

Resettlement in the European Union

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migration

Recommendations from the National Red Cross Societies in the European Union and the International Federation of Red Cross and Red Crescent Societies⁽¹⁾

We, the National Red Cross Societies in the European Union (EU) and the International Federation of Red Cross and Red Crescent Societies, call on the EU and its Member States to improve their policies and practices regarding the resettlement of refugees in the EU, and therefore respect their obligations under International Human Rights and Refugee Law. As we have repeatedly advocated, most recently in the wake of ongoing migrant deaths in the Mediterranean sea⁽²⁾, there is an urgent need to set up safe and effective legal avenues for those in need of international protection, including through resettlement. The aim of this position paper is to provide recommendations to ensure that policies are put in place to guarantee more effective and significant resettlement practices in all EU Member States.

To this end, we make the following eight recommendations to the EU and its Member States:

1. Commit to resettling more refugees on a regular basis.
2. Consider resettlement as a complementary tool for protection.
3. Establish additional dedicated resettlement places to respond to humanitarian emergencies.
4. Prioritise the most vulnerable in resettlement programmes.
5. Adjust the Union Resettlement Programme to enhance resettlement efforts throughout the EU.
6. Implement more comprehensive pre-departure assistance.
7. Ensure high quality reception conditions and integration measures, in particular through local and civil society engagement.
8. Support mutual learning and exchange of good practices on resettlement.



The German Red Cross helps resettled refugees by providing them with information on legal status, social benefits and integration issues.

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The measures put forward in this document aim to support resettlement in the EU as a complementary form of protection, which does not in any way constrain the right of asylum-seekers to request international protection, irrespective of how they arrived in the EU.

Background

Resolution 3 adopted at the 31st International Conference of the Red Cross and Red Crescent calls upon States “to grant migrants appropriate international pro-

1. Including the Norwegian Red Cross as members of the Red Cross EU Office..

2. See “Migration crisis: need for a global approach, Red Cross National Societies in the European Union call for more legal avenues to access protection”, 12.05.2015.

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Resolution 3

The Red Cross Red Crescent requests States to ensure that relevant laws and procedures are in place to enable National Societies to enjoy effective and safe access to all migrants without discrimination, and irrespective of their legal status.



With more than three million registered refugees, UNHCR announced by the middle of 2014 that Syrians account for nearly a quarter of all refugees under its mandate. For them, resettlement is an opportunity to start a new life, in a safer place.

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tection and to ensure their access to relevant services”⁽³⁾. This position paper identifies ways for EU Member States to meet the commitments that they made at the conference, in particular by increasing their resettlement efforts. The suggestions outlined below have been developed through discussions with resettlement experts within the EU institutions, Member States’ Permanent Representations to the EU, European Red Cross National Societies, and other civil society organisations.

Resettlement constitutes one of the three durable solutions for refugees identified by the United Nations’ High Commissioner for Refugees (UNHCR). Resettlement involves the selection and transfer of refugees from the State in which they have sought protection, to another State that has agreed to admit them as refugees and give them permanent residence status. Permanent residence status ensures protection against *refoulement* and access to civil, political, economic, social and cultural rights similar to those enjoyed by nationals, as well as offering the opportunity to become a naturalised citizen. In certain circumstances, resettlement is the only durable solution available to a refugee, especially in protracted refugee situations.

At the beginning of 2015, UNHCR estimated that globally almost 960,000 refugees were in need of resettlement because of their particular vulnerabilities, or due to a lack of other foreseeable durable solutions⁽⁴⁾. Yet just 80,000 resettlement places are available globally on an annual basis, and only a minority of these are offered by EU Member States.

In its strategic guidelines for future legislative and operational planning in the area of freedom, security and justice, the European Council stated that over the next five years, priority should be given to increasing contributions to global resettlement efforts⁽⁵⁾. The European Council further committed to offering places to persons that qualify for protection⁽⁶⁾, acknowledging that all Member States should make a contribution to resettlement⁽⁷⁾. The European Commission has also emphasised the need for the EU to step up its resettlement efforts in order to avoid a situation in which displaced persons in need of protection have to resort to criminal networks of smugglers and traffickers⁽⁸⁾.

The Union Resettlement Programme under the Asylum, Migration and Integration Fund (AMIF)⁽⁹⁾ aims to increase the EU’s humanitarian impact by providing financial incentives for Member States to support international refugee protection efforts through resettlement. Presently, only 15 EU Member States provide regular refugee resettlement programmes, while others resettle refugees on an ad hoc basis.

