

MYAN (Australia)

Response to Draft 1 of the Global Compact on Refugees

April 2018

Background

MYAN welcomes the release of Draft 1 of the Global Compact on Refugees (GCR). The creation of the GCR is a critical opportunity for the recognition and inclusion of refugee youth rights and needs in discussions around refugee protection. This would ensure that refugee youth, as a group with distinct rights, needs and capacities, and who make up at least one-third of the global refugee population¹, are adequately protected and empowered². This reflects and builds on the work of UNHCR and civil society over several years in promoting the rights and needs of refugee youth.

In December 2017, MYAN prepared an *'Advocacy Brief on Youth Rights in the Global Compact on Refugees'* to support the inclusion of youth rights and needs in the Global Compact on Refugees (GCR). UNHCR's Global Youth Advisory Council (GYAC) provided input and endorsed the brief during the High Commissioner's Dialogue on Protection Challenges 2017.

MYAN's key recommendations³ in this Brief included:

- That the specific rights, needs and capacities of refugee youth (as distinct from children⁴ and adults) are recognised, protected and responded to in the Programme of Action. This includes recognition of age, gender and diversity in the category of youth⁵.
- That the Programme of Action create circumstances that allow young people to exercise their rights and utilise their capabilities.
- That refugee youth are meaningfully engaged in the development and implementation of the GCR – as important actors in its design, implementation, monitoring and evaluation.
- That host states, UNHCR, civil society, third countries and countries of origin invest in:
 - Building the capacity of stakeholders and institutions to: (i) meaningfully engage and empower refugee youth and (ii) provide targeted (age and needs-specific) support to refugee youth; and
 - Building the capacity of young people and youth-led initiatives/organisations to actively participate and contribute (including building their skills, knowledge, confidence and networks and providing platforms to influence decision-making).
- That a mechanism is established, such as an expert group, to support, advise, and monitor the implementation of the Programme of Action to ensure youth-specific policy and programming. Such a mechanism should include refugee youth representatives (those with lived experience as experts in their own lives) and work in consultation with the GYAC.

¹ While there is no current data on the global numbers of refugee youth, in 2013 UNHCR estimated that approximately one third of refugees are between 10 and 24 years old. See *UNHCR (2013) A Global Review: UNHCR's Engagement with Displaced Youth*. Available at: <http://www.unhcr.org/513f37bb9.pdf> p.9

² See also United National Development Program (UNDP), *Global Compact on Refugees - UNDP's Written Submission to the First Draft GCR (9 March) - Draft Working Document - March 2018*. Available at: <http://www.unhcr.org/en-au/events/conferences/5aba3ee77/undps-written-submission-first-draft-global-compact-refugees.html>

³ Multicultural Youth Advocacy Network (MYAN) Australia (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html> p. 3.

⁴ UN Committee on the Rights of the Child (CRC) (2016) *General comment No. 20 (2016) on the implementation of the rights of the child during adolescence, CRC/C/GC/20*. Available at <http://www.refworld.org/docid/589dad3d4.html>, p. 5

⁵ For example, a barrier to access education for young women is a lack of access to sanitary materials to ensure menstrual hygiene. This impacts young women's access to education and is not something young men experience. Another example is the recognition of the informal skills that young refugee girls gain from caring for their siblings and maintaining their house, when they are unable to access formal education. Recognition of these skills can lead to further building their capacities and owning a business.

While building on MYAN's earlier recommendations in its *Advocacy Brief*, MYAN's response to Draft 1 of the GCR also reinforces the five areas of action of the Compact for Young People in Humanitarian Action (from here on Youth Compact)⁶, which cover young people's engagement through partnerships and inclusive programming; reinforcing young people's capabilities; better data collection on youth and including youth in monitoring, evaluation and reporting on policy and programmes pertaining to youth.

This response to the GCR Draft 1 begins with an analysis as it relates to young people followed by a *Summary of Recommendations*. An Annex details the five Action Areas of the Youth Compact.

This response has been reviewed and strengthened by young people from refugee backgrounds, including those who are active in refugee youth advocacy at the regional and international levels.

General statements

MYAN recognizes the focus of the Programme of Action as aiming to facilitate the application of a comprehensive response in support of host countries particularly affected by a large movement of refugees, a protracted situation, or other context.⁷ MYAN also recognizes that key normative frameworks (of international refugee and human rights law) will underline the work towards reaching to the GCR, as mentioned in Draft 1.⁸

MYAN welcomes the approach taken in Draft 1 which calls for complementary efforts from the humanitarian and development actors which recognizes the need for efforts to reinforce each other in responding to mass forced displacement situations. MYAN also notes the approach of engaging a wide variety of stakeholders under the Programme of Action.

