

MEMO from Long & Olsen

A comparative study of integration potential as an additional selection criterion for the resettlement of refugees.

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1. Introduction

1.1 Scope and limits

This memo will examine how Norway and a selection of resettlement countries apply so-called "integration potential" as an additional criterion in the selection of resettlement refugees.

Within the time and resource framework for this memo, the empirical data is limited to available literature in English and the Nordic languages. In addition, the researcher has also had telephone and email contact with officials and non-governmental agencies in some selected resettlement countries.

The researcher is Long Litt Woon, a consultant with several years of experience in the field of migration, from the company "Long & Olsen".

1.2 Structure

The structure in this memo is as follows:

- Brief overview of resettlement in third countries as a durable refugee solution, including its historical and policy context.
- Comparison of policy regarding integration potential or similar concepts as selection criteria for resettlement refugees in selected resettlement countries.
- Discussion of some fundamental issues.

1.3 Integration potential as a selection criterion is not uncontroversial

The national authorities in Norway introduced integration potential as an additional selection criterion for resettlement refugees in 2002¹.

This change in policy is not uncontroversial: the United Nations High Commissioner for Refugees (UNHCR) is generally critical of moves in this direction.

"Furthermore, in spite of the clear protection nature of resettlement, in the last years, some resettlement countries are increasingly resorting to selection criteria based on integration potential rather than protection needs. An approach that emphasizes immigration criteria (such as integration potential) rather than protection needs may result in putting the lives of vulnerable refugees at risk when no other solutions are available."

(Progress Report on Resettlement, Executive Committee of June 6, 2006).

This view is shared by several non-government agencies in this field.

"An approach that emphasizes immigration criteria (such as the integration potential) rather than protection needs may result in putting the lives of vulnerable refugees at risk when no other solutions are available to them. Refugees in need of resettlement fall by

¹ At the end of 2001, internal discussions in the Norwegian Direction of Immigration (UDI) introduced the concept of integration potential as a selection criterion. In the official letter from the Ministry to UDI (in February 2002) on the distribution of the refugee quota for 2002, there is no reference to integration potential. However, interviews with officials at UDI confirm that the concept was introduced in May 2002 in conjunction with internal organisational changes whereby the responsibility for resettlement refugees was transferred from the Asylum Division to the Integration Division. In the official letter from the Ministry to UDI on the refugee quota for 2003, UDI is urged to emphasise integration potential to a greater extent than previously.

definition within vulnerable categories, which is precisely the reason why UNHCR considers them eligible and in need of resettlement. In other words, the "integration potential" criterion is in contradiction with the very nature of resettlement, which is meant to be a humanitarian solution to the plight of refugees."

(Churches' Commission for Migrants in Europe, Resettlement Newsletter, Vol 1, No 1, 2005.)

The Information Centre about Asylum and Refugees in the UK (ICAR) lists the tendency for states to "hand-pick" certain refugees who meet their criteria² as a key issue for resettlement. The ICAR website states that:

"Resettlement states can impose additional criteria on resettlement applicants during the state interview process (e.g. refugee family ties to individuals in the state, their 'integration potential', part of an ethnic group to whom providing resettlement might be of some political advantage to the state). While these additional criteria may provide advantageous solutions for some refugees otherwise unlikely to receive resettlement assistance, these decisions may come at the expense of other refugees who are at greater risk and need of resettlement assistance³." (www.icar.webbler.co.uk)

In short, critics of the introduction of integration potential as an additional selection criterion are wary that this might shift the focus of resettlement countries from the protection of refugees worldwide to domestic immigration policy concerns: the refugee with the greatest need of protection might not necessarily have the highest "integration potential" as this concept is defined in resettlement countries. Therefore, these critics are concerned about how such additional utilitarian criteria distract from the primary global need for refugee protection in third countries.

This memo will not delve into the pro- and contra arguments of introducing integration potential as a selection criterion, but will take as its point of departure that it is not an uncontroversial policy.

This memo will attempt to provide an overview of national policies regarding integration potential as a selection criterion for resettlement refugees in Norway and in selected resettlement countries⁴ - as seen from the viewpoint of resettlement countries themselves .

2 United Nations High Commissioner for Refugees (UNHCR) (2002) 'Background Note for the Agenda Item: Strategic Use of Resettlement: Developments in the Relationship between Resettlement and Asylum.' Annual Tripartite Consultations on Resettlement, Geneva, 18-19 June 2002.

3 Frelick, W. (2002) 'The year in review', in United States Committee for Refugees World refugee survey 2002. Washington, D.C.: Immigration and Refugee Services of America; Troeller, G. (2002) 'Opinion: UNHCR resettlement: evolution and future direction'. International Journal of Refugee Law 14 (1); United Nations High Commissioner for Refugees (UNHCR) (2002) 'Background Note for the Agenda Item: Strategic Use of Resettlement: Developments in the Relationship between Resettlement and Asylum.' Annual Tripartite Consultations on Resettlement. Geneva 18-19 June 2002.

4 This memo is part of a larger project for which the researcher is responsible: an evaluation of the Norwegian programme for resettlement refugees following the introduction of integration potential as an additional selection criterion.

2. Resettlement in third countries: a brief overview

As the reader is aware, a refugee is defined by the 1951 UN Convention Relating to the Status of Refugees as “a person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.”

The core, fundamental principles of protection include: *non-refoulement*, access to fair and efficient procedures for determination of refugee status, basic standards of treatment that accord with human dignity and integrity and appropriate lasting solutions.

The Office of the United Nations High Commissioner for Refugees (UNHCR) was established on December 14, 1950 by the United Nations General Assembly. The agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide⁵. Its primary purpose is to safeguard the rights and well-being of refugees. It strives to ensure that everyone can exercise the right to seek asylum and find safe refuge in another State, with the option to return home voluntarily, integrate locally or to resettle in a third country.

