

**NGO intervention on meeting needs and supporting communities**

**Agenda item 2**

Dear Chairperson, distinguished delegates, ladies and gentlemen,

This intervention has been drafted following wide consultations with NGOs, and reflects a diversity of views within the NGO community.

At the outset, we would like to acknowledge UNHCR's efforts in integrating a range of comments, including from NGOs, with a view to ensuring that the global compact is meeting the needs and aspirations of those who matter the most: refugees and their hosts. This has now resulted in a much welcome focus on food security and nutrition as well on the specific needs of stateless persons. We also appreciate stronger references to inclusion of SDGs, emphasis on harnessing refugees' potential, mention of including refugees in response programmes and promoting a longer-term horizon in addressing refugees' needs, thus moving beyond encampment policies. In short, this section now lays down a solid framework, which should be further strengthened to ensure the proper fulfilment of refugees' rights.

As such, supporting national systems is crucial, but it must lead to comprehensive inclusion of refugees. Therefore, we support measures to nurture economic opportunities as well as provide skills training and education. Those should be accompanied by stronger references to freedom of movement for refugees and we repeat that investing in refugees' skills better prepares refugees for all three durable solutions, not just for returns. Moreover, while the programme of action focuses on economic rights, social and cultural rights of refugees must be equally respected.

In addition, although calling for stronger complementarities between emergency response and development cooperation may yield positive results in some instances, in others, capacity to intervene independently from state-led institutions remains fundamental to capitalize on humanitarian actors' specificity and comparative advantage, particularly in reaching populations where state control remains limited. Humanitarian assistance therefore must remain needs-based, accountable to refugees, non-discriminatory and principled in line with international humanitarian law. More important would be for actors to adopt longer-term, development perspectives from the onset of refugee arrivals.

Moving on to specific comments, on **education**, we once again stress the importance of ensuring that all measures are equally accessible to boys and girls, men and women. We

welcome the reference to ‘safe schools’, and would encourage mention of removing other safety-related or practical obstacles to attendance, for example, by providing safe transportation or sanitary and hygiene products for girls. Going further, schools must be formally declared as zones of peace, free from any group or individual carrying weapons.

Beyond regular assistance, support to national education systems will be vital in order to expand access. Refugee children should also be included in national education plans<sup>1</sup>. To encourage long-term education sector planning, host states must receive predictable and multi-year funding. Emphasis must be put on the quality of education, which must be universally recognised to facilitate higher learning opportunities for those wishing to move on to third countries at a later stage. Furthermore, those with limited or no documentation to attest past learning must be facilitated to continue their education at a level, where they demonstrate competence including recognition of non-formal education. While integration and focus on formal education system is needed, we suggest also referring to alternative education programmes leading to accredited learning outcomes. Special attention must also be paid to facilitate access to education for children and youth living with disabilities. We note that a reference to time spent out of school for young people has been removed in the first draft, and would like to see youth mentioned specifically again in the final sentence of paragraph 59. States should also facilitate transnational secondary education opportunities supported by scholarships as complementary pathways, especially for refugee youth with a potential for excellence and civic leadership, given the important role they can play in rebuilding states in a post-conflict area.

Recognising refugees’ contribution to national growth, we welcome the emphasis on diversity in facilitating access to **jobs and livelihoods**. We would encourage a specific reference to programmes designed to support professional development, entrepreneurship, skills retention and education enhancement, which in turn, foster refugees’ contribution to and engagement with solutions, in home, host or third countries. We would encourage a specific reference to promoting young people<sup>2</sup> and women’s access to productive, safe and equitable work opportunities by, for example, enabling policy, legal and administrative frameworks that facilitate access to work permits, and overcoming barriers for women and girls by addressing childcare and menstrual hygiene management needs. It is also vital that access to work be accompanied with strong and enforceable labour protection safeguards to prevent exploitation and we therefore urge clearer, textual references to international labour standards. Refugees must be able to avail themselves of decent working conditions, enjoy equality of opportunity and treatment as well as access social protection, on par with citizens. Efforts must also be made to make them aware of their rights. The role of local and national NGOs and human rights organisations in this regard could be mentioned.

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<sup>1</sup> For detailed recommendations on refugee children’s education, refer to a joint agency briefing paper developed by NGOs, and endorsed by the Initiative on Child Rights: *The Global Compact on Refugees: A joint agency briefing and call to action on education for refugees*.

<sup>2</sup> For detailed recommendations on young people’s access to jobs and livelihoods as well as access to basic services, see briefing papers developed by the Compact for Young People in Humanitarian Action: *Recommendations on young people in the Global Compact on Refugees*. See also a paper developed by Mercy Corps with emphasis on the rights of young people: *Mercy Corps Comments on Draft One of the Global Compact on Refugees*.

While recognising that business enterprises can make a positive contribution to the protection and promotion of the rights of refugees, for example, through providing employment opportunities, we strongly urge that the Compact includes explicit references to both the States' 'duty to protect' and the business 'responsibility to respect' in the context of safeguarding refugees' labour rights and human rights in general. In particular, the Compact should explicitly reference the obligations of States to protect refugees from abuses of their rights by third parties, including business enterprises, and to take appropriate steps to prevent, investigate, punish and redress such abuses, including through access to justice and remedy. The Compact should explicitly include references to the responsibility of business enterprises to respect human and labour rights in accordance with international standards on business and human rights such as the UN Guiding Principles on Business and Human Rights.

