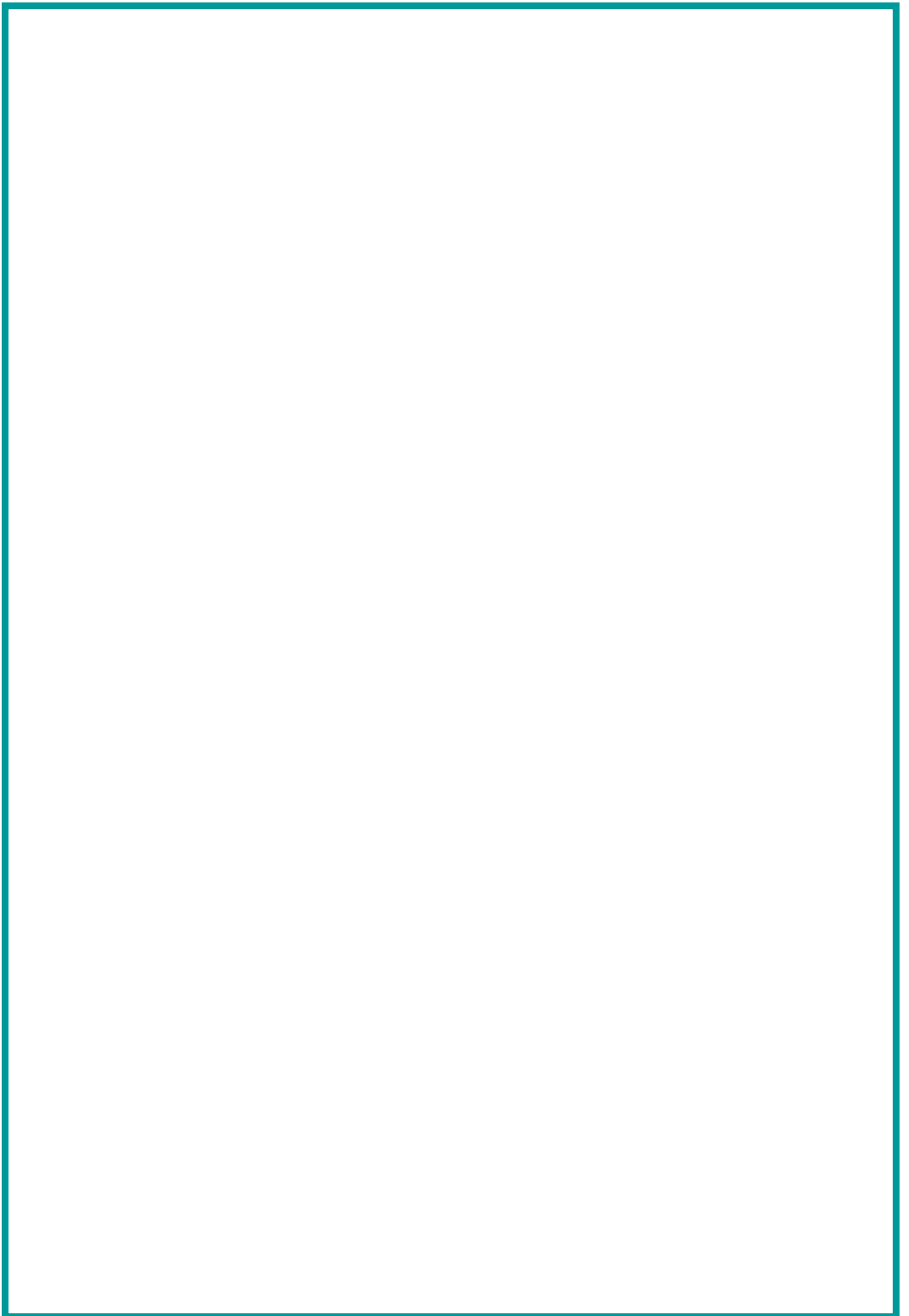




DURABLE
SOLUTIONS
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ACCESS TO RESETTLEMENT AND COMPLEMENTARY PATHWAYS FOR SYRIAN REFUGEES

JUNE 2018



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The Durable Solutions Platform is a joint initiative of the Danish Refugee Council (DRC), International Rescue Committee (IRC) and Norwegian Refugee Council (NRC). The platform aims to generate knowledge that informs and inspires forward-thinking policy and practice on the long-term future of displaced Syrians. Since its establishment in 2016, the DSP has developed research projects on key questions regarding durable solutions for Syrians. In addition, DSP has strengthened the capacity of civil society organizations on solutions to displacement.



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ACRONYMS

BVOR	Blended Visa Office-Referral Programme
CRRF	Comprehensive Refugee Response Framework
CORS	Community Organisation Refugee Sponsorship Category (New Zealand)
GCC	Gulf Cooperation Council / Cooperation Council for the Arab States of the Gulf
FAP	Family Assistance Programme
FGD	Focus Group Discussion
HAP	Humanitarian Assistance Programme
HEI	Higher Education Institution
IDP	Internally Displaced Person(s)
ILO	International Labour Organisation
IOM	International Organisation for Migration
LGBT	Lesbian, gay, bisexual, and transgender
MENA	Middle East and North Africa
MoU	Memorandum of Understanding
NGO	Non-Governmental Organisation(s)
OECD	Organisation for Economic Co-operation and Development
TBB	Talent Beyond Boundaries
UDHR	Universal Declaration of Human Rights
UNHCR	United Nations High Commission for Refugees
UNRWA	United Nations Relief and Works Agency for Palestine Refugees
VPRS	Vulnerable Persons Resettlement Scheme (UK)
VCRS	Vulnerable Children's Resettlement Scheme (UK)
WUS-C	World University Service of Canada

Cover photo: A Syrian woman from Homs in Syria repairs fishing nets at a fishing port in Tripoli, Lebanon, on November 28, 2017. Photo by: Sam Tarling.

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Chapter One

Introduction

As the Syrian displacement crisis has become protracted,¹ attention in neighbouring countries, and internationally, has increasingly turned to long-term solutions for the refugees involved. With return in safety and dignity seeming a distant possibility, and local integration being difficult and sometimes discouraged in countries of first asylum, third country solutions are a priority. Resettlement – the organized identification, selection and transportation of refugees to a third country, where they would have refugee status, and be expected to integrate and eventually be able to naturalize – would be the obvious traditional solution of choice in these circumstances. However, global resettlement places do not come close to meeting the needs. This was the case even before the US cut its programme in 2017.



A family from Raqqa in Syria stand in the entrance to their tent in an informal settlement for Syrian refugees in the Bekaa Valley, Lebanon, on November 29, 2017. Photo by: Sam Tarling

¹ A protracted refugee situation is defined as one affecting 25,000 or more people and having lasted for five years or more.

While some other states, such as Canada and Australia, have held numbers relatively steady (with surges in short-term capacity in some years), a significant shortfall remains. European countries' approaches to resettlement vary. There have been initiatives calling for an EU-wide scheme, and negotiations are on going, but national programmes, with EU support if following certain criteria, prevail. Several European countries have no or only a small resettlement programme. There is sometimes a lack of political will to offer a durable solution, but somewhat more openness to shorter-term organized arrival options. Particularly as welcoming community voices have become stronger in European countries, there has been some more willingness to explore both resettlement and alternative, orderly arrival approaches, collectively known as 'complementary pathways', often as a result of advocacy by civil society organizations.

In September 2016, 193 governments made a commitment to explore complementary pathways as alternative means of achieving a temporary or durable solution for refugees in the New York Declaration for Refugees and Migrants and the annexed Comprehensive Refugee Response Framework (CRRF).² The expressed aim is to provide resettlement places and complementary pathways "on a scale that would enable the annual resettlement needs (...) to be met."³ Among the listed complementary pathways for refugees are: humanitarian admission programmes, (medical) evacuation programmes, family reunification, private sponsorship, labour mobility and scholarships and student visas.⁴ Since 2016, complementary pathways have been expanded or newly developed as pilot programmes by states, the United Nations High Commission for Refugees (UNHCR), international agencies and Non-Governmental Organisations (NGOs). At this point, with states and the UN focused on the Global Compacts for Refugees and for Migrants, initiatives are underway to take stock, and plan for improvements to access to third country protection and solutions for Syrians and others.

The purpose of this research is to contribute information on, and thinking about existing solutions and emerging complementary pathways, particularly for the benefit of organisations involved with refugees in Jordan, the Middle East region and more broadly. The research aims to highlight important design and practical considerations to maximise refugee access and protection while taking refugees' perspectives into consideration. The outcomes include an exploration of the ways in which organisations can form networks and partnerships to further develop complementary pathways as viable means for more Syrian refugees to achieve a sustainable or durable solution to their displacement needs. To this end, this research aims to:

1. Offer an overview of various complementary pathways currently available to Syrian refugees and evaluate their degree of accessibility and inclusion;
2. Gauge refugees' perceptions towards resettlement and complementary pathways and their perceived access and concerns, intentions and plans when it comes to finding a (durable) solution to their displacement; and
3. Identify and develop innovative, key and concrete recommendations that help design new State policies and NGO programming and advocacy on resettlement and complementary pathways.

The research was conducted between January and May 2018 and included desk research, 13 key informant interviews, and 8 Focus Group Discussions (FGDs) with 60 Syrian refugees in Jordan.

2 UNHCR (2016b). New York Declaration for Refugees and Migrants, <http://www.unhcr.org/new-york-declaration-for-refugees-and-migrants.html>, accessed on 10 December 2017.

3 Ibid.

4 United Nations General Assembly (2016). Draft resolution submitted by the President of the General Assembly, Draft outcome document of the high-level Plenary meeting of the General Assembly on addressing large movements of refugees and migrants, <http://www.unhcr.org/uk/events/conferences/57b6d8464/draft-outcome-document-19-september-2016-high-level-meeting.html>, accessed on 22 March 2018.

Chapter Two

Refugee Context in Jordan

The Syrian civil war has caused the largest displacement crisis of our time,⁵ with an estimated 6.6 million internally displaced people (IDPs) within Syria,⁶ 5.6 million people who have fled to neighbouring countries, namely Turkey, Lebanon, Jordan, Iraq and Egypt,⁷ and a further 1 million who have fled beyond the region, for example to European countries and/or been resettled to Europe, Canada, the US or Australia.⁸ About 560,000 (roughly 10 per cent) of these refugees are identified, by UNHCR, as vulnerable or having special needs which would qualify them for resettlement referral. These include unaccompanied minors, those living in female-headed households, victims of torture, and persons with special medical needs.⁹

At the time of this research there were an estimated 1.26 million Syrians in Jordan¹⁰ (including those displaced by the ongoing conflict, those who migrated before the war and others) of whom approximately 50 percent (661,859)¹¹ were registered as refugees with UNHCR. Jordan has, in Spring 2018, the world's second highest refugee population per capita after Lebanon.

Jordan's constitution provides protection against extradition for political asylum seekers, but it has not enacted domestic legislation to host refugees and is not a party to the 1951 Convention on Refugees and its 1967 Protocol. The instrument that provides the legal framework for the treatment of refugees is a 1998 Memorandum of Understanding (MoU) - and its 2014 amendment - between Jordan and UNHCR.¹² Under the MoU, UNHCR can support refugees to find a durable solution to their protection needs. In principle, this is achievable through voluntary repatriation, local integration or resettlement to a third country.

However, the MoU refers only to voluntary repatriation and resettlement in a third country, as the government of Jordan is unwilling to accept long-term integration. Voluntary repatriation is currently unfeasible for Syrians, due to the continued conflict.¹³ There is, therefore, considerable pressure to find resettlement opportunities for Syrians in Jordan. Global resettlement places do not come close to meeting global needs, and indeed are forecast to continue to decrease as the US limits its programme, which was for decades the largest resettlement programme in the world. While the US currently refuses the vast majority of Syrian refugees, Canada and European countries have increased their places in various ways. As well as increased resettlement, one of those ways, particularly in European states, is the development of complementary pathways.

- 5 UNHCR (2016a). Syria conflict at 5 years: the biggest refugee and displacement crisis of our time demands a huge surge in solidarity <http://www.unhcr.org/en-us/news/press/2016/3/56e6e3249/syria-conflict-5-years-biggest-refugee-displacement-crisis-time-demands.html>, accessed 7 May 2018.
- 6 UNHCR (2018b). Syria Emergency <http://www.unhcr.org/syria-emergency.html>, accessed on 7 May 2018.
- 7 UNHCR (2018a). Syria Regional Refugee Response (March 2018), <http://data.unhcr.org/syrianrefugees/regional.php>, accessed on 8 March 2018.
- 8 UNHCR (2017b). Syria Regional Refugee Response, Europe: Syrian Asylum Applications (last updated December 2017) <http://data.unhcr.org/syrianrefugees/asylum.php>, accessed on 8 March 2018. On resettlement and complementary pathways, see also UNHCR cumulative statistics on resettlement and humanitarian admission for Syrian refugees at <http://www.unhcr.org/protection/resettlement/573dc82d4/resettlement-other-admission-pathways-syrian-refugees.html>. Over the period 2013 to 31 March 2018 45,973 refugees of Syrian nationality were resettled to European Union Member States, while in the same period 17,582 refugees of other nationalities were admitted, See <http://rsq.unhcr.org/en/#ga3P> accessed 30 April 2018.
- 9 UNHCR (2017a). UNHCR Projected Global Resettlement Needs 2018, June 14 2017 <http://www.unhcr.org/protection/resettlement/593a88f27/unhcr-projected-global-resettlement-needs-2018.html>, accessed 10 November 2017.
- 10 Government of Jordan (2015). 2015 Jordan Population and Housing Census, February 2016.
- 11 UNHCR (2018c). Operational Portal (April 2018), <http://data2.unhcr.org/en/situations/syria/location/36>, accessed on 7 March 2018.
- 12 UNHCR (2015). Global Appeal 2015 Update, <http://www.unhcr.org/5461e6070.pdf>, accessed on 18 March 2018; MoU. (1998). Memorandum of Understanding between the Government of the H.K. of Jordan and the UNHCR. Official Gazette, 4277. <http://carim-south.eu/database/legal-module/memorandum-of-understanding-between-the-government-of-the-h-k-of-jordan-and-the-unhcr>, accessed on 7 November 2017.
- 13 Durable Solutions Platform (2017) Voluntary, Safe, and Dignified Syrian Returns: Applying International Returns Principles for Syrian Refugees and IDPs, Internal guidance note, October 2017; NRC, Save the Children, Action Against Hunger, CARE, Danish Refugee Council, International Refugee Committee, and Durable Solutions Platform (2018) Dangerous Ground – Syria's refugees face an uncertain future, <https://reliefweb.int/sites/reliefweb.int/files/resources/dangerous-ground---syrian-refugees-face-an-uncertain-future.pdf>, accessed on 12 April 2018; Samuel Hall (2018), Syria's Spontaneous Returns, <http://samuelhall.org/samuel-hall-syrias-spontaneous-returns-study>, accessed on 12 April 2018.

