



# EASTERN PARTNERSHIP

## Panel on Migration and Asylum

# Discussion Paper for the Expert Meeting on Resettlement and Other Forms of Admission of Persons in Need of International Protection

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## I. Introduction

In times of the current migration crisis, large groups of refugees worldwide are in need of durable solutions and effective access to protection. As border controls tighten for security reasons and for the sake of maintaining control over mixed migration movements, resettlement, humanitarian admission and relocation offer instruments to provide asylum seekers and refugees with orderly managed paths for legal entry to and stay in safe countries.

Despite the fact that an increasing number of the European Union (EU) Member States (MS) have participated in resettlement in recent years, Europe's contribution to global resettlement has remained approximately the same - 7.9 per cent of the total number of refugees resettled in 2007 and 9 per cent in 2013. So while Europe has created more resettlement places, the rate of their creation has not kept pace with that of other resettlement countries around the world. Globally, the number of people currently in situations of forced displacement has reached 59.5 million<sup>1</sup>, the highest figure recorded by UNHCR in the post-World War II era. Of these, 19.8 million are refugees, of whom UNHCR estimates about one million people are in need of resettlement<sup>2</sup>.

With numerous political initiatives to increase the EU's response to migration crisis, the momentum on increasing resettlement to the EU is building up and it also offers valuable knowledge to share with partners outside the EU. Thus, the expert meeting discussion on resettlement and other forms of humanitarian admission under the Eastern Partnership (EaP) Panel on Migration and Asylum will become a knowledge source for the EaP countries among which only Belarus is currently practicing resettlement.

To facilitate and channel the discussion, the present paper was developed as a background and preparatory information basis for the meeting participants. This document provides: (i) an overview of the concept of admission of persons in need of international protection and the wide range of possible instruments through which admissions can be implemented; (ii) exploration of the reasons for the countries to opt in or out for admissions; and (iii) comparative analysis of the policies, approaches and practices to admissions in the EU MS and EaP countries.

The discussion paper was prepared based on the answers received from seven EU MS<sup>3</sup> and five EaP countries<sup>4</sup> to a questionnaire ([Annex I](#)) specifically designed for this purpose. The questionnaire sent to the participating states comprised seven questions aimed at finding out more on the policies and practices concerning resettlement and other forms of admission of persons in need of humanitarian protection in the EU MS and EaP countries. Other sources of information on the EU policy and individual countries' programmes were also used, where applicable, including regarding those countries who did not submit their inputs<sup>5</sup>.

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<sup>1</sup> By the end of 2014, 59.5 million individuals were forcibly displaced worldwide. An updated figure is not presently available but as the number of refugees, asylum-seekers, and internally displaced persons worldwide continued to grow in 2015, it is likely that this figure has far surpassed 60 million, <http://www.unhcr.org/56701b969.html>.

<sup>2</sup> UNHCR Projected Global Resettlement Needs, 2015, <http://www.unhcr.org/543408c4fda.html>.

<sup>3</sup> The following EU MS provided input: the Czech Republic, Finland, Hungary, Latvia, Lithuania, the Slovak Republic, and Sweden.

<sup>4</sup> The following EaP countries provided input: Armenia, Azerbaijan, Belarus, Georgia and Ukraine.

<sup>5</sup> <http://www.resettlement.eu/country>, <http://www.unhcr.org/4a2ccf4c6.html>, [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/ad-hoc-queries/protection/2014\\_638\\_emn\\_ahq\\_risk\\_to\\_national\\_security\\_in\\_resettlement\\_context\\_wider\\_dissemination.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/ad-hoc-queries/protection/2014_638_emn_ahq_risk_to_national_security_in_resettlement_context_wider_dissemination.pdf) and others.



## II. Executive summary

### Admission programmes for persons in need of international protection

Admission programmes for persons in need of international protection provide legal pathways (as an alternative to irregular ways) for persons to enter to and stay in a country where their protection is ensured. Humanitarian pathways, such as resettlement and humanitarian admission, are designed to provide protection to refugees with compelling needs; while other pathways like family reunification, labour mobility schemes and academic scholarships, which may not be specifically based on protection vulnerabilities *per se*, are effective tools to advance protection of refugees. State participation in resettlement and other admission programmes is voluntary. The reasons for the countries to participate or not to participate include political, financial and security considerations. Based on the same grounds, and also on its absorption capacities, the states approve the numbers of places they can offer for admission. As a rule, these numbers take form of annual quotas. The states can also define the regions or specific refugee populations which they prioritize for their admission programmes.

### Resettlement and humanitarian admission

Resettlement, as a form of admission, is one of the three durable solutions for refugees alongside with voluntary repatriation and local integration. Resettlement is the transfer of refugees from the country in which they have sought asylum to another state that has agreed to admit them as refugees and to grant them permanent residence. Many European countries established formal resettlement programmes in partnership with UNHCR from the 1970s onwards. In 2014, the total number of individuals that European countries have committed to resettle under their national programmes was approximately 7,525 persons. In July 2015, the European Council approved a European Resettlement Scheme, a two year mechanism for resettlement of 22,054 people in clear need of international protection. As of 13 May 2016, 6,321 people have been resettled under this Scheme. Some EaP states made first steps on the way to become resettlement countries: in 2015-2016, Belarus accepted 20 Syrian refugees and in 2013-2014, Moldova confirmed its readiness to resettle 50 Syrian refugees. The resettlement process is a complex mechanism consisting of several phases, i.e. identification of candidates for resettlement, selection, pre-departure arrangements, travel, reception and finally integration. Humanitarian admission is similar to resettlement, and is an expedited process providing protection in a third country for refugees with urgent needs. Humanitarian admission programmes, in principle, can be accessible to individuals who might not qualify for resettlement under UNHCR, for example internally displaced persons. Humanitarian admission, unlike resettlement, is not a durable solution as in most cases it offers only temporary protection and residence.

### Intra-EU relocation of asylum seekers

Relocation is exclusively an intra-EU mechanism through which persons who are in need of international protection are transferred from one EU MS to another EU MS. Introduction of relocation changes the previously established principle according to which the country of entry is responsible for examining an asylum application, now the asylum case is being considered by the country receiving a refugee under the relocation scheme. In September 2015, the European Council approved temporary and exceptional relocation, the so called emergency relocation mechanism, from Italy and Greece to other MS of 40,000 persons in clear need of international protection in two years. The Commission has also proposed a permanent system which could be triggered for any EU MS facing an emergency situation. The new system will make sure that when an overwhelming number of asylum requests are filed in just one MS, the number of asylum seekers exceeding the absorption capacity of that country will be distributed among all MS that are not confronted with excessive pressure.



### III. Admission programmes for persons in need of international protection

**Humanitarian pathways**, such as resettlement and other humanitarian admission programmes, private sponsorship programmes for individuals in humanitarian need, special humanitarian visas, and medical evacuation, are designed to provide protection for refugees with compelling needs. **In addition, other pathways** which may not be specifically based on protection vulnerabilities *per se* may equally advance protection and solutions for refugees and serve as an important expression of solidarity. Such pathways may include family reunification, including for extended family members, labour mobility schemes as well as academic scholarships and apprenticeships.

The following section contains a non-exhaustive list of pathways for admission, which states could consider implementing to provide safety and protection for refugees.

#### A. Types of admission programmes

##### Humanitarian pathways

###### 1. Resettlement

Resettlement involves the selection and transfer of refugees from a state in which they have sought protection to a third state which has agreed to admit them – as refugees – with permanent residence status. The status provided ensures protection against *refoulement* and provides a resettled refugee and his/her family or dependents with access to rights similar to those enjoyed by nationals, i.e. access to education, employment, medical care, judicial system etc. Resettlement also carries with it the opportunity to eventually become a naturalized citizen of the resettlement country. Resettlement plays a vital role for refugees whose life, liberty, safety, health, or other human rights are at risk.

###### 2. Humanitarian admission

Humanitarian admission is similar to resettlement, and is an expedited process providing protection in a third country for refugees with urgent needs. Residence under humanitarian admission may be either permanent or temporary, depending upon a state's legislation. Humanitarian admission may be used for specific categories of refugees, such as vulnerable persons, extended family members, or individuals with medical needs.

###### 3. Humanitarian visas

Visa regime is a mobility scheme and it is not refugee-specific. However, it is possible to issue short-term visas on humanitarian grounds<sup>6</sup>. These visas are often referred to as humanitarian visas. The humanitarian visa procedures are different from resettlement or other forms of humanitarian admissions, as only an initial assessment is conducted extraterritorially. The final status determination procedure is conducted in the country after arrival. The provision of a humanitarian visa is commonly referred to as protected entry. Humanitarian visa programmes were introduced by Argentina, Brazil, France, Italy, Sweden, Switzerland.

