



GLOBAL COMPACT ON REFUGEES

RESPONSE TO THE FIRST DRAFT

FOR CONSIDERATION DURING THE THIRD FORMAL CONSULTATION

Further mainstream throughout the GCR the recognition of, and response to, the intersecting factors of age, gender and disability in addressing the needs and rights of refugees.

We appreciate and welcome the reference to mainstream age, gender and diversity considerations in all aspects of the Programme of Action. This intention must be reflected and evidenced throughout the document. **Language and provisions that remain gender and age neutral leave out the specific and distinct experiences of young women and girls in particular, regardless of intention.** Textual references to explicit considerations that respond to the experiences of age, gender and persons with disabilities, and young women and girls in particular, are essential to ensure that such considerations are taken forward in all responses.

Recommended revisions:

- Para. 7. Highlight that education should be **age, gender and disability responsive**, and should include livelihoods, **training and capacity building**, pending the realization of durable solutions.
- Para. 45.
 - o Note the importance of “conducting **age and gender sensitive conflict and risk** analyses to understand the likelihood of future refugee movements and the potential impact on host areas.”
 - o Emphasize that contingency plans, including standard operating procedures and preparedness plans should be **in alignment with all relevant international standards and guidelines**¹
- Para. 46. States and relevant stakeholders should contribute resources and expertise to: **provide capacity building and training to ensure that all border, reception, and admission staff and volunteers are trained in child protection, trauma and gender-sensitivity, as well as in how to identify unaccompanied and separated children, and trafficking victims and survivors.**
- Para. 46.
 - o Unpack some of the notable protection risks that should be identified upon initial registration, “including **gender-, age- and disability- related** protection risks, notably of women, **girls and boys, particularly survivors of sexual violence and gender-based violence, and including: survivors or victims of trafficking, children associated with armed forces or armed groups, child brides, pregnant and lactating mothers including child mothers, and pregnant girls**, and those of unaccompanied and separated children (delete the qualification- under certain circumstances preceding unaccompanied and separated children).”
 - o Ensure that reception and transit areas are **responsive to age, gender and disability considerations, including the provision of information and services in a child friendly and gender-responsive manner. This requires for that women, girls and boys are interviewed and assessed in an age appropriate and gender-sensitive environment, with female interviewers for women and girls, who are trained in interviewing potential survivors of trauma and age-sensitive interviewing techniques.**
 - o Ensure essential services in reception areas are **gender-, age- and disability- responsive, such as** clean drinking water and sanitation, **including adequate safe, well-lit, and sex-separated washrooms and bathroom facilities**; health and nutrition, **including gender-, age- and disability responsive psychosocial and sexual and reproductive healthcare, particularly for identified survivors of trauma and sexual and gender-based violence.**

¹ These should include, for instance, SPHERE and Companion Standards, Core Humanitarian Standards, the Minimum Standards for Child Protection in Emergencies, the IASC Guidelines for Integrating GBV Interventions in Humanitarian Action, the Minimum Initial Services Package, the IASC Gender Policy, and in line with UNHCR’s revised AGD policy.

