

# MIGRANTS AND REFUGEES

Q. P. JINDAL GLOBAL UNIVERSITY SUMMER COURSE ON HUMAN RIGHTS AND  
DEVELOPMENT

JULY 11, 2019

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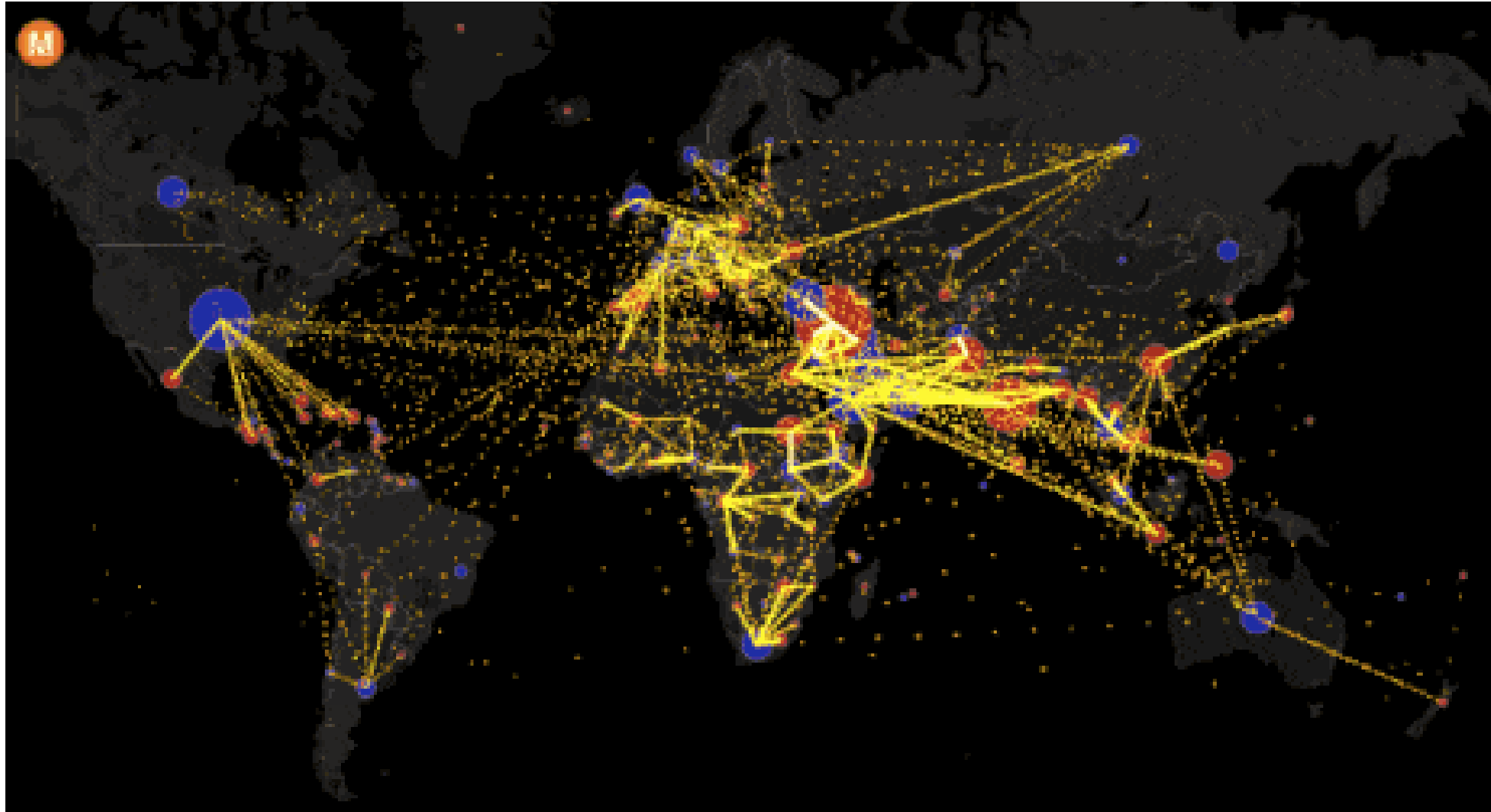
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## OVERVIEW OF CLASS TODAY

- The big picture: Who are the international migrants, how many, where from where going? How is forced migration different?
- Some 21<sup>st</sup> C characteristics of global migration, and new ways to think about it.
- International and national policy responses to forced migration – the US since Trump

# HAS GLOBAL MIGRATION CHANGED OVER THE PAST 50 YEARS?



## TERMINOLOGY

- **International migrants** (aka “Foreign-born population”)

those “living outside the country of their birth” usually for more than one year.

- Excludes visitors, tourists, business travel, etc
- includes refugees (legally defined in 1951 Refugee Convention)

- **Internal migration** – those who move within their country of birth/citizenship, and do not cross borders

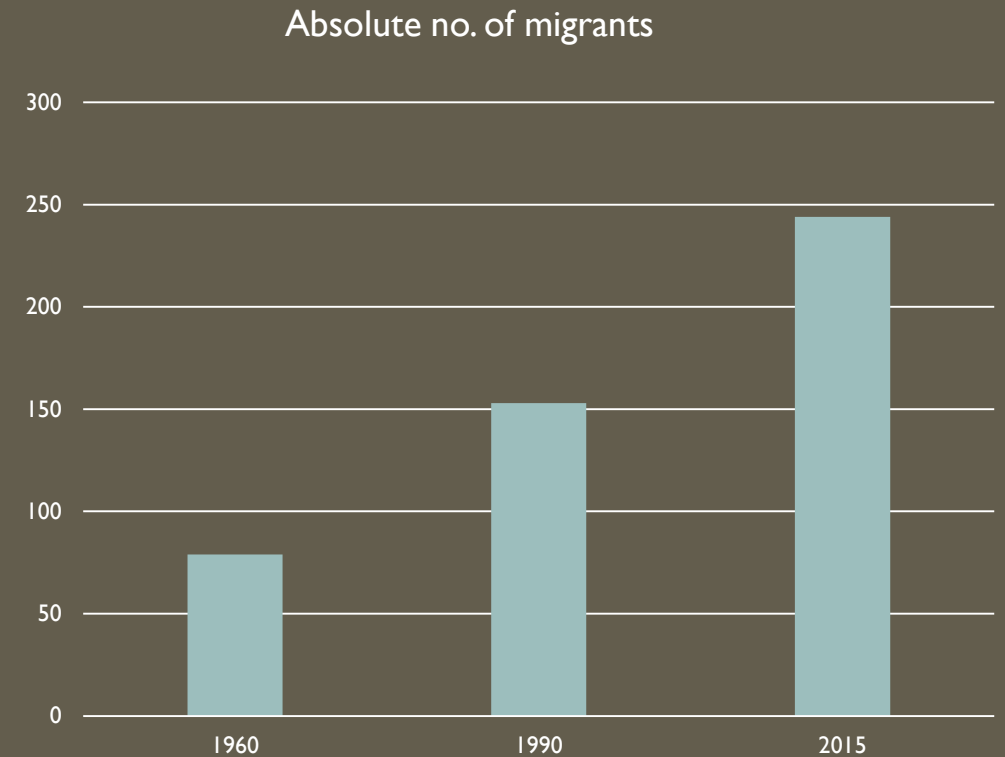
- Includes Internally displaced people (IDPs), rural-urban migrants

# HOW MANY ARE MOVING ACROSS BORDERS?

Absolute number of international migrants has increased:  
**258 million** (+49% from 2000)

BUT percentage of global population has not changed much (2.6% in 1960 to 3.3% in 2015)

i.e. 97% of global population stays home!



