

Refugee Council briefing – Resettlement of Syrian Refugees

Westminster Hall debate, 27 January 2016 – 2.30pm

The Refugee Council warmly welcomed the announcement by the Prime Minister in September 2015 that the UK would resettle 20,000 Syrian refugees by the end of the current Parliament. The Refugee Council first called for the UK to resettle Syrian refugees in response to the crisis in the summer of 2013, and after the initial Vulnerable Persons Relocation Scheme was announced in the following January, campaigned for it to be expanded. We continue to urge the Government to keep the 20,000 limit under review with a view to increase it to meet need, as well as for calling for increased resettlement opportunities for refugees in other parts of the world. Additionally, other safe and legal routes, including wider family reunion and humanitarian visas, should be utilised to allow refugees to seek protection in Europe.

Background

The Refugee Council and resettlement

The Refugee Council has been involved in the Gateway Protection Programme (GPP) for over 10 years. Launched in 2004, the UK Government currently provides 750 resettlement places each year through the GPP for refugees from around the world. The programme operates in three regions: Manchester, Bradford, and Yorkshire and Humberside. The Refugee Council works in partnership with local authorities in Yorkshire and Humberside to ensure that resettled refugees are given the tailored support they need to settle in the UK. Since 2004 Refugee Council has supported refugees from a variety of countries, including Liberia, Burma, Congo, Iraq, Somalia, Ethiopia, Sudan and Bhutan.

The United Nations High Commissioner on Refugees (UNHCR) identifies refugees across the world who are in need of resettlement. These are refugees for who there is no sustainable future in the region. Many of the refugees resettled through the GPP will have been living in refugee camps for many years. According to their latest figures, worldwide UNHCR has identified over 1 million refugees in need of resettlement.¹ UNHCR works in partnership with the UK Government to decide which refugees will be resettled to the UK through the GPP. Refugees who come through the programme receive refugee status and leave to remain upon arrival (and so do not need to go through the asylum system).

¹ UNHCR, UNHCR Refugee Resettlement Trends 2015, <http://www.unhcr.org/559e43ac9.html>

Local authorities taking part in the GPP receive funding that covers support for the first year of a refugee's stay in the UK, provided partly by the Home Office and partly by the European Union. The Refugee Council works in partnership with local authorities to provide intensive support to refugees during that first year. This includes meeting refugees at the airport when they first arrive, accompanying them to their new home, and helping them register with local GP practices and schools.

Our experience of working with resettled refugees is that resettlement changes lives; it is utterly transformative for the refugees given the chance to rebuild their lives in the UK but local communities that welcome them also report many benefits.

Case Study: Severine

Severine had to flee her home in Congo with her husband and two children in 1998 because of war. Many people she knew, including friends and family, had been killed in the violence. With her family, Severine left Congo, escaping to Zambia, where she spent six years living in a refugee camp. While living in the camp, she gave birth to her third child. Having been a teacher in Congo, Severine began teaching in the camp, but there was not enough food and raising a young baby in the camp was very hard.

Severine and her family were identified as being in need of resettlement, and in 2006 they were resettled in Hull. Since arriving in Hull, Severine has been trained as a teacher and now teaches English to speakers of other languages (ESOL). Her husband, who was a tailor in Congo, has opened his own shop.

Syrian Resettlement

In September 2013, UNHCR called for countries across the world to admit 30,000 Syrian refugees through resettlement, humanitarian admission, or other programmes by the end of 2014. The UK Government initially showed considerable reluctance to providing resettlement places to Syrian refugees, despite leading the international response to the refugee crisis in other respects. It was only after considerable pressure following a campaign led by the Refugee Council that the Government responded to UNHCR's appeal and established the Vulnerable Persons Relocation scheme for Syrians (VPR) in January 2014. When it first launched the scheme, the Government aimed to resettle several hundred Syrian refugees over three years. This was then increased in September 2015, following the outpouring of public sympathy for Syrian refugees provoked by the image of Aylan Kurdi's body, to 20,000 refugees by the end of the current Parliament.

