

# The Syrian Refugee Crisis: Resettlement and Other Complementary Pathways of Admission to Third Countries as Part of the Response

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## Abstract

The armed conflict in Syria has caused one of the world's largest displacement situations, with close to 6 million refugees worldwide, of whom 5.4 million are hosted by countries neighboring Syria. Europe has also witnessed large-scale arrivals of Syrians fleeing the conflict, especially, during the influx of refugees and migrants by sea into the European Union that peaked in 2015.

Resettlement to a third country is one of the durable solutions to refugee displacement and, specifically, a solution targeting the most vulnerable among refugees. It is also an expression of international cooperation, solidarity and responsibility-sharing to countries and host communities struggling to cope with the impact of large refugee movements on their domestic structures. In addition to resettlement, other legal pathways to admission in third countries can also provide solutions in the short or long term.

This article looks into the role and importance of resettlement and complementary pathways for Syrian refugees, as part of the response in Europe as well as into more recent developments. Particular focus is placed on key elements that could be of relevance to future policy and practice.

## Resumo

***A Crise de Refugiados Sírios: Reinstalação e Outras Opções Complementares para a Admissão em Países Terceiros como Parte da Resposta***

*O conflito armado na Síria causou uma das maiores situações de deslocamento de pessoas no mundo, com cerca de seis milhões de refugiados dispersos por todo o mundo, dos quais 5,4 milhões instalados em países vizinhos da Síria. A Europa testemunhou a chegada em grande escala de sírios que fogem do conflito, especialmente durante o afluxo de refugiados e migrantes por mar para a Europa, o qual atingiu o pico em 2015.*

*A reinstalação num país terceiro é uma das soluções duradouras para o deslocamento de refugiados e, especificamente, uma solução destinada aos mais vulneráveis entre eles. É também uma expressão da cooperação internacional, da solidariedade e da partilha de responsabilidade para com países e comunidades anfitriãs que enfrentam o impacto de grandes movimentos de refugiados nas suas estruturas internas. Além da reinstalação, outras opções legais para a admissão em países terceiros também podem fornecer soluções a curto ou longo prazo. O artigo analisa o papel e a importância da reinstalação e as opções complementares para os refugiados sírios, como parte da resposta da Europa, bem como alguns desenvolvimentos mais recentes. Um foco particular é colocado em elementos-chave que possam ser relevantes para políticas e práticas futuras.*

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## Introduction

The armed conflict in Syria has caused one of the world's largest displacement situations, with 6.1 million internally displaced persons (IDPs)<sup>1</sup> and close to 6 million refugees worldwide, of whom 5,480,000 are refugees hosted by neighboring countries in the region<sup>2</sup>, namely, Turkey, Lebanon, Jordan, Iraq and Egypt<sup>3</sup>. While these countries are hosting the majority of Syrian refugees, European countries, whether EU Member States or others, have also witnessed large-scale arrivals of Syrians fleeing the conflict, especially, during the influx of refugees and migrants by sea into the EU that peaked in 2015<sup>4</sup>.

In a bid to stem movements through the Aegean Sea, in March 2016, the European Union (EU), entered in an agreement with Turkey that among other objectives aimed at increasing the resettlement of Syrian refugees from Turkey to Europe<sup>5</sup>. At the same time, from mid-2015 onwards and after a drowned 3-year old Syrian refugee child became the symbol of the refugee crisis<sup>6</sup>, European and other countries with first the United States (US), Canada, Australia, New Zealand and also countries in Latin America, such as Brazil, Argentina and Chile, started to significantly increase their resettlement quotas for Syrian refugees while also introducing or strengthening other legal pathways of admitting Syrian civilians through humanitarian visas programmes, private sponsorship, academic scholarships, and, very importantly, family reunification<sup>7</sup>.

Against this background, the present article looks into the role and importance of resettlement and other pathway programmes in the protection and solution

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- 1 See Humanitarian Needs Overview, 2018 (available at <https://hno-syria.org/#key-figures>).
  - 2 For ease of reference, the region of these five main countries hosting Syrian refugees is sometimes referred to in the text as MENA/Turkey. MENA is the abbreviation for Middle East and North Africa. Egypt and Turkey are parties to the 1951 UN Refugee Convention, while Iraq, Lebanon and Jordan are not.
  - 3 See UNHCR, 2018 (available at <http://data.unhcr.org/syrianrefugees/regional.php>). In addition, there are approximately 8.8 million IDPs and IDP-returnees as well as 900,000 non-Syrian refugees hosted in MENA/Turkey. These numbers do not include the 5.3 million Palestinian refugees registered with UNRWA (see <https://www.unrwa.org/palestine-refugees>). The region alone therefore hosts more than one third of the world's 65.6 million displaced persons.
  - 4 In 2015, Syrians represented 49 per cent of the over 1 million people who risked their lives crossing the Mediterranean. See UNHCR, 2016 (available at <http://www.unhcr.org/56a628619.pdf>).
  - 5 See European Council, 2016 (available at <http://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>).
  - 6 See The Guardian (2015).
  - 7 It is estimated that countries of the Gulf Cooperation Countries (GCC) host around 1 million Syrians who live on migration (*kafala*) status. According to some sources, this number could be as high as 2 or 3 million people. See Open Source Investigations (2015).
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response to the Syrian refugees with specific focus on key aspects, including best practices from the response in Europe. Particular focus is placed on key elements that could be of relevance to Portugal's current and future policy and practice, keeping in mind that admission to safety is the primary concern of those fleeing conflict.

## **Resettlement and Other Admission Pathways for Syrian Refugees: Global, Regional/EU and Country Responses**

### ***Resettlement***

While traditionally referring to the three durable solutions as being voluntary repatriation, local integration and resettlement, acknowledging the realities and challenges of today's large-scale refugee movements that countries on the frontline of a crisis are faced with, in addition to "*voluntary repatriation*", reference is now being increasingly made, especially, in the context of the Syrian refugee crisis, to "*local solutions*" as opposed to "*local integration*"<sup>8</sup>, and to "*resettlement and complementary pathways for admission*"<sup>9</sup> as opposed to "*resettlement*" only. Regarding the latter, this is a reflection of a broader need for a more flexible approach and changing attitudes to solutions that now give a greater emphasis on mobility and options linked to personal circumstances that include not only vulnerabilities and protection needs but also other features such as professional or occupational skills, family links and educational background<sup>10</sup>.

Resettlement of refugees from a host country to a third country is therefore one of the durable solutions to refugee displacement<sup>11</sup> and, more specifically, a durable solution targeting the most vulnerable among refugees. This is illustrated by the submission categories based upon which refugees are identified for resettlement consideration that are legal and physical protection needs, survivors of violence and torture, medical needs, women and girls at risk, family reunification, children and adolescents at risk, and lack of foreseeable alternative solutions<sup>12</sup>.

It is advocated that resettlement serves two important functions<sup>13</sup>:

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8 Many of today's main hosting countries are not parties to the 1951 Refugee Convention.

9 United Nations General Assembly, *New York Declaration for Refugees and Migrants*, Annex I, para. 10 (emphasis added).

10 See, for instance, Long and Crisp (2010) and Sturridge (2011).

11 Durable solutions are complementary to one another and can function simultaneously. As witnessed in the case of displacement from and in the former Yugoslavia, depending on individual and other surrounding circumstances, refugees may return to the country of origin, be resettled permanently or temporarily in a third country, or opt to stay in the country of asylum. See Türk and Garlick (2016).

12 UNHCR, 2011. *Resettlement Handbook* (revised version), pp. 243-286.

13 *Ibid.*, preface.

- (1) To provide international protection and a durable solution by meeting the specific needs of vulnerable refugees – individuals or groups – whose life, liberty, safety, health or other fundamental rights are, because of their personal circumstances, profile and background, at risk in the country where they have sought refuge;
- (2) As an expression of international cooperation, solidarity and responsibility-sharing<sup>14</sup> to provide tangible support to countries of first asylum and host communities struggling to cope with the economic<sup>15</sup>, social or security<sup>16</sup> impact of large refugee movements on their domestic structures that are often fragile.

