵² Also of note, is the role that resettled refugees may have in rebuilding countries of origin, in the context of remittances.¹⁵³

The lack of integration related policies and programmes that address the specific needs of refugees can expose them to precarious situations, accentuate inequalities in communities and impact the degree to which receiving communities endorse resettlement and complementary pathways programmes.

Negative public rhetoric: One of the biggest challenges to resettlement programmes is increasing populism, polarization around asylum, and damaging narratives on refugee issues¹⁵⁴ which cumulatively has resulted in a decline of compassion for refugees.¹⁵⁵

The potential impact of COVID-19 on resettlement programs: COVID- 19 has added public health and quite likely socio-economic dimensions to government policies which may shift humanitarian priorities domestically as countries take stock of more immediate national concerns. Funding and support for refugee programs, including resettlement, may be affected. Moreover, States may consider suspending or reducing resettlement to some degree for political, public health, and/or economic reasons, possibly further reducing resettlement spaces.

4.2.2 Challenges for advancement of complementary pathways

Although there have been efforts to increase opportunities for complementary pathways for refugees, their potential to offer solutions on the scale today's context demands has not been fully realised. Challenges include:

Access for refugees: Systems to facilitate refugee access to complementary pathways are less developed than those that support resettlement. Refugees face a multitude of legal,

¹⁵² See for example: Kerwin, D., 2018. The US refugee resettlement program—A return to first principles: How refugees help to define, strengthen, and revitalize the United States. *Journal on Migration and Human Security*, 6(3), pp.205-225; Hagstrom, P., 2000. The fiscal impact of refugee resettlement in the Mohawk Valley. Clinton, NY: Hamilton College.

¹⁵³ See for example: Johnson, P. and Stoll, K., 2013. Impact of remittances on refugees' lives in Canada: Views of Sudanese and Vietnamese leaders and settlement counsellors. *Refuge: Canada's Journal on Refugees*, 29(1), pp.53-64; Njuki, P., 2009. Longitudinal study of newly arrived migrants. A joint study of the Migrant Resource Centre of South Australia and Adelaide University; O'Dwyer, M., 2011. Participation and employment: A survey of newly arrived migrants and refugees in Melbourne. Research and Policy Unit, AMES; Jacobsen, K., 2005. The economic life of refugees. Kumarian Press.

¹⁵⁴ UN High Commissioner for Refugees (UNHCR), The Three-Year (2019-2021) Strategy on Resettlement and Complementary Pathways (2019)

¹⁵⁵ Moreover, a certain "profile" of refugee is preferred. For example, research in Europe found that refugees who have personally experienced a high degree of suffering from persecution, war and tragedy or who are considered particularly vulnerable are more accepted by the public. Religion also plays a significant role in the "desirability" of refugees, with those refugees of Muslim faith being the least acceptable, even where otherwise their characteristics are identical to a Christian. Resettled refugees are said to be favoured over others with spontaneously arriving asylum-seekers being erroneously labelled "queue jumpers." Esses, V. M., Hamilton, L. K., & Gaucher, D. (2017). The global refugee crisis: Empirical evidence and policy implications for improving public attitudes and facilitating refugee resettlement. *Social Issues and Policy Review*, 11(1), 78-123. Research on the public opinion of Europeans towards refugees found that a profile that was most likely to win public approval (85%) would be: Teacher, Victim of torture, Christian, Speaks host country language, Female. The most likely profile to be rejected (25% approval): Farmer, No language, Muslim, Major inconsistency in asylum testimony, and of Retirement Age. For more information see : <https://immigrationlab.org/project/decoding-european-attitudes-toward-refugees/>. See also: Hyndman, J., Payne, W., & Jimenez, S. 2017. Private refugee sponsorship in Canada. *Forced International Migration and Integration*, 4(2), 237–256; Humpage, L., 2001, Systemic racism: Refugee, resettlement, and education policy in New Zealand." *Refuge: Canada's Journal on Refugees*: 33-44.

administrative and practical obstacles in accessing complementary pathways, including eligibility criteria, financial and documentary requirements, as well as challenges accessing embassies, obtaining exit permits or finding information.

Capacity and coordination: The expansion of complementary pathways is hindered by the absence of commonly applied operational guidance and limited coordination between the key stakeholders across sectors from global to local levels. Despite recent progress in developing complementary pathways, the absence of dedicated coordination structures to promote, support, and build capacity for complementary pathways, similar to those existing for resettlement, remains a key gap.

