

Syllabus (January 9 version)

Spring Term 2023
Human Rights and Humanitarian Crises
Challenges for Policy Makers and Practitioners
PA 5823

Tue/Thurs 1 pm to 2:15 pm
Blegen Hall 134

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Dear Students:

I am very excited about returning to the University this spring and teaching this course, a version of which I've taught for many years. I look forward to meeting students in January.
Eric Schwartz

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Course overview:

From Syria and Ukraine to Somalia and the Central African Republic, civil conflict, environmental degradation, persecution and other human rights violations, and refugee flight—which principally impact populations in poorer countries—pose compelling challenges to the capacities of governments, non-governmental organizations, international organizations, and people in affected areas to prevent and alleviate suffering, provide rescue and resettlement, and promote recovery.

This course, which will involve lecture and class discussion will examine the efforts of governments, international organizations, and non-governmental organizations to respond to the humanitarian, human rights, recovery, and reconstruction challenges posed by international humanitarian emergencies, broadly defined.

The issues and institutions that relate to human rights and humanitarian challenges, humanitarian suffering, and forced migration around the world are often studied separately. However, this course will take a broad and integrated approach, designed to give students a wide understanding of the lay of the humanitarian land and the questions with which policy makers and policy practitioners grapple—including those relating to international law, national security, theories of foreign policy and international engagement, the ethics and realities of disaster response, human rights, and the roles of international and non-governmental humanitarian organizations and affected populations themselves. In short, and despite our limited time together, we will seek to integrate issues of philosophy, theory, policy, and practice. In addition to focusing on the efforts of the international community, the course will examine the role and institutions of the United States government, the largest provider of international humanitarian aid.

A new presidential administration under the leadership of President Donald Trump came to office in 2017 with approaches on humanitarian, refugee, and migration issues that were more restrictive and law enforcement-focused than its predecessors, and less inclined to support historical (and relatively high) levels of international humanitarian assistance. The current presidential administration of Joe Biden has sought to reverse policies of the Trump administration, but these issues remain contested in U.S. policy and U.S. politics.

We will welcome a number of guest speakers, mostly by Zoom, and mostly those who work as practitioners. These may include U.S. government and United Nations officials and officials of major humanitarian NGOs. Refugees and former refugees are also working in this field, and I anticipate that they will be among our guest speakers.

The syllabus: a living document: As I add guest speakers to our schedule and make adjustments to the readings, I will revise the syllabus on a continual basis, and always give you plenty of notice when I am doing so.

Books you should purchase if possible

All of these books are available through online sellers at relatively modest prices—especially if you purchase them used. If you have any difficulty obtaining them, please let me know. Some may also be available as e-books through the library. (Where I know that is the case, I have indicated below.)

Aleinikoff and Zamore, *The Arc of Protection: Reforming the International Refugee Regime*. 2019, Stanford University Press.

Betts and Collier, *Refuge, Transforming a Broken Refugee System*. 2017, Allen Lane/Penguin Random House. I believe you can download the portions we need to read as an e-book through the library.

Barnett, *Empire of Humanity, A History of Humanitarianism*. 2011 Cornell University Press. Note that while this book can be purchased inexpensively, it is also available through our library as an e-book, free of charge.

Sands, *East West Street*. 2017, Vintage. This is a masterful work “on the origins of ‘genocide’ and ‘crimes against humanity.’” Because we are considering a broad definition of humanitarianism that includes issues like the responsibility to protect, I am including extensive excerpts from this book. But any student with interests in the origins of international human rights law should read this entire book at some point.

Weiss, *et al.*, *The United Nations and Changing World Politics (8th edition)*, Westview, 2017. Also available online as an e-book.

Learning objectives:

Students who successfully complete the course will gain a broad understanding of the policy issues that are involved in international humanitarian and refugee response—an understanding that will integrate concepts from a range of fields, including international human rights—as well as knowledge of the key institutions that define and impact policy and practice in this area. Students will also develop an appreciation of key dilemmas faced by policy-makers and practitioners involved in response to refugee and other humanitarian crises, challenges to achieving policy and operational objectives, and strategies for success. Students will also learn about U.S. policy on international refugee and migration issues and on international refugee and humanitarian assistance.

Prerequisites:

There are no formal prerequisites, other than a keen interest in the material and a willingness to engage it actively, though those who are not graduate students or upper-level undergraduates should contact me before the class begins.

Course requirements and evaluation of your work:

This course may have both graduate students and undergraduate students, and I welcome the chance for engagement with both. While the articulated requirements for undergraduates and graduate students are the same, my assessments of undergraduates will take into account that they generally have less academic experience and familiarity with the material.

Your final grade will be based on my evaluation of the following:

Class participation: This will constitute 25% of your final grade. Class participation will include your responses in class to questions posted in weekly assignment notes (see Organization of Classes, below, for an explanation of what this means), in addition to your general participation in class discussions, which will include small group discussion during class sessions—and possibly informal presentations coming out of those discussions. I will assess your familiarity

with the material and your efforts to relate the readings to the range of issues we will be considering.

Two policy memos

The capacity to communicate in writing clearly and concisely is a very important skill for a practitioner in public life, so I have included two policy memo writing exercises.

Preliminary short policy memorandum: This first memo will constitute 10% of your final grade and is designed as an initial exercise in memo-writing. Assigned in the first half of the semester (to be completed before spring break), it will be a short (2-3 page, single spaced) policy memo on an issue related to the subject matter of our course and will be directed to a senior-level decision-maker. It will not require significant (if any) outside research. We will discuss the purpose, structure, and content of this kind of memo, which is commonly written by those working in government or NGOs. You will prepare a draft memo that you will bring to class for peer review in class on February 14, and then will provide to me a revised draft by February 17. I will provide initial reaction and comments by February 24. You will then make modifications in your memo and provide a final version by Friday, March 3. Your overall grade on the memo will be based on the effort demonstrated in your first draft, the improvements reflected in the final draft, and the overall quality of the memo. (I will also post a more detailed description of this assignment.)

Second policy memo: This will constitute 25% of your final grade and will require research beyond the materials in our syllabus. In this exercise (which we will undertake in the second half of the semester), I'm asking you to consider a humanitarian challenge and to make a written presentation to the UN Secretary General (or the U.S. Secretary of State, or to a another government's foreign minister) on how that challenge should be addressed. You will prepare a short (3-4 page) memorandum on the issue. For this memo, I will provide to you a list of possible topics, but you need not be bound by that list. Memos will be due on April 21.

Final examination: This will constitute 40% of your final grade. It will be an in-class, two hour exam during exam week. I have designed it so that you can be as successful as possible and with a minimum amount of stress. The exam will have four essay questions, which I will choose from a list of nine questions that I will provide to you to you at least two weeks before the exam. When I distribute the nine questions to you, I will not indicate which four will be on the exam, but you can be certain that each of the four will be drawn from those nine questions.

On the exam day, you will be asked to provide written responses to any three of the four questions that are presented to you.

Thus, you will have at least two weeks to reflect on the questions and prepare your thoughts. You may work with others as you prepare – the only limitation is that you must come to the final exam with only a pen (or pens).

Organization of classes

In general, topics sessions will begin with a lecture introducing and discussing the issues, followed by class discussion. The first session on a topic may be heavier on lecture, with the second weekly session focusing more on discussion. And we may vary between large group and smaller group discussions, as well as consider approaches that respond to different learning styles.

Class discussion (both in the large group and in smaller discussion groups we may form) will be based in large measure on 5-10 questions I will prepare and post at least a week in advance of the class sessions in which the topics are being discussed. The questions will be designed to identify key issues for you to consider as you go through the readings. During the discussion portions of each class, I will ask students to offer short, informal responses to the questions that have been distributed. Each student who is chosen will be asked to comment on a different question. All students should come to class assuming they may be asked to offer informal comments on any of the questions I've distributed. If, in any particular week, for any reason, you would like to be excused from being chosen to offer comments, please let me know before the class begins. Each student may be excused two occasions without any problem or penalty.

I have purposely not included topics for our last session. First, the syllabus is ambitious and we may find we need a bit of extra time. And if that is not the case, we will have the chance to identify additional ground we may want to consider in those last two sessions.

Attendance

Attendance is important.

But I realize that circumstances may require you to miss a class or classes, and that should not be a source of stress.

If you have a circumstance that requires you miss a number of classes, please let me know and we will figure out alternative arrangements consistent with University policy.

If you need to miss one or two classes in a particular week, please inform me in advance and, depending on what you have missed, we can come up with a means to make up for class-based discussion and integration of concepts and information. If you have missed class discussion, I may ask that you prepare very short written comments that respond to questions I've asked relating to the readings for the class or classes that you have been unable to attend.

Note that all these requirements are subject to the provision of University policy, as described in <https://policy.umn.edu/education/makeupwork>

Other University Policies

Beginning in the section, *Further Information*, below, I have included a description of additional, University-wide policies on a range of issues, which you should also review. They

provide information on general student conduct, use of personal electronic devices in the classroom, scholastic dishonesty, make-up work, grading, sexual harassment, equity and diversity, disability accommodations, and academic freedom and responsibility.