- Para. 48. Emphasize that the development and implementation of programmes for protection and assistance to children formerly associated with armed forces and groups must be **age and gender responsive, and in line with and informed by best practices and lessons learned, ensuring the best interest of the child remains paramount.**
- Para. 50. Ensure that resources and expertise for the identification and referral of children, including unaccompanied and separated children, also highlights the **need to identify and refer victims and survivors of sexual and gender-based violence, such as girls and boys subject to child, early and forced marriage, and pregnant girls and child mothers.**
- Para. 51.
 - o Ensure that “safe spaces” are **gender, age and disability responsive.** Plan International’s research and experience has shown that adolescent girls in particular do not feel comfortable or safe in spaces designed for “children” as a whole, or for “women”.
 - o The provision of counselling and medical assistance must include, **essential sexual and reproductive healthcare** for survivors of sexual and gender-based violence, other torture and those with medical needs, and all counselling and medical assistance must be **child friendly and gender- and disability-responsive.**
- Para. 54. UNHCR should also provide advice for processing asylum claims for **child and gender specific forms of persecution as a basis for asylum status.**
- Para. 60.
 - o States and other stakeholders must support host countries with resources and expertise to support the expansion of **gender-, age-, and disability- responsive educational facilities.**
 - o While we appreciate the recognition that girls in particular face specific obstacles to access education in refugee contexts, it is important to emphasize some of the most prevalent barriers to accessing education so that we may better address these obstacles, **including menstrual hygiene management needs; school-related gender-based violence; unpaid domestic labour and care-work and child labour outside the home; child, early and forced marriage; and early pregnancy;** in addition to the need for safe transport and healthcare.
- Para. 61. Promoted economic opportunities for host communities and refugees should be **gender-sensitive, market responsive and sustainable.**
- Para. 63.
 - o Host countries must be supported with resources and expertise to define and support a basic package of health services, including maternal and infant health, **as well as psychosocial healthcare, and sexual and reproductive healthcare,** in line with the New York Declaration, para. 31, and SDG target 3.7. For adolescent girls in particular, this is crucial. Several studies have shown that humanitarian emergencies significantly affect the lives and health of women and girls – they are particularly vulnerable to sexual and gender-based violence, human trafficking, child, early and forced marriage, have limited access to reproductive health services, information and education, such as access to obstetric, prenatal, and post-natal care; contraceptive information and services.
 - o Healthcare workers must have access to training in addressing the psychosocial needs of survivors of torture, trauma, **and gender-based violence, including sexual violence.**
- Para. 64.
 - o Contributions made must go **to ensure,** rather than promote, the meaningful participation of women and girls, **including through addressing age, gender and diversity related barriers to participation, particularly those faced by refugee girls and young women.**
 - o Contributions should strengthen the security and safety of women and girls, including to prevent and respond to sexual and gender-based violence and sexual **exploitation and abuse through already proven methods and mechanisms, such as:**
 - **Providing and maintaining safe and reliable public transport, footpaths, marketplaces, public facilities, and shelters, in line with internationally agreed standards;**



- Identifying, challenging and addressing gender-based discriminatory attitudes and social norms at all levels that accept and excuse violence against girls and women;
 - Developing and maintaining safe reporting mechanisms for survivors, ensuring gender and age-sensitive reporting and accountability mechanisms.
- Para. 66. Accommodation, energy and national resource management support should **include a reference to the impact that design and implementation of Safe Access to Fuel and Energy (SAFE) programming has to avoid environmental degradation and deforestation, while contributing to the prevention of sexual violence.**
 - Para. 71. **Proactive efforts should be undertaken to ensure that women, children, and other groups experiencing vulnerability are identified and provided gender-responsive and child-friendly information regarding Civil Registration and Vital Statistics (CRVS) systems, their rights, and how to register life events.**
 - Para. 75. The overriding priority to promote the enabling conditions for voluntary repatriation, and to ensure the exercise of a free and informed choice, **must include efforts to ensure child-friendly, gender-, age- and disability responsive information sharing and repatriation processes, and a best interests of the child determination in all cases.**
 - Para. 78.
 - **Ensure support is also given to promote continuity of care and facilitate cross-border case management for unaccompanied or separated children.**
 - Returnee monitoring to provide updated information on return areas and identify any protection concerns faced by returnees should **include an assessment of age- and gender- specific protection concerns.**
 - Para. 82. Contributions on resettlement support should also:
 - **Seek to expand resettlement opportunities for women and children at risk, particularly adolescent girls, including through incorporating specific protection risks, such as domestic violence and other forms of gender-based violence;**
 - **Support work with States and other partners, including community-based organisations and NGOs for the identification and referral of women, girls, and female-headed households who qualify for resettlement under the women at risk criteria;**
 - **Ensure that resettlement officers have the necessary training, skills and capacities to identify, screen, and refer women and girls for resettlement.**

Ensure the systematic and meaningful participation of persons with disabilities, children, youth, women, and particularly girls and young women, from both refugee and host community populations in all assessments, planning and decisions that affect them.

