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**NGO RESPONSE TO UNHCR METHODOLOGY
FOR GROUP RESETTLEMENT**

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Introduction

We welcome this opportunity to provide the NGO response to the UNHCR Methodology to identify groups of refugees for resettlement; we applaud the initiative and effort put forth by the UNHCR Resettlement Section. We offer these comments in the spirit of full tripartite collaboration, and we offer our recognition and acknowledgment of the significant steps taken by the Resettlement Section in developing this tool. The Methodology achieves three objectives; i.e., it gathers data in a systematic and uniform manner, provides comprehensive analysis and, if implemented in a transparent manner it will initiate and inform dialogue by UNHCR, resettlement countries and NGOs to realize that the strategic use of resettlement can most likely be achieved.

The information sought in the document would provide the following:

- A systematic needs analysis that will benefit the search for comprehensive and durable solutions;
- A mechanism for identifying groups and populations for resettlement; and
- A tool to facilitate regular consultations and coordination resettlement activities.

The Methodology takes us in a new and different direction that would operationalize the working group's goal of strategic resettlement. To date, the most important or significant resource available to all partners in resettlement has been the UNHCR Resettlement Handbook. While the handbook alludes to resettlement for "those" refugees for whom there is a lack of local integration prospects, there are no procedures specified as to how one might advance "those" that might be considered as a "group" in need of resettlement. The potential strategic use of resettlement is, however, much greater with group referrals than with individual referrals.

Since the introduction of the UNHCR Resettlement Handbook in 1995, countries and UNHCR have taken great strides to develop a uniform set of criteria in considering refugees for resettlement. The Methodology carries the same potential. Implemented even as is, it will provide comprehensive data and analysis that we have not had available to us in the past. Perhaps even more significantly, it identifies factors not being considered when looking at groups of refugees that are relevant to states.

While we applaud this effort by UNHCR, we have profound concerns:

While the UNHCR group methodology discusses the importance of “partnership” in the identification of resettlement groups, there is no acknowledgement of the role NGOs played in the development of this tool. Prior to this request for comment, the document had been formally shared with governments, but not NGOs. As we reflect on this and review the documents that make vague references to other partners, it begs the question of whether we will be full members in this significant effort to find durable solutions. Transparency and collaboration are fundamental principles of the Methodology and crucial to the success of the tripartite partnership.

Do We Need This Tool and Does It Promote the Complimentary Nature of the Three Durable Solutions?

The simple answer to both questions is, yes. In a world of as many as 12 million refugees, resettlement remains available to only a small fraction of those who might need it for protection or as a durable solution. We must use it wisely-- whether to ensure the protection of the individual refugee; strengthen the protection role or capability of UNHCR; or to enhance or complement the other durable solutions. The Methodology operationalizes the “strategic use of resettlement;” promotes better planning and coordination; maximizes UNHCR resources, and improves access to durable solutions.

This process should be immediately institutionalized by UNHCR with the support of the Working Group on Resettlement, resettlement countries, international organizations and NGOs. UNHCR has taken the lead in this initiative, but all parties must work together to improve the Methodology and establish its use as standard practice. Finally, one note of caution: the Methodology or advancement of refugee groups in need of resettlement must not be seen or used to supplant the critical role which UNHCR plays in protecting individual refugees.

Methodology

As previously stated, this tool, implemented in its current form, would represent a significant improvement over current practice. We offer the following recommendations to further strengthen the group methodology process. This is not meant to be an exhaustive examination but rather focuses on some key points for consideration by UNHCR.

The responsibility of who participates in the group identification should be clarified to reflect the intent that expertise from a variety of sources is desirable and, in fact, will be sought. In addition, it should be further clarified that submissions of group consideration will not rest solely with UNHCR Branch Offices or be advanced solely at the discretion of the Branch Office. It may be appropriate in certain circumstances that the Branch Office act as “a coordinator” for information but it should not become the gatekeeper of submissions or the arbiter of the information provided. UNHCR should encourage submissions from UNHCR field staff, non-governmental actors, host

governments, resettlement countries and even States that are providing assistance to the refugee population. Both the Tracking Form and the Methodology should promote participation by simplifying the initial submission form, and accountability by better documenting the source of the submission.

UNHCR should draw on outside expertise to complete the Methodology. Examples of valuable outside input would be:

- Input by NGOs in the area of *Characteristics or Nature of Persecution and Flight* because the NGO may have more practical knowledge resulting from their day-to-day working relationship with specific refugee populations.
- Information about particularly vulnerable populations derived from UNHCR protection or community service projects.
- Input by States in the area of *Fraud and Integrity Issues*, where some countries with larger resettlement programs and first-hand experience in addressing these issues, might provide valuable information or lessons learned from the group under consideration.

Group Methodology Training should be promoted from the outset. No methodology can be implemented without proper training of both junior and more seasoned personnel. For the group methodology to succeed, UNHCR, NGOs and government actors must be trained not only in the mechanics of the group methodology, but in its potential to strategically promote and re-enforce durable solutions.

The *Fraud and Integrity Issues* section under *Composition of Group and Verification Membership* could be enhanced. Desperate refugees are often driven to desperate measures to secure a durable solution for themselves and their families. In order to ensure that such desperation does not taint the processing of an entire population, the methodology should include more specific questions about a group's potential vulnerabilities to fraud. The questions on Fraud and Integrity Issues are, as currently worded, too ambiguous to elicit a meaningful response.

We welcome the effort of the methodology of UNHCR to accurately assess and determine the conditions of asylum in the host countries. This analysis will also better inform a more expansive exploration of durable solutions.

The document needs to more specifically query whether refugees enjoy the right to work, freedom of movement, freedom of worship and the right to primary education as it is provided to nationals, needs to be included in the document. Before there is an exploration of durable solutions, information should be provided on whether the rights extended by the 1951 Convention are realized by refugees. This will give the Methodology a rights-specific content analysis.

We hope these suggestions might be helpful. In conclusion, it is important to reiterate that the Methodology creates a system and standard and it should be advanced immediately.

Moving Forward

Clearly the Methodology is an invaluable tool but its preparation is time-intensive and will require acceptance in the field. But, its impact can be felt now; it serves an immediate need and can be an essential part of long term planning. There are several issues that warrant further consideration:

- UNHCR should examine the ICMC-UNHCR Deployment Scheme or the IRC-UNHCR Surge Protection Project to recruit experts to buttress the efforts of UNHCR Resettlement to complete the Methodology.
- UNHCR should request the deployment or secondment of government personnel from traditional and emerging resettlement countries to promote commitment to and participation in the group methodology.
- The questionnaire appears to be so long and involved that it may overwhelm branch offices and compromise full participation in this important initiative. UNHCR should promote interest in the group methodology by designing a significantly shorter and simpler form to initiate the process. After a preliminary referral is received, the Section, in collaboration with the branch office and/or the NGO or government who initiated the process, should facilitate the completion of the more detailed group methodology form.
- Of the three steps in the group methodology as drafted, only step one includes a timetable for completion. UNHCR should include specific timeframes for each of the three steps to ensure that there is accountability for undue delays in designating groups for processing.
- States, UNHCR and NGOs should promote the methodology by participating in tripartite team visits to countries of first asylum, similar to what the United States has begun through *ad hoc* Targeted Response Teams (TRTs).
- Once a group is identified, the UNHCR Resettlement Section, in collaboration with NGOs and UNHCR bureaus and branch offices, should make an effort to determine whether the methodology should be applied to the same refugee population in other countries of first asylum.

We would encourage UNHCR work with NGOs and the states to develop an action plan to finalize, train on and implement this methodology without undue delay.

Thank you.