



A CALL TO ACTION¹

An Agenda for Canadian-German Cooperation to Strengthen the International Refugee & Migration System

Paul Heinbecker, Deputy Chair, World Refugee & Migration Council, and Fen Osler Hampson,
President, World Refugee & Migration Council

The global refugee and migration system continues to face deficiencies in governance, a lack of political will, insufficient and inefficient financing, and, above all, an absence of accountability, especially on the part of those regimes and political elites that are responsible for forcibly displacing their own people.

The number of forcibly displaced people is at its highest point since World War II. The United Nations High Commissioner for Refugees estimates that by the end of 2020 there were 82.4 million forcibly displaced persons worldwide of which 26.4 million were refugees, 48 million internally displaced persons, and 4.1 million asylum-seekers.

In the 21st century, those fleeing persecution, conflict, violence, failures in governance, and human rights violations has grown exponentially.

- In Syria, half the population has been forced to leave their homes.
- In Bangladesh, hundreds of thousands of Rohingya refugees lead a precarious existence in camps in flood zones.
- In Venezuela, some 4.9 million people have fled to neighboring countries, facing physical and sexual assault on the way.
- In Sub-Saharan Africa a quarter of the world's refugees seek shelter.
- Countless women and girls desperately need protection.

In Afghanistan, a new tragedy is unfolding. With the sudden return to power of the Taliban following the withdrawal of American troops from Afghanistan, hundreds of thousands of Afghans are fleeing their country or becoming displaced within the country. Gains made over 20 years-- in democracy, freedom of expression and women's rights, especially as regards education and health care--are in jeopardy. Political and military upheaval leading to forced displacement outside of the country will have significant impacts on countries in the region, many of which are still struggling to respond to refugees and migrants already in their countries. Countries including Pakistan, Turkey, Iran, and the Central Asian countries — some of which have already indicated that they cannot or will not accept refugees — are likely to be the most affected.

¹ The paper is adapted from the introduction to the report of the World Refugee & Migration Council entitled **A CALL TO ACTION: Transforming the Global Refugee System** (2019).

Just as the need worsens, the humanitarian impulse in many nations has given way to nativism. The scourge of xenophobia is gathering force in America, in Europe, in Australia and elsewhere. Populist politicians exploit anti-immigrant fears, stereotyping refugees as security threats and disease vectors. Strangers at the gate are seen as criminals and assassins at the door.

The tragedy extends beyond humanitarian issues. The refugee crisis brings with it roiling political instability and the potential weakening of political institutions.

States individually and collectively have shirked their responsibility to help those displaced by:

- failing to address the causes of displacement,
- denying the right to asylum to those needing protection,
- failing to find solutions for those who are displaced,
- refusing to fund adequately protection and assistance to the displaced, and
- failing to hold perpetrators of the crimes that cause refugee flows accountable.

The present international refugee system, created in the aftermath of World War II, is simply inadequate for today's world. In recognition of the problems confronting the present refugee system, the 2016 New York Declaration called for UNHCR to develop a new Global Compact on Refugees (GCR) as well as setting out an intergovernmental process to adopt a new Global Compact on Safe, Orderly and Regular Migration (UN General Assembly 2016). Following a series of thematic and regional consultations, a new Global Compact on Refugees was affirmed by the UNGA in December 2018. The Compact provides a framework for more equitable and predictable responsibility-sharing and a "blueprint for governments, international organizations, and other key stakeholders to ensure that host communities get the support they need and that refugees can lead productive lives." Among other measures, the GCR provides for a periodic ministerial-level Refugee Forum at the global level as well as regional and national arrangements, including support platforms.

In December 2018, UN member states also adopted a new intergovernmental agreement on Migration. Aimed at strengthening the contribution of the migrants and migration, the Global Compact on Migration commits member states to cooperate "to facilitate safe, orderly and regular migration" and to "address all aspects of international migration, including the humanitarian, developmental, human rights-related and other aspects." It also sets out "a range of actionable commitments, means of implementation and framework for follow-up and review among Member States."

Notwithstanding the importance of these initiatives to promote greater international cooperation, there remain glaring shortcomings in the evolving international regime to address the challenges of the forcibly displaced – from deterring human rights abuses to prosecuting perpetrators to meeting the immediate needs of refugees and IDPs to finding enduring solutions for those displaced.

Most immediately, we see a need for a strengthened system of *responsibility-sharing for refugees and IDPs*. Currently, neighboring countries that receive the bulk of refugees shoulder much of the cost of helping them, and governments with large numbers of IDPs struggle to cope. There should be greater recognition that protection and assistance of refugees and IDPs is in the common interest and thus a collective responsibility. Governments should contribute on the basis of common but differentiated responsibilities, and in keeping with their capacity to do so. Compliance with commitments needs to be monitored.

Much greater political attention needs to be paid to **internal displacement**. Currently there are twice as many IDPs as there are refugees and their rights are violated on a daily basis. In spite of twenty years of discussions, the international response to IDPs remains simply inadequate.

