Restoring U.S. Global Leadership on Refugee Protection

A Joint Initiative between the National Conference on Citizenship and the Penn Biden Center for Diplomacy and Global Engagement

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### About the Paper

This paper situates the recommendations in the accompanying report, “A Roadmap for Rebuilding the U.S. Refugee Admissions Program,” within the broader context of U.S. foreign policy and proposes an agenda for how the U.S. can restore and advance its leadership on refugee protection globally. This paper was co-authored by Rosanna Kim and Ariana Berengaut, with additional support provided by Rachel Landry. This paper was made possible with support from the Open Society Foundations.
Introduction

The Trump Administration’s destructive retreat from the United States’ historic role in upholding and advocating for refugee protection presents a new administration with the urgent tasks of restoring U.S. commitment to its domestic obligations and reclaiming global leadership. Under the Trump Administration, the U.S. has abandoned its long-standing commitment to provide protection to refugees and asylum-seekers in favor of a restrictive and punitive approach to immigration that is aimed at keeping as many newcomers out of the U.S. as possible. The resulting decimation of the U.S. Refugee Admissions Program and the adoption of inhumane, unlawful asylum policies at the U.S.-Mexico border has led to unnecessary suffering of those fleeing persecution, badly eroding U.S. moral standing and political credibility on the world stage. Furthermore, the Trump Administration’s approach has fueled a detrimental global race to the bottom by giving cover to refugee-hosting and receiving countries to adopt their own ineffective and cruel policies of exclusion, expulsion, and/or deterrence. As a result, a new administration committed to restoring principled U.S. leadership on refugee protection will be confronted with the challenge of repairing the significant damage wrought by the Trump Administration at home and abroad.

However, to meaningfully reassert U.S. global leadership on refugee protection, a new administration cannot seek to simply reverse the Trump Administration’s harmful policies – rather, it should help lead an ambitious international response that meets the growing scale of the challenges stemming from on-going humanitarian crises resulting in forced displacement and new drivers of large-scale migration. Over the past decade, long-running armed conflicts, pervasive violence, and the erosion of international norms on civilian protection have led to complex, protracted humanitarian and refugee crises on nearly every continent. The international community faces an ever-worsening global crisis of forced displacement – by the end of 2019, 79.5 million people were forcibly displaced around the world (a figure nearly double what was seen in 2010) including 26 million refugees, 45.7 million internally displaced people, and 4.2 million asylum seekers.¹ Several low and middle-income countries, including Bangladesh, Colombia, Jordan, Kenya, Lebanon, and Turkey, host the vast majority of the world’s refugees but are straining under the pressure and need additional support, all while only three percent of the world’s refugees were able to return home in 2018 and less than one percent had access to resettlement.² The COVID-19 pandemic has compounded these challenges, with conflict-affected and refugee-hosting countries disproportionately affected by the pandemic and its cascading impacts, including the growing risk of outbreaks among displaced populations, increasing rates of extreme poverty and hunger, economic shocks, and growing xenophobic tensions among host populations.³ Furthermore, in the coming years, climate change, economic insecurity, and demographic pressures are expected to drive future migration flows of unprecedented size.
While responsibility for these policy challenges within the U.S. government falls in significant part to the State Department’s Bureau of Population, Refugees and Migration (PRM), PRM has long struggled to provide the high-level humanitarian leadership needed in the State Department – punching well below its weight relative to other bureaus in the State Department and other parts of the U.S. government. Additionally, the Trump Administration has further weakened PRM by undermining PRM’s authority and placing decision-making power on refugee policy in the hands of hardline domestic policy officials who have little regard for humanitarian and protection considerations. Despite facing these challenges, PRM is home to an extraordinarily talented, dedicated cadre of regional and technical experts who have ably advanced their core mission and deserve to be empowered and supported by bureau leadership that successfully engages in high-level policy formulation across the State Department and the interagency.

To meet the moment, a new administration will need to set out a bold policy vision underpinned by investments in strengthened bureaucratic architecture at PRM. At a time when the world faces record global humanitarian and protection needs, a new administration should strategically leverage its actions at home to advance a diplomatic strategy aimed at reinvigorating U.S. humanitarian leadership and, in turn, rally the international community towards a comprehensive approach to addressing protracted humanitarian crises centered on adherence to fundamental protection principles.

A new administration should use a broad range of tools – including new resettlement commitments, asylum policy resets, humanitarian and development assistance, and diplomatic leverage – to firmly embed humanitarian diplomacy as a core pillar of U.S. foreign policy engagement and to advance an intersecting set of humanitarian and foreign policy objectives, including:

- Growing and diversifying the coalition of resettlement countries;
- Re-affirming global commitment to the international refugee protection regime, particularly on major areas of backsliding, including ensuring access to asylum and upholding non-refoulement;
- Shoring up support to refugee-hosting countries while ensuring they continue to expand rights and extend meaningful opportunities to refugees – including increasing access to employment and social services – to support their integration and inclusion;
- Driving reforms to strengthen the international community’s response to increasingly protracted humanitarian and displacement crises;
- Unlocking additional protection pathways;
- And preparing the international community to safely and productively facilitate growing mixed migration flows in the future.

This paper identifies five areas for action that a new administration should prioritize to restore U.S. global leadership on refugee protection.
First 100 Days

1. **Reaffirm U.S. commitments to refugee protection immediately upon taking office**, including by committing to a robust refugee admissions target and restoring access to asylum at the U.S. southern border, as the first necessary step towards rebuilding U.S. credibility with critical international partners and allies around the world.

2. **Integrate and elevate refugee protection as part of early high-level foreign policy decisions** (including on staffing, public engagements, and international convenings) to send a strong signal that refugee protection is a core part of a new administration’s foreign policy agenda.

3. **Empower both PRM and USAID’s Bureau of Humanitarian Assistance to work collaboratively to shape the U.S. response to humanitarian crises driving displacement**, including through joint planning around 3-4 priority crises to build early trust and strengthen coordination – with the goal of proactively defusing and avoiding contentious debates over how humanitarian policy functions are divided between the State Department and USAID.

Within Year 1

4. **Invest in a series of major operational and policy reforms to strengthen PRM as the lead actor on humanitarian diplomacy within the U.S. government**, including establishing a strong leadership team, investing in adequate levels of staff, bolstering PRM’s policy expertise, and improving PRM’s monitoring & evaluation capacity.

