

Andrew & Renata Kaldor Centre for International Refugee Law

Factsheet

RESETTLEMENT

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This Factsheet explains the basic features of resettlement, a durable solution in a third country that is available to a small proportion of refugees worldwide.

What is resettlement?

Resettlement describes the process of transferring refugees from a place where they have sought protection – such as in a refugee camp or urban area in a neighbouring country – to a country that is willing to admit them as permanent residents.

Resettlement may be necessary to provide protection to people who face the most serious risks to their safety, health or other human rights in the country where they have sought refuge. Resettlement may sometimes be the only way to bring together refugee families who have been separated as a result of displacement, although UNHCR recommends that governments provide family reunification outside of refugee resettlement quotas.

Resettlement is one of three durable solutions to protect refugees. The others are 'voluntary repatriation' (return to the home country when the situation changes) and local integration (the right to remain permanently in the host country where the refugee has found protection). Resettlement as a solution is available to a very small proportion of refugees, as <u>less than one per cent</u> of the world's refugees are resettled annually.

The perception that resettlement is the 'right' way to seek asylum is not correct. Refugees do not have a legal right to be resettled and countries do not have a legal obligation to resettle refugees: it is a voluntary process. It is a way that countries can contribute to the global effort to protect refugees, since the majority of refugees are hosted by countries neighbouring conflicts.

Offering resettlement does not replace or diminish a country's other international legal obligations towards refugees. <u>UNHCR</u> emphasises that a resettlement program should complement – and not substitute – protection provided to refugees who seek asylum in that country.



How many people are resettled around the world?

Each year, UNHCR identifies the refugees most urgently in need of resettlement. For 2019, that's about 1.4 million people. Despite the need, in 2017 only 75,000 refugees were resettled worldwide. Two-thirds of these resettlement places were offered by just four countries – the United States (24,500), Canada (9,000), the United Kingdom (6,000) and Australia (4,000).

While the United States still provided the highest number of places, its 2017 intake was a marked reduction from the 79,000 refugees it resettled <u>the previous year</u>. This resulted from a change in policy following the inauguration of President Trump, who reduced the country's refugee resettlement to its <u>lowest levels</u> since the program began in 1980.

Around <u>35 countries</u> now offer resettlement but many have very small programs. Some countries, like Australia, have a regular resettlement program and commit to an annual quota; others accept refugees for resettlement on an *ad hoc* basis. For information on the resettlement of people from particular crisis situations, see our Policy Brief, <u>Special humanitarian intakes: Enhancing protection through targeted refugee resettlement</u>.

How is a person selected for resettlement?

Although UNHCR refers refugees for potential resettlement, it is the government of the resettlement country that decides whether or not to grant a resettlement place.

Contrary to the idea that there is a 'queue' that refugees can join, a refugee's chance of being resettled does not depend on how long they have been waiting. Rather, it depends on factors such as vulnerability, suitability for resettlement, UNHCR's assessments of global resettlement needs and priorities, and – <u>in the Australian context</u> – on 'the views of individuals and organisations in Australia conveyed during community consultations with the Minister for Immigration and Border Protection'.

A refugee who arrives today with an acute resettlement need, such as extreme vulnerability on account of sexual abuse or disability, may be prioritised ahead of someone who has been waiting for ten years. Some resettlement programs – including in Australia and New Zealand – have expedited procedures to facilitate a solution for refugees facing an imminent risk of very serious harm.

How does resettlement work in Australia?

In Australia, refugees are resettled under the Refugee and Humanitarian Program. For more information see our factsheet, <u>Australia's refugee policy: An overview</u>

Only <u>around one third</u> of refugees resettled in Australia are referred by UNHCR. The rest are people selected by the Australian government who have existing family or community ties



here. The <u>Refugee Council of Australia</u> argues that this 'undermines the principle that Australia should be taking the most vulnerable refugees', and raises concerns about Australia 'cherry-picking' refugees based on things such as skills, language ability or religion.

For additional information, see Australian Parliamentary Library, <u>Refugee resettlement to Australia: What are the facts?</u>

If you are looking for information about how to be resettled in Australia, visit the Refugee Council of Australia, Information on resettling in Australia.

