

Center for American Progress



A Rights-Centered Paradigm for Protecting the Forcibly Displaced

By Elisa Massimino and Alexandra Schmitt

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Introduction and summary

People move. The great majority do so voluntarily—for work, for family, for new opportunities, or for a change of environment. But today, more people have been forcibly displaced—by violence, persecution, climate disasters, extreme poverty, and other factors beyond their control—than at any time in recorded history. The United Nations estimates that at least 1 percent of the world’s population—nearly 80 million people—are currently displaced from their homes.¹

This forced migration carries profound consequences, both for receiving states and for the individuals who are moving. For people forcibly displaced, it is a time of enormous danger and upheaval, as they face physical, psychological, and economic challenges on the journey. Receiving states, which are often developing countries with fragile governments and weak economies, face added pressures when forcibly displaced people cross their borders and need immediate care and access to resources.

no one leaves home unless
home is the mouth of a shark
you only run for the border
when you see the whole city running as well
– “Home” by Warsan Shire²

Most people who flee their homes stay close by in the hopes that they can return. More than half of the world’s forcibly displaced population—some 45.7 million internally displaced people—remains inside their own country.³ Refugees, or those who cross an international border when fleeing home, often go no farther than a neighboring state. Even so, many find themselves in limbo for years, unable to return home but prevented by the hosting state from fully integrating into society. For example, Dadaab—originally a refugee camp for 90,000 Somalis fleeing persecution and violence in 1991—is now functionally Kenya’s third-largest

city and home to more than 350,000 people. Many of these people, however, are denied Kenyan citizenship rights.⁴ The United Nations estimates that nearly 80 percent of all refugees today live in such “protracted situations,” meaning they have been in exile for five or more years in a given host country.⁵

States party to the 1951 Refugee Convention and its 1967 Protocol—and arguably all states, under customary international law—are obligated to refrain from returning fleeing refugees to situations of danger. Moreover, under the Universal Declaration of Human Rights (UDHR),⁶ every human being has the right to seek and enjoy asylum from persecution. Indeed, all people—including those forcibly displaced from their homes—are entitled to the rights and freedoms that the UDHR deems fundamental to human dignity. If their home countries cannot or will not ensure their protection, it is up to the international community, working together, to step in.

But today, the international system built to protect the forcibly displaced is failing due to gaps in the current framework and unfulfilled commitments from states. The United States needs a new paradigm for thinking about forced displacement and migration: starting at the center by addressing the root causes, getting ahead of migration flows, leading by example, and leaning into global cooperation. Shifting to a rights-centered paradigm for global protection will require new investments and commitments, but a Biden-Harris administration can lead the international community in devising a working solution and taking concrete steps from their first day in office. The United States should seize the opportunity to lead in protecting human rights around the world by rebuilding a working resettlement system at home, restoring asylum protections, and galvanizing international commitments to support a system that works to help all people who are forcibly displaced. This would pay dividends for the United States by helping promote regional peace and stability, strengthening alliances and partners, and fulfilling legal obligations.

Defining the forcibly displaced

This report looks broadly at all those who are forcibly displaced from their homes, including refugees, internally displaced people, and other groups of people who are forced to flee because their human rights are not protected. Under the 1951 Refugee Convention, refugee status is limited to those who cross an international border because they fear persecution on account of their race, religion, nationality, political opinion, or membership in a particular social group. It does not cover those who flee their homes due to “intolerable economic conditions, poverty, famine or environmental catastrophes”—including slow-moving phenomena such as the effects of climate change⁷—as well as those who otherwise satisfy the refugee definition but have not crossed an international border.⁸ Yet everyone is entitled to have their right to a life of dignity fulfilled by the governments that owe them protection.

The Center for American Progress argues that governments should take a more comprehensive approach to the protection of people forcibly displaced in order to safeguard human dignity and build a safer, more secure world for all. The U.N. refugee agency, among others, is also pushing for a more expansive definition of refugee that would encompass, among other things, dimensions of gender discrimination and climate change.⁹ Under the Refugee Convention’s definition of a refugee—written approximately 70 years ago—states are not bound to this view.

While the refugee “crisis” is predominantly framed as one of unprecedented and rising numbers of people seeking protection, it is really one of governments—a rising number of them—abdicating their responsibilities to protect refugees. The governance system built after the wreckage of World War II, which obligated states to refrain from returning to danger those seeking protection, is increasingly being ignored or abandoned by states that find it politically inconvenient to uphold the obligations they signed on to. Any real solution, then, must take seriously the responsibility to ensure that all governments uphold their promises to provide safe haven to those fleeing unsafe conditions. It is also in the interest of U.S. national security to create a stable and secure world in which people on the move can do so safely and within a working international system. The world must reconceive forced migration as a human rights and humanitarian challenge, the solution to which prioritizes protecting human dignity and ensuring comprehensive rights. Policymakers must begin by addressing the heart of the problems that lead to forced migration, rather than framing forced displacement solely as an immigration issue and focusing on borders, sovereignty, and who gets to come in and who is kept out.

A global protection framework would encompass all vulnerable populations who may be forced to flee their homes: refugees and asylum-seekers, IDPs who remain within their borders, and those forced to flee climate change effects or other factors that have made it impossible for them to exercise their human rights. At the same time, this framework would pressure states to fulfill obligations to their own people by respecting rights and guaranteeing people lives of dignity at home—because failing to do so is what causes people to flee in the first place. The underlying goal of a global protection framework should be to build a humane, workable infrastructure that fulfills states’ obligations to protect human rights for all.

Building a global protection plan will require serious investment, long-term commitment, and new approaches to long-standing problems. The United States has historically played an important role in efforts to protect and advocate for refugees around the world. In previous publications, CAP has called for the creation of a workable, fair, humane solution to the problems within the U.S. immigration system as well as to the migration challenge.¹¹ This report takes an in-depth look at forced displacement and migration and calls on the Biden-Harris administration to take immediate steps to address this challenge. The next sections outline the necessary elements of such a framework and provide recommendations for how to build it.

Glossary¹⁰

Refugee: Someone forced to flee their country because of war, violence, or persecution. To qualify as a refugee, one must have a well-founded fear of persecution based on membership in a particular group or because of their race, religion, nationality, or political opinion.

Internally displaced person (IDP):

Someone forced to flee their home who has not crossed an international border. IDPs are different from refugees in that international law does not protect them; they also are not eligible to receive many of the benefits to which refugees are entitled under current international law.

Asylum-seeker: Someone who flees their country to seek protection in another country. In order to receive protection, asylum-seekers must demonstrate that the fear of persecution in their home country is well-founded.

Forcibly displaced person: An overarching term used to describe a person who has been forced to flee their home and may fit into any of the above categories.