5. Future directions: the Three-Year Strategy

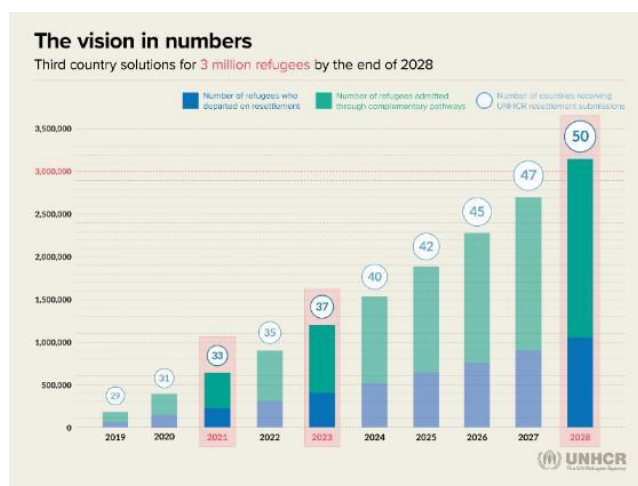
Charged by the GCR, the Three-Year Strategy (2019-2021) on Resettlement and Complementary Pathways (hereinafter referred to as the Strategy)¹⁵⁶ was developed by UNHCR in collaboration with over 90 stakeholders who play different roles in developing and delivering resettlement and complementary pathways.¹⁵⁷ The Strategy is underpinned by the partnership-focused and whole-of-society approach as called for in the GCR. This approach informed the consultative process undertaken to develop the Strategy. These included consultations with States, national and international non-governmental organizations (NGOs), refugees,¹⁵⁸ civil society organizations (CSOs), private sector, academia, faith-based organizations, and other UN agencies. The Strategy has three overarching goals, to:

1. *Grow resettlement* by increasing the number of places in existing programmes, increasing the number of countries undertaking resettlement but also an increase in the protection impact, efficiency and sustainability of programmes.

2. *Advance complementary pathways* in order to ease pressure on host countries and enhance refugees' self-reliance by building their capacities to attain a durable solution.

3. *Build the foundation* through the promotion of welcoming and inclusive societies to promote solidarity, diversity and openness which is essential for resettlement and complementary pathways to grow sustainably.

Despite its name, the Strategy's vision is for three million refugees to access a third-country solution over a *ten-year time frame* by: Resettling *one million* refugees in fifty countries through the establishment of new



¹⁵⁶ UN High Commissioner for Refugees (UNHCR), The Three-Year (2019-2021) Strategy on Resettlement and Complementary Pathways (2019)

¹⁵⁷ The 90 stakeholders that participated in the articulation of the Strategy included representatives from resettlement and other States, international non-governmental organizations (NGOs), refugees, civil society organizations (CSOs), private sector, academia, faith-based organizations, and other UN agencies.

¹⁵⁸ Refugee Advisory Group (UK) and Global Youth Advisory Council, as well as refugee-led initiatives.

resettlement programmes and the expansion of existing ones; Developing protection-sensitive complementary pathways that are utilised by *two million* refugees; and Supporting initiatives to promote *welcoming and inclusive societies*, and refugee integration.

The GRF in 2019 was a first opportunity to galvanize support for the Strategy through commitments from all stakeholders. A total of 78 pledges¹⁵⁹ were received towards resettlement and complementary pathways made by governments, non-governmental organizations (NGOs) and the private sector in support of resettlement and complementary pathways. There were some notable pledges made, such as the EU announcement to provide financial and other supports for the resettlement of over 30,000 resettlement places in 2020. Other commitments included the establishment of community sponsorship programmes to support the integration of resettled refugees.



Refugees are already accessing autonomously complementary pathways, but with growing openness on the part of States, UNHCR and other partners have an opportunity to support their increased use.

While still evolving, support can lift barriers, facilitate connections, develop systems, improve protection standards, and monitor processes and outcomes so as to ensure protection and help to grow viable outcomes. Therefore, two notable pledges included legal aid for family reunification and other complementary pathways and the establishment of scholarship programmes.

