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**COMMISSION STAFF WORKING DOCUMENT**

**accompanying the**

**COMMUNICATION OF THE COMMISSION**

**on the establishment of a Joint EU Resettlement Programme  
and the proposal for a**

**DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**amending Decision No 573/2007/EC of the European Parliament and of the Council of  
23 May 2007 establishing the European Refugee Fund for the period 2008 to 2013 as  
part of the General programme "Solidarity and Management of Migration Flows" and  
repealing Council Decision 2004/904/EC**

**Impact Assessment**

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**Lead DG: Justice, Freedom and Security**

## **1. INTRODUCTION**

### **1.1. Policy background**

In **The Hague Programme**<sup>1</sup> of 4-5 November 2004, the European Council stated that EU policy should aim at assisting third countries in their efforts to improve their capacity for migration management and refugee protection. The need for the EU to contribute in a spirit of shared responsibility to a more accessible, equitable and effective international protection system in partnership with third countries, and to provide access to protection and durable solutions at the earliest possible stage, was emphasized. The Programme stated that countries in regions of origin and transit will be encouraged in their efforts to strengthen their capacity to protect refugees. The Commission was invited to develop EU-Regional Protection Programmes in partnership with the third countries concerned and in close cooperation with UNHCR. It was announced that these programmes would incorporate a variety of relevant instruments, primarily focused on capacity building, and include a joint resettlement programme for Member States willing to participate in such a programme.

The Commission put forward its plans with respect to Regional Protection Programmes in a **Communication to the Council and the European Parliament on 1 September 2005**<sup>2</sup>. The Communication mentions that the resettlement of refugees from countries in regions of origin to EU Member States will be an important factor in demonstrating the partnership element of Regional Protection Programmes to third countries. It was also announced that the Commission would examine the possibility of bringing forward a proposal for a more structured approach to resettlement activities. It was announced that such a proposal would have to take account of the operational and logistic challenges involved in managing resettlement on an EU scale. Furthermore, it was noted that the Commission would come forward with a proposal to amend the Council Decision establishing the European Refugee Fund<sup>3</sup> so that resettlement under Regional Protection Programmes could be substantially financed by the Community.

With respect to external solidarity **the Policy Plan on Asylum, adopted by the Commission on 17 June 2008**<sup>4</sup>, states the following:

"In the coming years, the focus on the external dimension of asylum will become even stronger. The EU must share the responsibility for managing refugees with third countries and

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<sup>1</sup> The Hague Programme: Strengthening Freedom, Security and Justice in the European Union, Presidency Conclusions: Brussels, 4/5 November 2004.  
[http://ec.europa.eu/justice\\_home/news/information\\_dossiers/the\\_hague\\_priorities/doc/hague\\_programme\\_en.pdf](http://ec.europa.eu/justice_home/news/information_dossiers/the_hague_priorities/doc/hague_programme_en.pdf)

<sup>2</sup> Communication by the European Commission COM (2005) 388 final on Regional Protection Programmes.

<sup>3</sup> Decision No 573/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Refugee Fund for the period 2008 to 2013 as part of the General Programme "Solidarity and Management of Migration Flows" and repealing Council Decision 2004/904/EC, OJ L 144, 6.6.2007, p. 1.

<sup>4</sup> Communication from the Commission to the EP, the Council, the European Economic and Social Committee and the Committee of Regions: Policy Plan on asylum, An integrated approach to protection across the EU, Com(2008)360 Final.

countries of first asylum, which receive a far greater percentage of the world's refugees than Europe. Furthermore, the Commission will continue to integrate capacity building for asylum in development cooperation with third countries, placing the emphasis on a long term, comprehensive approach. Asylum should not be treated as crisis management but as integral part of the development agenda in the area of governance, migration and human rights protection."

With respect to resettlement the Policy Plan states:

"Resettlement fulfils an important role in the external asylum policies of the EU and there is much to be gained from a higher degree of cooperation on resettlement among Member States, UNHCR and NGOs. This was widely acknowledged in the responses to the Green Paper. Resettlement will therefore be further developed and expanded into an effective protection instrument to be used by the EU to meet the protection needs of refugees in third countries and to show solidarity with third countries of first asylum.

In the course of 2009, the Commission will make proposals on developing an EU resettlement scheme, in which Member States would participate on a voluntary basis, setting common criteria and coordination mechanisms. Cooperation on practical and logistical aspects will lead to more financial and quality effectiveness. The Commission will cooperate with Member States and other relevant stakeholders, such as UNHCR and NGOs, to discuss the shape and functions of the EU resettlement scheme."

On 24 September 2008 the JHA Council adopted the **European Pact on Immigration and Asylum**<sup>5</sup>. With respect to asylum the Pact stated that the time has come to take new initiatives to complete the establishment of a Common European Asylum System, which was provided for in the Hague programme, and thus to offer a higher degree of protection, as proposed by the Commission in its asylum action plan.

The Council agreed that cooperation with the Office of the United Nations High Commissioner for Refugees should be strengthened to ensure better protection for people outside the territory of European Union who request protection, in particular by "moving, on a voluntary basis, towards the resettlement within the European Union of people placed under the protection of the Office of the United Nations High Commissioner for Refugees..".

## **1.2. General information on resettlement**

**Resettlement** is the relocation of refugees, who are recognized by UNHCR as being in need of international protection, from the first country of asylum (mostly in the third world) to another country where they receive permanent protection. Resettlement is one of three 'durable solutions' available to refugees, the other ones being return and local integration. Resettlement is generally carried out with UNHCR acting as an intermediary. UNHCR has a mandate with respect to international protection and is in a position to recognize refugees and to identify suitable cases for resettlement. Even if not the appropriate solution for many refugees, resettlement is essential in that it offers solutions to refugees who can not return to their country of origin, and who can not be integrated locally in the country of first asylum either. Global resettlement needs are structurally much greater than the resettlement places

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<sup>5</sup>

<http://register.consilium.europa.eu/pdf/en/08/st13/st13440.en08.pdf>

which are available worldwide. There are currently 21 countries worldwide which provide annually places for the resettlement of refugees. 10 of these countries are EU countries.

There are some differences among EU countries with respect to the status which the resettled refugee receives after being resettled. In most cases this is the status of refugee under the Geneva Convention<sup>6</sup> and a residence permit, which normally will be automatically renewed after 3 or 5 years. The procedure in the case of resettlement is fundamentally different from the regular asylum procedure, in the sense that, for a resettled refugee, the legal determination that the person in question is a refugee, that he/she deserves protection and that he/she qualifies for resettlement, takes place before the refugee is effectively transferred. By contrast, the normal procedure for refugee status determination procedure commences with the request of the asylum seeker, after the arrival of the asylum seeker in an EU Member State. UNHCR usually has a key role in this process and submits only cases for resettlement if the person in question has been recognized as a person in need of protection under the UNHCR mandate and after it has been established that the person is in need of resettlement. Resettled refugees generally receive a residence permit immediately upon arrival which recognizes them as a person in need of international protection and allows them to stay indefinitely in the resettlement country. Reception and integration activities can therefore also be planned ahead as well as other necessary facilities, for example with respect to schooling or medical treatment.

As explained above, resettlement is only a solution for a relatively small percentage of refugees worldwide. **UNHCR generally submits cases for resettlement only if they fulfil certain criteria**, including those cases in which return to the country of origin is no option and in which there is no prospect of local integration either, as well as particularly vulnerable persons, such as women at risk, children and persons with serious medical needs. See Annex 1 for more information on resettlement (definition, purposes etc.) and the numbers of persons resettled according to the UNHCR resettlement criteria. (*Annex 1*)

Resettlement is an orderly procedure which contrasts sharply with the undesirable forms of migration (human smuggling etc.) which are often associated with spontaneous arrivals. Moreover, resettlement targets those refugees whose protection needs have already been clearly established. Moreover, in offering resettlement, developed countries provide a humanitarian solution for refugees in third countries, some of whom would otherwise seek to travel to developed countries, usually by illegal means. For this reason resettlement may be considered to have some **positive impact on the prevention of illegal migration**.

**A clear distinction should be made between resettlement**, which is the transfer of refugees from outside EU territory to an EU Member State, **and the issue of intra-EU relocation of refugees or asylum seekers**. The issues are to be clearly separated: while resettlement is a humanitarian instrument and an expression of solidarity by the EU vis-à-vis third countries, intra-EU relocation is primarily an issue of burden sharing and solidarity among EU Member States.

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<sup>6</sup> Geneva Convention of 1951 relating to the Status of Refugees; Protocol of 1967 Relating to the Status of Refugees; <http://www.unhcr.org/protect/PROTECTION/3b66c2aa10.pdf>

### 1.3. Consultation of Stakeholders

(See Annex 2)

- In order to prepare for a proposal, the Commission organized a first consultation meeting with a limited number of stakeholders on 12 December 2008. 5 Member States, UNHCR, ECRE and ICMC participated in this consultation meeting. This meeting concentrated mainly on the deficits of the current situation and on possible improvements.
- A second consultation took place through a Questionnaire which was sent out to all Member States in December 2008. To date 22 Member States have replied to the Questionnaire. The objective of the Questionnaire was twofold: to receive input from Member States with respect to the needs in terms of EU cooperation on resettlement (all Member states were requested to respond to this part of the Questionnaire) and to collect data on resettlement as it is currently carried out by Member States.
- A third consultation of stakeholders took place through consulting Member States in the framework of the Committee on Immigration and Asylum<sup>7</sup>. In February 2009 a discussion paper was sent out to the representatives of the Member States in this Committee. On the basis of this paper discussions took subsequently place in the meeting of the Committee on 2 March 2009. 19 Member States gave written or oral replies to the questions put forward in the discussion paper.
- Since the questionnaire was specifically addressed to Member States, other major stakeholders on resettlement, namely the UNHCR, the International Organization on Migration (IOM) and the European Council on Refugees and Exiles (ECRE), were requested to give written input with respect to a joint EU resettlement scheme. All three stakeholders sent extensive papers on this issue.
- During the consultations with stakeholders the following general points were widely emphasized:
  - Participation in resettlement by Member States should be voluntary. This element is stressed by many Member States, particularly also by those Member States which consider that they face particular migration and asylum pressures. According to these Member States these elements should be taken into account in the over-all capacity of Member States to resettle refugees from outside the EU;
  - It is important to widen the scope of resettlement actively in the EU by familiarizing as many Member States as possible with resettlement. Therefore it is essential that the resettlement scheme is 'inclusive', including all interested Member States. This view is shared by most Member States and other stakeholders;
  - It is also essential that it includes non-governmental actors, such as UNHCR, IOM and NGO's which are active in resettlement;

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<sup>7</sup> This Committee is a consultative committee chaired by the Commission and composed of representatives of all Member States specialised in asylum and immigration issues.



- It is very important that the mechanism which will be established allows a high degree of adaptability to changing circumstances. Adaptability is required in order to respond adequately to evolving needs with respect to possible forms of practical cooperation on resettlement between Member States. In order to use resettlement strategically it should also be possible to review and revise resettlement priorities at regular intervals.
- The emphasis within the EU with respect to resettlement should at this stage be on broadening the basis of resettlement and increasing the numbers of resettled refugees. At the same time it should be acknowledged that resettlement is sensitive to national preferences and that there are important disparities between Member States with respect to the caseloads they want to resettle, the resettlement criteria which are used and the partners through which resettlement is carried out. A majority of Member States shares this view. Many other stakeholders share this view as well, although some NGOs would prefer to see more harmonization of resettlement criteria within the EU.
- The approach should be incremental and, with experience, the resettlement scheme could be more ambitious in scope.

The specific results of the consultations of stakeholders will be further discussed in chapter 5, which provides an analysis of impacts.

- In order to ensure inter-service coordination, an Inter-service Steering Group (ISSG) was established, to which representatives of SG/D3, LS, BEPA, COMM/A2, EMPL/E2, RELEX/L3, DEV/C2, ELARG/A1, AIDCO/E3, ECHO/01, ESTAT/F1, BUDG/A3, JLS/A2, JLS/B3, JLS/B4 and JLS/D1 were invited. The draft-Impact Assessment was discussed at a meeting of the ISSG on 31 March 2009.
- The Impact Assessment was revised to take into account the opinions issued by the Impact Assessment Board (IAB) on 13 May 2009. All the comments made by the IAB were taken into consideration in the revised Impact Assessment: the presentation of the preferred policy option was further elaborated; it was further explained how the preferred option would encourage Member States to participate in resettlement; a clarification of the financial implications for the ERF was provided; the different views expressed by Member States and other stakeholders were reported in more detail.

## 2. PROBLEM DEFINITION

### 2.1. Scope of the problem

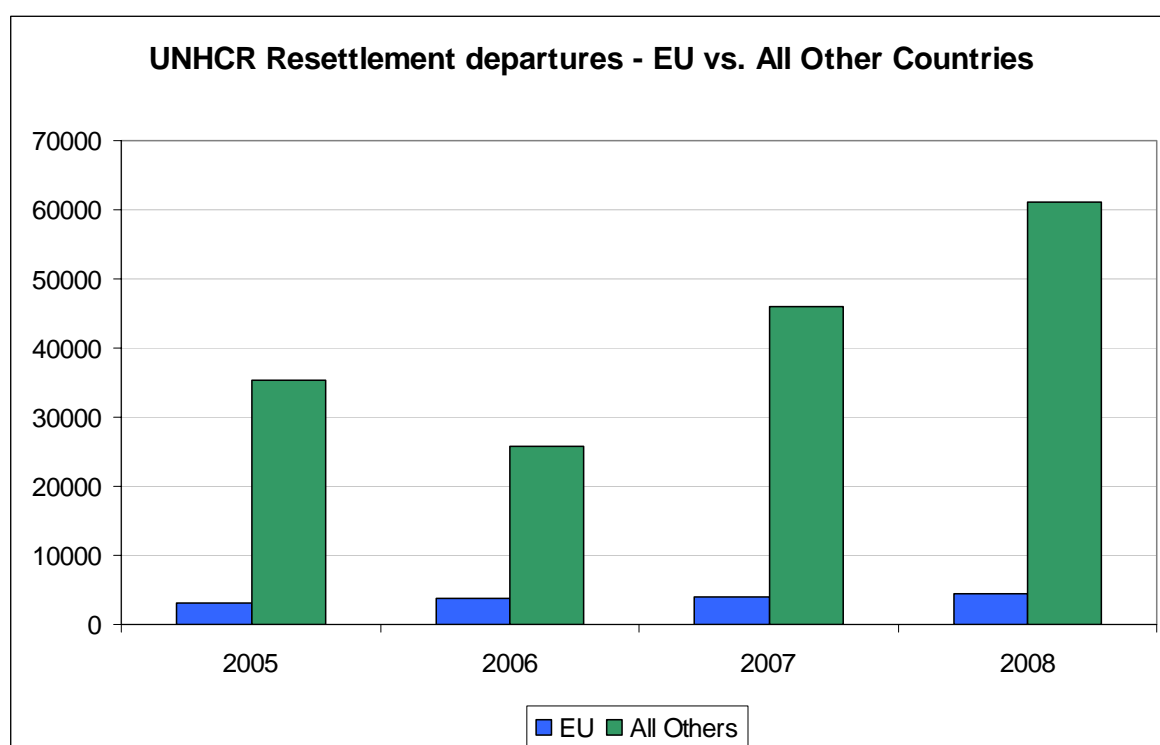
**Resettlement numbers (*Annexes 3,4,5,6,7*):** A first problem relates to a general discrepancy between resettlement needs and resettlement carried out. The UNHCR estimates the global resettlement needs at about 747.000 persons, including populations where resettlement is envisaged over a period of several years. On the basis of a prioritization, UNHCR estimates that out of this number, for 2010 alone, 203.000 persons will be in need of resettlement<sup>8</sup>. According to the UNHCR, in 2008 65.596 refugees were resettled worldwide. Of these, 4.378

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<sup>8</sup> UNHCR projected global resettlement needs 2010.

refugees, or 6,7%, departed to one of the EU countries<sup>9</sup>. In 2009 the number of refugees which are expected to be resettled will be approximately the same. There is therefore a structural discrepancy between the number of refugees who are in need of resettlement and the numbers which are effectively resettled each year. This is a global and structural problem.

A second problem relates to the numbers of refugees who are resettled to the EU. Out of the 65.596 refugees who departed for resettlement in 2008, 4.378 refugees departed to one of the EU countries. This contrasts sharply with the numbers of resettled refugees who were taken in by the USA and other traditional resettlement countries in the industrialized world, such as Canada, Australia and New Zealand. For example, the number of refugees who are resettled to Canada each year – around 10.000 - is more than double the number of refugees resettled to the total of the EU. For 2009 Canada plans to resettle between 7.300 and 7.500 Government-assisted Refugees and 3.300 and 4.500 Privately Sponsored Refugees. See chart below and *Annex 5*.



Source: UNHCR

## 2.2. Current situation (baseline)

### 2.2.1. Resettlement in the EU)

See Annex 8

There are six Member States which have annual resettlement quotas in place for many years: Sweden, Denmark, Finland, UK, Ireland and the Netherlands. Since 2007 other Member States have introduced annual resettlement quotas (see par. 2.2.4). Apart from these Member

<sup>9</sup> See annex 4 of the Impact Assessment on a Joint EU resettlement programme p.5.

States, some other Member States have provided resettlement on a very limited scale and on an ad-hoc basis, for example if UNHCR submitted individual emergency cases. Furthermore, resettlement is not a historically novel phenomenon for many Member States: Europe has offered resettlement places to many thousands of refugees during the Yugoslav wars in the 1990-s, to Indo-Chinese boat refugees in the 1980-s and after crises such as the down-fall of the Allende government in Chile during the 1970-s.

