

# Annual Tripartite Consultations on Resettlement (ATCR) 2022

## NGO Statement

We, the participating non-governmental organizations (NGO) of the 2022 Annual Tripartite Consultations on Resettlement (ATCR), held in Geneva 20-22 June 2022, offer the following policy goals to governments, international organizations, and other actors involved in refugee protection and resettlement.

### Introduction

Much has changed in the world since the 2021 ATCR, with resulting effects on the global refugee resettlement system. While the COVID-19 global pandemic has begun to recede, humanitarian crises worldwide are increasing, placing further strains on the system.

As protracted refugee crises around the globe have continued to fester, new emergencies of forced displacement resulting from the end of the war in Afghanistan and the beginning of conflict in Ukraine have significantly increased the need for refugee protection and resettlement worldwide.

To compound matters, these new challenges come after a multi-year period in which global refugee resettlement has severely slowed due to the pandemic and, in some cases, political ideology. As a result, the capacity of governments, NGOs, and international organizations to adequately respond to these new crises has been weakened.

Given these new realities, the 2022 ATCR theme, “Reemerging and Building Globally” is timely. While there are new challenges to confront, there also are new opportunities to explore which, over time, could make the global refugee resettlement system more efficient and protective of a larger number of refugees.

### Equity

While we applaud the flexibility of States in responding to emergency resettlement situations, particularly in the cases of Afghanistan and Ukraine, we strongly believe that other refugee populations fleeing from conflict internationally—Ethiopians, Rohingya, and Syrians, to name a few—should receive equal attention.

The principle of *equity*—equal protection for populations of heightened risk—should be a cornerstone of the global resettlement system. This includes equity in the following areas:

**One nationality versus other nationalities.** One nationality resettled in an emergency situation should not replace, or unreasonably delay, the resettlement of other nationalities in need.

**Segments of a population who fled recently versus those who fled earlier.** During an emergency situation, the refugees from a certain country who have resided outside of the country in protracted situations should not be replaced by the immediate resettlement of refugees who are only recently fleeing conflict in their country. For example, while Afghans in-country certainly required immediate evacuation, Afghans living outside of the country also require protection and as a result should not be pushed to the back of the resettlement line.

**Refugees of one profile over another.** Refugees with equally heightened protection needs should not be neglected in favor of refugees with certain profiles, such as those who worked for the resettlement country during a conflict. In addition, refugees deemed to have greater integration potential should not be prioritized over those in greater need.

**Refugees in one location versus refugees in another location.** Too often, refugees are prioritized for resettlement simply because they are easily accessible. Refugees in need of resettlement should

have access to it regardless of where they happened to flee.

**Refugee Protection status versus non-protection status.** Resettled refugees should always be granted the appropriate protection status, irrespective of the scheme under which they arrive, or the crisis from which they have fled. We are deeply concerned to see that protection status is not being granted to people arriving through pathways developed in response to the situations in Afghanistan and Ukraine.

We also urge host governments to increase protection measures for refugees approved for resettlement but who continue to languish in dangerous situations for months or years, as they often can be at the height of vulnerability during this time.

### **Additionality**

State commitments to the protection of refugee populations, including via resettlement, should not be forsaken as a result of the need to respond to unforeseen emergency resettlement situations. Refugees resettled under emergency circumstances should be counted *in addition* to resettlement commitments nations have made to other segments of a population or other populations globally.

The principle of *additionality* also should be applied to persons who relocate through complementary pathways. Refugees admitted through complementary pathways should be over and above resettlement quotas for a given country of resettlement and should not be a reason to reduce resettlement quotas in future years.

**Expanding the use of complementary pathways.** The use of labor, educational, family, and humanitarian legal channels, known as *complementary pathways*, as an alternative protection mechanism for refugees should be expanded. States should show more flexibility in permitting refugees to access these channels. In many situations, NGOs are particularly well positioned to assist and support refugees in accessing these pathways.

Complementary pathways should not be viewed, however, as a replacement for a robust resettlement program, which is designed to serve those most in need of protection. Complementary pathways should supplement the resettlement system by providing additional avenues of protection for refugees with special skills and academic credentials.

Moreover, refugees who enter under complementary pathways should be afforded social and legal supports provided to refugees who enter through a resettlement program, including a path to permanence.

**Expanding the use of sponsorship.** Similarly, an emerging innovation in refugee resettlement is the use of sponsorship—both community and private—as a way to resettle more refugees. Sponsorship can increase the capacity of a nation to receive refugees, build support for refugees in the community, and facilitate their integration into the society.

We urge states to continue to support and expand these options while maintaining governmental support for refugee resettlement.