A human-rights based approach requires the meaningful and ethical participation of all stakeholders, including refugees themselves, as highlighted by UNHCR's newly revised Age, Gender and Diversity Policy and Five Commitments to Refugee Women and Girls. **The Global Compact on Refugees must identify mechanisms and processes wherein refugees and host communities are systematically consulted and can be decision-making agents.** Gender, age and disability-related barriers to meaningful participation should be identified and addressed through targeted strategies.

Recommended revisions:

- Para. 3. Add and explicitly reference **“international, national and local civil society organisations, particularly women- and youth-led civil society organisations...and refugees themselves, including, often marginalized groups such as women, girls and boys, and persons with disabilities.”** We need to ensure that civil society organisations are included, as women and youth led civil society organisations are often well placed to ensure the incorporation of women and youth voices. In addition, it is important to ensure that women, girls and boys, and persons with disabilities are included in the term “relevant stakeholders” throughout the document.
- Para 31. Add- **Concerted effort must be made to ensure that gender-, age- and diversity related barriers to participation are identified and addressed, particularly those faced by refugee girls and young women, including those with differing levels of ability. Evidenced barriers that girls and young women face in participating in decision-making processes include a wide range of protection concerns, discriminatory**



gender norms that affect women's and girls' participation in public life more broadly, increased time spent on unpaid domestic labour and care work, educational achievement, and resource issues that impact their mobility.

- Para 34. Note the importance of also working with **women-led and youth-led organisations**, beyond refugee-led as the draft currently states.
- Para 42. Emphasize that UNHCR should coordinate with appropriate international and local partners, **including refugee-, women- and youth-led civil society organisations**, to assist with measuring the cost and impact of hosting, protecting and assisting refugees.

Ensure that a human rights-based approach is mainstreamed throughout the Global Compact on Refugees. This includes recognition and promotion of fundamental human rights under the international human rights legal framework, particularly the human rights of the most vulnerable - refugee girls and boys of all ages.

The Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women are non-derogable and apply in all settings. The Global Compact on Refugees must carefully balance its objectives while reinforcing the obligations of Member States to respect existing and legally binding normative frameworks. Language referencing the applicability of international human rights law is essential to ensure the “improved socio-economic conditions for host communities, notably women and girls; and enhanced efforts to resolve protracted situations....” Rights violations are often both exacerbated and driven by age, gender and disability-related factors and we must ensure we are addressing the rights and needs of those refugees facing the highest levels of vulnerability.

Recommended revisions:

- Para. 4. Include references to the **Convention on the Rights of the Child, which applies to all children in all contexts, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention on the Rights of Persons with Disabilities.**
- Para. 5. Include a reference to **international human rights law** as a framework for which the enhanced socio-economic conditions for refugees and host communities, notably women and girls, can be measured against.
- Para. 7. Note international human rights law, under point two, so it reads, “stronger and more predictable humanitarian and development responses that are consistent with **international human rights law**, national development strategies and contribute to the implementation of the 2030 Agenda, particularly the commitment to ‘leave no one behind.’”
- Para. 8. Emphasize that “averting and resolving large movements of refugees...require **a human rights-based approach that ensures** improved cooperation and complementarity among political, humanitarian, development and peace efforts.”
- Para. 59. Include a reference to **a child's right to education under international human rights law**, in addition to the linkage of education under the 2030 Agenda.
- Para. 62. Ensure that the provision of healthcare support is **in line with international human rights law**, in addition to being in line with national and local health care policies and plans, as well as the 2030 Agenda. It is important to note that the highest attainable standard of physical and mental health is a fundamental human right, guaranteed to all children in all contexts.
- Para. 70. Emphasize that birth registration, while critically important for all persons, **is a fundamental human right, and a major protection tool for women and girls, and all children, particularly unaccompanied and separated children.** Birth registration helps establish legal identity, **age and parentage.... Where children are registered, and the records well kept, children can more easily access aid, and family tracing for separated children is facilitated. Proof of age can also help protect children or prosecute perpetrators of child marriage or child labour, including the worst forms of child labour.**
- Para. 76. Efforts should be **in line with international human rights law**, in addition to the UN Secretary-General's reform agenda and the 2030 Agenda.