



TRANSATLANTIC
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BEYOND ASYLUM RETHINKING PROTECTION POLICIES TO MEET SHARPLY ESCALATING NEEDS

COUNCIL STATEMENT

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Rethinking Protection Policies to Meet Sharply Escalating Needs

The 13th Plenary Meeting of the Transatlantic Council on Migration

Council Statement

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Executive Summary

There is growing appreciation among policymakers and humanitarian activists alike that the global refugee system is failing not only those it was designed to protect but also the communities providing protection. Historic levels of displacement resulting from ongoing conflicts in the Middle East and north and central Africa—as well as from continued instability in Central America and South and Central Asia—have made it clear that current mechanisms are not offering effective and efficient access to refuge for those in need.

More importantly, responsibility for providing protection falls extremely unevenly on countries and communities, and undermines overall public support for the refugee system. Countries such as Turkey, Lebanon, Jordan, Pakistan, Iran, and Kenya that are initial hosts for huge displaced populations pay a high price in the form of political and socioeconomic instability, particularly at the local level, weakening protection capacity in a conflict's immediate neighborhood at a moment when needs are immense and will only intensify. Those asylum seekers who manage to access the seeming “gold-standard” protection systems in wealthy countries discover quickly that many governments lack the institutional and financial means to efficiently process applications, assist those who cannot be returned for a variety of reasons, or help integrate those who have valid asylum claims.

The global refugee system is failing not only those it was designed to protect but also the communities providing protection.

As governments struggle to keep up with ever larger (and increasingly complex) mixed flows of refugees and economic migrants, the decision on who gains access to wealthy asylum countries and ultimately a chance at a permanent stay is increasingly left up to the smuggling syndicates and those who enrich them through fees, extortion, trafficking, slavery, and the like. Increasingly, migrants pay the ultimate price, as repeated tragedies in the Mediterranean, the Sahara Desert, the Southern Indian Ocean, and the Gulf of Aden demonstrate with jarring regularity. The result is a perverse system in which profiteers reap immense financial gains *with virtual impunity* while their “cargo” bears *all* the costs.

The Migration Policy Institute's Transatlantic Council on Migration convened its thirteenth plenary meeting in Brussels to examine these burgeoning strains on the global protection system. The Council's deliberations highlighted the need for both national governments and international actors to respond proactively to instability and the inevitable displacement *as it occurs*—and before it becomes an unmanageable tsunami—and to look beyond the traditional instrument of territorial asylum. The Council identified the following policy priorities around which governments should build their response strategies to mitigate some of displacement's long-term consequences:

In the region of a crisis:

- International actors and governments should invest heavily in decent living conditions and sustainable livelihood opportunities for refugees *and host communities* in countries of first asylum.
- Countries outside the immediate neighborhood of the conflict should commit to supporting temporary protection and resettlement opportunities across a broad number of states through a fair and equitable system to serve refugees designated for resettlement by the United Nations High Commissioner for Refugees (UNHCR).

In transit countries:

- For refugees and migrants who choose to seek their own means of entry to asylum systems



beyond the region of crisis, governments should consider introducing other opportunities to apply for asylum, such as external processing, before would-be asylum seekers place themselves in the hands of smuggling networks or choose other illegal means of entry to the preferred destination country.

- Only a small proportion of would-be refugees will seek to access the asylum systems of Europe or North America, and an even smaller share will gain entry. For those who remain in transit countries, governments must think and act with unaccustomed imagination, and invest the necessary capital (political and financial) in integrating them locally or provide assistance for voluntary return to the country of origin or first asylum. Wealthier destination countries will need to play a major role in supporting both efforts.

In destination countries:

- Ensure asylum adjudication mechanisms provide fair and efficient processing of applicants' claims. Efficient systems will enable recognized refugees to begin integrating as quickly as possible and remove incentives for unfounded applicants to exploit slow procedures.
- Return those without legitimate claims as quickly as possible, and use all available tools to compel safe countries to take back their nationals.

Few refugees have much hope of returning to their country of origin in the near term, severely stressing an already overburdened protection system.

I. The Modern Refugee Protection System: Stretched Beyond its Limits?

The persistence and proliferation of conflicts in many regions of the world—and the resulting displacement of civilian populations—has revealed once more the deep fault lines in existing mechanisms to provide adequate humanitarian protection to those in need. By June 2014, the United Nations High Commissioner for Refugees (UNHCR) estimated that 13 million refugees were under its care, more than at any time since the Balkan crises of the mid-1990s—and that overall numbers of refugees and other forcibly displaced persons had reached the highest levels seen since World War II.¹ Few refugees have much hope of returning to their country of origin in the near term, severely stressing an already overburdened protection system.