###### 4. Private sponsorship

Private sponsorship programmes draw on private and community resources to enable refugees to be resettled with the support of private citizens, non-governmental organizations (NGOs), or other interested groups, such as local authorities or faith-based groups. Under these programmes, refugee

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<sup>6</sup> Articles 19 and 25 of the Schengen Visa Code provide for the possibility of issuing humanitarian visas with limited territorial validity.



applicants are identified directly by their sponsors. Private sponsorship programmes, such as those implemented by Australia and Canada, can create bonds between refugees, community-based organizations and receiving communities, and can be implemented alongside or in conjunction with government resettlement programmes. Private sponsorship can also enable refugees to reunite with extended family members who may not otherwise qualify for family reunification. Sponsors may take responsibility for some of the costs associated with resettlement, reception, and integration support in the community, extending the country's capacity to support refugees.

#### 4. Medical evacuation

Medical evacuation provides for the admission of refugees with urgent medical needs that could be successfully treated in a third country. Protection problems may arise as families must balance the costs of medical treatment against other essential needs such as food, rent and education. The resettlement of those with serious medical conditions is a concrete measure of burden-sharing with countries bearing the pressure of supporting medical cases that require costly treatment interventions. Refugees with medical needs may be admitted on resettlement or humanitarian admission programmes, along with their family members who are important for their support.

#### 5. Relocation

Relocation refers to the movement of refugees from one EU MS to another. It is an intra-EU process, in which Member States help another MS to cope with the pressure of hosting a relatively large refugee/asylum-seeker population by agreeing to receive a number of them. Relocation is an expression of internal EU solidarity and burden-sharing, particularly with those countries at the borders of Europe that receive a high number of refugees at least because of their geographical position.

#### 6. Humanitarian transfer

Humanitarian transfer means departure of refugees and other persons of concern, recognized by UNHCR who are under threat of *refoulement* or in need of international protection, from the country of their temporary stay to the territory of a host country and their onward resettlement to a third country. The EU Emergency Transit Centres were established in **Romania** and **Slovakia**.

### **Additional pathways**

#### 1. Admission of relatives

Programmes to admit relatives of those persons already residing in a third country can facilitate the use of existing family reunification mechanisms through streamlined procedures or support in countries where the family members are located. This could include, for example, facilitated access to embassies, visa waivers, issuance of humanitarian visas, or assistance with documentation. Those who do not have the option of family reunification, either because they do not fulfill the requirements or are not included in the scope of existing family reunification legislation, could be admitted under other mechanisms, such as humanitarian admission, humanitarian visas, or private sponsorship.

#### 2. Labour mobility schemes

Labour mobility opportunities provide for the authorized onward movement of refugees from countries of asylum to third countries to pursue employment. Labour mobility can help refugees realize their human right to work, recognized in many international and regional human rights instruments, and in the 1951 Convention relating to the Status of Refugees. Access to employment is often a prerequisite for the re-establishment of a normal life, and helps refugees to live in dignity,



attain an adequate standard of living, apply their skills, and realize their potential. It also provides refugees with the possibility of making contributions to the development of their host as well as their home countries and communities.

### 3. Academic scholarships

Academic scholarships and apprenticeship programmes provide a mechanism for eligible refugees to study or to continue their education or vocational training. Academic scholarship or apprenticeship programmes, similar to those in Canada, *the Czech Republic* and *Spain*, can involve universities or polytechnic institutions, governments and civil society working together to develop and fund relevant arrangements. Programmes may provide funding for travel, accommodation, subsistence, and tuition for the duration of the individual's studies or apprenticeship, as well as travel documentation and an appropriate legal status in the receiving country. During or upon completion of these programmes, refugees may have the right to apply for asylum or to request an extension of their residence permits, and may be allowed to obtain a work authorization. Academic scholarship and apprenticeship programmes need to take into consideration the specific challenges refugees face, including lack of documentation and academic certificates.

The table in [Annex II](#) provides information on forms of admission being practiced by the responding countries.

## **B. Reasons for the countries to engage or not to engage into admissions**

State participation in resettlement and other admission programmes is voluntary. Why do countries opt for participation and what are the reasons for them not to participate?<sup>7</sup>

### **There are several hypotheses why and how countries agree to resettle:**

- to enhance their international reputation;
- as a sign of support and responsibility in responding to international crises and violence;
- within the broader foreign policy objectives, that is, to demonstrate solidarity or signal disapproval at the international arena;
- if they are involved in multilateral dialogues or consultative processes related to refugees or migration, if their neighbors and strategic partners do likewise; on the one hand it creates pressure to share the burden but also this may raise awareness of the gravity and scope of refugee crises. Finally, country leaders involved in international fora may also be well positioned to learn from other states' resettlement experiences;
- if influential politicians are sympathetic to refugee causes; if they were themselves refugees or members of their family or party were, they may be especially receptive to resettlement appeals; if leaders are dependent on the political support of large, politically powerful diaspora groups that have ethnic ties to refugee populations;
- if civil society, refugee advocacy groups, NGOs are active in the country, if they are able to interject refugee rights into political discourse;
- due to lobbying efforts and awareness raising activities of the international organizations, particularly UNHCR.

### **The possible reasons for the countries not to resettle:**

- financial burden (more on this below);
- security issues (more on this below);

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<sup>7</sup> More on the countries' reasoning see <http://www.migrationpolicy.org/article/refugee-resettlement-needs-outpace-growing-number-resettlement-countries>.



- political cost of such measures due to anti-immigration sentiments in the country and a pressure to tighten immigration control and limit migratory inflows (for example in the context of the global recession in 2007-2008 and more recent influxes of asylum seekers);
- difficult political, socio-economic and humanitarian situation in own country, including in terms of internally displaced persons and refugees already present in the country (**Georgia, Ukraine**).

Several responding countries pointed at their Governments' reasoning:

*There are no legislative regulations in **Armenia** concerning resettlement procedures. The issue has not ever been brought to the attention of the national authorities.*

*The legislation of **Azerbaijan** does not envisage humanitarian admission of persons in need of international protection.*

*Situation in **Georgia** provides a difficult backdrop and has an influence on Georgia's involvement in ongoing resettlement processes in Europe.*

*In general, main reasons why **Latvia** has not resettled before was the lack of political commitment.*

***Sweden** is currently implementing only resettlement due to the lack of instructions from the government on anything but resettlement.*

*After stabilisation of the situation in the country, accounting for **Ukraine's** adherence to European values, the country will be able to consider issues of resettlement.*

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The countries' reasoning is summarized in [Annex III](#).

### C. Admission quotas

When a decision on participation in the admission programme is taken, the states approve the **numbers of places** they can offer. These can be annual quotas (for example in case of multiannual resettlement programmes), a total number for the whole programme (in case of humanitarian admission in **Germany**, initially 5,000 places were offered for Syrian refugees, later this number was increased twice up to 10,000 and 20,000), or the capping number indirectly limited by the conditions of the programme (like in the **Irish** humanitarian admission programme, where each sponsor – naturalized Irish citizen of Syrian birth or a Syrian national lawfully residing in Ireland – could, as a rule, nominate two, and in some cases up to four potential beneficiaries).

States consult with UNHCR to determine the allocation of their annual quota among refugee populations in need of resettlement. As well as specifying the regions or particular refugee populations from which they agree to receive submissions, some states also allocate sub-quotas for emergency or urgent cases, family reunification cases, or refugees with specific needs such as medical needs, or women at risk.

Below are several examples on how annual resettlement quotas are established<sup>8</sup>:

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<sup>8</sup> From the UNHCR Resettlement Handbook and Country Chapters, <http://www.unhcr.org/4a2ccf4c6.html>.



*In the Czech Republic the annual quota for the resettlement programme is based on the current situation and on a needs analysis. The Minister of Interior makes a decision on the implementation of each resettlement action in the context of an annual plan following the approval by the Czech Government. This decision stipulates the size of the future resettled group, the region of origin and an approximate timeframe for implementation.*

*Since 2001, in Finland the refugee quota (under the annual resettlement programme) has been 750 individuals. In 2013, the Government made a decision to increase the quota by additional 300 persons for the year 2014. The Finnish Aliens Act of 2004 defines the refugee quota as well as the requirements and procedures for admitting aliens to Finland under the quota. The Minister of the Interior decides on the allocation of the refugee quota after consultation with the Ministry of Foreign Affairs and the Ministry of Employment and the Economy. Parliament makes the final decision on the annual quota and the resources for admitting resettled refugees to Finland when the State budget is approved.*

*The general guidelines for the Swedish resettlement program are established annually by the Government (the Ministry of Justice) after approval by the Swedish parliament. The Swedish Migration Agency decides on the allocation of the Swedish quota. During the period of 2008-2016 the Parliament, as recommended by the Government, has allotted funds corresponding to the resettlement to Sweden of 1900 quota refugees per year.*

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#### **D. Financial aspects**

Refugee resettlement (as well as most of other admission programmes) is often a costly undertaking: the receiving countries cover travel expenses, medical screening, issuance of visas, accommodation, integration measures. Since many refugees eligible for resettlement are elderly or disabled, resettlement frequently imposes an additional fiscal burden on destination states' resources. Resettled individuals often are incapable of working to sustain themselves and may require substantial support from the state.

