

II. Fiscal Burden Sharing

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The authors argue that a reformulated system of refugee protection must proceed using a distributive-developmental framework for fiscal burden sharing. Such a framework would have to appeal to the national security interests of donors, rather than to humanitarian or altruistic motives. The funds provided should be tied to concrete, time-specified goals which will contribute to the wellbeing of refugees. They argue that this approach should be pursued parallel to the existing system of multilateral institutions. The framework envisions resources being channelled to regional institutions rather than national governments. This is a substantially abbreviated version of the authors' original work. Please refer to the notice at the end of this section if you are interested in obtaining a full copy of the paper, which is expected to be published in mid-1996.

Migration, and what that means for the carrying capacities of the local environments, the management of resource extraction and consumption, the reallocation of scarce commodities, the regulation of labour, land, and capital, the relations between host and transient populations, and the stability of the governing regime are basic questions which impact on the security interests of individuals, of communities, of institutions, of countries, and of regions. Refugees are evidence of insecurity, objectify insecurity, and create further insecurity. They are the victims, but they can also contribute to further victimization. Refugees may be innocents, but they can be employed to further the interests of others. What is common for all refugees is that they

cross boundaries, and these boundaries are both physical and symbolic. Refugees exit one "system" of living and enter another. In small numbers, the impact may be negligible; in large numbers, it may be corrosive, threatening, and devastating.

From our perspective, there is no question of the validity of responsibility sharing, burden sharing, and equity sharing in providing protection to refugees: these are norms and values which must be engaged in an effective, timely, and humane way. But the security dilemma (or insecurity dilemma as many prefer the term when addressing problems in the developing world) is central if the formula is to be practical: neither host nor home countries will undertake preventive or remedial actions so long as perceived security threats and risks are not addressed.

involving cooperation among a group of states against a commonly perceived external threat. Looking at current developments in the international refugee regime, one finds some clear trends towards the development of an alliance framework. This is especially evident in the "harmonization" policies in the West, worked out over hundreds of meetings among Western refugee recipient nations. Although these "international consultations" have not led to any supranational authority to deal with the refugee issue, they clearly have underscored their perceived need and preference for an alliance approach to migration, refugees, and asylum issues.

A third framework of burden sharing, the distributive approach, generally views the economic problems of the developing countries, including

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The dictionary meaning of multilateralism is cooperation involving two or more actors. Multilateralism has been a marked feature of post-World War II international relations, through such institutions as the UNHCR, the World Bank and the IMF. However, multilateral approaches to security have not always been effective because of ideological and political polarizations within the inter-state system, as well as the difficulty of reconciling competing national security objectives.

The limitations of the multilateral approach have contributed to the appeal of alliance burden sharing. Alliances are collective organizations

conditions that create conflict and lead to refugee exodus, as the function of a structural inequality within the international system. Burden sharing in this context focuses on the need for a redistribution of resources from the North to the South in order to enable the latter to overcome its own problems and vulnerabilities. From a distributive perspective, the developing countries bear the primary burden of refugees as countries of first asylum. Since developing countries lack the financial resources and infrastructure to bear the burden, assistance from the North is wanted. Such cooperation can be mutually beneficial to both the North and the South and is especially important to the management of international order at a time when refugee issues are a marked dimension of the North-South divide in the post-Cold War era.

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Reform of the existing international refugee regime should focus on strengthening multilateral and distributive frameworks of burden sharing, as opposed to alliance frameworks. The suggested response of the international community should pay greater attention to empowering global and regional institutions that facilitate a multilateral, preventive, and distributive approach to refugee burden sharing. It might be particularly useful to assign a greater role to regional organizations to deal with refugee problems. Regional organisations can be suitable instruments of preventive diplomacy.

Basic Principles

The following are some of the basic principles to guide a distributive-developmental framework for refugee protection:

1. Aid secured as part of the framework should be channelled to development projects that have a direct and immediate bearing on the conditions of refugees rather than other on segments of the population of the countries of first asylum.
2. The donors' commitments to the transfer of resources should not be viewed as unlimited, but time-bound and geared to the realization of specific developmental goals that will contribute to the wellbeing of the refugees.
3. Resources channelled for this purpose should be in addition to normal development assistance; and, moreover, should be taken from protection budgets.
4. The distributive-developmental framework should be based on the reallocation of existing resources. In particular, it should seek to redirect money saved from "policing" functions (which amount to some US\$8 to US\$11 billion for the main resettlement countries) toward development projects.
5. Funds made available by donors for this purpose should not in any way cut into the allocations for existing multilateral institutions

such as the UNHCR, since for the distributive-developmental model to work it must be complemented by a set of vigorous multilateral institutions at both the global and regional levels which facilitate and coordinate the management of reallocation and distribution.

6. Resources channelled to distributive-developmental projects should be allocated to regional institutions rather than national governments, just as the global multilateral institutions should be there to serve and to assist the functioning of these regional organizations.
7. To be credible and effective, a distributive-developmental framework should incorporate a range of functions, including development projects in first asylum countries as well as Third World countries of resettlement, status determination processing, and *in situ* protection and emergency relief. Distinctive multilateral regional agencies under the overarching umbrella of the distributive-developmental framework could then have specific responsibilities but in coordination with others and under the aegis of the responsible regional organization supported by the global institutional framework.
8. The principle of burden sharing should apply as much to South-South relationships within the distributive-developmental framework as to North-South relationships.

The developing states of the region should discuss equitable burden sharing among themselves as recipients of aid from the developed countries and in sharing responsibility for refugee protection, resettlement, and availability of land and other local resources for development purposes. This is essential if one is to address the fundamental security dilemma created by the process of intrusive migration which both draws on local resources and often expropriates land. ■

Legitimate and Illegitimate Discrimination: New Issues in Migration

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Freedom of movement: If the members of a state are forced to flee, the legitimacy of that government is questionable. On the other hand, if members cannot or must leave, again the government is not democratically legitimate.

Immigration control: While limiting access and determining who may or may not become members of a sovereign state remains a legitimate prerogative of the state, the criteria, rules and processes for doing so must be compatible with its character as a democratic state.

Legitimate and Illegitimate Discrimination: New Issues in Migration, edited by Professor Howard Adelman, deals with the question of legitimacy with cases studies from the Developing World, Europe, Australia, the United States, and Canada.

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