High Commissioner's Dialogue on Protection Challenges:
"Towards a global compact on refugees"

Palais des Nations, Geneva
12-13 December 2017

Concept paper

I. Background

1. The New York Declaration for Refugees and Migrants, adopted by the United Nations General Assembly in September 2016,[1] called for the United Nations High Commissioner for Refugees, in consultation with States and other stakeholders, to develop a global compact on refugees for inclusion in his annual report to the General Assembly in 2018.

2. The global compact on refugees will consist of two parts: (i) the comprehensive refugee response framework (CRRF), as contained in annex I to the New York Declaration; and (ii) a programme of action, which will underpin the CRRF and facilitate its application through concrete measures in support of countries particularly affected by forced displacement. The programme of action will seek to establish a predictable framework of cooperative arrangements on which States can rely.

3. As set out in UNHCR's "roadmap" document,[2] the High Commissioner's Dialogue on Protection Challenges will be dedicated to taking stock of progress in the development of the global compact on refugees and progress in practical application of the CRRF. In particular, it will provide an opportunity to consider:

   (i) lessons learned and good practices in the application of the CRRF,[3] together with experiences from other large-scale situations; and

   (ii) the outcomes of the five thematic discussions held between July and November 2017.[4]

4. The conclusions of the Dialogue will contribute to the zero draft of the programme of action, which will be circulated for consultation in early 2018.[5] Accordingly, participants are invited to make targeted interventions, notably in relation to the draft programme of action, building on the thematic discussions and the CRRF roll-out and guided by the questions posed in this paper. The discussions are meant to be interactive.

5. All stakeholders are also welcome to continue to make written contributions[6] to inform the programme of action, via refugeecompact@unhcr.org.

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[1] See A/RES/71/1 and http://www.unhcr.org/newyorkdeclaration.
[2] Available from http://www.unhcr.org/regugeecompact.
[3] Further information available from the CRRF Global Digital Platform: http://crrf.unhcr.org/en/.
[4] Documentation from the thematic discussions is available from
http://www.unhcr.org/thematicdiscussions.
[5] As set out in UNHCR's roadmap document, a series of formal consultations will be held between February and July 2018 in this regard.
[6] Guidance on submitting such a contribution is available from www.unhcr.org/writtencontributions.

II.   Structure of the High Commissioner's Dialogue

6.   The Dialogue will consist of several work streams. In the **opening plenary** (12 December, 9:30-12:30) the High Commissioner will outline progress to date. A panel of stakeholders, representing the "whole-of-society" approach endorsed in the New York Declaration, will then set the tone and challenges for the discussion.

7.   Following the opening plenary, a **special session** will consider lessons learned and good practices in applying the CRRF (12 December, 13:00-14:45). Participants are invited to refer to the "Progress report: practical application of the comprehensive refugee response framework",[7] which will inform the interactive discussion in this session.

8.   There will then be **six thematic sessions** (12 December, 15:00-18:00, and 13 December, 10:15-13:00). Their purpose is to provide an opportunity to reflect on and refine suggested content for the programme of action. A series of questions to guide these discussions is provided in section III below.

9.   The thematic sessions will be complemented by **roundtables**, which will consider several elements of the programme of action in more detail: namely, gender: strengthening responses; education: no one left behind; and support to host countries: mobilizing additional finances. There will also be a side event on operational stocktaking of the CRRF by international non-governmental organizations.

10.   The Dialogue will conclude in **plenary**, with summaries by the co-chairs of the six thematic sessions, followed by concluding remarks by the High Commissioner.

III.   Guidance for the Dialogue's thematic sessions

11.   As indicated above, the Dialogue's thematic sessions will provide an opportunity to further consider and refine possible components of the programme of action. The discussions will be based on the suggestions made in the concept papers for the October and November thematic discussions, together with the summary conclusions from all five thematic discussions,[8] and the CRRF progress report. A number of questions to guide consideration of the various proposals are set out below.

Session one: reception and admission (12 December, 15:00-18:00)

12.   This session will focus on suggestions for the programme of action to underpin implementation of pillar one of the CRRF ("reception and admission"). Further consideration and discussion is particularly welcome on the following proposals:[9]

-    **A global refugee response group or platform** put forward in thematic discussion one on 10 July and subsequently discussed at thematic discussion two on 17 October: what could be the role and scope of this group or platform? Which actors could be included? How could duplication with existing mechanisms be avoided? How could such a group or platform best be deployed to strengthen responses and make them both more predictable and more equitable?

-    **Solidarity conferences**: how could such conferences best be deployed to mobilize funding and other resources, and ensure sustained international

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[7] This will be available via http://www.unhcr.org/high-commissioners-dialogue-on-protection-challenges-2017.html.

[8] Documentation available from http://www.unhcr.org/thematicdiscussions.

[9] As set out in the concept note for thematic discussion two, read together with the summary conclusions, available from http://www.unhcr.org/thematicdiscussions.

attention to the needs of refugees and host communities? What follow-up mechanisms could be envisaged?

