The UNHCR, the crisis of refugee protection and contemporary refugee resettlement programmes. A ‘durable solution’?

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Abstract

Since 2004, The UK government has been engaged as a ‘donor state’ in a programme of refugee resettlement, called the Gateway Protection Programme (GPP). Working in partnership with the office for the United Nations High Commissioner for Refugees (UNHCR) and other agencies, the UK has received groups of refugees from Liberia, Congo, Sudan, Burma, Ethiopia, Mauritania and Iraq. As resettlement clients, these individuals are granted refugee status before their arrival in the UK, and thus are not subject to the process of asylum that applies to irregular arrivals. The motives for the UK’s involvement in this programme are subject to a considerable degree of debate. The extent to which this renewed interest in resettlement as a durable solution to protracted refugee situations is more a product of political opportunism than humanitarian concern can be resolved through an analysis of the programme itself, the domestic and international political context and the role of the UNHCR. Through such an analysis, broader theoretical implications can be drawn regarding the emergence and viability of the international refugee regime. This paper finds that the efficacy of UNHCR resettlement programmes has been severely limited by the weaknesses inherent in the broader refugee regime, and its inconsistent ability to act as an intervening variable between state power and interests and related actions and outcomes. An analysis of the Gateway Protection Programme finds that it too is subject to the same limitations. These findings call into question the appropriateness of ‘strategic’ resettlement as a tool of protection and situate UNHCR and the refugee regime’s subservient status to traditional, state-centric power relationships.
Introduction

Since the end of the Cold War, The Office of the United Nations High Commissioner for Refugees (UNHCR) has been faced with increasingly hostile attitudes towards large-scale resettlement of refugees by states in the global North. This represents a shift in the perceived political value to those states of accepting refugees\(^1\) that has taken place since the Cold War, during which capitalist states were significantly more receptive and hospitable in their responses to refugee arrivals. This erosion of the perceived political value of refugees to Northern states has led to what Loescher describes as the “crisis of refugee protection” (2001: 351). This crisis is characterised by increasing unwillingness on the part of Northern states to grant asylum to applicants, the development and implementation by Northern states of increasingly restrictive measures designed to limit the availability of asylum to potential applicants and, in some cases, the circumvention of aspects of the 1951 Convention Relating to the Status of Refugee and subsequent laws and agreements. This has led to the forced repatriation of asylum seekers that do not measure up to states’ interpretations of the definition of refugees contained within the 1951 Convention. This period has also seen the re-definition of refugees as a potential threat to international security, particularly those in protracted refugee situations (Loesch & Milner: 2005). Such situations contributed to humanitarian crises in locations such as Bosnia, Somalia and Rwanda. This process of securitisation has led to refugees being considered to be “presented as an existential threat, requiring emergency measures and justifying actions outside the normal bounds of political procedure” (Buzan et al, 1998: 23-4). UNHCR has been forced to reshape its priorities in order to remain relevant in this new landscape of humanitarian protection, in which refugees are increasingly viewed by states - through a paradigm of security - as sources of potential international destabilisation. This is a process that the UNHCR has largely been unable to influence, particularly after the attacks on New York and the Pentagon on the 11\(^{th}\) of September, 2001. Instead, the UNHCR has discarded much of its former role of advocating on

\(^1\) For the purposes of this paper, the definition of ‘refugee’ from the 1951 Convention Relating to the Status of Refugees will be used. This definition is as follows: [A refugee is any person who] “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.” (Article IA)
the behalf of refugees and other displaced people on mainly humanitarian grounds, and has integrated itself into the state-driven, security-focused paradigm of refugee protection. The emergence of ‘strategic’ resettlement and its promotion by UNHCR is indicative of this integration.

This first chapter of this paper shall set out a definition of what is meant by ‘resettlement’ as applied to contemporary refugee flows. The history of the concept will then be explored in order to understand the transformation it has undergone since its first use shortly after World War Two. This will include an investigation of the emergence of ‘strategic’ resettlement shortly after the turn of the century. The second chapter will elucidate the complex relationship between resettlement, the refugee regime and states through the application of regime theory. This chapter will also attempt to explain some of the limitations that UNHCR has faced in its attempts to expand the use of resettlement. The final chapter examines the case study of the Gateway Protection Programme in the UK in order to assess the effects of the regime-level dynamics discussed in the previous chapter on the practical outcomes of a specific resettlement scheme. Finally, some conclusions will be drawn, and some limited prescriptions for potential action will be made.

1. Defining resettlement

1.1. What is meant by ‘resettlement’?

Despite the frequency with which the term is invoked in contemporary refugee discourse, resettlement does not have one universal definition, and has been used to denote various types of population movement, both regionally within states and internationally across state borders. For the sake of clarity and accuracy, we must begin by setting out what is meant by ‘resettlement’ as referred to in this essay, and also by giving a brief overview of its history and mode of operation. For the purposes of this discussion, resettlement will be taken to denote “the selection and transfer of refugees from a state in which they have initially sought protection to a third state which has agreed to admit them with permanent residence status” (Van Selm 2004: 40). UNHCR’s resettlement handbook sets out a more descriptive definition that includes some of the obligations that apply to the resettlement state:

Resettlement involves the selection and transfer of refugees from a State in which they have sought protection to a third State which has agreed to admit
them – as refugees - with permanent residence status. The status provided should ensure protection against refoulement and provide a resettled refugee and his/her family or dependants with access to civil, political, economic, social and cultural rights similar to those enjoyed by nationals. It should also carry with it the opportunity to eventually become a naturalized citizen of the resettlement country. (UNHCR 2004: I/1)

Resettlement differs from asylum (a much more commonly-used and recognised tool of international refugee protection) in several key ways. Whereas states have only limited control over the irregular arrival of forced migrants who seek to claim asylum, donor states select groups to accept onto resettlement programmes in advance, and in partnership with the UNHCR. While states’ obligations to refugees seeking asylum (such as the key principle of not forcibly returning migrants to their state of origin – a precept referred to in refugee-related discourse as non-refoulement) are enshrined in the 1951 Convention and other subsequent international statutes and laws, no such international obligations exist to compel states to implement resettlement programmes. Indeed, being selected for resettlement by UNHCR does not guarantee that the donor state will accept every candidate. As UNHCR’s Resettlement Learning Programme points out, “whether individual refugees will ultimately be resettled depends on the admission criteria of the resettlement State as well as the willingness of the country of asylum to allow them to leave.” (UNHCR 2010b: 21). Instead, states become resettlement donors through choice and in consultation with the UNHCR, whose role it is to promote the implementation and expansion of resettlement programmes.