## WHY DO PEOPLE MOVE? MAIN REASONS FOR MIGRATION

- FOR WORK
- TO JOIN FAMILY
- FORCED to move (refugees and IDPs):
  - Conflict + persecution
  - Disaster (famine, 'natural' calamity) + Climate-related change
  - Trafficking (enslavement, forced labor, sex trade)
- RETURN (can be forced – deportation)

# GLOBAL LABOR MIGRATION - THREE MAIN REGIONS



Map 1:

Major labor migration streams at the beginning of the 21st century

labor-sending countries

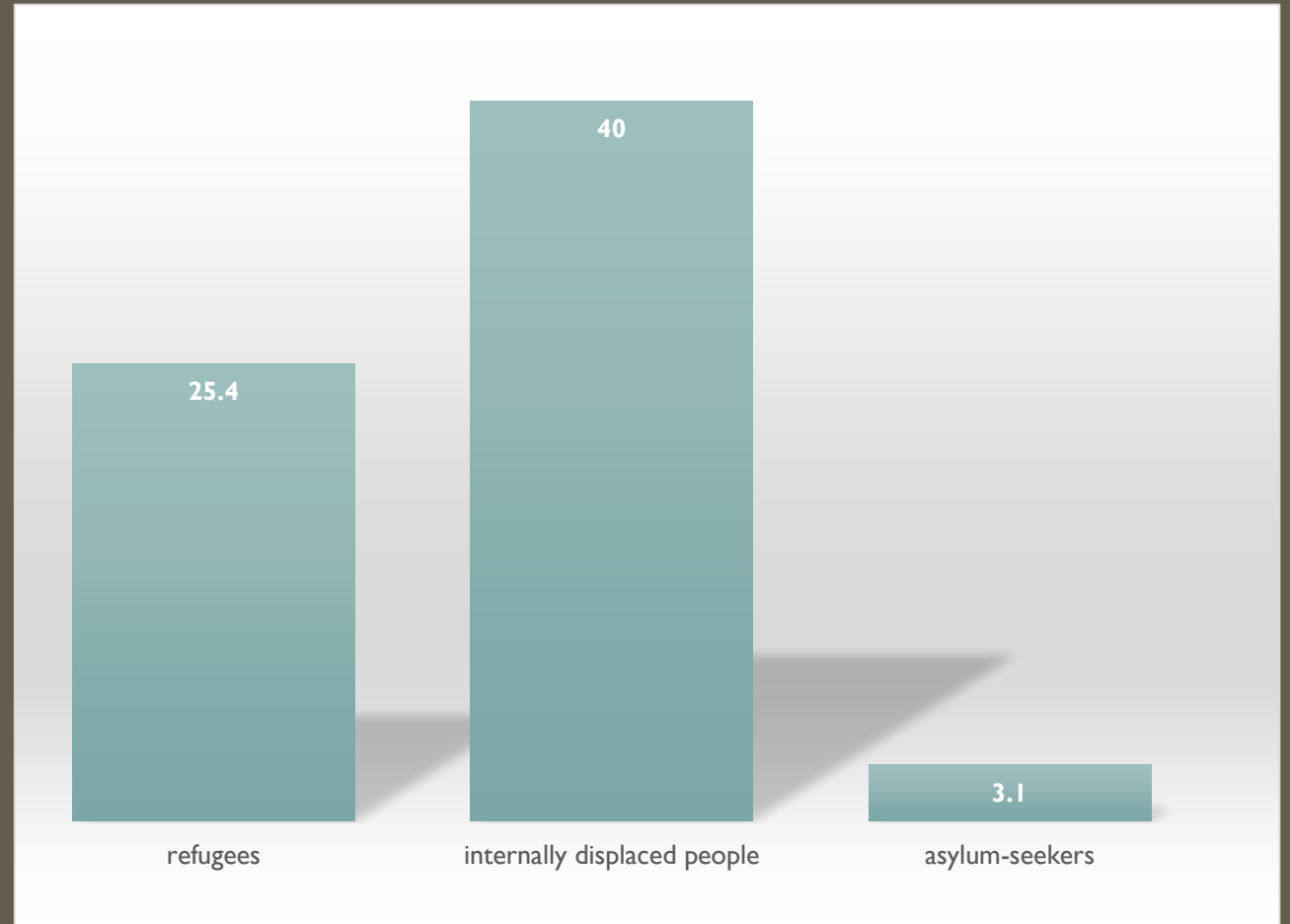
labor-receiving countries



maritime and cruise employers

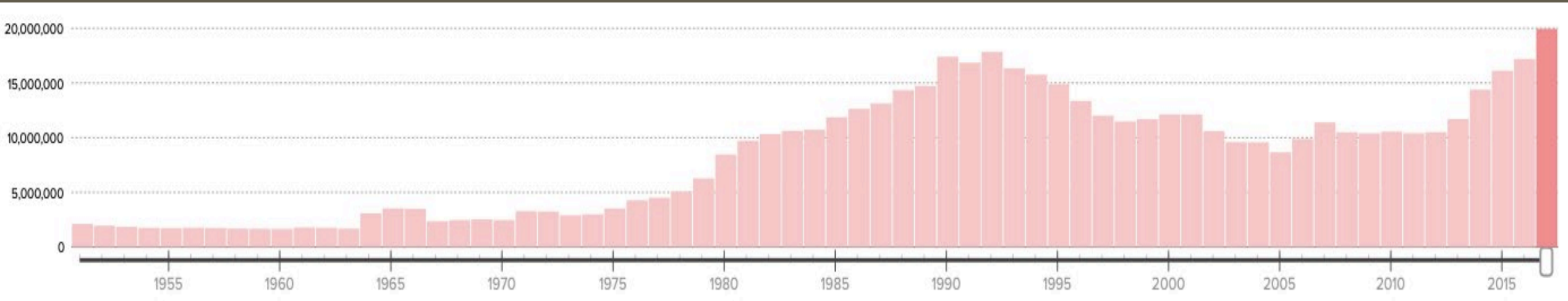
## FORCED MIGRATION AT END-2018

- 25.9 million refugees
  - 20.4m UNHCR's mandate
  - 5.4 m Palestinian refugees (UNRWA)
- 41 m internally displaced people
- 3.5m asylum-seekers