The global protection system today

According to the United Nations, at least 100 million people were forcibly displaced from their homes from 2010 to 2019, but only a fraction found a permanent living situation: Just 3.9 million refugees returned to their home country, and only 1 million were resettled in a new state.¹² Some experts predict that if recent trends continue, displacement could increase to as many as 320 million people by 2030.¹³

Raging conflicts continue to force record numbers of people from their homes. The nearly decadelong civil war in Syria, the genocide of Rohingya in Myanmar, and the political, economic, and humanitarian crises in Venezuela are among the most prominent sources of forced displacement in the 21st century, though there are numerous other conflicts that contribute to record-setting numbers today.¹⁴ Violent conflict is becoming more frequent: More countries experienced violent conflict in 2016 than at any point in nearly 30 years, while at the same time, these conflicts have become “longer, more protracted, and less responsive to traditional forms of resolution.”¹⁵ The United Nations recently warned that brewing conflict in Ethiopia could lead to a “‘full scale’ humanitarian crisis,” as more than 4,000 people per day crossed into Sudan to seek safety just this month.¹⁶ Rising violent crime rates, climate change, and violent extremism all serve as driving forces that displace families around the world who are unable to live in peace or pursue sustainable economic opportunities.¹⁷

These sources of displacement highlight how failing to protect human rights drives forced migration. Facing violent conflict or rampant crime in one’s neighborhood makes it impossible for people to live with dignity or secure other human rights. Those who are least protected in most societies—such as women and children, people with disabilities, and LGBTQ people—have fewer avenues through which to redress rights violations and are more likely to be forced to flee their homes in search of protection.¹⁸ A protection system that focuses only on helping forcibly displaced people after they arrive somewhere new will treat only the symptoms of the underlying disease; the cure is to create conditions in which people’s rights are

protected so they are never forced to flee their homes in the first place. The world must recognize that it faces not simply a global refugee and displacement crisis but also a global human rights challenge.

All people have the right to seek and enjoy asylum from persecution, as set out in the Universal Declaration of Human Rights; and under the 1951 Refugee Convention and its 1967 Protocol,¹⁹ states have the obligation to protect those who flee. States negotiated these agreements after World War II and the resulting displacement of millions of people in Europe,²⁰ recognizing that it is in every state's interest to prevent the human rights abuses that can lead to conflict and that it is a shared responsibility to take care of those whose governments cannot or will not protect them. These international agreements outline the human rights of refugees and the obligations of states to protect and guarantee those rights. But while states are legally bound to comply with treaties they have ratified, there are few penalties, other than international opprobrium, for states that ignore their obligations. Moreover, the current scope of these obligations fails to meet the needs of people forcibly displaced today.

The U.S. role in protecting the forcibly displaced

Throughout its history, the United States has played an important role in protecting refugees and the forcibly displaced.

- **Setting up the refugee system:** The United States played a leading role in creating the international protection system for refugees after World War II. President Franklin D. Roosevelt galvanized international and domestic support to create the United Nations through negotiations between 1941 and 1945, and First Lady Eleanor Roosevelt led U.S. efforts on the Universal Declaration of Human Rights.²¹ The Office of the U.N. High Commissioner for Refugees (UNHCR) was established in 1950 as a subsidiary organ of the U.N. General Assembly with a mandate to oversee global refugee issues. U.S. law professor Louis Henkin, widely considered a founding father of human rights law, was a principal architect of the 1951 Refugee Convention.²²
- **Resettlement:** The United States also plays an important role in resettling refugees. Since setting up its resettlement system in 1980, the U.S. government has taken in more refugees than any other country. Refugee resettlement peaked at more than 200,000 people in 1980 and has averaged around 76,000 people annually. But under the Trump administration, resettlement has been drastically cut to just 15,000 slots.²³ When refugees arrive in the United States, resettlement agencies supported by the U.S. State Department and the Office of Refugee Resettlement within the Department of Health and Human Services help them settle into their new homes, providing basic assistance such as registering children in school, arranging appointments, and connecting refugees with social or language services.²⁴
- **Financial support:** U.S. contributions to the U.N. refugee agency, or UNHCR, are an important source of support for the forcibly displaced. The United States has traditionally been the largest funder of the UNHCR, and the most recent annual contribution totaled \$1.93 billion.²⁵ Financial assistance helps support the UNHCR's work by providing protection, shelter, water, health, education, and other essential services to refugees, internally displaced people, and asylum-seekers around the world.
- **Global leadership:** U.S. support for refugees on the international stage also helps galvanize action to protect refugees. In 2016, President Barack Obama hosted a Leaders' Summit on Refugees that brought states together to make financial and resettlement slot commitments and create policies that would support refugees during a time of unprecedented need.²⁶

While the 1967 Protocol removed the Refugee Convention's temporal and geographic descriptions tied to Europe after the war, there has been no comprehensive modern update to reflect changing circumstances for those forcibly displaced today. While some experts argue that states are bound to "international protection" of the forcibly displaced, governments do not always adhere to this expanded obligation. Alexander Aleinikoff and Leah Zamore of New York University's Center on International Cooperation argue that protection is "best understood as the collective responsibility and actions of the international community and international organizations to guarantee rights and opportunities to persons forced from their homes and to ensure that they are not returned to danger."²⁷ There have also been regional efforts to expand the protection of refugees. For example, the Organisation of African Unity (OAU) Refugee Convention, which entered into force in 1974, focused on addressing refugee problems in Africa.²⁸ Then, in 1984, the Cartagena Declaration on Refugees was adopted by 10 Latin American countries, extending the definition of refugee to include those affected by "indirect effects" such as "poverty, economic decline, inflation, violence, disease, food insecurity and malnourishment and displacement"; these effects are not covered by the 1951 or 1967 treaties.²⁹ And the European Union's Qualification Directive, adopted in EU countries in 2011, set standards for those eligible for protection under European law.³⁰ Other experts, such as Roberta Cohen of the Brookings Institution, have advocated for efforts that would expand the rights owed to people who are internally displaced.³¹

But these efforts to broaden the scope of protection have not been met by governments today. Moreover, states are failing to uphold their basic obligations under even the limited definition of refugees in international law. Some of the international community came together in 2018 to create the global compacts on refugees and migrants,³² but these well-intentioned efforts fell short of delivering real change for the forcibly displaced. Moreover, backsliding political will from many governments, especially the United States, means that the compacts remain non-binding and underresourced.³³ Although the compacts renewed commitments to protecting refugees and migrants and created a helpful framework through which to address the rights of migrants, their fulfillment ultimately depends on governments being willing to do the work of protecting people who are forcibly displaced.