### **Externalization**

We are troubled by the recurring practice whereby states enter into agreements to relocate certain asylum-seekers to third countries and invest heavily in preventing refugees from reaching their borders.

The states involved in this *externalization* of asylum policy abrogate their responsibility to protect particular groups of refugees and expect other states to step in to provide durable solutions, including through the reallocation of scarce resettlement places. The right to asylum is universal and states should not pick and choose who they will accept based on factors other than their need for

protection.

### **Encouraging public support for refugees**

In certain emergency situations, such as in Afghanistan and Ukraine, the media coverage has been extensive, leading in most countries to increased public involvement in welcoming and supporting the populations.

While we are encouraged by this development, we are concerned that other refugee crises and refugee populations around the world do not receive the same coverage or attention. Without media attention and the political pressure that it can generate, many refugee populations languish in the pipeline for years.

States, NGOs, and international organizations should work together to leverage the "teachable moments" provided by such crises as Afghanistan and Ukraine to call attention to other emergency (and protracted) situations around the world, such as those in Ethiopia, Yemen, Myanmar, South Sudan, and Syria. We also should work together to discourage discrimination against certain refugee populations, particularly those in Africa.

Regardless of media coverage, governments should show the same urgency toward protracted refugee crises as they do toward emergency resettlement situations.

### **Protecting vulnerable refugee populations around the world**

Refugees with special vulnerabilities around the world require protection, including resettlement support. Unaccompanied children, the disabled, the LGBTQI community, the elderly, victims of gender-based violence, and vulnerable women with children require special attention due to their vulnerabilities and should be prioritized in the resettlement system.

States should provide appropriate social services to these refugees in order to facilitate their full integration into their new homes. The number of states which accept highly vulnerable refugees should be increased, so that the responsibility does not rest on a few states.

We also reaffirm our commitment to the protection and reunification of families and urge states and international organizations to employ a broad definition of a family unit.

### **Enhancing the involvement of refugees in policy-making**

Refugees who have navigated the resettlement process are in a special position to advise governments, NGOs, and international organizations on how to improve the humanitarian aspects of their refugee protection policies, including their resettlement systems. Not only can they do so on a consultative basis, but also through their professional positions.

Refugee-led organizations also should be looked upon to shape public policy and contribute to the international dialogue. They also can be instrumental in helping refugees access available pathways.

We encourage governments, NGOs, and international organizations to continue to involve participants with lived experience in the ATCR process, but also to take the next step and employ them as experts in refugee protection.

### **Expanding protection mechanisms for persons displaced by climate change**

The impact of climate change on global displacement continues to grow, with over 200 million expected to be displaced by 2050. Some island nations face devastation and elimination in the foreseeable future, while portions of other nations are becoming uninhabitable.

While climate displacement is not in itself grounds for refugee protection, there may be instances

where climate change has exacerbated the vulnerability of refugees who otherwise qualify for resettlement. States also should find and develop mechanisms for protecting those displaced by climate change, including humanitarian avenues and other complementary pathways.

### **Support for the Third-Country Solutions for Refugees: Road Map 2030 and the ATCR Reform process**

2021 marked the last year of the *Three-Year Strategy on Resettlement and Complementary Pathways*, born out of the 2018 Global Compact on Refugees. We support the continuation of this process as a part of the *Third Country Solutions for Refugees: Road Map 2030* as a way forward toward growing the global resettlement system and meeting the needs of refugees around the world.

We also support the work of the ATCR Reform Committee, which will make its final recommendations for changes to the ATCR in 2023. We look forward to reshaping the ATCR into a more inclusive, interactive, and diverse process in the future.

### **Conclusion**

With the global pandemic abating and the number of refugees and displaced persons on the rise, the global resettlement field is at a crossroads. States, international organizations, and NGOs, diminished in their capacity by the pandemic, now face new challenges.

At the same time, emerging innovations in the resettlement field can help increase the capacity to help meet these challenges. The expanded use of complementary pathways, community and private sponsorships, and improved technology and communications is imperative.

Furthermore, NGOs can play an important role in assisting refugees to access complementary pathways and resettlement slots, while the private sector can help facilitate resettlement through donations, in-kind contributions, and employment assistance.

As NGOs committed to the protection of refugees around the world, we pledge to work with states, international organizations, and other global actors to create more flexibility and capacity in the global resettlement system. As the refugee crises of Afghanistan and Ukraine have demonstrated, states can show flexibility and respond quickly to emerging challenges when backed by public support and political will.

As tripartite partners, we have an opportunity to move beyond a business-as-usual approach and expand third country solutions for refugees in the years ahead.