



Saving lives and rescuing futures: recommendations for a humanitarian and sustainable Union Resettlement Framework

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The IRC has long advocated for an EU-wide refugee resettlement scheme. Resettlement, when based on humanitarian principles and accompanied by adequate integration efforts, is a vital tool for international protection, a durable solution for the most vulnerable refugees, and an expression of international solidarity with those regions hosting the majority of the world's refugees. **We therefore welcome the proposal to establish a Union Resettlement Framework, which we regard as a major opportunity to introduce structured refugee resettlement in Europe.** If designed in the right way, the Framework provides the EU with a unique opportunity to save lives and rescue futures.

However, **we are concerned to ensure that the proposal does not depart from resettlement principles, long-established by UNHCR and other humanitarian actors, in favour of migration management and foreign policy objectives.** It is essential that any Union Resettlement Framework retains the primarily humanitarian nature of resettlement and does not reduce resettlement to a political bargaining chip. Recognising the early stage of negotiations, and that important details will later be determined in annual plans and targeted schemes, we believe that now is the time to get the fundamental principles underpinning any Union Resettlement Framework right. Only in this way will EU-wide resettlement efforts contribute to solving the refugee crisis, as well as to turning this crisis into a long-term opportunity, for refugees and for Europe.

The IRC currently provides urgent humanitarian assistance in high refugee-producing countries including Afghanistan, Iraq and Syria, and in countries currently hosting high numbers of refugees including Greece, Jordan, Lebanon and Turkey. The IRC also has extensive operational experience of, and policy expertise on, resettlement. As both a leading international humanitarian aid organisation and a resettlement agency, we therefore urge the EU to rethink the Union Resettlement Framework, incorporating the following principles:

- 1. Resettlement must remain a protection tool and a durable solution for the most vulnerable refugees, and must not displace other safe and legal routes to protection.** Resettlement must be based on need, not the EU's relationship with host countries. It cannot replace spontaneous arrivals, and should not be used for refugees entitled to protection through existing legal routes, including family reunification.
- 2. The EU, as a wealthy region and established humanitarian actor, must resettle more refugees. All Member States should take responsibility for resettling proportionate numbers.** The Framework should be used to encourage Member States to resettle more refugees, and should not impose a ceiling on resettlement numbers. Consideration should be given to establishing a distribution key.
- 3. The Framework must not impose arbitrary and disproportionate grounds for excluding otherwise eligible refugees from resettlement.** Member States should remain free to pursue resettlement outside of the Framework, and refusal by one Member State to resettle a refugee should not preclude others from considering an application for resettlement.
- 4. Experienced humanitarian actors must be given a voice in designing annual EU resettlement schemes, determining appropriate numbers. The European Parliament must be able to monitor Member States' commitments.** UNHCR, IOM and civil society should be guaranteed a seat on the high-level resettlement committee. Annual plans should be decided through delegated, not implementing, acts.
- 5. The Framework should promote resettlement as a durable solution, with a focus on the long-term integration of resettled refugees.** Resettled refugees should receive permanent residence status, and pre-departure cultural orientation as well as post-arrival integration measures should be mandatory conditions for any EU scheme.

We call on to MEPs to demand:

- An overall increase in resettlement numbers, the removal of any provisions that may impose ceilings rather than minimum numbers, and the replacement of “maximum numbers” in Article 7(2)(a) with “target figures”
- The development of a distribution key to ensure equitable distribution of resettled refugees across the EU
- A reassertion in Article 3 of resettlement as a durable solution for the most vulnerable refugees, and the deletion of Article 4(d) which reduces resettlement to a political bargaining chip given in exchange for border securitisation and the facilitation of returns
- The removal of provisions that risk undermining long-established resettlement schemes, including the five year exclusion of certain refugees in Article 6(d) and (f), and Recital 31 which refers to “jeopardising” the EU Framework
- A clear statement that resettlement cannot be viewed as replacing spontaneous arrivals, the amendment of Article 5(b)(ii) which establishes family reunification as a general eligibility criteria, and the clarification of the “social-economic vulnerability” criteria referred to in Article 5(b)(i)
- An amendment to Article 13 guaranteeing the permanent representation of UNHCR, IOM and civil society on the high-level resettlement committee, and the ability of the European Parliament to scrutinise and monitor Member States’ commitments
- The provision of permanent residency to refugees resettled under the Framework, and the removal of the link with the Qualification Regulation established in Article 10(7)(a)
- The development of minimum standards for the integration of resettled refugees as a flanking measure, to ensure the sustainability of an EU scheme by creating equal standards across the EU and minimising secondary movement