As the scale of the challenge grows, traditional territorial asylum policies and humanitarian aid responses are completely inadequate to addressing either the causes of conflict or the resulting refugee flows. Governments are struggling to fulfill humanitarian obligations while adhering to responsibilities to control their borders, maintain order at points of entry, and address the expectations—and concerns—of their own populations. This has led to five particularly troubling consequences:

¹ United Nations High Commissioner for Refugees (UNHCR), *UNHCR: Mid-Year Trends 2014* (Geneva: UNHCR, 2014), www.unhcr.org/54aa91d89.html; UNHCR, *UNHCR Global Trends 2013: War's Human Cost* (Geneva: UNHCR, 2014), www.unhcr.org/5399a14f9.html; UNHCR, "Global forced displacement tops 50 million for first time since World War II - UNHCR Report," (press release, June 20, 2014), www.unhcr.org/53999cf46.html.



Temporary protection has morphed into virtually permanent “warehousing.” Whether in asylum processing centers, refugee camps, or urban slums, individuals seeking protection often find themselves in prolonged and precarious situations. More than half of refugees under the mandate of UNHCR have been displaced for five years or more, often without a secure legal status or the means to support themselves independently.² Those in camps are particularly subject to this double disadvantage.

Faced with protracted displacement, many refugees choose to move again in search of more secure living situations. Onward migration is typically done through illegal means and with the aid of smugglers. These journeys carry severe risks, including the physical dangers of traveling in extreme environments (such as deserts or oceans) and through regions that are themselves experiencing instability. Furthermore, would-be refugees must place themselves at the mercy of unscrupulous smugglers.³ In 2014 alone, at least 220,000 people chose to make the treacherous journey across the Mediterranean, many with the goal of seeking asylum in Europe; more than 3,000 died en route.⁴ By the first four months of 2015, the number of arrivals—and deaths—of migrants and refugees to Europe through the Mediterranean was on track to be much higher than in the preceding year.⁵

Faced with protracted displacement, many refugees choose to move again in search of more secure living situations.

Host countries are unable to offer meaningful opportunities for “normal” lives. Developing countries, many of which are countries of first asylum—which were host to 86 percent of the global refugee population in 2013—bear the overwhelming majority of the costs of providing protection and at least a semblance of a “normal” life to those they have given refuge.⁶ Already facing their own economic, social, and political challenges, countries neighboring conflict areas rarely are in position to offer more than a few of the services refugees require—or to do so for extended periods. In Lebanon, for example, UNHCR-registered refugees (mostly from Syria) now comprise one-quarter of the population.⁷ Lebanese authorities report severe pressures on health and education systems (there are now more Syrian children in Lebanon than the total capacity of the public schools), water shortages, and lack of sanitation. Unsurprisingly, unemployment among both refugees and natives has skyrocketed,⁸ and with no end in sight, compassion and willingness to adhere to international obligations are in increasingly short supply.

The absence of legal rights and secure living situations results in a cycle of poverty and dependency. Without access to legal means to earn a livelihood, refugees in first-asylum countries are forced to rely on dwindling international aid or precarious low-paid work in the informal market, where they are typically exploited and condemned to a life of poverty and hopelessness. In Jordan, for example, two-thirds of Syrian refugees were living below the national poverty line in 2014.⁹ These conditions only worsen with time. As refugees’ savings shrink and the interest of international donors wanes, some feel pressured to

² UNHCR, *UNHCR Global Trends 2013*.

³ Roger Zetter, *Protection in Crisis: Forced Migration and Protection in a Global Era* (Washington, DC: Migration Policy Institute, 2015), www.migrationpolicy.org/research/protection-crisis-forced-migration-and-protection-global-era.

⁴ While the Mediterranean route is also exploited by would-be economic migrants, almost half of those crossing in 2014 were Syrian and Eritrean nationals, origin groups with refugee status recognition rates exceeding 90 percent. UNHCR, *UNHCR: Global Trends 2013*, 3; UNHCR, *UNHCR: Asylum Trends 2014* (Geneva: UNHCR, 2015), 5, www.unhcr.org/551128679.html; EUROPOL, “Joint Operation Team Launched to Combat Irregular Migration in the Mediterranean,” (news release, March 17, 2015), www.europol.europa.eu/print/content/joint-operational-team-launched-combat-irregular-migration-mediterranean.