The “*strategic utilization of resettlement*”<sup>17</sup>, especially, within a comprehensive protection and solution strategy can moreover lead to additional benefits such as generating leverage for the preservation or ideally the improvement of the protection space of those refugees who remain in the host country<sup>18</sup> and, equally importantly, the reduction of dangerous irregular onward or secondary movements of refugees in search of protection elsewhere. Where more meaningful, in terms of quotas, resettlement programmes are offered by third countries, there are therefore better chances for all stakeholders to maximize these protection dividends. To that effect, coordination and harmonized approaches are crucial at regional and global level in order to address a situation in a predictable and strategic manner. With support from the United Nations High Commissioner for Refugees (UNHCR), Member States are therefore often establishing Core Groups (at global level) or Contact Groups (at county-level) to coordinate their resettlement response<sup>19</sup>. One such group is the Core Group for Syrian Resettlement that was established in December 2013<sup>20</sup>. Thanks to participating resettlement countries’ coordination, technical sug-

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14 For the legal foundations for international cooperation, solidarity, and responsibility-sharing, see Türk and Garlick (2016).

15 See, for instance, Zetter and Ruauadel (2014).

16 Though, perhaps, with the exception of Iraq, countries in the region hosting large numbers of Syrian refugees, are not in a state of conflict themselves, “they are [nonetheless] experiencing the contagion of an extended period of regional upheaval” as a result of the Syrian conflict. See Dahi (2014).

17 See, for instance, UNHCR (2011, pp. 39-40) and UNHCR (2003, pp. 249-255).

18 In that respect, it might be worth noting that, in July 2017, the Secretary-General urged all countries to preserve the right for all Syrians to seek asylum and enjoy refugee protection until conditions are conducive for return in safety and dignity. See United Nations (2017). Available at <https://www.un.org/sg/en/content/sg/statement/2017-07-10/statement-attributable-spokesman-secretary-general-syria>.

19 See UNHCR (available at <http://www.unhcr.org/core-and-contact-groups.html>). The large resettlement programmes for Syrian refugees and other nationalities moreover triggered the setting up of an Emerging Resettlement Countries Joint Support Mechanism (see UNHCR, available at <http://reporting.unhcr.org/node/15495>).

20 See European Union, 2016 (available at <http://www.resettlement.eu/news/focus-syria>).

gestions and advocacy efforts, resettlement became very soon an integral part of the regional protection strategy and the protection response. As a result, since 1 January 2013 and following resettlement pledges of Core Group members, UNHCR was able to submit around 187,300 Syrian refugees from the five countries neighboring Syria for resettlement, of whom around 61,000 (as of December 2016)<sup>21</sup> had left for 33 resettlement countries<sup>22</sup>. The majority of these countries are in Europe, where Syrian refugees are granted either refugee or subsidiary protection status<sup>23</sup>. Table 1 shows the numbers of Syrian refugees submitted by UNHCR operations in MENA/Turkey to third countries for resettlement consideration.

**Table 1** – Numbers of Syrian refugees submitted by UNHCR operations in MENA/Turkey to third countries for resettlement consideration<sup>24</sup>

2013	2014	2015	2016	2017
5,400	15,500	53,000	76,500	36,900

In resettlement countries admitting large numbers of vulnerable Syrian refugees, specific programmes and case-processing methodologies were developed together with UNHCR at the beginning of the crisis, and continually reviewed<sup>25</sup>. The Humanitarian Admission Programme (HAP), for instance, was first developed in

21 UNHCR data.

22 While the focus of the present article is on resettlement and other pathways for Syrian refugees, it should be reminded that, for the majority of the approximately 900,000 non-Syrian refugees in MENA/Turkey region, resettlement remains the mainly protection tool and also the only durable solution. This is especially so, when conditions in their countries of origin are not conducive to return in safety and with dignity despite the needs, resettlement quotas are particularly limited for these groups. In 2017, less than 9,000 quota had been secured for non-Syrian refugees that cannot address the imminent needs of many non-Syrian refugees. An increased and diversified resettlement quota from States is therefore needed in order to address the needs of the most vulnerable refugees from all refugee populations in the region.

23 For the differences in treatment between refugee and subsidiary protection status see, for instance, Bauloz and Ruiz (2016, pp. 240-268).

24 Numbers are estimations based on UNHCR data; the number of Syrian refugees, whose cases were submitted to Portugal for resettlement consideration by UNHCR operations in MENA/Turkey is 319 persons: 0 (2013), 27 (2014), 25 (2015), 46 (2016) and 221 (2017).

25 Among these various programmes, there are procedural differences (e.g. UNHCR's and receiving third countries' responsibilities in the process) as well as substantive ones, as to the status granted to the Syrian refugee once in the receiving third country. For instance, where, a resettled refugee would in principle be granted a permanent residence permit, a Syrian refugee admitted through HAP will be granted a shorter-term residency with the expectation of reviewing the ongoing need for protection in the future (see, for instance, European Commission, 2016. European Migration Network, *Resettlement and Humanitarian Admission Programmes in Europe – what works?*, 9<sup>th</sup> November.

2013 in collaboration with Germany to process a large number of Syrians for humanitarian admission in an expedited manner. Since then, Austria and France also used HAP<sup>26</sup>. Similarly, during November 2015-February 2016, Canada admitted close to 25,000 vulnerable Syrian refugees from Egypt, Jordan, Lebanon and Turkey through a Humanitarian Transfer Programme (HTP)<sup>27</sup>. In 2015, the UK announced its Syrian Vulnerable Persons Relocation Scheme (VPRS) to resettle up to 20,000 Syrian Refugees over the course of the current UK Parliament (until 2020)<sup>28</sup>.

At the EU level, the response regarding Syrian resettlement and other admission pathways evolved around four points that proved to be inextricably linked to one another: (a) the European Commission's proposed European Resettlement Scheme; (b) the EU temporary emergency relocation programme; (c) the European Commission's proposal for the use of places that were initially foreseen for the relocation programme, for the purpose of legal admission of Syrian refugees from Turkey; and (d) the EU-Turkey agreement.

In June 2015, the Commission adopted a proposal on a European Resettlement Scheme, which was followed by an agreement among Member States on 20 July to resettle 22,504 persons "in clear need of international protection, in line with the figures put forward by the United Nations High Commissioner for Refugees"<sup>29</sup>. Then, in September 2015, faced with an influx of refugees and migrants, EU Member States agreed to a two-year plan to relocate 160,000 asylum seekers<sup>30</sup> in total from Greece, Italy and, if relevant, other countries to alleviate the pressure on those countries. The figure of 160,000 was eventually brought down to 98,255<sup>31</sup>. On the 18<sup>th</sup> of March 2016, the EU and Turkey entered in an agreement to "end the irregular migration from Turkey to the EU"<sup>32</sup>. Among the various points of the agreement, it

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26 *Idem*.

27 See, UNHCR (2017).

28 See UK Home Office (2017).

29 European Commission, 2015. *Commission Recommendation of 8.6.2015 on a European resettlement scheme*. Brussels, 8.6.2015 C(2015) 3560 final.

30 The temporary emergency relocation scheme was established in two Council Decisions in September 2015. Relocation only applies to applicants for whom the average recognition rate of international protection at the EU level is above 75%. This would apply to Syrian, Eritrean and Iraqi applicants. Receiving Member States get 6,000 euros for each person admitted. The number of applicants that EU Members States should take is based on a distribution calculated on the basis of objective criteria, i.e. population size, total GDP, average number of asylum applications over the last four years and unemployment rate (see European Commission, *European Solidarity: a Refugee Relocation System*).

