



Towards a Global Compact on Refugees – non paper by The Netherlands

1. The UN summit on addressing large scale movements of refugees and migrants took place on the 19th of September 2016. This led to the adoption of the New York Declaration for Refugees and Migrants. At a time of unprecedented displacement the New York Declaration reflects important commitments made by states, notably that large movements of refugees and migrants call for shared responsibility.
2. The New York Declaration both calls for a Global Compact on Refugees and for a Global Compact on Migration, to be established in 2018. Although the Global Compact on Refugees and the Global Compact on Migration will have considerable interlinkages, it is essential to separate refugees from migrants, since their legal status is different. The focus of this paper is the Global Compact on Refugees.
3. Annex 1 of the Declaration established the Comprehensive Refugee Response Framework (CRRF), on the basis of which a Global Compact on Refugees is foreseen in 2018 with a leading role of UNHCR. The CRRF specifies key elements for a comprehensive response to any large movement of refugees. These include swift and well-supported admission and reception procedures and addressing immediate and ongoing protection, health and education needs of refugees. The CRRF also includes support for host countries and communities and underlines the necessity to come to durable solutions.
4. It is of importance that the principles laid down in the New York Declaration, including the CRRF, are upheld and worked out in more concrete engagements. The New York Declaration reaffirms that the 1951 Convention relating to the Status of Refugees and the 1967 Protocol remain the foundation of the international refugee protection regime and it also reaffirms the importance of international human rights law and international humanitarian law to strengthen the protection of refugees. Safeguarding, promoting, and respecting these rights should also be an important element of the Global Compact on Refugees.
5. In the New York Declaration it is acknowledged that the international community has a *shared responsibility* to manage large movements of refugees and migrants *in a humane, sensitive, compassionate and people-centred manner*. The Global Compact on Refugees should address the meaning of this principle in practice, so it is clear what is expected of states. The worldwide refugee crisis is a challenge for us all, so it is crucial that all countries take their responsibility. This can take many different forms, including (multi-year) financial support for UNHCR and other organisations supporting refugees, legal pathways including resettlement and strengthening the self-reliance of refugees and

- their host communities through inclusive policies in host countries and support through development cooperation.
6. Global responsibility-sharing in the Global Compact on Refugees should take the form of concrete actions by the international community. The displacement crisis is a global one, not specific to a particular continent or region. Similarly, addressing it should be a joint global responsibility in which every UN member state plays its role.
 7. The New York Declaration gave UNHCR a central role in developing a Global Compact on Refugees on the basis of the Comprehensive Refugee Response Framework (CRRF). UNHCR should be supported to fulfill this role in close coordination with all relevant stakeholders. Developing a concrete programme of action to complement the CRRF, as proposed by UNHCR, is welcomed by The Netherlands. During these processes, led by UNHCR, the involvement of other relevant UN agencies, member states, civil society organizations, private sector representatives, as well as voices from diaspora and refugee communities is essential.
 8. The Netherlands underlines that refugees should apply for asylum in the first safe country they reach. They should be provided with protection and assistance as close to their home countries as possible. In addition, providing adequate protection close to home can prevent refugees from undertaking perilous onward journeys.
 9. Admission of foreign nationals, including refugees, to their territories is a full responsibility of states and it should be assured that admission policies are subject to state's international obligations under international law and international human rights standards, in particular the 1951 Refugee Convention. In applying the sovereign right and responsibility to manage and control borders, it should be ensured that border control procedures are implemented in conformity with applicable obligations under international law and international human rights standards, including the 1951 Refugee Convention.
 10. The Netherlands acknowledges the importance of local integration - with support for host communities - and resettlement as durable solutions for refugees. The Netherlands will continue to support the UNHCR resettlement programme and is willing to share its best practices.
 11. The Netherlands calls for increased co-operation between states in the field of return and readmission in full respect of human rights, including the access to thorough legal procedures and the obligation of states to allow their citizens free entry to their territory, and in a safe and dignified manner. Voluntary return should be given priority at all times. States should accept and comply with international obligations to accept the return of their nationals. The Netherlands would be glad to share experiences and best practices regarding return procedures.
 12. Host countries that receive large numbers of refugees, often for long, protracted periods of time, should be fully supported, also when they have not (yet) signed the 1951 Refugee Convention.

The Global Compact on Refugees should acknowledge the important role of major host countries.

13. Forced displacement is caused by conflict, persecution, human rights violations, lack of socio-economic perspective, direct and indirect effects of climate change and many other reasons. The Global Compact on Refugees should reiterate the need to address these root causes and underline the fact that increased efforts should be geared towards preventing displacement.
14. Protracted refugee situations deserve an intensive and integrated approach, which is country- and region-specific. Humanitarian assistance, development assistance, political and economic assistance and diplomacy all have a role to play in providing protection and finding durable and sustainable solutions, including return and reintegration.
15. An integrated, and where necessary, regional approach towards the refugee and host communities is needed when applying the CRRF in practice. Important elements in the development of the Global Compact on Refugees are strengthening self-reliance, providing durable solutions and special attention for the most vulnerable, such as women and children, including psycho-social support.
16. Education for children should be a priority. Access to primary and secondary education and vocational training and access to health care should both count for refugees as well as host communities. Parallel systems should be avoided.
17. It is also important to provide for opportunities for refugees to access the labour market and to generate their own income.
18. The Global Compact on Refugees should be able to address both refugees in camp setting and refugees in urban areas.
19. Refugees should be included in national and local development plans in line with the 2030 Agenda for Sustainable Development, and the underlying principle to 'Leave No One Behind'.
20. Cooperation should be strengthened between humanitarian and development actors, including the World Bank and other international organizations, government (local and central), international and local NGO's and other relevant (local) partners such as the private sector. This is also needed in order for UNHCR and its partners to secure adequate and predictable funding, which is necessary for the refugee response to be effective. There is a need for a "whole-of-society-approach" when testing the CRRF in practice and as part of the Global Compact on Refugees.