Resettlement is viewed by the UNHCR as a tool of refugee protection and a durable solution for forced migrants, particularly those in protracted refugee situations, the UNHCR definition of which is as follows:

[A protracted refugee situation is] one in which refugees find themselves in a long-lasting and intractable state of limbo. Their lives may not be at risk, but their basic rights and essential economic, social and psychological needs remain unfulfilled after years in exile. A refugee in this situation is unable to break free of enforced reliance on external assistance. (UNHCR 2004a: 1)
Resettlement is also seen as a method by which Northern states may share the burden of responsibility for providing sanctuary for refugees with the states of the global South that currently host the vast majority of the world’s refugees as identified by UNHCR. In 2009, UNHCR’s report on the global trends of refugees, asylum-seekers, internally-displaced and stateless persons concluded that “the major refugee-generating regions hosted on average between 76 and 91 percent of refugees from within the same region”, and that only 17% of the world’s refugees live outside their region of origin (UNHCR 2009[1]: 6). Resettlement has been promoted by the UNHCR as a method by which this imbalance – which is now viewed in contemporary discourse as a threat to international security (Loescher & Milner: 2005) – can be redressed. Resettlement is also envisioned by the UNHCR as a being complementary to, and not a replacement for, the provision of protection to displaced persons seeking to claim asylum (UNHCR 2010a: 1). Resettlement is aimed at individuals and groups whose protection needs cannot be fulfilled in the country in which they first sought refuge. It is one of the three ‘durable solutions’ for refugees that the UNHCR is mandated to implement, the other two being repatriation to the country of origin and local integration in the initial host state. It is the preferred solution when neither repatriation nor local integration are deemed possible, due to continued risk of facing persecution in the country of origin and the absence of local infrastructure in the state of first refuge for successful integration.

1.2. The historical context of resettlement

*Indochinese resettlement and the Comprehensive Plan of Action*

Certain states have long-standing programmes for refugee resettlement. These states include the US, Canada, Australia, New Zealand, The Netherlands and the Nordic countries. Resettlement was first used extensively as a means by which the refugee camps of post-World War Two Europe could be emptied. After the US withdrawal from South Vietnam, over 700,000 Indochinese refugees – known as the ‘Boat People’ were resettled. Between July 1979 and July 1982, more than 20 countries - led by the US, Australia, France, and Canada - resettled 623,800 of these Indochinese refugees (UNHCR 2000: 86). However, the consistently large numbers of Boat People arriving into neighbouring states such as Malaysia, Thailand, Hong Kong and the Philippines throughout the 1980s led to calls from members of the Association of Southeast Asian Nations (ASEAN), along with the Northern states
involved as onward resettlement donors, for action to reduce the flow of migrants. This fatigue amongst donor states was exacerbated by growing suspicion that the main motivations for the Boat People to depart Vietnam were increasingly the ‘pull factors’ of economic prosperity rather than the ‘push factors’ of political, religious, or other forms of persecution; and by the fact that by 1988, the rate of arrivals into the regional states of first asylum were not being matched by the numbers of resettlement places offered by Northern governments (Casella 1989: 161). In response, UNHCR implemented the Comprehensive Plan of Action (CPA) in 1989 (UNHCR 2000: 86-88), which included a “commitment to institute regional refugee status determination procedures and to return those whose applications were rejected” (ibid: 88). Critically, this agreement ended the prima facie granting of refugee status to all migrants fleeing from Vietnam and introduced a system to manage the rate of departures after the cut-off date of 14th March 1989, after which all Vietnamese, Cambodian and Laotian migrants would be expected to undergo screening interviews and other checks in order to determine the validity of their asylum claims. Furthermore, the CPA was drafted and introduced with the input and agreement of the Vietnamese government, and led to a dramatic fall in the numbers of migrants being offered a resettlement place, with only 28% of all individuals who applied for refugee status under the CPA being successful (UNHCR 2000: 85). This process of pre-departure status determination has now become a key part of all UNHCR resettlement programmes, and the process by which this status is determined is still a complex and important factor in contemporary resettlement scenarios (this issue will be discussed further in chapter 3).

During the 1990’s, interest in resettlement as a tool of protection waned. This was in part due to the experience of the Indochinese migration described above – which led to a mass exodus of individuals not necessarily in need of humanitarian protection seeking a better life in the west – and in part due to the end of the Cold War. Before the collapse of the Soviet Union, the West (particularly the US) saw political value in resettling large numbers of refugees from communist states such as Vietnam, as this could be portrayed as an ideological victory of the ‘free’ West over its communist rivals (Casella 1989). The disintegration of the Soviet Union brought about the end of this ideological rivalry, and the new and evolving political realities of the post-Cold War international landscape led to a reduction in the use of resettlement as a durable solution for large numbers of refugees. Instead, the focus of resettlement shifted to cases where the humanitarian protection of individuals and families – rather than large groups
was required (UNHCR 2010: 21). In place of resettlement, voluntary repatriation became the preferred durable solution for protracted refugee situations.

**The emergence of ‘strategic’ resettlement**

Since the turn of the century, resettlement has become re-established as a preferred mechanism for providing protection to those in protracted refugee situations. This re-emergence is due to a number of factors. Given that, as of 2005, almost two thirds of the world’s refugees as identified by UNHCR were in trapped in protracted refugee situations (Loescher & Milner 2005: 7), it was becoming increasingly clear that this situation had to be addressed. Other reasons for the renewal of interest in resettlement include the need to tackle human trafficking; high asylum seeker arrivals in Northern, particularly European, states; the increasing abuse of asylum systems by individuals who are not in need of international humanitarian protection; and hostile attitudes towards migrants amongst domestic audiences in destination states (Van Selm 2004: 39; Troeller 2002: 85 & UNHCR 2003: 1). Resettlement is now promoted as both a key method of humanitarian protection for refugees in protracted situations, and also as a strategic tool with which states may address these problems. In its 2003 discussion paper, UNHCR’s Working Group on Resettlement (WGR) describes ‘strategic resettlement’ in the following way:

> [Strategic resettlement is] the planned use of resettlement in a manner that maximizes... directly or indirectly, benefits other than those received by the refugee being resettled. Those benefits may accrue to other refugees, the hosting state, other states or the international protection regime in general. (UNHCR 2003: 2)