MYAN welcomes the recognition of refugee youth as a distinct group/stakeholder who should be responded to in services and systems - especially in accessing national education systems, economic opportunities/livelihoods and national health systems⁹. MYAN however regrets that the wording in the Zero Draft around measures to support refugee children and youth back to schooling to minimize the time spent out of school¹⁰ has been changed in Draft 1 to only mention 'boys and girls'.¹¹ MYAN recommends the formulation in the Zero Draft to be adopted for future drafts and that youth is exclusively mentioned as a group for such measures along side, 'children' or 'boys and girls'.

⁶ World Humanitarian Summit (2016) *Compact for Young People in Humanitarian Action*. Available at <http://www.un.org/youthenvoy/wp-content/uploads/2016/05/CompactforYoungPeopleinHumanitarianAction-FINAL-EDITED-VERSION1.pdf>. See Annex for reading these Action Areas.

⁷ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 2.

⁸ The Draft 1 mentions that the Global Compact on Refugees is grounded on international refugee protection regime. UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 2.

¹⁰ UNHCR (2018) *The Global Compact on Refugees: Zero Draft (as at 31 January 2018)*. Available at: <http://www.unhcr.org/Zero-Draft.pdf>, p. 9.

¹¹ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 13.

MYAN welcomes the expansion of the section on gender in Draft 1, however regrets that provision of sexual and reproductive health services has not been mentioned as a specific measure that should be supported by states and relevant stakeholders.¹² Lack of sexual and reproductive health services negatively impact young refugee girls and women in emergency situations¹³, and should be mentioned among actions taken to reach comprehensive responses.

MYAN regrets that Draft 1 does not go further to include any reference to youth-specific policy and programming. This is critical to ensuring that the particular rights, needs and capabilities of refugee youth are recognised, protected and responded to in the GCR. We also regret that the specific needs and capacities of refugee youth have not been mentioned with a view to engaging them in all stages of a comprehensive response (with the exception of reference to the role of youth in peacebuilding activities¹⁴). Young people have capabilities that should be harnessed across all areas and stages of a comprehensive response.

MYAN would like to see scope for strengthening the recognition of and response to the specific protection needs of young people, including direct engagement, at all stages of the comprehensive response. We would like to see this strengthened through the GCR consultation and drafting process.

Recognition of youth in all stages of a comprehensive response during and after refugee emergencies

- **Youth and youth organisations recognized as stakeholders**

MYAN welcomes the overall approach in Draft 1 on actively engaging those who are intended to be protected and assisted¹⁵, particularly noting inclusion of youth as a separate stakeholder which should be included in the decision making processes.¹⁶ While supporting the language of having “consultative processes” to enable refugee and host communities to assess their own needs, MYAN reiterates the importance of ensuring active participation and meaningful engagement¹⁷ of refugee youth through putting them “at the centre” of identification of and taking action towards finding sustainable solutions for their communities.¹⁸

¹² UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 14.

¹³ Women’s Refugee Commission (2018) *GBV and Sexual and Reproductive Health*. Available at <https://www.womensrefugeecommission.org/gbv/srh>

¹⁴ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 17.

¹⁵ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 7.

¹⁶ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 7.

¹⁷ Multicultural Youth Advocacy Network (MYAN) Australia (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html>, p. 10

¹⁸ UNHCR (2016) *Executive Committee of the High Commissioner’s Programme conclusion on Youth, 31 May 2016, EC/67/SC/CRP.17*. Available at: <http://www.refworld.org/docid/5800cdea4.html>, p. 4.

This is supported by UN Women, who have called for “consultations to include women and youth in assessing and planning response plans is most welcome. Their inclusion in key fora, institutions and decision making processes is likely to require specific funding to facilitate this as covered in para 32.”¹⁹

MYAN recognizes the importance of the establishment of UNHCR’s Global Youth Advisory Council (GYAC), the first-ever consultative youth body for UNHCR, which was engaged in consultations during the development of the Zero Draft. Building on this, MYAN emphasizes the importance of continued engagement with youth in the drafting process leading up to the adoption of the Global Compact on Refugees in September 2018.

