



GLOBAL COMPACT ON REFUGEES (GCR) FIRST FORMAL CONSULTATION (FEBRUARY 13-14, 2018)

The risks and human rights violations girls and young women face outside of emergencies contexts multiply and are exacerbated in humanitarian and forced displacement contexts. These risks and violations include access to education, gender-based and sexual violence, child, early and forced marriage, trafficking, and unpaid forced labour including domestic labour and care work.ⁱ Children with disabilities – especially girls with disabilities – as well as unaccompanied and separated children, are also particularly vulnerable to abuse and exploitation.

In forced displacement contexts, issues concerning safety and security, often predicated on entrenched gender norms, restrict girls' and young women's social roles as well as their free movement. Families place tighter restrictions on girls' movements or give them increased responsibilities around the home.ⁱⁱ This can create further barriers for girls and young women in relation to accessing necessary services. Culturally and religiously predicated mobility constraints, security concerns, and entrenched gender norms also greatly impact girls' access to education in such contexts; creating additional protection concerns, such as contributing to increases in negative coping mechanisms like survival sex and child, early and forced marriage (CEFM). Menstrual hygiene management needs create urgent affronts to dignity and health and safety risks when girls and young women are unable to move safely on their own to wash clothing or retrieve essential sanitary supplies, should such supplies be available at all.

Yet despite these distinct needs and rights violations, adolescent girls as a group are often missed in traditional interventions aimed at forcibly displaced populations. Their specific needs may not be reached with programming targeting adult women, or children more generally – resulting in a gap in services and ongoing rights abuses that have life-long consequences.

OVERARCHING RECOMMENDATIONS

- **Ensure that a human-rights based approach is mainstreamed throughout the Global Compact on Refugees.** This includes recognition and promotion of universal fundamental human rights guarantees under the international human rights legal framework, particularly the human rights of the most vulnerable - refugee girls and boys of all ages. The Child Rights Convention (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) are **non-derogable**. 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. International human rights protections must not be undermined by language that merely suggests their implementation. Strong language referencing the applicability of human rights laws to refugees is essential to ensure the “improved socio-economic conditions for host communities, notably women and girls; and enhanced efforts to resolve protracted situations...”ⁱⁱⁱ Rights to gender and age sensitive protection needs; safe, inclusive and quality education; and healthcare, including psychosocial and sexual and reproductive healthcare for all children are critical for children, and particularly adolescent girls, to reach their full potentials.
- **Explicitly mainstream throughout the entire document the recognition of, and response to, the experiences of young women and girls living in forced displacement contexts.** Although we appreciate and welcome reference to such intention to mainstream age, gender and diversity considerations in all aspects of the Programme of Action,^{iv} more is necessary. Language and provisions that remain gender and age neutral often leave out the specific and distinct experiences of young women and girls, regardless of intention. Textual references to explicit considerations that respond to the experiences of young women and girls are essential to ensure that such considerations are taken forward in all responses.
- **Urge the systematic participation of children and youth, 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 participation of all stakeholders, including refugees themselves. The Global Compact on Refugees must identify mechanisms and processes wherein refugees and host communities are consulted and can be instrumental as decision-making agents. Gender and age-based barriers to meaningful participation should be addressed through targeted strategies.

GENDER

In transit and forced displacement contexts, unaccompanied or separated girls in particular, are exceedingly vulnerable to trafficking and sexual violence and sexual exploitation and abuse (SEA). Temporary shelters and refugee camps are often not built with the needs of girls and young women in mind, despite international law and guidelines mandating such construction, and may not be equipped with separate sleeping facilities for unaccompanied or separated adolescent girls and boys, or gender separated wash and bathroom facilities. Lone girls and young women in marked tents are at risk of being targeted for

sexual violence and sleeping quarters without doors or locks increase the risks of SGBV. Lighting may be poor and routes to and from food, firewood, or water, may be far and hazardous.