We note several positive additions on **health** including maternal and infant health in the basic package and support for identifying psycho-social needs of survivors of torture and trauma including sexual violence and abuse. We would urge, however, that reference to health as a human right be clearly made. We consider that proper mental health is lacking in most major refugee operations, which adversely impacts refugees, who may remain traumatized for the rest of their life, especially considering the devastating physical and mental torture and other trauma they may have endured. We urge UNHCR, States and other actors to seriously invest in mental health and psycho-social support. Moreover, a number of NGOs, but not all, consider that basic services for refugees should provide access to sexual and reproductive health treatment for communicable diseases. Pressure to provide adequate and timely treatment for communicable diseases is high on most national health systems, so refugees risk being de-prioritised. With regard to support for national health systems, assistance should also be provided to build new health facilities to expand service delivery. And training support for health care workers should include a special focus on children, women and all other at-risk groups. Support will equally be required to ensure sufficient health workers are available and have access to training opportunities. Furthermore, emphasis should also be given to translation services for refugees in hospitals and health centres, including access to female translators to ensure needs of women and girls are adequately addressed in a safe setting.

On **gender**, we are pleased to see that the programme of action now views it broadly, but also recognises specific barriers that prevent women and girls from participating and enjoying fundamental freedoms. Active steps must be taken to remove these and other barriers, which impede women and girls from assuming meaningful roles<sup>3</sup>. More emphasis must be given to the safety and security of women and girls by, for example, providing and maintaining safe and reliable public transport and facilities, combating societal gender prejudices and strengthening accountability for gender-based crimes. At the same time, the situation-specific vulnerabilities of boys, men, and all other persons whose respective situations expose them to

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<sup>3</sup> For detailed recommendations on gender, particularly on women and girls, see a paper developed by the Women's Refugee Commission in partnership with Plan International and Care: *Suggestions related to women and girls for the first draft of the Global Compact on Refugees as of 4 April 2018*.

discrimination, marginalization, and/or violence, must be addressed through policy and operational measures, and vulnerabilities should not be criminalised.

Recognising that large movements of people may further impact fragile ecosystems, support for preserving the environment and developing sustainable waste and energy sources is much welcome. In addition to SDGs, therefore, we think it would be useful to mention the Rio Declaration on Environment and Development, particularly principle 7, which underlines common but differentiated responsibilities, and the United Nations Framework Convention on Climate Change. Moreover, disaster-risk reduction strategies as well as climate change mitigation and adaptation measures must guide refugee-related infrastructure construction. These efforts must lead to ensuring that refugees enjoy an adequate standard of living, particularly in relation to housing, as enshrined in Article 21 of the Refugee Convention. References to supporting the development and implementation of Safe Access to Fuel and Energy programmes could also be mentioned. These not only help avoid environmental degradation, but also assist in preventing gender-based violence.

We are pleased to see the inclusion of **food security and nutrition** as a specific sub-section. Ensuring people have access to nutritious food and safe drinking water is also a strong preparedness measure, as a recent study shows that food insecurity accelerates conflict dynamics, leading to internal and cross-border displacement<sup>4</sup>. Along with gender- and age-responsive food assistance and nutrition-sensitive interventions, support must be provided to host countries to include refugees in social safety nets and public distribution systems to ensure sustainability. Moreover, gender-sensitive unconditional cash transfers as well as support in the form of land and agricultural inputs for refugees willing to cultivate should also be considered and made equally available to both male and female refugees<sup>5</sup>.

**Civil registration** is a key element of international protection, and in this regard, we would like to underline SDG 16.9, which calls for providing a legal identity to all, by 2030, including birth registration. As such, we note that explicit mention of death and marriage registration has been removed from draft one, and would urge that this be re-introduced in the next version. Access to registration is a fundamental human right, and is imperative for individual and family documentation and records, required for a range of educational, social, economic and cultural purposes. Furthermore, birth registration is a major protection tool for children, particularly those who are unaccompanied or separated, and must be done immediately<sup>6</sup>. Support to host states must ensure that women, children and others experiencing vulnerability are identified and provided gender-responsive and age-sensitive information in order to access civil registration and be included in national vital statistics system.

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<sup>4</sup> WFP. 2017. [At the root of exodus: food security, conflict and international migration](#).

<sup>5</sup> For detailed recommendations on cash transfers, see a statement prepared by the Collaborative Cash Delivery Platform, a group of 14 international NGOs that have come together with the Cash Learning Partnership to deliver cash affectively and at scale: *Statement by the Collaborative Cash Delivery Platform on Draft 1 of the Global Compact on Refugees*.

<sup>6</sup> For further recommendations on the importance of birth registries for children, as well as detailed recommendations on children in general, see a briefing paper developed by the Initiative for Child Rights: *Making the global Compact on Refugees work for children: Recommendations following the Draft 1 of the Global Compact on Refugees*.

Finally, civil registration is vital to prevent **statelessness**, and we are pleased to see a specific subsection on this. We would also like to underline that discriminatory nationality laws, including discrimination based on gender, are a major driver of statelessness and forced displacement, and a commitment to rescind such laws will also contribute to responsibility sharing.

On this note, we thank you, Mr. Chair, for the opportunity to offer comments on this key agenda item, and look forward to continuing our collaboration with UNHCR, Member States, and all other stakeholders to ensure we are able to forge a compact that lives up to the needs and expectations of refugees and their hosts.