Chapter Three

Resettlement and Complementary Pathways

The short- and medium-term protection focus for Syrians in Jordan lies strongly on third country solutions, that is on resettlement and complementary pathways. It is therefore important to consider how the traditional durable solution of resettlement relates to the more recently developed and implemented complementary pathways. This relationship is multi-level and could be viewed from different perspectives. It will be set out in this section on the conceptual, practical and numerical bases found during assessments of the literature and interviews for the project. The relationship is, in essence, one between a firmly established and essential element of the international refugee protection architecture (resettlement), and newer, or at least re-developed pathways, that are responding to an immediate situation, and may or may not become longer-term features of refugee protection but are certainly worthy of consideration and exploration for the benefits they can offer refugees, states and the protection regime in general.

3.1 CONCEPTUAL RELATIONSHIP

Resettlement is the organised transfer of refugees from the country in which they have sought asylum to another destination state that has agreed to admit them as refugees and to grant them permanent settlement and the opportunity for eventual citizenship.¹⁴ As a durable solution, resettlement should involve the granting of refugee status and long-term residence rights. Although that has traditionally been the case, some recently developed European resettlement programmes grant an initially temporary status. Even then, the status provided by the resettlement state ensures protection against refoulement (in this case deportation back to Syria) and provides a resettled refugee and his/her family or dependents with access to civil, political, economic, social and cultural rights similar to those enjoyed by nationals.¹⁵

The September 2016 commitments made in the New York Declaration for Refugees and Migrants and the objectives of the Comprehensive Refugee Response Framework (CRRF)¹⁶ noted above, as well as the work on the Global Compact on Refugees,¹⁷ demonstrate the increased interest of governments and international organizations in expanding third country organized admissions. The New York Declaration specifies:¹⁸

States “intend to expand the number and range of legal pathways available for refugees to be admitted to or resettled in third countries [and] consider the expansion of existing humanitarian admission programmes, possible temporary evacuation programmes, including evacuation for medical reasons, flexible arrangements to assist family reunification, private sponsorship for individual refugees and opportunities for labour mobility for refugees, including through private sector partnerships, and for education, such as scholarships and student visas.”

This list of forms that complementary pathways can take demonstrates their wide variety, but also their close connection to resettlement, as some (e.g. private sponsorship) have long been

14 UNHCR (2011). UNHCR Resettlement Handbook, <http://www.unhcr.org/46f7c0ee2.pdf>, accessed on 10 October 2017; Van Selm, J. (2014). Refugee Resettlement. In E. Fiddian-Qasimiyeh, G. Loescher, K. Long, & N. Sigona (Eds.), *Refugee Resettlement*. Oxford University Press, <https://doi.org/10.1093/oxfordhb/9780199652433.013.0014>

15 European Resettlement Network. (2012). Selection phase, <http://www.resettlement.eu/journey/selection-phase>, accessed on October 10, 2017.

16 UNHCR (2018c). Comprehensive Refugee Response Framework: Delivering more comprehensive and predictable responses for refugees, <http://www.unhcr.org/uk/comprehensive-refugee-response-framework-crrf.html>, accessed on 02 April 2018.

17 See UNHCR (2018d), Towards a Global Compact on Refugees, <http://www.unhcr.org/en-us/towards-a-global-compact-on-refugees.html>, accessed on 10 March 2018.

18 UN General Assembly (2018). Draft Resolution submitted by the President of the General Assembly: Draft outcome document of the high-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants, <http://www.unhcr.org/uk/events/conferences/57b6d8464/draft-outcome-document-19-september-2016-high-level-meeting.html>, accessed 04 April 2018.

part of traditional programmes in some countries, whereas for states with relatively new or small programmes, these same pathways are being handled as alternatives or additional to resettlement.

Indeed, while there is no established definition of complementary pathways, it is widely acknowledged that they are complementary to resettlement.¹⁹ That means they are or should be operated in support of resettlement, whether there are resettlement programmes already in place or could potentially be future programmes. It also means that complementary pathways should not in any way undermine or limit resettlement opportunities. As such, complementary pathways offer additional opportunities and additional places, over and above resettlement.²⁰ The major difference between resettlement and admission through a complementary pathway might be in terms of the status granted to the beneficiary on arrival, as this is more often initially short-term on complementary pathways, and might, in the case of labour mobility and scholarships, be linked to the activity for which the individual is (and where relevant their family members are) admitted, and not involve acknowledgement of the need for protection. Even where the status is that of worker or student, however, there should be a minimum guarantee of non-refoulement, as well as a clear and predictable path to longer-term status.

While complementary pathways can take many forms, appropriate design would ensure that they are protection sensitive and that minimum safeguards are in place to protect refugees. Above all, non-refoulement must be upheld: this is particularly important in those pathways for which individuals are eligible by virtue of their situation as refugees in need of protection and a solution, but which grant admission for other reasons (e.g. employment or studies) and a visa associated with that reason rather than refugee or subsidiary protection status.

3.2 PRACTICAL RELATIONSHIP

Complementary pathways can serve to increase the range of regulated means by which refugees may achieve temporary or permanent solutions to their international protection needs. They may offer permanent residence and status immediately in the same way as resettlement usually does, or contribute to initially short-term solutions, through temporary residence rights and various visas. In this latter scenario, the solution may become sustainable or durable over time, as status is made more secure. In all cases, solutions are most effective when their details and implications are fully communicated to beneficiaries.

The more developed complementary pathways include humanitarian admission programmes, humanitarian visas, medical evacuation (as distinct from the longstanding Ten-or-More and Twenty-or-More resettlement programmes based on medical needs), private or community-based sponsorships and family reunification programmes. However, even these pathways are generally better developed in some states than in others. Less developed specifically for refugees are student visas and scholarships, and labour migration programmes. Scholarships, for example, exist as part of private sponsorship in Canada, where World University Service Canada (WUS-C) runs programmes sponsoring refugee students with input from Universities and Canadian students. Medical evacuation, as a complementary pathway, is a temporary route that offers refugees access to medical treatment in a third country on the condition of returning to the first country of asylum.²¹ For this reason, medical evacuation is not very common for Syrian refugees in neighbouring countries because those - such as Lebanon and Jordan - do not allow refugees re-entry, even if air-lifted for medical evacuation.

Complementary pathways in their current form were originally proposed and implemented by European states. Some of these wanted to offer Syrian refugees a temporary form of admission and protection rather than offering them the permanent status, or the expectation thereof, that generally comes with resettlement.²² At the same time, their desire to signal that they were willing to act to share international responsibility or show solidarity, made organized entry programmes a preferred

19 See e.g. Policy Paper and others on Complementary Pathways forthcoming at <http://www.resettlement.eu/page/ern-publications>; and ICMC, 10% of Refugees from Syria: Europe's Resettlement and other Admission Responses in a Global Perspective, June 2015, <https://www.icmc.net/sites/default/files/documents/10-percent-syrian-refugees-resettlement-2015.pdf> Accessed 27 April 2018.

20 See ERN+ Policy Paper forthcoming at <http://www.resettlement.eu/page/ern-publications>

21 Twenty-or-More (ToM) programmes, within resettlement quotas, do not have such conditions attached.

22 Past examples of third country solutions on some of the grounds now considered 'complementary pathways' were simply part of resettlement programmes e.g. the admission of Hungarian miners and agricultural workers to the UK in 1956, after they had sought initial protection in Austria; the admission of extended family members of Indo-Chinese refugees until the Comprehensive Plan of Action resolved their protection and solution needs. As such, what are now referred to as Complementary Pathways are historically intertwined with resettlement: see e.g. Farming notes and comments: to aid refugees, *The Times*, 10 December 1956 p.2 and 12 December 1956 p.6; Robinson, W. Courtland (2004), 'The Comprehensive Plan of Action for Indochinese Refugees, 1989-1997: Sharing the Burden and Passing the Buck', *Journal of Refugee Studies* Vol. 17, No. 3.

route over the granting of temporary protection, as under the 2001 Temporary Protection directive, to spontaneously arriving asylum seekers.²³ Some of the complementary pathways, in particular humanitarian admission programmes, were also a response to advocacy by family members already in European countries and civil society. This was the case, for example, in Germany, Austria and Ireland.²⁴

Many of those European states that have developed complementary pathways to date started their programmes in 2013-2014.²⁵ States have handled the relationship with resettlement in different ways. Germany was just starting a resettlement pilot programmes at the same time and has maintained separate streams of resettlement, humanitarian admission programmes, private sponsorship (first by Länder, with a pilot Federal programme starting in 2018) and scholarships; The UK had a resettlement programme and has converted humanitarian admission into a resettlement stream during the course of the programme, as well as embarking on community-based sponsorship; France has blended resettlement and humanitarian admission, for example, but also maintained and expanded humanitarian visas; Austria has no resettlement programme, but has run a humanitarian admission programme in three parts that looks very like resettlement. In sum, the practical relationship between resettlement and complementary pathways has varied from State to State, and is still developing over time. In particular, the overlap between Humanitarian Admission Programmes (HAP) and resettlement in practice is strong, however, the strength of the protection component of HAPs is frequently called into doubt by NGOs and by UNHCR.²⁶



*An elderly Syrian refugee smoking at the entrance of a collective center in Lebanon. December 2015.
Photos by: Eduardo Soteras Jalil*

23 COUNCIL DIRECTIVE 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:212:0012:0023:EN:PDF>

24 ERN+ (2018), Humanitarian Admission Programmes Scoping Paper, <http://www.resettlement.eu/sites/icmc/files/ERN%2B%20Humanitarian%20Admission%20Programmes%20in%20Europe%20-%20Expanding%20complementary%20pathways%20of%20admission%20for%20persons%20in%20need%20of%20international%20protection.pdf>, accessed 16 May 2018.

25 The relationship between the absence of short-term solutions and the massive movement of over a million people who crossed (and the many thousands who died trying to cross) the Mediterranean in 2015-16 is not something that can be measured but assumed by some to exist.

26 See, for example, the UNHCR, IOM and ICMC project on Complementary Pathways under their collaborative European Resettlement Network initiative at www.resettlement.eu.

Indeed, complementary pathways could provide an avenue to increased resettlement over time, as well as to shorter-term increases in third country protection. Oxfam's 'Fair Share' report gives one example of the call for other countries to increase their resettlement quotas.²⁷ According to Oxfam's analysis only Germany, Canada and Norway "have made resettlement pledges exceeding their 'fair share', a measure based on the size of their economies."²⁸ Total international quotas could be increased by increasing the resettlement intake of the existing resettlement countries or by encouraging more countries to be involved in resettlement. If countries are reluctant to commit to resettlement, with its implications of permanence, they may be prepared to operate at least pilot schemes of one or more complementary pathways, which are more ad hoc, and potentially limited in nature.

One practical difference between resettlement and complementary pathways can lie in the means of identification and referral of cases. UNHCR is generally responsible for the referral of refugees for resettlement and bases its assessment of need on specified submission categories, related to particular areas of vulnerability.²⁹ While UNHCR has been responsible for identification and referrals for some complementary pathways, this has not always been the case. For example, family members identified large numbers of beneficiaries for the Austrian and German humanitarian admission programmes in 2013-15, although these programmes gradually moved towards greater UNHCR submissions. Meanwhile some private sponsorship schemes see sponsors identify potential beneficiaries, often family members of Syrians already in the relevant European country, whereas the Community-based sponsorship programme in the UK, for example, like the blended Canadian programme, matches a UNHCR referred refugees to a UK sponsor.³⁰

On other practical aspects, such as pre-departure measures including cultural orientation, health checks and transportation arrangements there are also some complementary pathways that 'borrow' or 'share' the resettlement approach (e.g. involve IOM in all pre-departure activities) and others that rely on sponsors or family members to play a role in this phase. The tendency in general is to move towards the resettlement model in these areas.³¹

3.3 NUMERICAL RELATIONSHIP

Less than 1 per cent of registered refugees worldwide are currently resettled annually, due to the very small number of places available.³² This also applies to registered Syrian refugees being resettled. The number falls far short of their estimated resettlement needs, which is about 10 per cent of registered Syrian refugees.³³ Figure 1a shows the number of departures in yellow and the resettlement need in green for all Syrian refugees. The figure shows that since 2013, the share of those in need of resettlement who departed to a third country was well below the 10 per cent resettlement need. These figures are also illustrated in Table 1. There is a large gap between refugees in need of resettlement and those who actually are resettled.

For Syrian refugees in Jordan, Figure 1b shows that the share of Syrian refugees in Jordan as a percentage of the total is low (in fact it has decreased since 2013 from 28 percent of all Syrian refugees to 13 percent in 2017). The numbers, however, are significant. The table shows that the estimated share of refugees identified by UNHCR as urgently needing resettlement who were resettled (i.e. needs/ departures) in Jordan increased from 2.5 percent in 2014 to reach a peak of 27 percent in 2016. Since then the share has again declined to 6.77 percent of those in need in Jordan in 2017. When compared to the total number of refugees, this is number translates to 0.677 percent, which is still lower than the global average of 1 percent for all refugees and well below resettlement needs.³⁴

27 Oxfam (2016). Where there's a will, there's a way: safe havens needed for refugees from Syria, https://d1tn3vj7xz9fdh.cloudfront.net/s3fs-public/file_attachments/bp-where-theres-a-will-syria-refugees-161216-en.pdf, accessed on 10 October 2017.

28 BBC News (2018). Oxfam urges rich nations to take in more Syria refugees, <http://www.bbc.co.uk/news/uk-35913972>, accessed on 03 April 2018.

29 UNHCR (2011). UNHCR Resettlement Handbook, <http://www.unhcr.org/46f7c0ee2.pdf>, accessed on 10 October 2017

30 See UK Government, Apply for Full Community Sponsorship, <https://www.gov.uk/government/publications/apply-for-full-community-sponsorship>, accessed 17 May 2018 and Canadian Government, How we process privately sponsored refugee applications, <https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/help-outside-canada/private-sponsorship-program/how-we-process-applications.html>, accessed 17 May 2018.

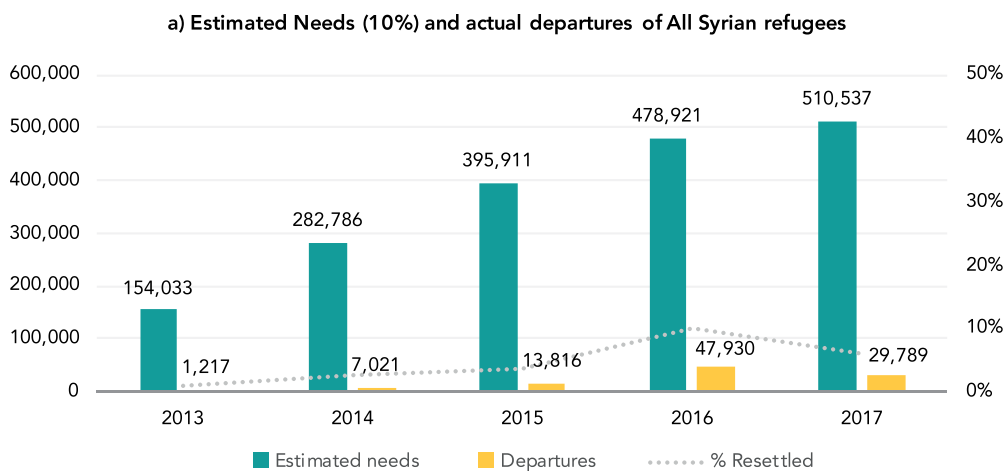
31 See ERN+ publications on complementary pathways at resettlement.eu.