⁵ From January to April 2014, 96 migrant deaths were reported in the Mediterranean; more than 1,800 deaths were reported for the same period of 2015. International Organization for Migration (IOM), “IOM Monitors Migrant Arrivals, Deaths in the Mediterranean,” (news release, April 28, 2015), www.iom.int/news/iom-monitors-migrant-arrivals-deaths-mediterranean.

⁶ UNHCR, *UNHCR Global Trends 2013*.

⁷ UNHCR, *UNHCR Mid-Year Trends 2014*.

⁸ UN Development Program (UNDP) and UNHCR, *Regional Refugee & Resilience Plan 2015-16: Lebanon* (Geneva: UNDP and UNHCR, 2014), www.3rpsyriacrisis.org/wp-content/uploads/2014/12/3RP-Report-Lebanon-formatted.pdf.

⁹ UNHCR, *Living in Shadows: Jordan Home Visits Report 2014* (Geneva: UNHCR, 2015), www.unhcr.org/cgi-bin/texis/vtx/home/pendocPDFViewer.html?docid=54b685079&query=living%20in%20shadows.



adopt destructive coping strategies, such as prostitution, child labor, or child marriage, leading to further vulnerability and abuse.¹⁰ The result is the starkest possible divergence between the quality of protection available in neighboring countries and that offered in industrialized countries. This vast disparity in turn creates a clear incentive for those with the means and ability to try to reach “better” asylum destinations, regardless of the dangers of the journey.¹¹

The conditions under which the displaced often live amount to a massive waste of human capital.

For those with existing skills or useful experience, a prolonged period out of work or in survival jobs also means that a wealth of human capital and resources goes untapped and undeveloped. Opportunities to obtain new professional or educational credentials, or develop skills through training in the host country can also be limited or prohibitively expensive.¹² The result is completely predictable. Refugees’ skills degrade over time, condemning them to unskilled and poorly paid jobs. In the end, everyone loses: refugees work well below their skills and experience, local workers see competition for lower-skilled jobs intensify and wages undermined, and employers do not have access to the skills that can make them more competitive and profitable. The consequences for children are even graver: many spend the majority of their school-age years as refugees, often with limited or disrupted access to education.¹³ For instance, only half of Syrian refugee children were enrolled in school as of early 2015, and aid agencies have begun to warn of a “lost generation” of Syrians.¹⁴ Even when school places are available, educational quality is often low.¹⁵

Industrialized countries have the difficult task of disentangling mixed flows and fairly and efficiently adjudicating claims.

Most refugees who move onward rely on smugglers and illegal means of entry to reach industrialized countries. Refugees often arrive as part of mixed flows of humanitarian and economic migrants that can be difficult and expensive for authorities to disentangle. More importantly, large and persistent flows of unauthorized arrivals (whether refugees or would-be immigrants) undermine public confidence in a government’s ability to control borders, manage legal migration, and maintain a credible asylum system—as seen with the quickening pace of arrivals of unaccompanied children to the United States in the last two years,¹⁶ maritime arrivals in Australia, and flows through the Mediterranean.

Furthermore, the extensive use of illegal routes of entry by refugees provides valuable business for smuggling and criminal networks and, in effect, allows these “bad actors,” rather than national policymakers, to dictate the receiving state’s immigration policies. This systematic undermining of government authority and the rule of law also exposes refugees to enormous hardship, exploitation, and danger—while straining already overburdened asylum determination systems that must separate unfounded claims from genuine needs.

10 Zetter, *Protection in Crisis*.

11 Ibid.

12 Although Syrian refugees in the Kurdistan Region of Iraq, for example, have the legal right to work in principle, many of those with professional or academic qualifications have reportedly faced difficulties practicing their occupations, especially in the health-care and education sectors. See REACH and UNHCR, *Multi-Sector Needs Assessment of Syrian Refugees Outside Camps: Kurdistan Region of Iraq* (Geneva: UNHCR and REACH, 2014), <https://data.unhcr.org/syrianrefugees/download.php?id=7019>. In Jordan, refugees have reported difficulty accessing local vocational training in part due to costs. See Tamara Cofman Wittes, “Four years on, Syria’s refugees search for a future,” Markaz: Field Report Series blog posting, Brookings Institution, March 2015, www.brookings.edu/blogs/markaz/posts/2015/03/17-wittes-syria-refugee-camp-zaatari-jordan; Anna Wirth, Cara Defilippis, and Jessica Therkelsen, *Global Refugee Work Rights Report: Taking The Movement from Theory to Practice* (Oakland, CA: Asylum Access and the Refugee Work Rights Coalition, 2014), http://asylumaccess.org/AsylumAccess/wp-content/uploads/2012/09/FINAL_Global-Refugee-Work-Rights-Report-2014_Interactive.pdf.