31 See European Commission (2017).

32 For the text of the agreement, see European Council/Council of the European Union, 2016. *EU-Turkey Statement*, 18 March. Regarding UNHCR's position on the agreement, see, for

was decided that “all new irregular migrants crossing from Turkey to the Greek islands as of 20 March 2016 [including Syrian civilians fleeing the war but arriving from Turkey to Greece in an irregular manner] will be returned to Turkey” while “for every Syrian being returned to Turkey from the Greek islands, another Syrian will be resettled to the EU”<sup>33</sup>. The agreement that was moreover accompanied by three billion dollars for refugee projects inside Turkey clearly had an impact as numbers of irregular movements from Turkey through the Aegean Sea went immediately and were kept down ever since<sup>34</sup>.

In light, however, of the low numbers of applicants relocated from Greece and Italy<sup>35</sup>, on 21<sup>st</sup> of March 2016, the Commission proposed the creation of an additional 54,000 places initially foreseen for the temporary emergency relocation<sup>36</sup>. These 54,000 places that were to be allocated for resettlement and other pathways of Syrian refugees from Turkey were then brought down to “over 34,000”<sup>37</sup>.

Linked to the above, in March 2017, the European Commission noted that “[d]espite good progress overall, the Member States who have not yet resettled (...) (Bulgaria, Croatia, Cyprus, Greece, Malta, Poland, Romania, Slovakia and Slovenia) and those who are still far away from reaching their target such as the Czech Republic, Denmark, and Portugal, who have not reported any progress in several months, should step up their efforts”<sup>38</sup>.

It was against this background that, during the period 2016-2017, in coordination with Turkey’s Directorate General for Migration Management (DGMM) and other partners, UNHCR Turkey prepared and submitted cases of around 23,300 Syrian

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instance, UNHCR, 2016. *UNHCR on EU-Turkey deal: Asylum safeguards must prevail in implementation*, 18 March.

33 European Council/Council of the European Union, *EU-Turkey Statement, op. cit.*, point 2. The mechanism is also known as 1:1 mechanism, i.e. one resettled Syrian from Turkey to Europe for every returned Syrian to Turkey from Greece.

34 See UNHCR, 2018. Operational Portal, refugee situations, Mediterranean situation. Available at <http://data2.unhcr.org/en/situations/mediterranean>.

35 By the end of September 2017, when the relocation programme drew to a close, only 20,066 asylum-seekers were relocated from Greece and 9,078 from Italy (UNHCR, *UNHCR calls for the EU relocation scheme to continue*, 26 September 2017 (available at <http://www.unhcr.org/news/press/2017/9/59ca64354/unhcr-calls-eu-relocation-scheme-continue.html>).

36 European Commission, 2016. *Commission makes immediate proposal to implement EU-Turkey agreement: 54,000 places allocated for resettlement of Syrians from Turkey*, 21 March. The proposal’s geographic focus was on North Africa, Middle East and Horn of Africa.

37 See European Commission, 2016 (available at [http://europa.eu/rapid/press-release\\_MEMO-17-349\\_en.htm](http://europa.eu/rapid/press-release_MEMO-17-349_en.htm)).

38 See European Commission, 2017 (available at [http://europa.eu/rapid/press-release\\_MEMO-14-257\\_en.htm](http://europa.eu/rapid/press-release_MEMO-14-257_en.htm)).

refugees to various European countries, including 251 Syrians to Portugal, 46 in 2016 and 205 in 2017<sup>39</sup>.

As of April 2017, the total number of Syrians admitted through other pathways to European countries from Turkey as well as other host countries in the MENA region was pledged to be around 34,668 persons<sup>40</sup>. It is however noted that, to date, only few States share mere figures of Syrian refugees admitted and this for only some of these other pathways thus limiting the scope of any analysis and planning.

Regarding UNHCR's role in the above resettlement programmes<sup>41</sup>, many of which are still ongoing, all cases are prepared and submitted by UNHCR to States. To that effect, UNHCR has put in place individualised and rigorous procedures, under which each refugee is submitted for resettlement through registration and verification, documents verification, multiple interviews and case-reviews. Biometrics data (iris-scanning) is collected by UNHCR at registration as an additional measure. In Turkey, the registration is not undertaken by UNHCR but by the Government, which fingerprints all registered refugees. The use of biometrics<sup>42</sup> collected by UNHCR for the identity confirmation and anti-fraud after the case is submitted to a third country for resettlement consideration was first piloted in Jordan in 2016<sup>43</sup>. Also to note that, during UNHCR registration, detailed information is collected with regard to, among others, family composition, including presence of nuclear

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39 Estimated numbers based on UNHCR data. The figure includes around 1,640 Syrian refugees submitted to the UK by UNHCR Turkey in 2016-2017. The EU Member States that has so far considered Syrian cases under this agreement are Estonia, Finland, Germany, Ireland, Italy, Lithuania, Luxembourg, the Netherlands, Sweden and the UK. Associated Countries Switzerland, Liechtenstein and Iceland have also participated in the programme. It has been reported that the number of Syrians resettled to European countries from Turkey under the agreement was lower than that of Syrians returned from Greece to Turkey. In the Commission's view, "it is important to continue to build up a substantial number of resettlement so that a clear message is communicated to Syrians that a safe and legal pathway has been set up for them to get o the EU". See, European Commission, 2017. *Communication from the Commission to the European Parliament, the European Council and the Council Second Report on the progress made in the implementation of the EU-Turkey Statement*. Brussels, 15.6.2016 COM(2016) 349 final, p. 8.

40 These countries were France: 4,600 through humanitarian visa and 1,000 through scholarships, Germany: 23,140 through private sponsorship and 156 through scholarships, Hungary: 50 through scholarships, Ireland: 119 through private sponsorship, Italy: 803 through humanitarian corridor, Portugal: 70 through scholarships, and Switzerland: 4,700 through humanitarian visa (see UNHCR, 2017. *Resettlement and Other Admission Pathways for Syrian Refugees*).

41 See, UNHCR, 2011. *Resettlement Handbook*, in particular, pp. 299-361.

42 For issues relating to refugee consent and the protection of refugees' personal data, see, also, UNHCR, 2015. *UNHCR Policy on the Protection of Personal Data of Persons of Concern to UNHCR*, May.

43 Similarly, refugees are well-positioned to identify fraudulent services on social media and elsewhere and can contribute to anti-fraud and exploitation measures.



family members and other relatives in the country of origin, the current host country and also in third countries; university, technical or vocational educational background and professional background as well as occupation. Individual information is updated for all UNHCR-registered refugees at least once, if not more times every year through continuous registration entailing the renewal of UNHCR documents, protection interviews, home visits and counselling sessions. Importantly, in Syria situation operations, UNHCR and partners have established methodologies for the assessment of refugee vulnerabilities, based on commonly agreed upon indicators. It is on the basis of this comprehensive data that UNHCR operations in the region identify refugees that may be interviewed for resettlement consideration. Depending on the outcome of such interviews, a case would eventually be submitted to a specific country for resettlement consideration, subject to the refugee's agreement with that country.

Resettlement countries have also their own screening procedures in place and make the final decision on whether or not to accept UNHCR's referrals while, in addition to their advocacy efforts, civil society frequently provide support to refugees upon arrival in resettlement countries. For example, many Syrian and Iraqi refugees receive support from Christian organizations and communities in Europe<sup>44</sup>.

### *Complementary Pathways to Admission in Third Countries*

In addition to resettlement, other pathways to admission in third countries that complement but do not substitute or replace resettlement programmes can provide solutions in the short or longer term. These solution pathways put in place as means of international solidarity by States but also academia, NGOs, the private sector and other civil society actors are often referred to as "complementary"<sup>45</sup>, or "safe and legal"<sup>46</sup>. They mainly include humanitarian visa programmes, private sponsorship, family reunification, academic scholarships and apprenticeships, and labour mobility schemes. Below are selected examples of efforts undertaken by States and other actors in third countries with regard to the admission of Syrian refugees outside the scope of resettlement programmes<sup>47</sup>.