The Strategy's enabling actions attempt to address current challenges to the growth and sustainability of resettlement programmes and expansion of complementary pathways by building on the strong body of policy and practice that already exists. The achievement of these actions will require the commitment, expertise and resources of a large variety of stakeholders (both old and new) as well as public support. The Strategy promotes collective action, cross sector collaboration, and models that enable inclusive participation and innovative multi-stakeholder partnerships. This will require the actions of States and a wide range of stakeholders (including IOM, civil society organizations,¹⁶⁰ community groups, faith-based organizations, academia, individuals and the private sector). Refugees are also

¹⁵⁹ As of 1 May 2020, a total of 190 pledges had been submitted under the Solutions area of focus of the GRF. Of these, 78 contain commitments related to Resettlement and Complementary Pathways. Most of the Resettlement and Complementary Pathways pledges under the Solutions category were submitted by States and NGOs at the global level, in Europe and the Americas. An analysis of the Solutions pledges vis-à-vis the Goals of the Three-Year Strategy (2019-2021) on Resettlement and Complementary Pathways indicates that most of the commitments relate to resettlement programmes. For more information, see: <https://globalcompactrefugees.org/article/three-year-strategy-and-crisp>.

¹⁶⁰ As pertains to CSOs, the GCR states, "civil society organizations, including those that are led by refugees, women, youth or persons with disabilities, and those operating at the local and national levels, will contribute to assessing community strengths and needs, inclusive and accessible planning and programme implementation, and capacity development, as applicable." Para 40.

partners in this process.¹⁶¹ Over the last twenty years, non-traditional actors have become engaged on issues pertaining to refugees which has in turn, resulted in new opportunities for international solidarity and responsibility sharing, such as universities, private sector actors, etc.

UNHCR has engaged all key partners to develop a Global Action Plan,¹⁶² to define priorities and sequencing of implementation steps¹⁶³ up to 2021 and beyond. In practice this means adopting a collaborative and partnership-focused approach towards translating the ambitions and goals of the Strategy into concrete actions. These actions will entail sustained advocacy to hopefully achieve greater political support and leadership but also engage new advocates for resettlement and complementary pathways. Through applying consistent evidence-based key messages relating to the positive contributions that refugees make can counter public concerns and support positive public attitudes towards refugee issues.¹⁶⁴

Strengthening the capabilities of communities and individuals, institutions and infrastructure is critical to the success of the Strategy. Hence, capacity building is a key strategic approach in the Strategy's implementation and through customized tools, secondments, peer-to-peer initiatives and innovation, capacity building initiatives can establish and/or strengthen systems and governance, and equip stakeholders to initiate and grow programmes. For its part, in 2020 UNHCR launched together with IOM the Sustainable Resettlement and Complementary Pathways Initiative (CRISP)¹⁶⁵ to provide capacity and systems building of States with programmes in varying forms of development – new, emerging, and established.

Community sponsorship programmes are showing potential for growth and there is emerging evidence to suggest that they positively support integration outcomes.¹⁶⁶ It has been

¹⁶¹ The GCR recognizes that “responses are most effective when they actively and meaningfully engage those they are intended to protect and assist”, and called upon relevant actors to “develop and support consultative processes that enable refugees and host community members to assist in designing appropriate, accessible and inclusive responses.” Para 34.

¹⁶² The Global Action Plan concretized a list of 104 activities by 21 partners in early 2020: it can be accessed here: <https://globalcompactrefugees.org/article/three-year-strategy-and-crisp>.

¹⁶³ An Interim Report issued in December 2020 updated the Action Plan and summarized accomplishments and challenges up to October 2020, approximately the mid-point of the Strategy. Important points include: Resettlement targets being met in 2019, but not in 2020 and unlikely in 2021, but positive trends for 2022; No increase to date in the number of resettlement countries; Implementation of the Sustainable Resettlement and Complementary Pathways Initiative (CRISP) in 2019; Launch of additional community sponsorship programs in Spain and Belgium, EU dedicated funding; Creation of the Refugee Advisory Group within the ATRC structure to ensure systematic input by those with lived refugee experience; Completion of global mapping study on resettlement and complementary pathways opportunities, and a meta-research study on the outcomes and impacts of resettlement. The report can be accessed here: <https://globalcompactrefugees.org/article/three-year-strategy-and-crisp>.

¹⁶⁴ See for example, <https://www.unhcr.ca/wp-content/uploads/2019/11/Are-Refugees-Good-for-Canada-A-Look-at-Canadian-Refugee-Integration-November-2019.pdf>

¹⁶⁵ The CRISP was a direct outcome and recommendation by stakeholders resulting from the Strategy consultation process, which recognised a need to establish a multi-stakeholder, global mechanism for capacity building, and is a reflection of buy-in from key actors. The CRISP aims to support States and key stakeholders to grow resettlement programmes and advance complementary pathways to achieve quality, scalable and sustainable programmes. See <https://resettle.org/> and <https://globalcompactrefugees.org/article/three-year-strategy-and-crisp>.