- **Security of refugees and host communities**: what support could be mobilized and coordinated to address security challenges? What are some of the concrete actions that could be reflected in the programme of action? Which actors could be involved?

- **Collaboration on registration, documentation and vital statistics systems**: what mechanisms could be useful to ensure better registration, documentation and biometrics systems? How could coordination between relevant actors be facilitated, taking into account the need to respect data protection principles? Are there ways to overcome practical challenges, such as non-interoperability of IT systems?

- **Specific needs**: how could more predictable support be provided for the identification and referral of those with specific needs arriving as part of large-scale movements? Which actors could be involved? What concrete measures could be put in place for particular groups (including children, victims of trafficking, persons with disabilities, older people, women at risk)?

- An **asylum capacity support group**: what could be the role of such a group, its modalities and relevant participation? What different contributions could be provided e.g. expertise – including through standby or "State-to-State" twinning arrangements, technical support, funding?

Session two: meeting needs and supporting communities (12 December, 15:00-18:00)

13.   This session will focus on suggestions for the programme of action to support implementation of pillars two and three of the CRRF ("meeting needs and supporting communities"). Further feedback and discussion is particularly welcome on the following proposals:[10]

- **Mobilizing more resources**: how can multilateral and bilateral development donors be engaged from the outset of large-scale refugee displacement? What support can be provided to government-led planning and coordination arrangements to ensure an inclusive approach? How do we improve capacities to map, identify and analyse the principal socio-economic shocks and impact of refugee displacement on local economies? How can capabilities to generate comprehensive data and analysis of the socio-economic circumstances of, and opportunities for, refugee and local communities be supported? What public-private partnerships, including possible new institutional arrangements and financial instruments, could be established to enable greater opportunities for private sector investment in displacement situations? What exceptional measures could be activated, beyond development assistance, if macro-economic indicators and national development trajectories are jeopardized by the scale and impact of refugee displacement?

- **Humanitarian assistance**: how can delivery of humanitarian assistance through local systems be facilitated? How can innovative approaches be scaled-up and systematized? What consultative processes are best to ensure refugees and local communities assess their own needs and are involved in planning and decision-making? Are there any other implications stemming from the "grand bargain" commitments that could be included in the programme of action?

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[10] As set out in the concept note for thematic discussion two, read together with the summary conclusions for thematic discussion two, available from http://www.unhcr.org/thematicdiscussions.

- **Education**: what concrete support is needed to strengthen and expand national education systems at the onset of an emergency, and over the medium-term? Which actors could be involved? What are some good tools or models that could form a basis on which to build? How could programming build on sustainable development goal 4 (ensure inclusive and quality education for all and promote lifelong learning)?

- **Health**: what concrete support is needed to strengthen and expand national health systems? Which actors could be involved? How could programming build on sustainable development goal 3 (ensure healthy lives and promote well-being for all at all ages)?

- **Energy and environment:** what measures can be taken to prevent or address environmental degradation near refugee hosting areas? What measures are needed to ensure sustainable energy sources and waste management strategies, benefiting refugees and host communities alike? What role for consultative processes with refugees and host communities?

- **Livelihoods**: which actors could be involved in efforts to strengthen economic opportunities for refugees and members of local communities? What structural analysis of and support for the local labour market is needed to ensure livelihoods and self-reliance? How can refugee access to financial products and services be better promoted? Which actors could be involved?

Session three: measures to be taken in pursuit of solutions (12 December, 15:00-18:00)

14.   This session will focus on suggestions for the programme of action to support implementation of pillar four of the CRRF ("measures to be taken in pursuit of solutions"). Feedback and discussion is particularly welcome on the following proposals:[11]

- **Voluntary repatriation**: what actions can the international community undertake to enable conditions for voluntary and sustainable return? Which actors could be involved? What technical, financial or expert support is needed to build institutional readiness in countries of origin, and to ensure participation of refugees and returnees in this process? What ways of mobilizing support and funding could be recommended?

- **Resettlement**: what concrete measures could be outlined in the programme of action in order to expand resettlement opportunities? What support can be provided for new and emerging resettlement countries, including twinning arrangements or technical assistance? What could be the role of a resettlement core group in particular large-scale situations? What role for multiyear pledging processes?

- **Complementary pathways**: are there any concrete measures that could be outlined in the programme of action, in terms of expanding and strengthening complementary pathways? What steps are needed to facilitate access to such pathways? Which actors can be involved?

- **Local solutions**: what additional support can be provided to countries engaged in offering local solutions as part of comprehensive solutions strategies (technical, financial, capacity)? How can programming for the sustainable development goals be fully maximized? Where appropriate, is there a role for

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[11] As set out in the concept note for thematic discussion four, read together with the summary conclusions, available from http://www.unhcr.org/thematicdiscussions.

regional frameworks to complement national laws in offering pathways to permanent residence or citizenship?