To promote resettlement in Europe, the European Commission (EC) introduced a system of funding and financial incentives for states' resettlement activities under the European Refugee Fund (ERF) in 2008-2013, and now, under the Asylum, Migration and Integration Fund (AMIF) set up for the period of 2014-2020. Funding remains the primary mechanism through which the EU incentivizes MS to engage in resettlement, and encourages existing resettlement countries to increase their quotas.<sup>9</sup> In its input **Hungary** noted that its selection missions are financed through the EU funding (ERF/AMIF).

Developing countries that agree to establish programmes are offered financial assistance, but this is limited and sometimes insufficient to enable the integration of refugees into their host society, as evidenced by the failure of assisted resettlement programmes in Benin and Burkina Faso in 1997-2001.<sup>10</sup>

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<sup>9</sup> More on the EU funding for resettlement see <http://www.resettlement.eu/page/eu-funding-resettlement-erfamif>.

<sup>10</sup> Refugee resettlement in developing countries. The experience of Benin and Burkina Faso, 1997-2003. <http://www.unhcr.org/40cd76a8a.pdf>.



Between September 2014 and February 2015, **Belarus** for the first time started accepting refugees under the project “Provision of Protection to the Most Vulnerable Categories of Asylum Seekers in the Republic of Belarus Affected by the Humanitarian Crisis” implemented by the Ministry of the Interior with financial assistance from UNHCR. 14 Syrian refugees were resettled.

## E. Security aspects

Since the attacks in New York on September 11, 2001, states’ security concerns and the increasing securitization of immigration policy have led to expanded pre-departure security check procedures for resettled refugees. This policy trend is also reflected in stricter interpretations of the refugee definition by some countries, most particularly with respect to the exclusion clauses. In some cases, countries’ annual allocations of resettlement places have not been filled due to the processing delays created by additional security clearance and exit/entry documentation requirements. For example new security checks procedures for resettled refugees, particularly by the US, have lengthened resettlement processing times. In 2012, efforts were made by the US to streamline the procedures which led to an increase of the departures of refugees from Iraq by 56% from 2011. Slow pace of Somali refugee departures remain to be a concern. Because of the lengthy process, refugees are subsequently rarely resettled within 12 months of selection, meaning annual resettlement quotas are often not filled.

UNHCR is mentioning in their document: “UNHCR is acutely aware of the concerns of States to maintain public security and combat terrorism. These concerns are entirely legitimate and UNHCR understands and shares the desire of States to ensure the integrity of resettlement programmes. A balance must be struck which addresses these concerns, whilst avoiding the erosion of long-standing refugee protection principles. Ideally, systems that protect the integrity of the resettlement process also serve to protect refugees.”<sup>11</sup>

At the same time, **none** of the responding countries who does not practice any form of admission mentioned security as a reason for not admitting. In March 2015, the European Migration Network published a compilation of answers of the EU MS plus Norway on how MS assess the risk to national security arising from resettlement programmes (including any economic, political, social or cultural risks, risks to national identity, terrorism and crime)<sup>12</sup>. **None** of the countries whose responses are available carried out any **evaluations, studies or analysis on security risks** arising from participation in resettlement programmes. Only **Estonia**, who has not this far taken part in resettlement programmes, would like to carry out a risk analysis concerning the participation in such programmes.

Most countries – **Austria, Belgium, the Czech Republic, Finland, France, Germany, Hungary, Lithuania, the UK** – conduct case-by-case security checks in the process of reviewing the candidates for admission. **The Slovak Republic** does not directly mention whether security checks are carried out. However, during each resettlement/humanitarian transfer, a person has to be proposed for resettlement/humanitarian transfer by the Bureau of Border and Alien Police of the Police Force Presidium and the Slovak Information Service prior to his/her approval for resettlement/humanitarian transfer. In **Spain** though the security authorities are not involved in the decision making process.

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<sup>11</sup> <http://www.unhcr.org/524c31666.pdf>.

<sup>12</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/ad-hoc-queries/protection/2014\\_638\\_emn\\_aHQ\\_risk\\_to\\_national\\_security\\_in\\_resettlement\\_context\\_wider\\_dissemination.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/ad-hoc-queries/protection/2014_638_emn_aHQ_risk_to_national_security_in_resettlement_context_wider_dissemination.pdf).



The numbers of the candidates refused on security grounds are low. As of January 2015, no candidates for resettlement were declined on security grounds in **Belgium** and **the Czech Republic**. Very few cases have been refused in **France** and **Germany**.

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**Possible topics for discussion**    *If your country is implementing admission programmes what was the Government's motivation for involvement? What were the countering factors (if any) before a positive decision was taken?*

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*How the quotas for admission programmes are established?*

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*If your country has not resettled or offered other forms of admissions for persons in need of international protection, what are the main reasons for not engaging?*

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#### IV. Resettlement and humanitarian admission

Resettlement is the transfer of refugees from the country in which they have sought asylum to another state that has agreed to admit them as refugees and to grant them permanent settlement and the opportunity for eventual citizenship.

Resettlement serves three equally important functions: first, it is a tool to provide **international protection** and meet the specific needs of individual refugees whose life, liberty, safety, health or other fundamental rights are at risk in the country where they have sought refuge; second, it is a **durable solution** for larger numbers or groups of refugees, alongside the other durable solutions of voluntary repatriation and local integration; third, it can be a tangible expression of **international solidarity** and a **responsibility sharing** mechanism, allowing states to help sharing the burden of refugee protection, and reduce problems impacting the country of asylum.

##### A. National resettlement programmes and the EU Resettlement Scheme

Many European countries established formal resettlement programmes in partnership with UNHCR from the 1970s onwards. European resettlement has expanded considerably since the turn of the century, with new MS having established programmes in that time, though many with relatively small numbers. Most use annual quotas. Countries outside of the EU, in Europe, Iceland, Norway and Switzerland also implement annual resettlement programmes, with Switzerland having re-established<sup>13</sup> a resettlement programme on a three year pilot basis for 2013-2015.

The total number of individuals that European countries have committed to resettle with UNHCR's assistance under their annual resettlement programmes in 2014 is approximately 7,525 persons. In 2013, Europe received 6,468 refugees with UNHCR's assistance. In the same year, the United States resettled 47,875 refugees, Australia 11,117 refugees and Canada 5,140 refugees.<sup>14</sup>

*The Czech Republic conducted ad hoc resettlement activities for humanitarian and emergency reasons since 2005. Under these activities over 70 refugees were resettled (from Afghanistan, Chechnya, China, Cuba, Iran, Pakistan, Sri Lanka, and Uzbekistan). The annual programme was established in 2008; it covered 97 Burmese refugees staying in Malaysia and Thailand.*

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<sup>13</sup> Switzerland has participated in UNHCR's resettlement programme since the 1950s, but it abandoned its quota policy in 1998 and since 2005 has only taken in small groups of vulnerable refugees at the request of the UN agency. In autumn 2013, the government decided to take a contingent of 500 particularly vulnerable refugees over three years.

<sup>14</sup> <http://www.resettlement.eu/page/introduction-resettlement-europe>.



*During the years of 1993-1999, 1,183 Ukrainian citizens of Slovak origin (approximately 330 families) were resettled to **Slovakia** from the region of the Chernobyl accident. Most of the resettled persons have already acquired Slovak citizenship. In December 2015, 149 Iraqis in need of international protection were resettled from Erbil.*

***Sweden** has had a resettlement program since 1950. Starting from 2008, the resettlement programme has been amounted to 1,900 places. Within this period of time, Afghans, Burmese, Colombians, Congolese, Eritrean, Iraqis, stateless Palestinians, Somalis, Syrians, Uzbeks, were resettled under the national programme.*

In May 2015, the EC proposed the **European Resettlement Scheme** which was adopted by the Council in July 2015. To avoid displaced persons in need of protection having to resort to the criminal networks of smugglers and traffickers, the resettlement scheme provides legal and safe pathways to enter the EU. The agreed scheme has two-year lifespan (to July 2017) and foresees over 22,000 people in need of international protection resettled from outside of the EU to the EU MS. This two-year scheme is supported by the EU budget.

Under the EU-Turkey Agreement concluded on 18 March 2016, it was agreed that for every Syrian national returned from the Greek islands another will be resettled to the EU directly from Turkey.<sup>15</sup> This **1:1 mechanism** aims to replace irregular flows of migrants travelling in dangerous conditions across the Aegean Sea by an orderly and legal resettlement process. The mechanism has been in application since 4 April 2016.