The Course: Week by Week: Summary of Topics

I. January-mid-February: Setting the Stage

January 17 and January 19

1. Introduction and Overview of Course (January 17).
2. The state of the humanitarian world, as well as a brief look at overall funding for humanitarian response. (January 19)

January 24

International Politics and International Humanitarian Response. Where Exactly Does Humanitarianism Fit into Foreign and National Security Policy of Powerful States?

January 26, January 31, and February 2

A History and Overview of Humanitarianism

February 7 and February 9

The Extension of Humanitarianism—the Human Rights Dimension, including R2P.

February 14 and February 16

The United Nations, International Institutions, and Human Rights and Humanitarian Law Designed to Address Global Crises and to Protect Human Rights in Situations of Conflict: Do they Matter, and Why?

II. Mid-February to Mid-April: International Humanitarian Players and Key International Refugee and Humanitarian Issues

February 21, February 23, and February 28

Refugees and Others Forced to Cross Borders—Challenges and Solutions

March 1

Climate Change and Displacement

March 14 and 16, and March 21

The “International System of Humanitarian Response”

- The “System” (including OCHA coordination)
- Internally Displaced People

March 23

International Humanitarian Reform – the “Grand Bargain” and its Aftermath

March 28 and March 30:

Localization, including the role of refugee-led organizations—rhetoric and reality

April 4 and April 6

Peacekeeping

April 11

Humanitarian food security and famine, and risk of famine in humanitarian crises.

April 13

Women, Peace, and Security

III. Mid-End-April: U.S. Government in Humanitarian Response

April 18, 20, 25:

U.S. Government in Humanitarian Response, including Overseas Humanitarian and Refugee Assistance, Refugee Admissions, and Asylum – Organization and Activities

IV. April 27—TBD!

Detailed Week-by-Week Description:
Topic Areas and Assigned Readings
(This is the major portion of the syllabus—please read it closely.)

Preliminary Comments:

The following sections describe the topics in detail, week by week.

Each section, below, includes the following:

- **Class Date(s)**
- **Topic**
- **Readings, with annotated comments**

We will examine a wide range of sources. In addition to books (or portions of books) and journal articles dealing with the United Nations and international organizations, refugees and forced migration, human rights, and humanitarianism, sources will include documents like the United Nations Charter, treaties and other international legal documents relating to human rights and humanitarian affairs, some internal documents from my own tenure in government, and non-governmental publications.

I have sought to keep readings to no more than 150 pages per week, and I have been specific in the syllabus about when each week's readings should be completed. Especially when readings have included more popular works that are easier to digest (and perhaps more fun to read), that total may increase a bit. When there are *many* readings for a particular week, you will find that a high percentage of the readings are short, and often designed to give you just a sense of the mandate and operations of a particular humanitarian institution, or the essence of a policy challenge.

I have provided links to many of the readings below. Other readings will be available online (at UMN libraries) or through the Canvas site.

If for some reason you cannot find a document, do not give up! Just email me.

You should treat what follows as more than a reading list, as it contains long descriptions and annotations that you should review closely.

Finally, as mentioned, I will also distribute assignment notes at least a week before class—these are questions designed to help you focus your thinking as you go through the readings. At times, I may add or remove readings from the syllabus, but I will make any and all changes at least a week in advance of the class for which the readings are due.

I. January-mid-February: Setting the Stage

January 17 and January 19

- 1. Introduction and Overview of Course (January 17). And...***
- 2. The state of the humanitarian world, as well as a brief look at overall funding for humanitarian response. (January 19)***

The Topic: We will spend much of the first two classes on introductions, and in discussion of the format and requirements of the course. For our first classes, I've focused on excerpts of reports describing world conditions related to humanitarian suffering, state fragility, conflict, and humanitarian assistance, which we will discuss, consider, and assess.

Readings—please complete the readings before Thursday, January 19

The list below provides an introduction to many of the operational and policy issues of concern in the humanitarian field. As you read through these documents, consider both the information offered and the role and interests of the institutions that are providing the data and the analyses.

1. UNHCR, *Global Trends*. 2021.

Read the webpage, at <https://www.unhcr.org/en-us/globaltrends.html>, as it has updated information, including about a significant increase in global forced displacement due to the Russian invasion of Ukraine.

Then read the Global Trends report, at <https://www.unhcr.org/62a9d1494/global-trends-report-2021>, pages 1-11, and, on page 47 of the report, access tables 1-22. Look briefly at all the tables, but pay close attention to tables 1, 2, 4, 11, 14 and 15, as they refer to issues of particular policy interest.

2. Development Initiatives, *Global Humanitarian Assistance Report 2022*. Read the Foreword, Executive Summary, as well as Chapters 1, 2, 3, and 4. At https://devinit.org/documents/1193/GHA2022_Digital_v8_DknWCsU.pdf

3. Obrecht and Swithern, with Doherty, 2022 *The State of the Humanitarian System (SOHS) – Summary Report, (50 pp)* which you can download at <https://sohs.alnap.org/help-library/2022-the-state-of-the-humanitarian-system-sohs-%E2%80%93-summary>

Make sure you find the 50 page report, and not the longer one. Of course, if you'd like to read the entire report, you should feel free to do so, but I felt that was simply too much reading. ALNAP is short for the "Active Learning Network for Accountability and Performance in Humanitarian Action," and they are a learning network of ODI, the British-based independent think tank that "work[s] to inspire people to act on injustice and inequality."

4. OCHA, *Global Humanitarian Overview (Abridged Report)*. December 2022. Read the report, which you can download at <https://reliefweb.int/report/world/global-humanitarian-overview-2023-abridged-report-enaesfr>

January 24

International Politics and International Humanitarian Response. Where Exactly Does Humanitarianism Fit into Foreign and National Security Policy of Powerful States?

The Topic: Efforts to address crises take place within a larger international political context, broadly defined—and a context in which powerful states often have predominant roles. And this does not always augur well for those who are affected by conflict. How do policy-makers and practitioners make sense of that larger context, and how does it impact the actions they take or fail to take? For the class sessions this week, I will briefly lecture and we will examine some basic perspectives on international relations and international politics, and consider how concerns about human rights and humanitarian response might (or might not) be incorporated into various views on how the world works—and how it should work.

Readings—please complete the readings by January 24

1. Walt, “International relations: one world, many theories,” *Foreign Policy*, No. 110, Special Edition: Frontiers of Knowledge. (Spring 1998), pp. 29-32, 34-46. *This is an old and somewhat dated piece—in fact, you can consider how issues about which Walt speculated have evolved. But it is still valuable to set the stage for our discussion, and it was widely read when written and thereafter.*

UMN Libraries online and on Canvas.

2. Luttwak, “Give war a chance,” *Foreign Affairs*, July-August 1999 (six pages).

Available online at UMN libraries and on Canvas.

3. Schwartz, “Remarks at Formal Swearing-in Ceremony as Assistant Secretary of State for Population, Refugees and Migration,” August 2009.

On Canvas.

4. Tesón, “The Liberal Case for Humanitarian Intervention,” Chapter 3, pp. 93-129, in Holzgrefe and Keohane (eds.), *Humanitarian Intervention, Ethical, Legal and Political Dilemmas* (Cambridge, 2003).

UMN Libraries online and on Canvas.

5. Fiott, “Realist thought and humanitarian intervention,” *The International History Review*, 35:4 (2013), pp. 766-782.

UMN Libraries online and on Canvas.

6. Monk Debates, *The Russia Ukraine War* (recorded May 2022).
Debate between John Mearsheimer and Stephen Walt and Michael McFaul and Radosław Sikorski.

Watch/listen at least from 4:45 to 31:30.

https://www.youtube.com/watch?v=ivcSVG5eCeQ&ab_channel=Rados%C5%82awSikorski-kana%C5%82oficjalny

(On Sikorski YouTube channel.)

7. Schwartz, “No More Excuses, the Rohingya Need Our Help,” *Washington Post*, October 12, 2017, at

https://www.washingtonpost.com/news/democracy-post/wp/2017/10/12/no-more-excuses-the-rohingya-need-our-help/?utm_term=.c9096eec0ff7

8. Ignatieff and Wieseltier, “Enough is enough – U.S. abdication on Syria must come to an end,” *Washington Post*, February 9, 2016. At

https://www.washingtonpost.com/opinions/the-era-of-us-abdication-on-syria-must-end/2016/02/09/55226716-ce96-11e5-88cd-753e80cd29ad_story.html

9. Walt, “Could we have stopped this tragedy? A realist grapples with his doubts on intervention in Syria.” *Foreign Policy*, September 21, 2015.