Today a large number of people still have to leave their homes because of persecution, human rights violations, repression or conflict. The so-called Third World bears most of the global refugee burden today. UNHCR has measured the capacity and contributions of host countries. In absolute numbers, Pakistan and the Islamic Republic of Iran host the largest number of refugees and persons of concern, whereas Iran also processes the largest number of individual asylum applications. Compared with the national population, the countries ranking the highest are Armenia (refugee population), Eritrea (total population of concern) and Slovenia (asylum applications)⁶.

2.1 What is resettlement?

Researchers Noll and van Selm define resettlement in the following manner:

Resettlement is “a method by which a refugee is identified as being in need of protection while outside the country that is conducting a status determination procedure. This is done under an orderly program, but usually through the individual application for asylum via an embassy overseas. After being selected, the refugee will be transported to the destination state, and arrive with a long-term or permanent residence status, and with no need to enter further immigration or refugee status proceedings which could impact residency.”⁷

Noll and van Selm continue:

“A resettlement program will have a predetermined, quantitative target, quota or ceiling, and while it might occasionally involve emergency rescue it is not used for humanitarian evacuation for temporary protection, for example.”

⁵ The population of concern to the UNHCR includes refugees, civilians who have returned home but still need help, people displaced internally within their own countries, asylum seekers and stateless people.

⁶ Selected Indicators Measuring the Capacity and Contributions of Host Countries, UNHCR (April 2002).

⁷ Rediscovering Resettlement, Gregor Noll and Joanne van Selm, December 2003/no.3, Migration Policy Institute,

“Resettlement is a protection strategy that is complementary to, and co-exists with, both the asylum system and any forms of temporary or short-term protective status.”

Persons resettled under resettlement programmes are referred to by various terms in different countries. For example, in New Zealand and in Norway, they are referred to as “quota refugees”, but in Canada the term “convention refugee” refers to referrals from the UNHCR⁸.

2.2 A historical look

Resettlement of refugees as an international phenomenon originated and evolved in the context of the Cold War; then, historical efforts across nations were exerted to help the large numbers of displaced people in the aftermath of World War II.

It should be noted that the scale of resettlement has changed dramatically over the last twenty five years.

In 1979, at the peak of the refugee outflows in South East Asia, resettlement was viewed as perhaps the only viable solution for approximately 1 in 20 of the world’s refugees. At the time, there were 5-6 million refugees worldwide.

Today, the number of refugees, asylum seekers and others of concern to the UNHCR has risen from 5-6 million to 32.9 million persons (2006)⁹. However, resettlement is now viewed as one of three durable solutions. During this period, the ratio of resettlement as a solution to the world refugee population has dropped to 1 in 400, and the absolute numbers of UNHCR cases being resettled has also fallen, from 200,000 a year in the late 1970s to 29,560 today¹⁰.

In Europe fewer than 5 000 refugees are resettled per annum.

2.3 Resettlement policy and its context

Issues and challenges related to resettlement policy cannot be addressed in isolation from broader migration trends and issues as these are seen from the perspective of resettlement countries.

While the international community views immigration and refugee policies from a humanitarian perspective and through the parameters provided by international agreements, host countries tend to view these issues through a combination of humanitarian, domestic and foreign policy considerations¹¹. For example, Aristide Zolberg has suggested that immigration policy in the USA, has been driven primarily by domestic concerns, while refugee policy has been shaped by ideology and foreign policy interests¹².

8 In contrast, in New Zealand, “Convention Refugees” are former asylum seekers whose refugee status has been recognised in New Zealand by the authorities while “Family Reunion refugees” have been sponsored by refugee family members already residing in New Zealand.

9 It should be noted that only a small part of the world’s internally displaced are protected or assisted by the UNHCR.

10 2006 Global trends: Refugees, asylum-seekers, returnees, internally displaced and stateless persons. UNHCR Statistics, 2006.

11 John Fredriksson and Christine Mougne, Resettlement in the 1990s, A review of policy and practice, UNHCR Dec 1994.

12 Aristide Zolberg (1995), “From Invitation to Interdiction: US Foreign Policy and Immigration since 1945” in Michael S. Teitelbaum and Myron Weiner (eds.). Threatened Peoples, Threatened Borders: World Migration Policy. New York: The American Assembly, Columbia University.

National public discussions on resettlement do not take place in a vacuum but are entangled with other migration issues. Refugee policies are also connected to immigration admissions law and to integration policy in its broadest terms. Many national authorities are involved – from international or foreign affairs to internal justice or home affairs. Not uncommonly, domestic “tugs-of-war” take place between various national authorities.

Demetrios Papademetriou has suggested that managing the “delicate tensions” that underlie immigration in general and refugee interests in particular is at the root of a sound immigration and refugee policy¹³.

2.4 Changing attitudes

The drop in the ratio and absolute numbers of resettlement refugees has accompanied changing attitudes in resettlement countries.

Public opinion in traditional resettlement countries has shifted; many industrialised states which once welcomed refugees started showing a reluctance to admit them in the 1990s. Partly this can be attributed to what is often described as the “asylum crisis” when numbers of asylum seekers soared.

Government officials and the public at large, in particular in industrialised countries in the North, have been concerned about the consequences of immigration in general on their economies and cultural homogeneity, leading some governments to pursue more restrictionist immigration policies.

As we know, immigrants as a category include both involuntary migrants such as refugees and voluntary migrants.

In general, hardening attitudes towards involuntary and voluntary immigrants - whether or not they are regular - have also had a tendency to affect refugee policy.

The complicated relationship between involuntary and voluntary migration challenges States to distinguish between refugees and voluntary migrants. Mechanisms which fail to distinguish between these groups can lead to limiting the protection afforded to refugees and other persons in need.

For example, bona fide refugees might turn to sophisticated smuggling and trafficking operations in order to circumvent immigration controls. A vicious cycle then develops, with governments imposing new restrictions on immigration in general¹⁴, with rippling, negative effects for access to asylum¹⁵.