# ARE WE SEEING THE LARGEST REFUGEE MOVEMENT EVER?

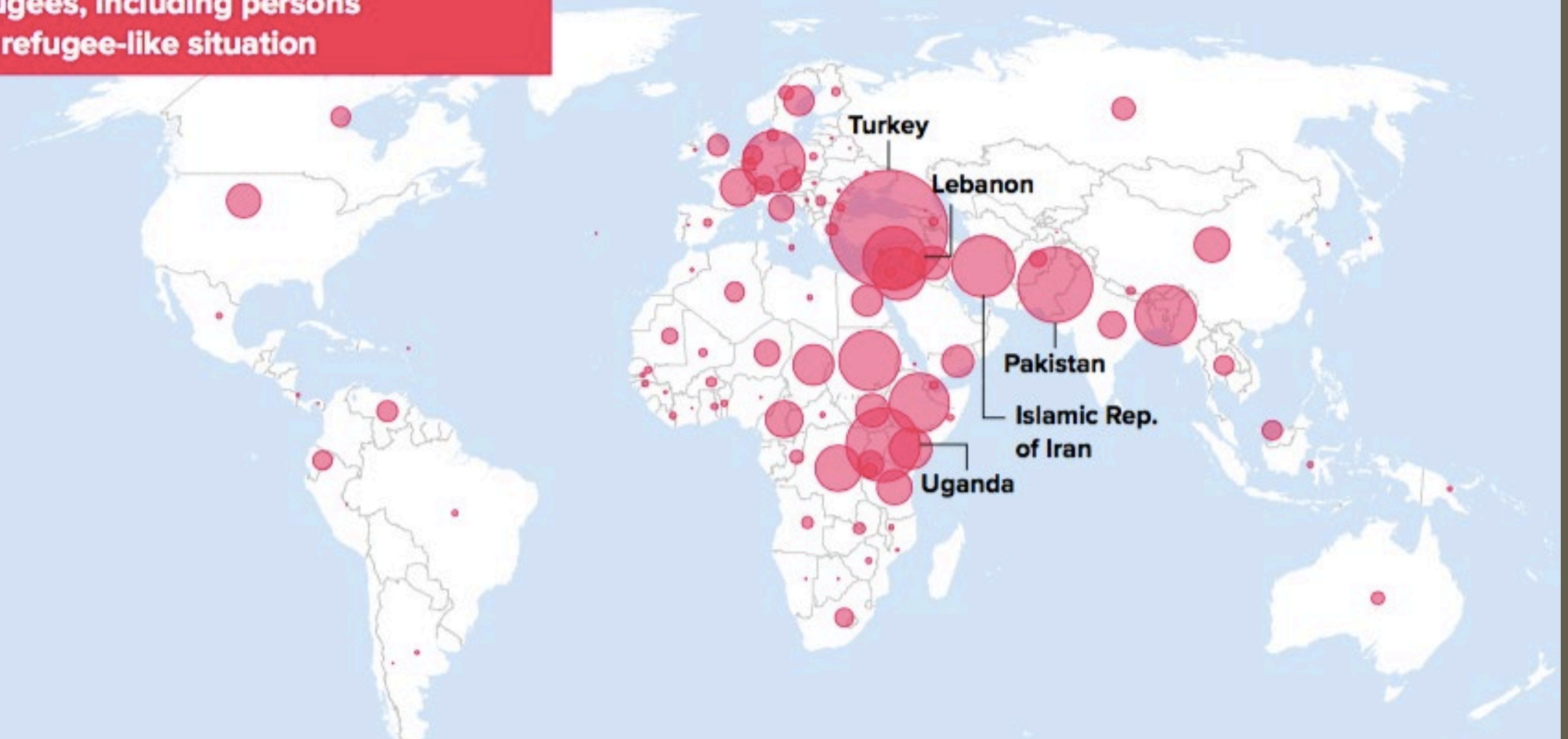
## GLOBAL REFUGEE POPULATION 1955-2017



# MAJOR REFUGEE HOST COUNTRIES, END-2017

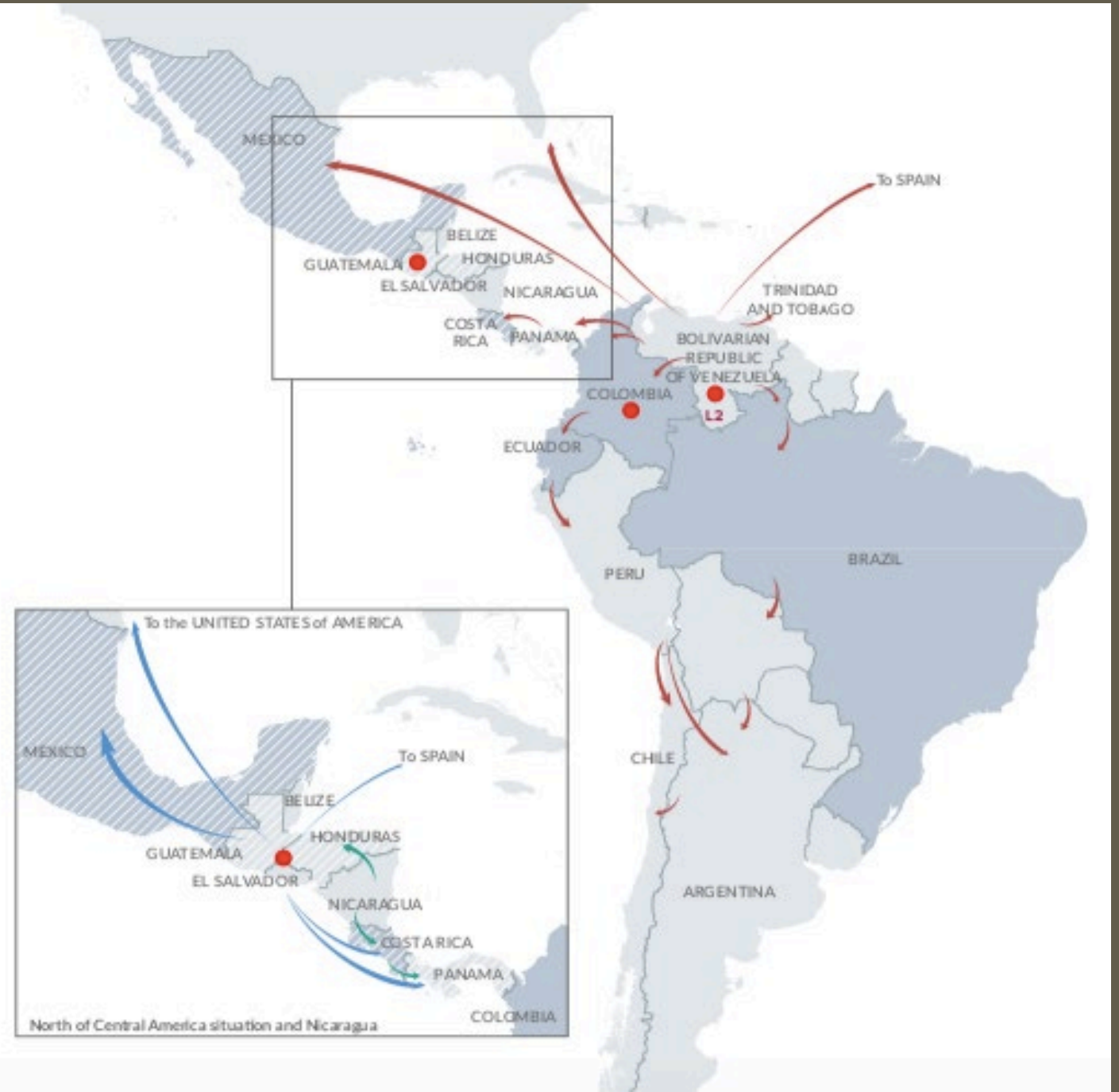
Map 1 | **Populations of concern to UNHCR by category** | end-2017

