

Central Region
Refugee Quota Division
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**Background Note for the Agenda Item:
STRATEGIC USE OF RESETTLEMENT:
Developments in the Relationship Between Resettlement and Asylum**

**THE COLOMBIA PROJECT – A LIFE-SAVING ALTERNATIVE TO
RESETTLEMENT FAR FROM THE HOME COUNTRY**

Introduction

The Swedish government allocates funds for resettlement of refugees prior to the commencement of each new financial year. In allocating these funds, the government has instructed that a certain portion may be used for purposes other than resettlement in Sweden, e.g. for protection of individuals in the vicinity of areas of conflict.

Over the last few years, three such alternative initiatives have been taken:

- Contributions to the UNHCR Trust Fund for enhancing resettlement activities.
- Contributions towards medical programmes in Bosnia/Herzegovina, Kosovo and Sweden, the Swedish Medical Project.
- Contributions towards intra-regional protection for threatened Colombian citizens, the Swedish Colombia Project.

The Colombia Project – background

In conjunction with a fact-finding journey to Colombia in 1998, the Swedish delegation met representatives of various humanitarian organisations, the Colombian government and the Swedish embassy in order to gather information on the ongoing guerrilla war and threats towards human rights representatives, politicians, trade union leaders, etc.

The general opinion both of the authorities and those involved was that certain individuals did occasionally require protection but that such protection should be provided close to their native country. This would allow the individual concerned to enjoy a sense of security while still being able to keep closely in touch with friends and relatives in their country of origin. This proximity principle would also enable the individual to avoid having to change his or her linguistic and cultural environment. In addition,

proximity to the home country would make it easier for the individual to return home with a view to continuing efforts towards democracy and the promotion of human rights.

The pilot project

In 1998, the Migration Board proposed that the government earmark the equivalent of 20 quota places for inclusion in a project aiming to finance a 12-month stay abroad for a number of Colombian citizens who were unable to obtain protection by other means. This project was seen not as an alternative but rather as a complement to resettlement.

The government approved the proposal.

The Swedish Embassy recommended that the Board implement the project in cooperation with Pastoral Social, a Catholic organisation that would serve as the Board's partner in Colombia. Other players were the IOM, the ICRC and the Embassy in Bogotá, which undertook to coordinate the project on behalf of the Board. Owing to its mandate, which prohibits it from working with refugees in their home countries, the UNHCR was unable to participate.

An agreement was duly drawn up and the first individuals were given protection in host nations in the region in 1999. Since then, 36 people have received protection within the framework of the project.

In 2001, following a proposal by the Migration Board, the government decided that the Colombia Project was to be extended. Funds corresponding to 20 quota places were set aside for the purpose. In addition, the government decided that a new international principal would successively take over responsibility for the project and that the Swedish International Development Authority would take charge of financing.

Concept

Although the project is primarily conceived as offering protection to people in acute situations, there are also several other important aspects of the concept:

- Countries in Latin America can be actively afforded opportunities for showing their solidarity with people working for peace and democracy in Colombia.
- The host nations, by involving themselves in refugee issues, can gain insights into the asylum and resettlement process.
- The regional UNHCR representatives can be assisted in their work of stimulating awareness in the countries concerned of the importance of functioning immigration and asylum laws and can be given

opportunities for recruiting new resettlement countries.

- The Migration Board, through the project, can cooperate in the work of the UNHCR by providing the host nations with migration support and other forms of capacity building within the field of official migration policies.
- The proximity principle can prevent a “brain drain” from countries having a strong need of people willing to fight for democracy and human rights.

Evaluation

With a view to obtaining a more concrete understanding of the project, a delegation from the Migration Board undertook a journey to Colombia and Chile (host nation) in February 2002. In talks with representatives of public authorities, institutions and MR organisations, the following were some of the points that emerged:

- The project is a life-saver and is fully justified both today and for the foreseeable future. Other countries should initiate similar projects or be encouraged to take part in the Swedish Colombia Project.
- The project needs clarifying, and areas of responsibility should be more clearly defined through agreements including the relevant organisations and public authorities of the countries concerned.
- Several Latin American countries have expressed interest in participating in the project as host nations, e.g. Chile, Uruguay, Brazil, Costa Rica and Mexico.
- The broad approach of the Colombia Project is an excellent example of how an individual nation can participate in the processes of migration policies in countries where direct guidance is otherwise remote. Another strong point of this approach is that it can be adapted without difficulty to afford protection for persons under threat in other regions and countries.
- One result of the project so far is that a number of those who have taken part have returned to continue their work in the struggle for democracy and human rights.