Restrictionist immigration attitudes manifest themselves not only in a progressive decline in resettlement offers, but also in the language used to refer to resettlement in official UNHCR Executive Committee documents. Until the mid-80s, resettlement in a third

13 Papademetriou, Demetrios G. (1991) “South-North Migration in the Westedn Hemisphere and US Responses”. *International Migration*. Vol. XXIX, nr 2, oo 291-316.

14 Although refugees are only a small segment of the total migrant population, measures designed to manage migration and control unauthorised movements often have disproportionate negative effects for them. Martin, Susan (2001) “Global migration trends and asylum”, working paper no. 41, UNHCR, 2001.

15 Some critics argue that restrictionist policies threaten to undermine the international guidelines established by the 1951 Geneva Convention relating to the Status of Refugees and its 1967 Protocol and present new obstacles to those seeking asylum and protection from refoulement. See e.g. Michael McBride, Working paper no 3, The evolution of US immigration and refugee policy: public opinion, domestic politics and the UNHCR, UNHCR, May 1999.

country was one of three durable solutions; the other solutions being local integration in the country of asylum and voluntary repatriation to the home country.

However, this idea has given way to that of resettlement as the “third best” durable solution (and voluntary repatriation as the best).

2.5 Resettlement as a refugee admissions tool

In 2006, a total of 71,700 refugees¹⁶ were admitted by 15 resettlement countries¹⁷, including the United States (41,300), Australia (13,400), Canada (10,700). Overall, this was 11 per cent below the total for 2005 (80,800).

The US, Australia and Canada represent the countries which resettle the major proportion of the world’s refugees¹⁸; here, resettlement is a dominant part of the protection system, while in Europe, resettlement has a marginal role¹⁹. As mentioned previously, Europe accounts for the resettlement of less than 5,000 refugees in total each year.

In Europe, six EU Member States (Sweden, Finland, Denmark, the Netherlands, the UK and Ireland) as well as Norway currently operate resettlement programmes²⁰. These resettlement programmes differ among themselves e.g. in terms of levels setting and in terms of selection criteria beyond the refugee definition and procedures. Beyond these seven states, no European state has a formal resettlement programme at present²¹.

16 Resettlement statistics for the United States, Canada and Australia may also include persons resettled for the purpose of family reunification or other humanitarian purpose. (UNHCR 2006 Global Trends).

17 The fifteen countries are: Australia, Benin, Burkina Faso, Canada, Chile, Denmark, Finland, Great Britain, Iceland, Ireland, the Netherlands, New Zealand, Norway, Sweden and the United States.

18 Between 1992 and 2001, the resettlement arrivals in all EU Members totalled 47,000, while the US received 916,000 cases.

19 However, when resettlement figures are added to those of accepted spontaneous arrivals, it emerges that the EU and the US grant protection on a roughly comparable level (3.7 admissions per 1,000 inhabitants in the EU between 1992 and 2001, with the corresponding figure for the US being 3.8).

20 The other EU member states use their asylum systems for the admission of refugees in need of international protection.

21 The Hague Program, an ambitious five-year course, launched in November 2004, to strengthen freedom, security and justice within the 25 Member States of the EU, does not include resettlement as a common goal. However, the EU does provide Member States with a “funding carrot” of 4000 euros per resettled person. However, Belgium and France respond to urgent appeals from UNHCR for admission and protection in special circumstances²¹. And though Iceland and Spain do not have an annual national quota for the resettlement of refugees, they are among the so-called emerging resettlement countries. Spain, for example, has demonstrated interest in resettlement through fact-finding missions to Rwanda and Jordan. In South America, Brazil, Argentina and Chile are important resettlement partners for the UNCHR.

3. Who to settle? Resettlement countries and “integration potential”

International law obliges states not to return anyone who has arrived at their borders seeking protection to a place where they would be unsafe. However, international law does not require states to resettle anyone.

In a context where the global protection need is larger than the willing capacity of host countries, the question “who to settle?” is a pressing and critical one.

Simplified, we could say that approaches to answering this question are illustrated by the tension between humanitarian and utilitarian emphases. However, it is not easy to assign host countries to one or the other category.

Researchers Noll and van Selm, in a transatlantic comparison, say that it would be fair to describe US resettlement as serving “a broader mix of motives than its European counterparts, with a greater visibility of utilitarian ones. However, this would emphatically not imply that reproaches of the US programme dealing only with cases promising easy integration (so-called cherry picking) are justified.” Noll and van Selm go on to cite examples of the US admission of the “Lost Boys” of Sudan, the Somali Bantu and other groups which would appear to be extremely difficult to integrate by most standards.

As more European countries who have traditionally resettled the most vulnerable and the most oppressed of refugees start employing integration potential as a selection criterion, humanitarian and utilitarian concerns seem to amalgamate on both sides of the Atlantic.

3.1 Integration potential as a selection criterion

Several resettlement countries – according to the UNHCR and by their own accounts - have introduced integration potential as an additional criterion for the selection of resettlement refugees.

In this analysis of the available material regarding integration potential, the following observations can be made:

- Some countries have introduced integration potential formally as a selection criterion.
- Other countries have not officially introduced integration potential formally but employ *other concepts* - which could be argued as being similar to, or which at least are close to, integration potential.
- Whether or not the perceived lack of integration potential (or an alternative concept) is used as a *reason for refusal* of UNHCR referrals is an interesting angle of study. Another way of approaching this issue is to see if resettlement countries accept refugees *solely* on the basis of integration potential alone. Unfortunately, we have little empirical data to respond to these questions.
- Integration potential is seen by many countries not only as an individual characteristic but also as a *group asset or attribute*.

- Interestingly, all countries are very clear about which categories are *inadmissible* for resettlement. It could be argued that such classification might imply employing integration potential as a selection category *by default*.
- Finally, many countries are very clear about groups or situations when integration potential or similar concepts are *waived*.