3. See the Resolution n°3 of the 31st International Conference of the Red Cross and Red Crescent: ‘Migration: Ensuring Access, Dignity, Respect for Diversity and Social Inclusion’.

4. UNHCR, Projected Global Resettlement Needs 2015, 20th Annual Tripartite Consultations on Resettlement Geneva: 24-26 June 2014..

5. European Council, Conclusions EUCO 79/14, 26/27 June 2014.

6. European Council, EUCO 18/15, 23 April 2015.

7. Council Conclusions on Taking action to better manage migratory flows, Justice and Home Affairs Council, 10.10.2014.

8. European Commission Communication on a European Agenda on Migration, COM (2015)240 final, 13.05.2015.

9. European Parliament and Council of the EU, Regulation No 516/2014, establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC. On the basis of the EC recommendation, the Commission will adjust the lump sums and resettlement priorities provided for in that programme.

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Resettlement offers new prospects to vulnerable refugees in protracted conflicts.

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Some countries have developed humanitarian admission programmes to respond to specific humanitarian situations, including the German and Austrian humanitarian admission programmes for Syrian refugees, and the United Kingdom’s ‘Vulnerable Persons Relocation’ scheme.

Resettlement is not a substitute to providing asylum to people in need that reach the EU through their own means, but it is an essential protection instrument for vulnerable people in an intractable situation. This position paper proposes policy recommendations to improve resettlement trends, programming and practices in the EU, in order to increase the number of refugees that can access protection through these types of programmes.

Our Recommendations

On 23 February 2013, the Red Cross EU Office adopted a position paper on *Legal Avenues to Access International Protection in the EU*¹⁰, which puts forward nine recommendations to the EU and its Member States to ensure the implementation of safe and effective legal avenues for persons in need of international protection. One of these recommendations called for Member States to “commit to resettling higher numbers of refugees”.

We wish to elaborate on this with the eight recommendations below in order to further the debate and ensure improved resettlement policies throughout the EU. We therefore call on the EU and its Member States to:

1. Commit to resettling more refugees on a regular annual basis.

Not all EU Member States have adopted a national resettlement programme, and many of those with a programme have the potential to increase their quotas. The Red Cross welcomes the European Commission recommendation calling on EU Member States to jointly provide 20,000 resettlement places in the next two years. We join other civil society organisations and members of the European resettlement Network in stressing that by 2020, this number of places should be the minimum number offered jointly by the EU each year.

Resettlement is a concrete and accessible legal avenue to accessing international protection in the EU. EU Member States should increase their share of the global resettlement intake with a view to resettling larger numbers of refugees. All Member States should take steps towards increasing and sustaining their engagement in this area by committing to resettling more refugees on an annual basis.

Our call

By 2020, the EU and its Member States should jointly offer at least 20,000 resettlement places annually:

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10. Red Cross EU Office, Position Paper: Legal Avenues to Access International Protection in the EU, 27 February 2013

2. Consider resettlement as a complementary tool for protection.

As a component of the external dimension of EU migration and asylum policies, resettlement should be implemented as an instrument for responsibility sharing and as an expression of solidarity with third countries. The numbers and profiles of refugees that governments agree to resettle should demonstrate a real commitment to sharing a global responsibility, which currently disproportionately falls on the shoulders of developing countries and countries immediately neighbouring conflict zones.

Resettlement should not be a substitute for measures that ensure access to international protection in the EU including protection sensitive visa policies and border mechanisms. Resettlement should not relieve Member States of their obligations to establish and sustain high-quality EU migration and asylum policies and systems.

3. Establish additional dedicated resettlement places to respond to emergency humanitarian situations.

Member States should establish additional dedicated resettlement or humanitarian admission places in response to emergency humanitarian situations. The case of persons fleeing the Syrian conflict illustrates the need to provide an immediate response to an unfolding crisis, while ensuring the continuity of resettlement opportunities for refugees from the rest of the world. Such programmes should be established on top of existing annual quota commitments, and should not replace efforts to respond to protracted refugee situations.

Admission programmes that respond to emergency humanitarian situations must respect the same standards of reception, integration and assistance as those normally provided to resettled refugees. Long-term residency status should be envisaged in a timely manner to avoid undue stress and uncertainty for beneficiaries. Likewise, the right to family reunification should be granted under the same conditions as those applied to resettled refugees.

4. Prioritise the most vulnerable in resettlement programmes.

In countries of asylum, Member States should collaborate with civil society organisations and National Red Cross Societies in the identification and referral of refugees that could benefit from resettlement. UNHCR should remain the Member States' primary partner in the implementation of resettlement programmes, in accordance with its mandate. In emergencies, Member States should also consider collaborating with other local actors, particularly in the referral process.