Resettlement quotas in EU MS				
Annual Quotas				
	2006	2007	2008	2009
<b>Sweden</b>	1700	1800	1900	1900
<b>Finland</b>	750	750	750	750
<b>UK</b>	750	750	750	750
<b>Ireland</b>	200	200	200	170
<b>Portugal</b>	0	0	30	30
<b>France</b>	0	0	350-450	350-450
<b>Czech Republic</b>	0	0	30	30
<b>Romania</b>	0	0	0	40
Multi-annual Quotas				
<b>Denmark</b> (three-year period)	1500			
<b>Netherlands</b> (four-year period)	2000			

*Source: responses to Commission questionnaire on resettlement to Member States, Jan. 2009*

### 2.2.2. Financial costs of current resettlement

Exact details on the financial costs of resettlement for all EU resettlement countries are not available. In response to the questionnaire, however, data were given with respect to the costs of resettlement in Sweden, Denmark, the Netherlands, UK, France and the Czech Republic. These provide a useful basis for estimation of costs, although it remains difficult to extrapolate from these data an estimate of the costs for all EU Member States. In Denmark the expenses related to selection missions, pre-departure programmes, transportation etc. for 2008 were 1.653 Euros per resettled refugee. The expenses related to the integration of refugees (incl. resettled refugees) were 19.763 Euros per person per year. The total expenses in Sweden (pre-departure, reception and integration during first year) per resettled refugee are approximately 16.500 Euros. In France the total costs of pre-departure activities are estimated

to be 500.000 for 450 refugees to be selected. This equals 1.111 Euros per person. It should be noted that this does not include the costs of selection missions, because until now France has selected cases on the basis of dossiers and not through selection missions. The reception and integration costs in France are estimated to be 2,5 M. Euros for the total of 450 resettled persons during the first six months after the arrival in France. This equals 5.555 Euros per resettled refugee during the first six months. In the Czech Republic the average costs per resettled refugee in 2008 were 7.085 Euros (incl. pre-departure, reception and integration during the first year). (*Annex 9*)

**The total costs per resettled refugee (incl. pre-departure activities, reception and integration during the first year after arrival) are estimated to be in Ireland (22.500 Euros), Denmark (21.416 Euros), Sweden (16.500 Euros) and Czech Republic (7.085 Euros).**

It is difficult to estimate the average costs of resettlement per resettled refugee for the whole EU. On the basis of the financial costs provided by the different Member States **the average cost of resettlement per person (incl. pre-departure activities, reception and integration during the first year after arrival) within the EU is estimated to be roughly 15.000 Euros**. This estimate takes among other elements into account the numbers and costs of resettlement in Sweden, being the biggest resettlement country in the EU, as well as the costs of resettlement in the Czech Republic. It is expected that the expansion of resettlement will take place in new Member States which have a lower cost of living than Sweden.

It is equally difficult to give an estimate of the average pre-departure costs per resettled refugee for the whole EU. These costs are particularly relevant because these costs are expected to be reduced by improved practical cooperation among Member States. On the basis of the data provided by Denmark and France **the average pre-departure costs per resettled refugee within the EU is estimated to be roughly 1.500 Euros**. In the calculation it is taken into account that pre-departure costs in France were relatively low, because France has so far not carried out selection missions yet.

### ***2.2.3. Financial assistance by European Refugee Fund (ERF III) on resettlement***

The European Refugee Fund (ERF III) provides financial assistance with respect to resettlement for the following three categories of activities. (*See Annex 10, 11*)

- (1) A wide range of resettlement activities which are carried out by the Member States are eligible for funding under the ERF national programmes if they fulfil certain criteria (notably Articles 3(1)(d), 3(5) and 6 of Decision No 573/2007/EC establishing the ERF). These can be included in the ERF Annual Programmes under priority 3.
- (2) Resettlement of specific categories of persons by Member States will be compensated under the ERF with a fixed amount of 4.000 Euro per resettled person (Article 13(3) and (4) of ERF Decision). The Member State which intends to resettle such persons has to do a pledging in advance according to Article 13(6) of ERF Decision.
- (3) Transnational actions or actions of interest to the Community as a whole concerning asylum policy, including those related to resettlement, are eligible for funding under the ERF community actions (Article 4 of ERF Decision). Many of the project activities related to resettlement which have been carried out so far (see par. 2.2.3), were co-financed through ERF Community actions.

An overview of the activities as mentioned under point 1 (ERF national programmes) is supplied in Annex 11. More information on the specific categories of persons for which Member States may receive additional financial assistance under ERF article 13, as mentioned above under point 2, is given in Annex 10.

#### **2.2.4. *Positive developments in recent years***

Over the last few years there have been some important positive developments with respect to resettlement.

##### **2.2.4.1. New resettlement commitments**

New resettlement commitments were made by Member States which until recently had no annual resettlement quotas. In 2007 Portugal decided to establish an annual resettlement quota (30 places). In 2008 France concluded an agreement with UNHCR which provides that annually 100 resettlement cases which are submitted by UNHCR will be examined (i.e. approximately 350-450 persons to be resettled). In the same year Romania announced it will resettle annually 40 persons. In 2008 Romania also concluded a tripartite agreement with UNHCR and IOM on the establishment in Romania (Timisoara) of an Evacuation Transit Center. This Center serves for the resettlement of emergency and other specific cases. The Czech Republic also announced in 2008 that they would start resettlement through the introduction of a pilot through which 30 persons would be resettled.

##### **2.2.4.2. Interest by other Member States in resettlement**

Belgium (participation in many projects and twinning activities, as well as participation at ministerial level in visit to resettlement mission in February 2009), Luxemburg (participation at ministerial level in visit to resettlement mission in April 2008), Spain (participation in resettlement project MOST), Poland (participation in resettlement training), Hungary (legislation adopted to include resettlement) and Italy. There are a number of Member States which have included training and twinning activities in their ERF Multi-annual programmes for 2008-2013 in order to get familiarized with resettlement (Slovenia, Poland, Belgium).

##### **2.2.4.3. Project and twinning activities**

A number of project and twinning activities on resettlement has been developed over the past few years. These were co-financed by the Commission through ARGO<sup>10</sup> and the European Refugee Fund (Community Actions). A wide range of activities, such as the selection process and reception and integration of resettled refugees were covered. Different Member States participated in these projects – both resettlement countries and non-resettlement countries – and involved many different actors, both governmental as well as non-governmental (international and local NGOs, UNHCR, IOM). The following projects need to be mentioned in this context: MORE project (FI, IE), MOST project (IE, FI, SE, ES), project 'Durable solutions in practice' (NL, BE, CZ, RO), project 'Practical cooperation for a European resettlement Network' by the International Catholic Migration Committee (ICMC) (SE, FI,

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<sup>10</sup> ARGO was until 2006 an action programme for administrative cooperation at European Union level in the fields of asylum, visas, immigration and external borders, replacing in part the Odysseus programme.

[http://ec.europa.eu/justice\\_home/funding/2004\\_2007/argo/funding\\_argo\\_en.htm](http://ec.europa.eu/justice_home/funding/2004_2007/argo/funding_argo_en.htm)

NL, CZ, ES, IT), project 'resettlement-broadening the basis in Europe' by Churches Commission for Migrants in Europe (CCME) (BE, DE, CZ, ES, IT, AT), CCME-resettlement project (DE, FR, BE, PT, HU, RO and Baltic states).

#### **2.2.4.4. Joint resettlement operations and ministerial visits**

There have been a number of joint resettlement operations and ministerial visits to resettlement operations over the past years. The UK and Ireland currently carry out a project for the resettlement of persons from Tanzania, which provides for a joint selection of refugees and which provides also for joint activities concerning integration. In April 2008 the Netherlands and Luxembourg ministers of Immigration and the Belgian Commissioner-General paid a joint visit to a resettlement operation in Thailand. In February 2009 the Netherlands and Belgian ministers of Justice and Immigration visited together a resettlement selection mission in Kenya.

#### **2.2.4.5. Strong political interest at EU level**

Since 2008 there has been a strong political interest in resettlement at the EU level. This interest focused particularly on the needs to resettle Iraqi refugees from Syria and Jordan to the EU. In July and November 2008 the **JHA Council adopted conclusions on the resettlement of refugees from Iraq**<sup>11</sup>. These Conclusions are significant, not only with respect to the resettlement of refugees from Iraq, but also in general terms because they highlight the fact that resettlement contributes to the maintenance of the protection situation in Syria and Jordan. Following the Council Conclusions, four Member States which until recently were not engaged in resettlement, have committed themselves to resettle refugees from Iraq (DE – 2.500 persons, IT – 50 persons, BE – 50 persons, LU – 25 persons).

#### **2.2.4.6. European Asylum Support Office (EASO)**

The Commission has recently made a proposal concerning the establishment of the European Asylum Support Office (EASO)<sup>12</sup>. If approved by the Council and the European Parliament, the EASO could be operational in 2010. The EASO will give support to Member States and other stakeholders with respect to practical cooperation activities, including those related to resettlement. The EASO will have its own dedicated budget to develop practical cooperation activities. The draft Regulation establishing a European Asylum Support Office states with respect to support for the external dimensions of asylum policy, that "the Office shall, in agreement with the Commission, coordinate the exchange of information and all other action taken on issues arising from the implementation of instruments and mechanisms relating to the external dimension of the Common European Asylum System. The Office shall coordinate exchanges of information and all other action taken on the resettlement of refugees within the European Union."

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<sup>11</sup> Council Conclusions on the reception of Iraqi refugees; 2987th JUSTICE and HOME AFFAIRS Council meeting Brussels, 27-28 November 2008; [http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/en/jha/104360.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/jha/104360.pdf)

<sup>12</sup> Proposal for a Regulation of the European Parliament and of the Council establishing a European Asylum Support Office {SEC(2009) 153} {SEC(2009) 154}/\* COM/2009/0066 final - COD 2009/0027 \*/

**In spite of the different positive developments which are described above, the current situation suffers from a number of important deficits and structural constraints. These are described below.**

### **2.3. Overview of main problems associated with current situation**

**The general problem is that the EU currently does not participate sufficiently in the international protection of refugees through resettlement. This general problem can be translated into the following specific problems.**

**(1) Current level of EU solidarity with third countries in receiving refugees is too limited;** This conclusion is based on the total number of resettlement needs as identified by UNHCR (see also above in par. 2.1) and is based particularly on a comparison between the available places offered by EU Member States with the numbers offered by non-EU industrialized countries, such as the USA, Canada and Australia. Even if we take into account that some EU countries receive relatively more spontaneous arrivals of asylum seekers than some non-EU countries, the numbers of refugees who are taken in for resettlement in the EU is considered to be very low.

**(2) The international role of the EU regarding resettlement is not sufficient.** The relatively low involvement of the EU in resettlement impacts negatively on the ambition of the EU to play a prominent role in global humanitarian affairs and on the influence of the EU in international fora. Many stakeholders have recognized this as an important deficit of the current situation (UNHCR, EU resettlement countries, non-EU resettlement countries, the European Commission and several NGO's which are active in the field of resettlement).

**(3) Too few Member States participate in resettlement;** At present there are ten Member States which are structurally engaged in resettlement: Sweden, Finland, Denmark, UK, Ireland, the Netherlands, Portugal, France, Romania and the Czech Republic. Currently the majority of EU MS do not demonstrate - through the resettlement of refugees – solidarity towards non-EU countries, which are globally faced with many refugees and asylum seekers. From the perspective of burden sharing, this is considered to be unbalanced and unsatisfactory. Those Member States which are engaged in resettlement, regard this situation also as 'uneven'. This internal imbalance is considered also sub-optimal because the full development of resettlement as a component of EU external asylum policies presupposes that a majority of member states participate in it. In this context it should be recalled that the European Pact on Immigration and Asylum<sup>13</sup>, which was adopted by the Council in September 2008, reiterated the need for the EU to engage in resettlement.

**(4) Lack of strategic use of resettlement as an EU external policy instrument;** It is widely recognized that resettlement serves not only a humanitarian purpose vis-à-vis those persons who are effectively resettled and indirectly for those refugees remaining in the first country of asylum, but that it serves also to relieve the third country in question of the burden associated with hosting large numbers of refugees. Resettlement can therefore play an important role as a component of EU external asylum policies and EU external policy more generally. The impact of resettlement in strategic terms would be larger if priorities with respect to nationalities and specific categories to be resettled were largely set at an EU level. Currently the member states which are resettlement countries largely set priorities at the national level,

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<sup>13</sup> <http://register.consilium.europa.eu/pdf/en/08/st13/st13440.en08.pdf>

without much coordination at EU level regarding both resettlement itself and with regard to other related external policy instruments. (*Annex 12*)

The lack of joint EU prioritization is illustrated by the experience with respect to resettlement from the beneficiary countries of Regional Protection Programmes. As mentioned above, Tanzania and the three former NIS countries (Ukraine, Belarus and Republic of Moldova) were identified by the European Council as beneficiary countries of Regional Protection Programmes. It was also decided that one of the key components of RPP's was resettlement of refugees from RPP countries. In spite of this, relatively few refugees have been resettled by EU Member States from RPP countries. (*Annex 13*)

The recent discussions in the European JHA Council of Ministers on the resettlement of Iraqi refugees from Syria and Jordan, demonstrate the advantages of discussing resettlement priorities at an EU level. (See also par. 2.2.4.5) The conclusions adopted by the Council underscore the fact that resettlement is an important component of EU external asylum policies and EU external policies in general vis-à-vis Iraq and Iraq's neighbouring countries.

**(5) Constraints posed by current financial framework as regards specific financial resources for resettlement;** In the view of many stakeholders which were consulted, the financial support which ERF III provides to resettlement has clearly led to positive effects on resettlement. There are, however, a number of constraints within the current ERF mechanism which needs to be considered. The additional assistance which is provided to Member States per refugee resettled (Article 13(3) of ERF Decision) applies only with respect to specific categories: a) persons from RPP countries, b) unaccompanied minors, c) children or women at risk, d) persons with serious medical needs that can only be addressed through resettlement.

With respect to RPPs it should be noted that the principal objective of these programmes is the strengthening of the protection situation in a third country through capacity building measures. In most cases this is expected to require medium to long term assistance. Resettlement needs may on the other hand change more quickly. The case of Tanzania is illustrative: the number of refugees and the resettlement needs in Tanzania were much larger in 2005 than they are today.

Secondly, the question may be posed whether it is justified that under the current financial framework additional assistance is provided for resettlement of refugees from RPP countries and not for resettlement of refugees from other countries, such as Iraqi refugees from Syria or Jordan. The financial framework is arguably too rigid in this respect.

A third critical remark on the current financial framework is that it appears to provide insufficient incentives for non-resettlement countries to start resettlement activities. Many stakeholders have expressed the view that the financial incentive for Member States to engage de novo in resettlement should be stronger.

**(6) Insufficient exchange of information and lack of coordination on resettlement activities;** Resettlement is largely carried out through bilateral contacts between resettlement countries and the UNHCR. Apart from this there is a resettlement working group which is coordinated by UNHCR and which meets twice a year. This resettlement working group includes all resettlement countries worldwide. Its focus is therefore not primarily on issues specific to Europe. For this reason, informal resettlement expert meetings have been convened by the Commission since 2007. These take place twice a year and are considered useful for



the sharing of information and to discuss best practices. As a framework this is, however, very unstructured. There is no guarantee that useful information, which may relate to all sorts of aspects of resettlement, such as features of specific resettlement caseloads, security concerns, family reunification aspects, false information, fraud, identity documents etc., is structurally shared among Member States. The lack of a structured exchange of information applies also to the reception and integration of resettled refugees. The practices among resettlement countries differ considerably in this respect.

**(7) Lack of economies of scale;** Resettlement requires much logistical preparation, such as selection and orientation missions, medical and security screenings, arrangements for travel and visa, reception and integration programmes. Some of these activities could potentially be carried out jointly or in close cooperation between Member States. The current situation, which is marked by a lack of joint activities and practical cooperation between Member States, increases the financial costs of resettlement currently carried out. This may also be an impediment for potential new resettlement countries to engage in resettlement. This is particularly relevant for Member States which consider introducing small resettlement quotas (Portugal, the Czech Republic and Romania have currently quotas of 30 and 40 persons). To organize a separate selection mission for a caseload of 30 persons is impractical and very costly.

Current twinning arrangements take place on an ad-hoc basis, however, and there is no structural basis for it, either in terms of human resources, or in terms of financial resources. There is furthermore a significant cost advantage in carrying out specific resettlement activities jointly and on a structural basis. This will reduce the over-all costs of resettlement.

**(8) The current situation is marked by divergences among EU Member States with respect to resettlement criteria and the status accorded to resettled refugees. (Annex 8)** While some Member States require that the person to be resettled qualifies for refugee status according to the Geneva Convention, other Member States may accept cases for resettlement also on humanitarian grounds or if they qualify for subsidiary protection status. Furthermore, some Member States apply the integration potential of the person to be resettled as an additional criterion, while other Member States don't. This implies that with respect to persons to be resettled different protection standards among Member States are applied. There are, as mentioned in paragraph 1.2 above, also differences among Member States with respect to the status which refugees receive after they have been resettled. It is questionable whether this situation is satisfactory given the objective of creating a Common European Asylum System (CEAS) and further developing EU external asylum policies. The fact that EU resettlement countries use different resettlement criteria is also inefficient, because it requires extra time and resources for UNHCR in identifying and preparing resettlement submissions.

## **2.4. EU right to act**

The current legal basis for Community action in the area of asylum policy is set out in Article 63(1) and (2) TEC. These provisions state that the Council is to adopt “measures on asylum, in accordance with the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees and other relevant treaties” and also “measures on refugees and displaced persons” in areas such as Member State responsibility, reception conditions, refugee qualification, granting of protection (including temporary protection) and balancing of Member States’ efforts in receiving refugees and displaced persons.

As regard practical cooperation in the field of asylum policy, the current legal basis is established in Article 66 TEC, which states that the Council, acting in accordance with the procedure referred to in Article 67, shall take measures to ensure cooperation between the relevant departments of the administrations of the Member States in the areas covered by title IV (visas, asylum, immigration and other policies related to free movement of persons), as well as between those departments and the Commission.

## **2.5. Subsidiarity test**

Community involvement in the asylum field is founded on the need for solidarity among Member States in addressing a challenge that, in an EU without internal borders, cannot be effectively dealt with by individual countries acting alone. This led to adoption by the Community legislator of the *acquis* in the field of asylum, on the basis of specific dedicated legal bases enshrined in the Treaty.

The need to act as regards the Common European Asylum System (CEAS) has already been assessed in recent impact assessment reports, and in particular in the impact assessment on the asylum policy plan<sup>14</sup>, which has pointed specifically to the need to develop a joint EU resettlement scheme. There have been repeated calls from the European Council and the European Parliament to develop the CEAS, including its external dimension. The institutions of the Union committed to improving implementation of the *acquis* in the field of asylum clearly expressed the view that strengthening practical cooperation between Member States as well as strengthening the external dimension are key priorities.

The nature of the objectives to be achieved – improvement of quality and cost-effectiveness of resettlement through practical cooperation, increasing the strategic use of resettlement, developing external asylum policies – requires an initiative to be taken at the EU level. The other general objectives also require action at EU level. The establishment of a joint EU resettlement scheme will be instrumental in ensuring that more EU Member States participate in resettlement and in bringing about an over-all increase in the total of available resettlement places in the EU.

