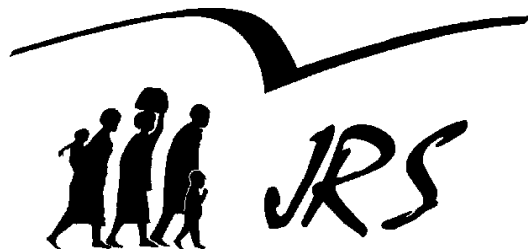


Refugee Resettlement Programme: Views on Pre-Departure Process and Policy



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Mission Statement of Jesuit Refugee Service UK

The Jesuit Refugee Service (JRS) is an international Catholic non-governmental organisation, at work in over 50 countries, with a mission to accompany, serve and defend the rights of refugees and forcibly displaced people.

The purpose of JRS UK is to accompany, to serve and to advocate on behalf of all asylum seekers from their first arrival until they are satisfactorily settled. This work is carried out in collaboration with other JRS offices round the world, other Church and secular organisations, voluntary and governmental, which are active in the same field.

Values

JRS is grounded in Catholic social teaching and draws on the principles of Ignatian spirituality in discerning with whom we work. All Members share a common set of values and principles concerned with justice, the dignity of the person and a responsibility to carry out the social mission of the Church.

With a priority to working wherever the needs of displaced people are urgent and unattended by others, JRS offers a human and pastoral service to refugees and the communities who host them through a wide range of rehabilitation and relief activities. Services — pastoral care, education for children and adults, social services, counselling, and health care—are tailored to meet local needs according to available resources.

JRS is not a resettlement agency, so we have consulted with one of our partners, the International Catholic Migration Commission (ICMC), in order to put together this response on the new UK refugee resettlement programme.

About the ICMC

The International Catholic Migration Commission (ICMC) works with refugees, internally displaced people and forced migrants, and gives priority to the most vulnerable and marginalized among these groups. ICMC responds to immediate needs and, at the same time, works for more durable solutions. These include:

- return to and re-integration in home countries;
- local integration in places to which uprooted people have fled;
- resettlement in a third country.

General Comments on the Quota Refugee Resettlement Programme

JRS UK broadly welcomes the initiative of a quota resettlement programme, as another means by which protection can be afforded to those fleeing persecution. We do, however, have some reservations about the programme. Primarily we are concerned about the impact this would have on asylum seekers making spontaneous claims, especially if the programme is rolled out to more than 500 quota resettlement programme refugees a year. Some other countries, which operate a resettlement programme, such as the USA, detain spontaneous arrivals as a matter of course. JRS believes that the administrative detention of asylum seekers is wrong, and we would be dismayed if this were the model the UK government might be considering. Other than our general objections on the immorality of detention for asylum seekers, we would consider any such programme of detention for spontaneous arrivals to contravene the UK government's obligations under the Human Rights Act and under international human rights law.

There is also a danger in operating a resettlement programme, that programme refugees might be seen to be "good" or "genuine" refugees, whereas spontaneous arrivals are seen to be "bad" or "bogus". If the UK government does decide to enter into an agreement with the UNHCR regarding a resettlement programme, it must invest significant resources in creating a climate of favourable public opinion towards all refugees. This would include the development of welcoming or orientation programmes for all spontaneous arrivals and programme refugees. It would be tragic if any new protection tool should create a "them and us culture" between members of the refugee community in the UK. After all no one refugee is more deserving of protection than any other.

It is with sadness that we note that there is no reference at all to how the pre-departure orientation will be handled. Experience has shown that refugees who are not well briefed in advance of resettlement arrive in their resettlement host country with many misconceptions. This inevitably interferes with their local integration.

Our final general comment is regarding the quotas. While it is sensible for a new programme to operate a pilot scheme with limited numbers, it has to be appreciated that millions of people are forcibly displaced each year. There has to be some consideration as to the what happens to those individuals fleeing persecution, with a well-founded case, who fall outwith the quota for their region/country of origin for that year. To this end the UK must commit itself to more support for UNHCR and for other agencies and NGOs working in refugee camps round the world, after all it is in the camps that the vast majority of refugees and forcibly displaced people are.

Definition of Refugee

At the very least we would expect the quota refugee resettlement programme to cover Convention and Mandate refugees.

We are heartened by the suggestion that humanitarian cases, which would not ordinarily fall within the scope of the 1951 Convention, might be given access to the resettlement programme. We welcome any suggestion, which would increase the protection of individuals either from persecution or on humanitarian grounds.

The quota is currently 500 cases a year, but this number could be revised upward at a future date, depending on the how well the programme operates.

UK specific criteria for resettlement/local integration criteria

We are of the opinion that the UNHCR criteria for resettlement should be used. Then UNHCR can decide on the priority of the cases. Limiting the criteria might mean that persons in great need of resettlement might not get access to the programme.

Local integration criteria are in our opinion very difficult to operate. They are very difficult to assess. Who would be the judge of who would be likely to integrate well? Such criteria can lead to criticisms of exclusivity and of contributing to local "brain drains". These sorts of criteria often give more opportunities for the best and the most intelligent, while those in most need continue to suffer.

Family unity

Family unity principles must be drafted and agreed before commencement of the quota refugee resettlement programme. We would recommend that those responsible for drafting the principles, have regard to the ECRE position paper on

family unity. ECRE's position is that social and economic dependency are the key criteria in determining family unity.

Public Health Issues

JRS is of the opinion that cost of care alone should not be the determining factor to remove access from the quota refugee resettlement programme. On humanitarian grounds, any individuals with a serious health condition should have the opportunity to be resettled in the UK, as they are more likely to have a better quality of life here and to be able to receive treatment.

However, it is necessary to assess all cases well in advance (thorough health screening) so that on resettlement in the UK the individual will have some medical case notes on which to base treatment and can be referred quickly to the appropriate hospital or doctor and can receive any ancillary care needed, including counselling.

As with family unity, public health principles must be drafted and agreed in advance of the commencement of the quota refugee resettlement programme.

Referral process

We are both surprised and concerned that the model in the paper relies strictly on UNHCR referrals and initial case preparation. A lot of states rely on input from NGOs as well as from UNHCR, either because the local UNHCR process has become compromised in some way or because UNHCR are not able to deal with the number of cases they have.

It is our considered opinion and that of our partners in the field that referrals and initial case preparation for 50 refugees a month is probably beyond UNHCR's current capacity as the same regional offices will also be responding to submission requests from numerous states including USA, Canada, Australia and the Nordic states.

The referral process as outlined is similar to that of many other states. It is therefore essential that the UK government is aware of the lengthiness of the process: between 12 and 24 months. The processes are lengthy mainly because of security clearances, but also because of duplication of work. It is an unnecessary expense and an unnecessary delay to duplicate interviews. The IND caseworker should be merely reconfirming the information in the UNHCR interview and Refugee Referral Form (RRF). At present most states have their own refugee interview forms, which duplicate the work of the UNHCR RRF. Finally it is our opinion that the UK government should consider an emergency or fast-track resettlement process for those with urgent protection concerns. This is especially important given the lengthiness of the process. It is unreasonable to expect such individuals to remain in the country of first asylum for 12-24 months without addressing their protection needs. Some other states, such as USA and Canada, already have these fast-track or emergency procedures, the models for which could be consulted.