Yet renewed political will to tackle forced migration is clearly not materializing. In the United States, the Trump administration has instituted an avalanche of policies to summarily reject asylum-seekers at the U.S. southern border and gutted the refugee admissions program that previously allowed tens of thousands of

refugees—and often more—to resettle in America each year.³⁴ In Europe, refugees who survive the journey across dangerous seas and reach the shores of Greece or Italy are detained in unsafe, overcrowded camps or summarily expelled and cast out to sea.³⁵ The coronavirus pandemic has only made things worse for the forcibly displaced, as closed borders limit movement and strained economies cut aid budgets. Around the world, anti-immigration politicians and advisers, including those within the Trump administration, have used COVID-19 as an excuse to shut down essentially all forms of refuge, despite the growing global need.³⁶

Whether or not states are obligated by a treaty to address the forced displacement problem, it behooves them to do so. Ignoring human rights violations in the short term creates long-term challenges when people are forced to leave their homes and turn to other countries for protection. The Universal Declaration of Human Rights—and the international system of human rights built on it—has two central premises: 1) Every person is entitled to human rights, and 2) every country has an interest in ensuring the protection of those rights. States must strive to promote respect for rights and to “secure their universal and effective recognition and observance” by all other states.³⁷ It is this goal that should underpin a renewal of state obligations in a global protection system, building on existing mechanisms such as the global compacts and instituting new state-level and regional commitments better suited to the scope of today’s challenge.

The case for protecting the rights of the forcibly displaced

Record-high displacement levels around the world are unlikely to fall without a concerted global effort to address the root causes of flight. Understanding the drivers of today's displacement levels will be critical to convincing policymakers to invest in a working solution to address forced displacement. For several reasons, the incoming Biden-Harris administration should commit to tackling this challenge early in its term. Most importantly, there are profound human costs—in both suffering and loss of human potential. Failure to protect those who have been forced to flee also sets off a cycle of instability that can be hard to unwind. And to protect those at risk, it is necessary for the United States to uphold its international commitments. For all these reasons, it is in the national interest of the United States to support a working solution to the forced displacement crisis.

The crisis has many costs

There are clear costs to not addressing the global displacement challenge. Failing to address protracted displacement situations can fuel tensions between host populations and displaced groups, leading to economic disruption or even conflict. Global stability and fragility are inevitably affected when refugees or the internally displaced are stranded, and Americans have an interest in investing in protection rather than letting these challenges fester. For example, Syrians who fled the civil war in their home country ended up seeking protection and refuge in neighboring countries and further afield in Europe. For neighboring states such as Turkey, Jordan, and Lebanon, supporting newly arrived refugees strained limited resources and increased tensions.³⁸ In Europe, populists with authoritarian impulses weaponized the supposed refugee threat in order to entrench power or mobilize supporters, leading to the political upheaval and receding democracies that have roiled the past few years.³⁹

The costs will only increase as factors such as climate change continue to drive new waves of displacement and increase burdens on overcrowded host locations. The most significant cost, of course, is the human one. Half of all refugees are children, and the vast majority face significant barriers to quality education, which could limit their access to opportunities for the rest of their lives.⁴⁰ Countless lives have been lost among the forcibly displaced as they have tried to reach safety, whether in the Mediterranean Sea and the Sahara desert, the Andaman Sea and the Naf River between Myanmar and Bangladesh, the desert between the United States and the Mexico border, or across conflict lines around the world.⁴¹

A working solution is in the U.S. national interest

Investing in a workable, sustainable solution to the global human rights crisis is strongly in the United States' national interest, as it would achieve the following ends:

- **Promote regional and global stability.** As outlined above, unresolved long-term displacement can drive instability and foster conflict in regions. The United States must seek to foster regional and global stability in order to protect U.S. economic and security interests. Addressing the root causes of displacement and addressing the needs of forcibly displaced people could support long-term stability and prosperity around the world, thus benefiting the United States.
- **Strengthen alliances and partners.** The United States relies on allies and partners to promote stability and secure U.S. interests. When partners bear the burden of serving as host countries for the forcibly displaced, the United States has a vested interest in helping them address the needs of new arrivals. A working global protection system that encourages burden sharing could help strengthen U.S. relationships around the world.
- **Fulfill domestic and international legal obligations.** The United States has signed and ratified the 1967 Protocol to the Refugee Convention and has established domestic law that incorporates the convention's refugee definition and protects the rights of asylum-seekers.⁴² Building a system that fulfills these obligations is legally—and morally—the right thing to do.

This is a compounding challenge, and the impact of failing to address it would reach far into the future. Global displacement levels show no signs of waning soon. Investing in a workable, sustainable plan is in the national interest and is the best way to help prevent suffering for families who are displaced in the future.

Implementing a human rights-centered plan for the forcibly displaced

Too often, policy solutions to the global human rights crisis are viewed only from the perspective of the receiving state at the far end of the migration problem—when a displaced person shows up at a foreign border. But the roots of the crisis for those most affected start much earlier, when someone is first forced to leave their home and endure the dangers of flight, as well as risk being denied their rights along the way and when they reach their destination. By the time a person forcibly displaced from their home is knocking at a foreign door for protection, the international system has already failed many times over. As discussed above, protecting human rights, and preventing their denial by governments, must be at the core of any plan to address forced displacement. A truly workable system needs to address the causes of forced migration to drive decision-making in foreign policy.

A robust, flexible, proactive plan that works for everyone and protects rights should be guided by the following principles: 1) starting at the center to address root causes of displacement, 2) getting ahead of the flow to anticipate and prepare for displacement, 3) leading by example to spur global responsibility sharing, and 4) leaning into global cooperation to strengthen the international system.

Start at the center

A comprehensive global protection regime must start with addressing the root causes of forced displacement. In most cases, failing to protect human rights lies at the source of what causes people to flee their homes: violent conflict that threatens lives and livelihoods, persecution and denial of human rights, climate change that can lead to famine or create unsustainable or insufficient sources of income, and economic inequality that is more likely to affect the most impoverished people. To address the root causes at the center of forced displacement, the United States should:

- **Invest, at scale, in peace and democracy to address the underlying causes of migration.** As CAP has previously written, the United States should make significant financial and diplomatic investments in peace building and democracy in fragile regions in order to try to address the drivers of migration.⁴³ Specifically, investments in democratic institutions such as an effective and fair judiciary and safe and accountable law enforcement agencies, human rights protection, and guarantors of the rule of law would help to address the underlying conditions that fuel migration, while existing violence reduction programs, if brought to scale, could help reduce factors that cause families to be internally displaced or to flee. Targeting U.S. investments in the Western Hemisphere, in particular, could help yield progress on tackling migration near home. (see below)
- **Use U.S. foreign assistance to invest in other states' capacities to protect rights.** In order to effectively protect and guarantee the rights of those forcibly displaced, all countries must have the capacity to offer protection to refugees and migrants. Developed countries, including the United States, should direct foreign assistance funds to building up humane and workable refugee and asylum systems that can process claims and offer protection to migrants in transit. Foreign assistance should also be directed to protect and support internally displaced people—for example, through the provision of humanitarian assistance, food aid, or financial transfers to support essential services for these populations while they remain displaced.
- **Incorporate forced migration into foreign policy decision-making.** Failing to expect forced displacement is a failure of policy decision-making. Experts have long identified the push-and-pull factors that can lead to displacement.⁴⁴ Foreign policy and national security policy decisions should anticipate these factors and incorporate them into planning and decision-making procedures, including when planning military operations near heavily populated civilian centers or when anticipating annual weather-related events such as hurricane and monsoon seasons. This could help officials prepare and place humanitarian aid in advance, secure pathways to safety, and surge capacity to address the needs of refugees and migrants and to process their claims.
- **Focus on long-term assistance.** In the portfolios of developed countries, a large portion of foreign assistance budgets goes toward humanitarian aid; nearly 13 percent of the U.S. foreign aid budget, for example, is allocated for this purpose.⁴⁵ In many cases, these funds provide a critical and necessary form of relief by helping alleviate the short-term impacts of forced displacement on families. But humanitarian aid addresses only the symptoms of forced displacement—