MYAN also welcomes the inclusion of refugees in the already existing national systems with a view to strengthening these systems, rather than creating parallel systems.²⁰ This would benefit both local and refugee communities. In this regard, MYAN welcomes the recognition of refugee youth as a separate group which should be included in the services and systems, especially in accessing national education systems, economic opportunities and national health systems.²¹

MYAN welcomes recognition of refugee-led organisations as partners in Draft 1²², which was not mentioned in the Zero Draft, however regrets the continued absence of reference to the importance of youth-led organizations in this process and the need to invest in youth-led initiatives in reaching comprehensive solutions. MYAN would like to note the need to engage national youth organisations, as part of increasing inclusion of host governments in finding comprehensive solutions - taking into consideration the strength of national youth organizations to engage both refugee and local youth to strengthen the protection of refugee youth. UNHCR’s GYAC has provided examples of engaging refugee and/or local youth and/or national youth organisations²³ - AYAN in Uganda is one of these:

In **Uganda**, *Africa Youth Action Network (AYAN)*, a refugee youth-led organization, works at the community level to help young people shift from a culture of conflict to a culture of peace.

<https://africanyouthactionnetwork.org/>

¹⁹ UN Women, *Consultation 2 – First Draft of Global Compact of Refugees*, <http://www.unhcr.org/en-au/events/conferences/5aba3f3d7/un-womens-written-comments-draft-global-compact-refugees.html>, p.2

²⁰ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 12.

²¹ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 13-14.

²² UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 7.

²³ UNHCR Global Refugee Advisory Council (GYAC), *Recommendations to the Programme of Action for the Global Compact on Refugees*, <http://www.unhcr.org/en-au/events/conferences/5a3bbdb97/unhcr-global-youth-advisory-council-recommendations-programme-action-global.html>, p.3

- **Finding durable solutions through youth involvement**

MYAN welcomes reference to youth participation in Draft 1 in peacebuilding activities and returnee monitoring, as part of reintegration processes following voluntary repatriation.²⁴ MYAN however recommends recognition of youth as partners whose participation in reaching comprehensive solutions should be utilized from the beginning of emergencies, starting with the reception and admission stages. Such participation of youth could be through consultative youth bodies (made up of both refugee and local youth) that are involved in planning and programming for the emergency response.²⁵

MYAN supports the specific commitments expected from third states for resettlement of refugees, as mentioned under Draft 1.²⁶ MYAN also welcomes recognition of other pathways as mentioned in Draft 1 to complement resettlement efforts, including expanded family reunification mechanisms.²⁷

While recognizing that local integration is a sovereign decision²⁸, MYAN is concerned about the over-emphasis on voluntary repatriation/return in Draft 1 as a durable solution - especially given the protracted nature of certain refugee crises and lack of options for safe and sustainable return to country of origin in the short to mid-term. While voluntary repatriation is the desirable durable solution for many refugees²⁹, over-emphasis on return and not enough emphasis on the possibility of local solutions risks creating an ongoing situation of limbo and uncertainty for many refugees, for extended periods, especially in protracted refugee situations.

MYAN recognizes the negative impacts of ongoing uncertainty on refugee youth and adolescents, especially in protracted refugee situations and highlights the importance of providing youth with pathways that help them envision a future or create a life plan for themselves³⁰. Such a pathway does not need to strictly result in “local integration”, but could be formulated as a “local solution” in agreement with the relevant host state. While recognizing the sensitivities of some host states around the concept of local integration³¹, MYAN recommends that the Programme of Action incorporates mechanisms of support to all host states, rather than only those that elect local integration³². This is

²⁴ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 17.

²⁵ Multicultural Youth Advocacy Network (MYAN) Australia (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html>, p. 14.

²⁶ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 17-18.

²⁷ See MYAN’s recommendations leading to the Draft 1 - Multicultural Youth Advocacy Network (MYAN) Australia (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html>, p. 22.

²⁸ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 18.

²⁹ UNHCR (2004) *Handbook for Repatriation and Reintegration Activities*. Available at <http://www.refworld.org/docid/416bd1194.html>, p.2.

³⁰ UNHCR (2013) *A Global Review: UNHCR’s Engagement with Displaced Youth*. Available at: <http://www.unhcr.org/513f37bb9.pdf>, p. 14.

³¹ For example Lebanon does not recognize local integration as an option for the refugees on its territory and refrains from including refugees in its national systems. For more see *Statement of Lebanon to the first formal consultation*. Available at: <http://www.unhcr.org/en-au/events/conferences/5a86dd7915/statement-lebanon-first-formal-consultation.html>

³² UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 18.

particularly so for situations where voluntary repatriation/return may not be possible for all refugees in their territory. MYAN regrets the lack of recognition of the need to develop youth specific procedures for reaching durable solutions, especially in light of absence of any such procedures, processes or frameworks to identify and facilitate appropriate youth specific assessments for determining durable solutions.³³

MYAN also reiterates the importance of taking a long term view in any response to refugee emergencies, especially when registration and documentation is concerned. MYAN suggests that the documentation issued for refugees, including registration documents and birth registration certificates, or any other certificates that evidence civil matters issued in host states are recognized by the relevant stakeholders (especially the countries of origin and resettlement states) in reaching durable solutions.