10. Power, “Bystanders to Genocide: Why the United States Let the Rwandan Tragedy Happen,” *Atlantic Monthly*, September 2001, at

<http://www.theatlantic.com/magazine/archive/2001/09/bystanders-to-genocide/304571/>

*This is a lament about the absence of a concerted U.S. effort to act against the genocide in Rwanda. It later became a chapter in Power’s book on genocide, *A Problem from Hell*. There is an Alan Kuperman rebuttal to this piece, which I have not assigned due to the numbers of readings for this week—and due to the fact that we have a Kuperman article arguing the failure of humanitarian intervention in the R2P section of the syllabus. You should know that some have argued that Power did not adequately articulate the obstacles to intervention. Nonetheless, you should read this important piece, as it – and the Rwanda genocide – had an important impact on policy-makers. (I will discuss this in class.)*

January 26, January 31, and February 2

A History and Overview of Humanitarianism

We will devote three class sessions to this topic.

The topic and reading: Our readings for January 26, January 31, and February 2 will come exclusively from Barnett, *Empire of Humanity*. We will consider the origins of both the concept of humanitarianism and the field of practice. What are the critical components of humanitarianism, and how do we understand the evolution of concepts like neutrality and impartiality, the interests of stakeholders and related issues? What is the larger political context in which humanitarian activities take place? We will consider and assess the breadth of the humanitarianism, as officials and representatives of NGOs have sought to go beyond the saving of lives, and have attempted to promote reconciliation and recovery in countries around the world.

While this book was written about a decade ago, it continues to provide an important and even unique treatment of historical, philosophical, and practical issues that surround the field of humanitarianism. If you read it closely, you will identify most if not all of the issues that policy-makers and practitioners consider—or should consider.

The readings:

I am asking that you read the entire book, but you will have 10 days, overall, to do so—from the end of class on January 24 until the beginning of class on February 2.

Please read by January 31

*Barnett, Michael. *Empire of Humanity*. Introduction and Chapters 1-8, pp. 1-170.*

Please read by February 2

Barnett, Chapters 9-10 and Conclusion, pp. 171-240.

February 7 and February 9

The Extension of Humanitarianism—the Human Rights Dimension, and R2P.

The topic: *Before we begin to discuss the international legal and policy institutions that address humanitarian issues, broadly defined, I want you to have access to at least portions of East West Street, Philippe Sands important work on the origins of genocide and crimes against*

humanity. Recognition of those crimes is connected to the responsibility to protect doctrine, which of course is so relevant to a broader conception of humanitarianism—or at least humanitarian intervention to protect human rights. And that subject is a natural extension to the prior week’s discussion on the humanitarianism.

I also want to give you time you need to get through not only the Sands reading, but also the readings on R2P specifically. And this is why we are devoting three class sessions to these topics.

Thus, you will have from the end of class on February 2 to February 9 to complete the Sands and R2P readings. The bulk of the readings come from the Sands book, which is not technical, but largely biographical in nature.

The readings: Please complete the readings by class on February 9.

Crimes Against Humanity and Genocide:

Sands, *East West Street*. Please read *Note to Reader, Principal Characters, Prologue, as well as chapters on Lauterpacht (Part II) and Lemkin (Part IV), and Judgment (Part X)*.

The following readings all relate to R2P, and I felt it particularly appropriate that they should follow the Sands reading, above.

R2P readings:

1. Secretary General’s presentation to the United Nations General Assembly, 20 September 1999. At

<http://www.un.org/press/en/1999/19990920.sgsm7136.html>

The Secretary General made this speech at the annual session of the UNGA, back in 1999, before issuance of the R2P report by the International Commission on Intervention and State Sovereignty..

2. International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (2001). Please read the Foreword (vii-ix), the Synopsis (xi-xiii), Chapters 1, 2 and 6. At

<https://idl-bnc-idrc.dspacedirect.org/bitstream/handle/10625/18432/IDL-18432.pdf?sequence=6&isAllowed=y>

3. Global Centre for the Responsibility to Protect, Paragraphs 138-9, World Summit Outcome Document (2005). At

<https://www.globalr2p.org/resources/2005-world-summit-outcome-a-60-1-1/>

This excerpt is from an Outcome Document of governments meeting in New York at the United Nations in 2005. It represents early acceptance, at least in principle, of the doctrine of the

Responsibility to Protect.

4. Global Centre for the Responsibility to Protect, UNSC Resolution 1674 (2006). Download from site. At

<https://www.globalr2p.org/resources/resolution-1674-poc-s-res-1674/>

Security Council reference to the Outcome Document's reference to the responsibility to protect.

5. Global Centre for the Responsibility to Protect, *R2P References in United Nations Security Council Resolutions and Presidential Statements*. Just skim through the 15 pages of references. At

<https://www.globalr2p.org/resources/un-security-council-resolutions-and-presidential-statements-referencing-r2p/>

6. UN Security Council Resolution (resolution 1973). At

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N11/268/39/PDF/N1126839.pdf?OpenElement>

This is the resolution authorizing action in Libya, in response to a government assault on the city of Benghazi. Consider its relationship to Responsibility to Protect.

7. Human Rights Watch, "Libya: Benghazi civilians face grave risk (press release, March 27, 2011). At <http://www.hrw.org/news/2011/03/17/libya-benghazi-civilians-face-grave-risk>

8. Kuperman, "A model humanitarian intervention? Reassessing NATO's Libya Campaign," *International Security*, Summer 2013, Volume 38, No. 1, pp. 105-136. Online at library and on Canvas site.

A very critical piece on the application of Responsibility to Protect in Libya. While Responsibility to Protect proponents would challenge many of his assertions, his article raises important issues for consideration.

February 14 and February 16

The United Nations, International Institutions, and Human Rights and Humanitarian Law Designed to Address Global Crises and to Protect Human Rights in Situations of Conflict: Do they Matter, and Why?

The topic: In these sessions, we will examine more closely the institutions and the law designed to address global crises and to protect human rights in situations of conflict. What does the UN Charter suggest about the role of governments in responding to complex crises, what norms and institutions have been developed to provide such capacity, and what are the challenges to their

effectiveness? We will also introduce the legal regimes surrounding various humanitarian issues and designed to safeguard rights, such as the Geneva Conventions, the Convention Relating to the Status of Refugees, and other international instruments.

The readings: Please complete the readings by February 16.

The first reading, below, is the main reading for the week; it is from the United Nations and Changing World Politics by Professor Tom Weiss and others. The chapters provide basic information and analysis about the United Nations, as well as the UN's role on human rights and humanitarian issues.

Weiss et al. *The United Nations and Changing World Politics*, Introduction, pp. 1-21; Chapter 1 ("The Theory and Practice of UN Collective Security") pp. 25-42, Chapter 6 ("The United Nations, Human Rights and Humanitarian Affairs"), pp. 157-183.

International Legal Documents

The readings below are international legal documents, of one sort or another, all of which relate to laws or norms that impact international human rights and humanitarian response. I want you to be familiar with these documents and their texts. But I understand that you will not become an expert on each simply with a read-through.

UN Charter. You may read most of the Charter quickly. But focus, in particular, on introductory note, Preamble, Chapter I, Article 1 and 2; Chapter IV, Articles 11, 12, 17, 19; Chapter V, Articles 23, 24, 27; Chapter VI; Chapter VII; Chapter VIII; Chapter XV; Chapter IX, Chapter X, Chapter XV, and Chapter XVI, Article 103. At <https://www.un.org/en/about-us/un-charter/full-text>

The UN Charter is considered an authoritative expression of international law; all UN members are, in theory, bound by its provisions.

The Geneva Conventions of 1949 and their Additional Protocols, at ICRC Website, at <http://www.icrc.org/eng/war-and-law/treaties-customary-law/geneva-conventions/overview-geneva-conventions.htm>

Read this webpage, which summarizes the Conventions. Please also read the links at the bottom of the page, to short summaries of the three additional Protocols. The summaries will not make you an expert on the Protocols, but I want you to see the effort to strengthen the effect of the Conventions. Note that I'm not asking you to read the text of the Conventions or the Protocols.

Founded in 1863, the International Committee of the Red Cross "is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of armed conflict and other situations of violence and to provide them with assistance." (From the ICRC website.)

Description of ICRC Convention IV. At <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/INTRO/380?OpenDocument>

This is another description of Convention IV – a bit longer than the prior one. Please also read Article 4 of Convention IV, for which there is link on the web page.

-- History of the ICRC, at <https://www.icrc.org/eng/who-we-are/history/overview-section-history-icrc.htm>
and
-- The ICRC's Mandate and Mission, at <https://www.icrc.org/en/mandate-and-mission>

Because we will not have a separate session on the ICRC, you should read a bit about the organization, and the links above provide that information.

Convention and Protocol Relating to the Status of Refugees. At <http://www.unhcr.org/3b66c2aa10.html>

Place close attention to articles 1, 31, 32, and 33. You may read the rest of the document "quickly" (skimming, in particular, pages, 5-12).

This international convention was adopted largely in response to the displacement in Europe following World War II – and its initial focus was on refugees who had fled countries in Europe. The Convention's Protocol, which was adopted much later, applied the Convention's provisions to the rest of the world. As a practitioner, I found that Articles 1 and 33 were probably the most important ones in my work, day-in and day-out.

