National Challenges in Today's Global Refugee Crisis

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The world's largest refugee crisis has sparked conversations about the shared responsibility to take in refugees – and ways to keep them out. During 2015 more than one million asylum seekers arrived to Europe by sea, most of them Syrian refugees. As sympathy for people fleeing conflict quickly turned to panic over uncontrolled borders, *sovereignty* became the battle cry throughout the Western world. From Britain's support for Brexit to Australia's commitment to Operation Sovereign Borders, states have invoked rights of self-governance and autonomy to justify rejection of migrants, refugees, and asylum seekers and spurn the involvement of international institutions like the United Nations or European Union. Such moves in Western countries sparked renewed efforts by refugee host nations with fewer resources to make their own appeals to sovereignty.

According to the United Nations Refugee Agency, developing countries in the Global South house 86% of the world's refugees. Indeed, more than 80% of the nearly six million displaced Syrian refugees are hosted in the Middle East, primarily in Jordan, Lebanon, and Turkey. Yet the issues faced by major refugee receiving states have been largely neglected by policymakers and academics. Current international policies discourage refugee integration, separate development aid from refugee aid, and neglect the long-term challenges faced by countries that host large numbers of refugees. If Western countries do not want to take in millions of refugees, then there have to be better policies to support countries that are willing to take in the majority of displaced people. We need a better understanding of the challenges to sovereignty that such nations face.

Legal Definitions and International Aid

The legal definition of a refugee highlights national sovereignty. According to Article 1 (A)(2) of the 1951 Refugee Convention, a refugee is a person who "*owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is* ***outside the country of his nationality****, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it* (emphasis added)."

Because refugee status is contingent upon border-crossing, this legal definition strips other forced migrants – such as people displaced by intra-national conflicts – of the protections and resources afforded to refugees. Some scholars have warned against broadening the definition, because the stipulation that refugees must cross state borders is the legal caveat that allows the international community to aid refugees without infringing on national sovereignty.

Developing countries house the vast majority of the world's legally defined refugees. Meanwhile, wealthier states in the West provide financial support for refugees abroad through the United Nations High

Commissioner for Refugees – even as these wealthier nations resettle less than one percent of all of the world's refugees. In 2015 according to the United Nations Refugee Agency, only 81,000 of the 20 million refugees worldwide moved into resettlement countries. Mariano-Florentino Cuéllar, an academic scholar and Justice of the Supreme Court of California, has aptly labeled this system the "grand compromise," referring to the agreement between developing states and wealthy western nations. The leading western powers enjoy many sovereign advantages, while the developing countries that accept most refugees must grapple with challenges to their sovereignty through changing demographics, porous borders, and the involvement of international institutions.

How the "Grand Compromise" Actually Works for Host and Resettlement States

Refugees pose distinct challenges for developing **host states** versus western **resettlement states**.

- More developed **nations engaged in refugee resettlement** can protect their sovereign authority by controlling their borders and selecting and screening prospective refugees with special attention to those who may pose security concerns. Such states can regulate the numbers who enter and limit the demographic impact and costs. Dealing with limited numbers, resettlement states can also offer authorized employment, which may enable resettled people to become self-sufficient – and perhaps get on a path to citizenship – after stints of temporary government support. Importantly, resettlement states do not need to rely on aid or supervision from the United Nations High Commissioner for Refugees.

- Major **refugee host countries** face a starkly different situation. Their borders tend to be much more porous, because hundreds of thousands, if not millions, of displaced people can enter the country in a short period of time. Porous borders mean minimal opportunities for screening and selection, which in turn undermines host country security. Facing challenges of housing large and unpredictable numbers of refugees, these states have limited resources that often cannot meet migrants' greatest needs. Major refugee receiving states invite the Office of the United Nations High Commissioner for Refugees to help defray the costs of housing, feeding, and social services for refugees – which in turn can undermine the host states' domestic authority. Scholars often assume that the United Nations provides for all refugee needs, but in fact major refugee host countries face significant additional expenses to provide education and basic resources like water and health care. Facing overwhelming refugee numbers and costs, these states usually do not offer the rights of citizenship or full incorporation.

Major refugee-receiving countries are often congratulated for their "traditional generosity" and "local absorption capacity." However, such acknowledgements sound like platitudes when we recognize the disproportionate burdens and actual concerns of nations that host the largest numbers of the world's refugees. Ideally, greater economic capacity and humanistic principles might lead developed western nations to take in more refugees. But in actuality, ongoing conflicts in the Global South are likely to create more refugees flows between less developed countries, reinforcing today's "grand compromise" in which western nations guard their sovereignty while channeling financial aid to countries within the South who struggle to shelter most of the refugees. At the very least, international aid and rules could be improved to acknowledge the actual challenges faced by major refugee-receiving states. Best practices need to look beyond the interests of Western states to more fully consider the needs of refugees and the sovereign and resource concerns of the less economically developed nations and communities that host the vast majority of displaced people.