the immediate needs of those displaced—and not the root causes that led to displacement. A working global protection regime would require smart, long-term investments that address root causes and guarantee human rights in order to prevent humanitarian disasters and displacement. Such efforts could take the form of conflict prevention programs, agricultural and famine prevention tools, and investments in diplomacy and development.

Get ahead of the flow

Another critical component of managing forced migration involves predicting when and where displacement is likely to occur. Researchers and experts have long studied what drives mass displacement events—for example, famine, the outbreak of violent conflict, and natural disasters. Experts who focus on preventing and preparing for mass atrocities have identified key risk factors and warning signs in a country, such as a record of rights violations, rampant discrimination, and persecution of minority groups.⁴⁶ Rather than using a migration prevention lens, policymakers should use an atrocity prevention lens to analyze, anticipate, and take steps to prevent the actions that lead to people being forced to flee. For example, the atrocity prevention community saw clear signals that warned of the potential for mass violence or genocide perpetrated against the Rohingya in 2015.⁴⁷ The international community could have taken more steps to deescalate the violence in Myanmar and prevent mass atrocities while simultaneously preparing humanitarian resources and capacity to address forced displacement. Tragically, in the case of the Rohingya, atrocities in August 2017 forced hundreds of thousands to flee.⁴⁸ Because of strained resources and the failure of the international community to provide adequate assistance, those who were forcibly displaced faced dismal conditions and human rights abuses in their new homes in Bangladesh.⁴⁹

Policymakers must institutionalize these indicators into policy and decision-making channels that could help states prepare for displacement. Better awareness could help build up and allocate resources in a way that allows states to get ahead of displaced populations to provide adequate aid, prevent further rights violations, and surge capacity to process refugee and asylum applications. To get ahead of the flow, U.S. policymakers should:

By the time a person forcibly displaced from their home is knocking at a foreign door for protection, the international system has already failed many times over.

- **Invest in early warning mechanisms for displacement-causing events.** The United States should make significant investments in policies and mechanisms that could help it—and neighboring states—better anticipate forcibly displaced people who will be removed from their homes and potentially arrive at foreign borders. These efforts should include hiring experts with the requisite research backgrounds in displacement and migration to help inform these policies; creating channels for civil society groups—which are often closer to populations who may be forcibly displaced—to provide information and help guide policy; and creating flexible resource accounts to help surge financial and material support to displaced populations. Lessons learned from the atrocity prevention and peace-building fields should be incorporated into these mechanisms, with a focus on creating better conditions in states where human rights are likely to be violated. U.S. policymakers should prioritize information sharing with neighboring states who may be affected by displacement events but lack the United States’ resources in order to help prepare all relevant parties.
- **Build forced displacement considerations into long-term policy planning.** Many of the drivers of slow-onset migration, such as the effects of climate change on rural livelihoods, are well known but may not effectively be factored into policy planning processes. States should incorporate these considerations into long- and short-term planning to ensure that they are effectively prioritized prior to displacement events and that resources match expected need.

Lead by example

While the United States has been a historic leader in refugee resettlement and protection efforts, the current administration has significantly damaged the country’s reputation on these issues by gutting resettlement at home and effectively shutting the southern border to asylum-seekers altogether. Under a Biden-Harris administration, the United States should prioritize its resources to protect the human rights of its southern neighbors by investing in democratic institutions, rule of law, and economic opportunity, while, at the same time, demonstrating that offering protection—temporary, when appropriate, permanent when necessary—to those forced to flee is something it can do quickly, efficiently, and humanely. Demonstrating competence in its own neighborhood would help to build domestic political support for protecting vulnerable populations while enhancing U.S. capacity to lead internationally.

- **Raise the refugee resettlement ceiling and commit to significant resettlement from the Western Hemisphere.** To demonstrate real commitment and leadership, the United States should commit to restoring and rebuilding the U.S. refugee resettlement regime.⁵⁰ To do so, the Biden-Harris administration should significantly raise its overall refugee admissions ceiling and infuse resources to domestic resettlement agencies. The United States should also work with the U.N. refugee agency to create a new, additional set of resettlement slots for refugees from the Western Hemisphere in order to demonstrate serious commitment to tackling forced migration in the region. This effort has been championed by recent legislation in Congress, including the Refugee Protection Act of 2019, which called for admitting an additional 100,000 nationals—beyond the regular ceiling for admissions—from El Salvador, Guatemala, or Honduras as part of an effort to expand refugee admissions from within the Western Hemisphere.⁵¹ This would significantly expand the United States’ refugee resettlement levels, represent a huge demonstration of political will to address the displacement challenge, and provide a safe and orderly path to protection for people who otherwise might pursue more dangerous options in order to request asylum at the U.S. border.
- **Invest in a timely, fair, rights-based asylum process.** The Biden-Harris administration should also work to reduce the United States’ backlog of asylum applications and help facilitate their quick and fair adjudication. The offices and procedures for managing asylum claims have been chronically underfunded.⁵² The United States should invest in restoring full asylum protections at the border and surge resources to manage the growing backlog that has long been a challenge in the U.S. system. The next administration should aim to ensure that applicants eligible for protection can receive it within six months, with ample access to resources and counsel to ensure due process.⁵³ A more robust asylum officer corps with improved training would help better identify those who express credible fear and direct them to be routed through the asylum division.⁵⁴ This would have the added benefit of helping alleviate the backlog in the Executive Office for Immigration Review (EOIR). The next administration should also clarify conditions that qualify someone for asylum, including that those with a well-founded fear of domestic or gang-related violence that the government cannot or will not control should be granted asylum.⁵⁵

- **Shift resources away from detention and toward welcoming and processing procedures, integration into society, and technology tracking, where necessary.**