Cartagena Declaration on Refugees, adopted by the Colloquium on the International Protection of Refugees in Central America, Mexico and Panama, Cartagena de Indias, Colombia, 22 November 1984. Read paragraph 3. At https://www.oas.org/dil/1984_cartagena_declaration_on_refugees.pdf

This is a regional declaration that effectively expands the refugee definition. It has been incorporated into the laws of most governments of Latin America, in one manner or another. It provides one example of a regional effort to expand protections for those forced to flee. This broader definition is also included the following document.

OAU Convention Governing the Specific Aspects of Refugee Problems in Africa.
Read paragraph 1. At <https://www.unhcr.org/en-us/about-us/background/45dc1a682/oau-convention-governing-specific-aspects-refugee-problems-africa-adopted.html>

Guiding Principles on Internal Displacement. Read the introductory material on the webpage and then navigate to the Guiding Principles. At <http://www.ohchr.org/EN/Issues/IDPersons/Pages/Standards.aspx>

Universal Declaration of Human Rights. Read the introductory material on the webpage and the Declaration. At
at <http://www.un.org/en/universal-declaration-human-rights/>

The Universal Declaration is not a treaty – rather, it was a resolution, adopted by the General Assembly in 1948. We will discuss in class how such measures might take on the force of law, even if they are not treaties.

Mid-February and March

International Humanitarian Players and Key International Humanitarian Issues:

In this next part of the course, we will consider the major public international institutions that have emerged to address international refugee and humanitarian issues, including the Office for the Coordination of Humanitarian Affairs (OCHA) and UN funds and programs that are involved in humanitarian issues (e.g., UNHCR, WFP).. Aspiring policy-makers and practitioners should know how these institutions seek to translate the concepts of humanitarianism into programs involving billions of dollars from governments around the world. And we will of course address major and very challenging policy issues with which those institutions, as well as governments of the world, NGOs and other stake-holders, are dealing.

February 21, February 23, and February 28

Refugees and Others Forced to Cross Borders—Challenges and Solutions

Readings to be completed by February 21

UNHCR:

UNHCR is a key institution in humanitarian response. You may want to review again the Convention and Protocol Relating to the Status of Refugees, the foundational documents for UNHCR, both of which were in earlier assignments.

The UNHCR Website, at www.unhcr.org

Please read the “About us,” and “What we do” links, and each of the sub-links that appear in the drop down menus below those two links.

Betts and Collier, *Refuge: Transforming a Broken Refugee System*, Penguin, 2017. Read pages 1-11, 34-94, and 156-181.

This work was somewhat controversial and I want you to consider why that may have been the case. Nonetheless it is an important work that seeks to move the ball forward on critical issues surrounding the refugee regime. Unfortunately, time limitations prevent me from assigning the whole book, so I’ve focused on the descriptive sections primarily, as they are important to an understanding of the policy prescriptions that emerge from the descriptions.

UNHCR, *Global Compact on Refugees* (2018), at

<https://www.unhcr.org/5c658aed4>

Also read the Comprehensive Refugee Response Framework (CRRF) document, referenced in the Global Compact. The link to the CRRF is in the document, but I have included here as well. At

<https://www.unhcr.org/57e39d987>

You may go through both documents quickly, but given their importance, you ought to have some familiarity with them.

Danish Refugee Council, International Rescue Committee, and Norwegian Refugee Council, *The Global Compact for Refugees Three Years On: Navigating Barriers and Maximizing Incentives for Refugees and Host Countries* (November 2021). Read the Executive Summary.

At

<https://www.rescue.org/sites/default/files/document/6324/ircdrcnrcjointreportv4final.pdf>

Huang and Ash, *Using the Compact Model to Support Host States and Refugee Self-Reliance* (World Refugee Council Research Paper No. 6—December 2018.)

https://www.cigionline.org/sites/default/files/documents/WRC%20Research%20Paper%20no.6_0.pdf

IOM “explainer” on the Global Compact on Migration (GCM).

Please read the webpage, and each of the drop-down menu items on aims, the NY Declaration, and the process.

<https://www.iom.int/global-compact-migration>

The GCM was a companion compact to the Global Compact on Refugees, and you should have some familiarity with the GCR.

Reading to be completed by February 28

Aleinikoff and Zamore, *The Arc of Protection: Reforming the International Refugee Regime*. 2019. Stanford University Press. Read the entire monograph.

As you read this monograph, compare and contrast it to the analysis in the Betts/Collier book.

March 1

Climate Change and Displacement

Topic and readings: *This is a critically important issue that impacts all others in this course. As you only will have between the Tuesday and Thursday to complete the readings, I am asking that you read only two documents (and a short excerpt of a third), which together provide an indication of the dimensions of this challenge.*

1. USAID, *USAID Climate Strategy, 2022-2030* (April 2022), at <https://www.usaid.gov/sites/default/files/documents/USAID-Climate-Strategy-2022-2030.pdf>
2. Refugees International, *A Pathway to Protection for People on the Move* (Task force report to the president on the climate crisis and global migration), July 14, 2021, at <https://static1.squarespace.com/static/506c8ea1e4b01d9450dd53f5/t/60edde20bf52576c62471296/1626201633440/FINAL+-+Task+Force+Report+to+the+President+on+the+Climate+Crisis+and+Global+Migration+-+July+14%2C+2021.pdf>
3. White House, *Report on the Impact of Climate Change on Migration* (October 2021), at <https://www.whitehouse.gov/wp-content/uploads/2021/10/Report-on-the-Impact-of-Climate-Change-on-Migration.pdf>

Read introduction and recommendations. (Remainder of the report is optional.)

March 14 and 16, and March 21

1. The OCHA-Coordinated International System of Humanitarian Response

2. Internally Displaced People

The Topics: *We'll start with a discussion of how governments of the world determined, beginning some 35 years ago, how the international humanitarian organizations that they funded would be organized in what might be loosely (or charitably) described as an international system of humanitarian response. At the heart of that effort, at least conceptually if not always*

operationally, is the Office for the Coordination of Humanitarian Assistance. But as OCHA coordination has historically focused on responses outside the refugee framework, involving those crises within countries that require international engagement, I am including in this section of the syllabus our consideration of internally displaced people.

The Readings: Please complete the following readings by class on March 16

OCHA and Humanitarian Coordination

The Office of Coordination for Humanitarian Affairs is part of the UN Secretariat – it is therefore run by an Undersecretary General, Martin Griffiths, who also holds the title of UN Emergency Relief Coordinator. OCHA is charged with coordination of the many and varied agencies that are involved in humanitarian response. These readings are designed to give you a good sense of the operations and structure of OCHA, as well as some key issues. As a general matter, coordination for refugee responses is under the authority of UNHCR (though the issue is, of course, far more complicated than that simple sentence.)

1. UNOCHA Website, at www.unocha.org

This site contains important (and brief) descriptive information of which you should be aware.

Read the following links and sub-links (sub-links are indented):

About OCHA <https://www.unocha.org/about-ocha>

- Our Work <https://www.unocha.org/about-ocha/our-work>
 - Coordination <https://www.unocha.org/our-work/coordination>
 - Humanitarian financing <https://www.unocha.org/our-work/humanitarian-financing>
- History of OCHA <https://www.unocha.org/about-ocha/history-ocha>
 - UN Resolution 46/182 (important—and use my link here, as link on the webpage is bad.)
 - <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/582/70/IMG/NR058270.pdf?OpenElement>
- OCHA leadership <https://www.unocha.org/about-ocha/ocha-leadership>

Funding <https://www.unocha.org/funding#donor-others>

The Cluster Approach

This is an approach to humanitarian coordination that grew out of international humanitarian reform efforts—and, in particular, a 2005 reform project in which the UN was engaged. The cluster approach primarily addresses coordination challenges for crises in non-refugee settings – involving internally displaced persons and other impacted citizens who have not left their countries of origin. Again, UNHCR continues to have lead responsibilities outside the Cluster System for refugee emergencies, though, for reasons we can discuss in class, the distinction often breaks down in practice.

UNOCHA Website – Clusters

<https://www.humanitarianresponse.info/en/coordination/clusters>

Read the following links in the left column of that page, under “About Clusters”:

- [What is the Cluster Approach?](#)
- [Why do we need the Cluster Approach?](#)
- [Who does what?](#)

Under the “Cluster Coordination at the National Level” link in that left column, read the following sublink:

- [Cluster Activation and Deactivation](#)

Interagency Standing Committee

IASC, or the Interagency Standing Committee, is a coordinating body under OCHA that is composed of OCHA, UN agencies and non-governmental representatives. It plays a role in overall coordination in the international humanitarian system.

(IASC) webpage. At <https://interagencystandingcommittee.org/>

Please read the link, *Who we are* At

<https://interagencystandingcommittee.org/the-inter-agency-standing-committee>

Clarke and Sullivan, “Coordination in theory, coordination in practice, the case of clusters,” *Disasters*, Vol 42, Issue 4 (October 2018), pp. 655-673, online in library and on Canvas.

After the development of the cluster system (following a 2005 humanitarian review), there were a number of early assessments of the system. But more recent overall assessments of the cluster system are harder to find. This one is from about five years ago.

