

General programme "Solidarity and Management of Migration Flows": European Refugee Fund (ERF) 2008-2013

2009/0127(COD) - 02/09/2009 - Document attached to the procedure

PURPOSE: to define the general framework for the Joint EU Resettlement Programme.

CONTENT: resettlement is the relocation of refugees, who are recognized by UNHCR as being in need of international protection, from the first country of asylum (mostly in the third world) to another country where they receive permanent protection. Resettlement offers solutions to refugees who can not return to their country of origin, and who can not be integrated locally in the country of first asylum. **Resettlement is the transfer of refugees from outside EU territory to an EU Member State** (not to be confused with the resettlement of refugees within the EU which is aimed to share the burden between the Member States).

Resettlement in figures: the number of refugees worldwide is around 10 million. Around 5% out of them are in need of resettlement. Only a small proportion of these refugees are effectively resettled. There is therefore a structural discrepancy between the needs and the humanitarian response. Only a small part of the refugees who are resettled each year are resettled to the EU. Out of the 65 596 refugees who departed for resettlement in 2008, 4 378 refugees departed to the EU. This contrasts sharply with the numbers of resettled refugees who were taken in by the USA and other traditional resettlement countries in the industrialized world.

Resettlement: a sustainable solution: resettlement in a third country is one of three so-called 'durable solutions' available to refugees and is essential in that it offers solutions to refugees for whom no other durable solution is available. Resettlement is generally carried out with the UNHCR acting as an intermediary. It targets those refugees whose protection needs have already been clearly established and has the advantage for the recipient country of being an orderly procedure, and for the refugee of being a process which guarantees his/her physical safety.

Shortcomings in the current system: it should be recalled that the large majority of refugees worldwide find themselves outside of the EU, mainly in Asian and African countries. Global resettlement needs are much greater than the resettlement places which are available worldwide. The principal objective of joint EU action on resettlement should therefore be to involve more Member States in resettlement activities and to provide for an orderly and secure access to protection for those resettled. At the same time, it should serve to demonstrate greater solidarity to third countries in receiving refugees.

Overall framework of the EU Resettlement Programme: taking account of the shortcomings of the current situation, a joint EU resettlement programme should be put in place in order to: (i) increase the humanitarian impact of the EU by ensuring that it gives greater and better targeted support to the international protection of refugees through resettlement; (ii) enhance the strategic use of resettlement by ensuring that it is properly integrated into the Union's external and humanitarian policies generally, and (iii) better streamline the EU's resettlement efforts so as to ensure that the benefits are delivered in the most cost-effective manner.

To that end, the **Commission is proposing the amendment of the ERF III Decision** (No 573/2007/EC) in order to provide additional incentives for Member States to engage in resettlement, and so as to ensure that resettlement priorities agreed at the EU level are effectively backed up by appropriate financial support.

1) Guiding Principles for a Joint EU Resettlement Programme: the programme is based on the following guiding principles: (i) participation by Member States in resettlement should remain voluntary. There are currently considerable differences between Member States with respect to the numerical targets and specific caseloads they wish to resettle, the legal criteria which are used for deciding who to resettle, and the partners through which resettlement is carried out; (ii) the scope of resettlement activity in the EU should be widened by familiarising as many Member States as possible with resettlement, and enhancing their required experience and capacity to carry out resettlement; (iii) the mechanism which is established should allow for adaptability to changing circumstances. In order to use resettlement strategically it should be possible to revise resettlement priorities annually. Adaptability is required also in order to respond to evolving needs with respect to practical cooperation on resettlement between Member States; (iv) UNHCR should participate because of its international mandate and the pivotal role it plays in resettlement worldwide. The involvement of the International Organisation for Migration (IOM) is important as well, given its role with respect to logistical and practical aspects of resettlement activity worldwide. International and local NGOs with specific know-how and experience concerning resettlement, as well as local authorities, should also be involved, particularly with respect to the reception and integration of resettled refugees; (v) the development of a common EU approach to the resettlement of refugees from third countries should be incremental and, with experience, the scope of the programme could be further developed.

2) Components of the Joint EU Resettlement Programme: the Programme will primarily consist of a mechanism which allows for the **setting of common annual priorities on resettlement and more effective use of the financial assistance available through the ERF "pledging" exercise**. This will be complemented by strengthened practical cooperation, enhanced effectiveness of external asylum policies and a regular evaluation of the Joint Resettlement Programme. Different phases of the mechanism are as follows:

The current ad hoc **Resettlement Expert Group** will be developed into a body which meets on a regular basis. All Member States, including both resettlement and non-resettlement countries, will participate, as well as other stakeholders. The Resettlement Expert Group will prepare for the identification of common annual EU priorities, which will subsequently be the basis for a draft decision by the Commission. These priorities will be based on an indicative forecast of resettlement needs which will be provided by UNHCR in spring each year. The Commission proposes **common priorities with the financial underpinning of the European Refugee Fund**. A mechanism will be put in place through which EU-wide common resettlement priorities are established annually by means of a Commission decision. Priorities could apply both to geographic regions and nationalities as well as to specific categories of refugees to be resettled, including emergency cases. The EU could, for example, prioritize the resettlement of Iraqi refugees from Syria and Jordan, Somali refugees from Kenya, or Sudanese refugees from Chad. In identifying these priorities, coherence will be ensured with EU external policies generally. This framework will allow, on an annual basis, for the identification of newly arising or priority resettlement needs. In particular for vulnerable groups, such as children or unaccompanied minors, it would allow for a more in-depth analysis of the most crucial needs and priorities.

It is therefore proposed that the **ERF III Decision should be amended**, so that Member States which resettle according to the common EU annual priorities would receive financial assistance under the ERF III Decision. This currently provides that additional financial assistance is granted to Member States if they pledge to resettle refugees who fall under four specific categories. This provision would be amended to render the current mechanism more dynamic and adaptable. It should, however, be underlined that

Member States would remain free to carry out resettlement of other categories of refugees. The proposal to amend the ERF III decision is presented by the Commission together with this Communication.

The Commission will cooperate with different stakeholders to identify these priorities as swiftly as possible. Before the end of the current (2009) Swedish Presidency, a first set of priorities could already be identified.

Lastly, the communication goes on to discuss **enhanced practical cooperation** through the [European Asylum Support Office](#) (EASO) and pilot projects and best practices on resettlement. It also discusses the increased effectiveness of EU external asylum policies through close cooperation with the UNHCR and improved coordination with EU external policies.