



UNHCR
The UN Refugee Agency



UNHCR'S KEY CALLS TO THE EUROPEAN UNION

UNHCR Recommendations to the European Union, Resettlement Needs, Complementary Pathways, Key Priorities for 2024

July 2023

UNHCR, the UN Refugee Agency, is issuing the following recommendations to the European Union (EU) and its Members States in the context of the upcoming pledging exercise for resettlement and humanitarian admissions. The recommendations set out UNHCR's key asks to EU Members States and relevant EU institutions as they consider their commitments to resettling and admitting refugees through complementary pathways in 2024.

UNHCR's recommendations are in line with the objective set out in the *Global Compact on Refugees (GCR)* to increase the number of resettlement and complementary pathways admissions globally and the multi-stakeholders' strategy defined in the *Third Country Solutions for Refugees: Roadmap 2030*, which foresees the resettlement of one million refugees and the admission of 2.1 million refugees through complementary pathways by 2030. The Roadmap results from wide-ranging consultations with relevant stakeholders from different regions.

The last few years have shown EU Member States' ability to rapidly respond to a series of challenges by working together and demonstrating solidarity. The EU's response to the Ukraine refugee situation particularly exemplifies Member States' capacity for an organized and effective approach to protection. This is the type of leadership and collective action needed to tackle global forced displacement challenges as the number of people forced to flee continues to grow.

At the end of 2022, **108.4 million people** worldwide were forcibly displaced because of persecution, conflict, violence and human rights violations. Out of the global total, 35.3 million are refugees, with many in protracted refugee situations and with limited durable solutions and opportunities. The lack of access to legal pathways may force some refugees in search of safety and protection to undertake dangerous journeys, exposing them to abuse and exploitation on the route, or leading to tragic incidents at sea.

The Projected Global Resettlement Needs estimates that more than 2.4 million refugees will be in need of resettlement in 2024, with increased needs noted in all regions.

In this context, UNHCR urges Member States to maintain their commitments to refugees and provide solutions to those most at risk and calls on the EU to:

MAINTAIN AMBITIOUS RESETTLEMENT TARGETS WITH THE PARTICIPATION OF MORE MEMBER STATES

- ➔ **Maintain ambitious targets:** while UNHCR acknowledges the great pressure of the Ukraine emergency, it is essential to pursue solidarity efforts to refugees worldwide in line with the GCR and the Roadmap objectives commitments. UNHCR recommends that the 27 EU States maintain ambitious resettlement targets and contribute with 40% of the global annual target.
- ➔ **Increase the number of EU Member States participating in resettlement:** UNHCR is pleased to see that the number of EU resettlement pledging countries increased in 2023 and calls for more States to follow and join the efforts to establish resettlement programmes. UNHCR stands ready to continue the good collaboration and to support the EU, the EU Asylum Agency and Member States in their capacity building efforts.
- ➔ **Adopt flexible case processing modalities** to increase the agility and resilience of resettlement and admissions under other legal pathways.
- ➔ **Use the 2024 Projected Global Resettlement Needs** and prioritize the resettlement of refugees hosted in countries that are part of the following five priority situations: the Syria Situation, the Central Mediterranean Situation, the Venezuela, the Afghanistan and the Rohingya situations.
- ➔ **Dedicate at least 10% of EU Member States' resettlement programmes to urgent or emergency cases** identified by UNHCR, irrespective of the region or population.
- ➔ **Strengthen resettlement processing mechanisms and reception capacities:** with the increased humanitarian needs in several regions across the globe, processing mechanisms and reception structures need to be enhanced in a sustainable manner to ensure that resettlement commitments are protected against quota drops in emergency responses and ensure resettlement arrivals can continue irrespectively of other programmes being implemented.
- ➔ **Preserve the protection nature of resettlement in the EU:** UNHCR urges Member States not to use resettlement as a substitute to their obligations under international law to provide access to asylum. Resettlement should remain a protection tool and not serve migration policy objectives. When planning for resettlement and selecting refugees, States should apply protection criteria. All actors should ensure that resettlement remains the primary means of admission for refugees in need of a third country solution and that complementary pathways remain additional to resettlement targets.