Internally Displaced People

UN Secretary General’s High Level Panel on Internal Displacement, *Shining a light on internal displacement, a vision for the future* (2021), pages 61-63 (begin with that annex, which provides background), and then read pp. ii through page 59, at <https://data.unhcr.org/en/documents/details/91144#:~:text=their%20own%20countries.-,Shining%20a%20Light%20on%20Internal%20Displacement%3A%20A%20Vision%20for%20the,the%20impacts%20of%20climate%20change.>

This report is an important document for those concerned about progress on efforts to address the challenges around internal displacement. I hope to have a staff member of the panel in class when we discuss this report.

United Nations, *the United Nations Secretary-General's action agenda on internal displacement: follow-up to the report of the UN Secretary-General's High-Level Panel on Internal Displacement* (June 2022), read entire report. At https://www.un.org/en/content/action-agenda-on-internal-displacement/assets/pdf/Action-Agenda-on-Internal-Displacement_EN.pdf

Interaction, *Interaction and ICVA welcome the UN Secretary General's Action Agenda on Internal Displacement and call for details its implementation* (April 5, 2022), at <https://www.interaction.org/blog/interaction-and-icva-welcome-the-u-n-secretary-generals-action-agenda-on-internal-displacement-and-call-for-details-on-its-implementation/>

Short piece that provides a bit of insight into NGO relationship with UN system, as well as indication of issues of concern to the NGO community.

March 23

International Humanitarian Reform – the “Grand Bargain” and its Aftermath

The topic: However you characterize international humanitarian reform efforts, it is important that students/practitioners are aware of measures around the so-called Grand Bargain. This “bargain” was envisioned in a UN report, “Too Important to Fail—Addressing the Humanitarian Financing Gap,” produced by a High-Level Panel on Humanitarian Financing in January 2016. That report was issued just prior to a World Humanitarian Summit held in Istanbul in March of 2016. We will not have time to consider these issues in great depth, but having some familiarity with them is important.

The readings: Please complete these readings before the March 23 class. They are relatively short.

1. Jones, “Everything you need to know about the World Humanitarian Summit,” *Guardian*, May 19, 2016, at

https://www.theguardian.com/global-development/2016/may/19/world-humanitarian-summit-istanbul-everything-you-need-to-know?CMP=share_btn_link

2. Statement by Medecins Sans Frontieres on the World Humanitarian Summit, May 4, 2016, at <http://www.globalresearch.ca/doctors-without-borders-msf-to-pull-out-of-world-humanitarian-summit/5523624>

MSF apparently took the statement down from its site. The link provided is from the Centre for Research on Globalization. I am confident it is an authentic reproduction of the MSF statement.) Relate MSF's critique to the discussions in the Barnett book.

3. IASC Explainer on the Grand Bargain, at <https://interagencystandingcommittee.org/about-the-grand-bargain>
4. *The Grand Bargain – A Shared Commitment to Better Serve People in Need* (2016).
At https://interagencystandingcommittee.org/system/files/grand_bargain_final_22_may_final-2_0.pdf

This 2016 document, from the IASC website (and to which many organizations associated themselves), identifies the key commitments made by governments, international organizations, and NGOs.)
5. Metcalfe-Hough, Fenton, Willitts-King, and Spencer, *The Grand Bargain at Five Years, an Independent Review* (June 2021, Humanitarian Policy Group and ODI). Read the foreword and executive summary only, at <https://interagencystandingcommittee.org/system/files/2021-06/Grand%20Bargain%20Annual%20Independent%20Report%202021.pdf>
6. IASC, *Grand Bargain 2.0 Framework and Annexes*, at <https://interagencystandingcommittee.org/grand-bargain-official-website/grand-bargain-20-framework-and-annexes-deenesfr>
7. IASC, “NGO statement on the Grand Bargain (December 1, 2022),” at <https://interagencystandingcommittee.org/system/files/2022-12/Joint%20NGO%20Statement%20on%20GB%20future%20paper%20around%20GHO%201aunch%20FINAL.pdf>

March 28 and March 30:

Localization, including the role of refugee-led organizations—rhetoric and reality

Readings (please complete by March 28)

1. Pincock, Betts, Easton-Calabria, and Abingdon, “The rhetoric and reality of localization: refugee-led organizations in humanitarian governance,” *The Journal of Development Studies*, Vol 57 (5), p. 719-734, UMN Library online, and on Canvas.

2. Milner, Alio, and Gardi, “Meaningful refugee participation: an emerging norm in the global refugee regime,” *Refugee Survey Quarterly* (6 May 2022), p. 1-29.
UMN Library online and on Canvas.

3. Dizolele, Kurtzer, and Abdullah, *Localizing humanitarian action in Africa*” (July 2022, Washington, DC, CSIS), at reliefweb site, at
<https://reliefweb.int/report/world/localizing-humanitarian-action-africa>

4. Atrache and Khan, *Transforming Syria’s lifeline: a plan for sustaining cross-border aid in Northwest Syria,*” (July 2022, Refugees International), at
<https://static1.squarespace.com/static/506c8ea1e4b01d9450dd53f5/t/62ec689a1481810fb6c1ca48/1659660442986/FINAL++Syria+Report+-+August+2022.pdf>

5. Roepstorff, “Localisation requires trust: an interface on the Rohingya response in Bangladesh,” *Disasters*, 46: 610-632, (2022).

Online at UMN Libraries and on Canvas.

April 4 and April 6

5. Peacekeeping

The Topic: *Beginning in the decade of the 1990s, United Nations peacekeepers became the tool of choice in many situations involving international efforts to address complex humanitarian crises. But United Nations peacekeeping was not originally developed with such ambitious objectives. We will consider the theory behind traditional peacekeeping, and how that has changed in recent decades, and the challenges that this poses—and, of course, the role that peacekeepers are being asked to play in addresses humanitarian crises, broadly defined.*

Readings: *please complete the readings by April 4*

This is a vast area, and I have struggled with readings that do overburden you but give you key information. We will consider one peacekeeping operation in some depth, the one in the Central Africa Republic—as it illustrates a broad range of challenges that confront contemporary peace operations.

1. UN Peacekeeping (Department of Peacekeeping Operations) website, at <http://www.un.org/en/peacekeeping/>

Read the peacekeeping homepage, and then read the following links and sublinks (sublinks are indented, below.)

[Where we operate](#)

Read each of the very short descriptions of “Current operations”

[What is peacekeeping?](#)

[Principles of peacekeeping](#)

[Forming a new operation](#)

[What we do](#)

2. Weiss et al., *The United Nations and Changing World Politics*, chapter 2, 43-57; portions of chapter 4, 87-100; and pp. 113-116, and pp 141-145.

3. Day, Gorur, Holt, and Hunt, *The Political Practice of Peacekeeping: How Strategies for Peace Operations are Developed and Implemented*. United Nations University/Stimson, 2020. At <http://collections.unu.edu/eserv/UNU:7791/OverarchingPaper.pdf>

The Central African Republic

1. Vermeij et al., *UN Peacekeeping Operations at a Crossroads: the Implementation of Protection Mandates in Contested and Congested Spaces*. 2022 Norwegian Institute of International Affairs.

Read Chapter 2, “MINUSCA—Protection in a Contested Operational Environment, pages 35-73.

At

<https://www.nrc.no/globalassets/pdf/reports/epon/un-peacekeeping-operations-at-a-crossroads.pdf>

2. Lamarche, *Addressing Atrocities and Displacement: A Path Forward for the Central African Republic* Alexandra Lamarche, Refugees International, September 2021. At

<https://static1.squarespace.com/static/506c8ea1e4b01d9450dd53f5/t/612e8282c6a5957400691f03/1630438019294/A+Path+Forward+for+the+Central+African+Republic+-+Alexandra+Lamarche+-+September+2021.pdf>

3. UN Security Council press release, “Security Council extends mandate of Multidimensional Stabilization Mission in Central African Republic for on year, adopting resolution 2659 (2022), reproduced in reliefweb, at

<https://reliefweb.int/report/central-african-republic/security-council-extends-mandate-multidimensional-stabilization-mission-central-african-republic-one-year-adopting-resolution-2659-2022>

4. UN Security Council resolution 2659 (2022), at

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/691/48/PDF/N2269148.pdf?OpenElement>

April 11

Humanitarian food security and famine and risk of famine in humanitarian crises

The topic: *we could of course devote the whole semester to this topic. Starting from the proposition that certain crises will require international provision of food aid, I have provided readings that focus on definitions and causes of famine, the World Food Program, and humanitarian diplomacy around issues of food security. We will at least try to tie it all together during a lecture in class.*

(See readings on next page.)