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44 See, for instance, UNHCR, 2017. *Christian community welcomes Syrian family to Canada*, 10 January.

45 See, for instance, United Nations General Assembly, 2016. *Declaration for Refugees and Migrants*, *op. cit.* Annex I, para. 10.

46 See, for instance, Irish Refugee Council (2016) and UNHCR, 2016. *Better Protecting Refugees in the EU and Globally*, p. 2.

47 Though this listing is far from being exhaustive, the criteria for the selection of specific examples related to their Syrian-specific scope and innovative character, especially, in terms of civil society involvement or treatment standards. For a comprehensive overview, see, for instance, International Catholic Migration Commission (2015).

In September 2013, Brazil put in place a Humanitarian Visa Programme (HVP) for “Syrian refugees and others affected by the Syrian crisis”<sup>48</sup> issuing around 8,450 visas globally during 2013-2015<sup>49</sup>. Those eligible are exempted from submitting bank account information, letters of invitation, proof of employment or economic activity in Brazil, or return ticket. With proof of identity (passport or other identity document, including UNHCR registration), a Brazilian Consulate in the region may assist in the issuance of a *laissez-passer* for refugees with expired passports. A gap in Brazil’s humanitarian visa programme is, however, the fact that there is no support for travel and integration assistance. In a country where refugees have no familiarities or networks with, lack of assistance could therefore hinder their successful integration prospects<sup>50</sup>. That being said, there are indications from other Latin American countries of their interest in establishing similar humanitarian visa programmes<sup>51</sup>. This would be an avenue worth exploring potential investment in terms of provision of technical support and where appropriate, funding, for instance, from European Union (EU), the Gulf Cooperation Council (GCC) or others, to ensure sustainable integration programmes. Such an investment could also create additional places for Syrian refugees for whom admission to a third country is the only durable solution.

Regarding family reunification, hundreds of thousands of Syrian refugee families in MENA/Turkey remain separated within the region and across continents. In practice, however, family reunification procedures can be lengthy with onerous documentation requirements which, as a result, risk to leave refugee families for protracted periods of time in precarious situations<sup>52</sup>. As noted by UNHCR (2011, p. 271), while “[i]n some situations the most efficient route to family reunification is under the State’s direct family reunification or other humanitarian programmes there might be cases whereby family members may not meet the State’s criteria, there may be very long waiting lists and other circumstances<sup>53</sup> make it unlikely that

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48 See Jubilit, De Andrade and Maureir (2016, pp. 76-78).

49 See UNHCR, 2017 (available at <http://www.unhcr.org/573dc82d4.pdf>). Following the exchange of letters between UNHCR and Brazil in 2015, UNHCR has provided technical training to the Brazilian consular staff in Jordan, Lebanon and Turkey on reception and interviewing of applications for the Brazil HVP.

50 Similarly to Portugal’s case, a number of faith-based organisations are involved in volunteer programmes supporting integration of resettled refugees and others in Brazil and other Latin American countries.

51 See, for instance, UNHCR, 2015. *Evaluation of Resettlement Programmes in Argentina, Brazil, Chile, Paraguay, and Uruguay*, December.

52 See UNHCR, 2015. *Family Reunification in Europe*. Brussels.

53 See UNHCR, 2017. Syrian father of eight fights to give his family a future, 29 December (available at <http://www.unhcr.org/news/stories/2017/12/5a3a6e659/syrian-father-eight-fights-give-family-future.html>).

the reunification will be processed quickly. In these cases a resettlement submission may be warranted". Assisted family reunification for refugees, including those with close relatives and other dependants beyond restrictive "family" definitions<sup>54</sup>, will therefore protect their right to family unity, reduce the need for refugees to undertake irregular journey or fall victims to exploitation schemes, and ultimately facilitate integration in third countries<sup>55</sup>.

While Canada<sup>56</sup>, along with few other non-European countries, has been a pioneer in the implementation of private sponsorship programmes on behalf of Syrian refugees<sup>57</sup>, in Europe, similar good practice examples include community-based initiatives such as the Humanitarian Corridor in Italy<sup>58</sup>. As a part of a project named "Mediterranean Hope", the Federation of Protestant Churches in Italy (FCEI) along with the Community of Sant'Egidio, the Waldensian Church and the Pope John XXIII Community Association negotiated with the Italian Foreign Ministry and the authorities in Morocco, Lebanon, and Ethiopia to set up Humanitarian Corridors for people seeking asylum. Based on the provision in Article 25 of the Visa Code (EC regulation no. 810/2009) for the issuance of Limited Territorial Validity (LTV) visas for humanitarian reasons, the project aims to bring particularly vulnerable persons, including Syrian refugees in Lebanon, to Italy so that they can make asylum applications without undertaking dangerous journeys by sea<sup>59</sup>. Profiles of Syrian refugees considered under the programme include unaccompanied minors, single refugee-women with children, sick, handicapped, or older refugees.

The project is funded entirely by church organizations and private donors, with the Italian government making no financial commitment. The cost of the project was estimated at 1 million euros for the intended intake of 1,000 persons in

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54 See UNHCR (2011, pp. 273-275).

55 It is acknowledged that family reunion is a core element of successful refugee integration (see, for instance, UNHCR, 2001. Annual Tripartite Consultations on Resettlement, Geneva, 20-21 June 2001, *Family reunification in the context of resettlement and integration NGO Statement by Ralston Deffenbaugh President, Lutheran Immigration and Refugee Service*).

56 See Government of Canada (2017). Canada was the first country to introduce private sponsorship in 1978 and its programme serves as a reference in European discussions about such programmes (see <http://resettlement.eu/page/emerging-private-sponsorship-programmes-europe-new-partnership-between-government-and-local-1>).

57 Argentina, Australia, Canada, Germany, Ireland, New Zealand, and the UK have private sponsorship programmes (see European Migration Network, *Resettlement and Humanitarian Admission Programmes in Europe – what works?*).

58 See <http://www.santegidio.org/pageID/11676/langID/en/Humanitarian-Corridors-for-refugees.html>.

59 FCEI, *Humanitarian Channel Proposal*. Available at <https://www.kerkinactie.nl/download/CAwdEAwUUKRBXkE=&inline=0> and <https://mediterraneanhope.wordpress.com/2015/04/22/the-proposal-of-federation-of-protestant-churches-in-italy-and-the-community-of-santegidio/>

2015<sup>60</sup>. The FCEI, the Community of Sant'Egidio, and the Waldensian Church signed an agreement with the Italian Ministries of Internal and Foreign Affairs, and the official start of the project was announced at a press conference held on the 16<sup>th</sup> of December 2015 by the Community of Sant'Egidio. This project has been referred to by the FCEI as a pilot program and a model for other European countries. The President of the Community of Sant'Egidio also linked the project to efforts to reintroduce the system of private sponsorship of refugees in Italian legislation<sup>61</sup>.

Those selected are granted LTV visas and will be expected to apply for asylum in Italy upon arrival. The church organizations have committed to providing transport to Italy, and after arrival, lodging, food, healthcare, Italian lessons, legal assistance and assistance in finding work and enrolling children in public schools. These costs are to borne entirely by the sponsoring church organizations, with the Waldensian Church's 8/1000 system<sup>62</sup> to provide the majority of the funding. The State has made no financial commitment to support the resettlement process.

The Humanitarian Corridor is still a project but could be a precursor to the development of a private sponsorship system in Italy. Indeed the president of the Community of Sant'Egidio made comments indicating that this may be one of the goals of the programme. In the absence of a legal framework for such a programme, the Visa code provisions for LTV visas are being used to provide access to the internal asylum procedure, however if the programme is a success, it may plant the seeds for the creation of a private sponsorship programme in Italy similar to those available in Canada, Australia and elsewhere.