PRESERVE THE RIGHT TO FAMILY UNITY AND ENHANCE ACCESS TO FAMILY REUNIFICATION PROCEDURES

- ➔ While the right to family unity is enshrined in international and regional instruments, many legal and administrative obstacles need to be overcome. UNHCR urges Member States to **preserve family unity and ensure refugees' access to existing procedures** by making them protection-centred and responsive to the refugee context, including by adopting flexible procedures as set forth in the *UNHCR Recommendations on Flexible Approaches to Family Reunification Procedures in Europe*.
- ➔ Use the occasion of the 20-year anniversary of the adoption of the Family Reunification Directive to take stock of the situation, review good practices and ongoing infringements and reiterate commitment to improve access to procedures.
- ➔ Consider dependency as the core criteria to establish family ties that are covered under the Family Reunification Directive and apply this principle in domestic legislation. What constitutes a family must be determined on a case-by-case basis, requiring an open approach and broad interpretation, considering biological and social connections, cultural variations as well as physical, emotional, and economic ties or dependency factors.

EXPAND ACCESS TO SKILLS-BASED COMPLEMENTARY PATHWAYS

- ➔ Ahead of the 2023 Global Refugee Forum in December, **reaffirm commitment to expanding access to existing education and labour pathways** by making them more accessible, reliable and predictable for refugees.
- ➔ Join the existing advocacy and working fora namely, the *Global Task Force on Third Country Education Pathways* and the *Global Task Force on Refugee Labour Mobility* to utilize the resources and expertise of, and actively support these Task Forces.
- ➔ Provide adequate funding and ensure refugees have equal access to opportunities that bring talents to the EU by ensuring flexibility in the procedures and providing guidance.
- ➔ Adopt flexible measures to allow refugees to access already existing labour schemes open to foreigners generally. These legal pathways may also benefit refugees provided necessary protection safeguards are included. Member States are encouraged to follow the lead of those States already opening existing migration pathways to refugees and to work with the employer sectors, NGOs, and expert partners to address legal and administrative obstacles, and build scalable partnerships to match their labour market needs with the skills of refugees in need of a durable solution.

HUMANITARIAN ADMISSIONS

- ➔ **Maintain additionality:** UNHCR calls on States that are implementing humanitarian pathways to remain committed to resettlement at the same time. UNHCR welcomes the opening of new humanitarian pathways but wishes to reiterate that these do not equate resettlement places which are dedicated to refugees of all nationalities who are considered the most at risk in their country of asylum. Funding for resettlement should remain a priority and be separate from funding dedicated to humanitarian pathways.

COMMUNITY SPONSORSHIP PROGRAMMES

- ➔ **Plan towards meaningful growth of community sponsorship programmes:** Community sponsorship supports the three goals of the Roadmap 2030 and will enhance the reception capacity and allow for an increased number of admissions. UNHCR welcomes the EU's support to community sponsorship programmes and projects and recommends developing programmes with a clear plan for meaningful growth, with the view to shift from pilots to regular and established programmes.
- ➔ **Explore and build partnerships** benefiting States, host communities and refugees and new approaches to enhance the reception and integration of refugees that can benefit all. The arrival of refugees can trigger positive social and economic changes, and promote social cohesion, particularly when local communities are engaged in welcoming them. UNHCR encourages States that have not yet piloted community sponsorship to use the current momentum to explore how community sponsorship can complement public reception systems for the expansion of third country solutions.
- ➔ **Provide increased funding** to support community sponsorship programmes run by civil society organizations and other partners to build community sponsorship initiatives.
- ➔ **Ensure refugees' participation** in the programme design, implementation as well as monitoring and evaluation to enhance the programmes' development and quality.

REFUGEE TRAVEL DOCUMENTS

- ➔ **Help to address the barriers faced by refugees to access equal opportunities and existing legal migration channels.** The lack of travel documents represents a major barrier that prevents refugees from accessing existing migration channels.

UNHCR encourages States to issue and accept refugee travel documents that offer refugees the right to leave and return to their countries of asylum and to help lift stringent formalities by advocating for simplified exit visa formalities in the country of asylum; by addressing the lack of machine-readable travel documents through States pledging for supporting and funding other countries with adequate resources and purchasing such equipment; and by contributing dedicated funds to support travel and formalities related expenses. These measures will lower barriers to freedom of movement for refugees, prevent irregular and unsafe movements and enable States to ensure that procedures for refugees are flexible, prompt, and effective.