## **3. DEFINITION OF POLICY OBJECTIVES**

The overall policy objectives of the Commission proposal for the establishment of a joint EU refugee resettlement scheme are the following:

- (a) to give support to the international protection of refugees through resettlement;
- (b) to increase the humanitarian impact and efforts of the EU by greater common involvement in resettlement;

The specific objectives of the Commission proposal for the establishment of a joint EU refugee resettlement scheme are the following:

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<sup>14</sup> Commission staff working document Accompanying the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions Policy Plan on Asylum an Integrated Approach to Protection Across the EU Impact Assessment {COM(2008) 360 final} {SEC(2008) 2030}

- (a) to ensure greater solidarity by the EU to third countries in receiving refugees;
- (b) to ensure that more EU Member States participate in resettlement;
- (c) to ensure that resettlement efforts in the EU are better targeted, on an ongoing basis, towards those persons or groups of persons (e.g. particularly vulnerable persons, including children, or persons from specific geographic areas) who are most in need of protection;
- (d) to increase the strategic use of resettlement at an EU level;
- (e) to reinforce the international role of the EU generally, regarding resettlement specifically by developing resettlement as an integral and coherent component of EU external policies;
- (f) to improve through cooperation the quality of the resettlement procedures in the EU;
- (g) to lower through cooperation the economic and financial costs of resettlement in the EU;
- (h) to reduce the differences among EU Member States regarding protection standards and to increase efficiency through the convergence of resettlement criteria;

The operational objectives of the Commission proposal for the establishment of a joint EU refugee resettlement scheme are the following:

- (a) to increase the number of available resettlement places in the EU by at least 10% over the next 5 years (this is a general target which is considered to be realistic, given the input through stakeholder consultations);
- (b) to ensure that at least 5 more Member States, which until now have not engaged in resettlement, will become engaged in resettlement within the next 5 years;
- (c) to define priorities at the EU level with respect to the nationalities and specific categories of refugees to be resettled;
- (d) to establish resettlement as a central component of the further development of Regional Protection Programmes and their extension to other regions;
- (e) to create a framework through which cooperation among EU countries with respect to resettlement - both with respect to practical cooperation, as well as with respect to political cooperation - can be carried out and can be further developed in a structured and systematic way;
- (f) to provide the financial underpinning for the resettlement priorities which are set at EU level;
- (g) to ensure intensified practical cooperation among EU resettlement countries in an effective and structured way, more in particular with respect to the following activities:

- organization of selection missions

- interviewing of cases, use of interpreters, use of interviewing facilities
  - medical screening
  - security screening
  - pre-departure orientation missions
  - logistical arrangements concerning travel, visa etc.
  - development of reception and integration programmes
- (h) to ensure exchange of best practices with respect to resettlement;
- (i) to formulate EU wide harmonized resettlement criteria.

#### 4. POLICY OPTIONS

Three policy options have been defined. The second option is divided in two sub-options. These are presented in the Table below. The options are discussed in paragraphs 4.1, 4.2 and 4.3.

On the basis of the problem analysis three main components of resettlement policies at the EU level have been defined: the practical cooperation, the political and the financial component. They form the starting point for the elaboration of the policy options.

POLICY OPTIONS		
1 <sup>st</sup> option: Maintain Status quo		
-maintain status quo practical cooperation	practical cooperation would be developed through EASO	
-maintain status quo political component	no development	
-maintain status quo financial component	no development	
2 <sup>nd</sup> option: Medium option		
-develop practical cooperation	Practical cooperation would be developed through EASO	
-develop political component	Sub option A	Political and financial components allowing for a dynamic annual

		definition of resettlement priorities will be developed by: amendment of ERF establishment of a new Committee under Comitology
-develop financial component		
	<b>Sub option B</b>	Political and financial components allowing for a dynamic annual definition of resettlement priorities will be developed by: amendment of ERF the use of existing structures (Solid Committee and Resettlement Expert Platform)
<b>3rd option: Maximum option</b>		
-develop practical cooperation	Fully developed EU wide resettlement scheme; Total of available resettlement places within EU would be set and filled at EU level; Full harmonization of resettlement criteria; Resettlement selection process fully centralized; EU would act collectively towards UNHCR, IOM, third countries on resettlement	
-develop political component		
-develop financial component		

#### **4.1. Short description of 1st option: no further EU action**

##### **Practical cooperation component:**

The status quo situation already foresees the establishment of a European Asylum Support Office, which is expected to be operational by 2010 (the proposal tabled by the Commission is currently discussed with the Council and the EP). This will provide a framework for carrying out practical cooperation activities, including activities with respect to resettlement. The experiences over the past years and the consultation of stakeholders have showed that there is a strong need for practical cooperation activities. Many practical cooperation activities have been carried out on an ad-hoc basis between different governmental and non-governmental actors over the past years. They were financed on an ad-hoc basis, primarily by ERF Community Actions. The establishment of the European Asylum Support Office will be well-placed to provide a structural framework for these activities.

There is potentially a wide range of practical cooperation activities which EASO could develop with respect to resettlement.

- (1) Sharing of information on resettlement: this covers a wide range of issues and may cover both factual information as well as analysis, studies and results of resettlement projects;
- (2) Identify best practices on resettlement;
- (3) Trainings, seminars etc., both for persons working on resettlement and for persons in Member States which are not engaged in resettlement yet;

- (4) Twinning arrangements targeted at Member States which are not involved in resettlement yet;
- (5) Fostering and organizing joint activities and operations between existing resettlement countries, such as:
  - joint selection missions (joint use of interpreters, other facilities, medical screening, security screening);
  - joint pre-departure activities;
  - joint travel arrangements for resettled refugees (provided by IOM);
  - Joint activities with respect to reception and integration of resettled refugees;
  - Leading and coordinating a specific expert group on resettlement submissions (eg: dossier submissions, emergency submissions, humanitarian criteria etc.);
  - setting up an EU 'clearing house' which receives resettlement submissions from UNHCR;

A recent development is the establishment in Romania of an Evacuation Transit Center (ETC) for resettlement (see par. 4 above). This requires specific attention, since several Member States have recently demonstrated an interest in the use of this Evacuation Transit Center as a facility from which they can resettle specific categories of refugees in urgent need of resettlement.

**Political component:** if the status quo is maintained, this will not be further developed.

- This means that the EU resettlement expert group which was convened by the Commission since 2007 will continue its work on an ad-hoc basis.
- It also means that the JHA Council may continue to have occasional high-level discussions on resettlement in specific cases, such as the recent example of the discussion on the resettlement of Iraqi refugees.

**Financial component:** if the status quo is maintained, this will not be further developed.

- This means that financial support for resettlement activities will be continued to be provided by ERF III on the basis of the current criteria. As explained above, these criteria are fixed and the current mechanism is thus quite rigid. See paragraph 2.2.3.

#### **4.2. Short description of 2<sup>nd</sup> option: medium option**

This option is based on the voluntary participation of Member States in an EU joint resettlement scheme. There is an important political consideration in this respect, which is mentioned in paragraph 1.3. This is the emphasis which some Member States put on the particular migration and asylum pressures which they currently face. In the light of this these Member States insist on the voluntariness of participation in resettlement.

### **Practical cooperation component:**

Under this option practical cooperation will also be developed by the EASO. The tasks which EASO could have are described above in paragraph 4.1. The distinction between the practical cooperation under this option and option 1 (status quo) is primarily related to the link between practical cooperation activities and the further development of the political and financial component. As described below, under this option it is foreseen that a political framework would be created which would set political priorities with respect to resettlement, particularly with respect to geographic areas, nationalities as well as specific groups. Within this political framework resettlement will also be discussed more generally and coordinated with EU external asylum policies and EU external policies in general. The framework will include all relevant stakeholders (experts from MS, Commission, UNHCR, NGO's). Furthermore, the political framework will discuss how resettlement can be promoted and what sorts of practical cooperation activities are particularly needed. It will thus enable the resettlement-related activities to be carried out by EASO to be better-focused on the most important and current needs of Member States and will facilitate more effective steering of these activities. Under this option development of the practical cooperation component is therefore expected to be stimulated and reinforced by the development of the other two components.

### **Political and financial components:**

**As described above, there is currently very limited structured political cooperation with respect to resettlement. It is envisaged to develop this further through the establishment of a political framework and to underpin it via the financial component.**

#### ***Political component:***

- A mechanism would be established to enable the of **setting of common EU annual priorities with respect to resettlement**, both with respect to nationalities and specific categories of refugees to be resettled. The current framework of ERF stipulates that extra financial assistance is granted to Member States if they resettle refugees who fall under four specific categories, namely (1) unaccompanied minors, (2) children and women at risk, particularly from psychological, physical or sexual violence or exploitation, (3) persons with serious medical needs that can only be addressed through resettlement and (4) persons from a country or region designated for the implementation of Regional Protection Programmes. The ERF framework today is rigid and not adaptable, which is particularly relevant with respect to geographic priorities. See also paragraph 2.3, under points 4 and 5. The political framework will therefore be responsible for setting annual resettlement priorities in order to respond to newly arising needs.
- The political framework would also ensure an **integrated approach between resettlement, external asylum policies and EU external policies as a whole**. The setting of resettlement priorities would be done on the basis of current needs as regularly identified by UNHCR and on the basis of humanitarian and political considerations identified by the Member States and the Commission. The departments responsible for external relations, humanitarian assistance and development will contribute to formulating priorities in order to ensure an integrated approach.
- **Implications of formulating EU wide resettlement priorities.** Firstly, it would be politically important to have EU endorsed resettlement priorities. Secondly, Member States

would receive extra financial assistance under Article 13 of ERF III, if they resettle according to EU priorities. It should, however, be underlined that the formulation of EU wide resettlement priorities does not impact on the freedom of Member States to carry out resettlement of other categories of refugees.

- There would, moreover, be an **added-value in coordinating and promoting resettlement efforts generally at the EU level**. The political framework would therefore not necessarily limit itself to deciding on strategic and political priorities. It could also, for example, discuss whether Member States are willing to set quantitative targets. The framework would also discuss activities aimed at ensuring that Member States which are not engaged in resettlement yet, have the opportunity to become familiar with resettlement, through training, twinning arrangements etc.
- **Identification of needs for specific practical cooperation activities**, which would be the basis for EASO to develop these in cooperation with its operational partners;

***Financial component:***

- The intensification of practical cooperation activities in the field of resettlement will be covered largely by the budget of the EASO and to some extent by ERF-Community Actions. The envisaged total budget of EASO is scheduled to be after its establishment as follows: 5,25 million Euros (2010), 8 million Euros (2011), 12 million Euros (2012) and 15 million Euros (2013). This covers all sorts of asylum related practical cooperation activities, including those on resettlement.
- As described above under the political component, the political framework will set annual resettlement priorities in order to respond to newly arising needs. In order to provide an effective financial underpinning of these priorities Article 13 of ERF III will be amended.
- The specific assistance which is provided by ERF under Article 13 gives also an incentive to Member States which are not resettlement countries to engage de novo in resettlement. It should also be recalled that – in order to familiarize themselves with resettlement – these Member States can include resettlement activities in their ERF annual programmes under priority 3 as defined in the ERF strategic guidelines.
- The proposal which will be made by the Commission has a potential impact on the quantitative allocations which are provided by the ERF. The ERF provides financial assistance to different asylum related activities; resettlement is one of them. If the principal objective, namely the increase in the total of resettlement places within the EU, is reached and if Member States resettle refugees on the basis of the priorities which are set jointly, the allocation under article 13 may increase substantially. Under the pledging exercise in 2008 Member States announced that they would resettle 2.393 persons for whom they would qualify to receive additional financial assistance under article 13. This equalled a total allocation under article 13 of 9.572.000 Euros. Under the pledging exercise in 2009 Member States announced originally that they would resettle 2.711 persons for whom they would qualify to receive additional financial assistance under article 13. This equalled a total allocation under article 13 of 10.844.000 Euros. The pledging in 2009 was, however, revised following Council Conclusions which called upon Member States to resettle Iraqi refugees from Syria and Jordan. This led to a revised pledging by Member States to resettle 4.976 persons, for whom they would qualify to receive additional financial assistance



under article 13, which equalled a total allocation under article 13 of 19.904.000 Euros. The revised pledging, however, was mainly due to a pledging by Germany to resettle 2.160 Iraqi refugees from Syria and Jordan, for whom they would qualify to receive additional financial assistance under article 13. This was an exceptional development which is unlikely to be sustained on an annual basis. Nevertheless, it is likely that the allocation under article 13 will increase somewhat, and possibly substantially. The extent of this increase depends on the increase in the number of the persons who will be resettled by Member States and on the way in which resettlement priorities will be formulated, on the basis of which Member States qualify to receive the specific financial assistance under article 13. Although it is difficult to estimate this effect, it is not unlikely that the increase may be around 25 % on average. This would imply an increased allocation under article 13 of 2.711.000 Euros on average per year.

- A disproportionate increase in the allocation under article 13 may potentially penalize the allocations under the ERF generally to Member States which do not participate in resettlement. However, a total budget increase will take place gradually over a number of years and the "assigned revenues" made available in the ERF budget each year, which is expected to be up to 2 million Euros per year from 2010, could also match the increase in the allocation. The total ERF budget will increase as follows: 92,5 million Euros (2010), 103,33 million Euros (2011) and 122,13 million Euros (2012). It is therefore considered unlikely that the increase in the allocation under article 13 for resettlement activities will have a disproportionate effect on the allocation of ERF funding to other asylum activities. At this stage it is therefore not considered necessary to include a "ceiling" with respect to the allocation of ERF funds under article 13 ERF III (the existing structure of the Fund does not provide a ceiling with respect to these allocations), but the Commission will monitor the allocations under article 13 ERF III closely each year in order to decide whether the establishment of a "ceiling" at a later stage is necessary.

**The difference between sub-option 2A and 2B** relates to the way in which the political framework is going to be organized. **In terms of intended output there is no distinction between sub-options 2A and 2B.**

**Description sub-option 2A:** To formulate political and strategic priorities a new Committee on Resettlement chaired by the Commission would be established, in which all Member States would participate. Other stakeholders (i.e. UNHCR, IOM, ECRE, NGO's which are active in resettlement) would participate in the Committee as consultative partners. This Committee on Resettlement would be a new Committee to be set up and would function according to Comitology rules. The allocation of financial assistance provided by ERF III under Article 13 would be on the basis of the priorities as set by the Committee on Resettlement.

**Description sub-option 2B:** To formulate political and strategic priorities existing structures would be used. Since, as is indicated in chapter 6, this is the preferred option, this option is described hereunder in more detail.

In spring each year UNHCR will provide an indicative forecast of the resettlement needs for the following year. The Commission will thereupon convene a meeting of the Resettlement Expert Platform, in which all Member States and other stakeholders (i.e. UNHCR, IOM, ECRE and NGOs) will participate. In this meeting resettlement priorities will be discussed and identified on the basis of the forecast provided by UNHCR. Priorities may relate to

nationalities, geographic areas or specific groups of refugees, such as particularly vulnerable persons, or on the basis of any other relevant criteria. The Commission will subsequently make a draft Decision specifying the resettlement priorities for the coming year, on which the SOLID-Committee - which is the existing Committee of Member States for the management of the 'General Programme on Solidarity and Management of Migration Flows' and which is chaired by the Commission - will be consulted. After the consultation of the SOLID Committee the Commission will decide on the resettlement priorities for the following year, which will be published in the form of a Decision.

ERF III will provide for the financial underpinning of these common EU annual resettlement priorities. Article 13 of the ERF Decision will be amended and will provide for financial assistance of 4.000 Euros per resettled person to Member States which resettle according to the common EU priorities. After the Commission Decision on the resettlement priorities has been published, Member States will communicate to the Commission how many persons they intend to resettle during the following year according to the common EU priorities (pledging-exercise according to Article 13 ERF). On the basis of the pledging Member States will receive financial assistance. The timing of the annual Commission Decision will need to be such as to enable Member States to submit resettlement pledging, for the purposes of qualifying for the financial payments under Article 13 ERF, in line with the decided priorities.

The current Resettlement Expert Group, which has been convened by the Commission on an informal and ad-hoc basis, will be developed into a Resettlement Expert Platform, in which all Member States and other stakeholders participate, and which will meet on a regular basis. This Platform will serve as a political framework and will discuss, apart from the annual priority setting, also other issues related to resettlement within the EU.

One of the main challenges for this Platform will be to ensure that more Member States within the EU will participate in resettlement. An important way to reach this objective, will be to provide training on resettlement and to organize twinning operations in which different actors are involved, both from Member States which currently carry out resettlement as well as from other Member States. To this end the Resettlement Expert Platform will need to cooperate closely with the European Asylum Support Office (EASO), which will be responsible for practical cooperation activities, including those on resettlement.

The Platform will be the primary interlocutor with the EASO also on other issues related to resettlement, for example with respect to the monitoring and evaluation of resettlement activities, the identification of best practices, the examination and development of new practices with respect to resettlement, such as the sponsorship-model, as well as identifying priorities for the next years.

The fact that political and practical cooperation on resettlement is further developed at EU level, is expected to make it easier for Member States, which until recently were not engaged in resettlement, to become involved. The Resettlement Expert Platform and the EASO will be able to supply relevant expertise. If joint EU policies are in place, the threshold for Member States to engage in resettlement will also be lower in political terms.

#### **4.3. Short description of 3<sup>rd</sup> option: maximum option**

##### **Political, financial and practical cooperation components:**

A fully developed EU wide resettlement scheme could imply some or all of the following elements:

- (a) All EU Member States would commit themselves to contribute to resettlement by effectively making a certain number of resettlement places available. The number of places made available by the Member States would be based on a distribution calculated on the basis of fixed criteria, which would be set at EU level.
- (b) The total number of available resettlement places within the EU would be set and filled at EU level. This would imply that at EU level decisions would be made on priorities to be resettled and that the selection of resettled refugees would be made fully in accordance with these joint EU criteria.
- (c) The fact that resettlement priorities would be decided upon at central EU level would enable to fully integrate resettlement into external asylum policies and EU external policies as a whole.
- (d) No resettlement would be carried out by the Member States outside of the joint resettlement scheme. There would be no discretionary power left to Member States therefore to decide themselves on the resettlement of particular nationalities or specific groups.
- (e) Full harmonization of resettlement criteria, as well as the status which resettled refugees would receive after arrival, would be necessary through a legislative instrument.
- (f) The resettlement selection process would be fully centralized at the EU level. All pre-departure operations would be carried out jointly. The capacity at the central level would have to be reinforced and capacity at national level with respect to resettlement could be reduced. In this option EASO would most likely not have a support role vis-à-vis national authorities with respect to resettlement activities, but would have a leading organizational role. The necessary increase in capacity of EASO with respect to resettlement would impact on the capacity of EASO to carry out practical cooperation in other fields. The enlarged tasks of EASO with respect to resettlement would possibly require amendment of the regulation on the EASO as it is currently proposed by the Commission.
- (g) The EU would act collectively towards UNHCR, IOM and third countries on resettlement, both with respect to political discussions as well as with respect to practical and logistical arrangements.
- (h) The financial component would need to be reviewed completely under this option. Since all Member States would participate in a fully-fledged EU resettlement scheme and priorities would be set at the EU level, there would be no need for additional financial assistance as provided under Article 13 of ERF. ERF would need to be revised.
- (i) A fully-fledged joint EU resettlement scheme would require a separate legal base, probably in the form of a regulation.