Academic scholarships offered by governmental bodies, academic institutions, individuals or NGOs sponsoring studies in third countries have been offered to Syrian and to a limited extent other refugee students in the MENA/Turkey region including multi-year pledges, mainly, from 2013 onwards. Limited tertiary opportunities in host countries<sup>63</sup> and increasing hardship throughout the region makes it

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60 RFI, 2015. *Sant'Egidio crée des corridors humanitaires avec le Maroc et le Liban*, 16 December. Available at [http://www.rfi.fr/europe/20151216-migrants-sant-egidio-corridors-humanitaires-maroc-liban-italie-?ns\\_campaign=reseaux\\_sociaux&ns\\_source=twitter&ns\\_mchannel=social&ns\\_linkname=editorial&aef\\_campaign\\_ref=partage\\_user&aef\\_campaign\\_date=2015-12-16](http://www.rfi.fr/europe/20151216-migrants-sant-egidio-corridors-humanitaires-maroc-liban-italie-?ns_campaign=reseaux_sociaux&ns_source=twitter&ns_mchannel=social&ns_linkname=editorial&aef_campaign_ref=partage_user&aef_campaign_date=2015-12-16).

61 See Vatican Insider, 2015. *Sant'Egidio: Humanitarian corridors open for one thousand people*. *Vatican Insider*, 16 December, available at <http://www.lastampa.it/2015/12/16/vaticaninsider/eng/world-news/santegidio-humanitarian-corridors-open-for-one-thousand-people-7F1BrNhUFKY1CqirpOULcM/pagina.html>.

62 The Waldensian evangelical church is one of the religious groups that Italian taxpayers can select to receive a small percentage of their federal income taxes (available at <http://www.mediterraneanhope.com/corridoio-umanitari/italian-church-groups-open-refugee-humanitarian-corridors-921>).

63 See, for instance, UNESCO and UNHCR, 2017. *The Regional Conference on Higher Education in Crisis Situations: "Higher Education in Crisis Situations: Synergizing Policies and Promising Practi-*

difficult for Syrian refugees to pursue higher education, making third country scholarships a valuable complementary option. According to a survey conducted by UNHCR with Syria Core Group countries for the period January 2013-April 2017<sup>64</sup>, around 1,276 Syrian refugee youth were admitted in European countries through academic scholarship. A growing number of State and private actors are also stepping forward to offer scholarships for Syrian refugees in third countries<sup>65</sup>. Japan thus announced a five year programme programme (2016-2020) to support up to 150 Syrian refugees to pursue higher education in Japan of which 100 are offered for Syrian refugees in Jordan and Lebanon<sup>66</sup>. The main features of the Japanese Initiative for the future of Syrian Refugees include full funding, issuance of travel documents if needed, preservation of legal status to remain in Japan after the period of study and, very importantly, the option for family members to accompany the refugee student.

While some of the complementary pathways, in particular, family reunification, have traditionally been perceived as a State responsibility, this is an area representing an opportunity for a greater operational role for civil society, including private sector actors as well as UNHCR<sup>67</sup>.

Moreover refugee resettlement and complementary pathways is an entry point to further discuss other protection-responses linked to the situation of internally displaced persons (IDPs), who are in a very comparable situation to that of refugees with the only perhaps exception of not having crossed an internationally recognised border. For IDPs, however, their additional exposure to risks of serious human rights violations inside the country of origin as well as their lack of access to services potentially offered in a refugee context can only increase their vulnerability and suffering.

In 2017, further to the request of the Canadian government, UNHCR and protection partners in the Kurdistan Region of Iraq (KR-I) joined efforts to identify and process a number of cases of extremely vulnerable Iraqi IDPs who have survived

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*ces to Enhance Access, Equity and Quality in the Arab Region*", Sharm El-Sheikh – Egypt, 28-29 March.

64 UNHCR, 2017. *Resettlement and Other Admission Pathways for Syrian Refugees* (updated as of 30 April 2017).

65 There is also a number of programmes supporting tertiary education of Syrian refugees in host countries (see, for instance, UNESCO and UNHCR, 2017).

66 Japan International Cooperation Agency, 2018. Announcement of the 2018 round of admission of the "Japanese Initiative for the future of Syrian Refugees" a scholarship program for Syrian refugees, 8 September 2017.

67 UNHCR, 2016. Executive Committee of the High Commissioner's Programme, *New approaches to solutions*, Standing Committee, 66th meeting, EC/67/SC/CRP.14, 7 June. Available at <http://www.unhcr.org/575a74597.pdf>.

atrocities in the context of the conflict, for the purposes of admission to these two countries. As at 30 September 2017, some 849 survivors and family members were submitted to Canada for consideration of whom 290 had already departed<sup>68</sup>. Of note, cases were identified and referred to UNHCR for interviewing through a collaborative process involving relevant KR-I authorities and humanitarian actors. The processing methodology for the individual cases (e.g. identification, referral, collection of data, interview and preparation of written submission by UNHCR for receiving States) was largely guided by case management procedures applying to refugee-resettlement<sup>69</sup>.

### *Portugal's Response*

Against this background, Portugal has been a country that has received Syrian refugees both through resettlement and other admission/solution pathways. Traditionally, however, Portugal, like Greece, had never received large numbers of refugees before the Syrian conflict<sup>70</sup>. While an ad hoc resettlement scheme was already implemented in 2006, the country started an annual resettlement quota programme in 2007 of close to 30 persons submitted by UNHCR<sup>71</sup>. As a result of the Syrian crisis, Portugal increased its annual quota and for the period 2013-2017, a total of 319 vulnerable Syrian refugees were submitted to Portugal for resettlement consideration by UNHCR operations in MENA/Turkey – 251 of them were Syrian refugees in Turkey and the rest 68 from other host countries in the region<sup>72</sup>. All cases considered by Portugal are being decided upon by the competent authorities on dossier; in other words, the authorities do not in principle conduct individual interviews of the refugees already interviewed and submitted by UNHCR. A very positive feature of the programme is that, so far, all resettled Syrian refugees have been

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68 See, for instance, Government of Canada, 2016 (available at [https://www.canada.ca/en/immigration-refugees-citizenship/news/2017/02/canada\\_to\\_welcome1200yazidiandothersurvivorsofdaesh.html](https://www.canada.ca/en/immigration-refugees-citizenship/news/2017/02/canada_to_welcome1200yazidiandothersurvivorsofdaesh.html)). The U.S. Government created a similar though not identical programme, the Protection Transfer Arrangement (see *The Guardian*, 2016, available at <https://www.theguardian.com/world/2016/jul/26/central-american-refugees-costa-rica-obama-administration>).

69 See also UNHCR, 2016. *Humanitarian evacuations in violence and armed conflict (internal note)*. Geneva, 17 June.

70 See Costa and Sousa (2017).

71 The legal basis for resettlement in Portugal is set out in Article 35 of Asylum Law 27/2008. Following two ad-hoc resettlement schemes in 2006, an official Resolution of the Council of Ministers (no. 110/2007) established Portugal as a resettlement country with an annual quota of 30 refugees per year (see <http://www.resettlement.eu/country/portugal>).

72 At the time of the writing of the present article, Portugal was reportedly revising its resettlement commitments in order to plan for the admission of more refugees submitted by UNHCR from Turkey and Egypt.

granted Convention refugee status<sup>73</sup> thus enabling family reunification and integration in the country.

The call from the European Commission in 2015 for Member States to share the burden with frontline countries, namely, Greece and Italy, therefore, presented a new challenge to Portugal. To the Commission's initial call to Portugal for 1,642 persons, the number has since risen to 2,951<sup>74</sup> while Portugal replied with an offer to take 4,500, which it later revised upwards to 10,000<sup>75</sup>. This generous gesture of international solidarity came in clear contrast to the restrictive policies and practices of other Member States<sup>76</sup>.