Readings: *please complete by class on April 11.*

1. WFP

At the WFP website, www.wfp.org

Read “WFP at a glance,” at <https://www.wfp.org/stories/wfp-glance>

Read about how WFP describes its mission, at

<https://www.wfp.org/overview>

Read the “Our Work” sections www.wfp.org/our-work

And read the following “drop down” sub-sections in the *Our Work* section:

About hunger

Ending hunger

Fighting famine

Conflict and peace
 A global food crisis
Saving lives
 Disaster risk reduction
 Emergency relief
 Food assistance
 Humanitarian support and services

2. FEWS NET Website, at <https://fews.net/>

Just look around the site, so you are a bit familiar with it, and in the Sectors and Topics section, read the Integrated Phase Classification subsection, at <https://fews.net/IPC>

2. Rubin, “Drought, famine, and disasters,” in Aronsson-Storrier and Dahlberg, *Defining disaster, disciplines and domains* (2022, Elgar). This is Chapter 8.

On Canvas.

3. Danssaert, “Famine as a weapon of war: a timeline of the Tigray conflict,” IPIS (October 19, 2022), at <https://ipisresearch.be/wp-content/uploads/2022/10/Famine-as-a-weapon-of-war.pdf>

4. de Waal, “Mass starvation: tackling the political causes of famine,” presentation at ODI, 6 December 2018, on YouTube. First 43 minutes. At <https://odi.org/en/events/mass-starvation-tackling-the-political-causes-of-famine/>

You are only required to listen to the first 43 minutes of this norm-focused presentation.

5. Lynch, “Inside the high-stakes deal to open Ukraine’s grain corridor,” *Devex*, 27 September 2022, at <https://www.devex.com/news/inside-the-un-s-high-stakes-deal-to-open-ukraine-s-grain-corridor-104096>

April 13

Women, Peace, and Security

The Topic: Practitioners and scholars involved in humanitarian issues have considered women, peace and security from several perspectives: they have focused on the imperative of preventing and punishing violations of the human rights of women in situations of persecution and conflict and the differential needs of women in humanitarian settings. In addition, they’ve emphasized the importance of reconstruction efforts that recognize the role of women as agents of economic, social and political development; and on the value of promoting greater inclusion of women in positions of leadership in peacebuilding programs.

Readings: please complete by April 13.

1. UNSC Resolution 1325, on Women, Peace and Security, 31 October 2000. At <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement>

2. UN, “Security Council resolutions on women, peace, and security,” at <https://peacemaker.un.org/wps/normative-frameworks/un-security-council-resolutions>

Read the webpage—you do not need to read each of the resolutions, but I want you to have an idea of the succession of resolutions.

3. Fionnuala Ní Aoláin, “Women, vulnerability, and humanitarian emergencies, 18 *Michigan Journal of Gender and Law*. Pages 1-23.

(2011). Online and on Canvas.

This is an older piece, but I want you to read it as it was written by a UMN professor who is also serving as a UN special rapporteur, and it raises important themes.

4. Women’s International League for Peace and Freedom, National Action Plans by Region. At <https://1325naps.peacewomen.org/index.php/nap-overview/>

Skim this page and the plans. You won’t have time to read individual plans, but I want you to know about them.

5. Shepard, “Making war safe for women? National action plans and the militarization of the Women, Peace, and Security agenda,” *International Political Science Review* (2016), Vol. 37(3), 324-335.

UMN Libraries online and on Canvas.

6. Davies and True, “Follow the money: assessing women, peace, and security through financing for gender-inclusive peace,” *Review of International Studies* (2022), 48: 4 668-688. Online and on Canvas.

UMN Libraries online and on Canvas.

III. Mid-End-April: U.S. Government in Humanitarian Response

April 18 and April 20 and April 25

U.S. Government in Humanitarian Response, including Overseas Humanitarian and

Refugee Assistance, Refugee Admissions, and Asylum – Organization and Activities

The topics: *We will examine both overseas humanitarian assistance provided by the United States, as well as issues involving the U.S. refugee admissions program, asylum, and immigration.*

A. Overseas Humanitarian Assistance

There are many offices, agencies, and departments involved in the delivery of U.S. humanitarian assistance—and that number increases if we use an expanded definition of humanitarian assistance that includes peace-building. The bulk of U.S. civilian humanitarian assistance comes from two agencies: the U.S. Agency for International Development (USAID) and the State Department.

In 2022 that number was probably just over \$9 billion, from three accounts (numbers below are estimates, as I do not have current numbers as of this writing):

- 1) The International Disaster Assistance Account – overall, some \$4 billion or more per year in recent years, and implemented by USAID’s Office of Overseas Disaster Assistance (OFDA), in USAID’s Bureau of Humanitarian Assistance.*
- 2) Title II Food Aid (most of which is used for emergency assistance)—nearly \$2 billion per year in recent years, also implemented by USAID’s Bureau of Humanitarian Assistance; and*
- 3) Migration and Refugee Assistance—over \$3 billion per year, and implemented by the State Department’s Bureau of Population, Refugees and Migration.*

USAID’s Office of Foreign Disaster Assistance (OFDA, number 1, above) works with non-governmental organizations in large measure, but also has agreements for support of projects undertaken by international organizations. It also sends Disaster Assistance Response Teams (DARTs) around the world to the sites of disasters to make assessments and recommendations for response.

USAID’s emergency food aid (number 2, above) is largely delivered to the World Food Program.

State/PRM (number 3, above) channels the bulk of its assistance to international organizations, including UNHCR and ICRC and the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). To a greater extent than OFDA, PRM provides what might be described as program rather than “project” support to recipients of its assistance. PRM also supports NGOs, but to a much smaller degree than does OFDA (in terms of percentage of each agency’s total disbursements).

And PRM has major responsibilities with respect to the U.S. refugee admissions program.

Even more than those monies: *Finally, and as mentioned above, there are other U.S.*

government offices involved (and which provide aid beyond the estimated \$9 billion or more), especially if you use a broad definition of humanitarian assistance to include peacebuilding. This includes USAID's Office of Transition Initiatives, the State Department Bureau of Conflict and Stabilization Operations, as well as offices that support UN peacekeeping, in the State Department's Bureau of International Organization Affairs, among others. In addition, there are billions more in support to international public health efforts. (And I should also note that it may be the case that USAID's Bureau of Humanitarian Response administers other—not disaster—USAID monies for humanitarian objectives.)

B. International Stabilization Efforts

Because stabilization efforts are intended to help avert humanitarian crises, we will briefly review U.S. government efforts in this respect. They are undertaken by the Departments of State and Defense, and by USAID.

C. Domestic Policy Developments and Debate Around Immigration, Refugee Admissions, and Asylum

It is difficult to neatly separate domestic and foreign policy on migration and refugee protection issues, so some of what appears below can be characterized as both domestic policy and international humanitarian policy. For clarity, I have divided the descriptions and readings below into a) the U.S. refugee admissions program and b) issues relating to asylum.

The U.S. Refugee Admissions Program (USRAP)

Under the 1980 Refugee Act, the President each year determines a U.S. refugee admissions ceiling—that is, the maximum number of refugees the United States will agree to bring to the United States for the purposes of resettlement, from countries around the world. The vast majority of such persons are among the more than 25 million refugees receiving some form of temporary protection in countries to which they have fled.

The U.S. Refugee Admissions program is distinct from the U.S. asylum process, in which people already within the United States or seeking entry at U.S. borders request protection.

President Obama's final year: In the final year of the Obama administration, the U.S. Refugee Admissions ceiling was set at 110,000 for fiscal year 2017 (October 1, 2016 to September 30, 2017).

President Trump: That number was effectively reduced to just over 50,000 through executive action by President Trump, who also ordered a temporary suspension in the refugee admissions program after he came to office, a suspension that was technically lifted in late October 2017—but was followed by a special three month review that impacted refugees from 11 countries deemed to be high risk. That review was completed in January 2018, and the program that emerged had new security procedures in place.

For fiscal year 2018 (October 1, 2017 to September 30, 2018), the president authorized a U.S.

refugee ceiling of 45,000. And for fiscal year 2019, the president authorized a U.S. refugee ceiling of 30,000. For fiscal year 2020, the number was 18,000. The president also issued an Executive Order that would only permit resettlement of refugees under the U.S. Refugee Admissions Program in “those jurisdictions in which both the State and local governments have consented to receive refugees” under the Program. (On January 8, 2021, that order was blocked by a federal appeals court.)

For fiscal year 2021, then-President Trump authorized a refugee ceiling of 15,000.

President Biden: In May 2021, the then-new Biden administration adjusted upwards the 2021 15,000 ceiling authorized by President Trump, to a total of 62,500. And for 2022 and 2023, the ceilings were set for 125,000 in each year. However, and as you will see from the readings, the current administration’s largest two resettlement-like programs for forced migrants and refugees, involving Afghans and Ukrainians, have not made significant use of the refugee resettlement program.

Asylum in the United States

Given the breadth of materials we will be considering, it is not possible to provide you with readings that capture all ongoing and new developments on asylum issues in recent years in the United States. During class, I may briefly describe some of the most significant administrative and legal developments surrounding the asylum debate. They are complex, and we will not have the chance to analyze them in detail.

During the Trump presidency, the president and officials of his administration announced and/or took measures they argued were necessary to ensure against abuse of the U.S. asylum system, especially given the very large backlog of asylum applicants in the system, and to ensure security. Advocates and others contend that these and other measures, collectively, amount to fundamental violations of the Refugee Convention and Protocol, and, effectively, “the end of asylum.”