According to the same paper, the benefits ‘other than those received by the refugee being resettled’ that potentially stem from the strategic use of resettlement are varied, and depend on the specific context of each case in which resettlement might be used as a means of protection. For example, resettlement may be used strategically alongside voluntary return and local integration in order to provide a comprehensive solution to an entire group of displaced persons of the same nationality living in protracted refugee situations in the country of first asylum. In this example, voluntary return and repatriation would be the solution employed in
the majority of cases, while resettlement could be used for individuals and small groups with specific protection needs that cannot be guaranteed in the country of origin or in the state of first asylum. If the resettlement of this smaller group could allow the majority to be repatriated or locally integrated, this could be viewed as a benefit beyond that of the protection obtained by the resettled individuals, and would be an example of strategic resettlement (UNHCR 2003a: 2-3). Another example of strategic resettlement would be its application in ‘transit states’, where the irregular smuggling and trafficking of mixed migratory groups - including asylum seekers, refugees, economic and other migrants – are regularly intercepted. By providing resettlement places for individuals in need of protection who cannot be re-admitted into the first state in which they could have claimed asylum, the international community can help encourage the transit states to continue to intercept such migratory flows, and thereby lessen their impact on the borders of the intended destination states (UNHCR 2003a: 7).

In recent years, states including as the UK, Portugal, Spain the Czech Republic and Romania have also initiated resettlement programmes, although the number of resettlement places offered by these newcomers is very small compared to the ‘traditional’ resettlement states. Currently, there are 24 states that have offered UNHCR a resettlement quota for 2011 (UNHCR 2010b: 24). Historically, the US has been by far the biggest donor of resettlement places. In 2008, the US provided 56,750 of the total 76,740 resettlement places offered by states to UNHCR (UNHCR 2010: 2). Despite these increases in resettlement capacity, the total number of resettlement places offered to UNHCR by states has consistently been less than UNHCR’s projected requirements. Indeed, the gap between places offered and places required by UNHCR has been steadily increasing (See fig. 1).

Fig. 1: UNHCR resettlement submissions and approximate number of resettlement places provided by states to UNHCR, 2006-2009 (source: UNHCR 2010: 3)
The headline figure of UNHCR’s Projected Global Resettlement Needs overview for 2011 is that of every 100 refugees identified as being in need of resettlement, only 10 are resettled each year. More specifically, UNHCR has estimated global resettlement needs at 800,000 people, whereas resettlement states provide less than 8,000 places per annum (UNHCR 2010: 2). Additionally, while UNHCR estimated that 203,000 individuals were in need of resettlement in 2010, the number of resettlement places made available by states did not increase on the 80,000 offered in 2009 (UNHCR 2010a: 2).

Nevertheless, UNHCR continues to lobby states to increase resettlement capacity in order to meet the protection needs of greater numbers of identified individuals. This renewed emphasis on the importance of resettlement was also highlighted in initiatives and agreements such as the 2003 Agenda for Protection, which set out a comprehensive, global framework for refugee policy with the aim of reinforcing the international protection regime through the application of specific measures. A key follow-on initiative of the Agenda for Protection was the ‘Convention Plus’ process, which was introduced under the then High Commissioner, Ruud Lubbers. This initiative was designed to facilitate multilateral agreements between states, NGOs, charities and other organisations. Convention Plus was divided into three key themes, or ‘strands’, one of which was resettlement (the other two being the related matters of development assistance and irregular secondary movements). The key outcome of this Convention Plus strand was the 2004 Multilateral Framework of Understandings on Resettlement, which was designed to provide the mechanism by which the various parties involved could successfully integrate their operations in order to “strengthen the international refugee protection system through a more strategic use of resettlement for the benefit of a greater number of refugees” (UNHCR 2004c: 1). However, while the understandings contained within the Framework set out a practicable methodology for multilateral strategic resettlement, the agreement itself is not legally binding and only serves as a theoretical model upon which resettlement programmes can be based. Finally, UNHCR introduced in 2005 an initiative called the Strengthening Protection Capacity Project (SPCP). This project was introduced with the aim of “facilitat[ing] national responses to protection problems through a process of protection assessment, dialogue and joint planning in States hosting refugees” (UNHCR 2010b: 23). Under the SPCP, the existence of protection issues in refugee-hosting states is identified through the application of the Protection Gaps Framework for Analysis.
(PGFA) (UNHCR 2005), which includes an assessment of how efficiently and effectively any resettlement programs in such states are run. The goal of the PGFA is to collate a thorough picture of where gaps in refugee protection exist in participating states. With this information in hand, UNHCR can design specific, targeted capacity building measures to address these deficiencies.

While significant progress has been made in certain areas (such as the refinement of resettlement’s procedural underpinnings and the development of its potential to be used strategically in order to maximise the resultant benefits beyond its immediate benefactors), these positive steps have largely not been matched by a significant increase in commitment to resettlement by donor states. While UNHCR’s various progress reports on resettlement are candid about this lack of improvement and the need for greater efforts to be made, they tend not to address the underlying causes of these problems. As Loescher makes clear, “it is important not to take the rhetoric and self-presentation of the UNHCR at face value. While the UNHCR has had many successes over the past 50 years, it has also had many failures” (2001: 2). The next chapter will examine how UNHCR’s troubled relationship with the vagaries of global, state-centric politics – particularly in the post 9/11 security landscape - has limited its ability to co-ordinate a truly effective and durable response to the global refugee ‘crisis’ that has dominated 21st century discourse.

