

TOWARDS A GLOBAL COMPACT ON REFUGEES
FORMAL CONSULTATIONS 4
8-9-10 May 2018

**NGO intervention on Programme of action: Areas in need of support - solutions (Part
IV)
Agenda item 5**

Dear Chairperson,

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

Overall, NGOs acknowledge that the section on solutions now better integrates gender concerns. We invite UNHCR to better reflect age, disability and diversity considerations too. Attempts to link durable solutions and complementary pathways to responsibility-sharing mechanisms are positive. We particularly welcome proposals to invite pledges towards resettlement and other pathways and calls to support local integration. We underline that better and predictable responsibility-sharing will not come about without a strong multi-stakeholder commitment to vigorously pursue durable solutions from the onset of displacement. However, our concerns with the absence of ‘durable’ in the section heading still stand. In this regard, we would welcome clarification on this apprehension to reflect the language adopted by consensus in the New York Declaration.

More specifically, we are encouraged to see that non-*refoulement* has been specifically added in relation to **voluntary repatriation**. We also welcome the change of language underscoring that voluntary repatriation is the preferred solution in the “majority of refugee situations”, not necessarily of all refugees. At the same time, we remain concerned by the assertion that “voluntary repatriation is not necessarily conditioned on the accomplishment of political solutions in the country of origin”. Several recent examples show that a variety of incentives and penalties are deployed to coerce refugees to consent to return, including by providing cash grants or through reduction of assistance. Such repatriations have only led to continued displacement and, in some instances, further destabilised the security situation in countries of origin, setting in motion an irreversible trend of displacement. We would also like to underline that voluntary repatriation should not be used as a bargaining tool in political settlements. Voluntary repatriation is also predicated on the notion of informed decision-making. Information sharing on protection risks must also be child-friendly, gender- and disability-responsive. There should be extensive assessment of child rights in the country of origin and development of an individual plan for the child’s sustainable return. Finally, we note the new reference to conclude tripartite agreements to facilitate voluntary repatriation and would suggest further elaboration of this experience – for example referring to ideas voiced last year during the thematic discussions – to ensure this tool is updated to bring additionalities.

In situations where refugees freely chose to return, support for countries of origin is vital. We welcome that the programme of action invites peacebuilding, development and humanitarian support. We would like to underline however that in many countries of origin, even humanitarian actors, adept at navigating battle fields, are facing tremendous access constraints. This, coupled with severe funding shortfalls for countries in crises, which are often also countries of origin, means hundreds of thousands of people are already deprived of lifesaving assistance. As such, there is an urgent need to ensure unfettered access

for humanitarian actors and sharply increase unearmarked and multiyear humanitarian funding. In those contexts, development actors must ensure their State-focused support does not accentuate the conditions of instability by further marginalising excluded groups. As such, it would be useful to underline the ‘do no harm’ principle. When providing support to countries of origin, it is vital to respect local capacities, and as much as possible augmenting these, to ensure sustainability. The specific role of faith-based organisations in addressing reconciliation and healing following conflict could also be noted. Diaspora groups also make an important contribution in reconstruction and their efforts could be better harnessed.

We welcome consideration of internal displacement in repatriation processes. As we mark the 20th anniversary of the Guiding Principles on internal displacement, we welcome that the compact invites countries of origin to incorporate these in their national laws and policies.

We note positive additions in terms of practical measures in support of returnees. Cash assistance and support for urbanisation and establishment of risk analysis systems are all welcome measures. While gender-responsive livelihoods and programming as well as promoting economic opportunities are welcome developments, we believe such opportunities should be age- and gender-responsive to provide opportunities to young people upon return. We would encourage the involvement of human rights organisations in post-returns monitoring. In addition to safety, such monitoring should also consider legal and economic conditions of returnees. The importance of ‘go-and-see visits’ is crucial for returnees to make an informed choice. As such, explicitly inviting support for such visits could be referred to. When such visits are coupled with allowing returnees the grace period to go and come, voluntary repatriation can go beyond the potential to achieve early re-integration and sustainability.

We welcome language that **resettlement**, a durable solution and key protection tool, is an integral part of responsibility-sharing and the reference to a strategic use of resettlement. As such, UNHCR’s proposal to devise a three-year strategy to reach out to non-traditional resettlement countries is welcome. This is an important element that promises to bring concrete additionality. However, in a context where traditional countries are reducing their resettlement quotas, this should not result in a zero-sum situation. To broaden the support base, all countries will need to increase their resettlement quotas. We also encourage that the strategy should not wait until 2021 to be finalised. Rather, the 2021 Refugee Forum should be an occasion to evaluate the achievements of the strategy. A global concrete target could be fixed: for example, by 2021, States should provide resettlement places on a scale which meets the current yearly resettlement needs, which is around 10 percent of the global refugee population. We also welcome the inclusion of private or community sponsorship programmes, and emphasise that these must be in addition to, and not at the expense of, State contributions. To scale up such programmes, the compact must invite States to adapt their legislation facilitating community sponsorship. In doing so, it is vital to encourage a tolerant and accepting environment for incoming refugees. Resettlement must fully respect the concept and application of family unity in all its social and cultural dimensions, including ensuring best interest determination for refugee children.

Where refugees develop close family, social, cultural and economic ties with host communities, and prefer staying, **local integration** should be the durable solution, benefiting both refugees and their hosts. When refugees are given the opportunity to integrate in host countries they can enrich the prosperity of their hosts in myriad ways. However, States hosting large refugee populations have their own developmental challenges and require significant financial, technical and material support to integrate refugees in their development plans. As such, support must be provided for integration programmes with a specific focus to also include local population while combating xenophobia and discrimination.

Support for local solutions should include the promotion to increase acceptance and tolerance towards refugees integrating locally. The media can play a vital role in this and must be a key stakeholder.

Given the years or decades spent in displacement pending durable solutions, it is of practical necessity that refugees in all host country situations can access economic, social, civic and cultural participation. To rebuild their lives and achieve self-reliance, refugees need the ability to move freely, gain employment and access State and private services on an equitable basis with others. Such abilities are exclusively granted to refugees by host governments through their governance framework. Regardless of a refugee's eventual durable solution, host States should create avenues for refugees' self-reliance through national policy frameworks.

Lastly, we welcome that the three-year strategy will also attempt to expand **other pathways for admission**. We would encourage that these include concrete targets. Active steps must be taken to address practical and legal barriers to family reunification. On a more ambitious level, enhancing mobility of refugees between States to seek opportunities for employment, study and family unification could also be considered.

Thank you, Mr. Chair, for the opportunity to offer comments on these key aspects of the Programme of Action.