**Refugees, including persons  
in a refugee-like situation**



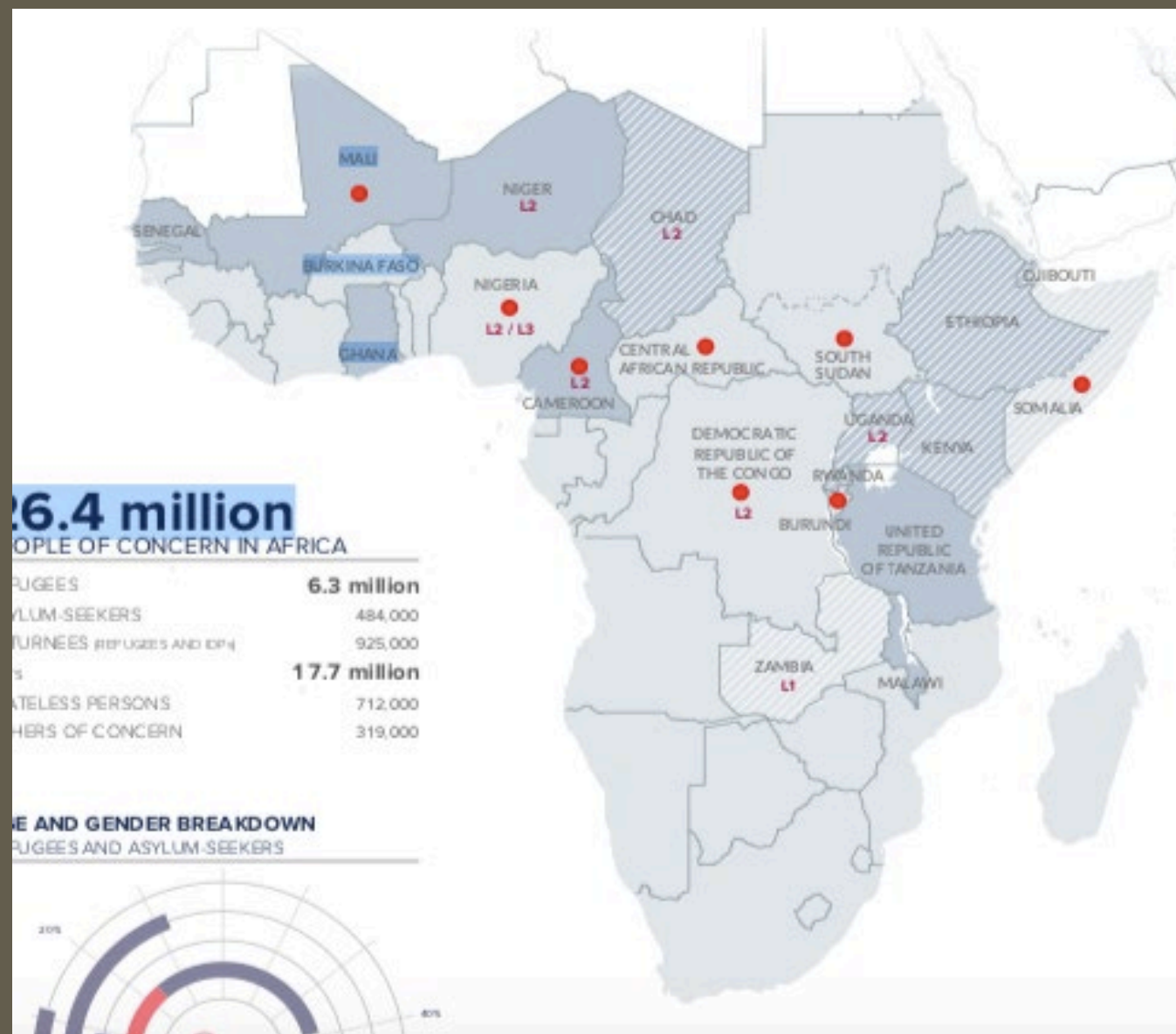
# THE AMERICAS

**12.8 MILLION**  
DISPLACED PEOPLE



# AFRICA

26.5 MILLION  
DISPLACED PEOPLE



MIDDLE EAST +  
NORTH AFRICA

**15 MILLION**  
DISPLACED PEOPLE

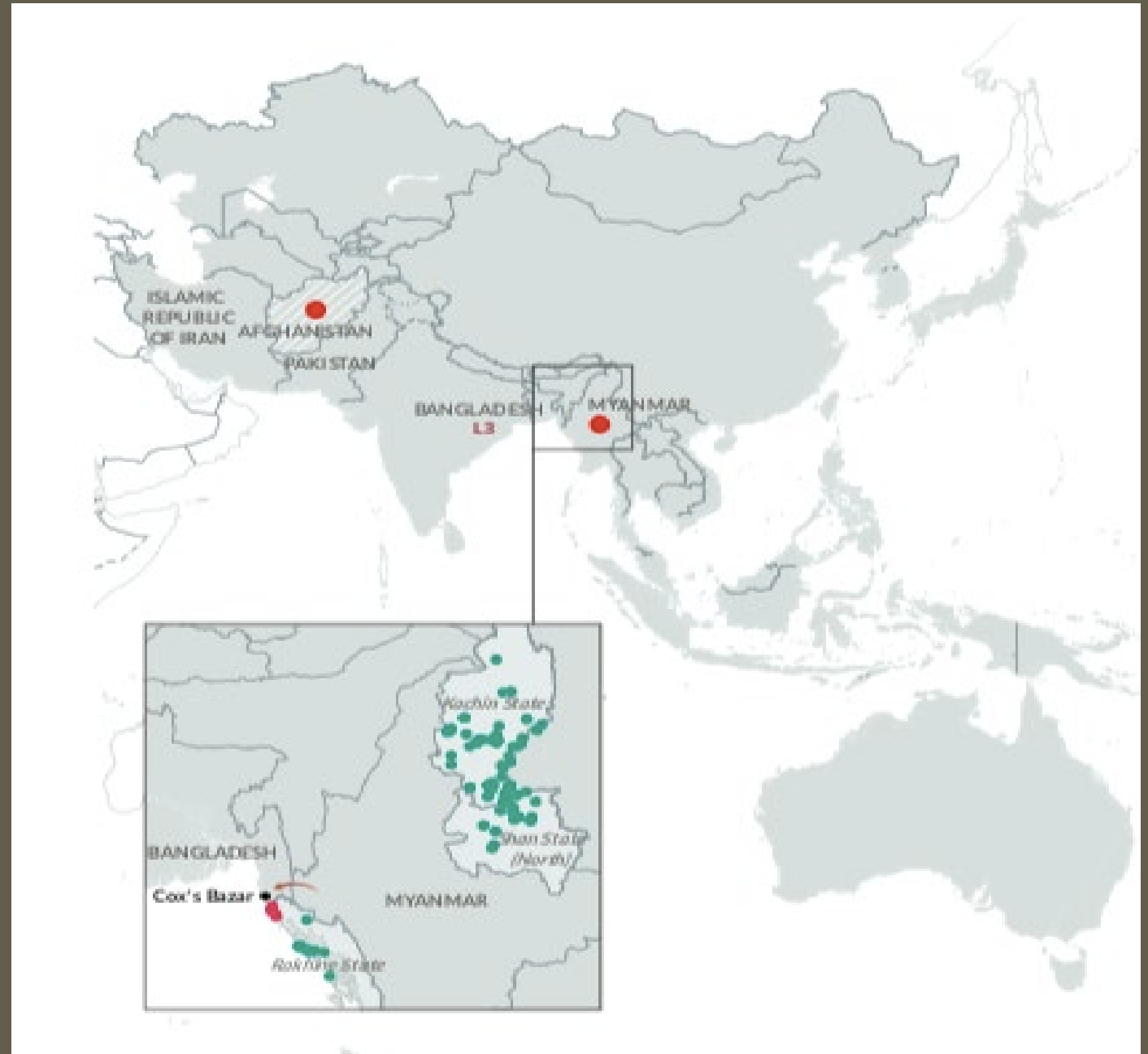


# ASIA

**9.5 MILLION  
DISPLACED  
PEOPLE**

## INDIA:

REFUGEES	195,891
ASYLUM SKRS	11,957
TOTAL POC	207,848



**ARE FORCED MIGRANTS  
DIFFERENT FROM OTHER  
MIGRANTS?**

# A DIFFERENT LEGAL CONTEXT AND HUMANITARIAN ASSISTANCE



# WHAT ARE THE RIGHTS OF MIGRANTS, REFUGEES AND IDPS?

- For refugees – a international legal regime:
  - International humanitarian laws, treaties (1951 Convention), international bureaucracy (UNHCR) , national laws, customs (nonrefoulment)
  - Refugee rights clearly stated in this body of law – but depends on national legislation and implementation
- For migrants- weak regime.
  - Few countries have signed on to older Migrant Worker Conventions
  - New Global Compact on Migration (Dec 2018)
- For IDPs – no legal regime
  - Kampala Convention, IDP Guiding Principles

But most of the displaced live among host populations



Most refugees and IDPs *do not live in camps*

In 2017:

14 mil refugees lived  
outside camps  
5 mil in camps

## MOST DISPLACED MOVE TO URBAN SETTINGS



Great East Japan Earthquake + Tsunami, March 11, 2011

## SOME URBAN AREAS INCLUDE CAMPS



Jan. 31, 2014, besieged Palestinian residents of Yarmouk camp, Damascus, queuing to receive food (Source: UNRWA via AP, File)

# HOW CAN THE WORLD HELP REFUGEES?

## Who should help?

- Rich countries?
- Neighboring countries (the region)?
- Charitable and religious organizations?
- The refugees' people in other countries (diasporas)?

## Who should be helped?

- The countries who host them
- The communities who host them?
- The refugees themselves?

## WHAT DO RICH COUNTRIES DO?

OECD countries:

- Fund humanitarian assistance in host countries
- Take refugees through:
  - Resettlement
  - Asylum