- **Including youth in follow-up arrangements**

MYAN welcomes the reference to follow-up arrangements in Draft 1, and welcomes the reference to key indicators which will be utilized to monitor and evaluate progress, and outcomes of the global compact.³⁴ MYAN recommends involving young people and youth-specific expertise in developing these key indicators. This includes technical expertise in youth-specific policy and programming, alongside the direct involvement of refugee youth.

Draft 1 suggests measuring socio-economic conditions for refugees and host communities against the indicators of Sustainable Development Goals (SDGs).³⁵ MYAN welcomes utilizing the SDG indicators recognizing the commitment of 2030 Agenda to leave no-one behind, including youth.³⁶ MYAN emphasizes the need to involve young people and youth-specific expertise in monitoring, evaluation and reporting of the progress based on SDG indicators.

This will ensure that progress can be measured in a way that captures youth sensitive information, and meaningful monitoring of the Programme of Action can be undertaken by, with and for young people, as recommended earlier by MYAN.³⁷

³³ MYAN, INEE NRC and RET International (2017) *Desk Review of Programming Guidelines for Adolescents & Youth in Emergencies: Education, Health, Livelihoods & Durable Solutions*. Available at http://www.myan.org.au/file/file/Desk%20Review%20of%20Programming%20Guidelines%20for%20Adolescents%20and%20Youth%20in%20Emergencies%20-%20Sept2017%20-%20INEE_MYAN_NRC_RET%20International.pdf , p. 45.

³⁴ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 19.

³⁵ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 2.

³⁶ UN Sustainable Development Goals (2017) *SDG Indicators Global indicator framework for the Sustainable Development Goals and targets of the 2030 Agenda for Sustainable Development*. Available at <https://unstats.un.org/sdgs/indicators/indicators-list/>

³⁷ Multicultural Youth Advocacy Network (MYAN) Australia (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html>, p. 11.

Engaging other stakeholders in finding comprehensive solutions by, with and for youth

- **National arrangements and Country/Region specific compacts**

MYAN welcomes the approach of establishing national arrangements by host states with support of relevant stakeholders to coordinate and facilitate efforts, in line with the increasing focus and commitments around the localisation of aid³⁸ as made under the 2015 World Humanitarian Summit. MYAN also welcomes the country or region-specific compacts which could improve responses to refugee situations through involvement of relevant stakeholders. MYAN considers that such a concept could support responding to the refugee situations in Asia-Pacific region where Australia is located, based on the lessons learnt from earlier compacts – for example, the Jordan Compact agreed to in early 2016.³⁹ Investing in such initiatives could bring positive outcomes both for young refugees and local young people in the region - increasing their access to education and employment opportunities, as well as access to documentation, while broadening the protection space for refugees in the host countries of the region.

MYAN notes the importance of including refugee and local youth, as well as national youth organisations as mentioned above, as important stakeholders in initiatives around planning and programming for national arrangements and/or country or region-specific compacts, to increase ownership by both refugee and host communities.⁴⁰

MYAN notes that UN Women have recommended that "*Funding must be made available to strengthen partnerships with and build the capacity of local women's and youth organisations to assist and represent refugee populations and address the intersecting barriers to promote gender equality in displacement contexts.*"⁴¹

- **Regional approaches**

MYAN welcomes the emphasis on the role of regional organisations and encourages the engagement of regional non-governmental organisations with youth perspectives, in the global support platform by UNHCR and in cooperation efforts to reach a comprehensive response to the emergencies. An example is the Asia Pacific Refugee Rights Network (APRRN) which has a Youth Working Group to support and coordinate youth-specific initiatives, including: youth engagement and capacity building.

³⁸ Aid localisation is the main idea behind the Grand Bargain agreed upon under the World Humanitarian Summit by more than 30 biggest donors and aid providers commits "*donors and aid organizations to providing 25 per cent of global humanitarian funding to local and national responders by 2020, along with more un-earmarked money, and increased multi-year funding to ensure greater predictability and continuity in humanitarian response, among other commitments.*" Available at: <https://www.agendaforhumanity.org/initiatives/3861> Australia is one of the donors that endorsed the Grand Bargain and has initiated multi-year commitments to humanitarian emergencies, such as its three year commitment of 220M\$ for humanitarian needs in Syria and neighbouring countries hosting large numbers of refugees. Minister for Foreign Affairs (2016) *2016 Foreign Affairs Budget*. Available at: https://foreignminister.gov.au/releases/Pages/2016/jb_mr_160503.aspx

³⁹ Overseas Development Institute (ODI) (2018) *The Jordan Compact Lessons learnt and implications for future refugee compacts*. Available at: <https://www.odi.org/sites/odi.org.uk/files/resource-documents/12051.pdf>, p. 1.