13 The rate of secondary school enrollment for all school-age refugees was half the global average in 2009. Sarah Dryden-Peterson, *Education of Refugees in Countries of First Asylum: What U.S. Teachers Need to Know about the Preresettlement Experiences of Refugee Children* (Washington, DC: Migration Policy Institute, forthcoming 2015).

14 UNHCR, “Refugees endure worsening conditions as Syria’s conflict enters 5th year,” news release, March 12, 2015, www.unhcr.org/5501506a6.html.

15 Dryden-Peterson, *Education of Refugees in Countries of First Asylum*.

16 Rosenblum, *Unaccompanied Child Migrants*.



II. Looking Beyond Asylum: The Building Blocks of a Comprehensive Protection Strategy

Each of these persistent challenges—long-term displacement, stress on host communities, dependency and poverty, waste of human capital, and the relentless burden of making fair and timely adjudication decisions—exacerbates the vulnerabilities and, sometimes, the protection needs of refugees. Refugees who attempt to travel illegally to asylum countries outside the region can become victims of human trafficking, for example. And the large numbers of refugees who find themselves in protracted refugee situations can even spark conflict with the host community.¹⁷ Moreover, as the costs of displacement become magnified over time, governments and humanitarian agencies already struggling to meet existing demands become ever more overburdened. Enabling refugees to gain access to secure living situations and the means to support themselves as quickly as possible, whether in the country of first asylum or in another destination if conditions in the home country have not improved, can help slow or reverse the cycles of poverty and dependence and the sense of grievance the status quo engenders.

Addressing protracted refugee situations more smartly will require governments and international actors to intervene at each stage of the displacement continuum.

Making measurable progress toward these goals will require governments, aid providers, and publics to think beyond the traditional asylum and care-and-maintenance models of protection. Instead, they will need to consider refugees not just as victims in need of shelter, but social and economic actors with a need for individual fulfillment and opportunities, and the potential to contribute to their host communities through their skills, international networks, access to unique streams of aid and resources, and purchase of local goods and services.¹⁸ Successful development interventions along these lines, undertaken in cooperation with host countries, will aim to place refugees in situations that capitalize on and protect their human capital and other resources, and, over time, enable some of them to return to their country of origin with capital and other assets, while allowing others to integrate more successfully into a host community.

Addressing protracted refugee situations more smartly will require governments and international actors to intervene at each stage of the displacement continuum—not just when refugees reach their borders. Responses to displacement situations should accordingly be built around three primary policy goals:

Invest heavily in sustainable livelihoods and better living conditions for both refugees and host communities in the crisis region. While wealthy countries that are far from current conflicts often provide substantial financial support for humanitarian response—and, sometimes, a few resettlement places for refugees—the burdens of protection remain deeply uneven.¹⁹ People in first-asylum countries, who are themselves typically in need of public services, bear the highest costs as refugees compete for scarce services and take up available low- or unskilled work. Without adequate assistance, governments

17 In Kenya, for example, the government has repeatedly sought to expel the considerable Somali refugee population after a series of attacks perpetrated by the Somali terrorist organization Al-Shabab. See Nick Cumming-Bruce, “U.N. Asks Kenya Not to Close Somali Refugee Camp in Wake of Garissa Killings,” *The New York Times*, April 14, 2015, www.nytimes.com/2015/04/15/world/africa/un-asks-kenya-not-to-close-somali-refugee-camp-in-wake-of-garissa-killings.html? r=0.

18 T. Alexander Aleinikoff, *From Dependence to Self-Reliance: Changing the Paradigm in Protracted Refugee Situations* (Washington, DC: Migration Policy Institute, 2015), www.migrationpolicy.org/research/dependence-self-reliance-changing-paradigm-protracted-refugee-situations.

19 Turkey, for example, has spent at least \$5 billion on upkeep of refugee camps, but contributions from the international community have amounted to just 3 percent of the total costs. See Ahmet İçduygu, *Syrian Refugees in Turkey: The Long Road Ahead* (Washington, DC: Migration Policy Institute, 2015), www.migrationpolicy.org/research/syrian-refugees-turkey-long-road-ahead.



in countries of first asylum may seek to mitigate these effects by limiting refugees' ability to work or access services, or they may find themselves unable to provide for both vulnerable natives and refugee populations altogether—thus aggravating poverty and dependency in both communities.²⁰

Donor countries and aid providers should therefore invest more heavily in supporting the capacity of first-asylum countries to provide essential services, education and training, and livelihood opportunities *for both refugees and native populations*. Providing services to both is essential to avoid privileging refugees and to strengthen the economic and social resilience of the host country.²¹ For refugees who are selected for resettlement or other humanitarian migration channels, expanding their skills base and certifying their knowledge and experience may help them integrate more quickly—and effectively—in the destination countries. For those who stay in the country of first asylum, and for native populations, training and skills development may help them strengthen their foothold in the local economy and mitigate the risk of poverty. In both cases, continuity of health, social services, and education can prevent more serious and costly problems down the line.