32 As UNHCR clarifies: "Resettlement pledges are the commitments States make regarding the number of refugees they intend to accept for resettlement. Resettlement quotas are pledges translated into concrete slots allocated by each State on a year to year basis. Resettlement submission are the referrals – following assessments in each individual case – that UNHCR make to States. Resettlement departures are signifying those refugees who have physically departed the asylum country for resettlement in a third country." Source: UNHCR (2018). Resettlement and Complementary Pathways – Comprehensive Protection and Solutions Strategy (p.5), <https://data2.unhcr.org/en/documents/details/63759>, accessed 29 May 2018 (Bold text as is in the original source).

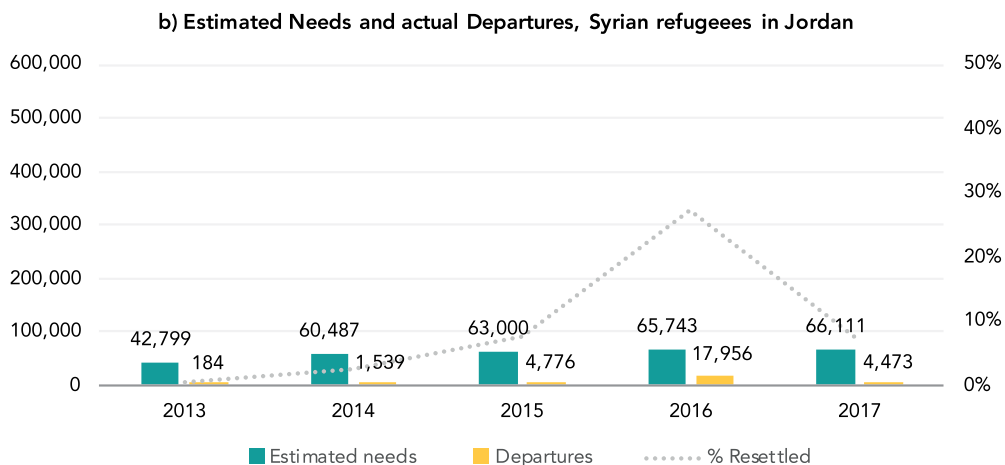
33 UNHCR (2017a). UNHCR Projected Global Resettlement Needs 2018, June 14 2017 <http://www.unhcr.org/protection/resettlement/593a88f27/unhcr-projected-global-resettlement-needs-2018.html>, accessed 10 November 2017.

34 For comparison, as reported by UNHCR bilaterally, the number of Iraqis resettled in Turkey, Syria, Egypt, Jordan, Lebanon is 3229 while the total registered Iraqi population in these 5 countries are: 274,846. Therefore, 1.17% of Iraqis are resettled, not including P2, private sponsorships etc.

Figure 1: Estimated resettlement needs and departures, all Syrian refugees (a) and refugees in Jordan (b) (absolute numbers and estimates share of resettlement needs).³⁵



Year	Registered refugees	Estimated needs	Departures	% Resettled of those in need
2013	1,540,326	154,033	1,217	0.79%
2014	2,827,857	282,786	7,021	2.48%
2015	3,959,106	395,911	13,816	3.49%
2016	4,789,208	478,921	47,930	10.01%
2017	5,105,369	510,537	29,789	4.07%



Year	Registered refugees	Estimated needs	Departures	% Resettled of those in need
2013	427,985	42,799	184	0.43%
2014	604,868	60,487	1,539	2.54%
2015	630,000	63,000	4,776	7.58%
2016	657,433	65,743	17,956	27.31%
2017	661,114	66,111	4,473	6.77%

35 Source: UNHCR, Resettlement Data Finder, <http://rsq.unhcr.org>

Historically, the USA, Canada, and Australia have collectively provided 90 per cent of global refugee capacity and the European states approximately eight per cent.³⁶ The US alone has annually accounted some for the majority of all refugees submitted for resettlement. The US Refugee Program for 2018 has a ceiling that is half that of 2017, and the number of arrivals during Spring 2018 has fallen short even for that reduced ceiling to be met.³⁷ As the US pulls away from resettlement (at least for the duration of the current administration), there is a widespread call from NGOs and others for European and Latin American states to seize the moment. For example, the EU, which has been working on developing resettlement programmes since the mid-2000s, is currently engaged in negotiations between the European Commission, European Parliament and European Council on a Union Resettlement Framework - including the question of whether or not this should involve complementary pathways, and in particular humanitarian admission programmes.³⁸

During the course of the Syrian conflict, several European states in particular have expanded their orderly arrivals regimes by developing complementary pathways. In essence, these pathways then provide an avenue to increase third country protection and solutions, even if they do not directly offer resettlement as such. To date, complementary pathways have primarily focused on Syrians: one of the questions going forward is whether they will be expanded to other groups and continue to support resettlement efforts through their additionality. It is also questionable whether complementary pathways effectively replace resettlement cases, i.e. whether someone benefiting from a complementary pathway might otherwise have been resettled, either at that time, or at a future point.

Finally, on the numerical relationship between resettlement and complementary pathways, it should be noted that there are currently no comprehensive numbers to quantify refugees moving to a third country through complementary pathways. There are initiatives aimed at measuring these (e.g. by the Organisation for Economic Co-operation and Development (OECD), as part of its project to promote complementary pathways through family reunification, student visas and scholarships, and work visas in OECD members countries, is measuring the top-5 nationalities that have entered OECD countries through work, family or student visas between 2012-2016, and collecting data recorded by immigration streams.)³⁹ However, the process is complicated because refugees who migrate on, for example, student and work visas are not recorded as refugees but in their non-refugee immigration category.



An informal settlement in Zahle in Lebanon. December 2015. Photo by: Eduardo Soterias Jalil

- 36 Van Selm, J. (2014). Refugee Resettlement. In E. Fiddian-Qasmieh, G. Loescher, K. Long, & N. Sigona (Eds.), *Refugee Resettlement*. Oxford University Press, <https://doi.org/10.1093/oxfordhb/9780199652433.013.0014>
- 37 See International Rescue Committee (2018), 'U.S. lags far behind in its commitment to admit 45,000 refugees this year', <https://www.rescue.org/press-release/us-lags-far-behind-its-commitment-admit-45000-refugees-year-0>, accessed 16 May 2018; Reuters (2017) State Department tells refugee agencies to downsize U.S. operations <https://www.reuters.com/article/us-usa-immigration-refugees-exclusive/exclusive-state-department-tells-refugee-agencies-to-downsize-u-s-operations-idUSKBN1EF2S5>, accessed 16 May 2018
- 38 For an overview of the state of negotiations see European Parliament (2018). 'Legislative Train Schedule – Towards a New Policy on Migration', <http://www.europarl.europa.eu/legislative-train/theme-towards-a-new-policy-on-migration/file-eu-resettlement-framework>, accessed 01 May 2018.
- 39 UNHCR is currently conducting a pilot project with the OECD to identify the humanitarian ways of entry beyond resettlement (i.e. complementary pathways).

Chapter Four

Examples of Complementary Pathways

The range of what are now collectively termed ‘complementary pathways’ extends from new programmes specifically targeting refugees and often quite similar to resettlement (such as humanitarian admission programmes), through existing entry procedures (humanitarian visas) and entitlements, to mobilization of community actors willing to support refugees (sponsorship programmes) and immigration channels that can be utilized to allow entry and stay, if not explicit protection on refugee grounds (scholarships and employment visas). This section will take the complementary pathways set out in the New York Declaration (humanitarian admission programmes, family reunification, private sponsorship, labour mobility and scholarships and student visas, as well as humanitarian visas)⁴⁰ and examine their development to date.

4.1 HUMANITARIAN ADMISSION PROGRAMMES

Various states have established their own models of ad hoc Humanitarian Admission Programmes since 2013, making it difficult to give a general definition of these programmes.⁴¹ Broadly, they have had similarities to resettlement, but also key differences.

Germany established the first HAP, in 2013. In Germany’s case the HAPs were intended to allow entry and short-term protection primarily to relatives of Syrians already in the country. They were a response to advocacy by those families, largely to local and Federal State governments, which was then passed on to the national level. Some places were for UNHCR identified and referred refugees. In total Germany operated three HAPs for Syrians between 2013 and 2015. Austria also operated three HAPs, although in this case the protection offered was long-term (until legal changes made all protection in Austria initially short-term). Again, the Austrian HAPs were primarily for extended family members of Syrians already in Austria, but over time they were extended to others and UNHCR took on a greater role in identifying and referring refugees over the three programmes. Where family members were involved, there was often an element of ‘sponsorship’ or at least an expectation of direct assistance. Almost 2,000 Syrians moved to Austria under the HAPs and some 20,000 to Germany over the three HAPs.

Ireland has also run two Syrian Humanitarian Admission Programmes for extended family members of Syrians in Ireland (the first in 2014 welcomed about 70 people, the second started in late 2017). Switzerland has run two Humanitarian Admission Programmes for extended family members. The UK and France’s Humanitarian Admission Programmes have been more closely intertwined with their resettlement programmes, either through conversion (the UK) or running closely parallel (France). In these cases, places have been available to the broader refugee population, with no family tie eligibility criterion.

Humanitarian Admission Programmes could become flexible tools, in emergency or in protracted situations, targeting a broad displaced population. There is a lot of overlap with resettlement: indeed, there are at least two broad schools of thought on HAPs. They could be used in place of resettlement to come closer to meeting UNHCR’s estimated resettlement needs, or they could be used to offer third country protection to people who are not actually candidates for traditional resettlement, or who might not need a durable solution, but do need removal and distance from the cause of their displacement, at least for a period of time.⁴² The distinction between the two

40 Medical evacuation is not considered here, as it is a discrete programme, with specific goals and requirements, including return to the country of first asylum on recovery, which mean that the comparison with resettlement is less appropriate than for the other pathways. In addition, as noted above, its use for Syrians is limited as return to Jordan and Lebanon is not permitted by national authorities.

41 ERN+ (2018), Humanitarian Admission Programmes Scoping Paper, <http://www.resettlement.eu/sites/icmc/files/ERN%2B%20Humanitarian%20Admission%20Programmes%20in%20Europe%20-%20Expanding%20complementary%20pathways%20of%20admission%20for%20persons%20in%20need%20of%20international%20protection.pdf>, accessed 16 May 2018.

42 See Van Selm, J. and IOM (2018), Humanitarian Admission Programmes: Expanding and Increasing Pathways to Protection, ERN+ <http://www.resettlement.eu/sites/icmc/files/ERN%2B%20Humanitarian%20Admission%20Programmes%20-%20Expanding%20and%20Increasing%20Pathways%20to%20Protection.pdf>, accessed 17 May 2018.

(HAPs and resettlement) might be very small at the departure end, with cases submitted to both programmes in a similar way, and on a similar basis. However, at the destination end, the immediate protection outcomes, and in particular the security of a durable solution, can be quite different, dependent on the approach of specific destination states. This bifurcation can give rise to confusion as to the utility and benefits of HAPs. However, with the significant discrepancy between estimated resettlement needs and the actual number of places available, it seems more likely that states' willingness to create HAPs, at least in the short-term, would cause them to be used in lieu of resettlement – although, as with all complementary pathways, the intention should be to support and increase resettlement, not to replace it.

4.2 HUMANITARIAN VISAS

Humanitarian visas are granted at the discretion of individual states and viewed as “an alternative ‘protected entry procedure’.”⁴³ Unlike traditional resettlement, under which refugees arrive with status, humanitarian visas allow asylum seekers to legally enter the visa granting country and, after arrival, to apply for asylum, sometimes with expedited procedures, with the merit of the application examined in situ.⁴⁴ In other words humanitarian visas offer refugees short-term access to a third country where they are expected to apply for asylum. Humanitarian visas are government-driven and extended families are often eligible to apply dependent on the issuing country.

Humanitarian visas, such as those introduced by Brazil (8,450 visas issued) and France (4,600),⁴⁵ have provided Syrian refugees with access to a third country and the opportunity to apply for asylum. Those who travel to a third country on a humanitarian visa are admitted for the purpose of seeking asylum upon arrival. They may also be provided with access to expedited asylum procedures. Brazil's National Committee for Refugees developed its humanitarian visa scheme in 2013 specifically for Syrian refugees. Brazilian embassies in Syria's neighbouring countries issue humanitarian visas for refugees who may then travel to Brazil and apply for asylum, or an alternative applicable immigration status, once there.⁴⁶

Humanitarian visas differ from traditional resettlement in that they are “requested directly by the third-country national at the consulate of the state where asylum is sought”, i.e. outside its territory, although UNHCR occasionally also refers cases to countries). The pre-screening process can then be conducted extraterritorially before a humanitarian visa is issued, enabling the asylum seeker to reach the state in which he/she will apply for asylum safely and legally. The decision on the substance of the asylum application is then taken on that State's territory.”⁴⁷

France has perhaps the most highly developed humanitarian visa system in Europe (visa asile). Refugees in countries neighbouring Syria can apply for the long-stay visas online, for the purpose of claiming for asylum once in France, then are called for an interview at the appropriate French consulate, (mainly Amman, Beirut, Ankara and Cairo). If selected based on their vulnerability criteria (similar to those of UNHCR), the French consulate refers their case to the Département du Droit d'Asile et de la Protection at the Ministry of Interior, which will take the final decision on whether or not the family is granted a long-stay visa for the purpose of claiming asylum.

There is no EU/Schengen humanitarian visa scheme. The European Parliament, pointing to the fact that the inability to arrive regularly in the EU to seek asylum is a flaw in the EU asylum system, exposed by the vast irregular migration across the Mediterranean that reached a peak in 2015-16, has proposed an EU-wide humanitarian visa programme. This would, it is suggested, help in managing arrivals, and in allowing EU member states to meet their international obligations.⁴⁸

43 See Noll, Gregor, Jessica Fagerlind and Fabrice Liebaut, (2002) Study on the Feasibility of Processing Asylum Claims Outside the EU against the Background of the Common European Asylum System and the Goal of a Common Asylum Procedure https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/docs/pdf/asylumstudy_dchr_2002_en_en.pdf, accessed 17 May 2018.

44 European Parliament (2016). “Towards an EU Humanitarian Visa Scheme?”, [http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/556950/IPOL_BRI\(2016\)556950_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/556950/IPOL_BRI(2016)556950_EN.pdf), accessed on 10 May 2018.

45 UNHCR (2017c). Resettlement and Other Admission Pathways for Syrian Refugees, <http://www.unhcr.org/573dc82d4.pdf>, accessed 10 November 2017.

46 Liliana Lyra Jubilut, Camila Sombra Muiños de Andrade and André de Lima Madureira, ‘Humanitarian visas: building on Brazil's experience’ in *Forced Migration Review* 53, October 2016, <http://www.fmreview.org/community-protection/jubilut-andrade-madureira.html> accessed 14 May 2018.