## THIRD COUNTRY RESETTLEMENT

**1.2M** refugees in need of resettlement in 2018

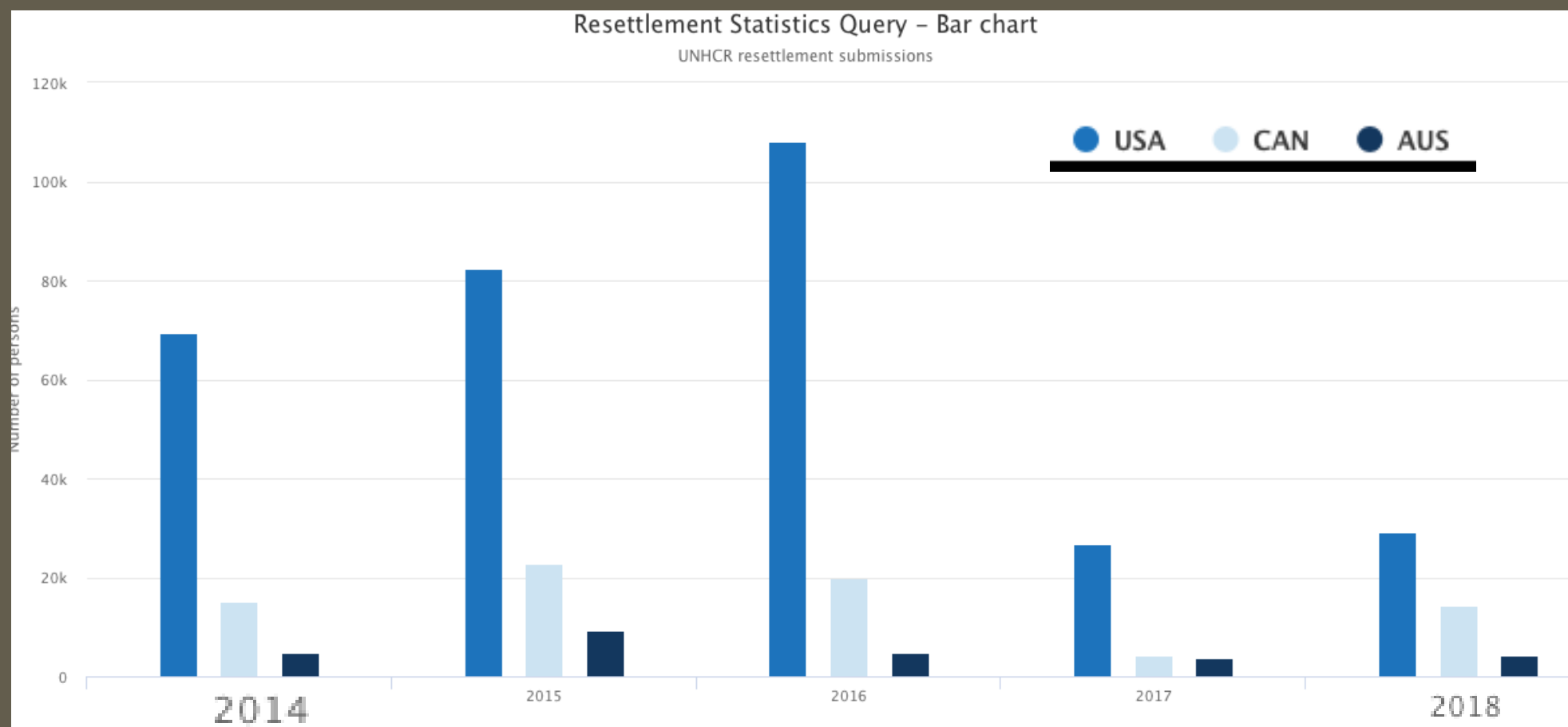
**BUT ONLY**

**55,680**  
departures 

**27**  
countries 

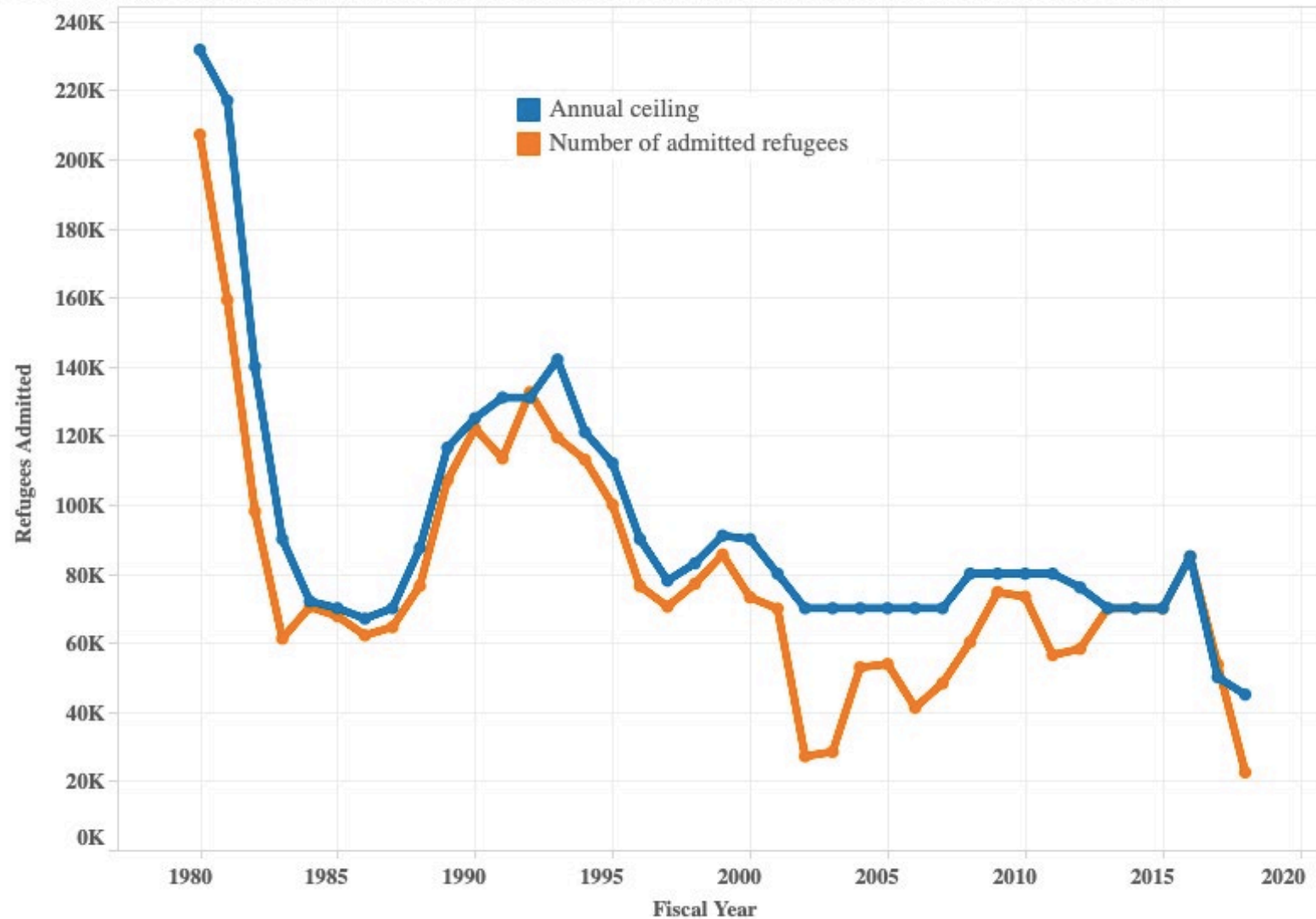
 **14%** decrease to 2017  
(65,108 refugees)

# RESETTLEMENT TO US, CANADA, AUSTRALIA (2014-18)



# US REFUGEE ADMISSIONS

U.S. Refugee Admissions and Refugee Resettlement Ceilings, Fiscal Years 1980-2018



## 21<sup>ST</sup> C SHIFTS IN GLOBAL MIGRATION

- Securitization + pushing out of EU/US borders
- Rise of illicit migration industry (smuggling, finances)
  - Migrants used as commodities like guns and drugs
- Rise of xenophobia based on fear, populism + demagoguery
- Growing diasporas
- Increased migrant women and children
  - → Protection and vulnerability problems in transit