Year 1 and Beyond

5. **In 2021, advance an ambitious diplomatic strategy to re-invigorate global ambition on resettlement and drive a broader refugee protection and inclusion agenda** by capitalizing on political moments and gatherings that present an opportunity for the U.S. to reassert its global leadership role in advocating for refugee protection, including the next meeting of the Global Refugee Forum and the 70th anniversary of the 1951 Refugee Convention.

**Following on from 2021, set out a long-term affirmative policy vision** that mobilizes a more robust international response to the challenges posed by the future of migration flows.
First 100 Days

1. Reaffirming U.S. Commitments to Refugee Protection

A new administration should take immediate action to re-establish U.S. commitments to refugee protection and rebuild a durable base of bipartisan political support to underpin these commitments.

- **Reverse the Trump Administration’s policies at the U.S.-Mexico border towards asylum-seekers and ensure broader resets on immigration policy reflect U.S. recommitment to refugee and humanitarian protection.** A new administration will inherit a growing humanitarian crisis at the U.S. southern border, largely fueled by the Trump Administration’s Migrant Protection Protocols (MPP, also known as the “Remain in Mexico” policy) that have forcibly returned thousands of asylum seekers to Mexico to wait for their asylum hearings while facing life-threatening threats. It should immediately rescind Trump Administration policies that have undermined U.S. obligations on accepting asylum-seekers at the border, including MPP and the Asylum Cooperative Agreements with Guatemala, El Salvador, and Honduras.

- **Re-establish protection pathways for refugees, asylum-seekers, and other vulnerable populations while adopting public health measures in line with best practice as part of the response to the COVID-19 pandemic.** To regain U.S. credibility on protection, a new administration will need to repeal the numerous Trump Administration policies that have prevented significant numbers of refugees, asylum-seekers, and other vulnerable groups from entering the U.S. This includes rescinding the discriminatory refugee and travel bans (also known as the “Muslim bans”), reversing multiple Department of Justice rulings that have placed constraints on the ability of asylum-seekers to file claims, and repealing the revocation of Temporary Protected Status (TPS) for over 300,000 foreign nationals from six countries. In parallel, a new administration should implement robust public health measures that align with public health guidance on COVID-19, including screening/quarantine procedures and improving access to health facilities at the U.S.-Mexico border.

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*a This includes but is not limited to: Attorney General William Barr’s 2019 decision that immigrants fearing persecution due to family ties are no longer eligible for asylum, former Attorney General Jeff Sessions’ 2018 decision that individuals facing domestic and gang violence are no longer eligible for asylum, and the 2019 Department of Justice and Department of Homeland Security interim final rule that prevents migrants from seeking asylum in the United States if they pass through another country and do not apply for protection in that country.

*b The Trump Administration reportedly ended TPS for over 300,000 foreign nationals living in the United States from El Salvador, Haiti, Nicaragua, Sudan, Honduras, and Nepal.*
• **Issue an Executive Order to revise the Presidential Determination on Refugee Admission (PD) for Fiscal Year 2021 to rebuild the U.S. Refugee Admissions Program (USRAP).** To set a clear marker on the future of USRAP, a new administration should revise the FY21 U.S. refugee admissions ceiling set by the Trump Administration in the FY21 PD and set a higher target that reflects plans to rebuild USRAP to welcome refugees at a level that is commensurate with global resettlement needs. The revised PD should also address actions by the Trump Administration to constrain USRAP operations, including by replacing the narrowly defined admissions categories imposed by the Trump Administration with the traditional system of region-based categories with flexibility for re-allocation.

• **Designate the appropriate senior-level official on the White House National Security Council (NSC) to lead on refugee protection.** Given the significant high-level political attention that was needed to drive previous shifts on refugee policy (e.g., the effort to surge Syrian refugee admissions in 2016), a new administration should empower a lead within the NSC to drive interagency coordination to advance policy shifts that will be required to not only process higher refugee admissions numbers, but to support the prioritization of refugee protection objectives as part of a new administration’s foreign policy agenda. This official should be empowered to work closely with policy leads in the White House to ensure international protection objectives are considered in relevant domestic policy deliberations, including on immigration.

• **Announce that the U.S. will commit to the Global Compact for Refugees (GCR) and the Global Compact for Safe, Orderly and Regular Migration (GCM).** The Trump Administration’s decisions to end U.S. participation in the GCM process in 2017 and to decline to support the GCR in 2018 has undermined U.S. credibility in advocating for protection for refugees and vulnerable migrants. The U.S. is one of 29 UN member states not participating in the GCM (even going as far to intensively lobby other member states to not join) and was one of only two countries (the other being Hungary) to vote against references to the New York Declaration for Refugees and Migrants (which included language committing to the GCR) in the 2018 UNHCR Security Council Resolution. A new administration should inform the UN Secretary General that the U.S. will be committed to the New York Declaration, including the GCR and GCM, to quickly signal U.S. re-engagement in multilateral discussions on forced displacement.

• **Develop a comprehensive congressional engagement strategy to rebuild bipartisan support for refugee admissions.** A new administration should strategize early outreach to Congress to rebuild the strong bipartisan consensus that previously existed on USRAP. With bipartisan backing, a new administration should secure support for budgets that maintain robust levels of humanitarian assistance as part of renewed U.S. humanitarian leadership and support investments in PRM staffing. A new administration should also work with Congress to pursue

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See further detail on the proposed content of the Executive Order in the final report that this paper is linked to, “A Roadmap for Rebuilding the U.S. Refugee Admissions Program.”
several legislative reforms to strengthen USRAP\(^d\) including institutional safeguards (such as a refugee admissions floor of no less than 95,000) that will help enshrine U.S. commitments to refugee protection in the eyes of our international partners. This will require a new administration to prioritize early and close coordination between career and/or political staff in PRM, the State Department’s Bureau of Legislative Affairs Bureau (H), and their counterparts in other departments/agencies involved in USRAP.