Session four: contemporary protection challenges (13 December, 10:15-13:00)

15.   This session will provide an opportunity to refine suggestions for the programme of action with respect to the following overarching themes:[12]

- **Child protection**: what specific actions are needed to assist unaccompanied and separated children in large-scale refugee situations? Which actors could be involved? How can inclusion of children at risk in national child protection systems be supported by the international community?

- **Statelessness**: what practical support can be provided to facilitate birth registration among refugees and other displaced populations? Which actors could be involved? Could the programme of action also usefully refer to the need to review nationality laws and practices to identify gaps that could lead to statelessness?

- **Climate change and disaster displacement**: how could the programme of action link to existing platforms and commitments, including the Platform on Disaster Displacement? What international support can be provided to countries to address climate change and environmental degradation, in order to prevent secondary displacement or facilitate safe return? What concrete actions could be recommended to alleviate the effects of climate change, environmental degradation and disasters as root causes or threat multipliers of displacement?

- **Refugee representation and inclusion**: how can the programme of action support the active involvement of refugees in all areas of preparedness, response and solutions? What support for refugee-led organizations, community networks and social media can be endorsed? How can the programme of action promote refugee participation and contributions in key fora and institutions?

- **The role of women and girls**: how can the programme of action institutionalize leadership and participation by women? Are there specific areas where concrete language and commitments could be included (e.g. livelihoods, registration, peace processes and voluntary repatriation)?

- **Preventing and responding to sexual and gender-based violence:** how can appropriate measures be mainstreamed throughout the programme of action (e.g. support for reception arrangements, energy and environmental issues, asylum capacity support group, registration)? Concrete language and actionable commitments would be welcome.

- **Data**: further to the World Bank-UNHCR joint data centre, what additional actions could be endorsed in the programme of action to facilitate the collection of reliable, disaggregated data in forced displacement settings?

Session five: complementarity between the global compact on refugees and the global compact for safe, orderly and regular migration (13 December, 10:15-13:00)

16.   This session will focus on ways to ensure coherence with the global compact on safe, orderly and regular migration.

17.   The processes leading to the development of the migration and refugee compacts are separate and distinct, but complementary. The adoption of the global compact on migration has the potential to have a positive impact on upholding the

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[12] As set out in the concept notes for thematic discussions three and five, read together with the relevant summary conclusions, available from http://www.unhcr.org/thematicdiscussions.

human rights of migrants, providing coherence and order to the management of international migration, and paving the way for an improved system of global migration governance. This, in turn, could have benefits for the international protection regime: not least, given the common risks that many migrants and refugees share when travelling as part of irregular movements, as well as the effect a well-managed migration system can have on the functioning of national asylum systems.

18.   Against this background, participants are invited to consider the areas of potential complementarity between the two compacts. This could include the impact of the expansion of regular migration pathways – which could reduce the need for those in irregular status to seek to make use of asylum systems in countries of destination to secure a stable legal status, despite not having international protection needs. Other potential areas of complementarity are efforts to uphold the human rights of all foreign nationals, both refugees and migrants, including by addressing xenophobia, racism and discrimination, and exploring alternatives to detention; reception arrangements; and measures to address specific needs (including those of children, persons with disabilities and victims of trafficking).

Session six: strengthening burden- and responsibility-sharing (13 December, 10:15-13.00)

19.   This session will provide an opportunity to take stock of the overarching goal of the programme of action, to ensure more equitable and predictable burden- and responsibility-sharing with host countries and communities. Feedback and discussion on the following issues would be particularly welcome:[13]

- **Lessons learned from past and current approaches**: thematic discussion one identified a number of lessons and good practices from existing arrangements. Do the elements of the programme of action identified so far align with past experience? In particular, how can we ensure both more predictability in the international community's support to host countries, while retaining flexibility to tailor arrangements to the particular circumstances? How can the different roles and contributions made by various stakeholders be taken into account?

- **Whole-of-society approaches**: how can the various stakeholders identified in the New York Declaration broaden the base of support? Further reflections on the role of cities, districts and local authorities (potentially through a global network of solidarity), refugee-led organizations, a refugee academic alliance, and the private sector (potentially through a global platform for businesses) are welcome.

- **Early warning and prevention**: how can the programme of action build on the United Nations Secretary-General's reform agenda through concrete and targeted actions? What scope is there for humanitarian and human rights actors to enhance collaboration with development, peacebuilding and financial institutions in terms of early warning and prevention? What measures could be considered in terms of coordinated programming on rule of law or security sector reforms and the proliferation of small arms and explosive weapons?

- **Role of regional bodies and institutions**: past and current burden- and responsibility-sharing arrangements and experience in roll-out of the CRRF have demonstrated the critical role of regional approaches and institutions. Regional and sub-regional organizations, as well as regional economic commissions, can play a variety of roles in convening and supporting regional responses and facilitating regional exchange and support, including towards solutions. How

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[13] See, in particular, the concept notes for thematic discussion one and five, read together with the relevant summary conclusions, available from http://www.unhcr.org/thematicdiscussions.

can these opportunities best be captured and supported through the programme of action? Would a mechanism for collaboration to ensure exchange of good practices between different regional fora be useful?

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