As of 13 May 2016, 6,321 people have been resettled under the 20 July 2015 European Resettlement Scheme and under the 1:1 mechanism with Turkey<sup>16</sup>:

| EU MS           | Pledges made under the 20 July 2015 scheme | Total resettled under the 20 July 2015 scheme, including the 1:1 mechanism with Turkey | Third country from which resettlement has taken place         |
|-----------------|--|--|---|
| Czech Republic  | 400  | 52   | Lebanon: 32; Jordan: 20                                       |
| Finland         | 293 <sup>17</sup>                          | 139 <sup>18</sup>  | Lebanon; Turkey: 11 under the 1:1 mechanism (national scheme) |
| Hungary         | 0  | 0  | N/A   |
| Latvia          | 50   | 0  | N/A   |
| Lithuania       | 70   | 5  | Turkey: 5 under the 1:1 mechanism                             |
| Slovak Republic | 100 <sup>19</sup>                          | 0  | N/A   |
| Sweden          | 491  | 55   | Turkey: 55 under the 1:1 mechanism                            |

<sup>15</sup> <http://www.consilium.europa.eu/en/press/press-releases/2016/03/18-eu-turkey-statement>

<sup>16</sup> Annex 3 to the Communication from the Commission to the European Parliament, the European Council and the Council, COM(2016) 360 final, [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160518/communication\\_third\\_report\\_on\\_relocation\\_and\\_resettlement\\_annex\\_3\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160518/communication_third_report_on_relocation_and_resettlement_annex_3_en.pdf).

<sup>17</sup> This number is a part of the Finnish national quota for 2016 of 750 to be resettled.

<sup>18</sup> This number does not include 11 Syrians resettled from Turkey under the 1:1 mechanism, which was done through the Finnish national scheme.

<sup>19</sup> Slovakia has resettled 149 Assyrians, outside of the 20 July 2015 scheme.



From September 2014 to February 2015, **Belarus** for the first time started accepting refugees under the resettlement programme. 14 Syrian refugees, or three families, were resettled to the city of Gomel where housing was purchased to accommodate them.

According to UNHCR<sup>20</sup>, **Moldova** confirmed its readiness to resettle 50 Syrian refugees in 2013-2014<sup>21</sup>. Though no information is available whether these resettlements took place.

More detailed statistics on resettlement in the participating countries are provided in [Annex IV](#).

## B. Resettlement process

The resettlement process consists of the following phases: identification, selection, pre-departure arrangements, travel, reception, integration.

### Identification and selection

To be submitted for resettlement, individuals or families must be determined as refugees by UNHCR. The candidates for resettlement must also fall under at least one of the seven **resettlement submission categories**<sup>22</sup>:

- **legal and/or physical protection needs** of the refugee in the country of refuge (this includes a threat of *refoulement* to their country of origin);
- **survivors of violence and/or torture**, in particular where repatriation or conditions of asylum could result in further traumatization and/or heightened risk, or where appropriate treatment is not available;
- **medical needs**, in particular, life-saving treatment unavailable in the country of refuge;
- **women and girls at risk** who have protection problems particular to their gender;
- **family reunification**, when resettlement is the only means to reunite refugee family members who, owing to refugee flight or displacement, are separated by borders or entire continents;
- **children and adolescents at risk**, where a Best Interests Determination supports resettlement;
- **lack of foreseeable alternative durable solutions**, which generally is relevant only when other solutions are not possible in the foreseeable future; when resettlement can be used strategically; and/or when it can open possibilities for comprehensive solutions.

Resettlement can be implemented through **selection missions** or **dossier selection**.

Some resettlement states allocate a portion or their entire quota to **dossier submissions**, on which they make decisions **without requiring a direct interview** with the refugee. A state may specify from which refugee population they wish to receive dossier submissions, or leave this open to UNHCR discretion. In other cases, resettlement states, by either discretion or law, require an individual interview with the refugees under resettlement consideration. These interviews typically take place during resettlement **selection missions** to the country of asylum.

Selection missions to the field are an important opportunity for states to consider a large number of resettlement cases at the same time through direct interviews with refugees, and to gain familiarity with the asylum context. They also provide an opportunity for UNHCR to dialogue with officials from

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<sup>20</sup> UNHCR Projected Global Resettlement Needs, 2015, <http://www.unhcr.org/543408c4fda.html>.

<sup>21</sup>

<http://www.resettlement.eu/sites/icmc.ttp.eu/files/RST%20and%20HAP%20for%20Syrian%20Refugees%207%20November%202013.pdf>.

<sup>22</sup> [http://unhcr.org.ua/uk/?option=com\\_content&view=article&id=309&Itemid=259&lang=en](http://unhcr.org.ua/uk/?option=com_content&view=article&id=309&Itemid=259&lang=en).



resettlement countries to promote understanding of UNHCR goals and encourage flexibility on selection decisions.

Selection missions require good planning, as they call for considerable effort not only to prepare the agreed number of submissions ahead of time, but also to manage logistics and support during the mission itself.

*The Office of Immigration and Nationality (OIN) of Hungary is responsible for appointing members of the selection mission (refugee affairs officers and an interpreter) and making all the necessary arrangements. The location where the selection mission will be undertaken is chosen on the basis of the number of the interviewees. If a selection mission needs to be undertaken at multiple locations which requires excessive funding, the OIN opts for dossier-based selection.*

The forms of selection of candidates for resettlement used by the responding countries are presented in the table<sup>23</sup>:

| EU MS             | Selection missions           | Dossier selection  |
|-------------------|------------------------------|--|
| <b>Armenia</b>    | N/A                          | N/A  |
| <b>Azerbaijan</b> | N/A                          | N/A  |
| <b>Belarus</b>    | Information is not available | Information is not available   |
| Czech Republic    | Yes                          | Yes  |
| Finland           | Yes                          | Yes (100 urgent/emergency cases; possible in principle in other cases but has not traditionally been practiced)                                    |
| <b>Georgia</b>    | N/A                          | N/A  |
| Hungary           | Yes                          | Yes (authorities opt for dossier-based selection if a selection mission has to be undertaken at multiple locations resulting in excessive funding) |
| Latvia            | Information is not available | Information is not available   |
| Lithuania         | Information is not available | Information is not available   |
| Slovak Republic   | Information is not available | Information is not available   |
| Sweden            | Yes                          | Yes (approx. 1,000-1,300 persons out of 1,900)   |
| <b>Ukraine</b>    | N/A                          | N/A  |

More detailed information on organization of the selection process is available for **Hungary, the Czech Republic** and **Sweden**:

*The OIN of Hungary conducts brief interviews with the applicants on the phone to find out their reasons for applying for the program, learn more about their life circumstances and the level of vulnerability, as well as to examine the ways how they can be interviewed in person during the selection mission. This procedure differs fundamentally from the regular resettlement practice because in a regular case UNHCR submits Resettlement Registration Forms (RRFs) to the countries for resettlement considerations, and they make their choice based on dossiers. In the Hungarian resettlement practice, the OIN selects and screens the applicants. When*

<sup>23</sup> Data is received from the countries' responses to the questionnaire and, if not available there, from the UNHCR Resettlement Handbook and Country Chapters, <http://www.unhcr.org/4a2ccf4c6.html>.

*this selection and screening process is over, the OIN asks UNHCR to prepare and send the RRFs to the OIN. The reason for this practice to be applied is to make sure that the persons to be resettled want to stay and live in Hungary.*

*The National Resettlement Programme Strategy of **the Czech Republic** provides for the possibility to select refugees based on dossier submissions from UNHCR including urgent and emergency cases. For normal priority cases, selection missions are carried out by representatives from the Ministry of the Interior and the Refugee Facilities Administration (RFA). Missions are composed of resettlement interviews, social interviews and cultural orientation training. Social interviews, carried out by a representative of the RFA, collect information on refugees' social and cultural backgrounds – social habits, family dynamics, languages spoken, level of literacy and so on – which is used to prepare targeted post-arrival assistance in the Czech Republic.*

*The **Swedish Migration Agency** considers for resettlement both refugees interviewed during selection missions (4-5 each year) and via dossier submissions from UNHCR. The current quota of 1,900 refugees per year is divided more or less equally between those selected during missions and those selected on a dossier basis. In addition to submissions from UNHCR, Swedish diplomatic missions may occasionally refer cases for resettlement. The Swedish quota is known for its capacity to respond to emergency needs.*

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### **Pre-departure arrangements and travel**

When resettled refugees need to travel a few elements have to be taken into consideration. Firstly, travel documents need to be obtained, and are usually provided by the country of resettlement through their embassies and consulates. Depending on the country where the refugees to be resettled are currently staying and/or transiting through, exit permits and transit visas are also required. At major airports, transit assistance is provided to ensure that refugees take the correct connecting flights.

Prior to departure, pre-embarkation check and fit-to-travel assessments are conducted to verify that refugees are fit to travel, and to ensure that pre-departure treatment for certain diseases has been provided. This can be conducted by IOM physicians and nurses in clinics, in transit centers, by mobile health teams, or collaborating field partners.

*After the finalisation of health checks and compulsory security screening, the Ministry of the Interior of **the Czech Republic** notifies the UNHCR Prague office to coordinate subsequent communication with the UNHCR office in the country of asylum of the refugee. The transport to the Czech Republic is generally organised promptly by the Czech Republic, with the assistance of IOM when necessary.*

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Arranging travel for resettled refugees and other vulnerable persons is part of IOM's mandate. IOM has a worldwide network of experienced movement operations staff who ensure that refugees are transported smoothly from remote, often far-flung locations to their final destination.