In the case of **Norway**, although integration potential was first officially introduced as a selection criterion in 2002, the concept was not unknown in policy or practice prior to this date. Informal practice had already incorporated integration potential as *one of several selection criteria* previously. However, after 2002, integration potential was no longer only an option but *an integral part* of the selection process. It should be noted that integration potential as a selection criterion in Norwegian policy is still in the process of being further concretised and formalised.

In short, when reading descriptions of national policies, we need to bear in mind that policy formulation is a dynamic and organic process. The following section is mainly based on the most updated versions of the so-called Country Chapters in UNCHR's Handbook for Resettlement. Where possible, these documents have been combined with correspondence and/or interviews with officials from selected resettlement countries.

3.1.1 Explicitly and formally in law and policy

Denmark is the only resettlement country that includes and emphasises "integration potential" as a selection criterion of resettlement refugees in national law. The Danish Alien Act of 2005, Section 8 (4) reads:

In the selection of aliens issued with a residence permit under subsections (1) to (3), the aliens' possibilities of establishing roots in Denmark and benefiting from the residence permit, including their language qualifications, education and training, work experience, family situation, network, age and motivation, must be emphasised, unless particular reasons make it inappropriate.

Finland²², **the Netherlands** and **Norway** are three resettlement countries which specifically mention integration potential as a selection criterion in the UNHCR Country Chapters.

Norway introduced integration potential as an additional selection criterion for resettlement refugees in 2002²³. The Norwegian Country Chapter states that refugees:

"should have a potential to integrate well into Norwegian society and to support themselves within a reasonable period of time. Elements to be considered are e.g. the refugees' professional and educational background, their proficiency in languages, other skills/factors and family links to Norway. Generally, priority is given to families, because it is easier to find accommodation for families than for single refugees in Norway."

²² Finland does not give more details regarding integration as a selection criterion in its Country Chapter.

²³ At the end of 2001, internal discussions in the Norwegian Direction of Immigration (UDI) introduced the concept of integration potential as a selection criterion. In the official letter from the Ministry to UDI (in February 2002) on the distribution of the refugee quota for 2002, no mention is made of integration potential. However, interviews with officials at UDI confirm that the concept was introduced in May 2002 in conjunction with internal organisational changes whereby the responsibility for resettlement refugees was transferred from the Asylum Division to the Integration Division. In the official letter from the Ministry to UDI on the refugee quota for 2003, UDI is urged to emphasise integration potential to a greater extent than previously.

This seems to correspond to the position of the Netherlands which states that:

“ a submission by UNHCR will be rejected if there are signs or behaviour that indicate this person will not fit in Dutch society (f.e. showing non-conformist behaviour or ideas, intent to cause social unrest.)Capacity for integration can follow from having undertaken activities in the refugee-camp, the willingness to adjust to a new country, general knowledge, knowledge of a West-European language, family-ties with Dutch nationals or aliens who have a residence permit in the Netherlands, having an open mind towards Western/Dutch values and standards.”

However, following the recent change of government in the Netherlands, there is now less focus on integration potential in the Dutch resettlement practice.

Ireland started applying integration potential as part of the selection criteria only in 2006. The Irish authorities define integration potential as the willingness to participate in the integration process, a desire to gain economic independence and to abide by Irish law. More concretely, integration potential is evidenced by all adult family members taking the following actions:

- *They must attend the language training provided.*
- *They must attend job skills training.*
- *They must make every effort to become economically viable in the longer term.*

For those who are not able to work, they should demonstrate their willingness to participate in Irish society by taking part in community activities, including for example, voluntary work.

The number of resettlement countries which have introduced integration potential as a selection criterion explicitly and formally in law and policy is small. Denmark is the only country which has made the change in legal form through its Alien Law. The other countries - Finland, Norway, the Netherlands and Ireland – seem to be in the process of further elaborating their policies. At the moment, the policies regarding integration potential as a selection criterion in these countries can best be described as high-level guidelines.

3.1.2 Alternative concepts

Some countries have introduced alternative concepts to integration potential. Some of these seem closely related to integration potential as this is defined in the previous section. Others do not emphasise refugee characteristics, but focus more on what the resettlement country itself can easily offer. In other words, the latter concepts have a more pragmatic and practical approach.

For example, although **Canada** states clearly that the implementation of the Canadian Immigration and Refugee Protection Act in 2002 shifts the Canadian emphasis *towards protection rather than ability to successfully establish*, Canada still has immigration admissibility requirements which normally require applicants:

“to show potential to become self-sufficient and to successfully establish in within a 3 to 5 year time frame. Factors such as education, presence of a support network in Canada, work experience and qualifications, ability to learn to speak English or French and other personal suitability factors such as resourcefulness are taken into account by visa officers (unless the case is classified as an emergency).”

The determination of a person's ability to resettle is made by the Canadian visa officer. The officer will make an assessment of whether the resettled person will need to rely on social assistance for food and shelter beyond a 3 to 5 year time frame. In making the decision about the likelihood that a person will successfully establish in Canada, the visa officer also will consider the potential contribution of all family members.

Elements which Canadian visa officers take into consideration are as follows:

- The applicant's resourcefulness and other similar qualities that assist in integration in a new society;
- The presence of relatives or a sponsor in the community of resettlement;
- The ability of the applicant to learn to communicate in English or French; and
- The potential for employment based on the family members' education, work experience and skills.

From this short description, it might seem that the Canadian emphasis on "the ability to successfully establish" is not unlike definitions we have seen earlier among countries which formally employ integration potential as a selection criterion.

The authorities in **New Zealand** ask if New Zealand is "the right fit" for the refugee. This question is viewed from the angle of "good settlement outcomes" in New Zealand. Some points of consideration for the authorities in New Zealand include the following:

- Multiple marriage situations (New Zealand law does not recognise more than one current marriage partner).
- Stronger links to countries other than New Zealand (e.g. family members in other countries).
- Single persons (housing constraints in New Zealand. In addition, this implies the possibility of chain migration)
- Large families (housing constraints in New Zealand)
- Medical needs (can New Zealand meet these?)
- Security risk (is there any risk to New Zealand's security?)