2. Elevating Refugee Protection as an Early Foreign Policy Priority

While a new administration will confront a number of pressing foreign policy challenges that will demand its immediate attention, it should invest in early “down-payments” to elevate refugee protection as a foreign policy priority and lay the groundwork for renewed U.S. global leadership. By taking decisive steps to integrate and elevate refugee protection objectives as part of its early, high-level foreign policy decisions, a new administration will usefully spur the U.S. interagency into prioritizing refugee protection as an integral part of the U.S.’ initial international engagements and in turn, empower PRM, once staffed up, with a clear mandate for taking forward this agenda. In doing so, a new administration will also send a strong message to other countries of the U.S.’ intention to reclaim its global leadership role on refugee protection.

- **Prioritize nominations and appointments of individuals committed to humanitarian leadership to key senior leadership/advisor roles in the State Department that will need to be filled quickly.** Given the expected lag time between nominations and Senate confirmation for key roles directly involved in refugee protection policy including the Assistant Secretary of State (A/S) for PRM (e.g., Eric Schwartz and Anne Richard were not sworn into their roles at PRM for 2.5 months and 6 months, respectively, after their nominations), a new administration should use its early high-level political nominations and appointments to ensure that senior leadership across the State Department are invested in championing refugee protection as a policy priority within the U.S. government and externally in engagements with key domestic and international interlocutors. Key positions include the Deputy Secretary of State, the Counselor, the Under Secretary for Political Affairs (P), the Under Secretary for Civilian Security, Democracy, and Human Rights (J), and senior political appointments in each of their offices.

- **Send early, high-level signals from the State Department that clearly establish refugee protection as a top U.S. foreign policy priority and that begin to frame a positive narrative.** This should include an outward-facing public statement by the Secretary of State that sends a strong message to our international partners, reinforced by an internal signal that cements refugee protection as a priority for staff across the State Department and that directs overseas posts to use early bilateral engagements to build on the Secretary of State’s message.

\(^d\) See further detail on proposed legislative reforms in “A Roadmap for Rebuilding the U.S. Refugee Admissions Program.”
Organize a high-level policy speech by the Secretary of State that highlights U.S. actions at home, previews an agenda for renewed U.S. humanitarian leadership, and firmly establishes refugee protection as a strategic U.S. imperative. The Secretary of State should use the speech to affirm changes in U.S. policy on refugee protection at home that bring our actions back in line with our values, making the case for the importance of the U.S. living up to its international obligations and commitments on protection as enshrined in the 1951 Refugee Convention. Representatives from multilateral organizations could be invited to hear the speech as part of early outreach to key international partners, including officials from the Washington offices of the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), the International Organization for Migration (IOM), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and the Multilateral Development Banks (MDBs).

Issue a cable from the Secretary of State’s Office (S) that prioritizes humanitarian diplomacy as a key pillar of overseas engagement under a new administration. The cable should direct staff at overseas posts to highlight U.S. actions to restore fidelity to its humanitarian protection obligations at home and abroad as an integral part of the messages relayed in early bilateral engagements about a new administration’s foreign policy priorities. For posts in refugee-hosting countries and countries impacted by humanitarian crises, the cable should instruct staff to signal that a new administration will re-prioritize efforts to expand support to those countries while also working with countries to keep their borders open, safeguard against refoulement, and promote refugee inclusion. The cable should also encourage staff to make use of embassy P-1 referrals to USRAP as appropriate.

In the event the cable is released before an A/S of PRM has been confirmed, designate an appropriate State Department senior policy lead who will be responsible for initially tracking and driving forward a diplomatic strategy to secure priority U.S. objectives on refugee protection in contexts affected by on-going displacement emergencies.

Elevate refugee protection and humanitarian access objectives as part of the U.S. response to humanitarian crises and political conflicts that are likely to emerge as urgent foreign policy challenges, particularly against the backdrop of the international response to the COVID-19 pandemic. A new administration will be quickly confronted with the urgent task of marshalling an international response to address the impacts of COVID-19 in developing countries and fragile states while also confronting several ongoing humanitarian crises, including Venezuela, the Rohingya refugee crisis, and multiple conflict-driven humanitarian emergencies in Yemen, Syria, and South Sudan. As part of wider U.S. engagement on these specific regional crises, PRM should lead the interagency to ensure that early U.S. high-level political engagement on these crises incorporates and advances core objectives on: 1) addressing violations of long-standing international norms governing humanitarian response, particularly access to civilian populations; and 2) pushing for refugee inclusive policies in
protracted displacement crises with refugee-hosting countries and key regional bodies and multilateral institutions, including the MDBs.

- **Integrate refugee protection as a policy priority in planning processes for high-level U.S.-led regional and international convenings in 2021.**
  
  - For instance, the Biden for President campaign has committed to organizing a global Summit for Democracy in its first year with the aim of securing concrete commitments from countries to address areas of democratic backsliding and forge a shared agenda to address common threats. One of the summit’s planned pillars is a focus on galvanizing new commitments from countries to "[advance] human rights in their own nations and abroad." Consequently, this summit provides a critical opportunity to include a specific track on refugee protection that addresses the damaging effects of regressive policies. The increasingly common practice of democratic countries refusing entry to refugees and asylum-seekers and externalizing border controls (e.g., as seen in the EU’s agreements with countries in North Africa and Turkey and the U.S.’ agreements with Mexico and Northern Triangle countries under the Trump Administration) has undermined the collective standing of the international community to advocate for the protection of refugees. The summit could also be a powerful moment for resetting the global narrative on refugee resettlement in light of COVID-19 by solidifying agreement among democracies that the pandemic should not be used as cover for governments to close their borders to vulnerable populations and that resettlement can be done with minimal health risks.
  
  - The Biden for President campaign has also committed to convening a regional meeting of leaders to address the factors driving migration out of the Northern Triangle and propose a regional resettlement solution. This meeting should not only secure additional resettlement commitments across the region, but also devise a regional approach that address the on-going protection challenges facing refugees, asylum-seekers, and vulnerable migrants.
  