47 European Parliament (2016). “Towards an EU Humanitarian Visa Scheme?”, [http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/556950/IPOL_BRI\(2016\)556950_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/556950/IPOL_BRI(2016)556950_EN.pdf), accessed on 10 May 2018.

48 Ibid.

Humanitarian visas can offer a legal channel for asylum seekers to enter states and request refugee status. However, their use is not yet widespread. In advocating humanitarian visas caution must be exercised: the fact that such visas might be available cannot exclude the fact that everyone has the right to seek and enjoy asylum in other countries (Universal Declaration of Human Rights, UDHR, Article 14) and that irregular arrival may not be penalized (1951 Convention Article 31 para. 1).⁴⁹

4.3 PRIVATE SPONSORSHIP PROGRAMMES

Private sponsorship programmes, recently often labelled Community-Based Sponsorship, draw on private and community resources and initiatives. In principle such programmes expand resettlement numbers by using the support of private citizens, non-governmental organisations or other community and interested groups such as community associations and faith-based groups, for refugees arriving in addition to those entering on fully government-operated programmes. Under these programmes, refugee applicants are either identified directly by their sponsors, or can be referred by UNHCR but assigned to a sponsor for initial support. Private sponsorship can also be used to enable refugees to reunite with extended family members who may not otherwise qualify for family reunification.

Canada has a longstanding, and for a long time the only, private sponsorship programme, which is a strand of the Canadian resettlement programmes and not a complementary pathway. In the Canadian programme, groups of citizens or sponsorship agreement holders, which can be community organisations, faith-related institutions and other civil society groups, including purpose-made groups of five individuals, commit to sponsor refugee travel to Canada and the first year of integration (for any refugee nationalities). Sponsored individuals or families need to meet the refugee definition, and documentation demonstrating that status must be submitted with sponsor-identified applications.⁵⁰

Of the 38,713 Syrians resettled to Canada from December 2015 to early 2017, 13,702 were privately sponsored, and 3,877 were on the Blended Visa Office-Referral Programme (BVOR),⁵¹ which matches UNHCR referred refugees with Canadian sponsors.⁵² By the end of 2016, reality was setting in, as hundreds of Syrians who had not yet found employment moved from sponsorship support to government welfare programmes. Meanwhile schools had been overwhelmed by the sheer number of arriving Syrian children, demonstrating that even established programmes can face surprises. Target arrivals for 2017 had been reduced to 7,500 (for all nationalities), while 'Group of 5' sponsorships of Syrians and Iraqis were limited to 1,000,⁵³ largely due to backlogs in the referral system. In 2018, Canada aims to welcome 18,000 privately sponsored refugees from around the world,⁵⁴ including 1,500 via BVOR.

There are several other developed sponsorship programmes, inspired primarily by a popular desire to welcome Syrian refugees, and do more from a grass roots level. The Canadian government, and others, support some of these new programmes (e.g. in the UK) are through the Global Refugee Sponsorship Initiative.⁵⁵ Most of these are considered complementary pathways, developed alongside often new, and relatively small, resettlement programmes.⁵⁶

49 The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

50 Canadian Government, How we process privately sponsored refugee applications, <https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/help-outside-canada/private-sponsorship-program/how-we-process-applications.html>, accessed 17 May 2018. See also Oxfam (2016). Where There's a Will There's a Way: Safe havens needed for refugees from Syria, <https://www.oxfam.org/en/research/where-theres-will-theres-way-safe-havens-needed-refugees-syria>, accessed on 10 April 2018.

51 See Canadian Government, Blended Visa Office Referred Program <https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/help-outside-canada/private-sponsorship-program/blended-visa-office-program.html>, accessed 17 May 2018. See also Labman, S. & Pearlman, M. Int. Migration & Integration (2018) 19: 439. <https://doi.org/10.1007/s12134-018-0555-3> accessed 17 May 2018.

52 Immigration.ca (2016). Canada To Export Successful Refugee Private Sponsorship Program, <http://www.immigration.ca/canada-export-successful-refugee-private-sponsorship-program>, accessed on 17 May 2018.

53 Canadian Council for Refugees (2017). 2017 private sponsorship of refugees' update, <http://ccrweb.ca/en/2017-private-sponsorship-refugees-updates>, accessed on 10 April 2018.

54 Government of Canada (2018). Canada welcomes more privately sponsored refugees in 2018, <https://www.canada.ca/en/immigration-refugees-citizenship/corporate/mandate/policies-operational-instructions-agreements/timely-protection-privately-sponsored-refugees.html>, accessed on 12 April 2018.

55 See Global Refugee Sponsorship Initiative at <http://www.refugeesponsorship.org/what-we-do> accessed 17 May 2018.

56 The exceptions to this are New Zealand, which has a long-standing resettlement programme, and the UK case, where resettlement through the Gateway Programme started in 2004.

Italy, for example, has established the Humanitarian Corridor, with sponsorship organized by Sant'Egidio and Caritas Italy. The programme started in response to the Syrian crisis, with 1,000 places, in addition to the Italian government's resettlement programme. It has been expanded to include 500 Eritrean, Somali and Sudanese refugees.⁵⁷ The initial programme has focused on Syrians in Lebanon, identified through the sponsors own referral network of NGOs and churches, with consultation of UNHCR to ensure that protection sensitivities were considered as part of the process. The fact that actual registration with UNHCR has not been a requirement is particularly useful as Syrian refugees in Lebanon have been unable to register due to Lebanese government restrictions on those refugees who arrived after May 2015.⁵⁸ Sponsors are responsible for travel, accommodation, living costs and integration support.

The UK's Full Community Sponsorship scheme was established in 2016, running alongside the existing Gateway resettlement programme, and the Syria specific Vulnerable Persons Resettlement Scheme (VPRS) and Vulnerable Children's Resettlement Scheme (VCRS). Under the scheme, UNHCR identifies refugees in Egypt, Iraq, Jordan, and Turkey, meeting vulnerability criteria. The government admits them on a 6-month entry visa, followed by a five-year leave-to-remain (after five years, the refugees may apply for indefinite leave to remain). The sponsors (registered charities, Community Interest Companies or faith-based organizations accredited by the Home Office) offer financial and settlement support for the first year, and secure housing for two years.⁵⁹

France has also developed a Humanitarian Corridors pilot private sponsorship programme for 500 Syrian refugees residing in Lebanon. Modelled on the Italian programme, sponsors identify the refugees, and provide travel, financial and settlement support for one year. There are five leading sponsoring groups (all faith-based organizations) supported by various NGOs, public municipalities, community organizations, religious associations and village and town associations, some of which were specifically set-up to welcome refugees in France. The referral network in Lebanon submits applications to the French Embassy in Beirut, which then conducts a security check and either accepts the application, issuing a Visa D, or rejects it. The Visa D allows beneficiaries to apply for asylum on arrival in France – and expires after three months, meaning applications must be dealt with in an expedited manner on arrival.⁶⁰

In some cases, 'private sponsorship' is, in effect, a form of extended family reunification. For example, the German Länder have operated programmes under which recognised Syrian refugees can apply for a temporary residence permit on humanitarian grounds for spouses, immediate relatives or members of the wider family who are currently living in Syria's neighbouring countries. However, the applicant needs to possess the financial resources to cover living expenses for resettled family member for up to five years.

Another example of a new sponsorship programme is New Zealand's Community Organisation Refugee Sponsorship Category (CORS) developed by the Ministry of Business Innovation and Employment specifically for refugees. CORS is a pilot refugee programme, for 25 refugees from around the world, designed to:

"Provide an alternative and additional form of admission for refugees to New Zealand, to complement the annual quota; provide an additional opportunity for community organisations to actively engage in refugee resettlement, and to build local communities that welcome refugees; and enable sponsored refugees to quickly become independent and self-sufficient in New Zealand."⁶¹

57 See ERN+ (2017). Private Sponsorship Scoping Paper <http://www.resettlement.eu/sites/icmc/files/ERN%2B%20Private%20Sponsorship%20in%20Europe%20-%20Expanding%20complementary%20pathways%20for%20refugee%20resettlement.pdf>, accessed 01 May 2018.

58 Refugee Council of Australia (2018). Report of 2017 Annual Tripartite Consultations on resettlement, <https://www.refugeecouncil.org.au/publications/reports/actr-2017-full/#1501508450748-0c05d29b-3f37b522-b2d5>, accessed 01 May 2018.

59 See UK Government, Apply for Full Community Sponsorship, <https://www.gov.uk/government/publications/apply-for-full-community-sponsorship>, accessed 17 May 2018 and ERN+ (2017). Private Sponsorship Scoping Paper <http://www.resettlement.eu/sites/icmc/files/ERN%2B%20Private%20Sponsorship%20in%20Europe%20-%20Expanding%20complementary%20pathways%20for%20refugee%20resettlement.pdf>, accessed 01 May 2018.

60 ERN+ (2017). Private Sponsorship Scoping Paper <http://www.resettlement.eu/sites/icmc/files/ERN%2B%20Private%20Sponsorship%20in%20Europe%20-%20Expanding%20complementary%20pathways%20for%20refugee%20resettlement.pdf>, accessed 01 May 2018.

61 Ministry of Business Innovation and Employment in New Zealand (2018). Community Organisation Refugee Sponsorship Category, <http://www.mbie.govt.nz/info-services/immigration/community-organisation-refugee-sponsorship-category>, accessed 28 March 2018.

It is too soon to analyse the impact of these sponsorship programmes on individuals and/or communities. Sponsorship is often lauded for its positives: additional places, community involvement, direct support to arriving refugees in their initial integration process, and strong economic and social outcomes for the refugees involved.⁶² The aspects of community engagement and grass-roots support are important: where private sponsorship initiatives result in advocacy to increase resettlement numbers, active support to refugees and knock-on effects for the asylum system, they clearly play a very positive role. However, there can be tensions. Analysis of the forty-year-old Canadian programme has suggested that sponsors can feel they must sustain, and increase, their input, otherwise not only sponsorship numbers, but also government resettlement numbers will fall.⁶³ This has become most obvious in the Syrian case, where the announcement of 1,400 additional places at the end of 2014, for example, was revealed only after the fact to involve 1,200 sponsored places with no existing commitment. The burden to act, therefore, becomes strong, with responsibility shifted towards private actors, and an increasing reliance on them to maintain a humanitarian programme. Analysis of emerging European programmes has also found that, while safeguards are absolutely necessary, over-regulation can inhibit the start of some sponsorship projects.⁶⁴ While, sponsorship appears to be an optimal way to engage communities, increase programme size, and generate organized and appropriate support for new comers, it should not be the only way in which states offer resettlement or organized admission in addition to their international legal commitments to consider applications for asylum.

4.4 LABOUR MIGRATION

Labour migration as a solution to refugee's needs dates back to the early days of the international refugee regime (in the mid-20th Century).⁶⁵ During this period, the Nansen Passports and a labour market exchange run by the International Labour Organisation (ILO) facilitated access to existing labour migration channels for refugees. The economic downturn of 1930s and the rise of nationalism lead to the disappearance of these channels.⁶⁶ Since then there have been several examples of migration programmes where refugees (and other migrants) have been able to travel to a third country to work. One such example is that of Hungarian miners and agricultural workers being 'resettled' to the UK from Austria following the 1956 uprisings and refugee exodus.⁶⁷

Labour migration channels can currently primarily be accessed through points-based and skilled entry or other schemes designed by host countries to attract specific migrants based on their labour demands. These programmes are not designed with refugees in mind but may be accessible to them.

Labour migration for refugees can provide young educated refugees and experienced professionals admission to a third country with employment upon arrival. It can also be a way for those who are less skilled to access legal employment via migration aimed at lower skilled workers (such as in the Gulf Cooperation Council (GCC) States). However, labour migration does not automatically provide a durable solution, or even immediate protection. Special arrangements might be required to re-purpose labour migration channels specifically for refugees, or at the very least, those admitted on such programmes would need to be protected from refoulement and able to apply, without prejudice, for asylum at any time.

Providing access to a third country solution for refugees through labour migration programmes must be protection-sensitive. Such programmes are sometimes cast in 'migration management' terms, and there has been a tendency, in Europe in particular, for governments to similarly propose refugee resettlement as a component of 'migration management'. However, resettlement is, in essence, a voluntary programme that states can enact, both to offer protection and to demonstrate solidarity or responsibility sharing with states in regions of origin offering first asylum to refugees. States have international legal obligations to assess asylum claims, and offer protection to refugees who request it, but they have no obligation to resettle.

62 See e.g. Hou, Feng (2017), The Resettlement of Vietnamese Refugees Across Canada over Three Decades, UNU-WIDER working paper 188/2017 <https://www.wider.unu.edu/publication/resettlement-vietnamese-refugees-across-canada-over-three-decades>, accessed on 10 May 2018.

63 See Labman, Shauna, (2016), Private Sponsorship: Complementary or Conflicting Interests? Refuge: Canada's Journal on Refugees, Vol. 32 No. 2 67-80 <https://refuge.journals.yorku.ca/index.php/refuge/article/view/40266/36411> accessed 17 May 2018.

64 See Tardis, Matthieu and ICMC, (2018) Feasibility Study: Towards a Private Sponsorship Model in France, ERN+, <http://www.resettlement.eu/sites/icmc/files/ERN%2B%20Private%20Sponsorship%20Feasibility%20Study%20-%20Towards%20a%20Private%20Sponsorship%20Model%20in%20France.pdf> accessed 17 May 2018.

65 UNHCR (2012). Labour mobility for refugees - Past and Present examples, <http://www.unhcr.org/509a82ba9.html>

66 Long, K. (2015). "From Refugee to Migrant? Labour Mobility's Protection Potential." Washington, DC: Migration Policy Institute.

67 e.g. Farming notes and comments: to aid refugees, The Times, 10 December 1956 p.2 and 12 December 1956 p.6

Temporary residence based on employment visas is not a regular route to protection, however, it can be a path to a permanent status, and even naturalization at a future point. The EU Blue card scheme⁶⁸ is an example of such a scheme. It legally entitles the holder to work and live in the EU for professional reasons for an initial period of 2 years, with the possibility to apply for permanent residence after 5 years. Successful visa applicants admitted under the Blue Card scheme will receive a special residence and work permit, entitling them to EU residential and economic rights and favourable conditions for the admission of family members. However, the Blue Card (which is to be replaced in the near future) is only for very specific and highly skilled categories, as well as for seasonal workers. The former is unlikely to be accessible to the broad Syrian population, and seasonal work, with short-term residence, does little to address the long-term needs of a refugee population.

Gulf countries do offer work visas, linked to specific employers, issued for two or three-year periods but renewable. Unlike, the UK, Canada and Australia, these visas are not necessarily linked to highly skilled individuals and can be issued to a range of occupations, from construction and agricultural workers to highly skilled professionals, such as doctors and teachers. While these visas are renewable multiple times, and even through an individual's lifetime, there is no path for permanent residence.