Widen existing legal channels to access protection and consider alternative ways for refugees to submit claims or move onward from countries of first asylum. Even with expanded support from international donors and aid agencies, countries of first asylum struggle to absorb mass humanitarian arrivals, leading many would-be refugees to search for alternative solutions. Because most protection policies in industrialized countries require asylum seekers to be physically present in the territory of a state to file a claim—a feat made difficult by stringent visa regulations and border controls—many rely on the aid of smugglers.²² Widening resettlement opportunities, both in the wealthy North and the broader area of conflict, and providing multiple avenues for lodging claims (such as by processing claims in locations in the wider neighborhood of a crisis and along common migration pathways), can relieve some of the pressure on countries that host large numbers of refugees by expanding formal mechanisms to move for some among those who would otherwise use smuggling networks or illegal routes to do so.²³ For these alternatives to achieve their goals, policymakers will also need to convince would-be migrants and refugees that they will only succeed through regular legal channels.

Nonetheless, some will still choose to take matters into their own hands and seek greater opportunities elsewhere. Not all would-be asylum seekers will, however, choose to move to or be able to gain entry to wealthy asylum destinations. For refugees and migrants who remain in transit countries, policy and financial investments will be needed to assist with integration, assess and recognize their skills, and provide them with the legal means to participate in the labor market. Similarly, assistance could be provided for those who wish to return to countries of origin or first asylum. Once more, the wealthy asylum countries will need to play an important role in providing expertise, policy guidance, and financial support.

Build up fair and efficient asylum adjudication, reception, and return policies. Asylum adjudication systems in industrialized countries have not ramped up their capacity to assess protection needs fast enough to keep up with accelerating claims. This leads to lengthy delays and can also affect the system's ability to ensure accurate decisions. Moreover, those without legitimate claims often get an unearned reprieve from deportation. Delays in processing can themselves become a pull factor, as seen with the surge in arrivals of unaccompanied minors from Central America to the United States in the summer of 2014.²⁴ Unfair outcomes, on the other hand, may also create incentives for asylum applicants to attempt

20 Kathleen Newland, *Rethinking Global Protection: New Channels, New Tools* (Washington, DC: Migration Policy Institute, 2015), www.migrationpolicy.org/research/rethinking-global-protection-new-channels-new-tools.

21 Ibid.

22 Ibid.

23 Katy Long, *From Refugee to Migrant? Labor Mobility's Protection Potential* (Washington, DC: Migration Policy Institute, 2015), www.migrationpolicy.org/research/refugee-migrant-labor-mobilitys-protection-potential.

24 Rosenblum, *Unaccompanied Child Migrants*.



to circumvent parts of the system all together, as with the European Union’s Dublin Regulation.²⁵ Reports from Italy, for example, suggest that many asylum seekers resist having their fingerprints taken upon arrival, a standard procedure under the regulation, in order to avoid being sent back to Italy after they have moved on to another European country with better employment and integration prospects.²⁶

Creating fair, accurate, and efficient systems that can identify protection needs among mixed flows of arrivals will require that asylum agencies be fully staffed and sufficiently trained to implement relevant procedures and deliver accurate and speedy determination of cases.²⁷ Further investments will also be needed in measures to integrate those who are allowed to stay. For those found not to have legitimate claims, authorities must also be willing to act to ensure they are returned as quickly as possible to their countries of origin, even in the absence of formal readmission agreements. Creating a certainty that those with unfounded claims will be removed expeditiously is crucial to dissuading others who would otherwise seek to exploit the system.

III. Conclusions: Concrete Steps to Implementing a More Comprehensive Protection Policy

Policymakers in countries far from the epicenter of a crisis may find it difficult to make the case to their publics—or to their colleagues in other ministries or departments—of the importance of a concerted strategy that intervenes to mitigate the effects of displacement at the outset. This is the case despite growing recognition by policymakers that inaction early on only deepens the costs of action when a full-fledged crisis emerges. In fact, the scale of protection needs often gives officials pause—there is an understandable concern that taking on more responsibilities may open the door to additional, unforeseen, and continuously rising costs. Further complicating the situation is that public reactions to asylum and refugee flows have begun to sour in many industrialized countries. From Sweden to France to Australia, governments have faced public pressure to reduce unplanned asylum arrivals out of concern for the sociocultural and financial costs of integrating large numbers of newcomers from large cultural and religious “distances.”