Compared to the explicit and formal definitions above (3.1.1) where the emphasis is on the refugee (qualifications, work experience and language proficiency in the host language), it seems as though New Zealand's policy is a mix of practical considerations (local housing possibilities), social acceptance (multiple marriage) and long term integration in New Zealand (close ties to other countries). The medical and security considerations here are similar to those of other host countries. New Zealand is currently elaborating its policy further.

The **United Kingdom** started its resettlement programme in 2004. Integration potential is not an issue for selection in the UK. However, like New Zealand, the UK has a practical approach that excludes very large families (because of housing challenges) or persons speaking languages which the UK cannot handle.

New Zealand and the United Kingdom are explicit about the practical limitations of their capacity to resettle refugees. According to available policy documents, Canada's policy regarding "ability to successfully establish" reminds us of the manner in which "integration potential" is defined by Denmark, Norway, Finland, the Netherlands and Ireland. However, compared to these countries, Canadian authorities have elaborated its policy in much greater detail. Such transparency contributes also to more equal treatment of resettlement cases.

3.1.3 Lack of integration potential as the main reason for refusal

For countries which have introduced integration potential, and for others which have not done so officially but which have introduced similar concepts, it would be interesting to review data about *rejected* referral cases where the lack of integration potential (or a similar concept) is given as the main reason²⁴. Unfortunately, this is an area where it has been difficult to obtain systematic empirical data²⁵.

Data from a recent Norwegian selection mission to Zambia can illustrate as an example:

UNHCR referred 353 persons to the Norwegian mission. Of these, 261 persons were resettled in Norway and 84 persons were rejected. *The majority of the rejected were assessed to have low integration potential in Norway.*

After protection needs are verified by Norwegian authorities, the following areas are assessed:

- Family connections in Norway
- Age, education and work experience
- Language capabilities including ability to acquire new language skills
- Health situation²⁶
- Civil status (married, single, with/without family)
- Ethnic group representation in Norway²⁷
- Special categories like "Women at Risk" or "Survivors of Violence and Torture".

In addition, Norwegian authorities try to assess the following:

- Is the refugee a resourceful person?
- Can he/she help other persons integrate in Norway?
- Does he/she have personal interests (sports, music etc) which can contribute towards the integration process?
- Will he/she be able to gain employment fairly quickly?
- Will he/she be able to function in a parental role (if there are children)?
- Does he/she have attitudes which will hinder the integration process?
- Does he/she have a criminal background?
- Does he/she have a drug problem?
- Is he/she motivated to start a new life in a new society? Does he/she show initiative and personal aspirations for a life in a new society?

The Norwegian authorities recognise that these additional integration dimensions are subjective in nature. Therefore, all cases are discussed by at least three team members before a final decision is made²⁸.

24 The study has not been able to identify any resettlement country which accepts refugees purely on the basis of integration potential.

25 According to Canadian officials interviewed, Canadian visa officers very rarely used lack of integration potential as reasons for rejections.

26 Medical treatment should be available in Norway and there should be positive prognoses that the refugee can be cured.

27 The Directorate of Immigration also assesses information about the general situation for the ethnic group after having lived in Norway for a while. The Directorate for Diversity and Integration (IMDI) provides such information to the immigration authorities.

28 Each case is presented by one team member; the other team members question relevant points in discussion. The whole team makes a common decision in each case. If dissent occurs, the case is taken to the Head of Division for a decision.

3.1.4 Integration potential: not only an individual characteristic but also a group attribute

Although resettlement candidates are individual persons, and are evaluated as such, several countries employing integration potential as a selection criterion also look at the situation of the family or wider group to which an individual belongs. Integration potential is, in other words, also a group attribute, not only an individual characteristic. According to this line of reasoning, for example, “low” integration potential of an individual could be counterbalanced by “high” integration potential of the group to which the individual belongs.

Canada: By considering the potential contribution of family members in the assessment of an individual refugee’s potential to resettle successfully in Canada, integration potential is viewed as a group attribute in addition to an individual characteristic. Canadian guidelines state:

“When reviewing the applicant’s ability to establish, the officer is assessing the applicant and the applicant’s family unit, including the family and the de facto members, as a whole. The factors to consider relate to the family as a unit and not just to an individual. The factors themselves are also not to be taken individually. A lack in one area is not enough to warrant a negative determination.”²⁹

In addition to family members, Canada also views positively the presence of a sponsor in the community of resettlement.

Like Canada, **Norway** also assesses how family members can weigh up for each others’ integration potential strengths and weaknesses, as these are defined by the authorities. In addition to family members, Norway also looks positively upon affiliation to Norway through friends. **The Netherlands** positively views affiliations to “aliens who have a residence permit in the Netherlands”, in addition to family members.

Denmark views social networks *beyond* family members positively as group resettlement is seen to strengthen individual integration potential. Danish authorities seek a “balance” within the group so that group members can help each other with the integration process.

Finland seeks to form balanced ethnic groups and therefore admit only refugees from a limited number of countries of origin, seeking at the same time to identify “leaders” in those groups.

It seems that many countries which have introduced integration potential as a selection criterion do not only view this as an individual characteristic but also as a group attribute.

29 OP 5 Overseas Selection and Processing of Convention Refugees Abroad Class and Members of the Humanitarian-Protected Persons Abroad Classes.

3.1.5 Groups or situations which are exempted from integration potential as a selection criterion.

Resettlement countries tend to exempt certain groups or situations from the integration potential criterion.

Some examples from resettlement countries illustrate the variation in national policies:

Norway does not apply integration potential as a selection criterion to emergency referrals from the UNHCR. This, however, is a new practice³⁰.

Canada exempts persons with higher protection needs from the requirement to be able to successfully establish. The greater the need for protection, the less emphasis is placed on the ability of an applicant to establish him or herself in Canada. In vulnerable cases where the need for protection is urgent, the ability to establish is not a requirement³¹.