Questions

- The UNHCR has long been opposed to the use of resettlement areas for purposes other than traditional resettlement “as a durable solution”. This also applies to the Colombia Project. Are these objections relevant?

- Other resettlement countries, both old and new, have expressed interest in the project. How can we move ahead together so as to continue developing the project in terms of both volume and quality?
- How can the traditional resettlement countries encourage and support new resettlement countries that may be prepared to shoulder part of the responsibility in the future, cf. the ICRIRR and the Reception and Integration Initiative?

The Swedish Colombia Project

Objective: To allow Colombian human rights leaders/activists and others to find safety in a Latin American country, rather than extra-regionally. An extra-regional move would much more likely turn out to become permanent, thereby depriving Colombia of critical human rights actors in a protracted conflict. The project is also conceived as preparing the ground for countries in Latin America to demonstrate their active support of democratic powers in Colombia, as providing the host nations with insights into the asylum and resettlement process, as assisting the UNHCR in its work of setting up functional immigration and asylum legislation in the region, and as stimulating other countries to take part in resettlement work.

Assumption: During the period abroad, things are expected to “cool off” and, thereafter, the human rights leader or activist can supposedly return to Colombia and resume his or her former activities, or at least lead a “normal” life. If the individual is unable to return to Colombia within 12 months, he or she should opt for asylum in the host nation. Only if this is impossible can the UNHCR consider resettlement in a third country.

Period of project: The project was started in 1999, and the first period concluded with the follow-up journey to Colombia and Chile in February, 2002. The second period will run throughout 2002 and will be continued for as long as funds last. It will then be decided whether the project should be extended and, if so, under whose control.

Partners: The Swedish Embassy in Bogotá is the Board’s coordinating partner in Colombia, while the Pastoral Social is the organisation responsible for the project in terms of selection and finances. The IOM and ICRC are also members of the project. The UNHCR is kept informed about the development of the project as regards the work being carried out in Colombia. In the host nations, the UNHCR is more regularly involved in the work by virtue of its mandate, e.g. as regards repatriation.

Form of agreement: The basic agreement on the project was drawn up between the Migration Board and the Pastoral Social (the Embassy acts on behalf of the Board). No other agreements or contracts have been drawn up, e.g. between Sweden and the host nations involved. Instead, the Board prefers the Pastoral Social to regulate matters of responsibility, status, finances, etc., between itself and the receiving organisation/ authority in the host nation involved.

Beneficiaries: Human rights leaders, politicians, journalists, trade union leaders, etc., with a documented record of activity, whose safety is under immediate threat and who cannot remain in Colombia as the Colombian authorities are unable to provide adequate security guarantees.

Selection: Individuals are normally selected as candidates for participation in the project by MR organisations or by the relevant Colombian authorities. The Pastoral Social makes sure that the individual is not actively involved in the civil war, that no protection is available internally, and that the candidate approves and understands the temporary nature of the project. The Pastoral Social decides whether the individual should be included in the project and then notifies the Embassy.

The choice of host nations is made in consultation between the Embassy, the Pastoral Social and the Migration Board.

Transport and reception: The Pastoral Social selects a suitable host nation for the individual, prepares for reception through the relevant organisation and public authority in the host country, and issues travel documents and entry permits via the appropriate embassy.

Status: The status of the individual is determined by the host nation. The project strives to ensure that the individual will be covered by the host nation's asylum criteria and will thereby enjoy all the protection and social services that such status will confer. If the host nation can only issue a visitor's visa, the project will defray expenses for accommodation and any social services that may be needed during the visit (see under Finances below).

Finances: The project is at present budgeted at approx. USD 260,000. The project covers travel and the cost of all upkeep for which the host nation is not responsible for a maximum of 12 months. The Pastoral Social organises monthly payments via the organisation/authority responsible for the individual's stay in the host nation. The Pastoral Social's own administrative costs are normally not reimbursed.