*For **Finland** IOM makes the travel arrangements for the admitted quota refugees at the request of the migration agency. Embassies of Finland overseas assist with exit procedures.*



*In **Hungary**, until the end of 2015, it used to be the relevant department of OIN who was in charge of making all travel arrangements in close cooperation with IOM after completion of the selection and recognition procedures. IOM used to be responsible for arranging local assistance, airport coordination and pre-departure fit-to-travel medical screening. OIN was in charge of making travel arrangements and coordinating the reception of beneficiaries. From this year on, IOM no longer takes part in the Hungarian resettlement program since a partner NGO of OIN (affiliated with the Reformed Church in Hungary) is in charge of providing all travel arrangements-related services ranging from pre-departure medical screening (implemented through the NGOs local church network) through booking flight tickets to Hungary to cultural orientation.*

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As refugees are typically novice travelers and often travel in groups, transportation and passenger handling at embarkation, transit and arrival airports is organized on their behalf. This includes assistance with check-in, customs and immigration formalities, and with transit and arrival assistance.

*Red Cross is always in the airport in **Finland** receiving the refugees and assisting them to the municipality.*

*Before the arrival of the Resettlement Program beneficiaries to **Hungary**, the Hungarian (Airport) Police (in charge of border management at the airport) is informed about their arrival to ensure flawless entry procedures. At the airport, the representatives of the OIN and those of the NGO in charge of the integration program welcome the beneficiaries and officially declare that they have been granted refugee status in Hungary.*

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## **Reception and integration**

Resettlement is a process ultimately resulting in a durable solution leading to the refugees' successful reception and integration.

Resettlement countries ensure that, **prior to resettlement**, measures are put in place to provide for the appropriate reception and integration of resettled refugees. The full benefits of resettlement are enhanced by such measures, as elaborated, for example, in *Refugee Resettlement: An International Handbook to Guide Reception and Integration*<sup>24</sup>.

Resettlement countries and relevant resettlement partners work with refugees, as needed, to enhance their effective integration, with a view to progressively attain the standards enjoyed by nationals. The following are some examples of the services that have proven helpful:

- providing pre-departure and post-arrival orientation:

*Part of the selection mission conducted by the **Czech** authorities is a cultural orientation programme aimed at basic information provision, including the scope of assistance received in the Czech Republic, and realistic expectation creation.*

*Upon arrival to **Hungary** a meeting at the OIN headquarters is arranged. During the meeting, the beneficiaries apply for a Hungarian ID and address registration card. They are also informed about the opportunity of requesting and receiving regular integration allowances (to cover accommodation costs, health insurance, food, schooling and other expenses) from the State.*

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<sup>24</sup> <http://www.unhcr.org/4a2cfe336.html>.



*The personnel of the Embassy of **Lithuania** in Ankara (Turkey) conducts an interview during which the applicants are provided with cultural orientation and give their final consent to be transferred to Lithuania or refuse the transfer.*

*Employees of the Migration Office of the Ministry of Interior of **the Slovak Republic** personally carried out interviews with all the families to be resettled from Erbil and provided cultural orientation to the group during their visit to Erbil.*

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- providing access to education (including language training and skills development), employment and health and social services:

*In **Belarus** resettled refugees get access to the Russian language training courses, assistance in employment, children are admitted to pre-school education facilities.*

*Refugees resettled to the **Czech Republic** attend intensive language courses (total of 400 hours) and sociocultural adaptation course helping them to adapt more swiftly to a new situation. All resettled refugees are also provided with social assistance. All minor children attend local primary or secondary schools. Social and health insurances, similar to those provided to Czech citizens, are covered by specifically allocated funds.*

*Integration programs established in **Hungary** include tailor-made intensive language courses (this is the most important of all, because without speaking Hungarian finding employment is hardly possible), vocational trainings, career orientation courses and accommodation programs, as well as programmes helping the resettled refugees to cater for their individual and special needs.*

*The resettled refugees arriving to **Slovakia** are transferred to the reception center where they stay for the period of three months being provided with accommodation, food, and pocket money. In the reception center, asylum procedure takes place. During this period Slovak language classes are provided too. The first month spent in the reception center is a quarantine period, during which all the medical examinations are being done and infectious diseases (if any) are eliminated. After their stay in the asylum center, the families are moved to their new homes and their integration process is continued.*

*In **Sweden** resettled refugees have access to mainstream integration and reception services, including language training, civic orientation and other support services provided by municipality offices or the Public Employment Service.*

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- working to engender public support and acceptance, including through public relations campaigns, especially in situations where a number of refugees are resettled in a short period of time; and
- promoting naturalization.

Resettlement countries should confer secure legal status to resettled refugees upon arrival, including civil, political, economic, social and cultural rights.

**The status and rights** given to resettled refugees vary depending on the country. Resettled refugees arriving in **Belgium, the Czech Republic, Finland, France, Ireland, Portugal, Sweden** and **the UK** receive a permanent residence permit. While refugees resettled to **Denmark, Germany, Iceland, the**



**Netherlands, Norway, Romania** and **Spain** receive a temporary residence permit, and are able to apply for permanent residency after a specified period of legal residency (the number of years varies by country) and subject to satisfying a number of conditions related to language, civic knowledge, financial independence and good conduct (conditions also vary by country). All European countries provide a pathway to citizenship for permanent residents, again after varying periods of legal residency and subject to satisfying varying conditions as listed for permanent residency.

Full refugee status or subsidiary protection is granted to refugees in most European resettlement countries. Refugees resettled to **Denmark, Finland, Iceland, Ireland, Norway (selection mission cases), Portugal, Spain, Sweden** and **the UK** receive refugee status immediately. Refugees resettled to **Belarus, Belgium, the Czech Republic, France, Lithuania, the Netherlands, Norway (dossier cases), Romania** and **Slovakia** must complete an asylum procedure after arrival into the country (although this is usually an expedited process). Refugees resettled to **Germany**, however, do not receive refugee status, and instead receive humanitarian status which does not provide the same legal benefits available for refugees.

*Refugees admitted to **Finland** under refugee quota on UNHCR's proposal are granted a refugee status. The resettled persons do not undergo an asylum procedure after having been resettled. They are also granted continuous residence permit including work permit for four years. Finland also issues biometric residence permit cards to the refugees accepted in Finland.*

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Detailed information regarding different stages of the resettlement process of the participating countries is contained in [Annex V](#) and regarding involvement of non-governmental actors, in [Annex VI](#).

### C. Humanitarian admission

The term “humanitarian admission” (HA) is currently used in different ways. Some HA programmes are, in fact, resettlement schemes carried out under the auspices of UNHCR; this concerns, for instance, part of the Syrian refugees whom **Austria** admits under its humanitarian programme. Other programmes target refugees whom UNHCR has not individually selected.

*The **Czech Republic** resettles refugees also based on humanitarian admission such as emergency resettlement procedures, including medical cases and women-at-risk cases. At the end of 2015 the Czech Republic also initiated humanitarian admission scheme focusing on Iraqi IDPs.*

*In December 2015, 149 Iraqis in need of international protection from Erbil arrived to **Slovakia**. This resettlement took place in the form of humanitarian admission.*

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When UNHCR is not involved in referring the candidates for HA, these programmes, in principle, can be accessible to individuals who might not qualify for resettlement under UNHCR. For example, HA programmes could also be used for internally displaced persons, who do not qualify for resettlement under UNHCR since they are still in their home country.

In response to the Syrian crisis, traditional resettlement schemes have been complemented by national HA programmes, generally using similar criteria as UNHCR for selecting beneficiaries.

In February 2015, UNHCR listed examples of HA programmes, which include the “Humanitarian Action Syria” in **Austria** (1,500 persons), the HA programme in **Germany** (20,000 persons), the Syrian



Humanitarian Admission Programme in **Ireland** (111 persons) or the Vulnerable Persons Relocation scheme in **the United Kingdom** (90 persons as of end 2014).<sup>25</sup>

### Germany

In March 2013, the German Federal Government announced that it would admit 5,000 Syrian refugees from Lebanon via a Humanitarian Admission Pilot programme (HAP). The programme prioritizes refugees with humanitarian needs, those with family links in Germany, and individuals who can contribute to rebuilding their homeland following the end of the conflict in Syria.<sup>26</sup> The programme is designed to facilitate the swift entry of such refugees from Lebanon to Germany to secure their immediate protection until when they are able to return home in safety and dignity or find other durable solutions.

In December 2013, Germany announced its commitment to take additional 5,000 Syrians and, in June 2014, it was decided to further extend HAP for Syrian refugees by additional 10,000 places now bringing its commitment to receive 20,000 persons in total.

### Ireland

The Irish Department of Justice opened from 14 March to 30 April 2014 a HA programme to allow people affected by the Syrian conflict joining close relatives who are lawfully residing in Ireland. The admission programme offered temporary residency for up to two years. Applications for up to four of the most vulnerable family members – elderly parents, children, unaccompanied mothers and their children, single women and girls at risk and disabled persons – could be submitted, two of whom would be prioritized for admission in the first instance. The two-person quota would be applied flexibly to avoid the breaking up of family units. The Irish Department of Justice received applications for 308 people, out of whom 111 were granted permission to enter Ireland. This programme was without prejudice to other avenues entering the EU.