⁴⁰ Overseas Development Institute (ODI) (2018) *The Jordan Compact Lessons learnt and implications for future refugee compacts*. Available at: <https://www.odi.org/sites/odi.org.uk/files/resource-documents/12051.pdf>, p. 5.

⁴¹ UN Women, *Consultation 2 – First Draft of Global Compact of Refugees*, <http://www.unhcr.org/en-au/events/conferences/5aba3f3d7/un-womens-written-comments-draft-global-compact-refugees.html>, p.2

- **Sports and recreational activities**

MYAN strongly welcomes the recognition of the importance of recreational activities, such as sports and cultural activities, for the well-being of refugee youth in Draft 1.⁴² MYAN reiterates the importance of such cooperation between relevant stakeholders, such as the one between UNHCR and International Olympic Committee, which promoted positive role models to young refugees and positive images of young refugees for the broader public. MYAN also emphasizes the importance of such activities in promoting tolerance and understanding between refugee and local youth⁴³. Sport and recreational activities can be an important tool for building social cohesion and challenging/addressing xenophobia. MYAN would like to see the GCR focus on engaging both refugee and local youth in sports and cultural activities as part of its multi-stakeholder approach.

- **Media**

MYAN welcomes the recognition of the role of various stakeholders as part of taking “a multi-stakeholder approach”⁴⁴, however regrets that media has not been identified separately under this section of the draft Programme of Action. This is of particular concern given the crucial role media, especially local media, plays in shaping perceptions of other stakeholders, first and foremost the perception of the host communities towards refugees. MYAN reiterates its previous recommendation on the importance of engaging media in positive messaging and accurate information provision to both refugee and host communities.⁴⁵

We also recommend engaging with young people are key actors in this agenda – young people are utilising social media as a fundamental tool for promoting positive perceptions of refugees and are often leading the way in this area.

Strengthening data collection specific to refugee youth

MYAN welcomes the emphasis on data collection in Draft 1 and the need to collect quality registration data based on individual registration and disaggregated by age, sex, specific needs and location.⁴⁶ MYAN emphasises the gaps in youth-specific data, noting that there is no current data on global numbers of refugee youth. The most recent and comprehensive global data on refugee youth is from a 2013 UNHCR report.⁴⁷

⁴² UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 8.

⁴³ Multicultural Youth Advocacy Network (MYAN) Australia (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html>, p.17

⁴⁴ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html> pp. 7-8.

⁴⁵ Multicultural Youth Advocacy Network (MYAN) Australia (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html>, pp. 19-21.

⁴⁶ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 10.

⁴⁷ UNHCR (2013) *A Global Review: UNHCR’s Engagement with Displaced Youth*. Available at: <http://www.unhcr.org/513f37bb9.pdf>.

In recognition that the Programme of Action does not focus on details of data collection, such as the age groups which should be captured as part of this process, MYAN therefore refers to “International Recommendations on Refugee Statistics”. MYAN would like to reiterate the importance of data collection on youth⁴⁸ with specific data gathered to capture the experiences of young people (15 to 24 year olds).⁴⁹ The absence of such data results in a lack of targeted age and developmental stage appropriate protection and assistance programs, and capacity to measure impact and outcomes. This includes initiatives to ensure their engagement in secondary and tertiary education, and vocational training opportunities, on the pathway to employment.⁵⁰

MYAN recommends that the “International Recommendations on Refugee Statistics”⁵¹ recognize this age group as a separate group, and recommend collection of information on 15 to 24 years age group.

Developing youth specific policies, programmes and processes

- **Addressing specific needs and identifying international protection needs of refugee youth**

MYAN recognizes the statement in Draft 1 that age, gender and diversity considerations will guide all aspects of the programme of action.⁵² We would nevertheless like to emphasise the need to recognise age, gender and diversity in the category of youth when considering addressing specific needs of refugee youth in the GCR. This is critical for effective and measurable policy and programming for refugee youth.