The creation in 2015 of the *Plataforma de Apoio aos Refugiados* has enabled the country to overcome its own limited reception capacity by bringing together a wide range of national, regional, and local entities from all sectors, including the private sector, universities and religious institutions<sup>77</sup>. The initiative and the approach undoubtedly built strong blocks of support and solidarity vis-a-vis Syrian refugees. Despite this enabling environment, it has been reported that relocated or resettled refugees often leave the country to move onwards to other EU Member States, mainly, because of family and community links or better work opportunities in those countries<sup>78</sup>. Whether this is an established trend, the country has another successful example to showcase in the area of complementary pathways for solutions.

Where Portugal has really innovated, if not pioneered, is the area of academic scholarships. In November 2013, a Global Platform for Syrian Students, also known by its abbreviation GP4SS, was set up in Portugal<sup>79</sup>. To date, the initiative that was launched by the former President of the Portuguese Republic, Jorge Sampaio,

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73 See <http://www.resettlement.eu/country/portugal>.

74 Of a total 25,392 persons to be (initially) relocated from Greece and Italy, Portugal was finally allocated 2,951 places. By September 2017, Portugal admitted 299 persons from Italy and 1,197 from Greece, i.e. a total of 1,496 persons (see UNHCR, 2017. *EU Emergency Relocation Mechanism* [as of 27 September 2017]).

75 See Costa and Sousa (2017).

76 See, for instance, UNHCR, 2017. Border fences and internal border controls in Europe. Available at <https://reliefweb.int/sites/reliefweb.int/files/resources/55249.pdf>.

77 As noted by Costa and Sousa, "Portugal's influential Catholic Church has taken its lead from Pope Francis' pro-refugee stance bolstering national support. The positive political environment was demonstrated when councils all over the country submitted local integration plans from the first time. (...) Refugee families have been distributed throughout the country, avoiding geographical concentration, but also taking advantage of local support from councils" (Costa and Sousa, 2017).

78 Jurriaans (2017) reported that "more than 40% of those who arrived in Portugal [under the EU relocation scheme] have left within 18 months, according to (...) Portuguese media".

79 See [www.globalplatformforsyrianstudents.org](http://www.globalplatformforsyrianstudents.org).

brings together close to 30 universities having a two-fold approach. The network has a core group of institutional partners, namely, the Council of Europe, the League of Arab States, the International Organization of Migration and the Institute of International Education<sup>80</sup>. The GP4SS supports opportunities for tertiary education both in major host countries, such as Turkey, Lebanon and Iraq but also in third countries through scholarships. The latter include Belgium, Brazil, Switzerland and of course Portugal<sup>81</sup>. The platform has set up an Emergency Student Fund that is made up of voluntary donations and grants made to the GP4SS. Lack of sufficient funding could always leave students without scholarship<sup>82</sup>.

In coordination with relevant authorities, the programme facilitates (pre-arrival) admission formalities to the third country as well as the process of validation of previous qualifications. It also covers academic fees, accommodation, Portuguese language and bridging courses, transport, health insurance and subsistence. It also offers integration/psycho-social support. Having a longer-term vision, the platform moreover creates opportunities for internships as well as employment.

For its implementation, similarly to Italy's community-based sponsorship programme of Humanitarian Corridor, the platform brings together governments, international and regional organisations, donor agencies, universities, foundations, NGOs of different cultural backgrounds and faith-based organisations, private companies and individuals, including families hosting Syrian students.

Specifically for academic scholarship programmes, UNHCR has been advocating for a non-discriminatory approach<sup>83</sup> and a transparent selection based on academic merit. Durability of the student's legal status in the third country is also crucial in order to ensure protection against forced return to the country of origin or statelessness. It is therefore of utmost importance to ensure that refugee students do not find themselves in situations of expired residency, destitution or forced return to the

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80 The Global Platform has an international Advisory Board comprising representatives of the League of Arab States and of the Council of Europe and a number of eminent personalities such as Kerstin Eliasson, former Secretary of State for Education, Sweden; HRH Princess Rym Ali, President of the Jordan Media Institute and Richard Branson, CEO Virgin Group (see <http://www.globalplatformforsyrianstudents.org/index.php/the-network/17-about>).

81 Almost two thirds of the participating universities and polytechnic institutions are Portuguese.

82 As noted in an article, "although proving to be a very effective and low cost model, a lack of funding [had at some point in 2014] left 700 Syrian students without the scholarship they [needed] to continue their studies in spite of having secured their admission at a university with tuition fee waivers" (Goodman and Sampaio, 2014).

83 To note that, in practice, some scholarship and other admission programmes may openly or indirectly favor refugees of a specific ethnic or religious profile and background.



country of origin as a result of pursuing studies abroad. This is particularly important for Syrian refugee students in the region, as many host countries do not readmit back refugees once they have left that country regardless of the reason, e.g. permanent resettlement or academic scholarship in a third country. Universities and receiving States must therefore consider facilitating official exit from host countries and entry to receiving countries, including prospects to remain legally beyond the period of study, if needed, for protection purposes. Along the good-practice example of the implementation of the Brazilian HVP, measures can include facilitation of issuance of travel documents for students who for various reasons may be unable to obtain national passports.

Scholarships also need to cover a full course of study to enable the refugee student to complete a certification, degree, or other qualification. Programmes may also provide support for cost of living, accommodation, possibility for family members to join during the course of study, and proper orientation and social support throughout the course of study. This is particularly important for disadvantaged or socially vulnerable students, who will require intensive, long-term support to benefit in a meaningful way from the programme. Once in the receiving country, access should be facilitated to asylum procedures and the ability to convert their visa into work or other visa types so as to provide additional prospects for the student to remain should return to Syria (or any other country of origin) be impossible. Universities may moreover consider the possibility of arranging work placement support to provide further development opportunities and encourage self-reliance for the student.

### *Recent Developments*

Having seen examples of the response of European and other states – whether collectively or individually – with regard to international solidarity and responsibility-sharing, in particular, the legal admission of Syrian refugees from MENA/Turkey, it is now necessary to place the entire issue in its present context, particularly, in light of the current situation in Syria.

There are presently around 5,4 million Syrian refugees registered with UNHCR (and in Turkey's case, DGMM) in MENA/Turkey. In the absence of a political solution to the conflict<sup>84</sup>, the region continues to be shaped by the situation in Syria and as a result, the continuous needs for protection and solutions for Syrian displaced<sup>85</sup>. According to UNHCR, the projected needs for resettlement of Syrian refugees in

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84 See United Nations Office for the Coordination of Humanitarian Affairs. Available at <http://www.unocha.org/syrian-arab-republic/syria-country-profile/about-crisis>.

85 See UNHCR, 2017. *International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update V*, 3 November.

MENA/Turkey relate to close to half a million persons, i.e. 201,970 out of host countries in MENA and 275,000 out of Turkey<sup>86</sup>.

These projections are evidence-based. Vulnerability assessments<sup>87</sup> conducted in host countries establish the alarming worsening of the socio-economic situation of Syrian refugees in the region. In Lebanon, for instance, the 2017 Vulnerability assessment for Syrian refugees demonstrates that “more than half of refugees [live] in extreme poverty, and that food insecurity rates [though] stable (...) remain high”<sup>88</sup>. As a coping mechanism to deal with the lack of food or money to buy food, nearly all Syrian refugee households surveyed (96%) adopted food-related coping strategies, most commonly, including “reducing the number of meals per day (54%) and reducing meal portion size (47%)”<sup>89</sup>. Other coping mechanisms “adopted by a small percentage of refugees included sending household members to eat elsewhere, spending days without eating, or restricting consumption by female household members”<sup>90</sup>. Specific groups, such as children with disabilities that represent 2.3% of the refugee population were among the most marginalized in Lebanon and the less likely to be enrolled in school and facing risks of physical violence everywhere, “both outside and inside the home”<sup>91</sup>. The analysis of the finding moreover revealed the vulnerability of households headed by women across all indicators: “[f]emale-headed households were less food secure, had worse diets, adopted severe coping strategies more often and had higher poverty levels”<sup>92</sup>. Female-headed households were almost twice as likely as male-headed households to live in informal settlements, and were less likely to have legal residency. In addition, the monthly income for working women was only US\$ 159, compared to US\$ 206 for men, despite being employed for nearly the same number of working days (13 for women and 14 for men). Furthermore, refugees who live in

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86 See UNHCR, 2017. 2018, *Projected Global Resettlement Needs – 23rd Annual Tripartite Consultations on Resettlement*, Geneva, 12-14 June 2017. Available at <http://www.unhcr.org/593a88f27.pdf>, in particular, pp. 37, 43 and 67.