Moreover, practical challenges all too often prevent organic cooperation between humanitarian aid and development actors. Policymakers and experts alike point to the differing timelines on which humanitarian aid and development assistance operate as one of the biggest challenges: humanitarian agencies are used to mobilizing quickly in response to a new emergency, while development interventions tend to be much less nimble and focus on longer-term goals. The longer timelines of development projects also mean that investments do not yield results as quickly as humanitarian actors would like. Cooperation from foreign

25 The Dublin Regulation stipulates that asylum seekers must apply for protection in the European Union country with which they first make contact. Contact may include connections to immediate family, possessing an entry visa, landing legally without a visa, or in many cases, entering the country’s territory illegally. See Susan Fratzke, *Not adding up: The fading promise of Europe’s Dublin Regulation* (Brussels: Migration Policy Institute Europe, 2015), www.migrationpolicy.org/research/not-adding-fading-promise-europes-dublin-system.

26 Smuggling networks facilitate asylum seekers’ onward movement and help migrants avoid entering the Dublin system. There is also a strong element of collusion by Italian authorities in this development. By not insisting on fingerprinting, authorities ensure refugees become the responsibility of another Member State. See Maria de Donato, *Asylum Information Database, National Country Report: Italy* (Brussels: European Council on Refugees and Exiles, 2014), www.refworld.org/docid/5406c8ab4.html; D. Parvaz, ‘Italy’s Disappearing Migrants’, Al Jazeera, July 23, 2014, www.aljazeera.com/indepth/features/2014/07/italy-disappearing-migrants-2014714193539238141.html.

27 The role judicial processing delays played as a pull factor in the surge of minors at the U.S. southern border in 2014 is a key example of the importance of investing in responsive systems. See Rosenblum, *Unaccompanied Child Migrants*; Norway, for example, was one of the few countries in Europe to see a decrease in the absolute number of asylum claims the country received in 2014, a trend authorities have attributed to greater efforts to remove applicants who have been denied.



policy actors can be even more difficult to obtain.²⁸ While policymakers focused on humanitarian and immigration concerns may understand the benefits of a comprehensive response to refugee situations, migration and asylum pressures are much less likely to be a priority for foreign policy actors (who often have greater agenda-setting power) until the situation has reached crisis level. As a result, opportunities to intervene early are often limited.

Finally, national governments and international agencies continue to face large budget constraints. This typically means that only the most urgent and visible crises receive attention—and mostly only after they affect or appear to affect a “vital national interest”—making early intervention or a sustained response to multiple needs challenging. For instance, the situation of ongoing repression in Eritrea has received much less attention than the civil war in Syria, although Eritrea was one of the most significant countries of origin for asylum seekers in the European Union in 2014.²⁹

The Transatlantic Council on Migration has identified several strategies governments can use to overcome these barriers and move toward a comprehensive protection policy.

- 1. Invest all necessary political and financial capital in addressing displacement at the earliest possible stage.** Governments are all too often willing to deceive themselves that distance from the region of a crisis will keep its consequences from reaching their borders. Yet past experience has proven that conflict and displacement are rarely resolved quickly or limited in their geographic effect, particularly as global mobility increases. Leaving crises unaddressed and refugees to languish in unsustainable situations results in an escalating series of negative, and often perverse, consequences and growing costs for host countries, the international community, and refugees themselves. Governments far from the frontlines of a crisis will need to come to terms with the idea that intervention is most effective early on—before chaos has erupted—or risk missing opportunities to lower the long-term costs of a crisis.
- 2. Clearly articulate the need for early action to the public.** Substantial investments have already been made by humanitarian actors in communicating the human costs of refugee displacement. But for publics who are removed from the frontlines of a crisis the link between early intervention and the consequences of inaction—in the form of the pressures they may feel in their communities and the demands on their national social support systems—can be much less obvious. Similarly, recent spikes in public skepticism over refugee flows in Europe and elsewhere have demonstrated that there are severe limits on the effectiveness of endless appeals to humanitarian values and international legal obligations. To bring publics on board with making substantial investments in host communities in the region or opening additional legal channels to asylum, policymakers will need to clearly articulate why investment in proactive interventions is in the public interest and how these policies fit into a larger strategy to address pressures on asylum and reception systems—and reduce unplanned arrivals.
- 3. Seize opportunities to experiment and test new ideas.** The scale of current protection demands has made the need for policy innovations clear, even to those outside the humanitarian community, and has created an ideal opportunity to experiment. Policy domains that do not always have top priority in government agendas, such as the humanitarian, development, and migration portfolios, have begun to command far greater attention. Policymakers and international actors should take advantage of the often “negative” interest the many unattended crises have created to engage their colleagues on new ideas, determine what works and what doesn’t, and adapt their approaches accordingly. International agencies have, for example, seized on the impetus generated by nearly unprecedented demands of the Syrian refugee crisis to develop Regional Refugee and Resiliency Plans (3RP) for Lebanon, Turkey, Jordan, and Iraq