- We welcome the inclusion of a specific section on gender in the Programme of Action^v, but the section as currently written does little to unpack the distinct gender-based experiences faced by girls and women refugees. We strongly encourage the drafters to specify some of the most well-evidenced “particular challenges” faced by women and girls through the following:
 - **When promoting the meaningful participation and leadership of women and girls, States must also identify and address gender-based barriers to their participation.** For instance, harmful social norms and gender-specific cultural and religious norms; unpaid domestic labour and care-work; child, early and forced marriage and early pregnancy; and extreme protection related concerns stemming from significant risks to sexual and gender-based violence, serve as barriers to women’s and girls’ meaningful participation. Lower literacy rates may also be particular barriers faced by women and girls in some contexts.
 - **The emphasis on the prevention and response to sexual and gender-based violence should be accompanied by evidence-based methods and should further reaffirm those international standards and guidelines supporting the prevention and response of SGBV that are already in existence.** Including:
 - Providing and maintaining safe and reliable public transport, footpaths, market places, 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 through developing, investing in, and implementing targeted and context-tailored programming;
 - Developing and maintaining safe reporting mechanisms for survivors, ensuring gender and age-sensitive reporting and accountability mechanisms
 - Providing all survivors with access to all necessary services, in line with the Minimum Initial Services Package (MISP), including, but not limited to: psychosocial care, and healthcare, especially sexual and reproductive services, and legal assistance.

EDUCATION AND HEALTHCARE

Forcibly displaced girls also face significant challenges in accessing their right to education. Data for refugees shows that in 2011, there were nine girls for every ten boys enrolled in schools at primary levels in both camp and urban settings,^{vi} with the gender gap widening as children get older; in 2015, for every ten refugee adolescent boy in secondary school, there were the equivalent of seven girls.^{vii} Gender gaps in access to education compounds the disadvantage of girls in displacement settings, and can heighten existing gender inequalities, create protection risks like CEFM, and have long-term development outcomes for girls. Access to life saving information and services may also be hindered or limited in times of crisis and forced displacement. This is particularly true of essential sexual and reproductive health services, which are often extremely underfunded, despite the crucial need in forced displacement contexts, where sexual violence, child marriage, and early pregnancies increase exponentially.

- **Education and the achievement of the highest attainable standard of physical and mental health must be respected and protected as fundamental human rights**, in addition to their necessity to the achievement of the 2030 Sustainable Development Agenda. Protection concerns must also be mainstreamed throughout each section.
- **We welcome recognition that girls face gender-related barriers to education, and we urge further highlighting these barriers as an essential step in addressing them.** For instance, girls face menstrual hygiene management issues; sexual and gender-based violence; unpaid domestic labour and care work; child, early and forced marriage, and early pregnancy, in addition to the concerns listed (e.g. safe transport; documentation; language and literacy support).^{viii}
- **Suggested actions that would support refugees’ health rights should include specific language ensuring such actions are age and gender-sensitive.**^{ix} International guidelines and standards should also be referred to as relevant, particularly the Minimum Initial Service Package.
 - A basic package of health services should further enumerate psychosocial care and sexual and reproductive healthcare as essential elements.
 - The need for women healthcare personnel and women doctors should also be highlighted, as women may not be able to see male doctors due to comfort levels or social or cultural norms. Further, it is essential that the need for doctors specializing in sexual and reproductive healthcare needs, particularly obstetrics and gynaecology, is explicitly mentioned.

ⁱ UNFPA, State of the world population 2015. Shelter from the Storm; Plan International, State of the World’s Girls Report: Double Jeopardy, 2013.

ⁱⁱ DFID Briefing Paper, October 2013. Violence Against Women and Girls in Humanitarian Emergencies: CHASE Briefing Paper.

ⁱⁱⁱ Global Compact on Refugees Zero Draft, paragraph 2

^{iv} Global Compact on Refugees Zero Draft, paragraph 11

^v Global Compact on Refugees, Zero Draft, paragraph 63

^{vi} UNHCR (2016), P.29.

^{vii} Malala Fund (2016). *Yes All Girls: Education and the Global Response*. P.4.

^{viii} Global Compact on Refugees, Zero Draft, paragraph 53

^{ix} Global Compact on Refugees, Zero Draft, paragraph 56