# *US IMMIGRATION POLICY IN THE TRUMP ERA - WHAT'S NEW FOR REFUGEES?*



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## OVERVIEW

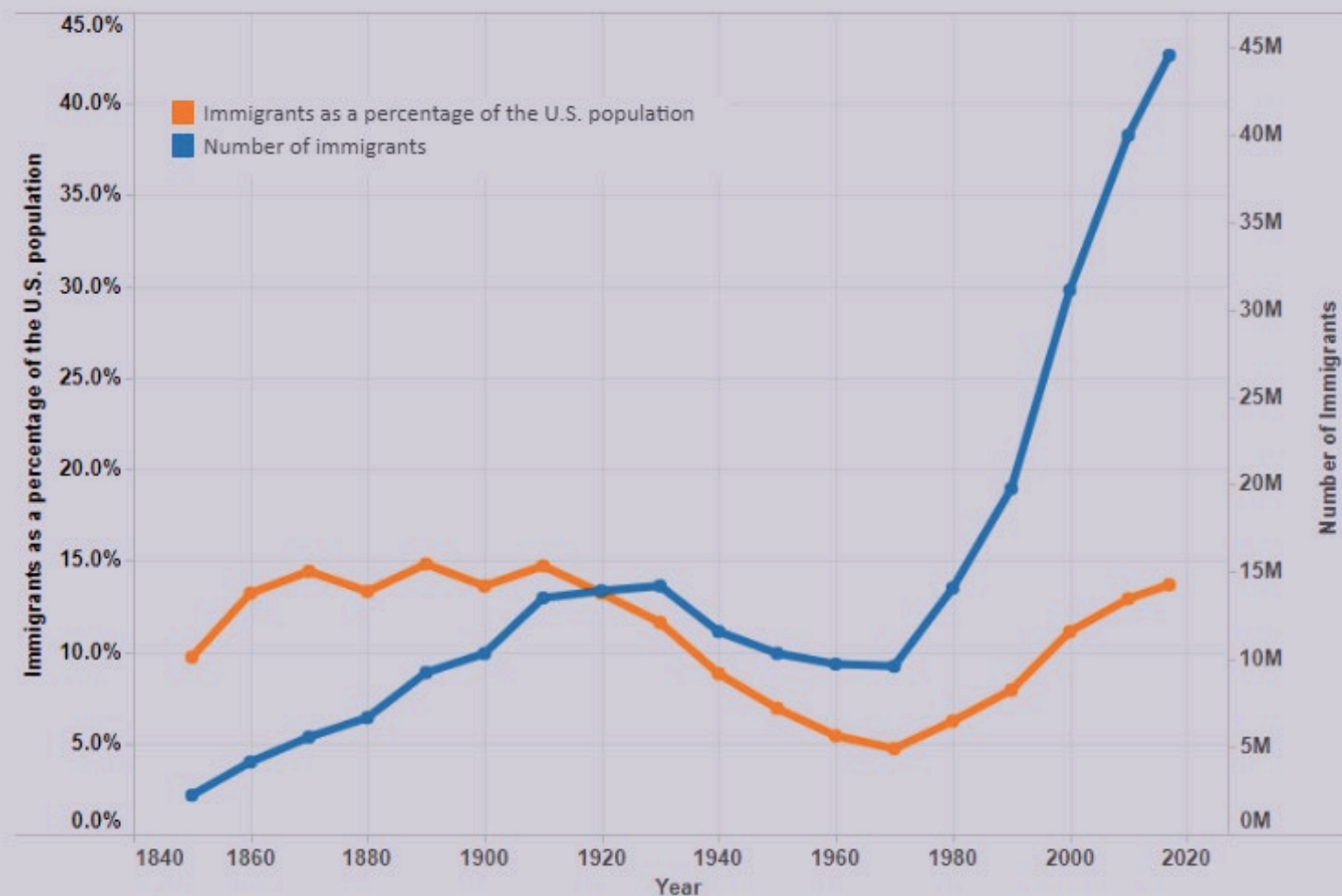
- US Immigration policy: Where refugees fit in
- What has not changed: structure of refugee + asylum seeker policy
- What's new since Trump

## US IMMIGRATION

- In 2017: 44.5 million international migrants in the US
  - 13.7% of total population (325.7m)
- 787,000 foreign-born entered US in 2016-17
- In global perspective: ~250 million international migrants

# SIZE AND SHARE OF FOREIGN-BORN POPULATION IN THE UNITED STATES, 1850-2017

Figure 1. Size and Share of the Foreign-Born Population in the United States, 1850-2017



# CURRENT US IMMIGRATION POLICY

Immigration and Naturalization Act (1990), annual limit of 675,000 permanent immigrants.

Categories of immigration:

- **Family-based** (Family reunification) - 64%
- **Employment-Based** i.e. immigrants with skills valuable to US economy
- **Humanitarian** - Refugees + asylum seekers.
- ~~Diversity visa lottery~~

# USRAP – US REFUGEE ASSISTANCE PROGRAM

Two forms of humanitarian admission to the US:

- **Resettlement**
- **Asylum**

If already in the US:

- **Temporary protected status**

(Currently only for people from El Salvador   Haiti   Honduras   Nepal  
Nicaragua   Somalia   Sudan   South Sudan   Syria   Yemen)

# REFUGEE ADMISSIONS CEILING

Each fiscal year, President establishes overall admissions ceiling + regional allocations.