  - The next administration will host the Ninth Summit of the Americas in 2021. The Summit is held once every three years, with this being the first time the U.S. has hosted since it launched the inaugural Summit in 1994 in Miami. The Summit will convene leaders from all countries in North, South, and Central America and the Caribbean along with civil society representatives and business leaders. Given the historic refugee and migration flows impacting the Americas (including from Venezuela, the Northern Triangle countries, Nicaragua, and parts of the Caribbean), a new administration could usefully focus this Summit on addressing migration and reinforcing adherence to protection principles.
3. Establishing a Collaborative Relationship between State/PRM and USAID/BHA

To lay the groundwork for a strengthened PRM, a new administration should signal that it will empower the State Department and USAID to work collaboratively to advance a shared agenda on humanitarian policy. As a new administration starts to staff up at the State Department and USAID, it should establish clear expectations for a cooperative relationship between PRM and USAID’s new Bureau of Humanitarian Assistance (BHA). Under the Trump Administration, PRM’s institutional standing was repeatedly challenged by different proposals to move several of PRM’s core functions to other parts of the U.S. government. This included a June 2017 proposal from the White House Domestic Policy Council to dissolve PRM and transfer its functions to the Department of Homeland Security (DHS) and a June 2018 proposal from the White House Office of Management and Budget (OMB) to transfer PRM’s humanitarian assistance programming to BHA as part of reforms in USAID’s humanitarian architecture. The latter proposal compounded longstanding tensions over the optimal division of humanitarian roles between the State Department and USAID, where PRM has historically held responsibilities for assistance to refugees, those affected by conflicts, and migrants and USAID held responsibilities for responding to natural disasters and assistance to internally displaced persons (IDPs). The Obama Administration also attempted to tackle some of these organizational debates as part of its Quadrennial Diplomacy and Development Review (QDDR), but the results were mixed – leading to continued competition and turf battles. To avoid getting bogged down in re-litigating these questions, a new administration should instead take steps to signal its commitment to strengthening PRM and its critical humanitarian diplomacy functions while ensuring that PRM builds out a close, cooperative relationship with BHA.

- **Nominate individuals committed to fostering a collaborative State–USAID relationship to leadership roles in PRM and BHA.** A productive working relationship between PRM and BHA will largely depend on the dynamics between their politically appointed leadership. Consequently, a new administration should prioritize nominating individuals committed to a cooperative State–USAID relationship to fill key leadership roles in PRM and BHA, including the A/S of PRM, the Assistant to the Administrator for BHA, the three Deputy Assistant Secretaries of PRM, and the three Deputy Assistant Administrators for BHA.

- **Invest in joint planning exercises between State/PRM and USAID/BHA on 3 to 4 priority crises to strengthen trust and coordination.** There have been several initiatives to strengthen State–USAID humanitarian coordination at a high-level, including the QDDR’s creation of a Humanitarian Policy Working Group (a formal policy coordination mechanism between the leadership of PRM, USAID’s Office of Foreign Disaster Assistance, USAID’s Office of Food for Peace, and the State Department’s Bureau of International Organizations) and the establishment of a Humanitarian Assistance Steering Council in November 2018 in its place (instead chaired by the Under Secretary for Civilian Security, Democracy, and Human Rights and the Assistant to the Administrator for USAID’s Bureau of Democracy, Conflict, and
However, these coordination mechanisms have had limited effectiveness without being backed up by concrete operational commitments. Consequently, to push forward coordination, a new administration should build on on-going joint planning pilots and exercises to identify 3 to 4 specific, high-priority humanitarian emergencies (potentially South Sudan, Bangladesh, and Afghanistan) involving both significant refugee and IDP populations where PRM and BHA would be well situated to deepen additional joint planning exercises that involve closer coordination/unification of their field operations. These exercises could also include other USAID bureaus involved in development programming in these countries and other relevant U.S. government actors, including the Treasury Department given its role in coordinating with the MDBs.
4. Strengthening PRM as a Vital Institution at the State Department

A new administration should make early investments in PRM to position the bureau as a strong player within the State Department with the policy heft to lead on advancing an ambitious agenda of U.S. humanitarian diplomacy. Even though PRM has been weakened by the Trump Administration, a new administration will inherit a bureau that is staffed by dedicated career professionals with a well-respected reputation for their deep expertise and commitment to PRM’s humanitarian mission. However, the increase in the number of high-profile, complex, and protracted humanitarian crises driving refugee flows over the past decade has created ever greater demands and pressures on PRM to feed in and shape the humanitarian dimensions of U.S. foreign policy. PRM’s leadership has struggled to meet these demands, falling short in assuming a more visible, influential, and impactful role in formulating U.S. humanitarian policy across the State Department and the interagency. While organizational studies and restructuring initiatives have been undertaken by previous administrations, these efforts ultimately failed to be implemented. Within its first year, a new administration should consider the following recommendations to inform efforts to strengthen and empower PRM:

- **Build a strong leadership team and set out a clear strategic vision from the Front Office.** The PRM A/S position has been left vacant since Anne Richard’s departure in January 2017, with senior career staff initially assuming responsibility in an acting capacity and subsequently a Principal Deputy Assistant Secretary political appointee serving as Acting A/S since December 2017. The appointment of an Assistant Secretary who is committed to humanitarian diplomacy will be critical in reorienting the bureau to take on a greater policy role. In addition, the Assistant Secretary should ensure that the Front Office has a dedicated principal who is responsible for focusing on organizational reforms and change management. This should also be underpinned by Front Office support for rebuilding PRM’s Office of the Executive Director (EX), which is responsible for overseeing PRM’s core administrative work but has been long understaffed and under-resourced.

- **Consult career staff and take stock of prior change management efforts.** To build trust and generate needed buy-in for internal changes, a new PRM leadership team should organize early listening sessions and town halls with career staff to ensure reforms are informed by their insights and expertise. A new leadership team should also do a systematic accounting of the findings of previously commissioned surveys to understand what pitfalls to avoid and key lessons learned from prior restructuring attempts.

- **Bolster, consolidate, and elevate PRM’s policy expertise across different offices – potentially into a new single Policy Office – to facilitate the development of cohesive policy objectives and strategies.** The Office of Policy and Resourcing (PRP) and policy teams in other functional offices in PRM, including the Office of Multilateral Coordination and External Affairs (MCE) and
the Office of Population and International Migration (PIM), have been considerably understaffed for several years - particularly PIM, which is PRM's smallest office, with only 3 to 4 staff members at any given time when at full capacity. As a result, other offices outside of PRM - particularly the humanitarian office in State’s Bureau of International Organizations and OFDA prior to the creation of USAID/BHA - have historically been perceived as stronger, more influential players in shaping U.S. humanitarian policy. Additionally, the current division of policy portfolios and responsibilities across these three functional offices has increasingly inhibited, rather than facilitated, policy collaboration and coordination on specific crises. PRP currently leads on overall policy development for PRM, MCE leads on managing PRM’s funding to and relationships with international organizations that play a critical role in shaping policy at the global level (as well as policy issue related to gender and youth), and PIM leads on a narrow subset of policy focused on international migration. However, the reality is that a policy response to any given humanitarian crisis necessarily cuts across each of these offices’ remits - simultaneously implicating overarching humanitarian and protection policy considerations, responses to gaps in the response of the international humanitarian system, and approaches to mixed migration flows of refugees and other irregular migrants.