Related, MYAN notes UNHCR’s most recent Policy on Age, Gender and Diversity.⁵³ While recognising the importance of the updated policy which calls on broader participation by refugee populations in UNHCR programmes and strategies, MYAN is extremely concerned that it falls short in recognising youth as a distinct population group as it does not call on collecting youth-specific disaggregated data (and nor does it ensure youth participation and input in programmes and strategies). MYAN considers the absence of a youth focus in such a mandatory UNHCR policy document as a significant step backwards in furthering the agenda of recognising and empowering youth as an important

⁴⁸ Multicultural Youth Advocacy Network (MYAN) Australia (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html>, pp. 14-15, 18-20.

⁴⁹ For statistical purposes UN defines youth as persons aged between 15-24 years. UNHCR (2016) *Executive Committee of the High Commissioner’s Programme conclusion on Youth, 31 May 2016, EC/67/SC/CRP.17*. Available at: <http://www.refworld.org/docid/5800cdea4.html>, p.3.

⁵⁰ UNHCR (2016) *Executive Committee of the High Commissioner’s Programme conclusion on Youth, 31 May 2016, EC/67/SC/CRP.17*. Available at: <http://www.refworld.org/docid/5800cdea4.html>, p.3.

⁵¹ Expert Group on Refugee and Internally Displaced Persons Statistics (2018) *International Recommendations on Refugee Statistics: Final post Global Consultation February 2018*. Available at <https://unstats.un.org/unsd/statcom/49th-session/documents/BG-Item3m-RefugeeStat-E.pdf>

⁵² UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 3.

⁵³ UNHCR (2018) *UNHCR/HCP/2018/1 Policy on Age, Gender and Diversity Accountability*. Available at <http://www.unhcr.org/en-au/protection/women/5aa13c0c7/policy-age-gender-diversity-accountability-2018.html?query=age,%20gender%20and%20diversity%20accountability%202018>

stakeholder in all stages of a refugee emergency and for a comprehensive response. This is particularly disappointing given the significant youth-focussed work undertaken by UNHCR in recent years (including the establishment of the Global youth Advisory Council).

Specific needs of unaccompanied and separated children (UASC)

MYAN welcomes the emphasis in Draft 1 on addressing the specific needs of unaccompanied and separated children, alongside other refugee children, in light of the principle of the best interest of the child. MYAN however reiterates its earlier position on the need to incorporate youth-specific best interest assessment and best interest determination processes for unaccompanied and separated youth and adolescents who are under host state's protection.⁵⁴ To this end, MYAN regrets that the reference to inclusion of unaccompanied and separated youth and adolescents under state child protection systems in the Zero Draft⁵⁵ was removed from Draft 1.⁵⁶

The call for strengthening national child protection systems with support of relevant stakeholders in the Zero Draft⁵⁷ was also removed in Draft 1.⁵⁸ MYAN recommends that the reference to national child protection systems is inserted back into the draft Programme of Action in line with the commitment to deliver assistance through local and national service providers, instead of establishing parallel systems for refugees.⁵⁹ This is in line with the recommendations of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) and Committee on the Rights of the Child (CRC) on the human rights of children in the context of international migration.⁶⁰

Given the specific needs of refugee children and especially unaccompanied and separated refugee children and youth, supporting and strengthening national child protection systems should be among the commitments to the host states to provide a comprehensive response.

MYAN regrets to see that in identification and addressing these specific needs, Draft 1 does not refer to the need to provide support and guidance to host countries for establishing youth sensitive

⁵⁴ Multicultural Youth Advocacy Network (MYAN) Australia (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html>, p.17.

⁵⁵ UNHCR (2018) *The Global Compact on Refugees: Zero Draft (as at 31 January 2018)*. Available at: <http://www.unhcr.org/Zero-Draft.pdf>, p.7.

⁵⁶ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 11.

⁵⁷ UNHCR (2018) *The Global Compact on Refugees: Zero Draft (as at 31 January 2018)*. Available at: <http://www.unhcr.org/Zero-Draft.pdf> p. 11.

⁵⁸ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 16.

⁵⁹ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 12.

⁶⁰ Joint general comment of the CMW and CRC specifically recommends states to mainstream the situation of all children in the context of international migration into child protection systems at the national and local levels. UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) (2017) *Joint general comment No. 3 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 22 (2017) of the Committee on the Rights of the Child on the general principles regarding the human rights of children in the context of international migration*, 16 November 2017, CMW/C/GC/3-CRC/C/GC/22. Available at <http://www.refworld.org/docid/5a1293a24.html>, p. 4.

practices and processes, including for age (and gender) appropriate protection and assistance programmes.⁶¹

MYAN reiterates the importance of establishing youth sensitive (in addition to gender and child sensitive)⁶² processes at the stage of identifying international protection needs. We call on UNHCR to develop and provide guidance related to youth sensitive processes in determining international protection needs.