## 5. ANALYSIS OF IMPACTS

In the paragraphs below an analysis of the options is made against the following criteria:

- effectiveness of the options in reaching the objectives;
- impacts of the options;
- political feasibility and proportionality.

The different impacts are defined as follows:

- (1) The first impacts are the **direct financial costs** related to resettlement. These costs relate to all the **different resettlement activities**, such as selection and pre-departure activities as well as reception and integration activities **during the first year after the resettlement**. They are mainly paid by the governments of Member States, even if in some Member States some of these activities are carried out by local NGO's. During the consultations with stakeholders data were collected from the existing resettlement countries within the EU with respect to these costs. See also paragraph 2.2.2. In annex 7 is an overview of the financial costs of resettlement in the Member States.
- (2) The second impact is the effect of increased practical cooperation among Member States on the **financial costs of resettlement per resettled refugee (per capita)**.
- (3) The third and fourth categories of impacts relate to the **economic and social costs related to the integration of resettled refugees, after the first year of resettlement**: housing, education, medical assistance, social assistance, employment and integration potential within the EU at the local level. Apart from costs there are also benefits to society, such as labour capacity, cultural diversity etc. It is not possible to quantify this impact with any precision, given the wide divergence between costs in the different Member States and the widely differing characteristics of refugees resettled.
- (4) The fifth category of impacts relates to the **direct humanitarian impact** (on resettled refugees themselves), the **indirect humanitarian impact** (on improvement of the protection situation to other refugees in **third countries**) and the effectiveness of **EU external relations**.
- (5) The sixth impact relates to the degree in which the option leads to **increased equality in providing protection to refugees (equal treatment of a particular group)**.
- (6) The seventh impact which needs to be assessed is the **effect on fundamental rights**. As explained above, resettlement becomes necessary when there is inadequate protection in the country of first asylum. This inadequacy of protection can have various reasons, including among others, violation of fundamental rights, e.g. if the living conditions are so deplorable that they amount to inhuman or degrading treatment (see Article 3 Charter of Fundamental Rights of the EU). In other cases, resettlement may be necessary because the country of first asylum does not offer legal recognition of refugees and thus puts into question the fundamental right to

asylum as such (see Article 18 EU Charter). EU measures that aim at enhancing and strengthening the use of resettlement schemes therefore implement and promote the fundamental rights enshrined in the EU Charter and notably, human dignity, the right to asylum, prohibition of torture and inhuman or degrading treatment, non-discrimination and the rights of the child.

### 5.1. Assessment of 1<sup>st</sup> option: maintenance status quo

As described in paragraphs 2.2 and 2.3 the "baseline" is an evolving picture, particularly because of the expected establishment of the European Support Office (EASO) in 2010. In order to quantify the expected impacts of the creation of EASO, we have made a distinction between the baseline now (situation in spring 2009) and the baseline in two years time (situation expected after the creation of EASO without further EU action taken).

Impact Assessment		Option 1	
Objectives		now	progressive
1	ensure greater solidarity by the EU to third countries in receiving refugees	0	Low/medium
2	ensure that more EU Member States participate in resettlement	0	Low/medium
3	ensure that resettlement efforts are better targeted, on ongoing basis, towards those most in need (e.g. children, refugees from specific regions)	0	Low/medium
4	Increase strategic use of resettlement at an EU level	0	Low
5	reinforce the international role of the EU regarding resettlement by developing it as an integral and coherent component of EU external policies	0	Low
6	improve through cooperation the quality of the resettlement procedures in the EU	0	Low/medium
7	reduce through cooperation the economic and financial costs per capita of resettlement in the EU	0	Low/medium
8	reduce the differences among EU Member States regarding protection standards and to increase efficiency through the convergence of resettlement criteria	0	Low
Impacts			
1	Direct financial costs related to resettlement (selection, reception, integration) (total costs)	0	Small increase
2	Effect of economies of scale on direct financial costs related to resettlement (selection, reception, integration) (total costs)	0	Small decrease
3	Economic and social costs related to the integration of resettled refugees, in a wide sense (total costs)	0	Small increase
4	Economic and social costs related to the integration of resettled refugees, in a	0	Low

	wide sense (pro capita costs)		
5	Impact of resettlement on third countries, specific categories and EU external relations	0	Low
6	Increased equality in providing protection to refugees	0	Low
7	Impact on fundamental rights	0	Low
<b>Political feasibility</b>			
1	Support among key stakeholders for this option	0	Medium
2	Proportionality	0	Some concern

### 5.1.1. Effectiveness in reaching objectives

The status quo situation is discussed and analyzed in paragraphs 2.1, 2.2 and 2.3. As highlighted above there have been important positive developments with respect to resettlement within the EU. These recent developments demonstrate that there is certainly a political momentum which is favourable to resettlement. Furthermore, the establishment of the European Asylum Support Office (EASO), which is expected in 2010, will provide a framework for carrying out practical cooperation activities, including those related to resettlement.

As pointed out above in paragraph 2.2 and 2.3, there are, however, a number of important drawbacks to the current situation. These drawbacks have implications on its effectiveness in attaining the defined objectives.

#### *Specific objectives 1, 2 and 3*

- The current trend is positive and it is likely that the practical cooperation which EASO will develop on resettlement will lead to some increase in resettlement in the EU. However, this increase is likely to be limited;
- If the status quo is maintained, it is likely that a couple of EU Member States, which have until now not been engaged into resettlement, will decide to become engaged; this increase is estimated to be low;
- If the status quo is maintained, it is possible that Member States will from time to time decide *ad hoc* to prioritise the resettlement of persons currently in particular need of protection (e.g. the recent Council decision to resettle 10.000 Iraqis in Syria and Jordan. However, the absence of a regular, structured priority-setting framework means that resettlement efforts in the EU will not always be optimally targeted, on an ongoing basis, towards those persons or groups of persons (who are most in need of protection;
- There are, however, some serious deficits to the status quo. In particular, the absence of a framework for structured political cooperation on resettlement. This will also hamper

practical cooperation on resettlement within EASO. This will remain a barrier for Member States to newly engage into resettlement.

*Specific objectives 4 and 5*

- If no EU action is taken on resettlement, there will be little strategic use of resettlement at EU level. This means that priorities with respect to nationalities and categories to be resettled, would continue to be set at the national level. This would lead to the maintenance of a fragmented situation in terms of priorities;
- If no EU action is taken, resettlement will become less integrated and developed as a component of EU external asylum policies. This would make the external asylum policies and the EU's external policies as a whole less effective;
- Common initiatives such as the resettlement of Iraqis from Syria and Jordan would continue to be engaged in on an ad-hoc basis.

*Specific objectives 6 and 7*

- Through the establishment of EASO the exchange of information concerning resettlement within the EU will improve. As a result, the quality of resettlement is expected to improve.
- A very important aspect of resettlement is reception and integration. Cooperation on these aspects is likely to be mainly in the form of exchange of information and identifying 'best practices'. This is an important tool to improve the quality of the reception and integration systems in the Member States. The way reception and integration of resettled refugees is organized differs considerably among Member States.
- The development of practical cooperation on resettlement is expected to deliver important synergy effects. In this respect one can think of concrete activities which can be carried out together by Member States, such as selection missions, cultural orientation missions/programmes, medical screenings, travel or visa arrangements, but one can think also of other forms of cooperation such as exchange of information on characteristics of specific resettlement caseloads, etc.
- Joint activities will lead to advantages related to economies of scale. Economies of scale are expected to lead to improved quality at a lower level of costs per refugee, which will lower the threshold for Member States to newly engage into resettlement.
- If the status quo is maintained, the financial costs per capita of resettlement are expected to decrease slightly (through intensified practical cooperation within EASO), compared to their current levels. See below under impacts.

**However, if there is no further political cooperation with respect to resettlement, this will also have a negative impact on practical cooperation regarding resettlement activities.** Practical cooperation on resettlement would be likely to remain largely ad-hoc and fragmented, even if EASO is going to provide a structural basis for these activities. In this context it should be emphasized that EASO will have a mandate which is limited strictly to operational cooperation. EASO will not be in a position to make political or strategic decisions. **Under the status quo practical cooperation activities on resettlement are therefore likely to grow, but the positive effect will be considerably less than it could be**

**with the added impetus of structured political prioritising accompanied by appropriate financial incentives.**

*Specific objective 8*

- If no EU action is taken, the resettlement criteria which the different Member States rely on, are expected to remain divergent. As a consequence of this, protection will be provided to different categories of persons, depending on the individual Member State which carries out resettlement. This maintains a situation of inequality vis-à-vis those persons who seek protection. It also reinforces the perception of fragmented non-harmonized asylum policies throughout the EU.

**5.1.2. Impacts**

- As stated above, it is expected that there will be a limited increase in the total number of available resettlement places within the EU, if the status quo is maintained. This is in line with the current positive trends, which show some increase in resettlement, and can also be attributed to the modest efficiency gains likely to be brought about by EASO. (*See above under objective 1 and 2.*) In line with these current trends, the increase is estimated to be small, perhaps around 5 % over the next five years. Since the total resettlement capacity within the EU is currently 5.100 places this means an increase of 255 places. Based on an average cost within the EU of Euro 15.000 per resettled refugee (see par. 2.2.2) this means an increase of Euros 3.825.000. These are the expected total costs of resettlement, including pre-departure costs and reception and integration costs during the first year after the arrival. As explained on page 22 under the definition of impacts, these costs are mainly paid by the governments of Member States, although part of these costs are also likely to be paid through the specific financial assistance provided by article 13 ERF.
- Economies of scale are estimated to lead to a small decrease in the financial costs of resettlement per resettled refugee (per capita) of an estimated 10%. The savings of practical cooperation, however, apply mainly to the pre-departure costs (reception and integration costs will remain more or less the same). Pre-departure costs are estimated to be around 1.500 Euros per person. (see par. 2.2.2) A 10 % savings per person implies a decrease in total costs of Euros 803.250.
- The third and fourth categories of impacts relate to the economic and social costs related to the integration of resettled refugees, after the first year of resettlement. It is not possible to quantify this impact with any precision, given the wide divergence between costs in the different Member States and the widely differing characteristics of refugees resettled. The total costs and benefits will show a small increase, commensurate with the expected total increase of 5%. The impact per person is, however, estimated to remain the same, regardless of which option is chosen.
- Maintenance of the status quo will not lead to a substantial increase of the strategic use of resettlement and will therefore not lead to a substantial improvement in the protection situation in third countries. Maintenance of the status quo will not lead to the further development of resettlement as a component of EU external relations and to the improved effectiveness of EU external relations.



- The current situation is marked by a lack of harmonized resettlement criteria and status conferred upon resettled refugees. The consequence of this is a relatively large degree of inequality: there are important differences among Member States with respect to which refugees qualify for resettlement. Under the baseline scenario this will remain the same. See also above paragraph 2.2, point 8.
- Due to the small increase in the number of resettlement places expected, the positive impact on fundamental rights of this option can be considered low.

### 5.1.3. *Political feasibility, subsidiarity and proportionality*

- It is politically feasible to maintain the status quo. However, stakeholder consultations have shown that there is considerable support for moving beyond the current situation and putting in place an EU structure for resettlement, even if the general preference would be for a light structure. Particularly those Member States which currently carry out resettlement are in favour of having more cooperation at EU level on resettlement, because they regard this as a useful step to get other Member States involved in resettlement. Also many Member States, which currently do not carry out resettlement, have expressed their support for more EU cooperation on resettlement, although most have emphasized that participation in resettlement should remain voluntary. There is wide support for the strategic use of resettlement and to develop resettlement further as a component of the external dimension. Maintenance of current situation does not respond to this need. There is therefore reason to believe that maintenance of the current situation will not be sustainable. Political feasibility is therefore rated as medium.
- As explained in par. 2.5 the nature of the needs and the objectives to be achieved, require action to be taken at the EU level. Maintenance of the status quo does not provide for sufficient political cooperation at EU level and is therefore not satisfactory from the perspective of subsidiarity and proportionality.

### 5.2. Assessment of 2<sup>nd</sup> option: medium option (the dynamic process)

Since the expected output of sub-options 2A and 2B is expected to be the same, the assessment of the effectiveness in reaching the objectives as well as impacts is done together for sub-options 2A and 2B. However, what distinguishes sub-option 2A from sub-option 2B is the assessment of political feasibility and proportionality. These are therefore assessed separately.

Impact Assessment		Option 2 A and 2B
Objectives		
1	ensure greater solidarity by the EU to third countries in receiving refugees	Medium/high
2	Ensure that more EU Member States participate in resettlement	Medium/high
3	ensure that resettlement efforts are better targeted, on ongoing basis,	High

	towards those most in need (e.g. children, refugees from specific regions)	
4	Increase strategic use of resettlement at an EU level	Medium
5	reinforce the international role of the EU regarding resettlement by developing it as an integral and coherent component of EU external policies	Medium
6	improve through cooperation the quality of the resettlement procedures in the EU	Medium/high
7	lower through cooperation the economic and financial costs per capita of resettlement in the EU	Medium/high
8	reduce the differences among EU Member States regarding protection standards and to increase efficiency through the convergence of resettlement criteria	Medium
<b>Impacts</b>		
1	Direct financial costs related to resettlement (selection, reception, integration)	Medium/high increase
2	Effect of economies of scale on direct financial costs related to resettlement (selection, reception, integration) (total costs)	medium decrease
3	Economic and social costs related to the integration of resettled refugees, in a wide sense (total costs)	Medium/high
4	Economic and social costs related to the integration of resettled refugees, in a wide sense (per capita costs)	Low
5	Impact of resettlement on third countries, specific categories and EU external relations	Medium
6	Increased equality in providing protection to refugees	Medium
7	Impact on fundamental rights	Medium/high
<b>Political feasibility, subsidiarity and proportionality 2A</b>		
1	Support among key stakeholders for this option	Low/medium
2	Proportionality	Some concern
<b>Political feasibility, subsidiarity and proportionality 2B</b>		
1	Support among key stakeholders for this option	Medium/high
2	Proportionality	Little concern

### 5.2.1. *Effectiveness in reaching objectives*

**Under option 2 the political and financial components will be further developed. This is expected to provide also stimulus and political steering to the practical cooperation activities. This distinguishes option 2 from option 1.**

#### *Specific objectives 1, 2 and 3*

- If the practical cooperation activities on resettlement are accompanied by further political cooperation and if a financial underpinning is provided, it will be easier, both in practical and political terms, as well as more cost-effective for Member States to engage *de novo* in resettlement. For the following reasons this option is expected to lead to a medium/high increase in resettlement as well as to more involvement of other Member States in resettlement: through enhanced synergies the costs of resettlement per resettled refugee will be lower; EASO will provide a basis for joint EU operations on resettlement, which makes it easier for Member States to engage in resettlement; through EASO other Member States will provide technical assistance, know-how and experience on resettlement; through the dynamic priority setting which takes place each year Member States can influence the resettlement priorities; on the basis of these priorities they will receive additional financial assistance from ERF per resettled refugee; the fact that there is a joint EU resettlement scheme in place, makes it politically easier for Member States to engage in resettlement;
- It will also provide an incentive for existing resettlement countries to increase their resettlement commitments;
- This option will enable Member States, within a structured priority-setting framework, to prioritise on an annual basis, the resettlement of those persons or groups of persons who are most in need of protection;
- Consequently, if this option is embraced, the increase in the total number of refugees to be resettled in the EU is estimated to be medium/high. Since 2007 four Member States, which were previously not engaged in resettlement, have introduced annual resettlement programmes (PT, FR, RO, CZ). In total these programmes have made 500 resettlement places available. Under option 2 it is assumed that over the coming years other Member States will decide to engage in resettlement and that this will lead to an increase of the total available resettlement places within the EU of approximately 765 places, i.e. an increase of 15%. Under this option the increase is expected to be higher than under options 1 or 3, because, for the reasons described in detail above, Member States will benefit from the synergies and expertise resulting from enhanced cooperation, and will have a direct stake in the setting of priorities to be underpinned by financial support, while at the same time remaining at liberty to also resettle in accordance with their own national preferences.

#### *Specific objectives 4 and 5*

- Option 2 provides for political cooperation and the formulation of joint EU political and strategic priorities with respect to resettlement. This would lead to less fragmentation of priorities and more strategic use of resettlement at EU level. The positive impact on the protection situation in third countries will be larger.

- Political cooperation will ensure that resettlement will be integrated and developed as a component of EU external asylum policies and EU external policies as a whole. This is expected to lead to improved effectiveness of EU external policies.

#### *Specific objectives 6 and 7*

- Through the establishment of EASO the exchange of information concerning resettlement within the EU will improve. As a result, the quality of resettlement is expected to improve.
- A very important aspect of resettlement is reception and integration. Cooperation on these aspects is likely to be mainly in the form of exchange of information and identifying 'best practices'. This is an important tool to improve the quality of the reception and integration systems in the Member States. The way reception and integration of resettled refugees is organized differs considerably among Member States.
- The development of practical cooperation on resettlement is expected to deliver important synergy effects. In this respect one can think of concrete activities which can be carried out together by Member States, such as selection missions, cultural orientation missions/programmes, medical screenings, travel or visa arrangements, but one can think also of other forms of cooperation such as exchange of information on characteristics of specific resettlement caseloads, etc.
- Joint activities will lead to advantages related to economies of scale. Economies of scale are expected to lead to improved quality at a lower level of costs pro capita, which will lower the threshold for Member States to engage *de novo* in resettlement.

#### *Specific objective 8*

- Option 2 does not provide for harmonization of the resettlement criteria which the different Member States use. However, improved political cooperation and improved practical cooperation are expected to lead to some improvement with respect to reaching this objective.