Similar to the operation of the Gateway Programme, UNHCR identifies Syrian refugees suitable for resettlement. UNHCR identifies these refugees from those Syrians who are registered with them in the region. Refugees are identified as being in need of resettlement if they meet one or more of UNHCR's vulnerability criteria. These are set out in the UNHCR resettlement handbook:

- **Legal and/or Physical Protection Needs** of the refugee in the country of refuge (this includes a threat of refoulement);
- **Survivors of Torture and/or Violence**, where repatriation or the conditions of asylum could result in further traumatization and/or heightened risk; or where appropriate treatment is not available;
- **Medical Needs**, in particular life-saving treatment that is unavailable in the country of refuge;
- **Women and Girls at Risk**, who have protection problems particular to their gender;
- **Family Reunification**, when resettlement is the only means to reunite refugee family members who, owing to refugee flight or displacement, are separated by borders or entire continents;
- **Children and Adolescents at Risk**, where a best interests determination supports resettlement;
- **Lack of Foreseeable Alternative Durable Solutions**, which generally is relevant only when other solutions are not feasible in the foreseeable future, when resettlement can be used strategically, and/or when it can open possibilities for comprehensive solutions.²

The Syrian scheme is sometimes misleadingly described as "taking refugees directly from the camps", whereas in reality the vast majority of refugees live in urban environments rather than refugee camps. This has, at times, led to some confusion as to whether refugees living in urban settings can qualify for resettlement under the programme. In reality, the question of whether the refugee is living in a camp or in an urban setting has no bearing on whether a refugee qualifies for resettlement. Instead, refugees must be registered with UNHCR and meet at least one of the vulnerability criteria listed above.

Humanitarian Protection vs. Refugee Status

The Syrian programme is closely modelled on the GPP. However, one important difference is that Syrian refugees are given five years humanitarian protection, rather than refugee status. There are practical implications for Syrians receiving this lesser form of protection that may impede their ability to integrate and settle in the UK. For example, individuals with humanitarian protection are required to fulfil residency criteria before qualifying for home student status for the purposes of

² More information about these categories is available in Chapter 6 of the UNHCR Resettlement Handbook. See <http://www.unhcr.org/3d464e842.html>

higher education fees and support. This requires the individual to have been ordinarily resident in the UK for three years at the beginning of the academic year. This means that a Syrian refugee resettled in January 2016 would not qualify for home student status until September 2019. Resettled Syrians in receipt of humanitarian protection may also face difficulties in accessing a convention travel document. A convention travel document usually allows travel to any country except the holder's country of origin or, if different, the country from which they sought asylum.

Question for the Minister

Q. Why are Syrian refugees resettled in the UK granted humanitarian protection rather than being recognised as refugees with full refugee status?

Equal funding for the Gateway Protection Programme

Local authorities resettling refugees under the GPP receive funding for the first year after a refugee is resettled. When it was originally announced, the Syrian scheme followed this model. However, after the commitment to resettle 20,000 Syrians, it was announced that some funding would also be made available to local authorities for years 2 to 5 following arrival.³ As a result, there are now unequal funding arrangements for the two schemes. The Refugee Council is concerned that local authorities, many of whom are facing financial constraints currently, may believe it is preferential to resettle Syrians rather than participate in the GPP. To ensure this does not occur, there should be parity of funding between the two programmes.

Question for the Minister

Q. Will the Minister ensure that the additional funding for years 2 to 5 that has been provided to local authorities resettling Syrians is also available to local authorities who resettle refugees through the Gateway Protection Programme?