In addition to high education or professional experience and a job offer at hand, other barriers for refugees to access labour migration schemes include relevant certificates of professional or academic qualifications, relevant travel documentation, sufficient funds to support the family and language proficiency. Moreover, some governments, such as the USA and Canada, place caps on the number of work visas they will issue in a given year, creating significant backlogs in visa processing that can take years to access. Costs of visa applications and other fees are also prohibitive factors for some refugees.⁶⁹

Another challenge with labour migration is the absence of effective jobs-skills matching systems across borders. This often translates into labour migrants working below their skill/education level, often in low-skilled jobs. A recent ILO report suggests that immigrants (and refugees are considered as part of this larger group) are typically more vulnerable to skills mismatch, which reduces their potential contribution to the private sector and the economy of host countries.⁷⁰

In order to connect refugees with potential employers and secure them an appropriate job offer commensurate with their level of skills and education, a labour mobility programme is being developed specifically for refugees by the NGO Talent Beyond Boundaries (TBB) (See Box 1 below). Their mission is to "open international employment pathways for skilled refugees".⁷¹ They have developed a talent catalogue and have registered thousands of refugees in their database and match workers with employers globally.



A group of Syrian refugee children run in an informal settlement in Tripoli in Lebanon. December 2015. Photo by: Eduardo Soteras Jalil

68 Blue Card Network (2018). EU Bluecard, <https://www.apply.eu/BlueCard>, accessed on 03 April 2018.

69 Din. S. (2017). Labor Migration as an Alternative Pathway for Refugees, Forced Migration Forum <https://forcedmigrationforum.com/2017/04/12/labor-migration-as-an-alternative-pathway-for-refugees>, accessed on 01 May 2018.

70 Sparreboom, T & Tarvid, A. (2017). Skills mismatch of natives and immigrants in Europe, ILO:Geneva,

71 Talent Beyond Boundaries (2017). Talent Beyond Boundaries Website, <https://talentbeyondboundaries.org>, accessed on 01 May 2018.

Box 1: Talent Beyond Boundaries

Talent Beyond Boundaries (TBB) has been instrumental in raising the profile of labour migration as a durable solution. They aim to open international employment pathways, through labour mobility schemes, for skilled refugees. They work with refugees to provide them with the opportunity and support needed to obtain international employment and work with companies to help them find top refugee talent.

TBB works with UNHCR to identify refugees and ensures that they are registered so that their status and family ties can be verified. UNHCR also supports by offering protection counselling prior to departure and assisting with exit visas. TBB and UNHCR also hold joint information sessions for refugees to address questions related to this complementary pathway. TBB “held several sessions with UNHCR, in the second half of 2016 and 2017 through refugee outreach volunteers, with partner NGOs, and through social media, webinars, and Syrian networks”. There were more than 500 in-person information sessions in Lebanon and Jordan, with over 14,000 attendees, held primarily at community centres and the offices of local and international NGOs.

Talent Beyond Boundaries has collected data and established a database of work experience, education and language skills of over 10,000 refugees. This Talent Catalogue is an online platform that connects refugees with employers. TBB are actively recruiting more companies to join the scheme. There currently are thirty companies in Canada and Australia in various stages of collaboration with TBB. This resulted in 14 job offers and various on-going recruitment processes.

TBB criteria for determining countries to target for their labour mobility schemes are those with pathways through work visas for permanent residency and citizenship and have systems that allow for flexibility with migration procedures, e.g. waiving the requirement to have a bank account with minimum funds for refugees. Procedures tend to be more complicated in countries that are not traditional resettlement countries.

Their pilot, which is currently underway, has focused exclusively on “countries with visa schemes that allow the primary visa applicant to bring their spouse and dependents with them on the visa” (through skilled work visas and employer sponsored humanitarian visas), in order to achieve protection rights such as a guarantee of non-refoulement. Therefore, TBB has, so far, only focused on Canada and Australia, as they are signatories to the Refugee Convention with visa schemes that involve permanent residency and paths to citizenship, thereby providing a durable solution. “As TBB explores other potential destination countries for labour mobility pathways for refugees, we will be in close consultation with UNHCR to determine if protection concerns are, or can be, addressed to inform a decision to proceed with establishing placements in that country or not”.

TBB also provides training for refugees in Jordan and Lebanon. TBB is working directly with candidates who might match employers’ requirements or require soft skills training to boost their employability. Training is provided directly by TBB or volunteers from international corporate partners supporting TBB’s mission.

The biggest challenges are verifying the education and credentials of refugees and the processing times for visas. TBB works with employers to do skills testing for refugee as a way to verify their credentials. To counteract the visa processing times, roles that are not time sensitive or companies with rolling recruitment are preferred. TBB also works with in-country migration experts to facilitate the processing of the visa applications.

There is currently little data available to quantify the number of refugees accessing labour migration to a third country, in part because they are registered under the labour migration statistics without acknowledgement of their refugee situation, which was relevant for their departure but not necessarily, under current approaches, for their admission for employment purposes.

Labour migration for refugees is one of the least developed complementary pathway but it may offer huge potential. Achieving that potential requires appropriate measures to protect workers from exploitation and refoulement, developing efficient and effective job-skills matching systems, engaging the private sector in recognising the social and economic value of employing refugees, building on pilot projects with large and influential private sector firms to lobby the government to formalise labour migration schemes specifically for refugees and galvanising public opinion in support of such schemes by presenting these as win-win-win for the community, refugees and the private sector.

Moreover, labour migration schemes can be developed and tailor-made to the existing skills of refugees. While high-skilled labour migration is quite prevalent, there may be opportunities to develop schemes aimed at lower-skilled refugees. On the flip-side, as discussed in Section 6, NGOs in host countries can support skills development through education, vocational training, work-placements or apprenticeship programs, thus opening up greater opportunities for them to be matched to a job in a third country.

4.5 STUDENT VISAS AND SCHOLARSHIPS

Measures taken by Syria's neighbours and European countries to increase refugee enrolment in education have been significant, to the extent of having increased the global share of refugees enrolled in primary education to over 50 per cent.⁷² However, the picture is less favourable for refugee adolescents with a mere 23 per cent in secondary education compared to a global average of 84 per cent.⁷³ For refugees in low-income countries the figure is even lower, at a mere 9 per cent. Only 1 per cent of refugees are enrol in tertiary education, compared to a global average of 36 per cent.⁷⁴ Yet tertiary education is widely recognised as "the crucible in which tomorrow's leaders are born."⁷⁵

The New York Declaration and its annexed Comprehensive Refugee Response Framework specifically pledges to "promote tertiary education, skills training and vocational education" for refugees and states that "in conflict and crisis situations, higher education serves as a powerful driver for change, shelters and protects a critical group of young men and women by maintaining their hopes for the future, fosters inclusion and non-discrimination, and acts as a catalyst for the recovery and rebuilding of post-conflict countries".⁷⁶

Academic scholarships, study and apprenticeship programmes have been implemented by some universities and other higher education institutions (HEIs), governments and civil society working in partnerships to develop and fund relevant programmes for refugees. In Europe, the governments of Cyprus, the Czech Republic, France, Germany, Hungary and Slovakia have admitted refugee students from outside Europe, while initiatives by non-governmental organisations or universities in France, the Netherlands, Portugal, Spain and the UK exist to support student refugee admissions.⁷⁷ Canada and Japan also offer scholarship programmes to refugees.

The Czech, French and German programmes have all specifically selected Syrian refugee students from Jordan.⁷⁸ Programmes sometimes have restrictions on subjects that can be studied and are sometimes specifically aimed not just at enrichment for the individuals, but at their potential participation in the rebuilding of a post-conflict Syria. Nonetheless, the students need full information about the prospects for renewing their visas through until the end of their studies, as well as the possibilities for remaining in the country of study after they have qualified, in the event that return remains impossible, or that life-opportunities present themselves.

The Japanese and German programmes include the right for close family members to accompany

72 UNHCR (2017d). Left Behind: Refugee Education in Crisis, <http://www.unhcr.org/59b696f44.pdf>, accessed on 10 March 2018.

73 UNHCR (2017d). Left Behind: Refugee Education in Crisis, <http://www.unhcr.org/59b696f44.pdf>, accessed on 10 March 2018.

74 Ibid.

75 Ibid.

76 UNHCR (2016b). New York Declaration for Refugees and Migrants, <http://www.unhcr.org/new-york-declaration-for-refugees-and-migrants.html>, accessed on 10 December 2017.

77 European Resettlement Network (ERN) (2017). Student Scholarships for Refugees: Expanding complementary pathways of admission to Europe, www.resettlement.eu/news/ern-publications, accessed on 10 April 2018.

78 European Resettlement Network (ERN) (2017). Student Scholarships for Refugees: Expanding complementary pathways of admission to Europe, www.resettlement.eu/news/ern-publications, accessed on 10 April 2018, p.11

the student, whereas other programmes are only for the individual student's admission. The Canadian programme, operated by the World University Service of Canada (WUS-C) is in fact a private sponsorship programme, under which HEIs become sponsors, and students generally are involved both in fundraising and in mentoring activities.

Some thirty Syrian students have, for example, been admitted through a student scholarship programme in the south of France, which, in partnership with the Universities of Montpellier and Toulouse, targets refugees in Jordan.⁷⁹ A French NGO has organised private sponsorships to cover costs of education. The students' asylum claims are assessed after arrival.⁸⁰

NGOs such as Jusoor can play an important funding and matching role locally, by identifying refugees who qualify for higher education abroad (see Box 2 below).

Student visa programmes, like labour mobility programmes, are at their infancy and offer expansion potential if these migration channels are combined with refugee protection concerns in a sensitive way, to produce safe and secure solutions, even for a relatively small number of refugees.

Box 2: Jusoor

Syrian expatriate-run Jusoor helps Syrian youth to obtain tertiary education in the US, Canada, Europe, and the Middle East through full and partial funding and university partnerships. Partnering with a range of education institutions, they have provided over 150 students with support to continue their education.

With only 3 percent of Syrians currently in higher education, compared to pre-war figures of 12 percent for females and 17 percent for males, Jusoor sees its main mission as rebuilding the human capital of Syrian youth through access to higher education. To facilitate its work, Jusoor have established working groups to coordinate their activities and to support students seeking opportunities to study overseas.

Yet, there are many challenges. Apart from the level of English that is required, Jusoor has discovered that many refugees cannot afford to sit the English exams (IELTS or TOFEL) that are required by admitting institutions. Another significant challenge is the unwillingness of many women to travel. Less than 20 percent of applications for Jusoor's scholarships are from women. This situation has propelled Jusoor to create the "100 Syrian Women Scholarship" to encourage more female applicants. So far thirty women have gone to the US and Canada through this programme.

4.6 EXTENDED FAMILY REUNIFICATION

Extended family reunification is both listed as a complementary pathway in and of itself in the New York Declaration and it overlaps with some of the pathways. In particular, both some Humanitarian Admission Programmes and some private sponsorship schemes (see above) can offer routes for Syrian refugees to join family members already in third countries.

This pathway (and its cross-cutting role with other pathways) is specifically for extended family. Most family reunification laws and policies (which are not designed specifically for refugees, but for immigrants broadly, although there might be specific provisions for people with a protection status) only allow nuclear family members access to join the family member who is living in a third country. However, it is also important to note that extended family reunification as a complementary pathway should in no way undermine the right to family life being exercised under family reunification entitlements. In other words, if a third country national has the ability to support the admission of family members as a matter of entitlement, that programme or route should generally be used, leaving the

79 UNHCR (2018), 'French scholarship scheme gives hope to Syrian refugees' <http://www.unhcr.org/afr/news/stories/2018/2/5a7998954/french-scholarship-scheme-gives-hope-syrian-refugees.html>, accessed 10 March 2018.

80 Ibid.

complementary pathway of extended family reunification for the admission of additional cases. This is not least the case because current family reunification policies are already considered restrictive: there is the risk that they could be tightened further if ad hoc programmes were to be used in their place, thereby also impacting the ability of refugees generally to have even their immediate family join them. Syrian (and other nationality refugee and migrant) families often experience the narrow definition of what is considered a family, including only unmarried children under 18 and a spouse, as restrictive. Essentially, it leaves them feeling that they must break-up their family unit in order for some to achieve protection. In most states, for example, refugees cannot sponsor a parent nor can they sponsor a child over 18, even if still economically dependent.⁸¹



A Syrian refugee woman prepares dinner for her family in an informal settlement in northern Tripoli in Lebanon. December 2015. Photo by: Eduardo Soteras Jalil

⁸¹ Oxfam (2016). Where there's a will, there's a way: safe havens needed for refugees from Syria, https://d1tn3vj7xz9fdh.cloudfront.net/s3fs-public/file_attachments/bp-where-theres-a-will-syria-refugees-161216-en.pdf, accessed on 10 October 2017.

The EU Family Reunification Directive is the basis for family reunification laws and policy in 25 of the 28 current EU member states.⁸² States are permitted to go beyond the minimums. Hence, they are permitted under the Directive to broaden out from the nuclear family for example. Refugees are permitted to request admission for reunification of the family members within three months of the granting of their protection status, and do not face the same financial limitations as immigrants.

In terms of more explicit extended family reunification: IOM runs a Family Assistance Programme (FAP) for Syrians with the German government. It is estimated that there are 200,000 Syrians and Iraqis registered and awaiting family reunification in Germany.⁸³ The programme has reduced the waiting time needed for family reunification from two years to a few weeks or months. Unaccompanied minors and individuals with health issues are prioritised.

Through its FAP programme, the IOM is attempting to “dissuade Syrian families from seeking unsafe and irregular means to join their recognised refugee sponsor in Germany; [and] to protect Syrian families from misinformation and exploitation by unscrupulous visa brokers”.⁸⁴

Extended family reunification has been facilitated for Syrians, sometimes through private sponsorship (as noted above), and sometimes under Humanitarian Admission Programmes (e.g. those in Germany, Austria and Ireland). However, in some cases this requires that the relatives in the destination country demonstrate quite significant financial resources to insure the ability to accommodate and support arriving family members, which can act as a barrier.

Family reunification and maintaining family unity, is of paramount importance to refugees as is evident from the focus group discussions conducted as part of this research (see section on FGD findings below), as well as being encompassed in the right to family life (UDHR article 16). Family unity can be achieved through family reunification programmes, but it is also an issue that cuts across all complementary pathways, both as a potential eligibility criterion (as in HAPs and sponsorship) and because an individual who achieves third country protection will in the vast majority of cases have family members who will wish to stay together.

4.7 REFLECTING ON COMPLEMENTARY PATHWAYS

Many of the complementary pathways described above are in their infancy. They have been either created or built out of existing initiatives in order, primarily, to find ways other than resettlement to offer organized arrival opportunities for Syrians in particular. As they are developed, some might be blended, or synergies found, in various ways. This blending can impact the nature of the programmes at the destination end (e.g. HEIs become sponsors of refugees) and/or the nature of eligibility requirements at the departure end (e.g. combining family connections and study or employment opportunities requiring language skills).

The questions for their further establishment as elements of the international refugee protection architecture abound: Have they been genuinely effective, and do they remain so, in providing protection to greater numbers of Syrians than would otherwise have been the case? Are they transferable to other situations – and if so, from the perspective of this research, the question is whether in the short-term that enhances protection for Syrians, or precisely dilutes it as attention shifts? A central element of this project is then to consider what refugees themselves know about and are seeking to gain through resettlement and/or complementary pathways.