Detention of asylum-seekers is permissible under international law only for a very limited purpose. While the Obama administration began using family detention in 2014 during a surge of new arrivals, the Trump administration's intense focus on deterring and detaining new arrivals took on a new level of cruelty with inhumane policies such as family separation and the denial of access to adequate health care.⁵⁶ The deter-through-cruelty programs violate international law and do nothing to deter people fleeing horrible situations in their home countries.⁵⁷

- ♦ **Use detention only as a last resort.** Detention should be viewed as an absolute last resort for forcibly displaced people and should only be used for those who are deemed to pose a risk to the community that cannot otherwise be mitigated.
- ♦ **Invest in alternatives to detention.** Many alternatives to detention, such as technology tracking and community-based supervision programs, have proved to work better and be more cost-effective to monitor new arrivals.⁵⁸ New arrivals should also be guaranteed adequate legal representation.
- ♦ **Support newly arrived refugees and asylum-seekers.** The United States should devote increased resources to helping refugees access support that could help them thrive in their new lives.
- **Revitalize humanitarian programs that guarantee the rights of all people seeking protection.** Temporary Protected Status (TPS) and Deferred Enforced Departure (DED) are important protection mechanisms that have been effective in ensuring the safety of those already in the United States who cannot return home. Yet hundreds of thousands of people living in the United States now face removal from the country because the Trump administration terminated TPS and DED for various nationalities.⁵⁹
 - ♦ **Restore TPS status or grant DED for those who recently had it terminated by the Trump administration.** The Biden-Harris administration should restore these protections—or issue new DED designations to protect individuals whose TPS protections are on track to be terminated—and ensure that other vulnerable populations, such as Venezuelans, receive designation.⁶⁰ The Trump administration has refused to extend TPS to Venezuelans, despite Venezuela having the largest displacement crisis in the Western Hemisphere in recent history.⁶¹

- ♦ **Reform TPS to reflect today's crisis.** TPS was established as a temporary program to provide protection to people fleeing a crisis. But the reality of displacement today is that many short-term crises become prolonged, and people may not be able to return to their home. Thus, many TPS holders have lived in the United States for decades, even after the crisis has ended, and are long-standing members in their American communities. TPS should be reformed to allow temporary status to those fleeing a crisis and by allowing recipients to transfer to a more permanent status if they are not able to return to their home countries safely after a reasonable period of time.⁶²
- **Expand safe pathways for family reunification.** People who are forced to flee their homes are often separated from family members. The next administration should expand programs that facilitate safe reunification for families, such as the Central American Minors (CAM) program.⁶³ CAM allowed young people to apply for refugee resettlement in the United States while remaining in their home country; minors who were denied refugee status were offered the opportunity to enter the United States under parole.⁶⁴ Programs such as CAM are important because they can help individuals avoid treacherous migration routes and use safe, legal pathways instead.
- **Invest in a modernized and rational immigration system that better serves the national interest.** The United States should coordinate with regional allies and the international community to implement a fair, humane, and workable approach to immigration while preserving the right to seek protection through asylum, as well as orderly processes to seek economic opportunity and family reunification opportunities.⁶⁵ Providing workable pathways for entry and tackling the root causes driving people to flee in the first place would in turn alleviate the pressures on the asylum system as a whole, as fewer people would need to access protection in this manner.
- **Consider complementary humanitarian protections for individuals who do not qualify under U.S. asylum law.** Current laws and policies on asylum-seekers do not adequately protect those forcibly displaced, those displaced by slow-moving crises such as climate change, or those fleeing because of generalized violence such as gang and criminal activity in Central America. U.S. policies must recognize and accept that some of the reasons people are displaced are unlikely to be solved within their lifetimes, let alone within years. Therefore, it is important that policymakers work to find a long-term and likely permanent solution for those who are affected. The United States should consider implementing complementary humanitarian

protection programs and mechanisms for these individuals, including by revamping the TPS program.⁶⁶ The United States should also work with other international leaders to try to expand these protections in other countries.

Lean into global cooperation

While individual states must uphold their own obligations to protect the forcibly displaced, no state can solve this global crisis on its own. International cooperation will be key to creating a working system for forcibly displaced populations around the world. And while some of the international architecture exists to help alleviate suffering, new mechanisms and much higher commitments will be required to adequately address this crisis. The United States should revive its role as a leader in the international community in the following ways:

- **Galvanize international cooperation for global responsibility sharing programs.** Building on the commitment to strengthen protection in its own hemisphere, the United States should heavily lean on other developed countries to support resettlement programs in their states. In particular, regional bodies such as the European Union must create working resettlement schemes that distribute the hosting duties of refugees across the European bloc, rather than housing refugees in terrible conditions in camps such as Moria in Greece, which was recently destroyed by fire, leaving thousands without shelter.⁶⁷ Countries such as Japan, with significant financial resources but paltry resettlement figures, must be encouraged to do more to address this global problem.⁶⁸ The Biden-Harris administration should use its own commitments to try to leverage new commitments out of its allies and partners.
- **Join and sign global compacts.** The Trump administration walked away from the Global Compact on Refugees and the Global Compact on Migration.⁶⁹ While the compacts were not perfect, they were a signal of international efforts to reach common ground on these important issues. The next U.S. administration should signal its commitment to tackling forced displacement through a multilateral approach by joining the compacts early in its first 100 days in office as a first step toward a new rethinking of global protection for the forcibly displaced. The United States should also make clear commitments to help realize the goals of the compacts—and encourage other states to do the same. This can include fulfilling new funding mechanisms, calling for accountability and review measures, and prioritizing the needs of women and girls.⁷⁰

- **Modernize international frameworks and agreements to prioritize global and regional responsibility sharing.** After signaling its intent to work with existing agreements and its own commitment to tackling displacement in the Western Hemisphere, the Biden-Harris administration should work with partners to modernize the international framework that oversees the forcibly displaced. In particular, the United States should consider how best to help those forcibly displaced who fall through the cracks in today's refugee system—including families who are unable to resettle in a third country or who live in countries that do not recognize them as refugees.⁷¹ These families are entitled to basic human rights such as access to education, health, and safe livelihoods. Regional responsibility sharing mechanisms could work to alleviate pressure on developing countries hosting huge displaced populations and encourage cooperation on long-term solutions.
- **Fill funding gaps for global agencies on the front lines of the crisis.** The U.N. refugee agency, the International Organization for Migration, the U.N. Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and humanitarian agencies that serve displaced populations face perennial shortfalls in their budgets. The United States should commit to significantly increasing its own contributions to these agencies while incentivizing other countries to increase theirs. The 2016 Leaders' Summit on Refugees hosted by the Obama administration, which required countries to pledge funds, resettlement slots, or policy pledges in order to participate, could be a model to follow.⁷²
- **Create opportunities for public-private partnerships.** This crisis requires innovative thinking and an all-hands-on-deck approach. The private sector can be leveraged to create new commitments to support resettled refugees and invest in economic opportunities for displaced populations. For example, in 2016, the Chobani yogurt company committed to hiring newly resettled refugees and provided transportation and translators for the new workers.⁷³ Governments should encourage and facilitate private sector commitments and leverage the business community to create innovative opportunities to support displaced populations.