Consequently, PRM should consider expanding its policy capacity and ensuring better policy coherency to strengthen its policy voice and ensure that policy formulation is not artificially siloed within a specific office. This could include the creation of a single “turbo-charged” policy office that integrates the policy functions across PRP, MCE, and PIM into one office to consolidate expertise and elevate core work on long-term planning/policy development, informed by strategic bilateral and multilateral engagements. This would address the current challenges that can arise from MCE’s de-facto role as a gatekeeper between the rest of PRM and PRM’s multilateral partners by enabling additional channels of communication between a larger number of PRM staff and multilateral partners, in turn facilitating PRM’s ability to more effectively leverage its role as the largest donor to UNHCR, ICRC, IOM, and UNRWA to push for institutional and policy reforms.

- **Address the limited bandwidth of Washington-based PRM program officers, given competing obligations to fulfill both program and policy responsibilities.** Currently, PRM program officers in Washington monitor PRM funding to international organizations/NGOs and assess adherence to PRM-agreed performance indicators. While program officers also have policy responsibilities, they must also balance these obligations against the technical, administrative work of managing PRM’s cooperative agreements – in practice, this means they have limited bandwidth to devote to critical outward-facing and strategic policy work alongside their programmatic responsibilities. PRM should assess options for empowering program officers, which could mean hiring additional program staff and/or moving day-to-day responsibility for the oversight and management of assistance/program funding elsewhere in PRM. This would free up the time of program officers to devise policy strategies and conduct more proactive monitoring of programs.
● **Strengthen policy coordination between the Admissions Office, the potential new Policy Office, and the regional offices covering refugee assistance.** Building on the approach of the 2016 Leaders’ Summit, PRM should systematically leverage U.S. efforts on refugee resettlement to unlock and secure further contributions of humanitarian assistance at the global level and commitments on refugee inclusion from host countries – including commitments to not return refugees back to harm and to guarantee fundamental rights, including the right to work and access to identity documentation. The Admissions Office should be encouraged to more aggressively pursue diplomatic efforts in driving progress and increased commitments on global resettlements. By encouraging closer links between the Admissions Office and the three PRM regional assistance offices (the Office of Assistance for Africa, Office of Assistance for Asia and the Middle East, and the Office of Assistance for Europe, Central Asia and the Americas), PRM can ensure its work on refugee resettlement is well coordinated with PRM’s overseas bilateral and regional engagements and is used strategically to deliver PRM’s broader humanitarian and refugee protection policy objectives. This coordination could include standing up cross-teams on specific displacement crises (as was done for Syria during the Obama Administration) and aligning oversight for the Admissions Office and one or more of the regional offices under a DAS who is tasked with driving a Summit-style approach in PRM. Closer integration of the Admissions Office with the work of the assistance offices would also protect it from politically driven efforts to move it outside of PRM, as seen in previous proposals to move it into the State Department’s Bureau of Consular Affairs or DHS.

● **Invest in more robust data analytics and monitoring & evaluation (M&E) capacity.** PRM’s existing M&E and data capacity is disproportionately focused on monitoring early stages of funding to its grantees, focusing on compliance with federal and congressional requirements on how assistance is spent, and overseeing program implementation – rather than systematically measuring, analyzing, and evaluating results. To strengthen PRM’s ability to communicate the impact of its programmatic work more effectively to key audiences (including Congress, the media, the wider U.S. public, and international partners), PRM should invest in its M&E and data analytics capacity so that it can identify clear outcomes and assess progress against policy objectives. This could include the development of performance metrics that are focused on impacts, instead of the current focus largely on inputs and process. Additionally, on refugee resettlement specifically, strengthened data and M&E capacity would enable PRM to proactively analyze the data it collects on refugee outcomes to shape a more innovative data-driven approach to resettlement and to build a more robust evidence base on refugee integration that it can share with international partners.

● **Elevate communications work and improve coordination with the Bureau of Global Public Affairs (GPA).** The arrival of a new administration will create an early window of opportunity for PRM to help reset, reframe, and drive domestic and international narratives on refugees and humanitarian challenges. This will require PRM staff with specific communications expertise, who can help shape a communications and public diplomacy strategy. PRM will also need to
ensure that its approach is closely coordinated with the State Department’s broader public and congressional outreach on refugee admissions and humanitarian assistance.

○ **Designate a Senior Strategic Communications Advisor in GPA, who reports directly to the State Department Spokesperson and leads on organizing U.S. public messaging on humanitarian assistance, in addition to their other responsibilities.** The advisor should be empowered to coordinate with staff in the USAID press office, State/PRM, and USAID/BHA to ensure that new funding announcements from the State Department and USAID are aligned and jointly leveraged to maximize their combined reach and impact. During emergency situations, emergent crises, or high-profile and high-speed roll-outs of new policies, coordination between the various humanitarian assistance offices can falter or become ad hoc, resulting in imperfectly timed, inefficiently used, or poorly coordinated strategic messaging on billions of dollars’ worth of U.S. assistance and undercutting the effectiveness of communications on U.S. humanitarian diplomacy.

○ **Elevate public diplomacy and press operations within PRM with a Deputy Director of Public Affairs.** Given the essential importance of demonstrating the effectiveness of PRM’s programs and combating negative refugee narratives, elevating this senior communications position is necessary in order to empower that individual to sit in country team meetings, influence strategy, and liaise directly with the senior strategic communications advisor role discussed above.