82 Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, Official Journal L 251, 03/10/2003 P. 0012 – 0018 <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32003L0086> accessed 17 May 2018. Denmark, Ireland and the UK are not included in the Directive.

83 IOM (2016). Germany, IOM Launch Programme to Facilitate Syrian Family Reunification, <https://www.iom.int/news/germany-iom-launch-programme-facilitate-syrian-family-reunification>, accessed on 12 April 2018.

84 IOM (2018). Factsheet Family Reunification Assistance Programme, <https://www.bramsche-hilft.de/app/download/10785071398/Factsheet+Family+Reunion+Assistance+Programme.pdf?t=1518169017>, accessed on 28 April 2018.

Chapter Five

From the Perspective of Refugees

Eight focus group discussions with a total of 60 refugees were held in Amman, Irbid and Mafraq in Jordan, in March 2018. The purpose of these discussions was to gauge refugees' perceptions towards resettlement and complementary pathways, their perceived concerns, and assess refugees' intentions and plans when it comes to finding a (durable) solution to their displacement. The focus group discussions revealed a number of key findings related to Syrian refugees' perceptions of resettlement.⁸⁵ These findings are divided here into three categories (1) motivations and concerns about resettlement, (2) awareness and perceptions of available resettlement opportunities, and (3) perceptions towards selection criteria and access to resettlement and complementary pathways.

5.1 MOTIVATIONS AND CONCERNS ABOUT RESETTLEMENT

Most focus group participants felt welcomed by the Jordanian people and enjoy good relations with their neighbours. They appreciate the culture, language and religion of Jordan, but face difficulties providing for themselves and/or their families. While many are hesitant to consider resettlement, they see it as a viable route to shedding their refugee status and gaining access to work, study and/or citizenship.

Educated working-aged youths aged 20-30, both men and women, feel less welcome in Jordan and are motivated to resettle by both a need to earn a living from employment, as well as a strong desire to regain their dignity as fully-fledged citizens and become civically engaged. While attached to their culture and religion, this group prioritises stability and opportunity and as such would opt for resettlement to a third country under almost any circumstance (i.e. would be more willing to leave their families behind).



I can't do much here [in Jordan] so want to focus on developing myself. I took a degree in engineering in Jordan but have stopped applying for jobs here so I wouldn't feel deflated by rejection. I studied German so I could get a visa to Germany but I couldn't afford to go. I [also] applied to the Turkish embassy for family reunification but was rejected.⁸⁶



I was totally against resettlement. But now I'm considering it because I love to study and can go postgraduate and get a job and not worry about living while working. I can afford to contribute to society not just think about a livelihood.⁸⁷



If you have what you need you can give back. I pay a lot for my education here but am grateful and so volunteer with NGOs every week so I can give back and be engaged in society as a letter of thanks to those who welcomed us.⁸⁸

⁸⁵ For simplicity, 'resettlement' here refers to both actual resettlement and complementary pathways.

⁸⁶ FGD: Single educated woman in her 20s.

⁸⁷ FGD: Married educated woman in her 20s.

⁸⁸ FGD: Single educated student in his 20s.

Educated men and women of working age were the only group to share an unequivocal desire to resettle in pursuit of work and education opportunities. Educated youth, for the purpose of this study, are defined as those who had embarked on formal school and university education in Syria, and either graduated before fleeing, pursued formal schooling in Jordan, or whose formal studies were interrupted although they continued to pursue formal or informal education and skills development, through workshops, work placements or volunteering.

Their ongoing pursuit of personal development is both the result of, but also feeds into, an underlying ambition. This ambition leads to a desire for resettlement to a third country, which they perceive as offering them the opportunity to develop through education and rewarding work placements.



There are few opportunities here [in Jordan]. We can catch up with studies there [in a resettlement country] not like here. Youth have been neglected. I have to study at home now because of my age and the years I have lost. And I need to work now to pay my way so there's no chance to build my skills. There, they believe in us, so we can develop. There's no meritocracy here, and the emotional support would be better abroad. It's not about financial support. It's a better space for children to be raised.⁸⁹

Educated refugees in this study, aged between 20 and 30, the majority of whom are currently single, referred repeatedly to their future children. As such, their ambition can be seen as, at least in part, directly related to their desire to build a better life for themselves and their future families. This long-term vision of their future with their own anticipated family differentiates them from teenagers (16-18-year olds) and “non-educated” working-aged youth, most of whom see themselves firmly within their current nuclear family, focusing on their present circumstances rather than a future-oriented perspective.

Another key differentiator between “educated” working-age youth and those less educated is gender-related attitudes. Among educated youth, both men and women equally expressed a desire and willingness to study and work in a foreign country.



Women are facing the same difficulties. They are in the forefront, exposed, no longer in the background. It's not only men who struggle now.⁹⁰

This attitude contrasts sharply with the opinions expressed by participants from less educated groups – both youth and parents of youth – whose views and concerns reflected a gender bias, accepting resettlement for men but not for women.

Middle-aged men who participated in the discussion were skilled though not well educated. The vast majority would welcome the opportunity to resettle and build a better life, even if it meant travelling alone to secure work and an income to support their families who would stay behind. Only one middle-aged man in this research had no interest in resettling under any circumstances, preferring a life he was familiar with rather than uncertainty.

Women heads of households showed a strong preference for not resettling to a third country. Despite this clear preference for integrating in Jordan until they are able to move back to Syria, their concern about the risks of their sons being deported back to Syria while the war rages on, makes them open to resettlement, albeit reluctantly. Women who only have daughters, however, do not consider resettlement as a preferred option. Women heads of household favour remaining in Jordan due to the perceived adverse influence of western cultures, and the value placed on the support they enjoy from their extended families and communities in Jordan.

⁸⁹ FGD: Single educated woman in her 20s.

⁹⁰ FGD: Educated male in his 20s.

Mothers, both heads of households and those living with their husbands, expressed a need for family unity above all else, as they are primarily concerned with the preservation of family-instilled cultural values, and the function of the extended family as an indispensable support-system for all family members.

Teenagers (aged 13-18) and the elderly (aged 65 and above) also prioritised family unity. As a result, the majority of them expressed a clear rejection of any resettlement opportunity that did not include their families. While the notion of family varied, it mostly extended beyond the traditional nuclear family to include married children regardless of age, and grandchildren.

Their fear of breaking up the family through resettlement was fuelled by stories they had heard from other refugees who had been resettled. For example, several interviewees had heard rumours that friends who had been resettled, for example to Germany or Canada, would not be allowed to visit their relatives in Jordan for at least ten years after relocation. Others referred to stories of friends or relatives who had been resettled and regretted it.



Some people we hear from abroad say it's uncomfortable and worse there. My sister moved to Canada through the UN. She wants to come back. She had to leave her two married daughters. She misses them and is finding it difficult to acclimatise. Just as there are people in Jordan who are comfortable and those who are not, the same applies to those who go abroad.⁹¹

While the overarching desire of teenagers, both boys and girls, is to keep the family united at all costs, older teenage boys who were still pursuing education showed a willingness to consider resettling if they could do so by themselves, without their families. Arguments for preferring to go alone included wanting to establish themselves and a belief that their family would not settle abroad as well as they themselves would.

Despite a strong desire to rebuild the Syrian nation, most participants do not envision returning to Syria any time soon. Asked where they saw themselves in five years' time, most either said they expected to be in Europe or said they expected to remain in Jordan.

While many participants have lost their homes in Syria to shelling or other instruments of war, even those whose homes are still standing expressed concerns about resources and schools; insecurity especially for young men; and human rights abuses.

Most participants recall their expectation of an extended stay outside Syria growing around two years ago (around 2015), when the extent of destruction intensified and the war became increasingly complex (due to broader international involvement). As a result, many who did not consider resettling prior to 2016 have since reconsidered. A few individuals and families who had previously turned down invitations for a resettlement interview at UNHCR now regret their decision. One woman in her twenties living in Irbid, whose mother has since resettled to the US and whose brother and father are in Turkey, expressed her regrets by saying:



We were offered resettlement three years ago but didn't take it. Now the family is split in three different countries.⁹²

A deep love and affiliation to their culture has caused many to imagine themselves returning to Syria or the region after spending some years in Europe. Those who do want to resettle are motivated by both the desire to spend the war years in a safe environment, building their skills and making a living, as well as gaining a foreign nationality and consequently being treated with respect and dignity in both the short- and longer-term.

⁹¹ FGD: Uneducated middle-aged woman.

⁹² FGD: Female in her twenties in Irbid.

A non-Arab (European, American, Canadian, Australian and generally Western) nationality has long been an advantage in the region, affecting job prospects and the way people are treated at airports in Arab countries. The refugee crisis has compounded this for Syrians as those with foreign passports have the opportunity to travel and resettle outside the region and not be labelled as refugees.^{93,94,95}



With my Syrian nationality, no one will welcome me, even if I get an education.⁹³



It is against our pride and dignity as Syrians to be referred to as refugees.⁹⁴



A foreign nationality would unlock potential and opportunities and would remove the stigma of the word refugee and enable me to travel to Arab and other countries without being harassed.⁹⁵

An additional source of motivation for resettlement and acquiring a non-Arab passport is the ability to visit family members who have settled in many countries all over the world.

5.2 AWARENESS AND PERCEPTIONS OF AVAILABLE OPPORTUNITIES FOR RESETTLEMENT AND COMPLEMENTARY PATHWAYS

Those actively seeking information about resettlement and migration opportunities rely primarily on dedicated Facebook groups set up specifically for this purpose. They use Facebook to share and read about information related to resettlement opportunities.

Those engaged in courses or volunteering with organisations are also more likely to be aware of resettlement opportunities through people they meet and posters displayed at the centres where such activities are held.

The teenagers who participated in discussions showed no indication that they actively sought information or were aware of policies and procedures for resettlement, though a fraction of teenage participants recalled seeing a poster or attending a lecture by a foreign university representative at their school.

Elderly Syrians rely on their older children, while middle-aged men and women rely mostly on information exchanged with friends and family, some of whom live in Europe and North America. Awareness of the traditional resettlement programmes is prevalent, though none have detailed knowledge about the policies or procedures involved in applying. Although not resettlement, almost all had heard of, and some applied to, the programme run through the French embassy. None were aware of any other embassies in Jordan accepting applications.

The availability of student visas and scholarships for Syrians was also widely known, with Germany and Canada as the most cited countries to offer such opportunities. Jusoor – a Syrian NGO with a strong digital footprint that offers education and has set up bi-lateral scholarships for Syrians – was also mentioned frequently. Some female high-school students in Mafraq had heard about Japan’s educational scholarship programme through presentations at their school, while others said they learned of scholarship opportunities through posters at UN sites. A number had applied for education scholarships and visas without success.

93 FGD: High-school student, male.

94 FGD: Single educated women in her 20s

95 FGD: Single educated man in his 20s

“

I applied to university but they rejected me saying I had incomplete papers. They wanted an English certificate, but even though I speak English, I can't afford the certificate.⁹⁶

“

I applied to a Master's program in Germany and was accepted by the university and all my papers were ready, but I wasn't granted a visa. The authorities said I had a lack of experience, although as a Masters student that shouldn't be a requirement. Something's not right.⁹⁷

Very few of the participants had heard about skills-based migration schemes. Only three or four had heard of the concept as a result of interaction with Talent Beyond Boundaries.

While many were aware of private sponsorship offered through churches, very little detailed information was known. One man suggested he was offered a digital bible and the veiled promise of resettlement by a member of a church, another said that the churches abroad had no first-hand knowledge of the people they would sponsor and only sponsored people proposed by UNHCR. A clergyman in Mafraq shed some light on the private sponsorship system run by an international alliance of churches. The pastor and his team of volunteers run education classes and offer material support – such as blankets – to refugees in the community.

“

Through our outreach, we become familiar with individuals and families, as such we were able to propose the names of 45 families when asked for recommendations by the alliance.

In addition to differences across social groups (namely age, gender and education), there were differences based on geography (where they lived in Jordan). Mafraq for example, a municipality 80 kilometres north of Amman with about 60,000 inhabitants, used to have many seasonal migrants from farms in Homs and the suburbs of Aleppo prior to 2011. Since the war began in 2011, entire villages (rural communities) have moved to Mafraq. For many refugees, Mafraq is the first experience of living in a city, as many had come from rural villages in Syria. Refugees in Mafraq often struggle to pay the rent, and as a result, children are frequently put to work and are subject to abuse.

Syrian refugees in Mafraq feel they have very little agency in the resettlement process, which may be at least partly due to low educational attainment. There is a sense that resettlement is not something you seek, but rather something that is offered to you. Refugees in Mafraq therefore do not feel empowered to pursue resettlement and complementary pathways. They are focused on surviving and keeping the family together.

In Azraq refugee camp, as reported by a Key Informant, the major concern is the threat of deportation of family members for working informally and for political activism, which happens regularly. As a result, there are refugees who try to stay under the radar.

In order to better target policies and programmes in specific regions, it is important to understand the special needs and distinct characteristics of refugees across regions. Further research is recommended to better understand differences across refugee communities in different regions so as to better design and prioritise policies to meet their specific needs.

The proximity of NGOs and community organisations to refugees is a real asset on which they can capitalise to develop tailor-made approaches enabling refugee access to appropriate resettlement and complementary pathways.

⁹⁶ FGD: Educated male youth in his 20s.

⁹⁷ FGD: Educated male youth in his 20s.

5.3 PERCEPTIONS TOWARDS SELECTION CRITERIA AND ACCESS TO RESETTLEMENT AND COMPLEMENTARY PATHWAYS

There is a prevalent concern amongst FGD participants that selection criteria for resettlement and complementary pathways may result in the division of families. Some selection criteria, namely language and skills, were considered legitimate, while education was considered problematic due to missing or forged documentation. Religion as a criterion was considered unethical and age was perceived as posing a threat to family unity.

Knowing that the chances of resettlement through the traditional resettlement programmes are limited, most welcomed the opportunity to learn more about and discuss how complementary pathways might enable them to move to a third country.

While many are aware that family reunification has brought some families together following the resettlement of a family member, respondents also believe that complementary pathways that target specific demographic groups risk splitting up families, favouring some members over others. Young working-aged people (aged 20-30) on the whole believe that the traditional programmes excluded them, and they also believed that families with young children were being prioritised for resettlement so that “the children could grow up in their image, with their values.” As such working-aged youths, more than any other cohort, placed their hopes for resettlement on complementary pathways, namely through study and work visas.

Reviewing a list of possible selection criteria for complementary pathways (see list in Appendix 2, 2.12), participants were often in disagreement about whether certain criteria were justifiable or beneficial. Most however agreed that host nations and organisations had a right to base criteria on their own needs, though some were sceptical about the motivation and intent of some host nations

Many believed it fair to be expected to learn the host nation’s language in advance of being offered an opportunity to move through a complementary pathway, noting that refugees often spent years in host nations without learning the language. Some however raised concerns over the cost of learning the language in Jordan and insufficient time to learn a language between learning about opportunities for student scholarships, for example, and deadlines for submitting applications.

