

InterAction Refugee Policy Working Group Key Messages
UNHCR Thematic Discussion 5
“Cross-Cutting and Overarching Issues”

There are many cross-cutting issues that will determine the quality and effectiveness of a rights-based, solutions-oriented comprehensive refugee response. In [InterAction’s paper](#) outlining essential elements for the Global Compact on Refugees, we urged stakeholders to seize this opportunity to move beyond a care and maintenance approach and leverage longer-term investments that allow refugees to live in dignity and self-reliance. This is the strategic thinking that must inform and be integrated throughout all four areas of the Comprehensive Refugee Response Framework (CRRF).

The following actions are necessary to address cross-cutting issues impacting refugees and to ensure an effective, whole-of-society approach to assisting them and host communities:

Analyze and Address Factors that Impact Refugee Vulnerability at Every Stage of Displacement

A response that supports refugee dignity and self-reliance must be grounded in a thorough analysis of the factors that impact their vulnerabilities as well as capacities from initial reception to achievement of a durable solution. Targeted outreach is required to those who may be marginalized by their gender, age, disability or other attributes to ensure that they, too, have a voice in needs assessments, program design, implementation and decision making, as well as enjoy equitable access to services and opportunities.

Advance the Rights, Address the Needs and Support the Capacities of Refugee Women and Girls

At least 50% of any refugee population are women and girls, but too often their needs and capacities are overlooked throughout displacement. In the New York Declaration, States made powerful commitments to refugee women and girls. Overarching recommendations to realize the promise of the New York Declaration for Women and Girls include:

- Incorporate implementation of existing agreements under international law regarding human rights, empowerment and protection of women and girls;
- Ensure the Global Refugee Compact/“ Programme of Action” requires the collection and use of Sex and Age Disaggregated data in all stages of the response;
- Develop targeted actions to address the specific needs of women and girls in diverse situations as well as effective mainstreaming of gender considerations throughout the response;
- Support partnerships with refugee women and girls as leaders and contributors.

Protect the Rights and Freedoms of all Refugee and Migrant Children

Children represent a disproportionate and growing proportion of the world’s refugees; 51% are children, compared to one third of the world’s population overall. Recent estimates place the number of children displaced globally by conflict and violence – internally or across borders – at 28 million. An increasing number are fleeing alone without the protection of their families and are exposed to acute risks at the hands of smugglers and traffickers during perilous journeys. In 2015, 112,000 unaccompanied children applied for asylum in 83 countries – more than triple the number in 2014.

Children – regardless of their status, their circumstances and the reasons why they are on the move – should first and foremost be treated as children, and their best interests should be a primary consideration.

Note: Similarly-focused attention must be placed on the protection needs of other vulnerable groups, including, but not limited to: minority ethnic groups, religious minorities, people with disabilities, victims of trafficking and LGBTQI persons.

Recognize an Effective Response is A Whole of Society Response:

An effective global response to refugees is comprehensive and involves host governments, host communities and other stakeholders. Key actions to support a whole of society response include:

- Develop financing plans that match the immediate needs of refugees and host communities with longer term development needs of host countries. Ensure that Member States, UN agencies, humanitarian and development actors, community leaders, and refugees conduct joint analysis and planning.
- Engage the private sector in a meaningful way that capitalizes on their resources, skills and strengths. The private sector will play a critical role in a “whole of society” response to the global refugee crisis, from developing digital infrastructure to deliver cash assistance to helping match refugees with job opportunities. Efforts should be made to create a single international platform to help shape private sector investments in responding to refugee situations. Critically, the platform must include participation from not only UNHCR and other donors, but also NGOs that can help identify both constraints to and opportunities for engagement with refugee and host communities. Such a platform should not only be used to compare best practices, but also serve as a mechanism to coordinate businesses’ activities (e.g. avoid duplication, identify and fill gaps) as well as to help match employers with potential employees.
- Strengthen civil society space in refugee hosting countries and expand partnerships with civil society networks. Ensuring civil society organizations have the space to organize and deliver services to refugees is essential to a “whole of society response,” whether those groups are international or national organizations. The “Programme of Action” should call for Member States to ensure that civil society organizations are able to register and operate in countries where refugees are present. Additional efforts should be made to ensure that civil society organizations have the capacity and opportunity to access funding for refugee and host community response. The “Programme of Action” should include targeted outreach to women’s organizations and to civil society organizations that serve persons often marginalized in society such as persons with disabilities or LGBTQI persons.

Develop Mechanisms to Track Delivery of Commitments and Outcomes

To ensure accountability and measure progress, mechanisms will need to be established to monitor and report on commitments made under all four sections of the CRRF/“Programme of Action”. The “Programme of Action” must also be accompanied by a monitoring and evaluation framework that measures progress towards implementation against outcomes or impact on refugees and host communities. To this end, timely, accurate and transparent data are essential; the “Programme of Action” should offer guidance on roles and responsibilities for data collection and for the methodologies and standards for collecting and sharing data across stakeholders.

InterAction would also reiterate the [suggestion we made](#) in Thematic Discussion #1 on Burden and Responsibility-Sharing Arrangements that the “Programme of Action” call for a global tracking mechanism for [commitments made](#) by Member States at the Leaders’ Summit on Refugees in 2016.