Core elements of a humanitarian and sustainable Union Resettlement Framework**1. Safeguarding the humanitarian essence of resettlement**

Resettlement provides a durable solution for the most vulnerable refugees, and as such must be based on need, not on political considerations. Yet the Framework currently does not refer at all to the concept of durable solutions, and in Article 4 mandates that “a third country’s effective cooperation with the Union in the area of migration and asylum” must be taken into account when determining the regions from which refugees are to be resettled. This provision opens the door to transforming resettlement into a bargaining chip offered to third countries in exchange for border control and migration deterrence – it must be removed and a reference to durable solutions added to Article 3.

As resettlement opportunities are limited, the Framework must not be regarded as an alternative to spontaneous arrivals, and should not include those refugees who have a legal right to seek protection in the EU via other established routes such as family reunification, as currently enabled by Article 5(b)(ii). It should be clarified that the need for family reunification is an eligibility criteria for resettlement under the Framework only where such reunification is not enabled via alternative legal channels. We are further concerned that the Framework introduces “socio-economic vulnerability” as an eligibility criteria without further definition. This provision is currently too vague and open to interpretation, and should be clarified.

2. Increasing the number of refugees resettled in the EU

The EU currently resettles a relatively small number of refugees, with some Member States not resettling at all. Given the scale of global displacement today, Europe's continued reluctance to accept refugees places a disproportionate burden on developing countries, which currently host the vast majority of the world's refugees. To maintain its credibility as a humanitarian actor the EU must play a leading role in resettlement, and the Framework should therefore be used to encourage Member States to increase the overall number of resettled refugees. The IRC has called for at least 540,000 refugees to be resettled over the next five years. We are therefore concerned that rather than indicating a minimum threshold for resettlement, the proposed Framework instead appears to introduce a ceiling through its link with the EU budget, found in Recitals 22 and 30. An increase in the overall number of resettlement places available in the EU should explicitly be named as an objective of the Framework. Annual resettlement plans should indicate targets, not maximum numbers as currently stipulated in Article 7(2)(a).

3. Adding value, not limitations

The Framework should not impose arbitrary and disproportionate grounds for excluding otherwise eligible refugees from resettlement. Article 6(d) and (f) excludes any refugees who in the past five years have entered the EU irregularly or have been refused resettlement by one Member State. By imposing a blanket ban these articles do not allow for consideration of individual cases and unduly restrict Member States' ability to consider exceptions taking into account the national context.

Recital 31 to the proposal currently allows Member States to adopt national resettlement schemes so long as these do "not jeopardise the attainment of the Union's objectives" under the Union Resettlement Framework, giving one limited example. The wording of this provision is open to a restrictive interpretation and likely to deter Member States with long-established resettlement programmes from pursuing resettlement outside of the Framework – coupled with the current criteria for selecting regions for resettlement and the arbitrary exclusion grounds established under the Framework, this has the potential to limit, rather than expand, the resettlement of those refugees most in need.

4. Building on experience

UNHCR and humanitarian actors with long-standing expertise on global resettlement needs and the implementation of resettlement programmes must be given a voice in establishing annual EU resettlement schemes, to guarantee the continued humanitarian nature of resettlement and an adequate increase in resettlement across the EU. Recital 27 of the proposal recognises this expertise, yet the Framework does not guarantee these actors a formal role in designing and implementing annual plans and targeted schemes. Article 13 should therefore be amended to guarantee UNHCR, IOM and civil society permanent representation on the high-level resettlement committee, and to explicitly refer to their involvement in the design and implementation of annual plans and targeted schemes, not merely "issues related to the implementation" of the Framework.

