INDEPENDENT COMMISSION ON MULTILATERALISM

Forced Displacement, Refugees, and Migration

Executive Summary

This paper addresses the current state of migration, displacement and refugee flows around the globe, looking beyond the immediate crisis stemming from Syria to the need for long term solutions. It simultaneously focuses on the challenges and opportunities faced by countries of origin, transit, and destination. It also offers key recommendations on how the multilateral system, particularly the United Nations, can adapt and respond to this unprecedented level of human mobility.

The exponential rise of forced displacement and refugee flows has shocked the consciences of peoples and unsettled institutions worldwide. Many on the move today are increasingly desperate and seeking protection. The humanitarian space is shrinking at the same time that the number of people looking for safety and security is expanding. At the same time, migration numbers are at an all-time high and are set to continue increasing due to global demographic and economic inequalities as well as modern communication and transportation means, which enable people to be informed about opportunities abroad and facilitate travel.

Currently, there are approximately 230 million migrants, including 59.5 million forcibly displaced persons (comprised of 19.5 million refugees, 38.2 million internally displaced persons, and 1.8 million asylum seekers). The unseen victims are those who have died in the desert, drowned, or who live in the shadows as forced laborers or sex slaves. While many in the developed world express shock and a sense of “helplessness,” much of the concern seems to be that refugees and migrants are reaching the borders of the rich world and “invading” stable, affluent societies. Less concern has been expressed about migrants’ and refugees’ living conditions, or the factors that have forced them from their countries of origin.

The scale and complexity of the current challenge is testing the limits of the multilateral structures that have been created in the past seventy years. These were designed to deal with displacement and migration at a smaller-scale and at a slower pace than the challenges we face at present. Indeed, migration numbers are at an all-time high and at the same time we face the biggest refugee crisis in the history of the United Nations.

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What makes the current refugee situation so dramatic is that so many humanitarian crises are occurring simultaneously – not only in Syria, but also Afghanistan, the Central African Republic, the Democratic Republic of the Congo, Eritrea, Iraq, Myanmar, Somalia, Sudan, South Sudan, Ukraine, and Yemen. That said, while the overall total is large, the number of countries of origin is limited. Three countries (Syria, Afghanistan and Somalia) are the source of more than half of the world’s refugees (53 percent), while ten countries account for 77 percent of all refugees.\(^2\) If stability were to return to those countries, the biggest push factors would be significantly reduced. On the contrary, if the root causes of the current crisis are not addressed, the problem is destined to get worse.

Moreover, the average duration of protracted refugee crises is increasing: it currently stands at seventeen years. Particularly troubling is the fact that just over half (51 percent) of all refugees are 18 or younger. The majority of UN Member States are affected, either as countries of origin, transit or destination. However, 86 percent of the world’s refugees are being hosted by developing countries.\(^3\)

Those seeking to move across borders face increasing barriers. These include a lack of regular opportunities for lawful migration, employment, and access to protection and even countries of asylum as guaranteed under the UN Convention and Protocol relating to the Status of Refugees. This is compounded by a toxic narrative of fear and intolerance in countries of transit or destination towards migrants and asylum seekers.

Despite the global nature of the challenges posed by forced displacement and desperate migration, there is no global strategy to tackle it. This is partly due to the distinction drawn between refugees and asylum seekers on the one hand and migrants on the other. This is reflected in the mandates of the UN agencies that deal with them, UNHCR and IOM respectively. There is no single body within the multilateral system to deal with all dimensions of the crisis.

Moreover, UN agencies and other institutions mandated to tackle the crises, have been significantly underfunded. As the High Commission for Refugees recently pointed out: “The budgets cannot be compared with the growth in need ... The global humanitarian community is not broken – as a whole they are more effective than ever before. But we are financially broke.” Such underfunding results in dramatic consequences, such as a recent move by WFP to cut food rations to 1.6 million Syrian refugees, but also reduced or lack of access to urgent healthcare, vaccinations, psycho-social support, shelter, sanitation and education. The damage done is impossible to reverse and likely to have long-term effects on people and basic service infrastructures alike.

Furthermore, not only are operational responses insufficient, the international legal framework needs to be strengthened. The 1951 UN Convention relating to the Status of Refugees and its

\(^3\) UNHCR Global Trends 2014, pp. 2-3.
1967 Protocol were created to deal with the specific conditions of post-war Europe. While many countries have interpreted the convention in an expansive way to address contemporary refugee trends, the Conventions’ restrictive definition of refugees still leaves many of today’s migrants and asylum seekers out of its scope of application. Moreover, the Refugee Convention is not mandatory, nor is it reciprocal: people have rights but governments are not required to ensure those rights. And, signing up to the Convention seems to have little bearing on many States’ willingness to fully implement it. As far as migration is concerned, there is no comprehensive international treaty dealing with this issue. Moreover, the one treaty that has been adopted in this area, the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, has so far attracted only 48 ratifications (in comparison, the Refugee Convention and its Protocol have been ratified by over 140 States).

National solutions are not working either. There is a tendency for states to treat both migration and asylum as issues of exclusively national jurisdiction (affecting borders, security, and sovereignty). Therefore there is a reluctance to cooperate with other states, with the exception of bilateral (i.e., readmission) agreements to return asylum seekers whose claim for refugee status has been rejected to their countries of origin. This trend is sometimes compounded at the provincial or municipal level when local authorities resist efforts to resettle refugees in their communities.

This paper offers general recommendations for an improved multilateral response to asylum seekers, refugees and migrants. Among them are the following:

- Convene a Global Summit on forced displacement, refugees and migration;
- Work to address displacement and migration in a holistic manner instead of the current “siloed” approach;
- Focus on prevention of refugee and migration crises;
- Change the narrative by re-humanizing the perception of refugees and migrants and stressing basic values of dignity, empathy, and shared responsibility;
- Provide exits and alternatives by establishing service centers, reception centres or processing centres along transit routes, and using the technology available to provide real-time updates;
- Implement practical steps such as accelerating the processing of asylum and providing seasonal visas;
- Focus on integration by offering language education and enhance training opportunities;
- Strengthen international coordination among the key agencies and organizations as well as among Member States;
- Strengthen the 1951 Refugees Convention by enhancing its implementation and by introducing the concept of global burden sharing for the resettlement of refugees.