### EU Voluntary Humanitarian Admission Scheme with Turkey

A voluntary HA scheme with Turkey for persons displaced by the conflict in Syria who are in need of international protection should be established in accordance with the conditions laid down in the EC Recommendation of 15 December 2015<sup>27</sup>.

HA should mean an expedited process whereby the participating states, based on a recommendation of UNHCR following referral by Turkey, admit persons in need of international protection, displaced by the conflict in Syria, who have been registered by the Turkish authorities prior to 29 November 2015, in order to grant them subsidiary protection or an equivalent temporary status, the validity of which should not be less than one year.

MS and associated states should participate in the scheme **on a voluntary basis**. Admissions under this scheme will be activated once the irregular crossings between Turkey and the EU have come to end, or at least have been very substantially reduced. The EC expects that if the crossings stop or significantly reduce, then the number of MS willing to participate in the scheme will increase and

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<sup>25</sup> Legal entry channels to the EU for persons in need of international protection: a toolbox, [http://fra.europa.eu/sites/default/files/fra-focus\\_02-2015\\_legal-entry-to-the-eu.pdf](http://fra.europa.eu/sites/default/files/fra-focus_02-2015_legal-entry-to-the-eu.pdf).

<sup>26</sup> For more details, including selection process, see:

[http://www.unhcr.de/fileadmin/user\\_upload/dokumente/02\\_unhcr/thap2013e.pdf](http://www.unhcr.de/fileadmin/user_upload/dokumente/02_unhcr/thap2013e.pdf).

<sup>27</sup> Commission Recommendation for a voluntary humanitarian admission scheme with Turkey C(2015) 9490, [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/securing-eu-borders/legal-documents/docs/commission\\_recommendation\\_for\\_a\\_voluntary\\_humanitarian\\_admission\\_scheme\\_with\\_turkey\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/securing-eu-borders/legal-documents/docs/commission_recommendation_for_a_voluntary_humanitarian_admission_scheme_with_turkey_en.pdf).



potentially the scheme could be enlarged also to Jordan and Lebanon. If the scheme proves to be unsuccessful the MS could decide to suspend the implementation or to adapt the numbers of admitted persons accordingly.

When deciding on the distribution of the number of persons that will be admitted, participating states should take into account criteria reflecting their absorption, reception and integration capacities, the size of the population, total gross domestic product, past asylum efforts, and the unemployment rate should be taken into account.

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**Possible topics  
for discussion**

*If your country practices selection missions, how are they arranged?*

*What particularities did you observe/took into account in the integration process of the resettled refugees (as compared to in-country refugees)?*

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## V. Intra-EU relocation of asylum seekers

Relocation is the transfer of persons who are in need of international protection from one EU MS to another EU MS. The receiving country is responsible for examining an asylum application lodged by a resettled person. It is a clear deviation from the previously established principle<sup>28</sup> that the responsibility for examining an asylum claim lies first and foremost with the MS which played the greatest part in the applicant's entry to the EU (in most cases a MS of entry or sometimes a MS who issued visa or residence permit).

In 2008, in response to the large numbers of asylum seekers arriving to **Malta**, the EU adopted a mechanism to enable a joint EU response in cases where a MS's particular geographic or demographic situation results into a disproportionate migratory pressure on that MS. In these cases, the mechanism would allow for the physical transfer of beneficiaries of international protection to another MS via a process known as "**intra-EU relocation**".

In order to initiate relocation programmes, the EU Pilot Project on Intra-EU Relocation from Malta (EUREMA) was implemented in 2010 and 2011. The results were modest – a total of 255 relocation places were pledged by ten participating MS, of which 227 persons were eventually relocated to six of the pledging states. Under EUREMA II (2012-2013) seven MS pledged a total of 91 places. Additional eight MS and the EEA countries made bilateral arrangements with Malta that added another 265 relocation places.

*Slovakia was a partner of the Project EUREMA I and II and was ready to relocate vulnerable persons, but no asylum seekers expressed interest to come to Slovakia.*

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Currently, the **vast majority of arrivals** are registered in few MS (e.g. **Greece** and **Italy**). Some EU countries (e.g. **Germany**, **Sweden**) offer more attractive reception and asylum systems than others, creating an incentive for **asylum shopping** and leading to secondary movements within the EU. These factors create unbalances in the distribution of asylum seekers and place disproportionate pressure on the asylum systems of a small number of MS.

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<sup>28</sup> Established by the Commission Regulation (EC) No 1560/2003 of 2 September 2003 laying down detailed rules for the application of Council Regulation (EC) No 343/2003 establishing the criteria and mechanisms for determining the Member States responsible for examining an asylum application lodged in one of the Member States by a third-country national. The Commission Regulation was amended by the Commission Implementing Regulation (EU) No 118/2014 of 30 January 2014.



*Since the situation and numbers of asylum seekers arriving in **Sweden** escalated during the autumn of 2015, the Swedish Government requested to the European Commission in November 2015 to exempt Sweden from its responsibilities under the relocation decisions, and asked that Sweden should benefit from the relocation and be able to relocate asylum seekers from Sweden to other Member States. As a response to the Swedish request, the Commission proposed to give Sweden a temporary suspension from relocating to Sweden for a year. That proposal is currently under discussion but not yet adopted. Relocation from Sweden seems unlikely in the current situation as the Commission has proposed to use the remaining quota for relocation for resettlement from Turkey instead, but the Swedish request remains in case those places will not be used.*

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## **A. Emergency relocation scheme**

In September 2015, the European Council adopted a decision which provided for a temporary and exceptional relocation mechanism (**the emergency relocation scheme**) from **Italy** and **Greece** to other MS of persons in clear need of international protection. Over a period of two years, **40,000** persons will be relocated from Italy (24,000) and from Greece (16,000).

Soon afterwards, the Council agreed on the relocation of **120,000** persons in clear need of international protection from **Italy** and **Greece** and other MS directly affected by the refugee crisis. The Commission had initially proposed to relocate 120,000 people from **Greece** (50,400), **Italy** (15,600) and **Hungary** (54,000). As Hungary however opted out from benefitting from the emergency relocation scheme, the Council agreed that (an)other Member State(s) confronted with a similarly evolving pressure following a sudden inflow of nationals of third countries could benefit instead.

The distribution of asylum seekers to the MS is done in accordance with the so called **distribution key** which is based on objective, quantifiable and verifiable criteria with appropriate weighting factors. The data used in the key is data provided by the MS themselves to Eurostat. The criteria take into account both the absorption capacity and the integration capacity of the MS. The **two major factors** are: 1) the size of the population (40%): the larger the population, the easier it is for the MS to absorb and integrate refugees; 2) the total GDP (40%): large economies are generally considered more able to shoulder greater migration pressures. In addition, there are **two corrective factors** (applied inversely): the number of the asylum applications received and resettlement places already offered in the past five years (10%) and the unemployment rate (10%). In the latter cases, the higher the existing asylum application numbers and the higher the unemployment rate, the fewer individuals a MS should relocate.

The decisions concern in principle **all EU MS**. As **Italy** and **Greece** are the beneficiary MS they are not receiving the relocated persons. **The United Kingdom** and **Ireland** have – according to the Treaty on the Functioning of the European Union<sup>29</sup> – an opt-out with the possibility to participate should they choose so. **Ireland** has opted-in and announced that the country is ready to participate in the relocation efforts. **Denmark** has an opt-out without the possibility to participate but the country is ready to take 1,000 refugees in the context of the agreement on the relocation of 120,000 (without however being part of the relocation scheme). **Switzerland** and **Norway** as associated countries have also declared their readiness to participate.

The relocation mechanism will only apply to those nationals who have an average EU-wide asylum **recognition rate** equal to or higher than 75%, on the basis of Eurostat data for the previous quarter. According to the data for quarter 2 of 2015, these are **Eritreans, Iraqis** and **Syrians**.

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<sup>29</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>.