Resettlement can only ever be part of the solution

The world is currently facing the greatest refugee crisis since the end of the Second World War. Globally, UNHCR reports there are 20 million refugees, with a further 40 million people displaced within their own countries.⁴ Some of those fleeing war and

³ See <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2015-12-02/18565/>

⁴ UNHCR, Global Trends: Forced Displacement in 2014
http://unhcr.org/556725e69.html#_ga=1.235619203.320562768.1438944783

persecution are attempting to find safety in Europe, and just over 1,000,000 people arrived in Europe during 2015 after risking their lives crossing the Mediterranean, many in boats which were far from seaworthy.⁵ The vast majority of those arriving in Europe via the Mediterranean are likely to be in need of international protection, with UNHCR finding that 84 per cent are coming from the world's top-10 refugee producing countries.⁶

One of the reasons those fleeing war and persecution are forced to take dangerous journeys in order to reach safety is due to a lack of safe and legal routes available to them. Resettlement is one such safe and legal route, but it should not be the only route available, as resettlement is primarily intended as a solution for those with additional vulnerabilities. It is also resource-intensive.

Refugee Family Reunion

One of the few existing safe and legal routes for refugees to reach the UK is refugee family reunion. Individuals granted refugee status or humanitarian protection in the UK can apply to have their family join them. However, 'family' is narrowly defined in the rules and only covers pre-flight spouse/partner and dependent children (i.e. children under the age of 18). Other family members are not covered. This means, for example, that a Syrian father who has been granted refugee status in the UK is able to bring his wife and two younger children, but his 19 year old daughter would not be able to join them. The family would be forced to leave her behind or pay smugglers to bring her to the UK – in either scenario, putting the young woman at considerable risk. We are aware of a number of cases, including Syrian, where young female dependant family members who are over the age of 18 are refused.

Additionally, unlike other EU member states, unaccompanied children granted asylum or humanitarian protection in the UK are not able to sponsor their family members to join them through refugee family reunion. This is despite the fact they have been through an asylum determination system and been found to be a refugee or in need of humanitarian protection, in the same way as an adult. The right to reunite with your family is a fundamental right of a refugee and as a matter of urgency the Home Office should amend the rules for unaccompanied children so that they are in line with adults granted refugee status or humanitarian protection.

Humanitarian Visas

One of the reasons that refugees are forced to make dangerous journeys is that in order to make an application for asylum in a country, that person first needs to be physically present in that country. There currently exists no mechanism for those

⁵ IOM, Mediterranean Update, 26 January 2016 <http://missingmigrants.iom.int/mediterranean-update-26-january-2016>

⁶ UNHCR, Refugees/Migrants Emergency Response <http://data.unhcr.org/mediterranean/regional.php>

fleeing war and persecution to make an application for asylum from outside of the UK.

The introduction of humanitarian visas (or asylum visas) would be a step towards addressing this. They could be used to enable refugees to travel legally to the UK and other European countries to claim asylum. Certain states already issue humanitarian visas, however there is a lack of detail around such programmes, complicating understanding of the opportunities they may present for people in need of protection. However, current practice suggests the following process:

- a. Applicants for humanitarian visas approach the consular representation of the potential host state (possibly in a third country).
- b. The consular representation may pre-screen the humanitarian visa application to identify protection needs but this is only an initial assessment as the final status determination procedure is conducted after entry to the host state.
- c. After arrival in the host state, the applicant lodges an asylum application.

The humanitarian visa programmes of Brazil and France seem to operate on this basis and were established in response to the Syrian refugee crisis. Since 2013, Brazilian embassies in countries neighbouring Syria have had the possibility to issue special humanitarian visas for Syrians and other nationalities affected by the Syrian conflict who want to seek refuge in Brazil. Claims for asylum are presented upon arrival in Brazil. Similarly, since 2012 French consulates have been able to issue asylum visas where a need for protection is evidenced on a discretionary basis.

Question to the Minister

Q. What steps are the Government taking to ensure that there are safe and legal routes to protection in the UK, in addition to the Syrian resettlement scheme, so that refugees are not forced to put their lives at risk in their search for safety?

Contact information

For further information on the issues covered by this submission, please contact:
Jon Featonby, Parliamentary Manager – jonathan.featonby@refugeecouncil.org.uk / 020 7346 1038 / 07780 664598