



**UNHCR**

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés

**UNHCR Canberra  
Fact Sheet - 2004**

**Questions and Answers on Resettlement from Africa**

**1. How is a person referred for resettlement by UNHCR?**

Firstly, the person must be recognised as a refugee under the 1951 Convention definition of a refugee. Secondly, the person must be found to be in need of resettlement under UNHCR criteria. If these two conditions are met, UNHCR may then refer the refugee to an appropriate country for resettlement consideration.

**2. In short, what are the criteria for determining refugee status under UNHCR mandate?**

The term "refugee" applies to any person who has fled his/her country of origin due to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, and is unable or, owing to such fear, is unwilling to return to that country. In addition, any person who meets the definition of the Organization for African Unity (OAU) convention may be of concern to UNHCR under its mandate. The OAU convention defines a refugee as a person who, *"owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his habitual place of residence in order to seek refuge in another place outside his country of origin or nationality"*.

**3. If a person is found to be a refugee, will he/she be resettled?**

Only refugees with special needs who meet UNHCR resettlement criteria will be considered for resettlement. UNHCR's focus is on identifying cases facing exceptional security concerns (threats to life, detention, deportation), persons with special needs (women-at-risk, victims of torture, disabled refugees and certain medical cases), and family reunification (spouses, minor children and other persons directly depending on the principal applicant). UNHCR refers individuals for third country resettlement on an exceptional basis only. Less than 1 % of the refugee population is referred for resettlement. The decision about the referral is made by the local UNHCR office and UNHCR Washington has no authority over the decisions rendered.

**4. How can a refugee apply to UNHCR for resettlement?**

There is no application process for resettlement. In order to qualify for a UNHCR referral, individuals must be determined to be in need of resettlement. A refugee who has urgent protection needs should meet with local UNHCR staff to discuss his/her situation. UNHCR staff will then review and assess the case for a durable solution which includes resettlement need.

**5. Is there an appeal process for a negative UNHCR resettlement assessment?**

There is no formal appeal process for a negative assessment. However, if the refugee's situation changes, he/she may bring the new facts to the attention of UNHCR officers who may again review the case.

**6. What happens after UNHCR determines a refugee to be in need of resettlement?**

UNHCR will refer eligible persons to one of several resettlement countries (Australia, Canada, Finland, USA, etc). Each country of resettlement has its own policies, criteria and practices that a refugee must follow before he or she can be resettled. The final decision on resettlement will be made by a resettlement country, not by UNHCR.



**UNHCR**

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés

**UNHCR Canberra  
Fact Sheet - 2004**

**Questions and Answers on Resettlement from Africa**

**7. What is the process for refugees who are referred to the Australian and New Zealand programs?**

Once the UNHCR office in the country of asylum decides that a person is in need of resettlement in Australia or New Zealand, the case is referred to either the local Australian Embassy or to the New Zealand Government via the Regional Office in Canberra.

The Australian and New Zealand Government make the final decision on whether the refugee will be resettled according to their criteria, not UNHCR. Further information on the Australian criteria can be obtained from the DIMIA website ([www.immi.gov.au](http://www.immi.gov.au)). The New Zealand Government generally follows the UNHCR criteria.

UNHCR cannot guarantee that a resettlement referral will be accepted.

**8. I have been told I need to pay money for resettlement to Australia/New Zealand, is this correct?**

Absolutely not. Neither UNHCR nor the Australian or New Zealand Resettlement Programs charge a fee for resettlement interviews or decisions. Anyone asked to pay fees is encouraged to report this to UNHCR through its Complaints Procedure.

**9. Where can I obtain more information about resettlement?**

The best sources for information on Australian and New Zealand resettlement are their Immigration Departments websites ([www.immi.gov.au](http://www.immi.gov.au) for Australia, and [www.immigration.govt.nz/migrant/](http://www.immigration.govt.nz/migrant/) for New Zealand) and the UNHCR regional office in Canberra.

**10. Are there any other ways to help my family members to reunite with me in the Australia or New Zealand?**

Australia and New Zealand both maintain special programs with a broader definition of persons eligible for consideration than through UNHCR referrals. Information on these programs is available on the Immigration websites at [www.immi.gov.au](http://www.immi.gov.au) for Australia under the Special Humanitarian Program, and [www.immigration.govt.nz/migrant/](http://www.immigration.govt.nz/migrant/) for New Zealand under the Refugee Family Quota in the Family Sponsored Stream.