¹⁶⁶ Alraie, M., Collins, H. and Rigon, A. 2018. A comparison of community sponsorship and government-led resettlement of refugees in the UK: Perspectives from newcomers and host communities. London: University College London; Kaida, Lisa & Hou, Feng. 2019. The long-term economic integration of resettled refugees in Canada: a comparison of Privately Sponsored Refugees and Government-Assisted Refugees. Journal of Ethnic and Migration Studies; Reyes, M. and Phillimore, J. 2020. Like Pebbles in a Pool: the effect of community sponsorship on knowledge about, and attitudes to, refugees in less diverse communities, Institute for Research into Superdiversity, University of Birmingham; Phillimore, J. and Reyes, M., 2019. Community Sponsorship in the UK:

increasingly recognised that models which engage community members in welcoming newcomers can have a transformative impact on communities through promoting social cohesion and creating more welcoming societies.¹⁶⁷ Sponsorship models are evolving on the one hand as a complementary admission pathway in which private entities or organizations (nomination sponsors) identify, support, provide financial and logistical support for the relocation and integration of refugees - known as private (or nominated) sponsorship pathways. On the other hand are community sponsorship programmes used as a tool to support reception and integration of resettled refugees - known as sponsored resettlement. Community sponsorship programmes are not without criticism¹⁶⁸ and it is essential that as community sponsorship grows, it does so in a way that complements resettlement, additional to government quotas so that overall opportunities for refugees increase.¹⁶⁹ As part of its engagement in the GRSI, UNHCR has been advocating for the promotion and establishment of community sponsorship programmes as a tool for reception and integration of resettled refugees (or sponsored resettlement). This model ensures that programmes remain protection-centred by targeting those refugees who are most in need of resettlement. A number of countries have already been implementing such programmes (Canada through its blended programme, Argentina, United Kingdom, Ireland, Germany, Spain).¹⁷⁰

The Strategy also prioritizes innovations that have the greatest potential to serve its vision and goals. UNHCR has been working with resettlement partners to promote the use of innovative technologies, including the use of biometrics, as additional safeguards to strengthen the integrity of the resettlement process. Other partners are looking into the feasibility of innovative finance models to cover some of the costs of resettlement¹⁷¹ as well as a computerized matching algorithm to place refugees in geographic locations where they are likely to have positive integration outcomes.¹⁷² For complementary pathways, UNHCR has commissioned a study to investigate the creation of a cross-border loan solution in which refugees could take out a loan in the originating country and repay it in the destination country.¹⁷³

from application to integration, Formative evaluation Interim Report. Institute for Research into Superdiversity, University of Birmingham, available at: <https://www.birmingham.ac.uk/research/superdiversityinstitute/community-sponsorship-evaluation/index.asp>

¹⁶⁷ See: Soto, M.R. and Phillimore, J., 2020. Like pebbles in a pool: the effect of community sponsorship on knowledge about, and attitudes to, refugees in less-diverse communities; Economics, D.A. and Australia, A.M.E.S., 2015. Small towns big returns: economic and social impact of the Karen resettlement in Nhill, available at: <https://www2.deloitte.com/content/dam/Deloitte/au/Documents/Economics/deloitte-au-economics-small-towns-big-returns-nhill-resettlement-270415.pdf>, [accessed 30 July 2021]; UN High Commissioner for Refugees (UNHCR), 2021. *The Impact of Government-Sponsored Refugee Resettlement: A Meta Study of Findings from Six Countries*, available at: <https://www.unhcr.org/603e5d344>, [accessed 30 July 2021].

¹⁶⁸ See: Labman, S., 2016. Private Sponsorship: Complementary or Conflicting Interests?. *Refuge: Canada's Journal on Refugees*, 32(2), 67-80.; Lenard, P., 2016. Resettling refugees: is private sponsorship a just way forward?, *Journal of Global Ethics*, 12:3, 300-310.

¹⁶⁹ Hirsch, A., Hoang, K. & Vogl, A. 2019., *Australia's Private Refugee Sponsorship Program: Creating Complementary Pathways Or Privatising Humanitarianism?* *Refuge*, 35 (2), 109–122.

¹⁷⁰ See <http://refugeesponsorship.org/> and <https://www.gov.uk/government/publications/community-sponsorship-how-you-can-make-it-happen> and <https://www.neustartimteam.de/>.