*Till April 26, 2016 Latvia has relocated 23 persons within EU relocation programme – six persons from Greece (Eritreans and Syrians) in February 2016 and 17 persons from Greece and Italy (Iraqis, Syrians, Eritreans) in April 2016.*

*Under relocation program six persons have been transferred from Greece to Lithuania from December, 2015, and in 2016 so far: an Iraqi family (four persons) and two Syrian applicants.*

The relocation process includes a number of steps that can be grouped into **several phases**:

1) **preparatory phase**: nomination of national contact points by Italy/Greece for an exchange of information between the other MS and the EASO; nomination of liaison officers by the receiving MS to Italy/Greece to match the destination country with refugees' qualifications, language skills, family, cultural and social ties, to help integration; roadmaps to be presented by Italy/Greece which shall include adequate measures in the area of asylum and the emergency relocation; setting up facilities for identification, registration and fingerprinting of asylum seekers; adoption by receiving MS of relevant measures allowing the relocation:

*Transfer to Latvia and reception of persons in need of international protection took place according to the specially adopted "Action Plan on transferring to and reception in the Republic of Latvia of persons in need of international protection" approved by Order of the Cabinet of Ministers of the Republic of Latvia No. 759 of 2 February 2015. The Action Plan provides for establishment in Latvia of suitable conditions for reception of asylum seekers and refugees as well as socio-economic inclusion measures for persons being granted international protection. This Action Plan also applies to relocated and resettled persons.*

2) **identification phase**: candidates are being interviewed, their profile is created; Italy/Greece gives numbers of eligible candidates; the receiving MS may indicate preferences for certain candidates, with due respect for the principle of non-discrimination, priority is given to particularly vulnerable applicants and an applicant can be refused only on the national security grounds;

3) **procedural steps leading to actual relocation**: submission of proposed candidates by Italy/Greece; approval of the candidates by the receiving MS; written notification to the candidates; information on the date, time of the transfer and other relevant information is sent to Italy/Greece.

The EU budget provides dedicated funding to support the emergency relocation scheme. For each relocated person the MS of relocation receives a lump sum of EUR 6,000 while Italy/Greece receives a lump sum of EUR 500 to support the country's relocation efforts.

## **B. Permanent relocation system**

The European Agenda on Migration adopted by the EC in May 2015, outlines **immediate measures** required to respond to the current urgent and complex challenges in the area of migration as well as **medium and long term initiatives** that need to be taken to provide structural solutions for better managing migration in all its aspects.

Thus, the Commission has also proposed<sup>30</sup> a **permanent system**, which could be triggered for any EU MS facing an emergency situation. The new system will make sure that when an overwhelming

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<sup>30</sup> Proposal for a Regulation of the European Parliament and of the Council establishing a crisis relocation mechanism and amending Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the MS responsible for examining an application for international protection lodged in one of the MS by a third country national or a stateless person, <http://ec.europa.eu/dgs/home-affairs/what-we->



number of asylum requests are filed in just one MS, the number of asylum seekers exceeding the absorption capacity of that country will be distributed among all MS that are not confronted with excessive pressure.

The Commission determines whether there is a crisis based on: (i) the increase in the number of asylum applicants in the last six months; (ii) the increase in the number of irregular border crossings in the last six months; (iii) the number of asylum applications per capita, compared to the EU average. The number of persons to be relocated will be fixed, not higher than 40% of the number of applications made in the past six months. The number of persons that the other EU MS should take is determined by a distribution key.

[Annex VIII](#) contains the numbers related to legal commitments of the EU/EEA MS to relocate as well as effectively relocated persons from Italy and Greece.

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**Possible topics  
for discussion**

*What are the measures adopted by your Government with the view to prepare for reception of relocated persons?*

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*Did your country indicate any preferences with regard to applicants to be relocated to its territory and if yes, what were those preferences?*

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*Did you observe secondary movements of persons initially relocated to your country and what measures have been taken to avoid that?*

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[do/policies/european-agenda-migration/proposal-implementation-package/docs/proposal\\_for\\_regulation\\_of\\_ep\\_and\\_council\\_establishing\\_a\\_crisis\\_relocation\\_mechanism\\_en.pdf](https://www.eapmigrationpanel.org/do/policies/european-agenda-migration/proposal-implementation-package/docs/proposal_for_regulation_of_ep_and_council_establishing_a_crisis_relocation_mechanism_en.pdf).



## Annexes

### Annex I. Questionnaire distributed among the participating countries

1. Please share information about your country's previous experience with resettlement. In what forms have resettlement taken place? Please share statistics from the last ten years on number of resettled persons and their nationalities.
2. What forms of admission/legal pathways have you engaged in or considered for persons in need of international protection? (resettlement, humanitarian admission, private sponsorship or other forms)?
3. If your country has not resettled or offered other forms of admissions for persons in need of international protection, what are the main reasons for not engaging (i. e. practical obstacles, lack of knowledge, lack of political commitment)?
4. What international organisations have you cooperated with or considered cooperating with in relation to resettlement? Do you also involve NGOs?
5. Please briefly describe the practical procedure for resettlement to your country.
6. How have you facilitated the integration process for resettled refugees?
7. For EU Member States: Please share your national experiences from the EU relocation programme.



## Annex II. Forms of admission implemented by the countries

| Admission<br>Country | Resettlement | Humanitarian<br>admission | Private<br>sponsorship | Humanitarian<br>visas | Academic<br>scholarships | Humanitarian<br>transfer | Relocation |
|----------------------|--------------|---------------------------|------------------------|-----------------------|--------------------------|--------------------------|------------|
| <b>Armenia</b>       | -            | -                         | -                      | -                     | -                        | -                        | N/A        |
| <b>Azerbaijan</b>    | -            | -                         | -                      | -                     | -                        | -                        | N/A        |
| <b>Belarus</b>       | +            | -                         | -                      | -                     | -                        | -                        | N/A        |
| Czech<br>Republic    | +            | +                         | -                      | -                     | -                        | -                        | +          |
| Finland              | +            | -                         | -                      | -                     | -                        | -                        | +          |
| <b>Georgia</b>       | -            | -                         | -                      | -                     | -                        | -                        | N/A        |
| Hungary              | +            | -                         | -                      | -                     | + <sup>31</sup>          | -                        | +          |
| Latvia               | +            | -                         | -                      | -                     | -                        | -                        | +          |
| Lithuania            | +            | -                         | -                      | -                     | -                        | -                        | +          |
| Slovak<br>Republic   | +            | +                         | -                      | -                     | -                        | +                        | +          |
| Sweden               | +            | -                         | -                      | -                     | -                        | -                        | +          |
| <b>Ukraine</b>       | -            | -                         | -                      | -                     | -                        | -                        | N/A        |

<sup>31</sup> The country did not mention this form of admission in its response to the questionnaire; information is received from the UNHCR update on resettlement and other admission pathways for Syrian refugees of 29 April 2016, <http://www.unhcr.org/52b2febafc5.pdf>.

### Annex III. Countries' reasons for not resettling

| Country           | Reasons for not resettling  |
|-------------------|---|
| <b>Armenia</b>    | - no relevant legislation;<br>- the issue has not been brought to the attention of the authorities  |
| <b>Azerbaijan</b> | - no relevant norms in the national legislation   |
| <b>Belarus</b>    | N/A   |
| Czech Republic    | N/A   |
| Finland           | N/A   |
| <b>Georgia</b>    | - difficult internal situation (significant numbers of IDPs and in-country refugees)<br>- not enough knowledge and tools for resettlement yet |
| Hungary           | N/A   |
| Latvia            | - lack of political commitment (previously)   |
| Lithuania         | N/A   |
| Slovak Republic   | N/A   |
| Sweden            | - lack of instructions from the government on anything but resettlement   |
| <b>Ukraine</b>    | - difficult internal situation (political, socio-economic, large numbers of IDPs)   |

## Annex IV. The countries' statistics on resettlement for the past years

| Country           | Start of resettlement | Number of the resettled persons         | Main nationalities of the resettled persons  |
|-------------------|-----------------------|---|--|
| <b>Armenia</b>    | N/A                   |   |  |
| <b>Azerbaijan</b> | N/A                   |   |  |
| <b>Belarus</b>    | 2014                  | 14                                      | Syrians  |
| Czech Republic    | 2005                  | 177 since 2006                          | Burmese, Uzbeks, Cubans, Afghans, Pakistanis, Iranians, Sri Lankans, Chinese, Chechens                           |
| Finland           | 1979                  | 7,667 since 2006                        | Syrians, Somalis, Congolese, Afghans, Sudanese, Iraqis, Iranians, Burmese, Sri Lankans, Chinese, Pakistanis etc. |
| <b>Georgia</b>    | N/A                   |   |  |
| Hungary           | 2012                  | 32                                      | Syrians, Iranian   |
| Latvia            | Preparing to start    |   |  |
| Lithuania         | 2016                  | 5                                       | Syrians  |
| Slovak Republic   | 1993                  | 1,332 since 1993                        | Ukrainians of Slovak origin, Iraqis  |
| Sweden            | 1950                  | 1,700-1,900 persons annually since 2006 | Afghans, Somalis, Syrians, Burmese, Eritrean, Iraqis, Colombians, stateless Palestinians, Uzbeks, Congolese      |
| <b>Ukraine</b>    | N/A                   |   |  |