2. Resettlement and world politics: a perilous path

The title of this chapter is a deliberate paraphrasing of the title of Gil Loescher’s2 The UNHCR and World Politics: a Perilous Path (2001). This is because many of the conclusions drawn by Loescher throughout his work are relevant to contemporary resettlement. UNHCR’s attempts to increase the use of resettlement as a tool of protection have encountered problems that are born of the same tension that exists between states and supranational organisations more broadly. UNHCR views and describes the refugee ‘problem’ as being an inescapably and increasingly globalised phenomenon. In the context of accelerating interconnectedness between states, social and ethnic groups and individuals across the world, UNHCR seeks to

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2 Gil Loescher has considerable practical and academic experience, both in the field of refugee studies and in consultancy roles with UNHCR and other refugee-related NGOs. A full biography and list of publications can be found at [http://www.rsc.ox.ac.uk/people/academic-staff/loescher](http://www.rsc.ox.ac.uk/people/academic-staff/loescher)
promote solutions to refugee flows that are based on multilateral co-operation between states, UNHCR itself and other NGOs. Such solutions – which include resettlement – are a reflection of the international nature of the refugee problem. Despite the admirable nature of this premise for co-operation, however, the reality of life for the majority of the world’s refugees has not improved. The renewal of conceptual interest in resettlement has not been matched by any significant widening of practical participation by potential donor states. As Troeller notes, “the situation today has not changed that much since the early 1990s when High Commissioner Ogata gave preference to the other two durable solutions. Then, as now, the number of principal resettlement countries remains virtually the same as 15 years ago” (2008:.58). The reasons for this slow progress are manifold and will be the subject of discussion for this chapter, but before exploring the causes of these shortcomings, it is important at this point to add a qualification to what is to follow. While UNHCR has not always been able to convince states to adopt all of its recommendations regarding resettlement and refugee protection more broadly, this is not to be regarded as a failure of UNHCR per se. Like any other emergent international regime, full consensus and co-operation between states in the area of refugee protection is not a goal that can be reached in a single bound. The issue of refugees is too deeply enmeshed with political matters of national interest and security for this to be a feasible approach. Instead, UNHCR’s adopted role is to encourage states to take small steps towards co-operation and responsibility-sharing wherever possible and practicable, and in doing so to reinforce the protection regime to the maximum extent possible given these limitations. Nevertheless, these limitations do exist, and an understanding of their effects is invaluable when it comes to attempting to mitigate their most pernicious aspects.

2.1. UNHCR, the refugee regime and state interests: the macro-level

As alluded-to above, state interests have always played a significant role in the development and evolution of UNHCR. Although the role of individuals, groups and other non-state actors has been magnified by globalisation, states remain the primary units of interaction in today’s international political system. Therefore, in order to survive, UNHCR has needed to display a significant degree of flexibility in its approach to the refugee problem and in its relationships with states. This process of evolution and gradual convergence of international consensus on the refugee question – a process that has largely been led and moderated by UNHCR - can be best explained through the application of regime theory.
According to Krasner, international regimes are “principles, norms, rules and decision-making procedures around which actor expectations converge in a given issue-area” (1982: 1). There are international regimes that govern state behaviour in various international issue-areas, including human rights, disarmament, international public health and trade. Clearly, for the purposes of this discussion the ‘given issue area’ is the refugee problem. The ‘actors’ include – but are not limited to – UNHCR, states, refugee-related NGOs and charities and refugees themselves. Of interest to this paper is the way in which this process of convergence takes place in the refugee regime, and how the relationship between the two main sets of actors (UNHCR and sovereign states) affects the “outcomes and behaviour” (ibid: 1) of both. Such an analysis of the macro-level dynamics of the relationship between states and UNHCR will provide the conceptual backdrop for the subsequent examination of its effects on resettlement.

As Barnett contends, the key obstacle to greater levels of convergence between states and UNHCR in the refugee regime is the problem of state sovereignty (2002: 257-258). It is states themselves who decide what their refugee-related policies will be, and to what degree they are prepared to co-operate in sharing protection responsibilities. This underlying problem of the refugee regime is related to the core concepts of the international system. Any regime can be construed as an intervening variable between power and interests on the one hand, and actions, outcomes and behaviours on the other. A regime can be considered to be strong if it has a significant intervening effect on the basic causal variables of power and interest (usually of states), without having to dilute its core principles, norms, rules and decision-making procedures (Krasner 1982: 5). A ‘classic’ realist reading of the international system, however, holds no place for regimes. For the realists, instances of inter-state co-operation are only explained by a congruence of two or more states’ national interest, be it economic, political or otherwise. There is, in effect, no intervening variable between a state’s power and interest and its behaviours. For Susan Strange, the study of regimes is a “fad”, and the concept itself is “imprecise and woolly” and “value-based” (1982: 337). This critique is predicated on the notion that the international system is defined by states as rational, homogenous, utility-maximising units operating against a backdrop of structural anarchy. This conception of the international system does not entertain the notion that the rules, principles and norms that characterise the ‘intervening variables’ of regimes have any effect on states’ behavioural outcomes. If this is taken to be the case, UNHCR’s attempts to build international consensus for refugee protection based on shared values and principles and through adherence to
supranational rules and decision-making procedures would have little, if any, discernible effect.

Although these criticisms do contain a degree of truth – particularly the accusations that regime theory is imprecise and value-based – this does not add up to support the contention that regimes either do not exist or are irrelevant. As Krasner contends, regimes “do affect related behaviour and outcomes. They are not merely epiphenomenal” (1982: 5). The existence of widely recognised and observed international laws and agreements regarding states’ asylum obligations strongly suggests that such thing as a refugee regime not only exists, but also has a significant intervening effect on state behaviour related to refugees. The key examples of such laws and agreements are the 1951 Convention and 1967 Protocol Relating to the Status of Refugees. There are currently 147 states that are signatories to either the 1951 Convention, the 1967 Protocol, or both (UNHCR 2011: 1). It is difficult to explain this degree of international convergence in relation to asylum provision without making reference to the strong international regime that serves as its foundation. The argument proffered by Strange rests too heavily on the assumption that regimes fail because they are built on the weak conceptual foundations of values and principles. As Betts contends, “In creating a refugee regime, states were not acting purely altruistically. Rather they were creating a regime to meet their interests through collective action” (2009: 9). Furthermore, the creation and expansion of UNHCR itself – which has grown from a small staff with geographical and temporal limitations on its mandate to a large, permanent institution with primary responsibility for the protection of refugees worldwide – supports the conclusion that the refugee regime both exists and has increased its intervening effect on state behaviour over time.