²⁸ The European Union has recently made some progress in breaking down the policy silos between portfolios. The Commission in particular recently introduced coordinating vice presidents whose role has been to oversee the policy responses of the various Directorates General within fields, such as migration. This structure has already been utilized with some apparent success to coordinate the actions of the Foreign Affairs and Home Affairs portfolios in response to the ongoing crisis in the Mediterranean.

²⁹ UNHCR, *Asylum Trends*.



that lay out long- and short-term development and aid priorities for both host and refugee communities under one strategic framework. Donor countries have been encouraged to prioritize their aid and development contributions in line with the recommendations of the 3RPs.³⁰

The analytical community can also play a role in helping governments to develop and evaluate new ideas. A wealth of research already exists on potential innovative refugee policies and interventions, but much of it needs to be tested for political and practical feasibility, and better communicated to those in decision-making positions on migration and protection policies at national and supranational levels.

4. Take full advantage of existing development and mobility tools. Implementing a more comprehensive response to refugee crises does not necessarily require massive policy changes. Development actors are already active in many host countries, and existing livelihood, education, or poverty alleviation projects could be expanded to cover both native and refugee communities. Along the same lines, current immigration policies may already offer mechanisms that could be tweaked to allow more, if still modest, opportunities for refugees to move legally both within a region (as has been done through the Southern Common Market [MERCOSUR]),³¹ and to industrialized countries offering asylum. Governments could make small changes to family reunification, offer more student visas, and make it easier for some refugees to use temporary worker programs by waiving fees and financial support requirements or speeding processing times for recognized refugees. Existing refugee-specific channels, including resettlement and humanitarian visa schemes, could also be expanded or adapted by, for example, allowing for community groups to privately sponsor refugees for resettlement.

5. Work toward a coherent policy approach to displacement that engages all necessary government agencies. Policymaking frameworks continue to treat foreign and security policy, humanitarian and development aid, asylum and migration management, and labor market and social protection policies as separate policy fields. As a result, refugees find themselves subject to vastly different policies and legal frameworks depending on whether they are in a country neighboring the crisis (e.g. Kenya), in a transit country (e.g. Egypt), or an industrialized asylum country (e.g. an EU Member State).³² This approach breaks down in the face of a large-scale crisis.

Instead, immigration, labor market, humanitarian, development, foreign policy, and security actors will need to find organic ways of cooperating in order for a comprehensive response to an unfolding humanitarian crisis to be credible and effective—a “whole-of-government” approach. Truly productive cooperation will require the highest political authority to explain clearly to the holders of each portfolio why action is necessary, and establish mechanisms that encourage, and if needed compel, communication and cooperation between agencies. Thus organized, the various agencies may gradually develop a habit of planning and coordinating their response strategies prior to the full onset of a crisis. Germany, for example, has taken a promising step in this direction by convening a working group at the State Secretary level to ensure close cooperation between ministries on asylum and migration issues all along the crisis continuum.³³

30 See for example, “Donors Pledge \$3.6 Billion Toward Syria Crisis Response Plans,” *3RP Update*, Issue 4, April 19, 2015, www.3rpsyriacrisis.org/wp-content/uploads/2015/04/3RP-Update-4.pdf.

31 In Ecuador, UNHCR has been collaborating with the government to provide opportunities for Colombian refugees to migrate legally to other MERCOSUR countries (including Argentina, Brazil, Paraguay, Uruguay, and Venezuela) under regional mobility arrangements. See Long, *From Refugee to Migrant?*

32 Elizabeth Collett, *Establishing end-to-end policy for refugee flows: The European Union as a case study* (Brussels: Migration Policy Institute Europe, forthcoming 2015).

33 The working group is led by the Ministries of Foreign Affairs, Economic Cooperation and Development, and Interior, as well as the Federal Agency for Migration and Refugees. In total, representatives of 13 ministries deliberate on policy approaches to providing protection, preventing irregular migration, promoting legal migration, and cooperating with third countries.