¹⁷¹ See for example: Centre for Global Development, *Using Innovative Finance to Increase Refugee Resettlement*, 2020. Available at: <https://www.cgdev.org/publication/using-innovative-finance-increase-refugee-resettlement> and <https://www.cgdev.org/working-group/innovative-finance-resettlement-working-group> [accessed 30 July 2021].

¹⁷² See: Acharya, A., Bansak, K. and Hainmueller, J., 2019. Matching refugees to host country locations based on preferences and outcomes. University of California, IPL Working Paper Series, No. 19-03; IPL, *Harnessing Big Data to Improve Refugee Resettlement*, available at: <https://immigrationlab.org/project/harnessing-big-data-to-improve-refugee-resettlement/>. [accessed 30 July 2021].

¹⁷³ The results of this study will be available in 2022. It is funded by the Government of Norway through its Innovation Norway funding stream. See: <https://www.visitnorway.com/info/about-innovation-norway/>.

5.2 Concluding remarks

Seventy years ago, the United Nations General Assembly mandated UNHCR with the task “of seeking permanent solutions for the problem of refugees.” The use of the various durable solutions – voluntary repatriation, local integration, resettlement – over the past decades shows that views about which solution is preferable or in some cases realistic can vary greatly, depending on the most appropriate durable solution for a refugee population or for groups and individuals within it.¹⁷⁴ The scale, use, focus and significance of resettlement has fluctuated greatly since the international refugee protection regime was formed. These changes have been influenced by a variety of factors related to shifts in the global political landscape, adaptation and responsiveness to emerging refugee situations, global advocacy efforts, and factors internal to UNHCR.

Resettlement has come a long way and has once again been reaffirmed by the GCR as a tool of international protection, as a durable solution, and also as an expression of international solidarity and responsibility-sharing.¹⁷⁵ While the resettlement landscape has witnessed important progress during the last few years, resettlement needs continue to far outweigh opportunities: resettlement places for 2020 represent only 35% of the places made available in 2016.

In the current global context, with conflict preventing refugees from safely returning home and the emergence of a global pandemic further threatening the precarious situation of refugees around the world, the need for more resettlement opportunities is more urgent than ever. The engagement of States in resettlement is determined by foreign policy and domestic interests, yet the recent rise of populism and negative rhetoric on migration and asylum has unfortunately spilled over into some resettlement policy decisions. Even though the COVID-19 pandemic has added an additional layer of complexity, resettlement places made available by States in 2020 were significantly lower than in prior years.

Moving forward, the priority for UNHCR will be to build on the momentum generated through the GCR and Strategy towards achieving its goals: more refugees resettled; more refugees with access to complementary pathways; improved quality of reception and integration programmes; and greater public and political support for third-country solutions as concrete contributions towards enhancing global solidarity with refugees and host countries.¹⁷⁶ The commitments made by States and relevant actors at the GRF will need to be translated into concrete outcomes for the future. What is needed now is to put collective resources and capacities to their most effective use. Third-country solutions can only be achieved through partnership and collaboration and will require the actions of States and a wide range of stakeholders.

Over the last twenty years, new actors have become engaged on issues pertaining to refugees which has in turn, resulted in new opportunities for international solidarity and responsibility sharing. Therefore, UNHCR will continue to work closely with States and key partners to

¹⁷⁴ Neither the Statute of UNHCR nor any other international instrument relating to refugees indicates that durable solutions have an inherent hierarchy. See also Feller, E. 2001. International refugee protection 50 years on: The protection challenges of the past, present and future. *International Review of the Red Cross*, 83(843), 581-606.