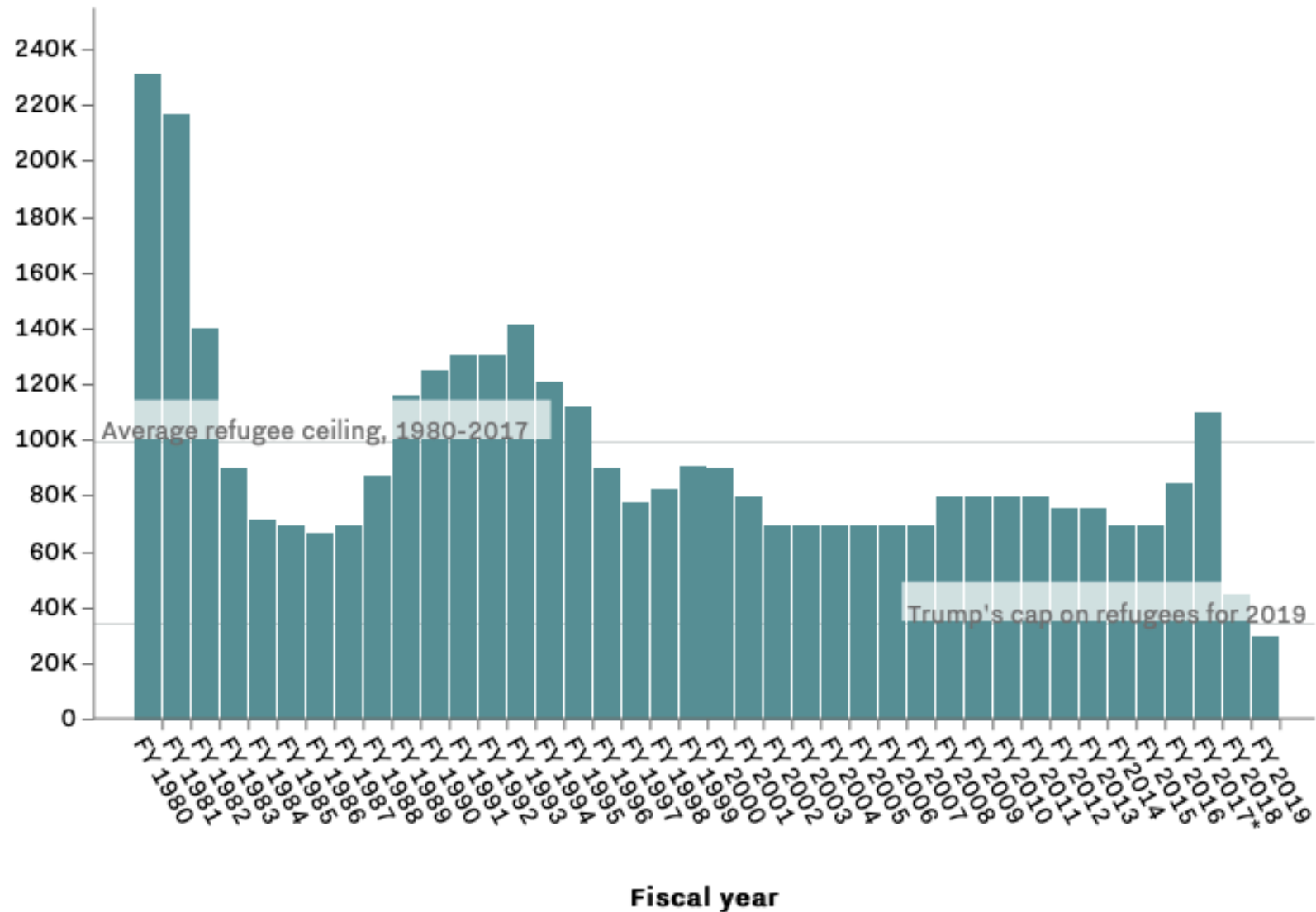
- Admissions ceiling in FY2019: 30,000

- Regional allocations:

Africa .....	11,000
East Asia .....	4,000
Europe and Central Asia .....	3,000
Latin America/Caribbean .....	3,000
Near East/South Asia .....	9,000

# US REFUGEE RESETTLEMENT, 1980-2019

SINCE 1975: 3 MILLION RESETTLED IN US



## WITH ASYLUM + RESETTLEMENT COMES:

- authorization to work in United States.
- public benefits (employment assistance, social security, social services)
- Road to citizenship (After one year refugees required to apply for legal permanent resident (LPR) status. 5 years after refugee admission date, can apply for citizenship)

# U.S. IMMIGRATION POLICY SINCE TRUMP A “SEA CHANGE”

Trump seeks to change policy (well beyond the Wall): to decrease immigration admissions and increase deportations.

Since Jan 2017:

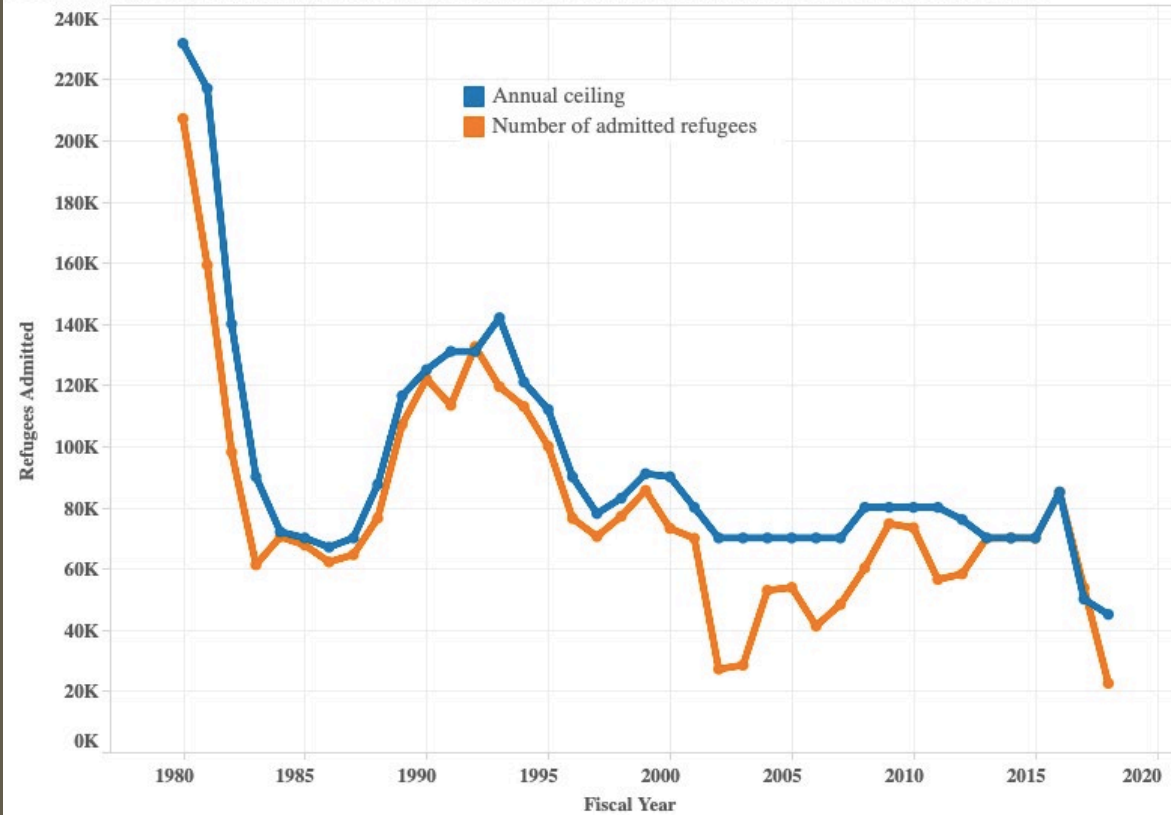
- enhanced enforcement measures
- new application vetting requirements,
- Reduced refugee admissions + scaling back of temporary protections
- Trump has said he doesn't feel obligation to resettle refugees.  
Humanitarian aid is responsibility of nearby rich countries to help refugees go home (at least when refugee crisis is far from the US).

## TRUMP'S REFUGEE POLICIES

- worldwide ban on refugee resettlement ended in 2017 but replaced with temporary near-total bans on refugees from specific countries: incl. Syria, Iraq, Iran, and Somalia.
- those bans lifted in January 2018, but Trump administration announced expanded security processing for *all* refugee applications.
- New security measures has created bottlenecks
  - FBI is responsible for conducting security checks on every single refugee being considered for admission — without extra resources to process these checks
  - dozens of refugee officers pulled into interviewing asylum applicants who have arrived in the US (instead of going on circuit) – refugees stuck in CFAs

# US REFUGEE ADMISSIONS

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## U.S. IMMIGRATION POLICY SINCE TRUMP (CONT)

However, fragmented U.S. political system creates legal and political challenges that have blocked Trump's most ambitious aims:

- Congress - little inclination to pass immigration legislation,
- the courts - halted or slowed key initiatives (travel ban, and separation of families ( "zero-tolerance" border policy).
- States and localities - divergent approaches to law enforcement cooperation with federal immigration authorities: some passed laws to curtail coordination (sanctuary cities), and others to facilitate it.

However, through incremental changes and presidential discretion, Trump might be able to redefine who comes to the country and who is removed from it.