This is not to say that the refugee regime does not suffer from areas of weakness. While states have a relatively well-resolved set of obligations that inform their treatment of forced migrants arriving on their territory to seek asylum (such as the principle of non-refoulement), as Betts points out, “they have almost no binding legal obligations to contribute to the protection of refugees who have not reached their territory” (2007: 1). As a result, attempts made by UNHCR to strengthen the refugee protection regime in areas – such as resettlement – that do not fall within the purview of agreements and obligations under the 1951 Convention and/or the 1967 Protocol have largely been ad hoc initiatives that have been conceived from a
Without the firm legal foundations provided by such agreements, UNHCR has found it difficult to muster significant and lasting international consensus for extra-territorial refugee protection through methods such as resettlement. As a result, the burden of responsibility in the refugee regime is skewed, with states proximate to refugee-producing countries or regions bearing a far higher portion of the overall burden than those in the global North. Exacerbating this situation is the tendency of Northern states located away from refugee-producing areas to avoid increasing their commitment to responsibility-sharing with the countries of first asylum. Instead, Northern states “have few incentives to contribute to protection in other hosting states, and merely have a perverse incentive to prevent refugees from reaching their own territory” (Betts 2007: 2). According to this game-theoretic approach, the Northern states have an incentive to ‘free-ride’. Local refugee protection measures in Southern states have a cost to the state providing protection, and confer benefits on all states in the international system. Northern states therefore gain a relative advantage by not expanding – or reducing - their refugee protection responsibilities. Furthermore, the refugee-hosting states of the global South have little or no bargaining power to draw upon when negotiating with the North. This places Northern states in a position of negotiating advantage, and further reduces the ability of the refugee regime to have a strong intervening effect on their behaviours and actions (ibid). This ‘perverse’ incentive and the problem of sovereignty described earlier represent the main structural weaknesses in the refugee regime. It is not hard to imagine how these weaknesses would have a deleterious effect on UNHCR’s attempts (as set out in the Agenda for Protection) to reinforce the refugee protection regime through appeals to “international solidarity”, “international cooperation” and “equitable burden-sharing among all States” (UNHCR 2003b: 56). These principles, though laudable, seem to be vulnerable to circumvention by Northern states when the above effects are taken into account.

The emerging picture of the dynamics at play within the refugee regime suggests that the regime itself has a complex and interwoven relationship with other aspects of the international system. While the claims for non-existence of regimes made by realists such as Susan Strange may not be sustainable when held up to the evidence discussed above, the strength of the

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3 The Preamble of the 1951 Convention states that “considering that the grant of asylum may place unduly heavy burdens on certain countries and that a satisfactory solution of a problem…cannot therefore be achieved without international co-operation” (paragraph 4). However, there are no specific requirements regarding states’ obligations to provide support to local states of first asylum or refugees in the territory of other states.
refugee regime is by no means constant across all its sub-issue-areas. Furthermore, the ability of UNHCR to enhance the regime in areas that have not been codified into international law has been severely limited by the effects of state sovereignty, the lack of incentive for Northern states to increase their burden-sharing commitments and the uneven distribution of the overall burden of refugee protection responsibility. Barnett neatly sums up these obstacles:

> Although states recognize that they cannot ignore the refugee problem, their lack of trust in the system means that they are unwilling to tie themselves to a formal regime. Thus despite impressive changes to the responsibility and scope of the refugee regime, national political and economic priorities are blocking benefits from the improved system (2002: 253)

These limitations have had significant ramifications for UNHCR’s attempts to promote and widen the use of resettlement as a durable solution to protracted refugee situations. When one considers how UNHCR is funded, the degree to which it is hamstrung in its efforts to modify the behaviour of Northern states becomes yet more apparent. As an agency, UNHCR derives 97% of its funding from states. Of these state donors, ten Northern countries provide 80% of the UNHCR’s total annual income (Loescher et al 2008: 91-93). UNHCR has, therefore, a clear interest in adapting to the preferences of its major state donors. Clearly, without the financial support of these states, the agency’s survival would be placed in a significant degree of jeopardy. This danger is particularly acute for UNHCR’s Resettlement Service as the vast majority of its funding comes directly from states involved in Resettlement, and not through UNHCR’s central funding.

### 2.2. UNHCR, states and resettlement: the meso-level

The widening gap between the number of resettlement submissions made by UNHCR and the number of resettlement places offered by participating states (as seen in fig. 1) amply demonstrates the practical difficulties caused by the regime-level impediments described above. In its most recent Progress report on Resettlement, UNHCR suggests that this shortfall should not be taken on its own to criticise the overall efficacy of contemporary resettlement programmes:
Measuring the success of resettlement as a protection tool and durable solution should be based not only on how many refugees have access to this solution and how many countries offer resettlement places but also on the way refugees are selected, received and supported, or in other words, the value of all of its components. (UNHCR 2010: 6)

While it is true that there are more criteria against which the success of resettlement may be measured, it is an inescapable fact that the headline figures of numbers of individuals given the opportunity to escape the purgatorial confines of refugee camps should rightly be used as the key indicator. Though the ‘procedural’ components such as timely identification, swift processing, appropriate destinations and access to targeted follow-on support are important, resettlement cannot be regarded as being a successful protection tool or durable solution unless it can be offered to more than the current 10% per annum of all identified cases for whom it represents the only option (UNHCR 2010a: 2). Unfortunately, the main causes of this shortfall are the broader, regime-level issues discussed in the previous section. Despite the apparent centrality and intractability of these obstacles to the further strengthening of the refugee regime, UNHCR tends to lay blame elsewhere. The 2010 Progress Report on Resettlement is extremely candid about the significant gap between identified cases and places offered by states, and of the pressing need to close this gap. However, it only obliquely refers to the crux of the issue, stating that “UNHCR’s resettlement priorities do not always match those of states. Greater effort is required by the international community, including resettlement countries, to operationalize the relevant paragraphs of Executive Committee Conclusions in the area of resettlement” (UNHCR 2010: 5). The UNHCR Projected Global Resettlement Needs 2011 report also makes this point (2011: 8), but does not expand on it either. This reluctance to grapple with the key issues facing resettlement is indicative of both the wider refugee regime’s position of subordination to the power and interests of Northern states in the international system, and the fact that UNHCR is ultimately a construct of and for the interests of these states.

Liza Schuster argues that strategic resettlement is being co-opted by European Union (EU) states to “permit a limited and carefully selected group of refugees into Europe, while ensuring that the majority stays outside Europe” (2004: 5-6). By implementing assistance measures in states of first asylum (such as introducing asylum regulation, training local
governments to deal more effectively with refugees and widening refugee access to local legal protection), EU countries are creating conditions in those states for the ‘safe’ return of irregular arrivals on their own borders, thereby preventing those individuals from gaining access to asylum provision in Europe (2004: 6). This aspect of strategic resettlement may serve to weaken the principle of non-refoulement. It would not be the first time that the implementation of a resettlement scheme would have caused this inadvertent and unwelcome side-effect. The Comprehensive Plan of Action that regulated the resettlement of the South-East Asian boat people (as discussed in the first chapter) was meant to encourage repatriation on a voluntary basis for those not deemed to be in need of protection. However, regional refugee hosting states increasingly turned to coercive methods to encourage repatriation, while the screening methods put in place to determine refugee status were flawed (Betts 2009: 175).