Others noted that immersion in the country and culture would enable them to learn far more quickly than attending language workshops in Jordan. They therefore suggested the language criteria ought to be a requirement for attending language courses upon arrival rather than learning a language in advance.

Skills-based complementary pathways were considered highly desirable: “I benefit, they benefit. I want the opportunity to work and not be a charity case.”⁹⁸ Few were familiar with it but the handful of participants who had heard of Talent Beyond Boundaries had already registered with them. When the skills-based programme was mentioned in discussion among educated youths, many of them noted the name.

The main concern with age as a selection criterion is that it might split families. This was of concern to all groups, but not considered a barrier to educated youth or middle-aged men who, as noted earlier, prioritised the opportunity to study and work above family unity.

Some participants perceive education as a problematic criterion, because certificates in this region, they argue, do not necessarily reflect the capabilities or intellect of an individual. “Syrians can get certificates by paying or through ‘wasta’”⁹⁹ said one young woman. Moreover, the lack of educational certificates, said a middle-aged man, is not indicative of a lack of skill.



It’s not only the educated who can be creative; what about artisans and manufacturers. He’s a specialist in agriculture and could benefit Canada a lot for example. My brother is an expert tiler and could train and employ people abroad.¹⁰⁰

98 FGD: Educated male youth in his 20s.

99 Wasta or wasata (Arabic: *واسطة* *wāsītah*) is an Arabic word that loosely translates into nepotism, ‘clout’ or ‘who you know’.

100 FGD: Middle-aged man

Selection based on religion (as was the case for a humanitarian visa programme to move 280 Christians from Aleppo to Belgium in 2015)¹⁰¹ was considered to be against their human rights and the proclaimed values of Western nations. While traditional resettlement programmes do not favour one religion over another, there was concern that some complementary pathways may do so, especially those instigated or operated by religious institutions.



We've all suffered from the war regardless of our religion.¹⁰²



We all lived together in Syria, so why should they divide us now?¹⁰³



The world has this false impression that [we Muslims] are terrorists. We're not. We lived with Christians, Jews, Druze. We've been to each other's weddings and funerals and lived among each other.¹⁰⁴

Both student and skills-based migration schemes were attractive to young working-aged Syrians. Some young women, who had previously stated that they would not consider resettlement without their families, suggested that a work placement may enable them to convince their families to allow them to travel, as it provided an income for the family. Another said that the opportunity to study coupled with a swift naturalisation process might enable her to convince her family to let her go since she would ultimately return to them. “Those who want the best for me should agree”, she insisted.¹⁰⁵

This revealed that the lack of interest in resettlement, initially suggested by all but one of the lesser-educated female participants in Mafraq, may be the result of a family culture that would forbid it. This is substantiated by the fact that middle-aged and elderly parents who participated in discussions said that they would not send their daughters abroad alone, regardless of their age, for any opportunity, but that they would send their sons.

While some participants are enthusiastic about temporary student or skills-based work visas even without a guarantee of non-refoulement, others fear they would be sent back to Syria after their studies or work contracts since Jordan would no longer receive them. They suggested that such contracts should be made between states and not companies. Moreover, while some would only consider student visas if they would result in resettlement, others were more concerned about their right to return to Jordan should they wish to.

Middle-aged men said they would be willing to relocate on a skills-based work visa in order to be able to send remittances to their families in Jordan. One woman raised concerns that skills-based migration programmes that did not factor in refugee status would leave youths vulnerable.



They might be conned. They could end up with a void contract, no insurance and no refugee protection.¹⁰⁶

In light of refugees' perspectives and overview of available complementary pathway, the need for a multi-actor approach is highlighted. The potential role NGOs can play in enabling refugee access to complementary pathways reflects the diversity of the refugee's perspectives and the mix of potential pathways.

101 See EMN, (2016) Resettlement and Humanitarian Admission in Belgium: Study of the Belgian Contact Point of the European Migration Network (EMN) December 2016 https://ec.europa.eu/home-affairs/sites/homeaffairs/files/02a_belgium_resettlement_study_en.pdf.

102 FGD: high-school student.

103 FGD: middle-aged female.

104 FGD: Married middle-aged man.

105 FGD: Young female.

106 FGD: Young married female.

Chapter Six

The Role of NGOs in Resettlement and Complementary Pathways

Having reviewed the nature of resettlement and emerging complementary pathways and set out the perspective of refugees towards these avenues to protection and solutions, we can start to identify areas in which NGOs might be the ideal actors to bridge gaps and assist refugees in making potential solutions a reality.

While existing resettlement programmes involve specific roles for traditional actors, both new programmes, and emerging complementary pathways, have the scope for new roles and new actors. Among these, NGOs can play vital roles in enabling complementary pathways through the entire cycle: designing and developing complementary pathways; overcoming barriers among the population and being vocal and informed advocates and awareness-raisers. They can also be active participants in various roles from identification and referral, preparedness and access in host and destination countries to the tools needed for integration and generally ensuring access to international protection in third countries.

6.1 OVERCOMING BARRIERS TO RESETTLEMENT AND COMPLEMENTARY PATHWAYS

Refugees face notable barriers to accessing both resettlement and complementary pathways. First, refugees must be made aware and informed about resettlement opportunities, as, in some cases (notably labour and student scholarship schemes) they need to self-select and apply for opportunities. Opportunities to access a solution to displacement through complementary pathways may include relatively complex eligibility criteria, which they need to understand, digest and analyse in order to make an informed decision. This is especially pertinent given the often time-consuming and emotionally draining nature of the application process. Moreover, they need to understand the bureaucratic mechanisms of application processes for successfully navigating the bureaucracy involved. NGOs can therefore play a facilitating role in raising awareness and ensuring refugee access to accurate and reliable information.

A well-informed refugee or refugee family may need to invest significant resources (both financial and time) in either the application process, or in presenting themselves as matching the criteria for selection. In some cases, applying for visas may be too costly for refugees who do not have any savings and struggle to meet day-to-day expenses for food, transport and lodging. NGOs can leverage their proximity to refugees and their in-depth community and family knowledge to identify those potentially eligible for a given resettlement programme or complementary pathway albeit without the financial means to apply. These cases can either be referred to potential funders including the UN, governments, or the private sector or the NGOs themselves may be in a position to offer the financial resources required.

Some refugees may be potentially eligible for a particular pathway but may need additional support in demonstrating how they meet the stipulated eligibility criteria. For example, they may have a basic knowledge of a language and by accessing an intensive language course could raise their language proficiency to the minimum required level, to pass a proficiency examination. NGOs could enable refugees with financial constraints to fund such a language course or examination, either through a referral arrangement with another NGO, UNHCR or by directly providing the language training and examination/certificate.

The same strategy applies for skills development through, for example, vocational training. Alternatively, NGOs could offer (either themselves or through partner organisations) vocational training for developing the required skills. NGOs may also be able to help refugees determine both the skills necessary for a particular pathway and to self-assess their own ability to acquire that skill if they do not already have it.

Refugees with the knowledge, financial means and eligibility criteria for accessing a complementary pathway must also have the required documentation. This could include passports, birth certificates and other identification documents, as well as education diplomas and reference letters from past employers. NGOs could contribute to the development of creative solutions for overcoming these barriers. They could, for example, establish appropriate forms of assessment for gauging educational attainment and skills, they could establish (or facilitate through referrals) work placements and volunteering opportunities that can generate reference letters to vouch for refugee claims of specific skills, offer certificates upon completion of vocational training, and help those without documentation to validate education and work qualifications (offered by either themselves or their partners).

Overcoming the need for identification in cases where refugees had to flee without any paperwork is a significant challenge. While NGOs cannot surmount this alone, they can constructively engage with governmental and UN partners in designing secure methods and technologies to try to overcome this difficulty.

6.2 ADVOCACY AND AWARENESS

Some complementary pathways, notably, but not only, those using migration channels for work and study, are, at least initially, temporary in nature and may not automatically lead to a durable solution in the form of permanent residence, a stable status and/or a path to citizenship. NGOs involved in designing and implementing complementary pathways must be aware of the risks this entails for refugees, be transparent with refugees about the risks involved and assist them in understanding their right to non-refoulement. This is particularly pertinent for refugees in Jordan and Lebanon who are unlikely to be granted re-entry once they leave. NGOs should also advocate for both more durable and secure rights for refugees being offered protection, or at least entry, through a complementary pathway, and full openness on the part of states towards those refugees availing themselves of these opportunities.

Indeed, international and local NGOs can play an important role in lobbying for the creation of complementary pathways, expanding of resettlement opportunities, and general development of third country solutions. By developing relations with the private sector and universities, for example, they can encourage these institutions to participate in, or even initiate, labour mobility and scholarship programmes. NGOs with branches both in the field and in one or more European or North American country, as well as Australia, New Zealand or elsewhere, can also play a role in informing communities about the potential of sponsorship, assisting them in turn to lobby governments to establish or expand programmes.

In some complementary pathways, such as HAPs and private sponsorship, NGOs could seek to be included as identifying, and possibly referral, partners. NGO staff in the field might have awareness of particular needs and vulnerabilities, or of particular capacities and skills, that would link a refugee, or refugee family, with either a resettlement opportunity or a particular complementary pathway. Mechanisms should be put in place to be able to identify and draw UNHCR attention to a case where UNHCR is the sole referral agency, or, if NGOs are eligible to refer cases, then to prepare the submission for a particular State's programme.

6.3 PRE-DEPARTURE

Most governments operating resettlement programmes contract the IOM to facilitate travel arrangements, pre-departure health checks and pre-departure orientation. For some HAPs, governments have followed the same procedure, particularly if they already have a resettlement programme, however for many complementary pathways, beneficiaries have been required to make their own travel arrangements, or have family do that for them. Similarly, for many complementary pathways for Syrians to date there has been limited pre-departure orientation. NGOs could play a role in filling that gap,

ensuring that refugees are prepared for their arrival in the destination State, with some basic language, cultural and 'day-to-day' life skills in place, at least, and potentially more specific skills for particular pathways such as labour mobility and student scholarships. This might be particularly the case if NGOs have links to sponsoring organizations in the destination State. Those NGOs active both in the field and in destination states could look to combine pre-departure and post-arrival programmes.

6.4 POST ARRIVAL

NGOs in destination countries already often play a major role in both welcoming newcomers and in their initial reception and first steps on the path to integration. This is the case, naturally, if the NGOs are actually sponsoring refugees, but often also the case in government operated programmes, be they resettlement or HAPs, and indeed with people seeking asylum, whether with a humanitarian visa in hand or spontaneously. NGOs with partners in the field could play a useful bridging role in assisting newcomers, bringing knowledge of the situation left behind, as well as a strong grounding in the skills needed to establish a new life after arrival. This can be as simple as navigating the supermarket, or as complex as arranging schooling, health services and a bank account. While employers and HEIs might offer some services to refugees arriving on the relevant complementary pathways, even these beneficiaries could often use additional support as they transition to their new life.



*Three Syrian refugee girls making their way to school in Azraq camp in Jordan. December 2016.
Photo by: Mais Salman/ DRC*

Chapter Seven

Conclusion

NGOs together with major resettlement actors such as the UNHCR and the IOM, play an important role in the development of complementary pathways, as well as the expansion of resettlement and third country solutions in general. International NGOs, with offices in the field and in destination countries, as well as UNHCR and IOM can play a bridging role by introducing NGOs and other relevant actors to each other, convening events, and developing, with this emergent community of NGOs, a sense of shared identity, vision, practices, norms and purpose aimed at maximising protection capacity and solution potential.

While the number of places available for third country solutions generally, and in the Middle East region in particular, remains inadequate for the needs, those organizations involved can ensure that existing resettlement programmes and complementary pathways are employed efficiently and effectively, providing a basis on which to build.

The proximity NGOs have to refugee communities allows them to understand the needs of refugees and establish or adapt their own programming both to suit those needs and to maximise the potential of third country solutions. Moreover, NGOs are well placed to provide information about opportunities and risks of various admissions channels, and through their personal contacts with refugees, especially to counteract much of the false information that is shared on social media and circulating through word of mouth. NGOs can raise awareness among refugee communities about resettlement and complementary pathways available to them to access third countries, potentially assisting them in making sensible and rational decisions regarding their own and their family's optimal ways to achieve safety, a protected situation, and ultimately a solution.

NGOs in host countries can, in sum, participate in the further development of both resettlement and complementary pathways as follows:

Overcoming barriers:

- Raising awareness and disseminating accurate practical information;
- Help keep refugees informed about the status of their application to avoid a sense of frustration;
- Clearly communicate knowledge of selection criteria to avoid a sense of injustice and to allow refugees to more accurately self-select appropriate complementary pathways;
- Offer refugees practical guidance throughout the application process;
- Offer financial support to refugees (for applications, visas and training);
- Develop or support refugees in meeting eligibility criteria through language and vocational training, education, work experience and volunteering;
- Referrals between NGOs to help steer refugees to enabling partners;
- Overcome issues of missing documents and diplomas;
- Develop appropriate and independent assessments for accurately matching refugees with resettlement and/or complementary pathways;
- Develop a community of responsible practice for collaboration, coordination and innovation between actors (NGOs, UNHCR and other stakeholders).

Advocacy and awareness raising:

- Advocate for clarity on the right to non-refoulement for refugees who are admitted through migration channels;
- Identify and refer vulnerable refugees to UNHCR (as personal vulnerability changes over time);

- Consider the implications of different third country options, and inform potential beneficiaries of their protection rights post-migration (pick complementary pathways and countries carefully);
- Advocate for the maintenance of family unity in complementary pathway design and implementation;
- Advocate to avoid statelessness of children born during displacement;
- Advocate for the provision of re-admission guarantees from the first country asylum if admission to a third country is temporary;
- Advocate for a reasonable timeframe to access a permanent solution, whether in the first host country or a third country (e.g. permanent residency after 1-2 years ideally upon and 5 years residency for naturalisation);
- Advocate for non-discriminatory selection practices based on religion, age, marital status and gender (as there can be a fine line between selection criteria and discrimination);
- Advocate for specific measures to address refugees' particular vulnerability to labour exploitation, especially in the case of temporary labour mobility programmes (Employers can prey on them by threatening to send them back to Syria – used to threaten undocumented workers and refugees).¹⁰⁷



*A group of Syrian refugee children going to school in Azraq camp in Jordan. December, 2016.
Photo by: Mais Salman/ DRC*

¹⁰⁷ International Rescue Committee (2016). Resettlement and Complementary Admissions Pathways for Refugees, http://www.globalmigrationgroup.org/system/files/IRC_presentation_July_13_UNGA_Summit_multi-stakeholder_consultation_FINAL.pdf, accessed 10 February 2018.

Chapter Eight

Recommendations

Recommendations are based on the above primary and secondary research, drawing on the insights and considerations developed during the DSP-Columbia Global Centres event in Amman in the 7th of March 2018. Recommendations can be categorised as ‘practical’ and ‘policy’, and these are summarised in order to align with the categories of States, States and international NGOs and NGOs in host countries.