Addressing Internal Displacement

Protecting and assisting internally displaced persons (IDPs) is critical to preventing more people from becoming refugees. Ensuring voluntary refugee returns occur only under conditions that allow people to reintegrate and support themselves in their country of origin is critical to ensuring they do not become IDPs. While noting the need for “reflection on effective strategies to ensure adequate protection and assistance for IDPs” in the New York Declaration, little is being done to invigorate global commitment to addressing internal displacement. The “Programme of Action” must call for greater action to tackle a problem that represents the largest global displacement challenge and one that is inextricably linked to that of refugees. InterAction recommends the following be included in the “Programme of Action”:

- A call to use the 20th anniversary of the Guiding Principles on Internal Displacement as a critical opportunity to focus global attention on resolving the plight of IDPs around the world;
- Encouragement of regional institutions to take bold action in addressing internal displacement through instruments like the Kampala Convention;
- A call for Member States to address the circumstances that give rise to the displacement of their own citizens, ensure the rights of IDPs, and incorporate their needs into national development planning.

Resolve the Factors that Result in Statelessness

Statelessness is both a cause and a consequence of displacement and results in other significant and wide-ranging human rights violations. Statelessness inhibits affected persons and their families from fleeing conflict and crisis contexts, exacerbates the vulnerability of displaced persons, and creates barriers to repatriation. Nationality laws that discriminate based on gender, ethnicity, race, religion, or disability are leading causes of statelessness. Upholding the right to nationality without discrimination, in line with international law, will: lessen the vulnerability and number of displaced persons; help combat the root causes of instability; and contribute to more stable, resilient, and prosperous societies. The following recommendations should be included in the “Programme of Action”:

- Reform nationality laws that discriminate based on gender, ethnicity, race, religion, or disability;
- Work to ensure the immediate birth registration of all refugee children born on Member State territory and provide adequate, early assistance in obtaining other necessary documents relating to civil status, such as marriage, divorce and death certificates;
- Ensure women and men’s equal and independent ability to acquire civil documents for themselves and their children.

UNHCR’s goal to eliminate statelessness by 2024 will be impossible to meet without further expansion of the resources and professional staff involved in raising awareness and providing technical assistance to states to remedy statelessness and improve access to early birth registration of all children. We commend the agency’s plan to reach out to community and religious groups to explain the importance of birth registration and encourage these efforts to also include NGOs working in these communities. We note

the continued lack of good statistical data on the incidences of statelessness, particularly in locations like the Dominican Republic and Zimbabwe. Greater attention to collecting and publicizing such data is critical.

Support Early Warning Systems and Climate Change Adaptation

As recognized in the New York Declaration, the drivers of displacement and migration in the 21st century are complex and increasingly include environmental factors, natural disasters, food insecurity and the adverse effects of climate change. Not only are environmental factors affecting people living in conflict-ridden and insecure situations, but they are an obstacle to sustainable return, for example in the situation of Somalia. In addition, many refugees and displaced persons end up living in areas that are exposed to floods, drought, or other extreme weather events where they are at risk of secondary displacement. In the decades to come, increases in climate-related disasters, food insecurity, and conflict over scarce natural resources will exacerbate pre-existing social and political tensions resulting in both internal and cross-border displacement.

The “Programme of Action” should avoid creating artificial distinctions between or among drivers when devising responses. It is crucial to recall and, where necessary, reiterate, the fact that people fleeing climate change and disasters may need protection like refugees. It must further be acknowledged that both climate change and conflict have man-made elements that require international responsibility to not only address root causes, but provide protection to those who are made vulnerable as a result.

The “Programme of Action” should incorporate the following:

- Enhanced preparedness, early warning and the commitment to act on early warning. The Famine Early Warning System Network (FEWS NET) and other early warning tools have proven effective in raising the alarm. To minimize the impacts of climate-related hazards before they contribute to displacement, national governments, the UN, donor governments and the private sector must commit to act on early warning;
- Bi-lateral and multi-lateral agreements and tools which provide protection to people uprooted by disasters and climate change effects. The “Programme of Action” should encourage states to implement the Nansen Protection Agenda and best practices of the Platform on Disaster Displacement;
- Increased investments in climate-resilient livelihoods for refugees, host-communities, and returnees. Enhancing self-reliance among refugees and host communities and promoting sustainable, voluntary refugee returns will require helping refugees, host communities, and returnees to adapt to climate change and adopt more climate-resilient livelihood strategies;
- Improved monitoring and data collection on displacement. Agencies involved in humanitarian response must improve and adapt data collection tools to ensure that they are accurately tracking the role of climate-related disasters and environmental stress in driving displacement and human mobility as well as how climate may be undermining sustainable solutions for refugees.

Strengthen Response through Regional Institutions: A Reflection on the Organization of American States (OAS)

As a consortium of U.S. NGOs, InterAction is very concerned about high levels of violence, corruption and impunity in parts of the Americas- particularly the Northern Triangle of Central America - that continue to force people to seek refugee protection in neighboring countries and the United States. The xenophobic response has resulted in greater restrictions to movement and access to asylum, especially along the southern borders of the United States and Mexico, making it increasingly difficult for those who must flee to exercise their rights to protection.

As the principal regional body, the Organization of American States has served, and should continue to serve, as a critical partner and mechanism through which to encourage and strengthen commitments on the treatment of refugees and migrants. It also has a vital role to play in monitoring progress, compliance, and accountability with human rights frameworks, including the OAS Charter and various Inter-American American declarations and treaties. To ensure that the OAS can effectively fill this role, Member States must meet their commitments to support the Organization and its goals, as well as collaborate with one another to implement creative regional solutions that protect the human rights of refugees and migrants and ensure that barriers to accessing asylum are urgently addressed.