2.3. Resettlement & 9/11

The terrorist attacks of September 11 2001 were of unprecedented scale and horror, and were to have equally unprecedented effects on refugee resettlement to the US and elsewhere. The attacks led politicians, civilians and supranational organisations to reassess and reprioritise their roles in world politics. The attacks understandably led to a much-increased emphasis on domestic security within the US and in most Northern states. This new security paradigm had significant ramifications for US refugee policy in 2002. The political fallout from 9/11 in the domain of refugee policy had greatest impact on the United States’ venerable and significant refugee resettlement program. The abrupt halt of the programme in the immediate period following 9/11 demonstrates the contingent nature of international co-operation within the refugee regime, and the vulnerability of UNHCR resettlement programmes to external, geopolitical forces.

The related figures for the United States’ resettlement admissions following 9/11 expose these effects with startling clarity. In 2001, the US accepted 68,400 individuals for resettlement. From 1995 to 2000 an average of 76,000 refugees per annum moved to the US under the programme. However, in 2002 the total number of resettlement arrival totalled just 27,100 - easily the smallest number of refugees resettled since the program was first introduced in 1980. This was despite the US having agreed to a quota of 70,000 (USCRI 2003). According
to the United States Centre for Refugees and Immigrants (USCRI), the intensification of security measures such as "enhanced background checks, verification of claimed relationships, FBI review of selected applications, and fingerprinting of all refugees arriving at U.S. ports of entry all caused delays contributing to the lower numbers" (ibid). The rapid reduction of refugees being resettled to the US almost caused the entire resettlement structure to collapse, as enormous backlogs of refugees awaiting departure grew in the states of first asylum (Freitas 2002: 40). The immediate freeze on resettlement left around 22,000 claimants who had been formally accepted onto the resettlement programme without access to the US (Gribbin 2002). These changes were made to the resettlement process despite the fact that no refugees were involved in the 9/11 attacks.

These developments reflect a worrying tendency for some of the most pernicious policies of the post 9/11 security landscape to be directed at, or have negative consequences for, some of the world’s most vulnerable groups and individuals. Also exposed is the relative fragility of the regime around resettlement when state interests dictate that other priorities – particularly security concerns - should take precedence.

3. The Gateway Protection Programme

3.1. Historical background and current practice

The Gateway Protection Programme (GPP), which was established in 2002 and came into effect in 2004, is the current quota-based refugee resettlement scheme operated by the UK government in partnership with UNHCR. It was preceded by two more limited schemes; the Mandate Refugee Scheme (MRS) and the (now suspended) Ten or More Plan (ToMP). The GPP differs from these two preceding schemes in some key ways. Under the MRS, applicants are required to have close familial ties to, or have spent a significant amount of time in, the United Kingdom; and “the United Kingdom must be the most appropriate country for resettlement” (Bianchini 2010: 370). Under the GPP, however, these two criteria are not applied. Furthermore, the GPP is a much larger programme than either the MRS or the ToMP. In 2008 for instance, 75 individuals were resettled under the MRS while 640 were resettled under the GPP (Home Office 2009: 30).

Historically, the UK has also participated in specific resettlement programmes in response to emergency situations. These include the resettlement of 42,000 Ugandan Asians from 1972-
74; 22,500 Vietnamese between 1979 and 1982; more than 2,500 Bosnians during the early 1990s; and in excess of 4,000 individuals escaping the conflict in Kosovo in 1999 (Refugee Council 2004: 8). The GPP, however, is not a reactive, one-off programme as these previous examples were. Instead, suitable caseloads of resettlement candidates are identified by UNHCR in partnership with UKBA (formerly known as Immigration and Nationality Directorate, [IND] and then Border and Immigration Agency [BIA]) from long-standing refugee populations in protracted situations. Potential candidates referred by UNHCR are interviewed by UKBA staff in regional missions “to assist in making a decision by confirming and supplementing information passed to IND by UNHCR” (Refugee Council 2004: 14). The annual GPP quota numbers are decided by government ministers, and this figure is supposedly based on “available resources, global resettlement needs, and the impact on local services in the UK” (Refugee Council 2004: 14).

Importantly, potential candidates for GPP resettlement undergo two stages of refugee status verification. In order to be put forward for resettlement by UNHCR (as all GPP clients must), UNHCR must be satisfied that the main applicant in each case can be considered a refugee under the definition of the 1951 Convention and 1967 Protocol. Furthermore, the individual must be adjudged by UNHCR to either be at risk in the country of first refuge, or to have no option for local integration or voluntary repatriation (UNHCR 2004b: 61). The interviews carried out by UKBA missions in the regional refugee-hosting states verify that these conditions have been met, but also include further selection criteria. For example, UKBA staff must ensure that applicants are “not in polygamous marriages”; that they are “committed to supporting themselves and their family”; and will “co-operate with UK officials, UNHCR and any other body involved in the UK resettlement programme (for example by complying with anti–fraud procedures” (Refugee Council 2004: 16). In addition, UKBA interviewers are asked to take other factors into consideration when making their decision. These factors include whether the candidate’s (and any dependant’s) admittance into the UK would “not be conducive to the public good”; whether admittance would be “contrary to the best interests of the applicant”; and whether the applicant has health issues that may prevent travel (UNHCR 2004b: 61). The UK also does not offer resettlement to individuals with specific medical conditions such as HIV/AIDS, kidney failure or drug-resistant tuberculosis unless specifically allowed by the Secretary of State (Refugee Council 2004: 15). UKBA also carries out security screening checks on both the main applicant and all dependants at this stage.
Applicants who are accepted onto the GPP are brought to the UK in small groups of around 60 individuals. An example process map of their pre and immediate post-arrival activities is appended in figure 2 below. This diagram amply demonstrates the complexity of the GPP process, in particular through the sheer number of different organisations involved in a single individual or groups’ resettlement to the UK.

Fig. 2: Gateway Protection Programme – process map (source: Refugee Council 2004: 22)

Once an individual has been accepted onto the GPP, they are automatically granted Indefinite Leave to Enter (ILE). This affords them permanent residency in the UK, the right to work and the right to benefits such as welfare payments, public housing, full access to the NHS and the education system as enjoyed by all UK residents. However, GPP clients are not allowed to stand or vote in local, general or European elections, and are not given a full UK passport. In
order to travel abroad, they must apply for a Convention Travel Document, and travel to their state of origin is not allowed (Refugee Council 2004: 23).

