

9 FAM APPENDIX O, 100 REFUGEE RESETTLEMENT POLICY

*(CT:VISA-867; 03-20-2007)
(Office of Origin: CA/VO/L/R)*

9 FAM APPENDIX O, 101 POLICY GOALS

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- a. The United States resettles refugees as an important component of its effort to assist refugees worldwide. We also contribute financially to international and non-governmental organizations that provide relief and assistance to refugees and internally displaced persons. This assistance addresses the need for legal protection, as well as basic needs -- water, food, shelter, sanitation, health care, and education. The United States also supports programs to help refugees to either return to their homes when it is safe to do so or to settle locally in countries where they have found asylum.
- b. The United States accepts resettlement referrals from several sources:
 - (1) The United Nations High Commissioner for Refugees (UNHCR);
 - (2) U.S. embassies; and
 - (3) Designated voluntary agencies that provide assistance to refugees overseas. Along with numerous other countries, the United States offers resettlement opportunities to refugees located throughout the world. We offer to consider at least 50 percent of the refugees referred by the UNHCR for resettlement in third countries.
- c. The United States also identifies persons or groups each year that are of special humanitarian concern and eligible for resettlement.
- d. Finally, to facilitate reunification of close family members, the United States offers resettlement to certain refugees based on their relationship to an asylee or refugee relative in the United States.

9 FAM APPENDIX O, 102 PROTECTING REFUGEES

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Our first priority is ensuring the safety of refugees in urgent need of protection. Such refugees face serious threats to their physical security or have other urgent needs that cannot be met in countries of first asylum. A refugee is defined generally as a “person who is outside any country of such person’s nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.” (See INA 101(a)(42) (8 U.S.C. 1101(a)(42))for further details.)

9 FAM APPENDIX O, 103 FINDING DURABLE SOLUTIONS

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The United States also recognizes that resettlement should not be a durable solution of last resort. We promote the use of resettlement when refugees are in lengthy, unresolved situations, or are unable to return home or to be permanently accepted in their country of first asylum, even after many years.

9 FAM APPENDIX O, 104 FURTHERING STRATEGIC OBJECTIVES

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The United States also uses resettlement strategically to advance its foreign policy interests. We work with first asylum and resettlement countries to identify a comprehensive approach that will achieve solutions appropriate for different groups in order to resolve refugee crises. Prompt resettlement of politically sensitive cases may help to defuse local tensions or maintain first asylum for a larger population.

9 FAM APPENDIX O, 105 DO REFUGEES HAVE A RIGHT TO RESETTLE IN A THIRD COUNTRY?

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- a. The Universal Declaration of Human Rights, article 14, recognizes “the right to seek and to enjoy in other countries asylum from persecution”. No country is legally obliged to resettle refugees from a third country, so the United States has discretion to decide whether to consider a person or population for refugee status or to admit refugees for resettlement from a third country.
- b. An individual is not necessarily entitled to admission to the United States as a refugee because he has been determined to be a refugee by UNHCR, belongs to a group designated as being of special humanitarian concern, or is eligible to apply for family reunification as a refugee. Meeting one of these requirements may simply begin the process for determining eligibility for U.S. admission as a refugee.