

Resettlement

by Vincent Cochetel

Both a durable solution and an instrument of protection, resettlement is available to only a tiny fraction of the world's refugees. UNHCR has launched a large-scale resettlement programme for Iraqi refugees but places are limited and it is the degree of 'vulnerability' that will ultimately determine prospects for resettlement.

In December 2006, UNHCR's revised Return Advisory and Position on International Protection Needs of Iraqis outside Iraq¹ cited extreme tension in central and southern Iraq with a high probability of continued hostilities and increased insecurity. It advised that "no Iraqi from Southern or Central Iraq should be forcibly returned until such time as there is substantial improvement in the security and human rights situation in the country." Voluntary repatriation is not considered a viable option at this time. Given the deterioration of the security environment in Iraq (particularly since the Samarah bombings in February 2006), the difficult protection environment in some countries of first asylum and the fact that the prospect for durable solutions appeared remote or absent, UNHCR strongly encouraged states to consider resettling vulnerable Iraqi refugees and stateless persons stranded in Jordan and Syria.

Resettlement is a mechanism for refugee protection, a durable solution and an important tool of burden sharing. Resettlement is explored when refugees are unable to repatriate voluntarily and their life, liberty, safety, health or fundamental human rights are at risk in their country of origin or in the country where they have sought refuge. Resettlement in no way jeopardises the right to repatriate voluntarily when conditions improve. Given the absence of conditions for voluntary repatriation to Iraq and the inability of host countries to consider local integration, UNHCR is planning to submit 20,000 Iraqis for resettlement by 31 December 2007. Of this number, 7,000 will be submitted to the USA by 30 June 2007.

The programme is on target. As of 18 May, 5,894 Iraqi refugees had been formally submitted for resettlement. Referrals include 1,599 from Ankara, 1,593 from Damascus, 2,037 from Amman, 523 from Beirut, 93 from Cairo and 49 from Teheran. Resettlement statistics indicate a steady increase in referrals this year, at an average rate of more than 700 referrals per week. This is a striking increase when compared to the resettlement of a total of 3,183 Iraqi refugees in the previous four years.

All Iraqis from central and southern Iraq, with the exception of those who raise serious exclusion concerns at the time of registration, are recognised as refugees by UNHCR on a prima facie basis and countries have been requested to observe flexibility in their resettlement determinations. Eleven distinct eligibility criteria for resettlement referrals have been established. These include victims of severe trauma, detention, abduction in the country of origin; membership of minority groups targeted in the country of origin; women at risk in country of asylum; unaccompanied or separated minors; dependants in resettlement countries; older persons at risk; medical cases without treatment in country of asylum; high-profile cases and/or family members; Iraqis who have fled because of their associations with specific governmental, military or intergovernmental groups; and stateless persons and those of in risk of immediate *refoulement*. This time-consuming, labour-intensive process involves registration and initial screening followed by a one-on-one interview. The resettlement programme is based on individual, rather than group, determination and observes UNHCR's key principles

of non-discrimination and regional consistency, giving no preference to ethnicity, sect or religion.

UNHCR is particularly concerned about some 15,000 Palestinian refugees concentrated in Baghdad who since 2003 have been targets of attacks and persecution.² Many Palestinian refugees in Iraq have lived there since 1948 and consider Iraq to be their homeland but have been left threatened, stateless and largely neglected by the international community. UNHCR has received credible reports that some 600 Palestinians have been murdered in Baghdad since 2003. Of particular concern are the 826 Palestinians stranded in Al Waleed refugee camp, 350 in Al Tanf near the Syrian-Iraqi border, 300 in El Hol in Syria and 97 at the Ruweyshid refugee camp in Jordan. In close cooperation with the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA), UNHCR has been actively seeking solutions for these vulnerable Palestinian refugees. With restricted humanitarian assistance, health and social services, there is an urgent need to relocate the Palestinian refugees stranded at these border refugee camps, unless other solutions become available to them. These groups have been characterised as the most vulnerable.

The International Conference on Addressing the Humanitarian Needs of Refugees and Internally Displaced Persons inside Iraq and in Neighbouring Countries held on 17-18 April 2007 in Geneva was organised with the objective of sensitising the international community to the humanitarian crisis in Iraq and further afield as well as promoting concrete actions and commitments to address these needs. Amongst these commitments were improving prospects for durable solutions and increasing resettlement opportunities for the most vulnerable groups. According to the UN High Commissioner for Refugees, António Guterres, "resettlement to third countries is only an answer for the

most vulnerable. Obviously, the best solution for the overwhelming majority of Iraqi refugees will be their voluntary return in safety and dignity – once conditions allow.”

No country is legally obliged to resettle refugees. UNHCR therefore commends resettlement countries, in particular Australia, Canada, Finland, the Netherlands, New Zealand, Norway, Sweden and the USA, which are considering or have formally agreed to resettle vulnerable Iraqis.

UNHCR recognises that 20,000 resettlement referrals only amount to a small proportion of the greater Iraqi

refugee population. Nevertheless, in the context of Iraq, resettlement will remain a significant option in protecting women-at-risk and in addressing specific vulnerabilities of a medical or social nature that cannot be addressed effectively in countries of asylum in the region. Since many refugees are not likely to repatriate to Iraq in the mid or long term, given the traumatic events they experienced in their country, UNHCR will endeavour to seek multi-year commitment from resettlement countries to protect vulnerable refugees and to assist host countries (in particular Syria, Jordan and Turkey) in providing them with a durable solution in third countries.

UNHCR will also continue to promote a constructive dialogue with host countries, resettlement countries and NGO partners, on the imperative to protect and assist all Iraqi refugees abroad and to mobilise the necessary humanitarian assistance.

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1. www.unhcr.org/home/RSDLEGAL/458baf6f4.pdf
2. See Gabriela Wengert and Michelle Alfaro, ‘Can Palestinian refugees in Iraq find protection?’, FMR26 www.fmreview.org/FMRpdfs/FMR26/FMR2609.pdf