○ **Add at least one Public Affairs Officer with responsibility for media inquiries and public outreach on refugee admissions (both domestic and international), in coordination with the Admissions Office and regional refugee coordinators.** Accurate monitoring of media reports, and adequate staffing to enable tracking of all negative, false, and influential narratives is critical for the resettlement program. Additionally, strategically-planned outreach in key districts that will be eager to reengage with USRAP after a long hiatus—but may need messaging support in doing so – will be critical in supporting the locally-driven opening of new offices and new services. A dedicated outreach officer whose sole purview is to coordinate strategic engagements in these areas and combat emergent negative narratives would be helpful.

● **Increase staffing capacity across the bureau, including greater PRM representation in the interagency and key posts.** PRM has long been understaffed, and this challenge has been further compounded under the Trump Administration, with a significant number of experienced PRM staff departing and numerous policy-focused positions being left vacant for several years. PRM is in need of significant investments to support and grow its overall staff capacity, including increased representation across the interagency.

○ **Create additional Foreign Service Officer (FSO) positions to deepen the bench and strengthen ties to the wider State Department.** Compared to other functional bureaus in the State Department, PRM has one of the lowest percentages of FSOs as a share of its staff. In June 2016, PRM had a total of 5 staff based in Washington and overseas –
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comprised of 63 from the Foreign Service (28%) and 132 from the Civil Service. In comparison, the Bureau of International Organizations had a total of 434 staff in June 2015 – comprised of 157 from the Foreign Service (36%) and 237 from the Civil Service.

○ Create PRM-funded positions at the NSC and USUN in New York to ensure representation from staff with expertise on refugee protection. PRM currently funds seven positions at USUN Geneva to engage with the three main international organizations headquartered in Geneva (UNHCR, IOM, ICRC). However, PRM does not have any dedicated positions at USUN in New York or the NSC, whereas USAID BHA funds a team of humanitarian advisors at USUN New York and USAID staff are detailed to fill the NSC Director for Humanitarian Assistance position. The NSC and USUN should create PRM-funded positions, including re-establishing a dedicated NSC Director on Human Rights and Refugee Protection (introduced for the first time in 2016) or some variation of this role depending on the structure of the NSC under a new administration.

○ Establish regular State/PRM and USAID/BHA staff exchanges to foster State-USAID coordination on humanitarian policy. The quality of the working relationship on humanitarian issues between State and USAID is largely dependent on the building of personal relationships, as well as the dynamics between the front office leadership of both sides, where major disagreement or distrust at the top filters down to the working level. To institutionalize coordination that can be sustained independent of front office dynamics, PRM should work with BHA to establish new pipelines of staff rotations where mid-career professionals participate in multi-year rotations in counterpart offices. This could include a requirement that to be eligible for office director and deputy director positions in PRM, staff will need to have completed at least one rotation in USAID/BHA (and vice versa for BHA staff).

● Develop a more effective crisis management model and institutional surge capacity. In response to new humanitarian crises, PRM needs to strengthen its ability to surge its Washington-based policy and coordination capacity and stand up agile core crisis teams comprised of staff with the right sets of skills and expertise to manage fast-moving developments. In the event of a crisis or demand signal from the White House or Secretary of State, such a team would be led by a dedicated Deputy Assistant Secretary. This should enable PRM to more effectively assemble, leverage, and supplement its existing institutional expertise, rather than being forced to surrender its authority to a special envoy or czar on the seventh floor because of insufficient capacity at PRM to take charge. Above all, PRM will need the ability to flexibly and rapidly hire additional staff to bolster the capacity of its crisis teams as needed and should consider how to make greater use of existing mechanisms including Schedule B/C appointments, “Y” tours for FSOs, and securing civil service or interagency details.
Year 1 and Beyond

5. Setting Out a Diplomatic Strategy for Reasserting U.S. Leadership

In 2021, a new administration should set clear directives for PRM to articulate a diplomatic strategy for leveraging early opportunities to reassert global leadership on refugee protection. A new administration will need to begin early preparations ahead of several high-level political moments in 2021 that present critical opportunities for the US to send strong signals of its recommitment and priorities on tackling refugee protection challenges. This includes the next mid-term meeting of the Global Refugee Forum (GRF) in June 2021 (along with World Refugee Day in the same month), the 70th anniversary of the 1951 Refugee Convention in July 2021, the next meeting of the Annual Tripartite Consultations on Resettlement (typically in July), and several high-level multilateral gatherings including the next G7 Leaders’ Summit in the summer of 2021 and the high-level segment of the UN General Assembly meetings in September 2021. As PRM staffs up and navigates institutional changes, it should also begin organizing itself to lead on devising a strategy that uses early U.S. multilateral and bilateral engagements to demonstrate renewed U.S. leadership on adherence to fundamental norms on refugee protection, responsibility-sharing at a global level, and responding to ongoing humanitarian emergencies driving refugee flows. PRM should seek to pursue an ambitious diplomatic strategy in 2021 to set the humanitarian diplomacy agenda for the coming years, centered around the following three pillars.

Pillar 1 – Reinvigorating Global Ambition on Resettlement

Under the Trump Administration, the sharp decline in U.S. admissions of refugees has fueled a steep decrease in the number of available global resettlement slots. In 2019, 63,696 refugees were resettled globally through UNHCR out of roughly 1.4 million refugees estimated to be in urgent need of resettlement – accounting for only 4.5% of those in need.15 This reflects a sharp reversal from the progress made during the 2016 Leaders’ Summit where the U.S. was able to secure a collective commitment of resettling more than 360,000 refugees that year from Summit attendees.16 A new administration should leverage U.S. efforts to rebuild USRAP into a world-class resettlement program and revitalized U.S. commitment to resettlement to reinvigorate global ambition on resettlement and gather new international commitments, including by tasking PRM with the following actions:

● **Develop a focused diplomatic strategy that identifies a sequence of engagements that PRM should use to drive renewed and increased commitments on resettlement.** For instance, PRM could push for elevating the next meeting of the GRF, which will be a mid-term review meeting following on from the first GRF in December 2019. The meeting is set to take place at senior official level with a focus on assessing progress against the Global Compact on Refugees. However, PRM could instead seek to elevate the level of attendance at this meeting ahead of the next ministerial-level GRF meeting in 2023 and use it as an opportunity to convene
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resettlement countries and highlight new commitments, as opposed to the meeting’s original purpose as a “check-in” from the 2019 GRF.