5. Rescuing futures through integration

The IRC has over four decades of experience in resettling refugees in the United States. Our experience shows that, done right, resettlement yields enormous benefits not only for resettled refugees but also for the societies that host them. Refugees bring key skills and diversity, which can enhance local economies and promote innovation and creativity. If Europe is to realise the many benefits of resettlement, it must not only increase the numbers of refugees it resettles, but focus its resources on providing permanent legal status and opportunities for economic self-sufficiency.

The Union Resettlement Framework should therefore include not only mandatory pre-cultural orientation for refugees, currently found in Article 10(7)(c), but also post-arrival integration measures. While integration is the responsibility of Member States, the EU is in a position to develop indicators for minimum common standards, and to assist Member States in strengthening their integration capacity. Flanked by such measures, a Union Resettlement Framework presents a unique opportunity to turn the crisis into an opportunity for refugees and for Europe.

Temporary and uncertain residence status decreases the likelihood of integration of resettled refugees. The Framework should therefore encourage Member States to grant permanent residence status to refugees resettled under EU schemes. The link with the Qualification Regulation in Article 7(a) should be removed pending the outcome of negotiations on this proposal, as the implications of this link are currently unclear and may prove detrimental rather than conducive to the integration of resettled refugees.

Context

The IRC and resettlement

The IRC's experience offers us a unique perspective on conditions for refugees and the challenges and opportunities available as Europe and its neighbours struggle to cope with historic levels of displacement. The IRC currently provides urgent humanitarian assistance in high refugee-producing countries including Afghanistan, Iraq and Syria, and in countries currently hosting high numbers of refugees including Greece, Jordan, Lebanon and Turkey. The IRC also has extensive operational experience of, and policy expertise on, resettlement. As one of nine non-profit resettlement agencies partnering with the U.S. Government to receive refugees, we have resettled more than 370,000 people from 119 countries across the U.S. over the past four decades. We currently support around 10,000 new refugees each year on their path to permanent integration and citizenship, including through language and cultural orientation programmes, access to health, education and social services, and early employment support. The IRC also runs the U.S. Government's Resettlement Support Centre for Southeast Asia in Bangkok and manages the Cultural Orientation Resource Exchange (CORE), which provides cultural orientation information, materials and training to all partners engaged in providing pre- and post-arrivals support to refugee newcomers, to help them acquire the knowledge, skills and attitudes needed to adapt and thrive in the U.S.

Arguments for structured resettlement in the EU

The IRC has long advocated for a permanent EU resettlement framework. Resettlement programmes currently vary greatly among Member States, with some Member States not resettling at all. We believe that a significant commitment to resettlement, coordinated and facilitated by the EU, will:

- Ensure the protection of vulnerable refugees whose needs according to UNHCR cannot be met in first countries of asylum;
- Save lives by providing an alternative to dangerous journeys and diminishing reliance on smugglers;
- Help stabilise fragile situations in the countries surrounding Syria and assist in alleviating the current, immense pressure on hosting countries; and
- Facilitate better integration into host societies.

A fair and achievable European resettlement commitment

The EU should resettle a minimum of 540,000 refugees over the next five years. This is a fair and achievable minimum commitment for a new European resettlement programme which takes into consideration the rapidly increasing challenge of global forced displacement and the European refugee crisis, and the capabilities of European states and the UNHCR resettlement system.

As the EU accounts for around a quarter of the world's Gross Domestic Product (GDP), the IRC believes it has the resources and capacity, over the next five years, to resettle a quarter of those refugees that UNHCR has identified as being in need of resettlement globally. This would mean working with UNHCR and others to resettle around 290,000 refugees from around the world over the next five years. In recognition of the moral and legal imperative placed on Europe by huge numbers of Syrian refugees fleeing violence to Europe, the IRC believes the EU should also resettle at least half of the 500,000 Syrians identified for resettlement or alternative pathways in the region over the next five years, or five percent of the total number of refugees. This would amount to 250,000 Syrian refugees over the next five years.

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