- 6. Collaborate with the diaspora and civil society on developing and implementing innovative projects.** Diaspora and civil-society groups can be critical partners for governments both on the ground in host countries and at home. In Canada and the United States, for example, such actors have long played an important role in advocacy and resettlement, often taking the lead in assisting newly arrived refugees to integrate into their host communities. In Canada, some such groups have also taken on the private sponsorship of refugees for resettlement. In addition, civil-society organizations, particularly those that are locally based, may have valuable local knowledge or networks that can help aid providers better target interventions. And diasporas can be an important source of remittances and investment for refugees and host communities in countries of first asylum.
- 7. Engage the private sector.** Private-sector partners have often supported humanitarian response through corporate social responsibility initiatives and, more broadly, their affiliated foundations.³⁴ But governments might also explore opportunities for private companies, particularly those in the immediate region, to be more engaged partners in addressing livelihood and education issues. Employer groups could, for example, help design and, as appropriate, deliver vocational training and skills development courses in areas affected by refugee flows. As in any education or training effort, involving employers, particularly at the local level, will help ensure that the skills such programs develop are relevant and likely to be in demand. For countries already looking to fill labor shortages or skills gaps, employers could be encouraged to consider refugee populations abroad in their recruitment efforts.
- 8. Finally, policymakers and humanitarian actors alike must hone their listening skills and understand better—and take seriously—public concerns.** Even in countries with generous humanitarian traditions, publics can react negatively if they perceive that they (and their elected leaders) have lost control of what is happening at their borders and, more seriously, in their communities. Public fears reduce the room governments have to meet international obligations, and limit their ability to experiment with new policies, like thoughtful expansion of resettlement. Both policy and humanitarian actors will thus need to invest more in understanding what factors underlie a public's negative reactions. They will further need to demonstrate how they will address often legitimate concerns about the additional demands new arrivals place on local services or how well newcomers will integrate into communities already straining to maintain social cohesion.

Providing effective protection is a global responsibility. And it should become more proportionate than it is. Emerging middle-income countries that have not traditionally been involved in international protection efforts should be encouraged to take on greater responsibility and given assistance to develop their capacity to do so. For example, Brazil has already shown its willingness to play a role by issuing a modest number of humanitarian visas and opening a resettlement program for Syrian refugees.³⁵ Morocco has also begun to shoulder more legal responsibility for providing protection; in 2014, the government completed a first campaign to regularize the status of resident refugees and irregular migrants by providing one-year residence permits. These emerging middle-income countries, especially those in the crisis region, should play a more prominent role in efforts to prevent and resolve the conflicts or lift the repression that generates displacement.

Absent a commitment to address displacement (and spiraling conflict) by the largest possible number of countries, the poorest societies in an unstable region will continue to bear the brunt of the social, political, and economic costs of providing protection, thus setting the stage for a region's further destabilization. Lebanon, for example, has shouldered enormous protection responsibilities in crisis after crisis, absorbing Palestinian, Iraqi, and now Syrian refugees—all with costs to its economic growth, public infrastructure,

34 For example, Vodafone recently supported UNHCR in setting up "Instant Network Schools" through its local affiliates that give students access to online educational resources. See Silja Ostermann, "Innovation: Instant Network Schools open up a new world for Somali refugees," (UNHCR news stories, February 4, 2015), www.unhcr.org/54d21aa26.html.

35 Matt Sandy, "Syrians find safety, hospitality in Sao Paulo," Al Jazeera America, January 22, 2015, <http://america.aljazeera.com/articles/2015/1/22/Syrian-refugees-in-Sao-Paulo-Brazil.html>.



and social stability. Kenya and Pakistan provide further examples of the long-term challenges that large and unresolved refugee situations create. As crises and their displacement byproducts stretch over years and decades, the generosity and resources of host communities wear increasingly thin, and willingness to abide by international norms diminishes. And as “protection fatigue” settles in, the capacity to provide protection diminishes. Reversing this trend—and safeguarding the international refugee regime—will require a concerted and coordinated effort by national governments and international actors alike to break the current cycle of instability, conflict, and forced displacement.

Providing effective protection is a global responsibility. And it should become more proportionate than it is.

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The Migration Policy Institute is a nonprofit, nonpartisan think tank dedicated to the study of the movement of people worldwide. MPI provides analysis, development, and evaluation of migration and refugee policies at the local, national, and international levels. It aims to meet the rising demand for pragmatic and thoughtful responses to the challenges and opportunities that large-scale migration, whether voluntary or forced, presents to communities and institutions in an increasingly integrated world.

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