● **Launch a comprehensive strategy to close the global resettlement gap.** While a new administration’s efforts to fulfill a higher refugee admissions target will help shrink the resettlement gap and galvanize new resettlement commitments, this alone will be insufficient to grow global resettlement capacity in the medium to long-term. To make meaningful progress in closing the gap, the U.S. and its allies will need to work together to sustainably expand and diversify the global coalition of resettlement countries. A new administration should build on its diplomatic outreach to secure new resettlement commitments by exploring specific avenues for addressing the main operational and political barriers that constrain smaller, middle-income countries and countries with no resettlement experience from establishing/growing their resettlement programs. These avenues could include:

○ **Establish a new innovative global financing mechanism to fund and incentivize additional resettlement spaces, i.e., a “resettlement bond” as proposed by the Center for Global Development (CGD).** CGD estimates that the international community collectively spends roughly $7,500 per refugee over the entire course of that refugee’s displacement, primarily covering the costs of meeting a refugee’s basic needs (including food and shelter) in a host country. This approach is not only unsustainable, it fails to meaningfully address refugees’ protection needs and leaves refugees to languish in camps or other settings with little opportunity to meaningfully rebuild their lives.

To leverage current spending to support resettlement and better refugee outcomes over the long-term, governments could instead channel their on-going financial support to refugees into a fund that would attract up-front private investment (by securitizing government commitments to repay investors over time with a return). This front-loaded financing vehicle, similar to the design of the International Finance Facility for Immunization used by GAVI, could finance the costs of a significant number of additional resettlement slots in current and new resettlement countries that otherwise would be difficult for donors to financially support. To launch this financing mechanism, PRM should work with the Treasury Department to engage the World Bank on the fund’s design by building on the Bank’s experience establishing and managing similar financial vehicles. PRM should also organize a diplomatic campaign to secure donor commitments to pay into the fund in addition to new resettlement commitments from countries that will be supported by the fund.

○ **Leverage the full slate of the State Department’s public diplomacy exchange programming to share knowledge and best practices on successful refugee integration with resettlement countries.** PRM should work with the Bureau of Educational and Cultural Affairs (ECA) and GPA to proactively facilitate exchanges with community, government, academic, and private sector leaders from other countries to share U.S. models of successful refugee integration. By leveraging the State Department’s various exchange programs (including ECA’s International Visitor Leadership Program, GPA’s Speaker
Program, and the Fulbright Specialist Program), the U.S. can help address concerns and misperceptions of refugees as a burden or cost – instead showcasing how refugees represent a positive investment, with their successful integration resulting in significant economic and social benefits to the communities who resettle them. These exchanges should be targeted at countries who have limited experience with resettlement and/or who are struggling with refugee integration. Most importantly, these exchanges should be part of a targeted and sustained public diplomacy campaign on refugee resettlement and integration, rather than being offered sporadically as options within ECA’s larger slates of individual exchange programs.

- **Leverage the resumption of U.S. leadership on resettlement to seek systemic reforms to UNHCR’s operations that would broaden refugees’ access to resettlement.** These reforms include assessing/revising the criteria used as part of UNHCR’s Refugee Status Determination process and increasing UNHCR’s use and intake of local NGO referrals.

  While UNHCR currently plays an important role in identifying refugees eligible for resettlement, its existing procedures have effectively resulted in UNHCR playing an overly restrictive gatekeeper function in facilitating the ability of refugees to access resettlement – a function that will need to be critically examined and reformed if the international community is to raise its collective ambitions on resettling refugees at a scale that is truly commensurate with the level of global need.

- **Support the establishment of new protection-sensitive complementary pathways linked to existing immigration programs and explore the creation of common global infrastructure to stand up these pathways at scale.** As part of the first GRF in 2018, UNHCR launched a new three-year strategy that includes an ambitious global goal of resettling 2 million refugees through complementary pathways by 2028. Several resettlement countries have begun to stand-up new complementary pathways programs with Canada leading this effort, most notably launching its Economic Mobility Pathway Project (EMPP) in 2018 to identify skilled refugees in the Middle East and East Africa who would be eligible to travel to Canada under the requirements of its existing economic immigration programs and committing to admitting up to 500 refugees under EMPP between 2020 and 2022.

  However, the international community is still far off track to meet the ambitious goal set in UNHCR’s strategy and will fail to do so if it solely relies on the ad-hoc creation and development of small-scale complementary pathway programs across a handful of resettlement countries.

  While the creation of protection sensitive complementary pathways linked to existing immigration programs shows great promise, the Canadian experience in designing EMPP reflects that resettlement countries will face a common set of operational challenges including: how to collect information about refugees’ skills and characteristics, how to support refugees to obtain the necessary evidence to prove their eligibility (e.g., work experience documentation for labor-based pathways), and how to cover refugees’ costs in navigating

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See further detail on proposed reforms to UNHCR resettlement operations in the final report that this paper is linked to, “A Roadmap for Rebuilding the U.S. Refugee Admissions Program.”
these processes. To drive progress at the global level, a new administration should work with Canada and other leading resettlement countries to develop shared global infrastructure and processes that would pool resources to address these operational challenges and ultimately facilitate the identification of refugees who could be resettled globally (i.e. not just to a single country) through complementary pathways at scale.

**Pillar 2 – Driving a Protection and Inclusion Agenda**

While resettlement is a key durable solution to displacement, the reality is that the vast majority of refugees do not have access to resettlement or the option of voluntary repatriation (with less than 4% of refugees returning home to their country of origin in the past decade). As a result, most refugees live in low and middle-income countries that have inadequate resources to provide for both refugees’ needs and their own citizens’ needs. In addition, many of these countries have national policies that violate protection norms and inhibit refugee inclusion, such as policies that prohibit access to education, the labor market, and key social services. A new administration should leverage renewed U.S. humanitarian diplomacy, underpinned by the use of tools across the State Department, USAID, and the Treasury Department, to support major refugee-hosting countries and secure commitments from these countries to integrate refugee populations. PRM should lead this effort by focusing on the following areas:

- **Launch a concerted diplomatic effort to restore commitment to the international refugee protection regime enshrined in the 1951 Refugee Convention.** To regain credibility on refugee protection, a new administration will need to directly address the fact that the U.S. and many of its partners have enacted domestic policies in recent years that violate our legal obligations under the 1951 Convention and other human rights instruments. Once a new administration takes steps to rectify U.S. policies at home, PRM should work with our partners to explore strategies for restoring shared international commitment to fundamental refugee protection norms, including on the movement of refugees across borders, access to territory, non-refoulement, search and rescue, and refugee access to rights. This should include working with UNHCR to reinvigorate its protection mandate, speaking out forcefully against violations of the Convention, and building coalitions to push back against further backsliding.