### **5.2.2. Impacts**

- As stated above, it is expected that there will be a medium/high increase of the total number of available resettlement places within the EU, if option 2 is implemented. Taking into account both current trends (*see above under option 1*) and the anticipated reduction in resettlement costs per refugee, particularly for those not currently engaged in resettlement, this increase is estimated to be around 15 %. Since the total of currently available resettlement places in the EU is 5.100 this means an estimated increase with 765 places. Based on an average cost within the EU of Euro 15.000 per resettled refugee (see par. 2.2.2) this means an increase of Euros 11.475.000. These are the expected total costs of resettlement, including pre-departure costs and reception and integration costs during the first year after the arrival. As explained on page 22 under the definition of impacts, these costs are mainly paid by the governments of Member States, although part of these costs are also likely to be paid through the specific financial assistance provided by article 13 ERF. As explained above in paragraph 4.2 (under financial component) it is difficult to

estimate how large the increase in the allocation under article 13 ERF will be. If it is assumed that an increase of 765 places leads to an increase of the pledging by Member States under article 13 in 50% of these cases, this will lead to an increase of the allocation under article 13 of 1.530.000 Euros.

- Option 2 provides for practical cooperation to be carried out by the EASO and for an effective political steering and financial underpinning. This is estimated to lead to a medium reduction of the financial costs of resettlement per resettled refugee (pro capita) of an estimated 20%. The savings of practical cooperation, however, apply mainly to the pre-departure costs (reception and integration costs will remain more or less the same). Pre-departure costs are estimated to be around 1.500 Euros per person. (see par. 2.2.2) A 20 % savings per person implies a decrease in total costs of Euros 1.759.500.
- The third and fourth categories of impacts relate to the economic and social costs related to the integration of resettled refugees, after the first year of resettlement. It is not possible to quantify this impact with any precision, given the wide divergence between costs in the different Member States and the widely differing characteristics of refugees resettled. Since this option is estimated to lead to a 15% increase in the total of resettlement within the EU these costs are expected also to increase with 15%. The impact per person is, however, estimated to remain the same, regardless of which option is chosen.
- Firstly, this option is estimated to lead to 15 % increase of resettlement, from which 765 refugees will benefit annually. Secondly, this option will lead to a more strategic use of resettlement and will therefore lead to an improvement in the protection situation in third countries. Thirdly, this option will also lead to the further development of resettlement as a component of EU external relations and to the improved effectiveness of EU external relations. These impacts can not be measured, but are estimated to be medium-size.
- The current situation is marked by a lack of harmonized resettlement criteria. The consequence of this is a relatively large degree of inequality: there are important differences among Member States with respect to which refugees qualify for resettlement. Under option 2 the practical and political cooperation are expected to lead to an improvement, which is estimated to be medium. See also above paragraph 2.2, point 8.
- The positive impact fundamental rights corresponds to the expected medium/high increase in the total number of refugees to be resettled in the EU.

### ***5.2.3. Political feasibility, subsidiarity and proportionality***

#### **Assessment of sub-option 2A**

As described in paragraph 4.2 a new Committee would be established under this sub-option which will serve as the political framework.

- Stakeholder consultations have demonstrated that there is wide support for the development of an EU wide resettlement scheme, and that the scheme should be based on a number of principles. The most important of which are (1) voluntary participation, (2) emphasis on broadening the basis of resettlement, (3) incremental approach, (4) large need

for intensified practical cooperation, (5) more strategic use of resettlement at EU level, (6) further development of external dimension, (7) ERF financial support should be more carefully targeted, and (8) scheme should include all interested Member States as well as all other stakeholders. This approach is particularly favoured by those Member States which are currently resettlement countries as well as other non-Member State stakeholders (UNHCR, NGOs). There are no Member States which have expressed opposition against more cooperation within the EU on resettlement, as long as participation is voluntary;

- Stakeholder consultations have shown that there is reluctance among many Member States to create a new formal structure to reach these objectives. The establishment of a new Committee which is especially dedicated to resettlement, and which would act under Comitology rules, would therefore meet substantial opposition from Member States, because Member States fear this would be a bureaucratic burden and might reduce their room to decide on resettlement priorities themselves.
- To reach the set objectives there is a clear need to act at EU level. However, from the perspective of proportionality the question can be posed whether the establishment of a new Committee is a proportionate means of reaching these objectives, if the use of existing structures can have the same effect (*see sub-option B below*).

### **Assessment of sub-option 2B**

As described in paragraph 4.2, under this sub-option the existing structures, i.e. the SOLID Committee and the EU expert group on resettlement would be used as the political framework.

- Stakeholder consultations have demonstrated that there is wide support for the development of an EU wide resettlement scheme, and that the scheme should be based on a number of principles. The most important of which are (1) voluntary participation, (2) emphasis on broadening the basis of resettlement, (3) incremental approach, (4) large need for intensified practical cooperation, (5) more strategic use of resettlement at EU level, (6) further development of external dimension, (7) ERF financial support should be more carefully targeted, and (8) scheme should include all interested Member States as well as all other stakeholders; This approach is particularly favoured by those Member States which are currently resettlement countries as well as other non-Member State stakeholders (UNHCR, NGOs). There are no Member States which have expressed opposition against more cooperation within the EU on resettlement, as long as participation is voluntary.
- There is a strong preference among a majority of Member States to build on the existing consultation and decision making mechanisms. The current political situation is on the one hand positive towards resettlement, but on the other hand reluctant to create any new formal structure, because of the bureaucratic burden this might entail and the fear that Member States' room to decide on priorities themselves would be reduced.
- To reach the set objectives there is a clear need to act at EU level. From the perspective of proportionality the use of existing structures is considered preferable, if this is as effective as sub-option A in reaching the objectives and if it is expected to have the same impacts.

**Conclusion: Sub-option 2 B scores considerably higher than sub-option 2A in terms of political feasibility and proportionality.**

### 5.3. Assessment of 3rd option: maximum option

Impact Assessment		Option 3
Objectives		
1	ensure greater solidarity by the EU to third countries in receiving refugees	Medium
2	ensure that more EU Member States participate in resettlement	High
3	ensure that resettlement efforts are better targeted, on ongoing basis, towards those most in need (e.g. children, refugees from specific regions)	High
4	Increase strategic use of resettlement at an EU level	Medium
5	reinforce the international role of the EU regarding resettlement by developing it as an integral and coherent component of EU external policies	Medium
6	improve through cooperation the quality of the resettlement procedures in the EU	High
7	lower through cooperation the economic and financial costs per capita of resettlement in the EU	High
8	reduce the differences among EU Member States regarding protection standards and to increase efficiency through the convergence of resettlement criteria	High
Impacts		
1	Direct financial costs related to resettlement (selection, reception, integration)	Medium
2	Effect of economies of scale on direct financial costs related to resettlement (selection, reception, integration) (total costs)	Significant decrease
3	Economic and social costs related to the integration of resettled refugees, in a wide sense (total costs)	Medium
4	Economic and social costs related to the integration of resettled refugees, in a wide sense (per capita costs)	Low
4	Impact of resettlement on third countries, specific categories and EU external relations	Medium
5	Increased equality in providing protection to refugees	High
6	Impact on fundamental rights	Medium
Political feasibility , subsidiarity and proportionality		

1	Support among key stakeholders for this option	Low
2	Proportionality	Large concern

### 5.3.1. *Effectiveness in reaching objectives*

For the purposes of assessing the "maximum option" in this section, the assumption is made that it incorporates all of the elements mentioned in section 4.3 above.

#### *Specific objectives 1, 2 and 3*

- If a fully-fledged joint EU resettlement scheme were established, this would imply – as described above – that all EU Member States would participate in resettlement.
- This option would enable Member States, within a structured priority-setting framework, to prioritise the resettlement of those persons or groups of persons who are most in need of protection;
- This option might lead to an increase in the total of resettlement places which are available in the EU. A maximalist scheme not allowing for "parallel" national resettlement policies might, on the other hand, have a negative overall impact on the numbers of refugees resettled. See also below, under impact 1.

#### *Specific objectives 4 and 5*

- A fully-fledged joint resettlement scheme would imply that priorities were set at the EU level and that all resettlement in the EU would be carried out on the basis of these priorities. This would ensure the strategic use of resettlement at the EU level. However, if overall resettlement numbers were not to show an increase under an integrated scheme, this would undermine the effectiveness of any such strategic use. For this reason, the impact of this option on strategic use is rated as medium.
- Since under option 3 resettlement policies would be completely formulated at the EU level, and since the implementation of resettlement would also be carried out jointly (through EASO), this would be the optimal option to ensure that resettlement is integrated and developed as a component of EU external asylum policies and EU external policies as a whole. As stated above, it would, however, be uncertain whether the establishment of a fully-fledged joint EU resettlement scheme would lead to more resettlement places being available in the EU. For that reason the impact of this option on the improvement of EU relations with third countries is rated as medium.
- The EU would act collectively towards UNHCR, IOM and third countries on resettlement, both with respect to political discussions as well as with respect to practical and logistical arrangements.

#### *Specific objectives 6 and 7*

- Under option 3 the implementation of all pre-departure resettlement activities (selection missions, cultural orientation missions/programmes, medical and security screenings,



travel or visa arrangements etc.) would be carried out jointly. A very high degree of practical cooperation would be required among Member States and other stakeholders. The capacity of the EASO on resettlement would have to be increased considerably.

- Since resettlement operations would under option 3 be carried out jointly, the issue of exchange of information is less relevant. Joint EU resettlement policies would probably also lead to more convergence with respect to reception and integration of resettled refugees.
- A fully-fledged joint EU resettlement scheme would have important advantages related to economies of scale. The average costs related to resettlement would decrease. There would be increased cost-effectiveness and increased efficiency.

#### *Specific objective 8*

- Under option 3 there would be a complete harmonization of the resettlement criteria which the different Member States use.

#### **5.3.2. Impacts**

- It is difficult to predict what the effect of a fully-fledged EU resettlement scheme will be on the number of available resettlement places in the EU. The effect could be positive, but the effect could also be lower than expected, due in particular to the influence in such an integrated scheme of Member States which are less inclined to resettle refugees. Moreover, those countries which currently resettle in larger numbers may be inclined to resettle in smaller numbers if they are not satisfied with the commonly-agreed priorities, and have no longer the possibility to resettle voluntarily in accordance with their own priorities. There could also be significant resistance against resettlement by Member States, which consider relocation of refugees and asylum seekers from their territory to other EU Member States to be a higher priority than resettlement. Given this uncertainty, and taking into account both current trends (*see above under option 1*) and the anticipated reduction in resettlement costs per refugee, particularly for those not currently engaged in resettlement, this increase is estimated to be medium, around 10 %. Since the total of currently available resettlement places in the EU is 5.100 this means an estimated increase with 510 places. Based on an average cost within the EU of Euro 15.000 per resettled refugee (see par. 2.2.2) this means an increase of Euros 7.650.000. These are the expected total costs of resettlement, including pre-departure costs and reception and integration costs during the first year after the arrival. As explained on page 22 under the definition of impacts, these costs are mainly paid by the governments of Member States, although part of these costs are also likely to be paid through the specific financial assistance provided by article 13 ERF.
- The second impact is the effect of the establishment of a fully-fledged EU resettlement scheme on the financial costs of resettlement per resettled refugee (per capita). This is estimated to lead to a significant reduction of the financial costs of resettlement per resettled refugee (pro capita) of an estimated 30%. The savings, however, apply mainly to the pre-departure costs (reception and integration costs will remain more or less the same). Pre-departure costs are estimated to be around 1.500 Euros per person. (see par. 2.2.2) A 30 % savings per person implies a decrease in total costs of Euros 2.524.500.

- The third and fourth categories of impacts relate to the economic and social costs related to the integration of resettled refugees, after the first year of resettlement. It is not possible to quantify this impact with any precision, given the wide divergence between costs in the different Member States and the widely differing characteristics of refugees resettled. Since this option is estimated to lead to a 10% increase in the total of resettlement within the EU these costs are expected also to increase with 10%. The impact per person is, however, estimated to remain the same, regardless of which option is chosen.
- The impact of option 3 in terms of numbers of persons who will benefit from resettlement is difficult to forecast. However, this is estimated to lead to a 10 % increase of resettlement, from which 510 refugees will benefit annually. Since resettlement will be carried out jointly under option 3 this is likely to lead to more strategic use of resettlement at EU level and will therefore lead to an improvement of the protection situation in third countries. Option 3 will also lead to the further development of resettlement as a component of EU external relations and to the improved effectiveness of EU external relations.
- Under option 3 there will be most likely harmonized resettlement criteria. The consequence of this is more equality.
- The positive impact fundamental rights corresponds to the expected medium/high increase in the total number of refugees to be resettled in the EU.

### **5.3.3. *Political feasibility, subsidiarity and proportionality***

- As stated above stakeholder consultations have shown that there is strong support for more EU cooperation on resettlement. Some stakeholders, particularly the non-governmental stakeholders, would be favourable to the establishment of a scheme, which would imply full harmonization of criteria. A majority of Member States, however, favour an approach which is incremental and which puts emphasis on closer cooperation and familiarizing new Member States with resettlement, rather than on harmonizing resettlement criteria. Particularly on the voluntary nature of participation in the scheme, positions of Member States are very firm. The establishment of a truly EU wide joint resettlement scheme in which all Member States participate seems therefore politically not feasible at present.
- Even if there was sufficient support for the establishment of a fully-fledged joint EU resettlement scheme, it is doubtful whether some Member States would under the current situation be sufficiently prepared – in terms of capacity – to implement resettlement. Many Member States are currently not familiar with resettlement. The experience shows that thorough preparation is required (training, facilities etc.) before a resettlement programme can be actually implemented.
- Another relevant concern relates to aspects of subsidiarity and proportionality. It is questionable whether the establishment of a fully-fledged joint EU resettlement scheme is necessary and proportionate at this stage to reach the set objectives.

## 6. COMPARISON OF OPTIONS / PREFERRED OPTION

*See table with the comparison of impacts of options (page 34).*

### **Effectiveness in reaching the objectives**

- Options 2 and 3 score better than option 1.
- Option 2 scores better on the principal objective, i.e. to ensure greater solidarity by the EU to third countries in receiving refugees. Option 3 scores worse than option 2 on the principal objective, because of the uncertainty with respect to the outcome. As explained above, there is a possibility that option 3 would fail to result in an increase of resettlement due to important political opposition on the part of some Member States. It is not unrealistic to assume there would be opposition against an increase of resettlement from Member States, which consider relocation of refugees and asylum seekers from their territory to other EU Member States to be a higher priority than resettlement.
- Option 2 and 3 score equally well on the objective to reinforce the international role of the EU regarding resettlement by developing it as an integral and coherent component of EU external policies.

**Conclusion:** In terms of effectiveness in reaching the objectives option 2 is to be preferred. This is primarily the case because it scores better on the principal objective.

### **Impacts**

- The direct financial costs and the indirect social economic costs and benefits of option 2 are estimated to be higher than those of option 1 and 3. This is due to the fact that option 2 is expected to lead to the highest increase in resettlement numbers. Most of the direct financial costs and the indirect social economic costs are paid by the governments of those Member States which carry out resettlement. There will be financial assistance with respect to these costs through ERF funding, particularly through the specific financial assistance procured by article 13.
- Option 3 leads to the best result with respect to reduction of financial costs of resettlement per refugee, and in terms of increased equality.
- Option 2 scores highest with respect to the impact on fundamental rights.
- With respect to impact on third countries and EU external relations options 2 and 3 score the same: the impact is estimated to be medium improvement.

### **Political feasibility, subsidiarity and proportionality**

- Sub-option 2B scores best (medium/high) on political feasibility. With respect to this sub-option there is no concern in terms of proportionality.
- The political feasibility of option 3 is assessed as low, while there is a large concern with respect to proportionality with respect to this option.

**Conclusion:** In terms of political feasibility and proportionality sub-option 2B is the preferred option.

### **Over-all assessment:**

A comparison of option 1 and 2 shows a clear preference for option 2. There are two sub-options distinguished within option 2. Both sub-options have equal scores on effectiveness in reaching the objectives and impacts. Option 2B is the preferred option on grounds of **political feasibility**. Option 2B should also be preferred to option 2A on grounds of **proportionality**. If the need for joint action at the EU level is acknowledged (see above, under subsidiarity), it is necessary to assess how far EU measures should go and whether these are proportionate to the objectives to be reached. Option 2B responds effectively to the objectives in a proportionate manner.

## **7. MONITORING AND EVALUATION**

In order to monitor the progress made with respect to the implementation of the preferred option – and the progress of resettlement in general within the EU – the Commission will carry out an evaluation within three years after the introduction of the EU joint resettlement scheme. The evaluation will include the progress made with respect to political cooperation, notably in the framework of the SOLID Committee and the Resettlement Expert Platform, as well as the allocations under ERF. The EASO will also have a key role in monitoring progress, because it will coordinate practical cooperation activities on resettlement. The progress made in this field will also be included in the evaluation.