Conclusion

Galvanizing a new global approach to protection of forcibly displaced people will be challenging, especially for a United States that faces competing priorities and a damaged reputation on the international stage. But the long-term costs of failure are astronomical: More intractable displacement would lead to festering conflicts, rising tensions around access to limited resources as climate change worsens, and human rights denied to generations of people. The United States should take a leading role in building a flexible, inclusive, and sustainable system and work hard to deliver on the promise of protection for all.

About the authors

Elisa Massimino is a senior fellow at the Center for American Progress and the Robert F. Drinan, S.J., chair in human rights at Georgetown University Law Center. Previously, Massimino spent 27 years—the last decade as president and CEO—at Human Rights First, one of the nation’s leading human rights advocacy organizations.

Alexandra Schmitt is a policy analyst on the National Security and International Policy team at the Center. She previously worked on U.S. foreign policy advocacy at Human Rights Watch and received her Master in Public Policy from the Harvard Kennedy School.

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Endnotes

- 1 U.N. High Commissioner for Refugees, "Figures at a Glance," available at <https://www.unhcr.org/en-us/figures-at-a-glance.html> (last accessed October 2020).
- 2 Warsan Shire, "Home," Facing History and Ourselves, available at <https://www.facinghistory.org/standing-up-hatred-intolerance/warsan-shire-home> (last accessed October 2020).
- 3 U.N. High Commissioner for Refugees, "Figures at a Glance."
- 4 IRIN News, "The refugee camp that became a city," United Nations, available at <https://www.un.org/africarenewal/news/refugee-camp-became-city> (last accessed October 2020); Osman Mohamed Osman, "Kenyan Somali refugees claim they are denied citizenship," Al-Jazeera, May 19, 2019, available at <https://www.aljazeera.com/indepth/features/kenyan-somali-refugees-claim-denied-citizenship-rights-190516114837043.html>.
- 5 U.N. High Commissioner for Refugees, "Global Trends: Forced Displacement in 2018," available at <https://www.unhcr.org/5d08d7ee7.pdf> (last accessed October 2020).
- 6 United Nations, "Universal Declaration of Human Rights," available at <https://www.un.org/en/universal-declaration-human-rights/> (last accessed October 2020).
- 7 World Bank Group, "Forcibly Displaced: Toward a Development Approach Supporting Refugees, the Internally Displaced, and Their Hosts" (Washington: 2017), available at <https://www.unhcr.org/5975a93e7.pdf>.
- 8 U.N. High Commissioner for Refugees, "Refugee definition," available at <https://emergency.unhcr.org/entry/55772/refugee-definition> (last accessed October 2020).
- 9 Frances Nicholson and Judith Kumin, "A guide to international refugee protection and building state asylum systems" (Geneva: U.N. High Commissioner for Refugees, 2017), p. 34, available at <https://www.unhcr.org/3d4aba564.pdf>.
- 10 All definitions are based on those found in the following source: U.N. High Commissioner for Refugees, "Who is a Refugee?," available at <https://www.unrefugees.org/refugee-facts/what-is-a-refugee/> (last accessed November 2020).
- 11 Tom Jawetz, "Restoring the Rule of Law Through a Fair, Humane, and Workable Immigration System" (Washington: Center for American Progress, 2019), available at <http://americanprogress.org/issues/immigration/reports/2019/07/22/472378/restoring-rule-law-fair-humane-workable-immigration-system/>; Dan Restrepo, Trevor Sutton, and Joel Martinez, "Getting Migration in the Americas Right: A National Interest-Driven Approach" (Washington: Center for American Progress, 2019), available at <https://www.americanprogress.org/issues/security/reports/2019/06/24/471322/getting-migration-americas-right/>.
- 12 U.N. High Commissioner for Refugees, "Global Trends: Forced Displacement in 2019," available at <https://www.unhcr.org/5ee200e37.pdf> (last accessed October 2020).
- 13 CSIS Task Force on the Global Forced Migration Crisis, "Confronting the Global Forced Migration Crisis" (Washington: Center for Strategic and International Studies, 2018), available at https://csis-website-prod.s3.amazonaws.com/s3fs-public/publication/180529_Ridge_ForcedMigrationCrisi.pdf?xG6z59dOHsV2fr2oCxYTT6oar049lfa.
- 14 World Bank, "Refugee population by country or territory of origin," available at <https://data.worldbank.org/indicator/SM.POPREFG.OR> (last accessed October 2020).
- 15 United Nations, "A New Era of Conflict and Violence," available at <https://www.un.org/en/un75/new-era-conflict-and-violence> (last accessed October 2020).
- 16 U.N. News, "'Full scale' humanitarian crisis unfolding in Ethiopia's Tigray: UNHCR," November 17, 2020, available at <https://news.un.org/en/story/2020/11/1077832>.
- 17 Ibid.
- 18 U.N. High Commissioner for Refugees, "Global Trends: Forced Displacement in 2019."
- 19 U.N. High Commissioner for Refugees, "The 1951 Refugee Convention," available at <https://www.unhcr.org/en-us/1951-refugee-convention.html> (last accessed October 2020).
- 20 Bernard Wasserstein, "European Refugee Movements After World War Two," BBC, February 17, 2011, available at http://www.bbc.co.uk/history/worldwars/wwtwo/refugees_01.shtml.
- 21 U.S. Department of State, "The United States and the Founding of the United Nations, August 1941 - October 1945," available at <https://2001-2009.state.gov/r/pa/ho/pubs/fs/55407.htm> (last accessed October 2020).
- 22 Agnes Hurwitz, "UNHCR mourns death of an architect of the 1951 Refugee Convention," U.N. High Commissioner for Refugees, October 19, 2010, available at <https://www.unhcr.org/en-us/news/latest/2010/10/4cbda7506/unhcr-mourns-death-architect-1951-refugee-convention.html>.
- 23 National Immigration Forum, "Fact Sheet: U.S. Refugee Resettlement," November 5, 2020, available at <https://immigrationforum.org/article/fact-sheet-u-s-refugee-resettlement/>.
- 24 Silva Mathema, "What Works: Innovative Approaches to Improving Refugee Integration" (Washington: Center for American Progress, 2018), available at <https://www.americanprogress.org/issues/immigration/reports/2018/02/28/447283/what-works/>.
- 25 U.N. High Commissioner for Refugees, "Donor profiles: United States of America," available at https://reporting.unhcr.org/donor-profiles#_ga=2.21890878.488278767.1604690695-999084397.1598450802 (last accessed October 2020).
- 26 Executive Office of the President, "Fact Sheet on the Leaders' Summit on Refugees," Press release, September 20, 2016, available at <https://obamawhitehouse.archives.gov/the-press-office/2016/09/20/fact-sheet-leaders-summit-refugees>.
- 27 T. Alexander Aleinikoff and Leah Zamore, *The Arc of Protection: Toward a New International Refugee Regime* (Public Seminar Books, 2018), p. 29, available at <http://www.publicseminar.org/wp-content/uploads/2018/06/Click-here-to-download-the-Arc-of-Protection.pdf>.
- 28 United Nations, "OAU Convention Governing the Specific Aspects of Refugee Problems in Africa," available at <https://www.unhcr.org/en-us/about-us/background/45dc1a682/oau-convention-governing-specific-aspects-refugee-problems-africa-adopted.html> (last accessed October 2020).