87 UNHCR and partners in host countries have developed a multi-sectoral framework to capture socio-economic vulnerabilities, to identify refugees who are most in need of cash or other assistance but also resettlement. See, for instance, Vulnerability Assessment Framework (VAF) in Jordan. Available at <https://reliefweb.int/sites/reliefweb.int/files/resources/VAf101.pdf>.

88 See UNHCR, UNICEF, WFP, VASYR, 2017. 2017: *Vulnerability Assessment of Syrian Refugees in Lebanon*, 15 December, available at <https://reliefweb.int/report/lebanon/vasyr-2017-vulnerability-assessment-syrian-refugees-lebanon>. In Jordan, 82 percent of Syrian refugees are living below the poverty line (CARE, 2017).

89 *Ibid.*, p. 77.

90 *Idem.*

91 *Ibid.*, p. 14

92 *Ibid.*, p. 15

the most vulnerable localities have greater exposure to abuse and exploitation that both heighten risks of violence and aggression towards them<sup>93</sup>. In a context of a “*persisting poverty*”, women and children, constituting the majority of the Syrian refugee population (80% in Lebanon, 76% in Jordan and Egypt and 68% in Iraq), continue to be the most affected by the refugee crisis, being particularly vulnerable to exploitation and violence<sup>94</sup>.

At the same time, although nowhere close to the 1 million arrivals by sea to Europe in 2015, in 2016 and 2017, there were 362,000 and 171,000 arrivals respectively. During these years (2016-2017), arrivals by sea included close to 100,000 Syrians<sup>95</sup>. As underlined in the New York Declaration for Refugees and Migrants (NYD)<sup>96</sup> and the Comprehensive Refugee Response Framework (CRRF) in its Annex I, resettlement quota commitments and complementary pathways are crucial tools to enable solutions to refugees who are fleeing persecution and at the risk of their lives, are moving from one country to another searching for protection. Regarding Syrian refugees however, despite the call made by the UNHCR/High Commissioner on 30 March 2016 for resettlement and facilitated pathways for around 500,000 (10% of all Syrian refugees) by 2018, to date, close to 250,00 places have been made available<sup>97</sup>. More therefore needs to be done. While resettlement and other admission streams cannot in themselves be the solution to everything, a more enhanced response, including following through previous commitments is necessary. This is especially the case for the most vulnerable refugees for whom resettlement is the only solu-

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93 See International Rescue Committee, 2016. *Vulnerability Assessment of Syrian Refugee Men in Lebanon*, January.

94 UNHCR, UNICEF, WFP, 2017. *Op. cit.*, p. 16.

95 More specifically, the total is 99,533 persons, i.e. 17,584 Syrians in 2017 (see <http://data2.unhcr.org/en/situations/mediterranean>) and 81,949 in 2016 (see <https://data2.unhcr.org/ar/documents/download/53447>).

96 Concerned about the increasing numbers of refugee and migrant movements, the United Nations Secretary-General, in an address to the General Assembly on 20 November 2015, announced a progressive roadmap for addressing large movements of refugees and migrants. To address one of the most immediate and urgent displacement crises, he requested the United Nations High Commissioner for Refugees to convene this ministerial-level meeting on pathways for admission of Syrian refugees (in March 2016). Noting the global nature of displacement, however, he also called for a high-level Summit in New York in September 2016, to address other large displacement situations. In October 2016, the New York Declaration for Refugees and Migrants was adopted by the UN General Assembly (see [http://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A\\_RES\\_71\\_1.pdf](http://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_71_1.pdf)). See, also, Türk and Garlick (2016).

97 See UNHCR, 2017. A year after key conference sought to boost resettlement targets for Syrian refugees, half of the 500,000 places sought have been achieved. Available at <http://www.unhcr.org/news/press/2017/3/58dcbf934/year-key-conference-sought-boost-resettlement-targets-syrian-refugees-half.html>.

tion. In a context of international cooperation and responsibility-sharing, States may wish to consider innovative approaches to encourage and establish complementary pathways. Under such circumstances, failing to do so would risk pushing refugees to move onwards or worst, return in unsafe conditions. If not managed well, Europe and the wider region may end up dealing with large numbers of departures from Western, Central and Eastern Mediterranean simultaneously.

In that regard, the NYD that “aims at responding to the growing global phenomenon of large movements of refugees and migrants”<sup>98</sup> is important mainly because UN member states renew their profound solidarity with refugees, acknowledge the shared responsibility for protecting refugees and providing support to host countries in an equitable and predictable manner, and pledge to strengthen and facilitate a well-funded humanitarian and development response as well as to support a smooth transition between the two. Furthermore, UN Member States reaffirm their commitment to pursue durable solutions for refugees, namely, voluntary repatriation, local solutions or opportunities and resettlement and complementary pathways for admission to third countries, such as family reunification, labor mobility and education.

In its Annex I, the NYD outlines elements of a Comprehensive Refugee Response Framework for a more systematic and sustainable response that benefits both refugees and their hosts. The framework’s scope is designed to ensure rapid and well-supported reception and admission measures; support for immediate and ongoing needs; assistance to national/local institutions and communities receiving refugees; and opportunities for durable solutions. Based on the application of the CRRF in diverse situations, the Declaration pursues the adoption of a Global Refugee Compact in 2018 with the following four main objectives or pillars: (1) easing pressure on host countries; (2) enhancing refugee self-reliance; (3) expanding third-country solutions; and (4) supporting conditions in countries of origin for return in safety and dignity.

The third part of the CRRF on expanding opportunities for solutions<sup>99</sup> is clearly the most detailed of all four. Regarding solutions, the main new element in the text is the Member States’ commitment to explore additional avenues for refugees to be admitted to third countries, i.e. countries other than the refugees’ country of origin or their first country of asylum, including through “increased” resettlement and other pathways in order to enable the annual resettlement needs identified by UNHCR to be met<sup>100</sup>. Specifically, Member States urge:

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98 United Nations General Assembly, 2016. *Resolution adopted by the General Assembly on 19 September 2016 – New York Declaration for Refugees and Migrants, op. cit.*, Title I. Introduction, para. 2.

99 *Ibid.*, Annex I, paras. 8-16.

100 *Ibid.*, Title IV. Commitments for refugees, para. 78 and Annex I, para. 16.

- (1) other Member States that “have not yet established resettlement programmes to consider doing so at the earliest opportunity”<sup>101</sup>;
- (2) others that “have already done so are encouraged to consider increasing the size of their programmes”<sup>102</sup>; and making available or expanding “humanitarian admission programmes, possible temporary evacuation programmes, including evacuation for medical reasons, flexible arrangements to assist family reunification, private sponsorship for individual refugees”<sup>103</sup> as well as “making opportunities for skilled migration, labour mobility and education”<sup>104</sup>.

UN Member States invited UNHCR/ the High Commissioner to propose a Global Compact for Refugees in his annual report to the General Assembly in 2018 for the Assembly’s consideration at its seventy-third session. To that effect, throughout 2017, UNHCR convened among others a series of thematic discussions on past and current burden and responsibility sharing arrangements, measures to be taken at the onset of a large movement of refugees, meeting the needs and supporting communities, durable solutions and issues cutting across all four substantive sections of the CRRF and overarching issues<sup>105</sup>.