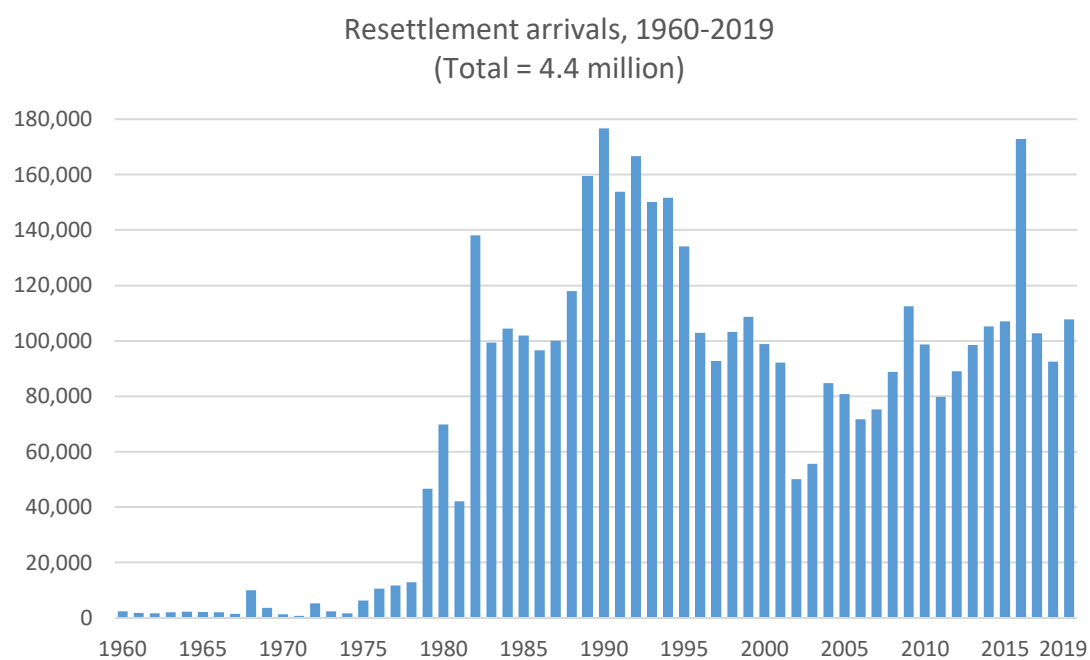
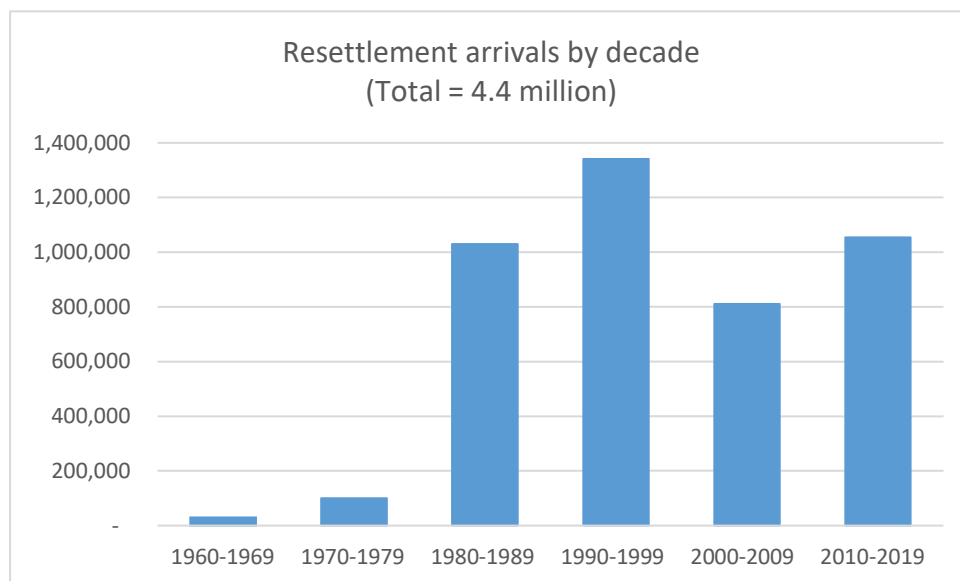
¹⁷⁵ Para. 90, The Global Compact on Refugees, available at: https://www.unhcr.org/gcr/GCR_English.pdf. [accessed 30 July 2021].

¹⁷⁶ UN High Commissioner for Refugees (UNHCR), Standing Committee 78th Meeting, Update on Resettlement and Complementary Pathways, EC/71/SC/CRP.10.

realize the full potential of third-country solutions. Whether these efforts yield results will depend upon the engagement of all actors, collective action and international coordination in the years to come.

Resettlement fluctuations will inevitably continue. In times when quotas are plentiful, resettlement's full impact is realised. When quotas decrease, the challenge for UNHCR is to prioritise amongst refugees most at heightened protection risk while continuing to advocate with States for resettlement quotas that allow for an effective and fair distribution of resettlement places globally.

Annex 1: Resettlement arrivals by decade (1960-2019)¹⁷⁷



¹⁷⁷ These statistics include all resettlement arrivals (including of non-UNHCR referred cases). For more information on UNHCR statistics, see <https://www.unhcr.org/refugee-statistics/methodology/>. For statistics on UNHCR-referred refugees, see <https://www.unhcr.org/resettlement-data.html>.