- **Complementing efforts for supporting refugee and local youth**

MYAN welcomes recognition of the link between the welfare of refugees and host communities in Draft 1. In this regard, we support the complementarity of efforts by humanitarian and development actors, in line with national development plans and as part of a comprehensive response.⁶³ MYAN reiterates the importance of youth-specific programming and engaging refugee and local youth in these plans, especially in planning and programming for education and employment.⁶⁴

Ending practices/policies harming youth

- **Ending immigration detention for youth and adolescents**

While recognizing UNHCR’s mandate and UNHCR’s position on ending immigration detention for refugee children, MYAN nevertheless regrets UNHCR’s current position, including a reference to the UNHCR’s Global Strategy “Beyond Detention”⁶⁵ to end detention of refugees and asylum seekers, has not been stated clearly in the Zero Draft and Draft 1.

In line with the analysis of IDC⁶⁶ of the Zero Draft, MYAN recommends reference to UNHCR’s current position on immigration detention of children in Draft 1, which clearly states “UNHCR’s position is that *child should not be detained* for immigration related purposes, irrespective of their legal/migratory status or that of their parents, and *detention is never in their best interests.*”⁶⁷

⁶¹ UNHCR (2016) *Executive Committee of the High Commissioner’s Programme conclusion on Youth, 31 May 2016, EC/67/SC/CRP.17.*

Available at: <http://www.refworld.org/docid/5800cdea4.html>, p. 3.

⁶² UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018).* Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p.11.

⁶³ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018).* Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 12.

⁶⁴ Multicultural Youth Advocacy Network (MYAN) Australia (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees.* Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html>, p. 10 and 19.

⁶⁵ The global strategy clearly states that “Children should, in principle, not be detained at all.” See UNHCR (2014) *Beyond Detention: A Global Strategy to support governments to end the detention of asylum-seeker and refugees, 2014-2019.* Available at <http://www.refworld.org/docid/536b564d4.html>, p. 5.

⁶⁶ International Detention Coalition (IDC) (2018) *Zero Drafts of the Global Compacts on Migration and Refugees: Analysis by the International Detention Coalition.* Available at: https://idcoalition.org/wp-content/uploads/2016/10/Zero_Drafts_Analysis_IDC-1.pdf, p. 5.

⁶⁷ UNHCR (2017) *UNHCR’s position regarding the detention of refugee and migrant children in the migration context.* Available at: <http://www.refworld.org/docid/5885c2434.html>, p. 2.

- **Eradicating youth statelessness**

MYAN welcomes the increased focus on statelessness in Draft 1, under a dedicated heading⁶⁸, rather than the approach adopted under the Zero Draft⁶⁹ - i.e. mentioning statelessness under international protection challenges section. MYAN especially welcomes this issue given the scope of stateless refugee populations in the Asia-Pacific region and the impact of statelessness on refugee youth - limiting their access to basic rights and services that come with civil registration and having a nationality, such as documentation, and better education and livelihoods opportunities.⁷⁰

Summary of Recommendations

MYAN recommends that the following are addressed in the consultation and drafting process of the GCR and reflected in the final Programme of Action in September 2018:

- Recognize the specific rights, needs (including specific protection needs) and capacities of refugee youth, and acknowledge the agency, skills and strengths of young people as partners.
 - Meaningfully engage refugee youth in all stages of a comprehensive response (including in the decision-making processes in all stages) starting with the reception and admission. This includes recognition of age, gender and diversity in the category of youth.
 - Involve young people in the design, monitoring and evaluation of the GCR.
- Include a focus on developing youth-specific policy and programming to further engage and empower refugee young people in all stages of a comprehensive response.
- Refer to the provision of sexual and reproductive health services for youth, especially for young refugee girls and women, as a specific measure that should be supported by states and relevant stakeholders in providing comprehensive responses to emergencies.
- Reinsert the reference, to youth exclusively, alongside ‘children’ or ‘boys and girls’, for measures to support refugee children and youth back to schooling to minimize the time spent out of schools (as in the Zero Draft).
- Underline the importance of establishing youth sensitive (in addition to gender and child sensitive)⁷¹ processes at the stage of identifying international protection needs, and to this

⁶⁸ UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 15.

⁶⁹ UNHCR (2018) *The Global Compact on Refugees: Zero Draft (as at 31 January 2018)*. Available at: <http://www.unhcr.org/Zero-Draft.pdf>, p. 8.