- **Engage in concerted humanitarian diplomacy to drive an inclusion agenda and secure additional protections for refugees in countries of first refuge.** In response to the priority humanitarian and displacement crises identified earlier, PRM should consider how to strategically leverage renewed U.S. commitment to refugee protection to demonstrate responsibility-sharing and in turn, to secure protection commitments from host countries. For instance, U.S. commitment to admit significant numbers of Venezuelan refugees and Central Americans through USRAP could encourage countries in the region to continue to keep their borders open and issue temporary residency and work permits to Venezuelans refugees. More broadly, PRM should also reinvigorate the compact approach in its engagement with refugee-hosting countries (i.e., devising country compact agreements based on a set of financial and policy commitments from multilateral institutions, donor countries, and refugee-hosting
countries and work closely with the Treasury Department to encourage the MDBs to ensure their financing to refugee-hosting countries is used to drive policy reforms supporting refugee protection and inclusion.

- **Establish a strategic high-level trilateral dialogue with Canada and Germany to identify opportunities for using collective actions and commitments to push forward the global agenda on refugee protection.** Canada and Germany are well-positioned and would likely be interested in partnering with a potential new administration on shaping the international policy agenda on refugee protection. During the absence of U.S. leadership under the Trump Administration, Canada and Germany have played critical roles on the global stage through their robust domestic commitments on resettlement and international engagements. Both countries’ efforts to resettle significant numbers of Syrian refugees since 2015 have produced largely successful and positive narratives of refugee integration, and both have played a leadership role in driving policy in multilateral forums (for instance, Canada is currently chairing the Annual Tripartite Consultations on Resettlement from July 2019 to June 2020).

However, there is a narrow window of opportunity in 2021 to engage with the Canadian and German governments under their current heads of state who have demonstrated strong political commitments on refugee policy – Canadian PM Justin Trudeau will face provincial elections in October 2021 (if not held sooner) and German Chancellor Angela Merkel will complete her final term in the same month. Consequently, PRM should support the initiation of a high-level trilateral dialogue to identify concrete areas for closer collaboration including potential new shared commitments/deliverables that could be announced at an appropriate high-level gathering before October 2021 (e.g., UNGA). This trilateral dialogue could be convened at Deputy Secretary or Under Secretary level, targeting participation from the appropriate equivalents from Global Affairs Canada and the German Federal Foreign Office.

- **Drive wider reform of the international humanitarian system.** The global humanitarian context is increasingly defined by protracted crises, with humanitarian crises lasting more than nine years on average. However, while the international humanitarian system is designed to focus on the delivery of immediate life-saving assistance, the system’s tools and approaches are increasingly insufficient for responding to the needs of displaced populations affected by long-running crises. As PRM and BHA conduct joint planning, PRM should leverage U.S. efforts to improve its own humanitarian response capabilities to push for reforms across the humanitarian system. PRM can use policy shifts produced by a more aligned U.S. humanitarian response effort in coordination with BHA, such as the establishment of a shared humanitarian agenda focused on accountability for delivering a set of outcomes (rather than outputs) and streamlined reporting requirements, to seek similar changes at the international level to produce better outcomes for displaced populations. In particular, PRM should leverage its funding to UNHCR to push for specific reforms (e.g., on financial reporting and transparency) and work with BHA to identify a common set of system-wide objectives that the U.S. government should pursue with all UN humanitarian agencies.
Pillar 3 – Planning for the Future of Migration

Beyond 2021, a new administration should set out a proactive, affirmative agenda on refugee protection that drives a more effective global response to forced displacement and migration in the long-term. Building on the diplomatic strategy launched in 2021, a new administration should use U.S. leadership to convene international coordination around a forward-looking agenda that sufficiently recognizes and grapples with the scale of the challenges posed by the future of global migration. For instance, the international community currently lacks a clear strategy to handle climate-induced migration, which is already driving displacement of unprecedented magnitude. In 2019, nearly 1,900 natural disasters worldwide triggered 24.9 million new displacements across 140 countries and territories – three times the number of displacements caused by conflict and violence. After restoring U.S. commitments on refugee protection in its first year, a new administration should push for bold action to prepare for the future of migration in the following years.

- **Empower and task PRM to lead on the development of a protection-focused long-term strategy for responding to global migration flows, including vulnerable migrants and those forcibly displaced by climate.** The U.S. government lacks a clear single focal point that is responsible for shaping the U.S.’ approach to international migration more broadly, though PIM in PRM has under previous administrations notionally been responsible for covering the treatment of vulnerable migrants as it relates to U.S. humanitarian policy. This gap has inhibited the development of a strategic long-term U.S. strategy on migration that would respond to the evolving contemporary realities of global migration, where mixed flows of refugees, asylum-seekers, and vulnerable migrants that are currently not covered by the existing international refugee protection framework (including those fleeing generalized violence, climate disasters, and poor economic conditions) are expected to increase and will likely test the limits of our existing systems. To proactively respond to this challenge, PRM should draw on its bolstered policy capacity to cultivate expertise on migration and lead on devising a long-term humanitarian and protection-focused strategy on how to manage and facilitate safe, orderly, and productive migration flows including the U.S.’ treatment of vulnerable migrants and those forcibly displaced by climate. Subsequently, a new administration could initiate an interagency process to develop a broader whole-of-government strategy on global migration that involves PRM and other relevant U.S. government actors, including the State Department’s Bureau of Consular Affairs and DHS. This strategy should explore how to adapt and leverage the U.S.’ existing legal channels for migration to support policy objectives on facilitating migration and whether a new entity/structure should be established to organize responsibility for migration within the U.S. government.
Endnotes


12 Ibid.


us/news/press/2020/2/5e3a81c04/resettlement-needed-only-45-cent-global-resettlement-needs-met-2019.html


18 Ibid.


