REFUGEPOINT

A LIFELINE FOR FORGOTTEN REFUGEES

Advancing refugee self-reliance:
A Proposal for the Global Compact on Refugees[1]

The Problem

Aside from isolated examples of its use, local integration has been the third rail of refugee protection for several decades. For reasons too numerous to review here,[2] a default model of protection evolved that asked countries of first asylum to provide land (maintain asylum space and open borders) while the international community supported refugees until they could repatriate or resettle, often called the "care and maintenance" approach.

One consequence of this reality is that the solution of local integration has been underdeveloped. All but removed from the toolbox, it has not benefitted from the decades of learning and refinement that resettlement, repatriation and other interventions have undergone. Evidence of this is apparent in UNHCR literature in which both targets and outcomes on local integration are notably absent due to lack of defined measurement criteria. In the 2016 Global Trends report,[3] naturalization statistics are offered as a "crude proxy" with many caveats on their unreliability.

Certainly it is more difficult to define when local integration has occurred than resettlement or repatriation, but had there been the opportunity for programmatic and M&E development around local integration over the years, there would almost certainly be defined measurement criteria and tools in place by now, not only to measure the outcome of naturalization, but of milestones along the way such as self-reliance. Local integration has a lot of catching up to do. This is relevant to the current conversations around refugee self-reliance to help explain why we are largely starting from scratch in figuring out how to facilitate and measure it.

Until very recently, an "all or nothing" approach to local integration meant that if permanent residency and full legal rights were not on offer by the host country, self-reliance was generally not pursued as a goal for refugees. When it was, it tended to be at the rural community level – transitioning a camp to a settlement – and centered around agricultural production, rather than at the urban, individualized level that is more pertinent now. This leaves us with very little knowledge base to underpin current self-reliance efforts and even less in the way of measuring success.

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[1] Prepared by Amy Slaughter for the Zolberg Institute Experts Meeting on the Global Compact on Refugees, New York, October 2-3, 2017.

[2] See *inter alia* Aleinikoff, T.A. (2016) "Rethinking the International Refugee Regime", Yale Journal of International Law, Vol 41, and Slaughter, A. and Crisp, J. (2009) "A Surrogate State?: The Role of UNHCR in Protracted Refugee Situations", UNHCR New Issues in Refugee Research, No. 168.

[3] UNHCR (2017): Global Trends: Forced Displacement in 2016, UNHCR Publishing, Geneva, p 28.

The events of the past few years (increased refugee numbers, lengthening duration of exile, exhausted aid budgets, and a spike in secondary migration to Europe) have given the notion of refugee self-reliance new currency and even exigency. But there is little clarity on the policies, programs and deployment of resources that would most effectively support it. What is more, without agreed upon measures of success, it is impossible to set targets around self-reliance, which might accelerate progress and strengthen accountability for outcomes.

Discussion – "Necessity is the mother of invention"

There is more opportunity now than ever before to make progress on self-reliance, as donors, aid agencies, and even host states increasingly recognize that it is no longer an option but a necessity, can bring benefits to host communities, and importantly, is what many refugees say they want – the opportunity to support their own families in dignity.

Annex I to the New York Declaration, the Comprehensive Refugee Response Framework (CRRF), has as one of its four stated objectives 'enhancing refugee self-reliance' (Para. 18). However, the existing language supporting that objective is scant and vague in comparison to the other three objectives.[4] Presumably, this is because self-reliance remains a contentious topic with some host states that perceive it as a slippery slope towards local integration.

The relevant existing language in the Declaration is as follows:

> Declaration, Para. 84: "Welcoming the positive steps taken by individual States, we encourage host Governments to consider opening their labour markets to refugees. We will work to strengthen host countries' and communities' resilience, assisting them, for example, with employment creation and income generation schemes."

> Annex I, Para. 13(b): "Take measures to foster self-reliance by pledging to expand opportunities for refugees to access, as appropriate, education, health care and services, livelihood opportunities and labour markets…."

This language is a good start, though including greater specificity around ways to operationalize self-reliance strategies from both a policy and program standpoint would establish a more effective framework for progress and accountability.

Proposal

1. Work Authorization

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[4] The other three are: ease pressure on host countries; expand access to third-country solutions; and support conditions in country of origin for return in safety and dignity.

The language cited above from the Declaration and its Annex focus on opening access to labor markets, without specifically suggesting how that might occur. Direct reference to formal work authorization is absent, though it might be viewed as implicit. We would propose that, in elaborating the above commitments, the Compact explicitly call for expansion of legal work opportunities for refugees. Ideally this would occur on a blanket basis, granting automatic work authorization to recognized refugees (or categories thereof) rather than a limited expansion of an individualized work permit system. Alternatively, there might be a call for states to not impose penalties (such as detention and fines) on refugees found to be working without permits.

2. Programs and Monitoring Tools that Support Self-Reliance
In many host countries, the rule of law is weak, the informal economy is strong, and legal work authorization is often not the main barrier to refugee self-reliance. Rather, common barriers are discrimination, lack of local language skills and freedom of movement, access to capital, and aid programs that work against instead of for the goal of self-reliance, having not shifted away from the "care and maintenance" approach. This proposal addresses the latter barrier. While refugee livelihoods programming is gaining increasing attention and resources, it is a relatively new frontier. There is little evidence base to identify effective program models and support their expansion. The measurement tools that do exist are in early "pilot" phases and tend to focus on the results of specific interventions, rather than the welfare and self-sufficiency of the household overall, irrespective of the sources of support and types of interventions received.