⁷⁰ UNHCR (2016) *Executive Committee of the High Commissioner’s Programme conclusion on Youth, 31 May 2016, EC/67/SC/CRP.17*. Available at: <http://www.refworld.org/docid/5800cdea4.html>, p.4.

⁷¹ UNHCR (2018) *The Global Compact on Refugees: Zero Draft (as at 31 January 2018)*. Available at: <http://www.unhcr.org/Zero-Draft.pdf>, p. 8.

end, develop and provide guidance related to youth sensitive processes in determining international protection needs.

- Recognize the age group (15 to 24 years) of youth as a separate and specific cohort in data collection and dissemination to ensure youth specific policy and programming in all stages of a comprehensive response.
- Underline the need to provide support and guidance to host countries for establishing youth sensitive practices and processes in reaching comprehensive solutions.
- Recognize the need to incorporate youth-specific best interest assessment and best interest determination processes for unaccompanied and separated youth and adolescents who are under host state's protection.
- In relation to durable solutions:
 - Recognize the need to develop youth-specific procedures for reaching durable solutions and facilitate appropriate youth-specific assessments for determining durable solutions.
 - Recognise registration documents and birth registration certificates, or any other certificates that evidence civil matters issued in host states, by the relevant stakeholders (especially the countries of origin and resettlement states).
- In relation to a multi-stakeholder response:
 - Highlight the need to invest in refugee-led *and* youth-led initiatives and organisations in reaching comprehensive solutions.
 - Reference the need to include refugee and local youth, as well as national youth organisations, as critical stakeholders in initiatives around planning and programming for national arrangements and/or country or region-specific compacts - to increase ownership by both refugee and host communities.
- Reference the need to include national youth organisations as a stakeholder, in line with increasing inclusion of host governments in finding comprehensive solutions. This should take into consideration the capacity of national youth organizations to engage both refugee and local youth to strengthen the protection of refugee youth.
- Recognize the role of media in taking “a multi-stakeholder approach” - particularly given the crucial role media plays in shaping perceptions of other stakeholders, and the importance of engaging media on positive messaging and correct information provision to the both refugee and host communities.
 - Engage with young people as key actors in this agenda, often leading the way in this area – build on young people's existing use of social media as a fundamental tool for promoting positive perceptions of refugees.

- Reference UNHCR’s current position on immigration detention of children, which states: “UNHCR’s position is that *children should not be detained* for immigration related purposes, irrespective of their legal/migratory status or that of their parents, and *detention is never in their best interests*.”⁷²
- Involve young people and youth-specific expertise in:
 - The development of key indicators by UNHCR, which will be utilized to monitor and evaluate progress, and outcomes of the GCR, and in the implementation, monitoring, evaluation and reporting on the progress of the GCR following its adoption in September 2018, and in
 - Monitoring, evaluation and reporting of the progress of GCR based on SDG indicators in relation to measuring socio-economic conditions for refugees and host communities.
- Re-insert the reference to including unaccompanied and separated youth and adolescents under state child protection systems of host countries and the call for strengthening national child protection systems of host countries with support of relevant stakeholders into the draft Programme of Action (as in the Zero Draft).
- Incorporate support mechanisms to all host states in the Programme of Action, rather than only those that elect local integration, for situations where voluntary repatriation/return may not be possible for all refugees in their territory.

⁷² UNHCR (2017) *UNHCR's position regarding the detention of refugee and migrant children in the migration context*. Available at: <http://www.refworld.org/docid/5885c2434.html>, p. 2.

Annex

Action Areas from the Compact for Young People in Humanitarian Action⁷³

Action 1: Promote and increase age- and gender-responsive and inclusive programmes that contribute to the protection, health and development of young women, young men, girls and boys within humanitarian settings;

Action 2: Support systematic inclusion of engagement and partnership with youth, in all phases of humanitarian action through sharing of information and involvement in decision-making processes at all levels, including budget allocations

Action 3: Recognize and strengthen young people’s capacities and capabilities to be effective humanitarian actors in prevention, preparedness, response and recovery, and empower and support local youth-led initiatives and organizations in humanitarian response, such as those targeting affected youth, including young refugees and internally displaced persons living in informal urban settlements and slums;

Action 4: Increase resources intended to address the needs and priorities of adolescents and youth affected by humanitarian crises, including disasters, conflict and displacement, and identify ways to more accurately track and report on the resources allocated to young people in humanitarian contexts;

Action 5: Ensure the generation and use of age- and sex- disaggregated data pertaining to adolescents and youth in humanitarian settings

⁷³ <https://www.agendaforhumanity.org/initiatives/3829>