The Netherlands applies integration potential as a selection criterion only in cases admitted on grounds of so-called "National protection for humanitarian reasons"³². The Netherlands does not apply integration potential as a selection criterion if the case is admitted on grounds of the 1951 Convention or the European Convention for Human Rights³³.

Even though **Denmark** places strong emphasis on assessing the refugees' possibilities for settling and benefiting from life in Denmark, the integration potential criterion is waived for emergency cases and for medical cases under the Twenty-or-more programme (TOM)³⁴.

The resettlement countries tend not to explain why they exempt groups and situations from integration potential as a selection criterion. Is this a way of emphasising their commitment to UNHCR's mandate? Does this reveal awareness that the introduction of integration potential as a selection criterion somehow undermines the aim of international solidarity and global burden sharing regarding protection?

30 The UNHCR Country Chapter from Norway is not updated regarding this point.

31 E-mail correspondence with Canadian authorities.

32 Ground "c" in the Dutch Aliens Act of 2000.

33 Grounds "a" or "b" respectively in the Dutch Aliens Act of 2000.

34 According to Danish policy, all HIV cases will come under TOM programme, not only the cases which UNHCR presents as TOM cases.

3.1.6. Integration potential as an indirect selection criterion by default?

Most UNHCR Country Chapters list categories which are *inadmissible* for resettlement. Criminal, security and health grounds are the common categories which may lead to inadmissibility in many countries. Typically, persons with a criminal background are not considered for resettlement. In addition, many countries will not admit persons perceived to pose “a threat to public order, public health and security.”

For example, all applicants to **Australia** must meet legal requirements which include

“public interest criteria intended to safeguard the Australian community’s health, access to health services, safety and national security.”

New Zealand considers that individuals in the following categories may be inadmissible for resettlement:

Past criminal activity (ie. “individuals who have committed crimes of moral turpitude, drug trafficking or acts involving persecution or torture”) or on security grounds (ie. individuals who have been involved in terrorist activity, crimes against humanity or who would present a serious security threat).

Like many other countries, **Sweden** also excludes resettlement cases of persons who have a criminal background. In addition, persons with alcohol and drug related illnesses are also inadmissible for resettlement in Sweden. Sweden states that persons with grave mental disabilities are not normally selected as part of the quota, although, generally speaking, illness is not in itself considered an obstacle to the selection of persons in need of protection in Sweden. Another category for exclusion which Sweden is explicit about is

“minor children without custodians if they do not have relatives in Sweden who are willing to receive the child and this otherwise corresponds with the best interests of the child³⁵.”

Not unlike many countries, **the United States of America** does not accept refugees unless they pass the security clearance process. The USA includes in the exclusion on security grounds,

“membership in Communist or totalitarian parties, Nazi persecution or genocide.”

The USA excludes persons with some communicable diseases, physical or mental disorders, and current drug abuse or addiction³⁶.

It could be argued that such categories build on the assumption that they are *barriers to the integration process*. In other words, these categories are seen to show *low integration potential*. Following this line of thought, it could be argued that these countries, *indirectly and by default*, also apply integration potential as a selection criterion whether or not this is the official policy.

³⁵ Unlike Sweden, the USA accepts unaccompanied minors as refugees.

³⁶ However, the USA would consider these cases when the health problem has been successfully treated. The United States Refugee Resettlement Programme has designated a number of resettlement sites in the U.S. for HIV-positive or active-HIV refugees.

4. ISSUES

Besides the obvious issue regarding the effect of implementing integration potential as a selection criterion on global protection needs and capacities, several other questions need to be addressed:

1. Do resettlement countries have experience and research documentation which connect problematic or positive integration issues to certain refugee characteristics?

For further discussion:

Many countries seem to share the view that higher levels of education and socioeconomic status before displacement have buffering functions and are therefore conducive to integration.

However, a meta-analysis of factors associated with mental health of refugees show that such profiles were associated with worse mental health outcomes.

“Greater predisplacement of intellectual and economic resources may imply a greater subsequent loss of status rather than a protective effect on refugees against their predicament”³⁷.

It would be useful if resettlement countries which have introduced integration potential as a selection criterion shared their experience and research documentation connecting problematic or positive integration issues to particular refugee characteristics.

2. Can the outcomes of introducing integration potential as a selection criterion be measured?

For further discussion:

Measuring the effect of introducing integration potential as a selection criterion assumes baseline data on a set of integration indicators in resettlement countries. A fundamental condition for effect measurement is that there are clear and measurable integration benchmarks that resettlement countries aim for.

However, as a general observation, there were few concrete integration benchmarks³⁸ to be found in the UNHCR Country Chapters.

It would be constructive if resettlement countries in question shared their baseline integration indicators as these are further developed.

³⁷ Predisplacement and postdisplacement factors associated with mental health of refugees and internally displaced persons. A meta-analysis. Mather Porter and Nick Haslam, American Medical Association, August 3, 2005, vol 294, no. 5.

³⁸ Norway might provide an example here: after two years of implementing the so-called Introduction Course³⁸, it was registered that 53 % of the 10 000 attendees were either employed or furthering their education. The Directorate of Integration and Diversity recommends that local municipalities should aim for 60 % of the attendees being employed or under further education following the course. The final aim is 70 % - to mirror the situation in the host society.

3. How do resettlement countries assess integration potential?

3.1 Are special interview techniques employed to uncover the more subjective aspects of integration potential?

3.2 How do selection missions cope with their own cultural bias?

3.3 How transparent is the criterion of integration potential?

3.4 How is equal treatment ensured?

For further discussion:

Resettlement countries employ a range of methods, including selection missions and dossier referrals, when selecting refugees for resettlement.

Integration potential, as the selection criterion has been described here, is assessed through both objective and subjective elements. Age, for example, is an objective indicator. On the other hand, "resourcefulness" is an example of a subjective indicator. The question of how subjective indicators of integration potential are measured is therefore a crucial one. The more the number of subjective indicators included, the more challenging the assessment.