As for indicators to assess progress and effectiveness of the preferred option in achieving the policy objectives, the following indicators will be taken into consideration:

- Persons effectively resettled annually in the Member States;
- Number of Member States introducing annual resettlement programmes;
- Number of Member States which engage in resettlement through other activities, for example ad-hoc resettlement of specific groups of refugees, projects or twinnings;
- Level of financial allocations under ERF with respect to resettlement, including whether modulation of the lump sum according to categories of resettled persons might be appropriate;
- Volume of practical cooperation activities on resettlement carried out under coordination of EASO;
- The degree in which annual priority setting leads to alignment of resettlement within the EU
- More visible EU role in the political decision making and consultations with UNHCR and other major stakeholders in Geneva (Annual Tripartite Consultations on Resettlement, Working Group on Resettlement)
- The impact of resettlement on EU relations with third countries

Comparison of impacts of options					
		Option 1		Option 2	Option 3
Objectives		now	progressive	dynamic	maximum
1	ensure greater solidarity by the EU to third countries in receiving refugees	0	Low/medium	Medium/high	Medium
2	Ensure that more EU Member States participate in resettlement	0	Low/medium	Medium/high	High
3	ensure that resettlement efforts are better targeted, on ongoing basis, towards those most in need (e.g. children, refugees from specific regions)	0	Low/medium	High	High
4	Increase strategic use of resettlement at an EU level	0	Low	Medium	Medium
5	reinforce the international role of the EU regarding resettlement by developing it as an integral and coherent component of EU external policies	0	Low	Medium	Medium
6	improve through cooperation the quality of the resettlement procedures in the EU	0	Low/medium	Medium/high	High
7	lower through cooperation the economic and financial costs per capita of resettlement in the EU	0	Low/medium	Medium/high	High
8	reduce the differences among EU Member States regarding protection standards and to increase efficiency through the convergence of resettlement criteria	0	Low	Medium	High
Impacts					
1	Direct financial costs related to resettlement (selection, reception, integration)	0	Small increase	Medium/high increase	Medium

2	Direct financial costs related to resettlement (selection, reception, integration) pro capita	0	Small decrease	medium decrease		significant decrease
3	Economic and social costs related to the integration of resettled refugees, in a wide sense (total costs)	0	Small increase	Medium/high		Medium
4	Economic and social costs related to the integration of resettled refugees, in a wide sense (per capita costs)	0	Low	Low		Low
5	Impact of resettlement on third countries, specific categories and EU external relations	0	low	Medium		medium
6	Increased equality in providing protection to refugees	0	Low	Medium		High
7	Impact on fundamental rights	0	Low	Medium/high		medium
Political feasibility and proportionality				2 A	2 B	
1	Support among key stakeholders for this option	0	Medium	Low/medium	Medium/High	Low
2	Proportionality	0	Some concern	Some concern	Little concern	Large concern

## **ANNEXES**<sup>15</sup>

- 1. UNHCR Resettlement Departures by (primary) Characteristics 2007 – 2008**
- 2. List of stakeholders consulted**
- 3. Global Resettlement Needs 2009 by Region of Asylum**
- 4. UNHCR Resettlement Submissions /Departures per country of origin – 2005 – 2008**
- 5. UNHCR Resettlement Departures per resettlement country 2003 – 2008**
- 6. UNHCR Resettlement Submissions per resettlement country 2003 – 2008**
- 7. Approximate capacity of resettlement countries in 2008**
- 8. Main Features of European Resettlement Programmes 2009**
- 9. Financial costs of resettlement**
- 10. Resettlement under the European Refugee Fund III**
- 11. Resettlement activities under ERF national programmes**
- 12. UNHCR Resettlement - Top 10 Arrivals to EU, by Country of EU vs. Country of Origin 2007 -2008**
- 13. UNHCR Resettlement Departures - RPP Countries of Asylum by Country of Origin - 2004 – 2008**

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<sup>15</sup> Please note that most of the above annexes are statistics provided by UNHCR (submissions and departures). Please note that there may be a difference between these numbers and the numbers provided by individual Member states.

## ANNEX 1

Source: UNHCR

**UNHCR Resettlement Departures by (primary) Characteristics 2007 - 2008**

	2007		2008	
	EU	All Others	EU	All Others
Woman-at-Risk	526	1.993	550	3.642
Children & Adolescents	20	194	27	568
Family Reunification	187	568	93	375
Legal & Physical Protection Needs	2.297	24.243	2.060	33.418
Medical Needs	240	379	273	2.117
Older (elderly) refugees	12	37	18	135
Refugees without Local Integration Prospects	180	16.531	817	17.089
Survivor of Violence & Torture	449	2.034	536	3.863
Unspecified.	24	14	4	11
Total	3.935	45.993	4.378	61.218

### Who qualifies for resettlement?

*Resettlement is geared primarily towards the protection of refugees whose life, liberty, safety, health or fundamental human rights are at risk in their country of refuge. Resettlement is normally only promoted by UNHCR when the other durable solutions – voluntary repatriation or local integration in the country of asylum – are inappropriate or unavailable, or where the specific protection needs of the refugee cannot be met by the host State, even if there is a willingness to grant asylum.*









Refugee resettlement is distinguished from other forms of migration by the primary consideration of “protection and durable solutions needs” above all other concerns. States and UNHCR have repeatedly affirmed that the primary purpose of resettlement must always be the provision of individual protection for those who cannot be provided with adequate protection in the first country of asylum. They also affirm that resettlement can provide a durable solution and a tool for burden and responsibility sharing.

Accordingly, individuals supported for resettlement by UNHCR are (i) recognized as refugees under UNHCR's mandate; and (ii) deemed eligible according to UNHCR's resettlement guidelines and criteria. The UNHCR resettlement criteria and related considerations form the basis for the identification of refugees in need of resettlement. They are contained in the



UNHCR Resettlement Handbook, which was endorsed by UNHCR's Executive Committee in 1996. UNHCR encourages States to use these criteria to inform and guide their decisions on resettlement.

The agreed global criteria for UNHCR to determine its resettlement interventions encompass both its use as a tool of international protection and as a durable solution. They were endorsed by UNHCR's EXCOM in 1996 and include the following:

-  when there is no other way to guarantee the legal or physical security of the refugees concerned in the country of first asylum; this includes a threat of *refoulement*;
-  survivors of torture and violence, where the conditions of asylum could result in further trauma or where appropriate treatment is not available;
-  persons with medical needs, in particular life-saving treatment, that is unavailable in the country of first asylum;
-  women and girls at risk, where there is a real risk that they could be exposed to sexual or gender-based violence;
-  children and adolescents, where a best interests determination supports this;
-  elderly refugees who may be particularly vulnerable and for whom resettlement appears to be the best solution, generally due to family links;
-  when it represents the only means to reunite refugee families who, owing to refugee flight or displacement, find themselves divided by borders or by entire continents;
-  when voluntary repatriation or local integration are not available or feasible in the foreseeable future.

As can be seen, most of the criteria relate to specific international protection needs, such as where the physical or legal security of a refugee is at stake or where specialised services (e.g. psychosocial or medical) are required that are not available in the country of asylum. The use of resettlement as a tool for international protection generally requires the identification of particularly vulnerable persons within a much larger group of refugees.

At times, the resettlement of an entire refugee population in a country may be warranted based on international protection grounds. This could be the case, for example, where refugee status is not acknowledged or recognized and where all refugees face a risk of deportation and/or *refoulement*. This could arise where a country has not ratified any of the international or regional refugee treaties, or where it has maintained a geographical restriction with respect to the 1951 Convention. It could also apply in situations where States have not adopted domestic legislation and policies in line with the responsibilities they have assumed under international or regional conventions. In some cases, the reliance on resettlement as a tool for international protection may thus involve a considerable number of refugees.

Even if voluntary repatriation should become viable and feasible, local integration and resettlement may still continue to be the most appropriate durable solution for certain refugees. This may be the case, for example, for refugees who for reasons of trauma do not wish to return, or who might face particular protection problems with respect to the country of origin, despite important improvements or changes there. Particularly in post-conflict situations, it may take quite some time before peace and order have been fully re-established, and administrative and judicial institutions are functioning effectively.

Where political impasses prevent voluntary repatriation as a feasible or viable option, a comprehensive approach could additionally involve concerted efforts to improve the situation in the country of origin, through political processes and interventions. Since UNHCR is a non-political organization, any such efforts would need to take place under the leadership of the UN or through multilateral or bilateral efforts of States.

States recognize that resettlement – as a burden and responsibility sharing tool – can be used strategically to help open possibilities for self-reliance and even local integration. Even where this is not possible, more extended use of resettlement in a particular situation could serve to improve the protection situation generally in the first country of asylum. Such a strategic use of resettlement is core to the *Multilateral Framework of Understandings on Resettlement* agreed in 2004 as part of the Convention Plus initiative. It emphasizes indeed both comprehensive approaches and the strategic use of resettlement, and specifically sets out understandings related to such approaches in a multilateral context.

*Source: UNHCR*

## ANNEX 2

List of stakeholders consulted	
Experts' meeting on resettlement 12 December 2008	
INS	The Netherlands
INS	The Netherlands
ECRE	
ICMC	
MOI	Czech Republic
IOM	
UK Border Agency	UK
CGRS	Belgium
UNHCR	
UNHCR	
Ministry of Justice	The Netherlands
Ministry of Justice	Sweden
Migration Board	Sweden
Questionnaire sent to the Member States	
<u>Replies received from 22 Member States:</u> Ireland, Portugal, Czech Republic, Austria, Finland, Cyprus, Bulgaria, Luxembourg, Belgium, Denmark, The Netherlands, Poland, Sweden, Estonia, Germany, United Kingdom, Italy, France, Slovakia, Spain, Lithuania, Hungary.	
Committee on Immigration and Asylum	
The Netherlands, Italy, France, Romania, Belgium, Finland, Czech Republic, United Kingdom, Sweden, Spain, Portugal, Austria, Ireland, Germany, Greece.	
Written input with respect to Joint EU Resettlement Scheme	
UNHCR ' Background paper from UNHCR: EU Resettlement Scheme'	



### ANNEX 3

Global Resettlement Needs 2009 by Region of Asylum	
Sub-Region	Individuals in need of Resettlement
<b>AFRICA</b>	
Great Lakes	15,680
East and Horn of Africa	90,575
West and Central Africa	1,175
Southern Africa	3,484
Chad and Sudan Operation	5,550
<b>Africa TOTAL</b>	<b>116,464</b>
<b>THE AMERICAS</b>	
<b>The Americas TOTAL</b>	<b>1,252</b>
<b>ASIA</b>	
South Asia	32,061
East Asia	37,892
Central Asia	1,096
South-West Asia	259,900
<b>Asia TOTAL</b>	<b>330,949</b>
<b>EUROPE</b>	
Eastern Europe	1,145
South-Eastern Europe	6,332
<b>Europe TOTAL</b>	<b>7,477</b>
<b>MIDDLE EAST AND NORTH AFRICA</b>	
<b>Middle East and North Africa TOTAL</b>	<b>104,995</b>
GLOBAL TOTAL	561,137

Source: UNHCR, *Refugee Resettlement: Performance Outcomes 2007 And Global Projections 2009*

## ANNEX 4

### UNHCR Resettlement Submissions – 2005 – 2008

	2005		2006		2007		2008	
	Country of Resettlement							
Region of Origin	EU	All Others	EU	All Others	EU	All Others	EU	All Others
Africa	1.364	18.578	2.010	18.645	1.802	18.798	1.573	23.921
Americas	556	642	479	554	185	843	131	950
Asia & Pacific	2.600	19.842	2.571	28.129	2.613	52.106	2.743	56.354
Europe	149	463	183	162	271	300	220	207
Middle East & North Africa	562	1.481	239	1.188	2.029	20.034	2.883	31.788
Stateless	4	19	4	18	4	14	4	37
Total	5.235	41.025	5.486	48.696	6.904	92.095	7.554	113.257

### UNHCR Resettlement Departures – 2005 – 2008

	2005		2006		2007		2008	
	Country of Resettlement							
Region of Origin	EU	All Others	EU	All Others	EU	All Others	EU	All Others
Africa	870	18.522	1.141	15.980	1.061	18.936	1.199	10.446
Americas	398	435	328	293	139	436	65	472
Asia & Pacific	1.499	15.435	2.072	8.849	1.806	23.205	1.765	33.305
Europe	125	212	31	127	85	206	91	145
Middle East & North Africa	229	761	105	613	841	3.116	1.256	16.839
Stateless	9	12	19	2	3	34	2	11
Total	3.130	35.377	3.696	25.864	3.935	45.933	4.378	61.218

Source: UNHCR

## ANNEX 5

### UNHCR Resettlement Departures 2003 – 2008

Country of Destination	2003	2004	2005	2006	2007	2008
Argentina			31	19	32	78
Australia	3.961	3.933	5.117	4.647	6.056	5.133
Austria	154			1	1	20
Belgium	34	74	23	14	17	6
Brazil	16	75	76	50	163	19
Canada	4.668	5.279	5.811	5.218	5.998	5.542
Chile	21	26	52	42	32	45
Czech Rep.			15		8	46
Denmark	520	379	454	750	480	407
Finland	443	727	584	548	714	674
France	5		2	1	5	276
Germany	82	29	14	10	3	
Greece						2
Iceland	24		31		30	29
Ireland	43	64	116	119	107	87
Israel					1	
Italy	37	26	2	6	40	30
Mozambique	4					
Netherlands	129	252	479	327	425	575
New Zealand	351	107	307	622	629	775
Norway	1.856	859	636	871	978	721
Portugal					12	5
Rep. of Korea	4		1			23
Spain	3	1	8		3	8
Sweden	873	1.645	1.190	1.571	1.772	1.545
Switzerland	5	6	27	13	7	12
United Kingdom	118	272	242	349	348	697
USA	13.987	28.253	23.289	14.382	32.007	48.836
Unspecified		1				5
<b>Total</b>	<b>27.338</b>	<b>42.008</b>	<b>38.507</b>	<b>29.560</b>	<b>49.868</b>	<b>65.596</b>

### *Resettlement departures 2002-08 to EU and all other countries*

Year	EU	%	All Others	%	Total
2003	2.441	9	24.897	91	27.338
2004	3.469	8	38.539	92	42.008
2005	3.130	8	35.377	92	38.507
2006	3.696	13	25.864	87	29.560
2007	3.935	8	45.933	92	49.868
2008	4.378	7	61.218	93	65.596

Source: UNHCR

## ANNEX 6

### UNHCR Resettlement Submissions 2003 - 2008

Country of Destination	2003	2004	2005	2006	2007	2008
Argentina			60	94	153	109
Australia	3.079	4.689	4.872	8.582	8.422	7.639
Austria	13				1	305
Belgium		16	3	10	12	18
Benin	8					
Burkina Faso		3				
Brazil	99	396	171	95	217	75
Canada	6.022	9.088	6.264	7.262	7.694	8.424
Chile	87	163	75	34	119	145
Czech Rep.			40	1	9	84
Denmark	612	833	706	646	735	757
Finland	1.053	1.160	1.195	879	1.242	952
France	4	1	3	1	25	581
Germany	73	33	27	12	5	2
Greece						2
Iceland			62		43	72
Ireland	46	30	133	260	252	271
Italy	21	1	2		40	
Rep. of Korea	4	1				31
Liechtenstein						4
Luxembourg						17
Mexico					20	
Netherlands	281	635	968	733	1.021	790
Norway	1.691	1.935	1.449	1.431	1.744	1.369
New Zealand	437	141	621	996	1.244	778
Poland			1			
Portugal					84	5
Spain	3	1	11		5	67
Swaziland				5		
Sweden	1.017	2.335	1.929	2.142	2.412	2.712
Switzerland	8	17	22	7	7	20
United Kingdom	263	304	217	802	1.061	987
USA	20.378	17.667	27.429	30.190	72.431	94.590
Unspec.	115	60			1	5
<b>Total</b>	<b>35.314</b>	<b>39.509</b>	<b>46.260</b>	<b>54.182</b>	<b>98.999</b>	<b>120.811</b>



Source: UNHCR

<i>Resettlement submissions 2002-08 to EU and all other countries</i>					
<b>Year</b>	<b>EU</b>	<b>%</b>	<b>All Others</b>	<b>%</b>	<b>Total</b>
2003	3.386	10	31.928	90	35.314
2004	5.349	14	34.160	86	39.509
2005	5.235	11	41.025	89	46.260
2006	5.486	10	48.696	90	54.182
2007	6.904	7	92.095	93	98.999
2008	7.554	6	113.257	94	120.811

## ANNEX 7

Approximate Capacity of Resettlement Countries in 2008 (number of individual places allocated for resettlement) <sup>1</sup>						
Country of Resettlement	UNHCR Submissions	Private Sponsorship	NGO Submissions	In Country Processing <sup>2</sup>	Family Reunion <sup>3</sup>	Total
Argentina	50	0	0	0	0	50
Australia	6,500 <sup>4</sup>	7,000 <sup>5</sup>	0	limited	0 <sup>6</sup>	13,500
Brazil	150	0	0	0	0	150
Canada	6,140 <sup>7</sup>	3,300 – 4,500	160	1,200 <sup>8</sup>	0	10,800-12,000
Chile	112	0	0	0	0	112
Denmark	500 <sup>9</sup>	0	0	0	0	500
Finland	750	0	0	0	0	750
France	400 <sup>10</sup>	400 <sup>11</sup>	0	0	0	800
Iceland	25-30	0	0	0	0	25-30
Ireland	200	0	0	0	0	200
Netherlands	500	0	0	0	0	500
New Zealand	750 <sup>12</sup>	0	0	Up to 300 <sup>13</sup>	300	1,050
Norway	1,200 <sup>14</sup>	0	0	0	0	1,200
Paraguay	15	0	0	0	0	15
Portugal	30	0	0	0	0	30
Sweden	1,900	0	0	0	0	1,900
United Kingdom	750	0	0	0	130 <sup>15</sup>	880
Uruguay	15	0	0	0	0	15
USA	56,750	0	0	6,550	6,700	70,000
<b>Total<sup>16</sup></b>	<b>76,242</b>	<b>12,200</b>	<b>160</b>	<b>8,050</b>	<b>6,830</b>	<b>103,182</b>

<sup>1</sup> This table concerns States that have an annual refugee resettlement programme target or quota in 2008. The figures are based on information reported by States according to allocations provided for in 2008. Owing to different fiscal / programme years among States and complexities associated with calculating yearly allocations, which in some cases are flexible, the figures in this table should be read as approximate.

<sup>2</sup> This includes resettlement processing for individuals who are in their country of origin (non-refugee).

<sup>3</sup> The majority of resettlement countries do not include family reunification within their quota allocation for UNHCR submissions. Individuals accepted under family reunion programmes include individuals in their country of origin.

<sup>4</sup> Australia's refugee resettlement intake for 2008/2009 has been increased by 500 places.

<sup>5</sup> Citizens and/or permanent residents of Australia can propose / sponsor individuals under this category. Community organisations can also propose under this category.

<sup>6</sup> Immediate family reunification is given priority under the Humanitarian Program (figures shown under "private sponsorship" column).

<sup>7</sup> 7,300 – 7,500 places comprise the total Government assisted target, including in-country processing.

<sup>8</sup> Government assisted resettlement.

<sup>9</sup> Denmark is operating a flexible quota of 1500 places over 3 years. Within the 3-year period, more or fewer places can be used depending on actual needs.

<sup>10</sup> This figure is based on the rationale that each case comprises approximately 4 persons. The agreement signed between France and UNHCR refers to "une centaine de cas".

<sup>11</sup> This figure refers to an ad-hoc submission made by UNHCR and NGO / church groups for Iraqi refugees.

<sup>12</sup> 300 places of the 750 allocation could be used for non-UNHCR submitted cases.

<sup>13</sup> Up to 300 places could be used for individuals in their home country who are family members of refugees resettled in New Zealand. These places, if used, would be taken from the 750 places available for UNHCR submissions.

<sup>14</sup> Close family members of resettled refugees are reunited and settled as refugees in Norway over and above the resettlement quota.

<sup>15</sup> This figure refers to the Mandate Programme which has no set limit but the figure is based on the average number resettled each year.

<sup>16</sup> Where States provided a target range (e.g. Iceland 25-30), the higher figure has been used in calculating the total.