3.2. The operational shortcomings of the Gateway Resettlement Programme

Since receiving its first caseload of a total of 150 Congolese and Liberian refugees resettled to Sheffield and Bolton in 2004 (Cramb and Hudek 2005: 4) (most of whom had been living in refugee camps for protracted periods), the GPP has consistently failed to resettle its full quota of applicants as agreed with the UNHCR. The direct cause of this shortfall can be attributed to the UK Border Agency’s (UKBA) failure to engage local authorities to provide accommodation for resettled refugees, and to a lesser extent, administrative delays in making the arrangements necessary for the selected clients to travel to the UK (Cramb & Hudek 2005: 13). For instance, by the time of the publication of the Resettlement Inter-Agency Partnership’s (RIAP) *Evaluation of the Gateway protection Programme* in 2005, only 150 of the agreed 750 clients had been resettled since the beginning of the Programme a year earlier (ibid). Furthermore, the then Home Secretary David Blunkett had initially envisioned that the GPP would increase its quota to 1000 individuals in its second year of operation in 2005 (Travis 2004). However, the quota for 2005 remained at 500, and the actual numbers resettled fell to just 70. Although a greater percentage of the agreed quota numbers have been resettled in subsequent years, and the quota figures themselves have risen to 750 per annum (see fig. 3 below), the consistent shortfall suggests that the UK government and, more specifically, UKBA, have never taken resettlement seriously as an important part of the UK’s overall humanitarian protection policy.

**Fig. 3: Gateway Protection Programme annual quota figures and actual resettlement figures 2004-2008 (source UKBA: 2009, p.30)**

<table>
<thead>
<tr>
<th>Year</th>
<th>GPP quota number agreed with UNHCR</th>
<th>Number of refugees resettled under GPP</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004</td>
<td>500</td>
<td>150</td>
<td>First year of GPP</td>
</tr>
<tr>
<td>2005</td>
<td>500</td>
<td>70</td>
<td>Quota initially expected to increase to 1,000</td>
</tr>
</tbody>
</table>
criticism gains more credence when we consider the fact that, following the initial shortfall in numbers, UKBA decided to significantly cut its financial support for GPP, including the removal of funding for the Refugee Inter-Agency Team (RIAT) which was “a point of contact for the Home Office, community organisations and other stakeholders for information on the Programme. It also help[ed] to ensure effective monitoring and evaluation of the Programme” (RIAP 2004). This decision signals that, rather than undertaking a temporary reduction in funding for frontline services (which could then be reversed once client numbers had increased), UKBA preferred to focus cuts in areas that would be critical to the further expansion of GPP towards and beyond the quota numbers agreed with UNHCR.

The GPP has also suffered from other operational gaps and shortcomings. Two issue areas that have been consistently highlighted in evaluations of the GPP are the difficulties experienced by resettled individuals in finding work, or gaining access to English for Speakers of Other Languages (ESOL) classes (Cramb & Hudek 2004: 9 & Evans & Murray 2009). The Home Office’s 2009 longitudinal evaluation of the GPP found that women and children had made the least progress in learning English, and the provision of ESOL classes was inconsistent across the various participating local authority regions (Evans & Murray 2009: 7). The same report made the following findings over the course of the study from 2004 to 2007:

Finding paid employment was an overriding and enduring concern for all the groups... Refugees’ expectations of the employment opportunities open to them, and their speed in finding work, far exceeded the reality. Those with qualifications and professional experience from outside the UK found that there were numerous barriers to taking up their former occupations (2009: 8).
While these issues are certainly important, and are of particular significance to the actual individuals being resettled under the GPP, they are perhaps merely symptomatic of the underlying, regime-level difficulties described in the previous chapter. As with UNHCR’s resettlement schemes more broadly, the primary and most intractable problem associated with the GPP is its almost negligible size when compared to the scale of the problem it is designed to help address. While UKBA has increased its annual GPP quota size to 750, and has also brought more local authorities on board so that a greater proportion of this quota can actually be filled, the extremely limited nature of the overall figures involved serves to underscore the wider allegation that there is a significant gap between the rhetoric of strategic resettlement espoused by states and UNHCR and the realities of its effects in practice. This is all the more concerning when considered alongside the startling reductions in the numbers of asylum applications made in the UK since the GPP was conceived and introduced (see fig. 4).

Fig.4: Applications for asylum in the UK 2002-2010 (source: Home Office 2010: 25 & Refugee Council 2011: 1)

<table>
<thead>
<tr>
<th>Year</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications</td>
<td>84,130</td>
<td>49,405</td>
<td>33,960</td>
<td>25,715</td>
<td>23,610</td>
<td>23,430</td>
<td>25,930</td>
<td>24,485</td>
<td>17,790</td>
</tr>
<tr>
<td>% change to previous year</td>
<td>+18%</td>
<td>-41%</td>
<td>-31%</td>
<td>-24%</td>
<td>-8%</td>
<td>-1%</td>
<td>+11%</td>
<td>-6%</td>
<td>-27%</td>
</tr>
</tbody>
</table>

This decline in asylum applications made in the UK seems incongruous to even the casual observer when considered against the backdrop of intense regional conflict and insecurity in locations such as Iraq, Afghanistan Zimbabwe and Somalia that has blighted this period. Certain states that had previously been the source of significant refugee flows to the UK have now become safer (such as Serbia and Montenegro), and refugees from those states in Eastern Europe that have acceded to the EU can no longer claim asylum in another EU state. However, as Cooley and Rutter point out, other aspects of this trend are harder to explain. For instance, the number of Iraqis claiming asylum in the UK peaked at 14,570 in 2002; the year before the U.S. led invasion. By 2005 this figure had reduced to just 1,415 – while sectarian and ethnic violence was engulfing the country. Despite the ongoing violence in Afghanistan, a similar
trend can be seen (2007: 178). The inherent danger here is that the warning given by Joanne van Selm that strategic resettlement could potentially be co-opted by Northern states and used as a ‘humanitarian alibi’ while increasingly restrictive asylum policies are introduced (2004: 40), looks increasingly credible. During this period, the UK government has introduced measures designed to limit access to the UK’s asylum system. These measures include moving border control processing to outside UK territory (such as in Channel ports in Belgium and France and airports in the Czech Republic, Sri Lanka and Pakistan) (Schuster 2005: 2). This policy, known as extraterritorial processing, is also employed by states such as Denmark and Australia, and represents a serious challenge to the strength of the global refugee regime. Karin Afeef neatly sums up how extraterritorial processing can lead to such a weakening:

> By locating the provision of protection and asylum processing outside the state in question, offshore policies circumvent states’ international obligations under the Geneva Convention. The rights invoked by a refugee’s physical presence in a signatory state are effectively undermined by ‘contracting states’ in the extraterritorial asylum framework”. (2006: 2)

A note of caution should be introduced here, however. While there is correlation between van Selm’s prediction, the available data and some of the restrictive asylum policies introduced in the UK and elsewhere, this does not prove actual intent on the part of Northern governments to construct a smoke-screen for their regressive refugee policies. The reduction of asylum arrivals has been an overt goal for three subsequent UK governments since Tony Blair announced his intention to halve asylum applications in February 2003 (Schuster 2005: 1). Nevertheless, the limited number of refugees accepted for resettlement through the GPP is regrettable, and the mounting evidence certainly does not portray the UK government in a particularly good light in relation to their commitments under the 1951 Charter, the 1967 protocol or the GPP.

**Conclusion and some limited prescriptions**

Since first used to empty the refugee camps of Europe following the Second World War, UNHCR resettlement programs have undergone transformational change in their scope, goals
and outcomes. The formative experience of resettling the Southeast Asian boat people led to growing calls from states involved – both in the region and in the global North – for significant limitations to be put on the availability of resettlement to individuals fleeing post-war Vietnam, Laos and Cambodia. UNHCR responded to those demands by setting up in-region processing to determine the refugee status of all those who fled across the South China Sea to seek refuge in neighbouring states. Those who were not deemed to qualify for refugee status were first encouraged – and later coerced – into repatriation. This was a critical moment for resettlement under the auspices of UNHCR, as the agency was drawn into the inter-state politics that would mediate the terms and practice of resettlement from that point on.

Although this episode and the impact of the end of the Cold War initially dampened interest in resettlement, the emergent refugee crisis of the early 21st century led to renewed enthusiasm for resettlement in its new, strategic form. In this new guise, the ‘added-value’ benefits of participating in resettlement – including the reduction of irregular population flows – were trumpeted by UNHCR in order to promote wider state participation.

In statistical terms, however, the continuities are far more striking than the differences. The ‘traditional’ resettlement states such as the US, Australia and Canada still provide the vast majority of the resettlement places offered to UNHCR each year. While new donor states have been brought onboard (particularly in Europe), they have yet to make a significant contribution to the overall projected resettlement quota requirements set out by UNHCR. In fact, the gap between the resettlement places made available by states and the number of individual resettlement submissions made to these states by UNHCR has been consistently widening. As a result of this trend, 90 out of every 100 refugees for whom resettlement is the only solution are left behind in refugee camps. In response, UNHCR has introduced several initiatives designed to strengthen and widen the use of resettlement. These initiatives, such as the 2004 Multilateral Framework of Understandings on Resettlement and the 2005 Strengthening Protection Capacity Project, helped to refine resettlement’s procedural underpinnings and the develop its potential to be used strategically in order to maximise the resultant benefits beyond its immediate beneficiaries. They also helped to encourage some states, such as Portugal, Spain the Czech Republic and Romania, to set up new resettlement programmes.

What they could not achieve, however, was a significant increase in the overall quota figures of resettlement places offered to UNHCR by participating states. UNHCR’s various progress
reports on resettlement are candid about this lack of improvement, but tend not to address the underlying causes of these problems, which are rooted in the dynamics of UNHCR’s - and the refugee regime’s - interaction with the causal factors of state-centric power and interests. The difficulties encountered by UNHCR in its attempts to increase participation in resettlement are born of the same tension that exists between states and supranational organisations more broadly. The manner in which this tension has an effect on UNHCR and resettlement can be elucidated through the application of regime theory. Such an analysis suggests that the regime itself has a complex and interwoven relationship with other aspects of the international system, and the aspects of the regime that are founded on legally binding commitments such as the 1951 Convention are perhaps more durable than those – such as resettlement – that are based on discretionary participation and inter-state co-operation.

The limited numbers of resettlement places granted by states to UNHCR, along with the simultaneous hardening of asylum policies in Northern states over the past decade have led to some commentators to accuse Northern governments of using ‘strategic’ resettlement as a humanitarian alibi. While there is evidence to support this accusation, there is no proof available of a direct causal link. Therefore, any conclusions drawn in this regard must include a degree of caution. What can be asserted with more confidence, however, is that UNHCR has enjoyed little success in increasing active participation by Northern states in resettlement, and that this crucial limitation has called into question the suitability and efficacy of strategic resettlement as a tool of refugee protection. The effects of the September 11 attacks on the United States’ resettlement programme indicate just how contingent international consensus on resettlement really is.

The Gateway Protection Programme can be investigated as a microcosm of the broader, regime-level dynamics related to resettlement. As is the case with the overall figures for global resettlement programmes, the GPP has consistently failed to meet the targets it has set for itself in agreement with UNHCR. The causes of these shortcomings are again related to the realities of conflicting state priorities, disinterest and bureaucratic inertia within local authorities.

The overall picture is one of concern for the ability of UNHCR to make a significant impact on protracted refugee situations through the use of resettlement. Although it has played a crucial role in the formation of the refugee regime and should rightly be praised for the extremely valuable day-to-day work it carries out in support of refugees worldwide, UNHCR
can only be as effective as the states who brought into existence, fund it and constrain it will allow it to be. While these states continue to bear very little of the international burden of responsibility for refugee protection, it is very difficult for UNHCR to persuade them to alter this situation. It would be a positive, though perhaps dangerous step for UNHCR to be more explicit about the basic and inherent unfairness of the refugee problem, and to recognise more widely the intractable impediments to the expanded use of resettlement as a tool of refugee protection.

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References


UNHCR (2004a) *Protracted Refugee Situations*. [http://www.unhcr.org/refworld/docid/4a54bc00d.html](http://www.unhcr.org/refworld/docid/4a54bc00d.html) [Accessed on 04/03/11]


UNHCR (2010b) Resettlement Learning Programme. 
http://www.unhcr.org/refworld/docid/4ae6b9b92.html [Accessed on 06/02/11]