These included, *inter alia*, measures to criminally prosecute those who have sought to cross into the United States between ports of entry (whether or not they have valid claims for asylum); to require asylum seekers to “remain in Mexico” during the pendency of their claims (the so-called “Migrant Protection Protocols”); to prohibit applications for asylum from asylum seekers who transited a third country on route to the southern border of the United States and did not apply for asylum in that third country; and to negotiate “Asylum Cooperative Agreements” with several countries in Central America providing that individuals seeking asylum in the United States could be sent to one of those Central American countries to have their claims considered and—and if accepted—to obtain asylum in one of those countries.

Upon taking office and in the two years that have followed, the Biden administration has sought to end many if not most of administration’s restrictions on asylum. But it has faced legal, political, and policy challenges that have been formidable, and which we will consider (albeit briefly) in class.

Readings for April 20: please complete by April 20 the readings under *Humanitarian and Refugee Assistance, Bureaucratic and Diplomatic Issues Relating to Humanitarian Response – primary source documents, and Stabilization.*

Readings for April 25: Please complete by April 25 the readings on *refugee admissions and asylum*

Readings for April 20.

Humanitarian and Refugee Assistance

1. Department of State, *Congressional budget justification Department of State, foreign operations, and related programs* (undated, but 2022).

Read the introductory letter from Secretary of State Blinken and Bilateral Economic Assistance, pp. 82-108.

At

https://www.state.gov/wp-content/uploads/2022/06/FY-2023-Congressional-Budget-Justification_Final_508comp.pdf

I am principally interested in your seeing the humanitarian assistance portions, but if you look briefly at (skim) the others included in pp. 82-108, you'll have a better sense of context.

2. USAID and Humanitarian Assistance: the Bureau for Humanitarian Assistance

Webpage of USAID's Bureau for Humanitarian Assistance. At

<https://www.usaid.gov/humanitarian-assistance#:~:text=USAID's%20Bureau%20for%20Humanitarian%20Assistance,year%20with%20life%2Dsaving%20aid>

And read the following sublink:

What we do <https://www.usaid.gov/humanitarian-assistance/what-we-do>

Also read the USAID webpage, Conflict Prevention and Stabilization (which is outside of humanitarian assistance), at

<https://www.usaid.gov/what-we-do/conflict-prevention-stabilization>

3. The State Department Role and the Bureau of Population, Refugees and Migration.

State Department, *Framework for Cooperation between the United States Department of State, Bureau of Population, Refugees, and Migration and the Office of the United Nations High Commissioner for Refugees, 2020-2021*. At <https://2017-2021.state.gov/wp-content/uploads/2020/12/201210-US-Framework-Full-Agreement-508.pdf>

Because a huge amount of PRM funding goes to UNHCR (a billion dollars or more), the relationship between PRM and UNHCR is important. (You may see acronyms in this document that are unfamiliar, but if you google them, together with terms like UNHCR, you will find good and relevant definitions.) This agreement was reached in the final year of the Trump administration, but I could not find a more recent one. I want you to read this document to see the depth of engagement between the State Department and UNHCR, a major international humanitarian organization, and some of the areas of focus for that engagement.

4. The Department of Defense

Fiscal Year 2017 Budget Estimates, Overseas Humanitarian, Disaster Assistance and Civil Aid, April 2022, at http://comptroller.defense.gov/Portals/45/Documents/defbudget/FY2017/budget_justification/pdfs/01_Operation_and_Maintenance/O_M_VOL_1_PART_2/OHDACA_OP-5.pdf

This is the DOD humanitarian budget document. Get the gist, and then skim. The OHDACA account funds or reimburses Department of Defense and combatant (regional) commands for humanitarian activities. The numbers are not huge, but the funding is important.

Bureaucratic and Diplomatic Issues Relating to Humanitarian Response – primary source documents.

(All of the documents in this section are on Canvas.)

State-AID Coordination -- the documents below give you insight into challenges of bureaucratic coordination – in this case, State-USAID coordination issues.

- State/USAID Paper on PRM-DCHA Coordination and Funding Guidelines in Complex Humanitarian Emergencies, undated (agreement first reached about a decade ago) (PDF).
- Letter from Eric Schwartz and Susan Reichle to their bureau staffs (PDF)

Bureaucratic Advocacy – in the following email, below, consider what I was trying to achieve in the email to Ambassador Holbrooke.

- Email from Eric Schwartz to Richard Holbrooke on the need for funding for Pakistan. (PDF)

Humanitarian Diplomacy – the following are classified reporting cables that give you a sense of what a humanitarian diplomat does (or, at least, what I did).

Declassified State Department cables and other materials relating to humanitarian diplomacy. These include

- Sri Lanka: a cable on meetings and a trip to Sri Lanka relating to the situation of Sri Lankans displaced as a result of the war;
- Thailand and then Laos: the first cable, from Thailand, relates to unsuccessful diplomatic efforts to prevent the forced return of Lao-Hmong asylum-seekers from Thailand; the second, from Laos, reports on a diplomatic visit to Laos after the returns from Thailand;
- Uzbekistan (and Kyrgyzstan), relating to the fleeing from Kyrgyzstan to Uzbekistan of ethnic Uzbeks, and their subsequent return to Kyrgyzstan;
- A public letter on a diplomatic and field mission to Sudan and Chad (which has hosted refugees from Darfur); and
- Bangladesh: reporting cable on a trip to address the situation of the Rohingya refugees who fled Burma, where they have been subjected to discrimination and persecution. (PDF)

Articulating Strategy: This is a memorandum I prepared for the PRM Bureau I directed. You can skim it.

- PRM Priorities Memo, dated May 2010 (PDF).

Stabilization

1. House Foreign Affairs Committee Subcommittee on International Development, International Organizations and Global Corporate Social Impact, *Improving the United States' Ability to Prevent and Stabilize Conflict: Global Fragility Act Implementation* (May 11, 2022), at

<https://foreignaffairs.house.gov/2022/5/improving-the-united-states-ability-to-prevent-and-stabilize-conflict-global-fragility-act-implementation>

Listen to at least minutes 9:00 through 22:00. This will give you an idea of how Biden administration officials view this issue. Of course, you are free to listen to as much of the hearing as you like. Witnesses include –

The Honorable Anne A. Witkowsky
Assistant Secretary
 Bureau of Conflict and Stabilization Operations
 U.S. Department of State

Mr. Robert Jenkins
Assistant to the Administrator
 Bureau for Conflict Prevention and Stabilization
 U.S. Agency for International Development

Mr. James Saenz
Deputy Assistant Secretary of Defense
 Counternarcotics and Stabilization Policy
 U.S. Department of Defense

Saenz is within the Office of the Assistant Secretary of Defense for International Security Affairs. Note that the humanitarian assistance functions of the Department of Defense (described above) are in the Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (SOLIC).

2. Yayboke, *A Policy-Maker's Guide to the Global Fragility Act*, May 2021, CSIS, at https://csis-website-prod.s3.amazonaws.com/s3fs-public/publication/210506_Yayboke_Guide_GlobalFragilityAct_1.pdf?SYyU42OXhQqpWPxuPeljoPndJOxuiyOV

I'm assigning this because it provides a description of the Act and also gives you a sense of what a think tank policy brief looks like.

3. White House, "Letter from the President on the Implementation of the Global Fragility Act." April 1, 2022. At <https://www.whitehouse.gov/briefing-room/statements-releases/2022/04/01/letter-from-the-president-on-the-implementation-of-the-global-fragility-act/>

and

Executive Office of the President (?), *2022 Prologue to the United States Strategy to Prevent Conflict and Promote Stability*. (Department of State 2022) At <https://www.state.gov/wp-content/uploads/2022/06/CSO-2022-SPCPSprologue-EN-FINAL-508-Accessible-05172022.pdf>

Readings for April 25.

Refugee Admissions and Asylum

Readings:

National Immigration Forum, Factsheet on U.S. Refugee Resettlement Program (November 2020), at <https://immigrationforum.org/article/fact-sheet-u-s-refugee-resettlement/>

A good explainer.

2. State Department, *Proposed Refugee Admissions for Fiscal Year 2023*, Report to Congress. At https://www.state.gov/wp-content/uploads/2022/09/FY-2023-USRAP-Report-to-Congress_FINAL_7-Sep-2022.pdf

Please read pp. 4-28, and Table IV on page 38.

3. Chishti and Bolter, *Welcoming Afghans and Ukrainians to the United States: A Case in Similarities and Contrasts*. July 13, 2022. Migration Policy Institute, at <https://www.migrationpolicy.org/article/afghan-ukrainian-us-arrivals-parole>

Asylum

White House, *U.S. Strategy for Addressing the Root Causes of Migration in Central America*. July 2021, at <https://www.whitehouse.gov/wp-content/uploads/2021/07/Root-Causes-Strategy.pdf>

White House, *Collaborative Migration Management Strategy*. July 2021. At https://www.whitehouse.gov/wp-content/uploads/2021/07/Collaborative-Migration-Management-Strategy.pdf?utm_medium=email&utm_source=govdelivery

Shear and Jordan, “Biden is hoping small changes go a long way on immigration.” *New York Times*. September 27, 2022.