## Annex V. Particularities of the resettlement process

| Phases / Country      | Identification  | Selection   | Pre-departure arrangements   | Travel  | Reception   | Integration  |
|-----------------------|---|---|--|---|---|--|
| <b>Armenia</b>        | N/A   |   |  |   |   |  |
| <b>Azerbaijan</b>     | N/A   |   |  |   |   |  |
| <b>Belarus</b>        | - facilitated by UNHCR  | - facilitated by UNHCR  | -  | -   | -   | - refugee status granted;<br>- housing;<br>- Russian language courses;<br>- assistance with employment;<br>- education for children  |
| <b>Czech Republic</b> | - emergency cases, incl. medical cases and women-at-risk cases            | - candidates are interviewed by the representatives of the Mol  | - health checks;<br>- security checks                                    | - IOM is involved when necessary  | - accommodation at the Integration Asylum Centers   | - pre-departure cultural orientation;<br>- the State Integration Programme;<br>- housing within 6 months after arrival;<br>- intensive language courses;<br>- sociocultural adaptation course;<br>- social assistance;<br>- education for minors |
| <b>Finland</b>        | -   | - selection missions are organized by the Migration Service (Migri);<br>- personal interviews with the candidates;<br>- Migri makes decisions on admission and municipality of placement; | - embassies of Finland assist with exit procedures;<br>- security checks | - IOM makes travel arrangement  | - Red Cross meets refugees at the airport and assists with their further transfer                             | - refugee status is granted instantly;<br>- continuous residence permit and work permit for four years   |
| <b>Georgia</b>        | N/A   |   |  |   |   |  |
| <b>Hungary</b>        | - Syrian nationals residing outside of Syria, registered with UNHCR, with | - brief interviews with the candidates by phone;<br>- embassies of Hungary help selection missions on-  | - security checks;<br>- medical screening;<br>- local assistance         | - NGO (affiliated with the Reformed Church in Hungary) books flights (IOM was | - the Hungarian Airport Police is informed to ensure smooth entry;<br>- the migration agency and the NGO meet | - cultural orientation;<br>- refugee status is granted instantly;<br>- orientation meeting at the migration  |



|                 |   |   |  |  |   |  |
|-----------------|---|---|--|--|---|--|
|                 | connections to Hungary;<br>- a call for applications is sent to UNHCR, other IOs and NGOs | site;<br>- personal interviews with the candidates;<br>- expedited refugee recognition procedure        |  | involved before);<br>- airport coordination                | beneficiaries at the airport  | agency;<br>- application for ID and address registration card;<br>- payment of allowance covering accommodation, health insurance, food, schooling etc;<br>- allowance to the NGO responsible for the integration programme;<br>- intensive language courses;<br>- vocational trainings;<br>- career orientation courses |
| Latvia          | -   | -   | -  | -  | - same as for in-country refugees   | - same as for in-country refugees  |
| Lithuania       | - cases are referred to UNHCR by Turkish authorities                                      | - decision by the migration agency;<br>- candidates are interviewed by the Lithuanian embassy in Turkey | - security checks                                  | - transfer is facilitated by IOM                           | - application for asylum upon arrival   | - pre-departure cultural orientation by the Embassy;<br>- integration process begins after international protection is granted   |
| Slovak Republic | - third party submits the list of candidates  | - candidates are interviewed by the employees of the Migration Office                                   | - visas are arranged by the Government             | - transfer is organized in cooperation with the Government | - three-month stay at the reception center (food and pocket money are provided);<br>- application for asylum at the reception center;<br>- one-month quarantine period (medical examinations, healthcare) | - pre-departure cultural orientation;<br>- language courses;<br>- permanent accommodation;<br>- integration measures are implemented by an NGO   |
| Sweden          | - cases are referred by UNHCR   | - SMA examines cases (dossier examination or selection  | - exit permits;<br>- travel documents;<br>- visas; | - IOM is contracted for logistical tasks and support       | -   | - pre-departure cultural orientation (when possible);<br>- language  |



|                |     |           |                          |  |  |                                     |
|----------------|-----|-----------|--------------------------|--|--|-------------------------------------|
|                |     | missions) | - fit-to-fly<br>checkups |  |  | training;<br>- civic<br>orientation |
| <b>Ukraine</b> | N/A |           |                          |  |  |                                     |



## Annex VI. Involvement of international organizations and NGOs into the resettlement process

| IOs, NGOs              | UNHCR | IOM | Red Cross | NGOs | Other organizations  |
|------------------------|-------|-----|-----------|------|----------------------|
| <b>Country</b>         |       |     |           |      |                      |
| <b>Armenia</b>         | N/A   |     |           |      |                      |
| <b>Azerbaijan</b>      | N/A   |     |           |      |                      |
| <b>Belarus</b>         | +     | -   | +         | -    | -                    |
| <b>Czech Republic</b>  | +     | +   | -         | +    | Churches             |
| <b>Finland</b>         | +     | +   | +         | -    | -                    |
| <b>Georgia</b>         | N/A   |     |           |      |                      |
| <b>Hungary</b>         | +     | +   | -         | +    | Church-run charities |
| <b>Latvia</b>          | +     | +   | -         | -    | -                    |
| <b>Lithuania</b>       | +     | +   | -         | -    | -                    |
| <b>Slovak Republic</b> | +     | +   | -         | +    | -                    |
| <b>Sweden</b>          | +     | +   | -         | -    | -                    |
| <b>Ukraine</b>         | N/A   |     |           |      |                      |



## Annex VII: Relocations from Italy and Greece to other EU/EEA MS

| EU MS                              | Relocations from Italy                    |                                     | Relocations from Greece                   |                                     |
|------------------------------------|---|-------------------------------------|---|-------------------------------------|
|                                    | Legally foreseen commitment <sup>32</sup> | Effectively relocated <sup>33</sup> | Legally foreseen commitment <sup>34</sup> | Effectively relocated <sup>35</sup> |
| Austria                            | 462                                       | 0                                   | 1491                                      | 0                                   |
| Belgium                            | 1397                                      | 24                                  | 2415                                      | 0                                   |
| Bulgaria                           | 471                                       | 0                                   | 831                                       | 4                                   |
| Croatia                            | 374                                       | 0                                   | 594                                       | 0                                   |
| Cyprus                             | 139                                       | 0                                   | 181                                       | 6                                   |
| <b>Czech Republic<sup>36</sup></b> | <b>1036</b>                               | <b>0</b>                            | <b>1655</b>                               | <b>4</b>                            |
| Denmark                            | N/A                                       | 0                                   | N/A                                       | 0                                   |
| Estonia                            | 125                                       | 0                                   | 204                                       | 19                                  |
| <b>Finland</b>                     | <b>779</b>                                | <b>148</b>                          | <b>1299</b>                               | <b>111</b>                          |
| France                             | 7115                                      | 137                                 | 12599                                     | 362                                 |
| Germany                            | 10327                                     | 20                                  | 17209                                     | 37                                  |
| Greece                             | N/A                                       | N/A                                 | N/A                                       | N/A                                 |
| <b>Hungary</b>                     | <b>306</b>                                | <b>0</b>                            | <b>988</b>                                | <b>0</b>                            |
| Ireland                            | 360                                       | 0                                   | 240                                       | 10                                  |
| Italy                              | N/A                                       | N/A                                 | N/A                                       | N/A                                 |
| <b>Latvia<sup>37</sup></b>         | <b>186</b>                                | <b>1</b>                            | <b>295</b>                                | <b>21</b>                           |
| <b>Lithuania</b>                   | <b>251</b>                                | <b>0</b>                            | <b>420</b>                                | <b>6</b>                            |
| Luxemburg                          | 248                                       | 0                                   | 309                                       | 30                                  |
| Malta                              | 53  | 15                                  | 78  | 11                                  |
| Netherlands                        | 2150                                      | 50                                  | 3791                                      | 142                                 |
| Poland                             | 1861                                      | 0                                   | 4321                                      | 0                                   |
| Portugal                           | 1173                                      | 123                                 | 1778                                      | 89                                  |
| Romania                            | 1608                                      | 6                                   | 2572                                      | 29                                  |
| <b>Slovakia</b>                    | <b>250</b>                                | <b>0</b>                            | <b>652</b>                                | <b>0</b>                            |
| Slovenia                           | 218                                       | 0                                   | 349                                       | 28                                  |
| Spain                              | 2676                                      | 18                                  | 6674                                      | 0                                   |
| <b>Sweden</b>                      | <b>1388</b>                               | <b>39</b>                           | <b>2378</b>                               | <b>0</b>                            |
| UK                                 | N/A                                       | 0                                   | N/A                                       | 0                                   |

<sup>32</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160412/communication\\_second\\_report\\_relocation\\_resettlement\\_annex\\_relocations\\_from\\_italy\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160412/communication_second_report_relocation_resettlement_annex_relocations_from_italy_en.pdf).

<sup>33</sup> As of 12 May 2016, [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state\\_of\\_play\\_-\\_relocation\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf).

<sup>34</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160412/communication\\_second\\_report\\_relocation\\_resettlement\\_annex\\_relocations\\_from\\_greece\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160412/communication_second_report_relocation_resettlement_annex_relocations_from_greece_en.pdf).

<sup>35</sup> As of 12 May 2016, [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state\\_of\\_play\\_-\\_relocation\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf).

<sup>36</sup> Data according to the EC's information. According to the country's response to the questionnaire the Czech Republic has not yet relocated any individual.

<sup>37</sup> Data according to the EC's information. According to the country's response to the questionnaire Latvia has relocated 23 persons from Italy and Greece.