**Note:** This reporting matrix was originally tabled at the Working Group on Resettlement, 27-28 February 2008.

Source: UNHCR

## ANNEX 8

### Main Features of European Resettlement Programmes 2009

The table below summarises the research carried out on resettlement programmes in eight European countries for the ICMC publication *'Welcome to Europe! A Guide to Resettlement: A Comparative Review of Resettlement in Europe'*, Brussels, First edition 2007, Second Edition-Update, 2009.

	Denmark	Finland	Iceland	Norway	Sweden	Great Britain	Ireland	The Netherlands
Start of official programme	1978	1979	1996	1992	1950	2003	1998	1977
Quota	1500 (3-year)	750 (yearly)	25-30 (yearly)	1200 (yearly)	1900 (yearly)	750 (yearly)	200 (yearly)	2000 (4-year)
Legal Grounds	- 1951 refugee definition - Humanitarian grounds	- 1951 refugee definition - Persons in need of protection who do not fall under the 1951 Convention	1951 refugee definition	1951 refugee definition	refugee- 1951 definition - Persons in need of protection who do not fall under the 1951 Convention (risk of execution, corporal punishment, torture, armed conflict)	1951 refugee definition	1951 refugee definition - humanitarian grounds	- 1951 refugee definition - Humanitarian grounds

Resettlement Criteria	- Protection needs  - Integration potential	- Protection needs  - Cf. HCR criteria for RST  - Conditions to receive and integrate in FI	Cf. criteria for RST	UNHCR	- Protection needs  - Service capacity	-Protection needs	-Protection needs	- Protection needs  - Majority on legal & physical grounds	- Protection needs  - Humanitarian considerations -Integration potential	
Special Categories	TOM (30)	VOT, medical, WAR, UAC, elderly	WAR		Medical (20 UAC, WAR	No specific cases), formulation of special categories	Elderly, WAR, VOT	WAR, elderly, medical, VOT  (20% of quota)	TOM (30), VOT, WAR	
	Denmark	Finland	Iceland	Norway		Sweden	Great Britain	Ireland	The Netherlands	
In-country selection	Roughly (yearly)	400	650	30	Remaining places	quota	Roughly 950	750	Around 160	400 (yearly)
Dossier selection	Roughly	100	100 (urgent &	No	100	Remaining	quota	Roughly 100	under	Vulnerable cases or 100 (yearly)

	(yearly)		emergency)			places		Mandate Programme		20% of quota		
Urgent & Emergency	75		100	No	90 (no urgent)	persons 350		No		No emergency		Yes (no fixed number set)
Pre-departure Cultural Orientation	1 week; (municipality times)	Gov at	3 days; IOM	<u>Before selection</u> ; Gov & Red Cross	4 days; IOM		1 week; municipality implemented on regular basis)	Gov & 3 weeks; IOM (not on		1-2 days, Gov		4 days; COA
Status upon arrival	Convention, subsidiary protection or humanitarian status (TRP)	Convention refugee status (PRP)	Convention refugee status (TRP)	Convention refugee status (TRP)	Convention refugee status	Application for refugee status after arrival (PRP)	Convention status (PRP)	refugee	Programme refugee status (TRP)			Revocable residence permit for asylum

Sources: Ministries of Immigration, Integration and Foreign Affairs and other Government bodies involved in decision-making, services and oversight of annual quotas for resettlement.

More detailed descriptions can be found in chapters 3 and 4 of 'Welcome to Europe! A Guide to Resettlement: A Comparative Review of Resettlement in Europe', Brussels, First edition 2007, Second Edition-Update, 2009.

Abbreviations and acronyms:

**TOM:** Twenty-Or-More or Ten-Or-More (medical programme)  
**VOT:** Victim of Torture or violence  
**WAR:** Women at Risk  
**UAC:** Unaccompanied Children

**Gov:** Government  
**RST:** Resettlement  
**UNHCR:** United Nations High Commission for Refugees  
**IOM:** International Organisation for Migration  
**COA:** Central Agency for the Reception of Asylum Seekers and Refugees  
**PRP:** Permanent Residence Permit  
**TRP:** Temporary Residence Permit

## ANNEX 9

Financial costs of resettlement	
United Kingdom	<p>- What is the total budgetary allocation with respect to resettlement?</p> <p>- If available, could you provide a specification of the budgetary allocations with respect to the different resettlement activities (such as selection and pre-departure activities, post-arrival and integration)?</p> <p>UKBA and the European Refugee Fund (ERF) provide funding to cover the full costs of a local authority or other service providers to assist and support the resettled refugees for their first 12 months.</p> <p>Whilst UKBA has a £9.4 million budget in 2007/8 and 2008/9 it is difficult to say what the definitive is cost to the programme is as this is dependent of a number of factors, i.e. the type of model being run in the UK. The key consideration for the UKBA is whether the overall package is cost effective. For example, where other categories create savings, extra categories such as police work may be paid for (efficiency savings).</p> <p>The amount of funding for individual activities will vary according to:</p> <ul style="list-style-type: none"> <li>• The size of the refugee group accepted</li> <li>• Specific refugee needs (including language and social needs);</li> <li>• Support services model used e.g. housing model.</li> </ul> <p>In addition, UKBA will provide contingency funds to the service providers (e.g. LAs and PCTs) on a case by case needs assessment. Specific health conditions such as HIV, mental health or refugees with disabilities will attract extra funding due to their complexities and long-term funding implications.</p> <p>Typically, the programme funding for the resettled refugees would cover:</p> <ul style="list-style-type: none"> <li>• The education of refugees and their dependants e.g. learning the English language via English for speakers of other languages (ESOL) classes;</li> <li>• Interpretation services for those refugees who require it (and where first language would be preferred for clarity e.g. when explaining health concerns or social problems);</li> <li>• Housing refugees (including costs associated with negotiations with private landlords and Housing Associations);</li> <li>• Refugee casework support services;</li> <li>• Monitoring the progress of integration of the refugees (e.g. data collection and input, writing of the required quarterly reports);</li> <li>• Training of the support caseworkers;</li> <li>• Health – registering to GPs / secondary care costs for those with serious medical conditions.</li> </ul> <p>Unless agreed beforehand, most costs are paid after actual expenditure has been incurred.</p> <p>- Do you have a specific reception and integration programme which is available only for resettled refugees or do these receive the same facilities in terms of reception and integration as refugees who have arrived in your country as a spontaneous arrival? Could you in both cases indicate the costs of the reception and integration of resettled refugees?</p> <p>The arrangements and funding for the reception and integration of Gateway refugees is separate from that of spontaneous arrivals. Asylum seekers who are waiting for their asylum decisions to be made will be supported by National Asylum Support Service.</p>

	<p>The package of support consists of accommodation, adequate for the needs of the assisted person and any dependants and/or subsistence support for essential living needs.</p> <p>The amount of subsistence support provided is set at 70% of the level of Income Support and is means-tested. Any income or capital available to the individual is taken into account for the means test.</p> <p>Individuals do not have to apply for the full package of support they can apply for subsistence support only. They are able to so if they are able to stay with a friend or relative for accommodation.</p> <p>Once a refugee has been afforded humanitarian protection or discretionary leave status will then be assisted by mainstream services.</p> <p><b>- Do you have any data available concerning the financial costs per person or case which is resettled? Can you provide a breakdown of these costs?</b></p> <p>Costs vary depending on the number of refugees being resettled to one LA and the LA to which they are resettled. We are therefore unable to provide a breakdown in this area.</p>
<b>Ireland</b>	<p><b>Can you provide information with respect to the financial costs of resettlement?</b></p> <p><b>- What is the total budgetary allocation with respect to resettlement?</b></p> <p>Each Government Department must provide for resettlement within their existing budgets. No special budgetary allocation is made for resettlement.</p> <p><b>- If available, could you provide a specification of the budgetary allocations with respect to the different resettlement activities (such as selection and pre-departure activities, post-arrival and integration)?</b></p> <p>N/A</p> <p><b>- Do you have a specific reception and integration programme which is available only for resettled refugees or do these receive the same facilities in terms of reception and integration as refugees who have arrived in your country as a spontaneous arrival? Could you in both cases indicate the costs of the reception and integration of resettled refugees?</b></p> <p>The resettlement team of the Office of the Minister for Integration coordinate a special programme for resettled refugees. This includes an accommodation and training programme in the National Orientation and Training Centre. The team liaise between the refugees and service providers. The Resettlement team also works with the receiving communities to ensure that they are aware of and prepared to meet the needs of the resettled refugees.</p> <p>From 2009, funds will be provided through the ERF for special initiatives to support resettlement and integration of refugees into the local community.</p> <p><b>- Do you have any data available concerning the financial costs per person or case which is resettled? Can you provide a breakdown of these costs?</b></p> <p>The total expenses for pre-departure, reception and integration activities during one year for 200 resettled refugees are estimated to be 4,5 Million Euro. Per person :22.500 Euros.</p>
<b>Netherlands</b>	<p><b>Structural costs made by COA for reception of quota refugees per bed per year</b></p> <p>Regular costs for reception per person € 14.000</p> <p>Extra costs for reception per bed per quota refugee € 3.968*</p> <p>Total € 17.968</p>

	<p>*Social intake during selection missions € 48.000</p> <p>IOM services (flights and training facilities) € 500.000</p> <p>Extra staff reception centre € 512.000</p> <p>Food packages (at arrival in reception centre) € 20.685</p> <p>Information materials € 10.000</p> <p>Interest and depreciation costs <u>€ 40.268</u></p> <p>Total €1.130.953:285 beds= €3.968 per bed</p> <p>IND:</p> <p><i>The costs are variable depending on the facilitation by the local UNHCR office, number of staff, country destination. Expenses of staff for travel and stay, use of the rooms and equipment, use of interpreters and local transport, gifts, daily expenses, vaccinations, entry visa, etc. For a mission in 2008 to Thailand € 25.234 was needed to cover the costs. Costs are exclusive the amounts for paying the fines for Burmese refugees to the Thai government because they do not have the right travel documents to leave Thailand. For a mission in Syria in 2007 € 19.746 was needed and for a mission in Tanzania in 2007 € 32.526 was paid.</i></p>
<b>Sweden</b>	<p><b>-If available, could you provide a specification of the budgetary allocations with respect to the different resettlement activities (such as selection and pre-departure activities, post-arrival and integration)?</b></p> <p>Governmental allocation for reception and integration is 313 880 00 SEK (ca 31 million euros), selection, travel and pre-departure CO-programs is 16 150 000 SEK (ca 1,6 million euros). The salaries for civil servants are funded separately within the Migration Board's budget.</p> <p><b>- Do you have a specific reception and integration programme which is available only for resettled refugees or do these receive the same facilities in terms of reception and integration as refugees who have arrived in your country as a spontaneous arrival? Could you in both cases indicate the costs of the reception and integration of resettled refugees?</b></p> <p>Same program for both categories. Municipalities claim their initial costs for resettled refugees are much higher but the governmental support in this regard is fully the same as for those spontaneous arrived and accepted.</p> <p><b>- Do you have any data available concerning the financial costs per person or case which is resettled? Can you provide a breakdown of these costs?</b></p> <p>The medium cost/refugee funded by the government is 165 200 SEK (ca 16,5 thousand Euros)</p>



## Denmark

Can you provide information with respect to the financial costs of resettlement?

- What is the total budgetary allocation with respect to resettlement?

- If available, could you provide a specification of the budgetary allocations with respect to the different resettlement activities (such as selection and pre-departure activities, post-arrival and integration)?

Total annual budgetary allocation with respect to resettlement\* (745 kr. for 100 Euros) - Finance Law of 2008

Number of resettlements	500
Health Care	67.1 14 Euros
Transportation	316.242 Euros
Selection Missions	40.268 Euros
Pre-departure Programmes	214.765 Euros
Total	638.389 Euros

\* The salaries of employees working with resettlement related tasks have not been included. The budgetary allocation related to cost of the three year integration is not included,

- Do you have a specific reception and integration programme which is available only for resettled refugees or do these receive the same facilities in terms of reception and integration as refugees who have arrived in your country as a spontaneous arrival? Could you in both cases indicate the costs of the reception and integration of resettled refugees?

Resettled refugees and refugees who have arrived in Denmark as a spontaneous arrival receive the same facilities in terms of reception and integration as both groups are covered by the Integration Law. The average cost of the three year integration programme is 59.290 Euros pr. person.

- Do you have any data available concerning the financial costs per person or case which is resettled? Can you provide a breakdown of these costs?

Average financial costs of a quota refugee - 2008-price level (745 kr. for 100 Euros)\*

	2008-price level
<i>Expenses related to selection missions, pre-departure programmes and transportation etc.</i>	
- Cost pr. quota refugee before reception in municipality	1.653 Euros
<i>State expenses related to the integration of refugees</i>	
- Cost pr. quota refugee for the three year introduction programme	59.290 euros
<b>Total average financial cost pr. quota refugee</b>	<b>60.943 Euros</b>

\* The calculation does not include potential social security or similar support financed by the state.

<p><b>France</b></p>	<p><b>- What is the total budgetary allocation with respect to resettlement?</b></p> <p>Il est très difficile d'estimer avec précision le coût de la réinstallation d'un réfugié dans la mesure où ceux-ci ont en France accès à l'ensemble des droits sociaux et des programmes d'intégration de droit commun (notamment pour ce qui concerne les formations linguistiques, l'accompagnement social ou l'accès au logement).</p> <p>On peut toutefois estimer comme suit la partie des dépenses spécifiquement engagées pour la préparation du départ, le financement du voyage, ainsi que l'accueil et l'hébergement des réfugiés pendant une période de six mois après leur arrivée en France.</p> <p>L'estimation du budget nécessaire pour l'accueil de 450 réfugiés réinstallés est de 3 M€(organisation du voyage et mesures d'accueil) :</p> <ul style="list-style-type: none"> <li>- les frais de préparation au départ (notamment bilan de santé et orientation culturelle) et le coût du voyage sont estimés à 500 000 €pour 450 personnes,</li> <li>- les frais d'hébergement en CPH de 450 personnes réinstallées pour une durée de six mois et avec un coût à la journée de 30,35 €représentent un coût total de 2,5 M€, étant précisé qu'il est parfois nécessaire de renouveler cette prise en charge pour une nouvelle période de six mois dans le cas des réfugiés les moins autonomes.</li> </ul> <p><b>- If available, could you provide a specification of the budgetary allocations with respect to the different resettlement activities (such as selection and pre-departure activities, post-arrival and integration)?</b></p> <p>Cf. supra.</p> <p><b>- Do you have a specific reception and integration programme which is available only for resettled refugees or do these receive the same facilities in terms of reception and integration as refugees who have arrived in your country as a spontaneous arrival? Could you in both cases indicate the costs of the reception and integration of resettled refugees?</b></p> <p>Les personnes réinstallées sont pour l'instant orientées vers les centres provisoires d'hébergement destinés aux réfugiés statutaires ou bénéficiaires de la protection subsidiaire ou vers des dispositifs de logements transitoires pour les réfugiés. La question de la mise en place de structures d'accueil spécifiques pour l'accueil et l'hébergement des personnes réinstallées est à l'étude.</p> <p><b>-Do you have any data available concerning the financial costs per person or case which is resettled? Can you provide a breakdown of these costs?</b></p> <p>On peut estimer à 6 700 €le coût moyen des mesures mises en place pour la préparation du départ, le financement du voyage ainsi que l'accueil et l'hébergement des réfugiés pendant une période de six mois après leur arrivée en France. Ce coût moyen n'inclut pas celui des dispositifs de droit commun mobilisés au profit des réfugiés tels que le contrat d'accueil et d'intégration ou les diverses actions menées en vue de favoriser leur accès au logement et à l'emploi, difficile à estimer dans la mesure où ils bénéficient aux autres réfugiés ou même aux autres étrangers primo arrivants. Enfin, ce coût n'inclut pas non plus les dépenses qui pourront être engagées à l'avenir dans l'organisation de missions de sélection sur lesquelles le service de l'asile n'a pas de visibilité dans la mesure où la sélection s'est effectuée uniquement sur dossier pendant l'année 2008.</p>
<p><b>Czech Republic</b></p>	<p><b>- What is the total budgetary allocation with respect to resettlement?</b></p> <p>The total budget with respect to resettlement of 40 Burmese refugees in 2008: 7 600 000 CZK;</p> <p><b>- If available, could you provide a specification of the budgetary allocations with respect to the different resettlement activities (such as selection and pre-departure activities, post-arrival and integration)?</b></p> <p>Specification of the budget with respect to the different resettlement activities in 2008 (with respect to resettlement of 40 Burmese refugees in 2008): pre-departure activities and selection - 150 000 CZK; transfer of refugees organized by IOM – 800 000 CZK; post-arrival and integration phase (interpreters, social assistance, cultural orientation, temporarily accommodation) 400 000 CZK; courses of Czech language – 600 000 CZK; subsidy for development of the infrastructure of municipalities - 5 600 000 CZK;</p>

	<p><b>- Do you have a specific reception and integration programme which is available only for resettled refugees or do these receive the same facilities in terms of reception and integration as refugees who have arrived in your country as a spontaneous arrival? Could you in both cases indicate the costs of the reception and integration of resettled refugees?</b></p> <p>There is no a specific reception and integration programme which is available only for resettled refugees in the Czech Republic. Resettled persons receive the same facilities in terms of reception and integration as refugees who have arrived in the Czech Republic as a spontaneous arrival. There is a programme called the State Integration Programme which has existed in the Czech Republic for more than 13 years and is focused on assistance to refugees in securing rented housing, learning Czech language and on assistance in finding work. Implementation of the State Integration Programme is in close cooperation with regional authorities, municipalities and NGOs. Each year the Czech government approves the release of financial resources (grants) for securing the housing of asylum-seekers which are used for acquiring necessary integration flats and development of the infrastructure of municipalities which provide rental accommodation to asylum-seekers and their families.</p> <p>The costs of the reception and integration of resettled refugees: see above</p> <p><b>Do you have any data available concerning the financial costs per person or case which is resettled?</b></p> <p>Approximately 190 000 CZK;</p>
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*Source: Responses to the Commission questionnaire on resettlement to the Member States, Jan 2009*

## ANNEX 10

### RESETTLEMENT UNDER THE EUROPEAN REFUGEE FUND III

#### Legal framework

- Articles 3(1)(d), 6 and 13 of Decision No 573/2007/EC of the European Parliament and of the Council establishing the European refugee Fund for the period 2008 to 2013 as part of the general programme "Solidarity and management of Migration Flows" (Legal base).
- Priority 3 of Commission Decision implementing Decision No 573/2007/EC as regards the adoption of the strategic guidelines (2007/815/EC).
- Article 41 of Commission Decision laying down rules for the implementation of Decision No 573/2007/EC (2008/22/EC).