- 29 U.N. High Commissioner for Refugees, "Summary Conclusions on the interpretation of the extended refugee definition in the 1984 Cartagena Declaration" (Geneva: 2013), available at <https://www.unhcr.org/protection/expert/53bd4d0c9/summary-conclusions-interpretation-extended-refugee-definition-1984-cartagena.html>.
- 30 European Union, "Directive 2011/95/EU of the European Parliament and of the Council" (Brussels: 2011), available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32011L0095>.
- 31 Roberta Cohen, "New Challenges for Refugee Policy: Internally Displaced Persons," Brookings Institution, April 1, 1999, available at <https://www.brookings.edu/on-the-record/new-challenges-for-refugee-policy-internally-displaced-persons/>.
- 32 Migration Data Portal, "GCM Development Process," June 9, 2020, available at <https://migrationdataportal.org/themes/gcm-development-process>.
- 33 Alice Thomas and Mark Yarnell, "Ensuring that the Global Compacts on Refugees and Migration Deliver" (Washington: Refugees International, 2018), available at <https://www.refugeesinternational.org/reports/2018/11/19/ensuring-that-the-global-compacts-on-refugees-and-migration-deliver>.
- 34 Nicole Narea, "Trump is quietly gutting the asylum system amid the pandemic," Vox, June 12, 2020, available at <https://www.vox.com/2020/6/12/21288063/trump-immigration-asylum-border-regulation>.
- 35 Emma Reynolds, "Europe's migrant crisis is worsening during the pandemic. The reaction has been brutal," CNN, September 1, 2020, available at <https://www.cnn.com/2020/08/28/europe/europe-migrants-coronavirus-intl/index.html>; Patrick Kingsley and Karam Shoumali, "Taking Hard Line, Greece Turns Back Migrants by Abandoning Them at Sea," August 14, 2020, *The New York Times*, available at <https://www.nytimes.com/2020/08/14/world/europe/greece-migrants-abandoning-sea.html>.
- 36 International Rescue Committee, "How the Trump Administration is using COVID-19 to end asylum," July 29, 2020, available at <https://www.rescue.org/article/how-trump-administration-using-covid-19-end-asylum>; For United States, see Jason Dearen and Garance Burke, "Pence ordered borders closed after CDC experts refused," Associated Press, October 3, 2020, available at <https://apnews.com/article/virus-outbreak-pandemics-public-health-new-york-health-4ef0c6c5263815a26f8aa17f6ea490ae>.
- 37 United Nations, "Universal Declaration of Human Rights."
- 38 Dina Eldawy, "A Fragile Situation: Will the Syrian Refugee Swell Push Lebanon Over the Edge?," Migration Policy Institute, February 21, 2019, available at <http://migrationpolicy.org/article/syrian-refugee-swell-push-lebanon-over-edge>.
- 39 Bernd Riegert, "World Refugee Day: Migration problems help populists prosper in Europe," Deutsche Welle, June 19, 2018, available at <http://dw.com/en/world-refugee-day-migration-problems-help-populists-prosper-in-europe/a-44263784>.
- 40 U.N. News, "More than half of world's refugee children 'do not get an education', warns UNHCR," August 30, 2019, available at <https://news.un.org/en/story/2019/08/1045281>.
- 41 International Organization for Migration, "Mediterranean Migrant Arrivals Reach 36,221 in 2020; Deaths Reach 444," ReliefWeb, August 14, 2020, available at <https://reliefweb.int/report/greece/mediterranean-migrant-arrivals-reach-36221-2020-deaths-reach-444>; Shahirah Majumdar, "Horrible Stories of Rohingya Refugees Fleeing Death in Myanmar," *Vice*, September 15, 2017, available at https://www.vice.com/en_us/article/bjvznd/horrifying-stories-of-rohingya-refugees-fleeing-death-in-myanmar; James Verini, "How U.S. Policy Turned the Sonoran Desert Into a Graveyard for Migrants," *The New York Times*, August 18, 2020, available at <https://www.nytimes.com/2020/08/18/magazine/border-crossing.html>.
- 42 U.N. High Commissioner for Refugees, "States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol," available at <https://www.unhcr.org/en-us/protection/basic/3b73b0d63/states-parties-1951-convention-its-1967-protocol.html> (last accessed October 2020).
- 43 Restrepo, Sutton, and Martinez, "Getting Migration in the Americas Right."
- 44 For example, see Columbia University, "Forced Migration Learning Module," available at <http://www.columbia.edu/itc/hs/pubhealth/modules/forcedMigration/definitions.html> (last accessed October 2020); BBC, "Causes and impacts relating to forced and voluntary migration," available at <https://www.bbc.co.uk/bitesize/guides/z8g334j/revision/3> (last accessed October 2020); Duygu Ozaltin, Farah Shakir, and Neophytos Loizides, "Why Do People Flee? Revisiting Forced Migration in Post-Saddam Baghdad," *Journal of International Migration and Integration* 21 (2020): 587–610, available <https://link.springer.com/article/10.1007/s12134-019-00674-z>.
- 45 CSIS Task Force on the Global Forced Migration Crisis, "Confronting the Global Forced Migration Crisis."
- 46 United Nations, "Framework of Analysis for Atrocity Crimes" (New York: 2014), available at https://www.un.org/en/genocideprevention/documents/about-us/Doc.3_Framework%20of%20Analysis%20for%20Atrocity%20Crimes_EN.pdf.
- 47 U.S. Holocaust Memorial Museum, "They Want Us All To Go Away: Early Warning Signs of Genocide in Burma" (Washington: 2015), available at <https://www.ushmm.org/m/pdfs/20150505-Burma-Report.pdf>.
- 48 U.N. High Commissioner for Refugees, "Rohingya emergency," available at <https://www.unhcr.org/en-us/rohingya-emergency.html> (last accessed October 2020).
- 49 Bill Frelick, "'Bangladesh Is Not My Country': The Plight of Rohingya Refugees from Myanmar," Human Rights Watch, August 5, 2018, available at <https://www.hrw.org/report/2018/08/05/bangladesh-not-my-country/plight-rohingya-refugees-myanmar>.
- 50 Silva Mathema and Sofia Carratala, "Rebuilding the U.S. Refugee Program for the 21st Century: A New Vision To Create a More Resilient Refugee Program" (Washington: Center for American Progress, 2020), available at <https://www.americanprogress.org/issues/immigration/reports/2020/10/26/492342/rebuilding-u-s-refugee-program-21st-century/>.
- 51 Refugee Protection Act of 2019, H.R. 5210, 116th Cong., 1st sess. (November 21, 2019), available at <https://www.congress.gov/bills/116/congress-house-bill/5210/text?q=%7B%22search%22%3A%5B%22Refugee+Protection+Act+of+2019%22%5D%7D&r=1&s=1>.
- 52 Human Rights First, "In the Balance: Backlogs Delay Protection in the U.S. Asylum and Immigration Court Systems" (New York: 2016), available at <https://www.humanrightsfirst.org/sites/default/files/HRF-In-The-Balance.pdf>.

