

TOWARDS A GLOBAL COMPACT ON REFUGEES  
FORMAL CONSULTATIONS 2  
20-21 March 2018

**NGO intervention on background, goals of the Global Compact on Refugees, and prevention and addressing root causes (Part I)**

**Agenda item 1**

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.

To start with, we would like to recognize UNHCR's efforts since mid-February to enrich the draft, on the basis of multiple inputs received from various stakeholders, including NGOs.

In general, we note that the first draft is more concrete, detailed and specific, indicating the process is heading towards the adoption of a meaningful Global Compact. In particular, we note that this new draft goes further in addressing host States' legitimate needs and priorities, notably through calling for broadening the support base. Stronger references to normative frameworks and to the 2030 Agenda, further details on responsibility-sharing mechanisms and contributions, emphasis on mobilising political will to address refugee challenges, consideration of addressing root causes, and attempts to define monitoring frameworks are positive developments, and reflect comments raised earlier by several States and NGOs. We also commend the particular emphasis on promoting gender equality, supporting the increased empowerment of women and girls and ending sexual abuse and exploitation.

More specifically, we appreciate the first draft's underlining, upfront, the various drivers of refugee movements, including persecution, conflict, violence, serious human rights violations as well as environmental degradation and natural disasters. This comprehensive picture is a solid basis to develop appropriate responses to 21st century displacement situations. This paragraph should also be the place to reflect on the displacement continuum, emphasising the potential links between internal displacement and refugee movements. The increasingly urban nature of displacement, with a majority of refugees now living in urban areas, and the specific challenges this presents could be mentioned here too, and reference to UNHCR's urban refugee policy could be made. Additionally, this section could provide a picture of the demographics of displacement and refugee flows, detailing how it impacts, for example, children and women.

Furthermore, anchoring the programme of action in a **rights framework**, as the first draft does, through stronger references to the Refugee Convention, regional instruments and human rights law is commendable. Too often, we witness instances of *refoulement*, which constitute fundamental violations of refugee rights and obvious denials of any responsibility-sharing and international solidarity. We therefore very much welcome that the Programme of Action now clearly underlines the importance of *non-refoulement* and hope this will translate into more concrete applications of this cardinal principle.

However, while we appreciate that references to normative frameworks have been strengthened in the introduction, we also note that the New York Declaration, which gave rise to the Global Compacts,

should be more clearly mentioned. This would provide a basis for underlining the need for complementarity, consistency and coherence between the two Global Compacts.

We also take this opportunity to reiterate that all persons of concern are rights holders; and that States and other actors have clear obligations to respect, protect and fulfil their rights and fundamental freedoms, including their ability to access justice without fear or intimidation. Protection failures in this regard aggravate, for example, risks faced by women and girls who have experienced rape and sexual abuse during flight and displacement.

NGOs also welcome paragraph 3, which lists – earlier than in the zero draft – the multi-stakeholder dimension of the Global Compact. While still not elaborating clearly what the ‘whole-of-society’ approach entails, we appreciate that this notion is now recognized as a major underpinning element of the Compact. Elaborating on how all actors are expected to contribute to responsibility-sharing and to comprehensive refugee responses will further help clarify respective roles and expectations. We are eager to engage with Member States, UNHCR and others in refining the proposed responsibility-sharing mechanisms. In this perspective, NGOs recognize that we and other actors share responsibility with States for refugee protection and assistance. In refugee situations, national and international NGOs implement both development and humanitarian programs, often bringing their own financial and human resources to contribute and fill gaps. Collaboration should start from the earliest stages of design, through to implementation and evaluation in a well-coordinated and collaborative manner. We also welcome the reference to experience gained through operational engagement in comprehensive responses. Links to some of the best practices resulting from CRRF implementation, including to those contributed by NGOs, could serve as a useful guide for States. This could be included as a footnote, and would complement a timeline, roadmap or flow-chart that some States have proposed to be added as an annex to the programme of action to guide host countries managing large movements of people.

We note too that the goals of the Global Compact are now more clearly articulated and provide a basis to develop detailed indicators of success for the Compact. We particularly appreciate that paragraph 5 builds on a more holistic understanding of responsibility-sharing which is not limited to financial aspects: it defines success in relation to protection dimensions and refugee rights and improved socio-economic conditions; includes stronger references to the SDGs; and underlines the importance of increasing durable solutions and resolving protracted situations. We also welcome the specific reference to building human capital through education and livelihood investment. We would recommend that protection is also explicitly mentioned as an investment to build resilience and human capital. We also urge that a clear goal on effective prevention and response strategies to address sexual-and gender-based violence be included. NGOs will provide further inputs related to indicators and measuring of success, starting with the statements prepared for agenda item 3 on follow-up arrangements.

Finally, we note the new section on ‘Prevention and addressing root causes’. As several member States noted in the first formal consultations, **mobilising political will** to address refugee challenges and tackle root causes of forced displacement should remain a priority. In particular, there is an urgent need to have a more convincing approach to peace if we are to address displacement challenges. As recently highlighted by the High Commissioner, “a full response to today’s massive displacement flows can only be achieved through action to restore security, resolve conflict and build peace”<sup>1</sup> and the responsibility indeed lies clearly with political leaders and the United Nations’ ‘political wing’ rather

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<sup>1</sup> UNHCR’s Grandi to UN Security Council – “Have we become unable to broker peace?”, 2 November 2017: <http://www.unhcr.org/news/press/2017/11/59fb32064/unhcrs-grandi-un-security-council-become-unable-broker-peace.html>

than with humanitarian and development actors. Political will is indeed necessary to address root-causes, however we feel the draft Compact is currently not structured in a way that reflects this objective and suggest that the next drafts reflect better how this can relate to the humanitarian and non-political nature and outlook of the Global Compact.

At the same time, **tackling root causes** will require renewed commitment to multilateralism from all. The United Nations, as a global cooperation forum, must be empowered to take a leading role in prevention and peaceful settlement of conflicts. States must continue their support for peacekeeping operations and increase funding for prevention activities, to address key drivers of conflict – poor governance, inequality and climate change – in addition to peacebuilding activities. States should also commit to, wherever possible, layering peacebuilding and livelihoods programming into lifesaving efforts to increase communities’ resilience to conflict – the leading driver of displacement – and minimize the spill-over of violence. We also call on States to stop the use of explosive weapons in populated areas and take stronger positions against arms trafficking. Finally, a degree of flexibility will also have to be factored in so that the Compact is consistent with the ongoing UN reform on peace and security, once it has produced its results, in a few years’ time.

Similarly, we note several references (in Part I and in other parts) to supporting and assisting countries of origin. This can indeed contribute to the achievement of durable solutions, particularly through more sustainable reintegration of returnees. We, however, would ask that support and assistance to countries of origin be clearly conditioned to humanitarian principles. Respect for humanitarian principles should be clearly underlined in the programme of action, as this enables humanitarian actors to deliver assistance and provide protection to those ‘furthest behind’. In particular, support to countries of origin should only be provided when verified conditions for voluntary, safe and dignified repatriation and reintegration exist and clear accountability mechanisms are in place to ensure the proper use of assistance, including safeguards against diversion.

Above all, Chairperson, as we delve deeper in deliberations to ensure that the Global Compact achieves predictability and equitability in responsibility sharing, we must constantly remind ourselves that this is only a means to an end. Behind the dichotomies of host States, donor States or countries of origin are people like us, many of whom are currently fleeing carnage, rape, sexual violence, torture and bloodshed, even as others continue to languish in a present emptied of hope. The Global Compact owes it to them, Chairperson, to make a tangible difference in their lives.

Thank you.