### **Conclusions and Further Operationalizing Solution Pathways**

In light of the magnitude and complexity of the Syria crisis, and its impact on neighboring countries as well as those further afield, the need for international cooperation and solidarity remains urgent, especially, for host-countries neighboring Syria as well as a number of European countries because of the proximity. In host countries neighboring Syria, resettlement has always played a strategic role. Regardless of the solution chosen by individual refugees, a number of vulnerable refugees and others with continuous protection needs will never be able to remain in these host countries or return to the country of origin. Others who may or not be eligible for resettlement can also be enabled to find a solution through complementary pathways and hence, support others remaining in the region or displaced in the country of origin to do the same. Where there is good level of resettlement and other admission quotas, the role of these solution tools is also to avoid the need for refugees to undertake irregular onward movements.

Initiating and sustaining solutions in complex displacement crises, such as the Syrian one, require a multi-stakeholder approach that, as underlined in the CRRF,

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101 *Ibid.*, Title IV. Commitments for refugees, para. 78.

102 *Ibid.*, Title IV. Commitments for refugees, para. 78.

103 *Ibid.*, Title IV. Commitments for refugees, para. 79.

104 *Ibid.*, Annex I, para.14.

105 See <http://www.unhcr.org/thematic-discussions-for-the-global-compact-on-refugees.html>.

includes “national and local authorities, international organisations, international financial institutions, and local authorities, international organisations, international financial institutions, civil society partners (including faith-based organisations, diaspora organisations and academia), the private sector, the media and refugees themselves”<sup>106</sup>.

The United States, Canada, European and other third countries as far as Brazil, have over the last years<sup>107</sup> been generous in admitting hundreds of thousands of Syrian refugees through these admission streams. As a result of mass external displacement, resettlement for Syrian refugees increased by ten times during 2013-2015. This was a major achievement thanks to the strong commitment and generous support of States, civil society and – perhaps fair to say – a strong can-do spirit of UNHCR and partners interviewing and preparing the thousands of individual case-submissions for resettlement consideration.

Against this background, there is currently an alarming reduction in quotas for Syrian refugees – from 76,000 in 2016 to less than 40,000 in 2017 – mainly reflective of the policy shift in the United States<sup>108</sup>. Many resettlement countries in Europe (UK, France, Italy, Germany, and Sweden) continue to have significant Syrian resettlement programmes thus demonstrating a high degree of public opinion support and ensuing political commitment in Europe to respond to responsibility-sharing needs linked to Syria’s displacement. This needs to continue. To that effect, in line with the NYD and the UNHCR’s call to increase solution opportunities, the following considerations are offered.

- (1) Refugees eligible for family reunification should be a priority under this stream. Issuing travel documents when refugees have no valid passport, expediting processing time, waiving administrative fees and providing travel assistance are tangible ways to assist refugees to reunite with their family members. UNHCR could assist in, among others, triaging before departure, outreach and providing guidance and counselling to refugees in coordination with states.
- (2) Numbers bring reality and to that effect, data-sharing from States on other pathways is crucial. Countries, including (reportedly) Portugal, that have not been able to consolidate and analyse data, including numbers and background/profiles of those admitted through non-resettlement streams, may

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106 United Nations General Assembly, 2016. *Resolution adopted by the General Assembly on 19 September 2016, New York Declaration for Refugees and Migrants*, Title IV. Commitments for refugees, para. 69.

107 In particular, in 2015-2016.

108 See, for instance, UNHCR, 2017. UNHCR alarmed at impact of US refugee program suspension, 31 January.

want to seek other countries' or UNHCR's technical support, also, in order to identify good practices and areas of improvement that can then be shared with others.

- (3) Funding is crucial both for resettlement and other pathways, in particular, academic scholarships, private sponsorships and humanitarian visa programmes (e.g. Brazil). Countries in Europe, the GCC and elsewhere as well as regional organisations and civil society members, including the private sector, could consider funding such admission programmes, especially, where countries are willing but, perhaps, financially unable to admit (and integrate) Syrian and other refugees. Small-scale pilot programmes could be a good start for everyone.
- (4) As far as academic scholarships are concerned, unlike most other such programmes that are specific to a country or a university, the GP4SS brings together a large number of academic institutions both in host as well as in third countries. In an effort to further expand such programmes, strengthening coordination is strategic. It might therefore be necessary that, through participating universities in host countries, the GP4SS liaises with coordination fora (e.g. contact groups) on resettlement and other pathways organised by States and UNHCR operations in the MENA/Turkey region, as applicable. Such an approach is expected to bring further awareness about these programme, improve collection and analysis of data, communication with communities as well as create momentum for additional pledges and funding or other support. In an effort to acknowledge the import role of host communities in refugee protection and solutions<sup>109</sup>, such programmes could also consider granting or increasing the number of scholarships to nationals of host countries.
- (5) South-European countries with strong civil society support vis-a-vis Syrian and other displaced, such as Italy and its faith-based organisations or Portugal and its academic institutions and local church organisations, could learn from one another as well as from other countries in the continent, such as the UK, Germany and Ireland. This could enable other European countries in the region to collectively think, strategise and make policy recommendations with regard to tailor-made private sponsorship frameworks adjusted to individual country-specific contexts but applying common protection standards.
- (6) For the well-being of refugees admitted to third countries in a regular manner, be it through resettlement or other legal pathways, and in order to maximise protection dividends, it is crucial that these refugees are able to go back to their

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<sup>109</sup> See, also, United Nations General Assembly, 2016. *Resolution adopted by the General Assembly on 19 September 2016, New York Declaration for Refugees and Migrants, op. cit.*, Annex I, para. 8 on support of host countries and communities.

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host countries in order to e.g. visit family members. The mere thought of not being able to see family members and friends again could have devastating effects on the individual and prevent solution pathways from reaching their potential.

- (7) Offering possibilities for the temporary or permanent admission of extremely vulnerable IDPs, along, the lines of e.g. the Canadian programme in Iraq, could certainly enhance protection and solutions for IDPs, many of whom are, because of objective and personal circumstances, equally if not more vulnerable than many refugees. Such a programme will obviously need close consultations and coordination with UNHCR and other stakeholders. Having already established its solidarity towards other countries closer to the frontline of the refugee response, Portugal, could, depending on the needs, consider piloting a similar programme from any IDP operation in the world.

At the time of the writing of this paper, the conflict in Syria was nearly seven years old. Few anniversaries offer less cause for celebration than that marked by the forced displacement of millions of civilians and the loss of human lives inside and outside the country in desperate onward trips. Since the beginning of their long-standing displacement, the living conditions for Syrian refugees have come under enormous pressure, despite the continued generosity of refugee-hosting countries and donors. In desperation, hundreds of thousands of Syrian refugees have moved onwards, particularly to Europe.

The year 2018 is a landmark year – a Global Compact on Refugees is to be adopted. While the CRRF does not, at this point, formally apply to either the Syria situation or in any of the host countries in the region, the commitments set forth in the Declaration can already be a helpful reference for dialogue on refugee solutions<sup>110</sup>. Because of its experience in relocation, resettlement, academic scholarships and how public and civil society support can advance refugee-solutions, even, during a severe debt crisis, Portugal together with other EU Member States could play a strategic role within the EU, especially, in light of its upcoming EU Presidency in 2020.

2018 is also the year when progress of the implementation of the (2016-2018) pledging target for the resettlement and other pathways for 10% (500,000) of the Syrian refugee population in MENA/Turkey will need to be assessed. Though the importance of ensuring financial support in addressing a refugee crisis cannot be overemphasized, innovation and pro-activeness can also make a difference to the lives of Syrian refugees, the vast majority of whom remain in the MENA/Turkey region.

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110 See UNHCR, 2016. Better protecting refugees in the EU and Globally, p. 2.



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