- 53 There should not be any hard caps or timelines for applicants who may need more time to get the right documents or build a case to seek asylum.
- 54 Doris Meissner, Faye Hipsman, and T. Alexander Aleinikoff, "The U.S. Asylum System in Crisis: Charter a Way Forward" (Washington: Migration Policy Institution, 2018), available at <https://www.migrationpolicy.org/research/us-asylum-system-crisis-charting-way-forward>.
- 55 Specifically, the next administration should overturn the Matter of A-B-.
- 56 Dara Lind, "What Obama did with migrant families vs. what Trump is doing," Vox, June 21, 2018, available at <https://www.vox.com/2018/6/21/17488458/obama-immigration-policy-family-separation-border>; Refugees International, "The Trump Zero Tolerance Policy: A Cruel Approach with Humane and Viable Alternatives" (Washington: 2018), available at <https://www.refugeesinternational.org/reports/2018/7/31/trump-zero-tolerance-policy>.
- 57 Fernando Chang-Muy and Adam Garnick, "Why Trump's Cruelty Doesn't Deter Migrants," *The New York Times*, July 29, 2019, available at <https://www.nytimes.com/2019/07/29/opinion/asylum-trump-guatemala-honduras.html>.
- 58 Jason Fernandes, "Alternatives to Detention and the For-Profit Immigration System," Center for American Progress, June 9, 2017, available at <https://www.americanprogress.org/issues/immigration/news/2017/06/09/433975/alternatives-detention-profit-immigration-system/>.
- 59 Nicole Prchal Svajlenka and Tom Jawetz, "A Demographic Profile of TPS Holders Providing Essential Services During the Coronavirus Crisis," Center for American Progress, April 14, 2020, available at <https://www.americanprogress.org/issues/immigration/news/2020/04/14/483167/demographic-profile-tps-holders-providing-essential-services-coronavirus-crisis/>.
- 60 The Trump administration revoked TPS for recipients from El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan; several lawsuits are ongoing. See Peniel Ibe and Kathryn Johnson, "Trump has ended Temporary Protected Status for hundreds of thousands of immigrants. Here's what you need to know," American Friends Service Committee, June 30, 2020, available at <https://www.afsc.org/blogs/news-and-commentary/trump-has-ended-temporary-protected-status-hundreds-thousands-immigrants>.
- 61 U.N. High Commissioner for Refugees, "Venezuela situation," available at <https://www.unhcr.org/en-us/venezuela-emergency.html> (last accessed October 2020).
- 62 Andrew I. Schoenholtz, "The Promise and Challenge of Humanitarian Protection in the United States: Making Temporary Protected Status Work as a Safe Haven," *Northwestern Journal of Law and Social Policy* 15 (1) (2019): 1–37, available at <https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=1193&context=njlsp>.
- 63 David Nakamura, "Trump administration ends Obama-era protection program for Central American minors," *The Washington Post*, August 16, 2017, available at https://www.washingtonpost.com/politics/trump-administration-ends-obama-era-protection-program-for-central-american-minors/2017/08/16/8101507e-82b6-11e7-ab27-1a21a8e006ab_story.html.
- 64 U.S. Citizenship and Immigration Services, "Central American Minors (CAM): Information for Parole Applicants," available at <https://www.uscis.gov/humanitarian/humanitarian-parole/central-american-minors-cam-information-for-parole-applicants> (last accessed October 2020).
- 65 See Jawetz, "Restoring the Rule of Law Through a Fair, Humane, and Workable Immigration System"; Restrepo, Sutton, and Martinez, "Getting Migration in the Americas Right."
- 66 Bill Frelick, *Journal on Migration and Human Security*, "What's Wrong With Temporary Protected Status and How to Fix It," Human Rights Watch, March 1, 2020, available at <https://www.hrw.org/news/2020/03/01/whats-wrong-temporary-protected-status-and-how-fix-it#>; Schoenholtz, "The Promise and Challenge of Humanitarian Protection in the United States."
- 67 Rachel Donadio, "Welcome to Europe. Now Go Home," *The Atlantic*, November 15, 2019, available at <https://www.theatlantic.com/international/archive/2019/11/greece-moria-refugee-camp-a-european-failure/601132>; BBC News, "Moria migrants: Fire destroys Greek camp leaving 13,000 without shelter," September 9, 2020, available at <https://www.bbc.com/news/world-europe-54082201>.
- 68 Jiji Kyodo, "Japan considers doubling number of refugees to 60 starting in 2020," *The Japan Times*, October 23, 2018, available at <https://www.japantimes.co.jp/news/2018/10/23/national/japan-mulls-accepting-asian-refugees-starting-2020/>.
- 69 Patrick Wintour, "Donald Trump pulls US out of UN global compact on migration," *The Guardian*, December 3, 2017, available at <https://www.theguardian.com/world/2017/dec/03/donald-trump-pulls-us-out-of-un-global-compact-on-migration>.
- 70 Thomas and Yarnell, "Ensuring that the Global Compacts on Refugees and Migration Deliver."
- 71 Bill Frelick, Ian M. Kysel, and Jennifer Podkul, *Journal of Migration and Human Security*, "The Impact of Externalization of Migration Controls on the Rights of Asylum Seekers and Other Migrants," Human Rights Watch, December 6, 2016, available at <https://www.hrw.org/news/2016/12/06/impact-externalization-migration-controls-rights-asylum-seekers-and-other-migrants>.
- 72 Since, admittedly, sharing a stage with the United States would not carry the same weight as it would in 2016, the Biden-Harris administration should work to find ways to incentivize participation. See Executive Office of the President, "Fact Sheet on the Leaders' Summit on Refugees."
- 73 David Gelles, "For helping immigrants, Chobani's founder draws threats," *The New York Times*, October 31, 2016, available at <https://www.nytimes.com/2016/11/01/business/for-helping-immigrants-chobanis-founder-draws-threats.html>.

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