

Initiative for Child Rights in the Global Compacts

Recommendations following Draft Three of the Global Compact on Refugees

The present contribution is submitted on behalf of members of [the Initiative for Child Rights in the Global Compacts](#) (hereafter “the Initiative”). The Initiative is a multi-stakeholder partnership bringing together 30 civil society, UN and philanthropic organisations around a shared agenda: to ensure that children’s rights are at the heart of the Global Compact on Refugees and the Global Compact for Safe, Regular and Orderly Migration, and to create a continuum of care, protection and support for refugee and migrant children.

The Initiative has shared concrete recommendations on the previous drafts of the Global Compact on Refugees (GCR), aiming at strengthening references to the protection of the rights of the child. Throughout the formal consultations, we noted with enthusiasm many Member States calling for comprehensive language on age, gender and diversity considerations and commended the High Commissioner for Refugees (HCR) for duly considering all these calls.

As the process moves ahead, the Initiative is pleased to receive a GCR Draft Three, which further contextualizes and clarifies some important elements. We welcome the added reference to the achievement of “collective outcomes and progress”, which reflects our vision of the GCR and its implementation. We also very much support all the ongoing efforts to further concretize and enhance responsibility sharing mechanisms. Such mechanisms are essential to ensure the efficiency of the refugee and human rights protection regimes and fulfillment of the international legal commitments made by States.

Whilst recognizing the imperative to shorten the text, the Initiative urges UNHCR and Member States to ensure that reducing and streamlining the text does not result in less concrete and aspiring language on human rights. This is particularly important in Part B, ‘Areas in need of support’. While we welcome the inclusion in GCR Draft Three of some of language on child rights suggested previously by Member States and the Initiative, we are also very concerned by some changes in language in the paragraphs on: *Education* (68-69, GCR Draft Three); *Health* (72, 73 GCR Draft Three); *Children* (76-77 GCR Draft Three); and *Solutions* (85 – 100 GCR Draft Three). In our view, they risk diminishing the protection of the rights of the child in the GCR.

With children representing over half of all refugees, the GCR should envisage a far more comprehensive improvement in the protection of their rights and in terms of their access to services. Therefore, the Initiative calls upon Member States and UNHCR to:

- **Highlight the centrality of protection for children in the GCR.** This means among other aspects: prioritizing cases involving children; recognizing that child protection authorities should have a leading role; and investing adequate resources in strengthening the child protection skills of all actors, as well as specialized services, including for child victims of gender-based violence. The need for child safeguarding regulations and implementation should also be recognized in the GCR to ensure refugee children do not end up abused and exploited.

Responsibility sharing measures should aim to facilitate cross-border collaboration in child protection and continuum of care for children. They can be enhanced through the use of private international law mechanisms on cooperation, such as the 1996 Hague Convention. Concrete responsibility sharing measures are needed to enhance

alternative care - in accordance with UN Alternative Care Guidelines - and guardianship for unaccompanied and separated children, as well as to ensure access to justice that responds to age and gender considerations for all children.

- **Provide for comprehensive responses to the health needs of girls, women, men and boys.** Early recognition of health problems in refugee children, coupled with tailored support to aid recovery should be part of any public health strategy. Evidence shows that refugee children are exposed to high risks of sexual and gender-based violence and calls among others for strengthening investments in sexual and reproductive health care services, mental health and psycho-social support.
- **Make access to safe, quality and inclusive education a reality for children.** This includes articulating what needs to be done to overcome barriers to enrollment in school and attendance, which can be hampered by a range of factors, including but not limited to: administrative barriers; violence and discrimination at school and in the community; gender considerations; socio-economic conditions of the family; health status of the child and care-giver; and the child's language and literacy skills. It requires predictable and multi-year funding to support host countries, based on cost estimations of the development and implementation of national education sector plans that include refugees.
- **Emphasize the best interests of the child as a primary consideration in any decision about solutions and the follow up of such decisions.** In line with the Convention on the Rights of the Child, any decision, and in particular decisions about solutions for children and their families, should be guided by robust, multidisciplinary and independent best interests' assessments and determination, led by qualified child protection personnel. Because of their development needs, children should benefit from prioritization and extended eligibility criteria for resettlement, family reunification and other complementary pathways. All support programs, whether voluntary repatriation, local integration or resettlement and complementary pathways should be designed with the population concerned and respond to the age and gender needs of the child.

Children deserve more than tolerance and peaceful coexistence. The Initiative for Child Rights in the Global Compacts pledges to support States and all actors in building societies where children develop to their full potential, free from violence and discrimination.