Practical recommendations:

States

- Facilitate international collaboration to ensure access to countries with no local embassy or consulate presence in host country;
- Ensure labour-force protection for refugees who are admitted on work visas to avoid exploitation;
- Ensure readmission guarantees in place in countries of first asylum in case of temporary (or seasonal) migration visas, particularly if permanent residence or refugee status are not available or offered;
- Accurate data collection for clarity about who is a refugee, avoiding confusion with other migrants (for data collection and analysis on refugees moving through migration channels), ensuring that the individual right to non-refoulement is upheld.

States and INGOs

- Make any eligibility criteria (for complementary pathways and resettlement) explicit, clear and accessible;
- Create a platform for accurate information sharing;
- Support local NGOs in host countries in assessing jobs-skills miss-match and matching refugees to study and work opportunities;
- Develop a reception and integration package, where these are not already in place, so that all refugees, including those entering through migration channels, are aware of their rights and situation, and have access to various forms of professional support;
- Work with the private sector to identify skills gaps in third countries;
- Coordinated partnership approach (incl. private sector and universities) to lobby government and public opinion about win-win-win aspects of complementary pathways.

NGOs in first asylum countries

- Target language and skills training to individuals identified for potential resettlement (incl. work placement and volunteering);
- Regular vulnerability assessment and referrals to UNHCR of those identified as meeting vulnerability criteria (Support UNHCR in dynamic assessment);
- Raising awareness and disseminating accurate information regarding complementary pathway opportunities, selection criteria, application status and navigation of application process/ bureaucracy;

- Financial support to refugees for accessing complementary pathways where applicable (e.g. for any application fees, transport costs, visas and training);
- Robust referral system between NGOs to create a comprehensive and networked service delivery system for accessing complementary pathways as well as resettlement;
- Create refugee 'profile page' with NGOs to change details in catalogues/databases and facilitate communication. Officially announce opportunities on dedicated, closed Facebook groups and other social media platforms;
- Connect refugees with those who have already resettled and diaspora groups to facilitate integration and manage expectations;
- Develop independent eligibility assessments for missing diplomas;
- Consider the entire range of complementary pathways and leverage partnerships for exploring synergies across complementary pathways;
- Develop a community of responsible practice for collaboration, coordination and innovation between actors (NGOs, UNHCR and other stakeholders).

Policy recommendations:

States

- Ensure non-refoulement by creatively integrating refugee protection with migration channels (particularly those for employment and study);
- Accept refugees for complementary pathways based on non-discriminatory criteria (e.g. education background and skill level), as well as protection need and vulnerability;
- Adopt adequate legal frameworks in countries offering refugee admissions through migration channels (to ensure protection needs are met, even if status is that of an immigrant);
- Implement laws or put in place policies to expand eligibility for family reunification beyond the nuclear unit to include adult children and parents of adult refugees;
- Guarantee that any complementary pathways only add to resettlement quotas. Complementary pathways must augment and broaden the scope of traditional resettlement programmes, and in some cases become incorporated in resettlement, with an appropriate upwards adjustment of quotas to meet needs;
- Ensure citizenship for children born during displacement.

States and INGOs

- Partners can lobby for broadening the family reunification criteria, to align with Syrians' conception of the family and include married children for example;
- Embrace and engage with the population and grass roots organizations seeking to support and sponsor refugee arrivals;
- Avoid discriminatory selection practices based on for example religion, age, marital status and gender (there can be a fine line between selection criteria and discrimination);
- Measures to protect labour-mobility refugees from exploitation.

NGOs in first asylum countries

- Lobby host-country Governments to loosen local labour laws to allow internships and placements for skills training required to meet labour migration criteria.

Annex One

Focus Group Discussion Demographic Breakdown

Description	Age	Marital status	Female	Male	Notes
Educated	20-30 years	Single	7	8	
Not well-educated	20-30 years		10		Most from Syria's Deraa province
Unmarried females	15-24 years	Single	7		Half at school, half drop outs
Unmarried males	16-19 years	Single		8	Half at school, half drop outs
Middle-aged women		Married	6		Head of households
Middle-aged men		Married		5	Head of households
Elderly men				5	
Camp residents			4	1	Zaatari residents

- Educated youths, 20-30 years old, most single, (7 men, 8 women)
- Young women (20-35), not well educated, most from Syria's Deraa province (10)
- Young unmarried girls, 15-24, half at school, half drop outs (6)
- Young unmarried boys, 16-19, half at school, half drop outs (8)
- Middle-aged women head of households (6)
- Middle-aged men head of households (5)
- Elderly men (5)
- Camp residents (4 women, 1 man)

Annex Two

Focus Group Discussion Interview Themes

1. Intentions and plans of Syrians to finding durable solutions
 - 1.1. How long have you been in Jordan?
 - 1.2. Would you like to resettle in a third country?
 - 1.3. If so, why? What are the benefits of resettling in a third country to living in Jordan or returning to Syria?
 - 1.4. If not (hoping to resettle in third country), why not?
 - 1.5. How has your consideration for resettlement changed over the years?
 - 1.6. If you once considered resettling and now don't, why did you change
 - 1.7. Within the next five years, do you plan or envision returning to Syria or settling in Jordan?
 - 1.8. What are you doing in preparation for that plan?
 - 1.9. Do your plans differ from or contradict those of your immediate family?
2. Perceptions of accessibility of resettlement and complementary pathways
 - 2.1. Which opportunities for resettlement are you aware of?
 - 2.2. Where do you gain your knowledge of different resettlement opportunities?
 - 2.3. Have there been any barriers or factors that impact your ability to access information?
 - 2.4. Are you registered with UNHCR?
 - 2.5. Have you ever been interviewed for resettlement by UNHCR?
 - 2.6. How are refugees selected for resettlement?
 - 2.7. What, in your opinion, is the main motivation behind resettlement of refugees?
 - 2.8. Traditional resettlement – what criteria are you aware of?
 - 2.9. Traditional resettlement – how fair is it?

Humanitarian Visas

 - 2.10. Some countries – via their embassies – offer resettlement programmes external to the UNHCR process. Which are you aware of?
 - 2.11. The UN has a list of criteria that relate directly to vulnerability. Individual countries can set their own criteria for Humanitarian Visas. Which criteria are you aware of?

2.12. Do you consider the following criteria legitimate? Why/not?

2.12.1. Education

2.12.2. Work experience and skills

2.12.3. Age

2.12.4. Language

2.12.5. Network in country

2.12.6. Religion

Private sponsorship

2.13. Some organisations in third countries set up programmes to support Syrian refugees and select individuals or families they would like to host in their country. The selected refugees still go through the country's screening process. Are you aware of such programmes and people who have been resettled this way? Which? How?

2.14. Do you consider this approach fair?

Student visas and scholarships

2.15. Student visas are another way to reach a third host country. Some offer pathways to long-term resettlement. Have you (considered) applying for a student visa? Why/not?

2.16. Are you aware of student scholarships being offered to Syrians? What are the benefits of drawbacks of moving to a third country as a student?

2.17. Is this a viable option for you? Why/why not?

Work visas

2.18. Some new resettlement programmes are being considered that will offer refugees with certain skillsets to be resettled to countries in need of those skills. Have you heard of them?

2.19. Do you consider them a good option? Fair?

2.20. What might the difficulties be?

2.21. If you were offered labour migration without refugee status, would you consider it?

3. Perception of best complementary pathways for addressing their priority needs

3.1. Which of the resettlement options discussed would best suit your needs?

3.2. What criteria should they consider to be fair and accessible?

Annex Three

Focus Group Discussions (Methodology, Research Ethics and Limitations)

METHODOLOGY

Focus group discussions (FGDs) were used to examine the perceptions, experiences intentions and utility of resettlement and complementary pathways among Syrian refugees in Jordan. FGDs were used as it allowed for a rich and varied understanding of how Syrian refugees perceived the issues. It allowed the participants to agree or disagree with each other, stimulating discussion and bringing forth opinions and ideas. It also revealed variation in perspectives and experiences across different groups of refugees.

Eight focus group discussions were held in Amman, Irbid and Mafraq in Jordan, where 73 percent of the population of registered Syrian refugees live. Due to a lack of access to the camps, five former and current residents of two of the three camps that house 21 percent of the registered Syrian refugee population gathered in Mafraq for one of the discussions.

ReBootKamp, a training centre offering training to locals and refugees, helped organise and host the discussions in Amman and Irbid, while Asayel, a non-profit organisation offering workshops and support to locals and refugees in the city, organised and hosted the discussions in Mafraq.

A total of 60 Syrians reflecting a wide variety of profiles and circumstances participated, among them elderly men and women, parents, women head of households, women and men of working age, university and high-school students, students out of school, city dwellers and rural tribesmen, those who received UN stipends and those who did not, those who lived in camps and those who did not. Discussions were held with people from similar profiles in order to identify possible correlations between demographic variables and ambitions, perceptions, and needs.

While every effort was taken to ensure the sample of participants was representative of the wider Syrian refugee community in Jordan, the aim was not to present statistical data but rather to document and explore indicative findings based on perceptions within and across different groups of refugees, such as more or less educated adolescents, mothers with boys and/or girls, educated and less educated youth, the elderly and refugees in refugee camps and those living in urban centres.

Discussions were guided by three sets of questions. The first set sought to engage participants in discussion about their current circumstances and their intentions about resettlement to a third country. The second set aimed to assess their knowledge of current resettlement opportunities and complementary pathways, and the third set honed in on factors that may impact their ability to accept or engage in a resettlement opportunity or complementary pathway.

Focus group interview recordings were transcribed and were analysed to determine, document and evaluate opinions, attitudes and experiences of participants from each group and categorise them into key findings. Data from across all focus groups was again analysed and organised into these categories so that an understanding of the perceptions and experiences of Syrian refugees was established. Data from each participant group was also analysed separately to determine trends unique to each group.

Broad-stroke generalisations summarising group perceptions and comparisons across groups capture the majority of voices expressed in each group, but do not entail a homogenous consensus within any given group, as attitudes, perceptions and aspirations were found to be diverse within and across groups. Majority voices echoed by group participants did however differ across groups, and it is precisely these which are used to make inter-group comparisons.

LIMITATIONS TO RESEARCH

This research is focused on Syrian refugees in Jordan as a case study, in a bid to generalise to the broad population of Syrian refugees. The status of Syrians in each of the neighbouring host countries, and indeed within each country, varies. This is reflected in the conditions in which they live and their economic status. While the results may be generalisable to a great extent, idiosyncrasies across and within countries must be considered when transferring insights learnt from this research. Indeed, during the FGDs the lack of consensus among the refugees on certain issues exemplifies that generalisations are not possible, even among refugees in one host country.

RESEARCH ETHICS

Focus group discussions were conducted under the premise of voluntary participation. Thus, individuals were not coerced into participating in the research and did so voluntarily. Researchers ensured that interviewees understood the aims and objectives of the research. Research participants were fully informed about the procedures and risks involved in research and gave their consent to participate.

The research guaranteed all participants confidentiality and anonymity. The researchers assured interviewees that identifying information would not be made available to anyone who is not directly involved in the study. Interview transcripts have been stored in secure locations and are without personal identifiers. Only nominated members of the research team have access to this material.

Annex Four

Executive Summary of Report on Focus Group Discussion

Eight focus group discussions with Syrian refugees in Jordan were conducted in February 2018. They included discussions with a total of 60 individuals living in Amman, Irbid, Mafraq - home to 73 percent of the 657,628 Syrian refugees registered in Jordan - and the Zaatari and Azraq refugee camps, two of the three camps where 21 percent of registered Syrian refugees live. The purpose of the fieldwork was to better understand the factors determining their desire and willingness to resettle, their awareness and perceptions of current resettlement opportunities, and their concerns related to different resettlement options, with a focus on complementary pathways. This forms part of a broader study on resettlement and access to complementary pathways more generally.

Educated working-age youth, men and women, expressed the most willingness to resettle.

This demographic group is primarily motivated by ambition and a desire to enjoy civil liberties. This contrasts with their circumstances in Jordan, where they claim only to be entitled to work only in roles for which they are often overqualified.

Male breadwinners are also among the groups more likely to want to resettle. This group is motivated by a need to be productive and financially provide for their family, and as such are willing to relocate if it would provide them with an opportunity to work, even if it meant leaving their families behind in Jordan.

Most teenagers, women head of householders and elderly people would not consider resettling without all members of their family. These groups prioritize family unity over all other needs and expressed a reluctance to resettle abroad without their immediate, and in some cases extended, family.

Syrians do not expect to return to Syria within five years. Those who do not imagine being resettled within five years expect to remain in Jordan. None of the participants expected to return to Syria within five years due to a lack of shelter, education, resources and security.

The desire for a foreign citizenship and the privileges it affords acts as a motivation to resettle.

Many, educated youths in particular, see resettlement as an opportunity to expand their prospects and gain a valued nationality that will enable them to shed the "refugee" label and travel in the Arab world with dignity. A desire to ultimately return to Syria and live and raise families among people of the same culture and language is also prevalent.

Facebook groups are a primary source of information for those actively seeking resettlement opportunities. Facebook groups and pages are set up for the specific purpose of facilitating the exchange of information between Syrian refugees in different locations, including information about resettlement opportunities. The elderly rely on their children for information, middle-aged women speak with neighbours and friends aboard over WhatsApp and high-school students sometimes learn about opportunities at school.

Awareness of complementary pathways (complementary pathways) differs within and between demographic groups. Some, but not most, young working aged men and women were familiar with education and skills based complementary pathways, while some people in each demographic profile had heard about church-backed private sponsorship resettlement opportunities.

Many, if not most, Syrian refugees are sceptical about the role and integrity of UNHCR. While information about procedures for different resettlement opportunities can be hard to come by, information about selection criteria is even scarcer. This, particularly in relation to UNHCR's involvement in resettlement, has led many Syrians to feel a sense of injustice towards the selection process.

Complementary pathways that offer study and work placements are of interest to most working age youth and middle-aged men. Some, but not all, are willing to consider relocating for study or work opportunities even if it meant losing their refugee status. Similarly, some but not all, would be willing to relocate for such opportunities even without any guarantee a resettlement after a defined time.

The use of language preparedness and skills as a criterion for complementary pathways was considered acceptable by most. Participants were accepting of the idea that complementary pathways would have selection criteria based on the interests of the host nation and not, as the UNHCR claims is the case with its resettlement programme, humanitarian need. The participants expressed no concern about the use of language preparedness and skills suitability as criteria for selection.

Participants were concerned about the use of age as a selection criterion. Most were concerned that use of age as a criterion would result in the division of families and discrimination based on age in favour of younger people.

Level of recognised formal education was considered by most as an illegitimate and unreliable criterion for complementary pathways. Most objected to the consideration of education certificates, which they suggested had been lost, not attained despite knowledge, or purchased by the untalented.

The use of religion as a criterion was frowned upon by most. Almost all participants objected to consideration of religion, noting that it was against the principles preached by host nations and not reflective of the unity and shared struggle of the Syrian people.



Urban Emerge contributed to this research. Urban Emerge is a self-managed development consultancy offering services to public, private and civic organisations in the field of sustainable urban and regional development. It helps organisations become more agile, innovative and responsive to the needs of their employees, stakeholders and the environment. As a network of independent experts in countries and cities all over the world, Urban Emerge is able to rapidly create tailor-made teams that meet specific project needs.