UMN Libraries online and on Canvas. At <https://www.nytimes.com/2022/09/27/us/politics/biden-immigration-asylum.html#:~:text=Biden%20has%20promised%20not%20to,from%20both%20parties%20for%20decades.>

Suro and Aleinikoff, “Here’s how to handle Central American migrants—like the Cuban rafters and Soviet Jews before them.” *Los Angeles Times*. February 13, 2019. At [Op-Ed: Here’s how to handle Central American migrants — like the Cuban rafters and Soviet Jews before them - Los Angeles Times \(latimes.com\)](https://www.latimes.com/opinion/story/2019-02-13/central-american-migrants)

April 27--TBD**Further information about the course (and other University policies).****Special note on stressful issues and on mental health and stress management:**

Because migration, refugee, and humanitarian issues often involve human rights abuses and great suffering, some of the topics, readings, and discussion may involve issues that impact students personally and profoundly. It is also the case that senior U.S. officials whose perspectives we are bound to consider in this course have used offensive, biased, and inflammatory rhetoric that could cause great offense and upset, especially to individuals (and/or their friends or family members) who have been negatively affected by actions of policy-makers and other officials. I deeply regret that this is the case, and I will work hard to address challenging issues with sensitivity, but you should feel free to speak with me if we are dealing with material you find personally difficult. We will of course keep all such discussion private.

More generally, you may experience a range of issues that can cause barriers to learning, such as strained relationships, increased anxiety, alcohol/drug problems, feeling down, difficulty concentrating, and/or lack of motivation. These mental health concerns or stressful events may lead to diminished academic performance or reduce your ability to participate in daily activities. University of Minnesota services are available to assist you with addressing these and other concerns you may be experiencing. You can learn more about the broad range of confidential mental health services available at UMN via <https://disability.umn.edu/>.

If you are enrolled with Disability Services and would like to make an accommodation request, I encourage you to share this with me as soon as possible so that we can be of maximum support to you. See more on their services at the end of the syllabus.

Remember also that there are advisors in the Humphrey Student Services office. They are available to address concerns you have and provide further resources within the University. You can visit Humphrey Student Services on 612-624-8162.

Student Conduct Code

The University seeks an environment that promotes academic achievement and integrity, that is protective of free inquiry, and that serves the educational mission of the University. Similarly, the University seeks a community that is free from violence, threats, and intimidation; that is respectful of the rights, opportunities, and welfare of students, faculty, staff, and guests of the University; and that does not threaten the physical or mental health or safety of members of the University community.

As a student at the University you are expected adhere to Board of Regents Policy: *Student Conduct Code*. To review the Student Conduct Code, please see: https://regents.umn.edu/sites/regents.umn.edu/files/2020-01/policy_student_conduct_code.pdf

Note that the conduct code specifically addresses disruptive classroom conduct, which means "engaging in behavior that substantially or repeatedly interrupts either the instructor's ability to teach or student learning. The classroom extends to any setting where a student is engaged in work toward academic credit or satisfaction of program-based requirements or related activities."

Scholastic Dishonesty

You are expected to do your own academic work and cite sources as necessary. Failing to do so is scholastic dishonesty. Scholastic dishonesty means plagiarizing; cheating on assignments or examinations; engaging in unauthorized collaboration on academic work; taking, acquiring, or using test materials without faculty permission; submitting false or incomplete records of academic achievement; acting alone or in cooperation with another to falsify records or to obtain dishonestly grades, honors, awards, or professional endorsement; altering, forging, or misusing a University academic record; or fabricating or falsifying data, research procedures, or data analysis. (Student Conduct Code:

http://regents.umn.edu/sites/default/files/policies/Student_Conduct_Code.pdf) If it is determined that a student has cheated, he or she may be given an "F" or an "N" for the course, and may face

additional sanctions from the University.

The Office for Student Conduct and Academic Integrity has an information page related to scholastic dishonesty:

<https://communitystandards.umn.edu/avoid-violations/avoiding-scholastic-dishonesty>

If you have additional questions, please clarify with your instructor for the course. Your instructor can respond to your specific questions regarding what would constitute scholastic dishonesty in the context of a particular class – e.g., whether collaboration on assignments is permitted, requirements and methods for citing sources, if electronic aids are permitted or prohibited during an exam.

Makeup Work for Legitimate Absences

Students will not be penalized for absence during the semester due to unavoidable or legitimate circumstances. Such circumstances include verified illness, participation in intercollegiate athletic events, subpoenas, jury duty, military service, bereavement, and religious observances. Such circumstances do not include voting in local, state, or national elections. For complete information, please see: <https://policy.umn.edu/education/makeupwork>

Appropriate Student Use of Class Notes and Course Materials

Taking notes is a means of recording information but more importantly of personally absorbing and integrating the educational experience. However, broadly disseminating class notes beyond the classroom community or accepting compensation for taking and distributing classroom notes undermines instructor interests in their intellectual work product while not substantially furthering instructor and student interests in effective learning. Such actions violate shared norms and standards of the academic community. For additional information, please see:

<https://policy.umn.edu/education/studentresp>

Grading and Transcripts

The University utilizes plus and minus grading on a 4.000 cumulative grade point scale in accordance with the following:

- A 4.000 - Represents achievement that is outstanding relative to the level necessary to meet course requirements
- A- 3.667
- B+ 3.333
- B 3.000 - Represents achievement that is significantly above the level necessary to meet course requirements

- B- 2.667
- C+ 2.333
- C 2.000 - Represents achievement that meets the course requirements in every respect
- C- 1.667
- D+ 1.333
- D 1.000 - Represents achievement that is worthy of credit even though it fails to meet fully the course requirements
- S Represents achievement that is satisfactory, which is equivalent to a C- or better.

For additional information, please refer to: <https://policy.umn.edu/education/gradingtranscripts>

Sexual harassment, sexual assault, stalking and relationship violence

The University prohibits sexual misconduct, and encourages anyone experiencing sexual misconduct to access resources for personal support and reporting. If you want to speak confidentially with someone about an experience of sexual misconduct, please contact your campus resources including the Aurora Center, Boynton Mental Health or Student Counseling Services (<https://eoaa.umn.edu/report-misconduct>). If you want to report sexual misconduct, or have questions about the University's policies and procedures related to sexual misconduct, please contact your campus Title IX office or relevant policy contacts.

Instructors are required to share information they learn about possible sexual misconduct with the campus Title IX office that addresses these concerns. This allows a Title IX staff member to reach out to those who have experienced sexual misconduct to provide information about personal support resources and options for investigation. You may talk to instructors about concerns related to sexual misconduct, and they will provide support and keep the information you share private to the extent possible given their University role.

https://regents.umn.edu/sites/regents.umn.edu/files/2019-09/policy_sexual_harassment_sexual_assault_stalking_and_relationship_violence.pdf

Equity, Diversity, Equal Opportunity and Affirmative Action

The University provides equal access to and opportunity in its programs and facilities, without regard to race, color, creed, religion, national origin, gender, age, marital status, disability, public assistance status, veteran status, sexual orientation, gender identity, or gender expression. For

more information, please consult Board of Regents Policy:

https://regents.umn.edu/sites/regents.umn.edu/files/2019-09/policy_equity_diversity_equal_opportunity_and_affirmative_action.pdf

Disability Accommodations

The University views disability as an important aspect of diversity, and is committed to providing equitable access to learning opportunities for all students. The Disability Resource Center (DRC) is the campus office that collaborates with students who have disabilities to provide and/or arrange reasonable accommodations.

If you have, or think you have, a disability in any area such as, mental health, attention, learning, chronic health, sensory, or physical, please contact the DRC office on your campus (UM Twin Cities - 626.1333) to arrange a confidential discussion regarding equitable access and reasonable accommodations.

Students with short-term disabilities, such as a broken arm, can often work with instructors to **minimize** classroom barriers. In situations where additional assistance is needed, students should contact the DRC as noted above.

If you are registered with the DRC and have a disability accommodation letter dated for this semester or this year, please contact your instructor early in the semester to review how the accommodations will be applied in the course.

If you are registered with the DRC and have questions or concerns about your accommodations please contact your (access consultant/disability specialist).

Academic Freedom and Responsibility

Academic freedom is a cornerstone of the University. Within the scope and content of the course as defined by the instructor, it includes the freedom to discuss relevant matters in the classroom and conduct relevant research. Along with this freedom comes responsibility.

Students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. Students are free to take reasoned exception to the views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled. When conducting research, pertinent institutional approvals must be obtained and the research must be consistent with University policies.

Reports of concerns about academic freedom are taken seriously, and there are individuals and offices available for help. Contact the instructor, the Department Chair, your adviser, the associate dean of the college, or the Vice Provost for Faculty and Academic Affairs in the Office of the Provost.