Some countries³⁹ alternate between individual and team assessments before finally arriving at a final decision in each resettlement case. This is a way of safeguarding against personal biases by individual officers and of ensuring that all aspects of a case are covered before a final decision is made.

While this procedure contributes to more equal treatment between cases, it cannot completely rule out the subjectivity of assessments. If detailed manuals are not available, it also raises questions of transparency, in addition to equal treatment of all cases. If direct interviews are employed, there is the question of how selection missions overcome their own cultural biases. For example, "being a good parent" in one culture can be defined as being quite different in another culture.

From the viewpoint of the refugee, not only does he need to present his case but he also needs to do this in a way that "cracks the cultural code" of the selection mission. For example, a selection mission might assume that when a refugee looks at officers from the selection mission in the eye, with questions about life in the country in question and shares his plans and hopes for his new life, these are signs of his "motivation" and therefore of his "integration potential". In the same vein, someone who does none of the above might be viewed as "not motivated" and, consequently, low in "integration potential". The critical question is: Is this a realistic assessment, given the cultural differences between the interviewer and the interviewee? There are no easy answers that fit all interview situations. However, none of the countries included here have mentioned how they are aware of cultural biases or included information on how they try to overcome them.

Many factors connected to displacement increase the possibilities of making imprecise assessments in an interview situation: the impact of a life under extremely difficult and sometimes life threatening circumstances; the interview situation as such, which often is a stressful experience for the refugee; the language differences and use of interpreters⁴⁰; how are children assessed etc.

However, the bottom line here is: How realistic is it to anticipate that one or two interviews with a refugee (speaking through an interpreter) can provide the interviewer with an adequate impression of the refugee's potential to settle and integrate in a resettlement country? It would be helpful if resettlement countries which have introduced integration potential shared their interview techniques and experiences.

³⁹ Norway, for example, employs this procedure in both dossier and selection mission cases.

⁴⁰ In one selection mission, the interpreters spoke another dialect from the refugees interviewed.

4. What about the "integration capacity" of resettlement countries themselves?

*"Belonging is a feeling, not a process. You cannot belong where you are not accepted."*⁴¹

For further discussion:

Policy makers tend to use "integration" to refer to the process whereby individuals and groups newly arrived in a territory interact with the population which is already there. However, the concept is rarely defined rigorously, leading one researcher to conclude that integration is "a chaotic concept: a word used by many but understood differently by most"⁴².

Like many informed observers, the European Council of Refugees and Exiles (ECRE) considers integration to be a process of change that is:

- **Dynamic and two-way:** it places demands on both receiving societies and the individuals and/or the communities concerned. From a refugee perspective, integration requires a preparedness to adapt to the lifestyle of the host society without having to lose one's own cultural identity. From the point of view of the host society, it requires a willingness to adapt public institutions to changes in the population profile, accept refugees as part of the national community, and take action to facilitate access to resources and decision-making processes⁴³.

Does integration potential as a selection criterion place the "burden" of integration upon the refugees and build on the view that integration is a one-way process?

Does a definition of integration as a two-way process also raise the question of the "integration capacity" of resettlement countries?

In general, it is not clear from the available literature how resettlement countries which have introduced integration potential as a selection criterion also pay attention to their own "integration capacity"⁴⁴.

In short, within the limits of this study it was not easy to find answers to these four fundamental issues from the available material.

In this review we observe that integration potential as a selection criterion for resettlement can take many shapes and forms; it can be direct and formal, it can be indirect and informal, and it can even manifest itself by default.

Many countries are still in the process of elaborating their policy and practice regarding selection criteria including integration potential or alternative concepts.

41 Peter Cotton, RMS Refugee Resettlement, New Zealand.

42 Robinson, V. Defining and measuring successful refugee integration. In ECRE: Report of conference on Integration of Refugees in Europe, Antwerp 12-14 November 1998.

43 Refugee integration: Can research synthesis inform policy? Yongmi Schibel, Mina Fazel, Reive Robb and Paul Garner. RDS On-line Report 13/02.

44 Norwegian authorities, for example, differentiate between the selection process and the subsequent integration process. The subsequent integration process is viewed as a two-way process. For example, accepted refugees go through a cultural orientation programme with bi-cultural instructors before they arrive in Norway. Questions, concerns and issues which the refugees might have are noted and passed on to local authorities who resettle the refugees.

LITERATURE

Canada Social Trends: http://dsp-psd.pwgsc.gc.ca/collection_2007/statcan/11-008-X/11-008-XIE20070009627.pdf

Refugee integration: Can research synthesis inform policy?

Yongmi Schibel, Mina Fazel, Reive Robb and Paul Garner.
RDS On-line Report 13/02.

Defining and measuring successful refugee integration.

Robinson, V.
ECRE: Report of conference on Integration of Refugees in Europe, Antwerp 12-14 November 1998.

OP 5 Overseas Selection and Processing of Convention Refugees Abroad Class and Members of the Humanitarian-Protected Persons Abroad Classes.

Canada

Pre-displacement and post-displacement factors associated with mental health of refugees and internally displaced persons. A meta-analysis.

Mather Porter and Nick Haslam,
American Medical Association, August 3, 2005, vol 294, no. 5.

European Refugee Policy: is there such a thing?

Joanne van Selm,
Working paper no 115, UNHCR, May 2005.

UNHCR 2006 Global Trends

The evolution of US immigration and refugee policy: public opinion, domestic politics and the UNHCR,

Michael McBride,
Working paper no 3, UNHCR, May 1999.

Global migration trends and asylum

Martin, Susan
Working paper no. 41, UNHCR, 2001.

Resettlement in the 1990s, A review of policy and practice,

John Fredriksson and Christine Mougne,
UNHCR Dec 1994.

From Invitation to Interdiction: US Foreign Policy and Immigration since 1945

Aristide Zolberg (1995), in Michael S. Teitelbaum and Myron Weiner (eds.). *Threatened Peoples, Threatened Borders: World Migration Policy*. New York: The American Assembly, Columbia University.