Resettlement programmes should benefit the most vulnerable based on an assessment of their humanitarian needs according to UNHCR's resettlement submission categories. These include: legal and/or physical protection needs,

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Children and adolescents at risk are often among the most vulnerable refugees. They should be considered for resettlement programmes.

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survivors of torture and/or violence, refugees with medical needs, women and girls at risk, children and adolescents at risk, and any other groups in urgent need. When maintaining family unity, the inclusion of non-nuclear family members should be a key consideration. Resettlement should not replace family reunification programmes.

5. Adjust the Union Resettlement Programme to enhance resettlement efforts throughout the EU.

Under the Asylum, Migration and Integration Fund, targeted assistance in the form of financial incentives (lump sums) is available to Member States for each resettled refugee. EU funding should also be made available to civil society organisations that engage in resettlement activities. In accordance with their respective competences, the European Commission and the European Asylum Support Office should monitor the effective implementation of resettlement operations in Europe that are supported under the fund. This should be done in cooperation with the established national focal points or working groups on resettlement.

The Union Resettlement Programme should include quotas, support provisions, and common and transparent standards to ensure quality, sustainability and the resettlement of larger numbers of refugees in all Member States. Sufficient financial incentives should be provided while ensuring full transparency with regards to the allocation and use of these funds. EU Member States are reminded that funding under the Asylum, Migration and Integration Fund is intended for increasing the number of resettlement places available in individual countries, and not for funding existing programmes.

6. Implement more comprehensive pre-departure assistance.

Resettlement programmes should systematically include tailored pre-departure arrangements, health assessments, cultural orientation and travel assistance. The EU and its Member States should work with the UNHCR, the International Organization for Migration (IOM), regional and local authorities in receiving countries, previously resettled refugees and humanitarian organisations such as Red Cross and Red Crescent National Societies to improve pre-departure assistance and allow for adequate referrals.

Providing information helps to manage the expectations of both the refugees that are about to be resettled and the communities welcoming them. In this context, the role of local and regional authorities, as well as migrant organisations in raising public awareness on resettlement must be encouraged and supported.

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7. Ensure high quality reception conditions and integration measures through local and civil society engagement.



Refugees following a first-aid training course within the framework of the VAPAA 'Volunteering in Refugee Work' Project.

© Finnish Red Cross.

All resettled refugees should have full access to appropriate high-quality reception and integration support on arrival. Welcoming resettled refugees directly into the community instead of in reception centres can be a much more efficient way of ensuring successful integration. Member States and local authorities in charge of the reception and integration of resettled refugees should work in partnership with migrant communities and civil society organisations, including National Red Cross Societies, to improve integration and reception practices. This needs to be done through the timely circulation of all relevant information among stakeholders and the allocation of adequate resources to local authorities, communities and civil society organisations to plan and implement reception and integration programmes.

Local engagement is essential for successful resettlement. The role of local authorities and municipalities in the reception, accommodation and integration of resettled refugees should be strengthened. Engaging with communities and the media to raise public awareness on resettlement is strategically important. Civil society organisations in particular, should be included in programming and the delivery of services, including: orientation and advice, language training, psycho-social support, employment advice, legal and practical assistance in accessing services, accommodation and other support. Ensuring adequate accommodation should be part of the standard integration package for refugees. Additional support and individualised integration plans are necessary for the most vulnerable resettled refugees.

8. Support mutual learning and exchange of good practices on resettlement.

The European Asylum Support Office, which is tasked with coordinating Member States' actions on resettlement, should support cooperation and transnational exchanges between stakeholders in order to share experiences and work towards implementing best practices. In this regard, the expertise and innovative methods applied by civil society actors both inside and outside the EU, as shared through platforms like the European Resettlement Network, should be considered and built upon.

Study visits involving Member States and other stakeholders with expertise in resettlement should be organised to increase awareness, share knowhow, and support practical cooperation between Member States with varying levels of experience with resettlement programmes. Cooperation on a larger scale with the European Resettlement Network should be encouraged in order to take advantage of already developed tools and tested practices. Continued investment in European cooperation should also be pursued.

contact



Red Cross EU Office
Rue de Trèves 59-61 Trierstraat
1040 Bruxelles
Belgium
Tel: +32 (0)2 235 06 80
Fax: +32 (0)2 230 54 64
Email: migration@redcross.eu
www.facebook.com/RedCrossEU