The important work of UNHCR needs the political support of a *broad-based network* of willing governments: international financial institutions such as the International Monetary Fund, the World Bank and regional

multilateral banks; the business community; civil society; and the news media . National governments and international actors need to create effective mechanisms for ensuring the active and **meaningful participation** of refugees and other affected communities in decision-making processes. Marginalized groups within refugee communities themselves such as women, children and the LGBTQ+ should have their full voice in the decisions that affect their lives at all levels of governance

At the international level, fundamental change is needed in how the refugee regime intersects with other international regimes (e.g., development, security, peacekeeping, human rights, humanitarian, migration). And at the national level, whole of government and whole of society approaches will bring in a broader array of participants, including refugees, local hosts, civil society, and the private sector all of which needs to be reflected in international governance arrangements. More robust engagement by regional organizations – and more international support for those organizations and decentralization of policy decisions and operational practices-- is needed. In Africa, for example, regional groupings, including the African Union (AU), the UN Economic Commission for Africa, the Intergovernmental Authority on Development (IGAD) and the Economic Community of West African States (ECOWAS) are important instruments of cooperation that should be more fully engaged.

The importance of engagement also extends to the **local community** and municipal levels. Often the most effective forms of integration and reintegration are carried out by mayors and local authorities working in partnership with refugees. In fact, about 60 percent of refugees and 80 percent of IDPs reside in urban and suburban settings, not in refugee camps.

Transformational change **is needed in the way funding is mobilized and allocated**. The present system of financing humanitarian response is clearly no longer fit for purpose. The fact that UNHCR relies on voluntary contributions not only means that UNHCR must appeal for money for each major emergency, but that the donors have disproportional political clout with the agency, including in situations where donor governments are violating basic principles of refugee protection. A system built on voluntary contributions is unlikely ever to be adequate. Financial support is rarely sufficient to cover the costs to public services, infrastructure, the economy and the environment of host countries. In addition, all too often, funding for gender-specific needs (sexual, psychological, and reproductive health, and sexual- and gender-based violence funding) is not prioritized. The specific needs of vulnerable populations must be a priority. To effectively identify these needs, gender- and age-disaggregated data are needed. There is a plethora of ideas for raising more money—from assessed contributions to levies on international transactions to refugee enterprise and the confiscation of perpetrators' assets -- but there is a dearth of political will thus far to do so.

Bilateral and multilateral trade and finance arrangements with host states can hasten development and benefit both refugees and host citizens. Loan underwriting can free up capital and encourage host state development, opening the way to inclusion and integration of refugees. Any bilateral and multilateral trade and finance arrangements must be underpinned by a strong gender analysis, to ensure that they do not simply reinforce harmful power dynamics and gender inequality.

Repurposing Frozen Assets. One proposal that has generated a lot of attention is to use the frozen assets of perpetrators and re-direct them for the benefit of the people in the country of origin, including those who have been forced to flee their communities. This would both increase available funding and enhance accountability by eliminating the impunity of corrupt kleptocrats. A bill to do exactly that was introduced by Senator Ratna Omidvar in the Senate of Canada and will likely be reintroduced when Canada's Parliament reconvenes.

Reliance on voluntary contributions also creates tremendous inequities. Refugees in high profile emergencies are more likely to receive needed assistance than those where western media are not present. And available data suggests that IDPs receive far less per capita international assistance than refugees.

The present international refugee regime is characterized by a **lack of accountability** at all levels. Upstream, political leaders cause – or allow – conflicts to occur with impunity, displacing vast numbers of people. If

perpetrators are not held accountable through national systems, they must be held accountable by the Security Council and, where possible, by the International Criminal Court. Downstream, accountability is lacking when donors make pledges they do not honour and when governments evade their obligations under the 1951 Refugee Convention and reject bona fide refugees who cross their borders or subject them to inhumane and degrading treatment at the point of reception. An independent peer review mechanism is needed to monitor and critique the performance of governments.

And there is an institutional lack of accountability when some international organizations operate in silos and measure their efforts in terms of activities rather than outcomes.

These issues are inter-related. Enhanced accountability mechanisms must be central to new governance systems. The lack of accountability of the governments of countries of origin is often most acutely evident in the inadequate response to IDPs. And without the necessary funds, none of the reform suggestions made in this report will succeed.

Addressing these broad issues offers Germany and Canada the opportunity to address the major weaknesses of the international refugee system, including the scarcity of solutions for refugees and IDPs living in protracted situations. A different approach is greatly needed.

A Call to Action

The single biggest challenge facing the refugee system is the absence of political will. In its report **A CALL TO ACTION**, the World Refugee & Migration Council outlined six major and original proposals for institutional reform. All are intended to be complementary to the work of existing organizations. Collectively, they aim to create an agile, low-cost, and dynamic means to facilitate political agreement on new, evidence-based commitments by governments and relevant non-state actors. The proposals presented here provide a light framework for committed actors to work with a range of organizations operating in relevant issue-areas. Each of the six main ideas relates respectively to politics, norms, evidence, authority, accountability and finance. In addition, there are many other specific proposals in the report – some of which can be implemented immediately.

Governance & Funding Gaps	Specific proposal
Politics	Global Action Network for the Forcibly Displaced
Norms	Development of additional protocol to the 1951 Refugee Convention
Evidence	Intergovernmental Panel on Refugees and Displaced Persons
Authority	SRSB on Displacement
Accountability	Repurposing of Seized Assets to support the displaced
Finance	Refugee Sovereign bonds, Equity Investment Funds and Trade preferences
Technology	Online service providers to make existing technologies accessible to refugees and IDPs

This report represents the beginning – not the culmination – of a process to transform the present international refugee system. It also offers a programmatic foundation for key countries like Canada and German to work together.