South-North Migration in the Western Hemisphere and US Responses

Papademetriou, Demetrios G.
International Migration. Vol. XXIX, nr 2, oo 291-316. 1991

Selected Indicators Measuring the Capacity and Contributions of Host Countries

UNHCR (April 2002).

Rediscovering Resettlement

Gregor Noll and Joanne van Selm,
December 2003/no.3, Migration Policy Institute,

Background Note for the Agenda Item: Strategic Use of Resettlement: Developments in the Relationship between Resettlement and Asylum

United Nations High Commissioner for Refugees.' Annual Tripartite Consultations on Resettlement, Geneva, 18-19 June 2002.

The year in review

Frelick, W.
In United States Committee for Refugees World refugee survey 2002. Washington, D.C.: Immigration and Refugee Services of America.

Opinion: UNHCR resettlement: evolution and future direction

Troeller, G. (2002).
International Journal of Refugee Law 14 (1)

Background Note for the Agenda Item: Strategic Use of Resettlement: Developments in the Relationship between Resettlement and Asylum

United Nations High Commissioner for Refugees. Annual Tripartite Consultations on Resettlement. Geneva 18-19 June 2002.

SAMMENDRAG

1. Denne litteraturstudien setter søkelyset på integreringspotensial som et uttakskriterium for overføringsflyktninger fra FN.
2. Dette uttakskriterium er ikke ukontroversielt; både FNs Høykommissær for flyktninger (UNHCR), og viktige frivillige organisasjoner som arbeider i dette feltet, er generelt kritiske. Denne studien tar ikke stilling til spørsmålet om integreringspotensial skal innføres eller ikke, men ser nærmere på utvelgespolitikken i de land som har innført integreringspotensial som uttakskriterie.
3. En rask historisk gjennomgang viser at situasjonen for overføringsflyktninger har endret seg over tid. "Høydepunktet" ble nådd på 1970-tallet med flyktninger fra Vietnam; i dag er både antall og andel av overføringsflyktninger betraktelig lavere – på tross av at antall flyktninger i verden har økt. Å bosette overføringsflyktninger i tredjeland er i dag sett på som tredje beste alternativ (etter repatriering til eget land og integrering i naboland). Men for enkelte er dette fortsatt den eneste varige løsning. Derfor er landenes politikk overfor overføringsflyktninger fortsatt meget viktig – for den enkelte, og for verdens flyktningutfordringer generelt.
4. Denne studien bygger på såkalte Country Chapters i UNHCRs Håndbok for Bosetting. I tillegg har forskeren hatt kontakt med myndighetene i et utvalg bosettingsland.
5. En gjennomgang av landenes politikk slik denne kommer til uttrykk i offentlige dokumenter viser at det er få land som formelt har innført integreringspotensial som uttakskriterium. Norge, Nederland, Danmark, Finland og Irland er i denne kategorien.
6. Blant disse land er det kun Danmark som har lovfestet integreringspotensial som uttakskriterium. I øvrige land i denne kategorien er politikken formulert mer som generelle retningslinjer.
7. Det er likevel noen land som ikke bruker begrepet "integreringspotensial", men som har innført begreper som muligens i praksis betyr det samme. Canada, for eksempel, bruker "ability to establish successfully" som en rød tråd i sin politikk overfor overføringsflyktninger. Når man ser nærmere på hvordan dette begrepet defineres, er det mye som minner om "integreringspotensial". Men i motsetning til landene som har innført integreringspotensial formelt i form av retningslinjer, er canadisk politikk forholdsvis detaljert. Canada har til og med en håndbok om hvordan man skal vurdere "ability to establish successfully". Dette gjør politikken transparent samtidig som det øker likebehandling.
8. Det var vanskelig innenfor rammen av denne studien å se nærmere på avslag som begrunnes i manglende integreringspotensial hos flyktningene. Dette kunne ha gitt oss verdifull innsikt i dette spørsmålet.
9. Det var interessant å registrere at land som har innført integreringspotensial (eller et lignende begrep) ser på dette ikke bare som en karakteristikk knyttet til individer, men også til grupper. Et gruppe-medlem med et "høyt" integreringspotensial kan derfor "veie opp" for en annen med "lavt" integreringspotensial.

10. De fleste land ser bort fra integreringspotensial i hastesaker eller krisesituasjoner, uten nærmere forklaring. Men kan hende er dette en "innrømmelse" av at man skjønner at integreringspotential som uttakskriterium kan undergrave FNs beskyttelsesmandat.
11. Alle land tar forbehold når det gjelder saker med høyt innslag av kriminalitet, sikkerhetsrisiko og alvorlige sykdommer. Heller ikke dette forklares nærmere, men det er rimelig å anta at slike elementer oppfattes som integreringshemmende. På denne måten kan man kanskje si at alle land praktiserer utilsikt en form for uttak på grunnlag av integreringspotensial.
12. Det er lite tilgjengelig skriftlig materiale om temaet, men denne studien viser at integreringspotensialet kan framstå med ulike betegnelser og i ulik form i en komparativ sammenheng.
13. Til slutt reiser artikkelen noen spørsmål som er naturlige å stille i denne sammenheng:
 - a. Hvilken dokumentasjon om sammenhengen mellom vellykket eller mislykket integrering og enkelte flyktningkarakteristikker viser landene til?
 - b. Hvordan måler landene effekten av innføringen av integreringspotensial som uttakskriterium i integreringsprosessen?
 - c. Hvordan måler landene integreringspotensial hos flyktingene i intervjusituasjonen?
 - d. Integreringspotensial som uttakskriterium legger til grunn at integrering er en en-veis prosess. Men en vellykket integrering forutsetter en to-veis prosess der det også stilles krav til de nye vertslands "integreringskapasitet". Hva gjør landene for å øke sin egen integreringskapasitet?
14. Den tilgjengelige dokumentasjon fra landene har få svar på disse fire grunnleggende spørsmål.