#### Definition

According to Article 3(1)(d) of Decision No 573/2007/EC, resettlement means the process whereby, on a request from UNHCR based on a person's need for international protection, third-country nationals or stateless persons are transferred from a third country to a Member State where they are permitted to reside with a refugee status within the meaning of Article 2(d) of Directive 2004/83/EC, or with a status which offers the same rights and benefits under national and Community law as refugee status.

#### General objective and eligible actions

To support and encourage the efforts made by the Member States in receiving, and in bearing the consequences of receiving, refugees and displaced persons, taking account of Community legislation on those matters, by co-financing the actions provided for in the Decision establishing the ERF. The Fund shall support actions based on the voluntary efforts made by Member States to provide international protection and a durable solution in their territories to refugees and displaced persons identified as eligible for resettlement by the UNHCR.

Priority 3 of the strategic guidelines provides for the support of actions helping to enhance responsibility sharing between Member States and third countries. This includes the transfer of third-country nationals or stateless persons from a third country to a Member State where they are permitted to reside with refugee status or a status which offers the same rights and benefits under the national and Community law as refugee status.

#### Sources of co-financing for resettlement

1. Community actions:
  - Based on the Annual work programmes set up by the Commission

- Projects selected by the Commission following the call for proposal
  - Projects focused on transnational cooperation, pilot projects (new form of cooperation / EC law), studies awareness raising campaigns
  - Co-financing percentage: up to 90% for the call 2008
  - Ex: for instance, Trans-national Resettlement Project UK & Ireland was selected for co-financing (up to 495.000 EUR) under the ERF CA 2007
2. National programmes of Member States
- Based on the annual programmes presented by Member States and adopted by the Commission
  - Concrete actions of Member States relating to persons to be resettled (from the selection to the integration process)
  - Co-financing percentage: up to 50% or for Cohesion countries up to 75% for actions
  - Co-financing percentage: 75% for actions relating to resettlement of persons from a country or region designated for the implementation of a regional Protection Programme (specific priority defined in the strategic guidelines)
3. Additional financial support to Member States whose resettlement actions are targeted at certain particularly vulnerable categories of persons and persons falling under the Regional Protection Programmes (incentive of 4000 EUR for each resettled person).

### **Distribution of annual resources between Member States**

The annual allocation under the ERF is distributed to the Member States for the implementation of their annual programmes according to Article 13 of Decision No 573/2007/EC. Part of the calculation of allocation is based on the following information:

#### **1. Data collection exercise**

The data collection exercise is covered by the Migration Statistics Regulation which provides for a regular data collection of asylum statistics by EUROSTAT. Annual breakdowns of data over the three previous years relevant for the distribution of financial resources under the ERF are provided by EUROSTAT to DG JLS. According to Article 6(a) to (e) of the legal base, the data relevant for the distribution of the financial resources are related to the number of:

- Third-country nationals admitted over the previous three years and having the status defined by the Geneva Convention and permitted to reside as a refugee;
- Third-country nationals admitted over the previous three years and enjoying a form of subsidiary protection within the meaning of Directive 2004/83/EC;
- Third-country nationals who have applied for refugee or subsidiary protection status over the previous three years;
- Third-country nationals who have enjoyed temporary protection within the meaning of Directive 2001/55/EC over the previous three years and
- Third-country nationals resettled over the previous three years.

According to Article 6(e) of the legal base, one of the categories of data relevant for the allocation of resources concerns the number of third-country nationals resettled over the three previous years.

Member States such as Finland, Ireland, Netherlands, Sweden or United Kingdom have their national resettlement programmes which implementation is supported with the financial resources from the ERF. The resettlement actions are presented under the priority 3 of the MS' annual programmes and they aim at actions such as training of selection officers, development of specific integration programmes, raising awareness activities, etc.

## 2. Data on future resettlement of specific categories ("pledging exercise")

According to Article 13(6) of legal base Member States are requested to provide additional data on future resettlement which are not covered by the Statistics Regulation. This means that every year an ad hoc data request is sent by DG JLS to Member States to obtain these additional data by completing a reporting form on estimate of persons to be resettled in the course of the calendar year. These data relates to four specific categories of persons falling within Article 13(3) of legal base who are considered as particularly vulnerable groups:

- a) persons from a country or region designated for the implementation of a regional protection Programme;
- b) unaccompanied minors;
- c) children and women in risk, particularly from psychological, physical or sexual violence or exploitation;
- d) persons with serious medical needs that can only be addressed through resettlement

Member States are requested to provide in the reporting form the number of persons under each of the four specific categories which they intend to resettle during the calendar year. Following this pledging exercise, Member States are allocated additional financial resources based on the fixed amount of 4000 EUR for each resettled person falling into one of the four specific categories.

Member State	Pledging 2008	x 4000 €	Pledging 2009	x 4000 €
<b>Austria</b>	0	0,00 €	0	0,00 €
<b>Belgium</b>	0	0,00 €	0	0,00 €
<b>Bulgaria</b>	0	0,00 €	0	0,00 €
<b>Cyprus</b>	0	0,00 €	0	0,00 €
<b>Czech Republic</b>	0	0,00 €	16	64.000,00 €
<b>Estonia</b>	0	0,00 €	0	0,00 €

<b>Finland</b>	98	392.000,00 €	300	1.200.000,00 €
<b>France</b>	0	0,00 €	170	680.000,00 €
<b>Germany</b>	0	0,00 €	2.160	8.640.000,00 €
<b>Greece</b>	0	0,00 €	0	0,00 €
<b>Hungary</b>	0	0,00 €	0	0,00 €
<b>Ireland</b>	40	160.000,00 €	170	680.000,00 €
<b>Italy</b>	0	0,00 €	50	200.000,00 €
<b>Latvia</b>	0	0,00 €	0	0,00 €
<b>Lithuania</b>	0	0,00 €	0	0,00 €
<b>Luxembourg</b>	0	0,00 €	0	0,00 €
<b>Malta</b>	0	0,00 €	0	0,00 €
<b>Netherlands</b>	145	580.000,00 €	145	580.000,00 €
<b>Poland</b>	0	0,00 €	0	0,00 €
<b>Portugal</b>	30	120.000,00 €	30	120.000,00 €
<b>Romania</b>	20	80.000,00 €	0	0,00 €
<b>Slovakia</b>	0	0,00 €	0	0,00 €
<b>Slovenia</b>	0	0,00 €	0	0,00 €
<b>Spain</b>	0	0,00 €	0	0,00 €
<b>Sweden</b>	1.380	5.520.000,00 €	1.435	5.740.000,00 €
<b>United Kingdom</b>	680	2.720.000,00 €	500	2.000.000,00 €
<b>SUMS</b>	<b>2.393</b>	<b>9.572.000,00 €</b>	<b>4.976</b>	<b>19.904.000,00 €</b>

## ANNEX 11

	<b>Resettlement activities under ERF national programmes</b> <b><u>Member States' answers to the question: Did you include resettlement activities in your ERF Multi-annual programme? If so, can you shortly describe what sort of activities and the starting date of these activities?</u></b>
<b>Belgium</b>	Yes some activities have been included in the ERF Annual programme of 2008 and 2009 to allow the preparation of a future national resettlement programme.
<b>Czech Republic</b>	Yes. In 2009 in the framework of ERF the actions planned are: -setting up an asylum integration centre intended for resettled persons -informing the host country on resettlement issues -creation of a methodology for managing pre-departure programmes and their pilot implementation -pre-departure and travel measures for resettlement projects.
<b>Finland</b>	Finland has included resettlement activities in ERF Multi- annual Programme 2008-2013 and in the Annual Programmes 2008 and 2009. Finland has included in the Programmes the optional priority 3 of the ERF strategic guidelines and aims to develop further cooperation with Member States in the field of resettlement as well as to develop further its own resettlement activities.
<b>France</b>	Yes, it is planned to develop resettlement operations under the MAP 2008-13. Resettlement activities are included in the 2009 Annual programme. Flat rate assistance of 4000 euro per person under Article 13( 3) ERF Decision has been pledged in December 2008 for a total of 170 persons.
<b>Hungary</b>	Yes. An operational objective of Hungary in the ERF Multi-annual Programme 2008-2013 is "Preparation of a resettlement program", with special attention to : -awareness raising (campaigns, programmes, events, leaflets exhibitions etc...) -preparing the asylum system for a resettlement program -elaboration of information material, supporting measures aiming to provide pre-departure information -securing participation in other Member State's selection mission(s) as observers -establishment of a resettlement programme in the future The ERF Annual programme 2009 includes the action "First steps in the preparation of a resettlement programme". According to the Annual Programme, the upcoming call for proposals will enable the applicants to design programmes with the following scope of this action: preparation of audiovisual information brochures, raisings campaign, culture-orientation trainings etc...
<b>Italy</b>	Yes a resettlement activity is included in the MAP. Not included in the AP 2008 but planned for AP 2009 .
<b>Luxembourg</b>	Yes a resettlement activity is included in the ERF Multi-annual programme 2008-2013 but doesn't provide more details.
<b>Netherlands</b>	Yes. In the ERF Multi-annual Programme the Netherland included the following measures: -project for improving the resettlement programme and it's implementation fitting in with the policy framework and the policy as applied -project for improving and intensifying the information issued to invited refugees both in the Netherlands and in the refugee camps -projects aimed at assistance to traumatised refugees and developing programmes for promoting expertise to professionals at regular health care institutions -projects to improve the reception of invited refugees -projects for social integration and participation of invited refugees, particularly aimed at acquiring language skills, getting refugees on educational courses, stimulating employment, health and assistance courses and meeting with Dutch nationals and creating networks -projects to stimulate cooperation between European countries and sharing best practices.  In the Annual programmes 2008-2009 they included the same measures as for the Multi-annual programme plus for 2009: -a project for the development of a methodology for the integration of highly educated resettled refugees -a project for the development of a methodology for the support of resettled refugees aiming to improve the social integration and participation. -a project that evaluates and improves the reception of the resettled refugees, the pre-departure training and activities in the reception centre.



<b>Portugal</b>	Yes. Portugal includes resettlement in both ERF Multi-annual Programme 2008-2013 and ERF Annual programmes (2008 and 2009).
<b>Spain</b>	Yes. Spain will include resettlement activities in the ERF Multi-annual programme from 2011, having as an aim the amount of 500 persons to be resettled in Spain at the end of the ERF III period in 2014. There are no activities planned under the Annual programme of 2008 and 2009.
<b>Sweden</b>	Yes. Sweden has included resettlement activities in the ERF multi-annual programme 2008-2013 and the ERF annual programme 2008. The activities include persons transferred to Sweden within the frame of the refugee quota (resettled persons). Actions concerning resettled persons for programmes year 2008 are mainly directed at integration for this group. There are also actions aiming at developing strategies for information to resettled persons prior to moving to Sweden, as well as actions aiming at creating a national network for resettlement, the purpose being deeper cooperation between authorities, municipalities and non-governmental authorities. All actions began during 2008.
<b>United Kingdom</b>	Yes. The UK have included resettlement activities in both ERF III Multi-annual programme funding cycles. The UK will utilise ERF funding to expend the current target of 500 persons to be settled per annum to 750. The UK, through the existing Gateway Protection Programme commenced ERF funding on 1 January 2008. The types of activities under ERF III are: -expansion of the existing Resettlement Programme the UK operate -invest in the development of new models, exploring how we can make cost saving and increase efficiencies -develop new models of post-arrival support, particularly in relation to securing housing provision -pre-arrival: complete up to 4 mission per annum selecting suitable refugees for resettlement; review existing procedures; prepared refugees for the journey to the UK and their longer-term experience. -post-arrival: provide refugees for the journey to the UK and their longer-term experience; provide a 12 month fully funded structured programme of resettlement needs.
<b>Cyprus</b>	No, only intra EU reallocation is foreseen
<b>Austria</b>	No
<b>Bulgaria</b>	For Bulgaria, including resettlement in the national migration and integration strategy as well as partnerships with states that have best resettlement practices is an option. Developing pilot programs for resettlement in Bulgaria is being discussed by the Government. Nevertheless, whether or not Bulgaria will become a country of resettlement is still pending and is to be decided by the Government. Nothing included in AP 2008 nor AP 2009.
<b>Denmark</b>	No. Denmark doesn't include resettlement activities in ERF as a consequence of Articles 1 and 2 of the protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty establishing the European Community.
<b>Estonia</b>	No
<b>Germany</b>	Resettlement operations are planned for 2009. Flat rate assistance of 4000 euro per person under Article 13, 3 ERF Decision has been pledged in December 2008 for a total of 2.160 persons. For subsequent years this is subject to a political decision.
<b>Lithuania</b>	No
<b>Poland</b>	No
<b>Greece</b>	No resettlement activities in the ERF Multi-annual programme 2008-2013, only intra EU reallocation of asylum seekers and other persons benefitting international protection.
<b>Ireland</b>	Ireland has included resettlement activities in the MAP . The objective of the strategy will be to enhance the resettlement programme at present being implemented in cooperation with the UNHCR. Actions will include projects which will improve supports in the communities in which persons are resettled, for example by providing interpretation and translation services. Actions will in some cases concern persons from a region designated for the implementation of a Regional Protection Programme and so will address specific priority 1 of the Commission Decision on the strategic guidelines. In the AP 2008 there was one action consisting of capacity building in the community receiving resettled persons, to develop a support network and to do other work which will enable the target group to live independently in a new and unfamiliar society.
<b>Latvia</b>	
<b>Malta</b>	No, only intra EU reallocation is foreseen
<b>Romania</b>	Yes, in the framework of the AP 2008 Romania envisages to enhance the knowledge and skills of the staff involved in resettlement activities. In AP 2009, Romania envisages to implement

	resettlement operations under priority 3 in accordance with the national legislation which establishes the resettlement quota for Romania for the period 2008-2010 (120 selected and transferred), the procedure and the institutions responsible for resettlement.
<b>Slovakia</b>	No
<b>Slovenia</b>	No

*Source: Responses to the COM questionnaire on resettlement to the Member States, Jan 2009*

## ANNEX 12

### UNHCR Resettlement - Top 10 Arrivals to EU, by Country of EU vs. Country of Origin

2007	Country of Resettlement													
Country of Origin	Austria	Belgium	Czech Rep	Denmark	Finland	France	Germany	Ireland	Netherlands	Portugal	Spain	Sweden	UK	Total
Myanmar				213	347			97	55			343	111	1.166
Iraq				12	19		1		120		3	650	25	830
Congo, DR		8		142	73			7	54			61	141	486
Afghanistan					62							196		258
Uzbekistan			8	15	4				4			106		137
Columbia				4					6			122		132
Iran				5	46	5		1	9			52		118
Somalia		1			64				19	10		8	6	108
Burundi				26	10				53			9		98
Russia	1			4	9			2	6			60		82
<b>Total</b>	<b>1</b>	<b>9</b>	<b>8</b>	<b>421</b>	<b>634</b>	<b>5</b>	<b>1</b>	<b>107</b>	<b>326</b>	<b>10</b>	<b>3</b>	<b>1.607</b>	<b>283</b>	<b>3.415</b>
2008	Country of Resettlement													
Country of Origin	Austria	Czech Rep	Denmark	Finland	France	UK	Greece	Ireland	Italy	Netherlands	Portugal	Spain	Sweden	Total
Iraq			33	99	250	304		6		107	5	1	247	1.052
Myanmar		46	156	281	1	63				135			270	952
Congo DR	1		125	128	1	123				82		2	87	549
Afghanistan			10	5		2						5	301	323
Iran			3	103		2	2	6		17			128	261
Ethiopia						181			2	37			16	236
Occ. Pal. Terr.			21							36			123	180
Uzbekistan			10							16			103	129
Burundi	8		24	3						41			19	95
Russia			9	17	23			2		7			27	85
<b>Total</b>	<b>9</b>	<b>46</b>	<b>391</b>	<b>636</b>	<b>275</b>	<b>675</b>	<b>2</b>	<b>14</b>	<b>2</b>	<b>478</b>	<b>5</b>	<b>8</b>	<b>1.321</b>	<b>3.862</b>

Source: UNHCR

# ANNEX 13

UNHCR Resettlement Departures - RPP Countries of Asylum by Country of Origin - 2004 - 2008																																					
			2004							2005						2006							2007							2008							
Country of Asylum		Origin	BEL	FIN	GBR	IRE	NET	SWE	EU Total	All Others	FIN	GBR	NET	SWE	EU Total	All Others	BEL	DEN	FIN	GBR	NET	SWE	EU Total	All Others	DEN	FIN	NET	SWE	EU Total	All Others	DEN	FIN	NET	SWE	EU Total	All Others	
Regional Protection Program	Tanzania	Burundi	17		8				25	405				7	7	934						84		84	1.205		6	53		59	5.806	23		29	18	70	2.883
		Congo, DR								341							216					7		7	226			39		39	163	84		46		130	119
		Ethiopia						4	4	1				1		34						2		2	43							3		3			
		Rwanda											2	1																							
		Somalia													2																						
		Uganda							1		1				1																						
Sub-total RPP			17	0	8	0	0	4	29	787	1	2	1	7	11	1.184	0	0	0	0	93	0	93	1.474	0	6	92	0	98	6.024	107	0	78	18	203	3.002	
Regional Protection Program	Belarus	Afghanistan														15																			1		
		Iran																			1			1													
		Turkmenistan																																			
	Moldova	Eritrea																																		1	
		Afghanistan						8	14	22	15	4			3	7	1																	10	10	6	
		Angola							3	3	5						12																				
		Armenia																																			
		Burundi																																			
		Congo, DR																																			
		Cuba																																			
		Eritrea																																			
		Ethiopia																																			
		Cote d'Ivoire																																			
		Iran			1					1	4						13																				
		Iraq																																			
		Mauritania												1		1								3	3												
		Niger																																			
		Occ. Pal. Terr.																																			
Russia						3		10	13							3		3	1				2	5	11	4	4	5	1	31	41		1	2	21	24	1
Somalia																																					
Sudan																																					
Syria																																					
Uganda																																					
Uzbekistan																																					
Sub-total - RPP WNIS			0	1	0	3	8	27	39	30	4	0	1	3	8	70	3	1	0	1	3	48	56	47	8	5	1	34	48	55	0	1	2	50	53	21	
Grand Total of two RPP programs			17	1	8	3	8	31	68	817	5	2	2	10	19	1.254	3	1	0	1	96	48	149	1.521	8	11	93	34	146	6.079	107	1	80	68	256	3.023	