We propose that the Compact call on UNHCR and its operational partners to establish a commonly agreed (and simply administered) method for measuring refugees' progress towards and achievement of self-reliance. Such measurement seems crucial to: responsibly disengage from cases that no longer need support and redirect limited resources to those most in need; identify for replication which program models are most effective in supporting self-reliance; and establish annual targets for advancing self-reliance.

A draft monitoring framework for the application of the CRRF created by UNHCR and circulated to NGOs in June (annexed here) includes several proposed indicators under the heading of self-reliance, including enhanced access to basic services, employment, mobility, and civil documentation, and inclusion in development plans. All of these, while very important, would fail to actually measure self-reliance, which is the ostensible objective. For instance, it is possible to have access to basic services only through aid provision or government assistance, which is not a measure of self-reliance but rather quality of life or well-being. It is also possible to be employed but not earning enough to be self-supporting and to lack basic services. Without a linkage between self-generated income and fulfillment of basic needs, these indicators are at best rough proxies for self-reliance.

In tandem with a commitment to agree on criteria for measuring self-reliance should be a commitment to identifying effective program models for supporting it. Refugee services tend to be disjointed and parceled out to various providers. We should test whether

livelihoods-only approaches are effective without more holistic support and case management. The Graduation Approach, borrowed from the development community, is now being piloted with refugees by UNHCR and Trickle Up in several locations. Other promising models have been/are being developed to provide coordinated support to address refugees' holistic barriers to self-reliance. These go beyond the binary measure of whether refugees are generating income and look instead at broader impact indicators of well-being and ability to cover one's basic needs without aid.

The sooner the humanitarian community can come together to agree on standards and measures of self-reliance, the sooner programming will shift to support this outcome.

Language for the Compact

1. "Host Countries would…

Take measures to foster self-reliance by pledging to expand opportunities for refugees to access livelihood opportunities and labour markets by expanding legal employment and business authorization. This might be achieved through a combination of granting a larger number of work and business permits, establishing a blanket work authorization for all recognized refugees (or categories thereof), or exempting refugees from penalties associated with unauthorized work."

2. "UNHCR and its operational partners would…

(a) Establish a commonly agreed and simply administered method for measuring refugees' progress towards and achievement of self-reliance. With this measurement in place, annual targets should be set to encourage and track global progress on refugees achieving self-reliance.
(b) Identify effective program models for supporting the self-reliance ambitions of refugees (in part through the evidence provided by the measurement tool cited above), disseminate good practices, and support expansion of effective models."

Annex:

UNHCR: "Draft Monitoring Framework and Indicators for the Application of the Comprehensive Refugee Response Framework" (June 2017)

As of 2 June, 2017

This document presents a draft of initial concept for monitoring the application of the CRRF in the selected pilot countries. The finalisation of a CRRF monitoring framework will be done in consultation with CRRF partners in the field. .

Background

To ensure a more comprehensive and predictable response to large movements of refugees, based on the principles of international cooperation and responsibility-sharing, UN Member States have committed themselves to implementing a comprehensive refugee response framework (CRRF).[1] Specifically, the UN General Assembly has requested that UNHCR – in close coordination with relevant States and through a multi-stakeholder approach – develop and initiate the CRRF in a range of situations. While recognizing that each context will differ in nature, the CRRF as agreed by Member States includes those fundamental elements of reception and admission, support for immediate and ongoing needs, support for host countries and communities, and durable solutions that are essential to a comprehensive response. These elements are consistent with international law and good practice.

The General Assembly provided clear guidance on the *objectives* for the implementation of the CRRF in any given context, as follows: i)to ease pressures on the host countries involved, ii)to enhance refugee self-reliance, iii) to expand access to third-country solutions, and iv) to support conditions in countries of origin for return in safety and dignity.

Member States have requested that UNHCR assess the detailed practical application of the CRRF. Such strategic monitoring will serve several purposes. First, it will facilitate timely interventions to strengthen and re-orient specific responses, as needed. Second, it will enable Member States and the international community to set out concrete means and actions to fully operationalize the CRRF and support more predictable and sustainable responses, consistent with international responsibility-sharing. Third, lessons learned through monitoring will help inform Member States' formal consultations prior to the adoption of a global compact on refugees in 2018, as envisioned by the New York Declaration.2

Strategic Monitoring Framework

To facilitate the assessment of the CRRF's application, UNHCR is developing this draft strategic monitoring framework for use during the first five years of CRRF implementation (2017-2021). This framework will be applicable to the countries currently applying the CRRF. The finalisation of the framework will be done in consultation with CRRF partners in CRRF pilot countries. This framework will include a number of indicators enabling stakeholders to measure progress and identify priorities for reinforced efforts by the international community.

Wherever possible, CRRF indicators are aligned with those developed for the Sustainable Development Goals (SDGs).[3] In addition to the indicators to be developed as part of this framework, additional qualitative interview based evaluations might be used to evaluate the application of the CRRF in some of the pilot countries.

The monitoring framework will measure progress and impact for strategic objectives at both country and global levels. Two sets of complementary indicators are as follows:

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[1] New York Declaration for Refugees and Migrants, A/RES/71/1, Annex 1.

[2] *See* Toward a global compact on refugees: a roadmap, 17 May 2017, available at www.unhcr.org/towards-a-global-compact-on-refugees.

[3] 2030 Agenda for Sustainable Development, A/RES/70/1. The SGD global indicators database is available at html.unstats.un.org/sdgs/indicators/database.

1- Universal indicators are anchored in the four objectives for the CRRF set by the General Assembly.[4] Universal indicators will be monitored across all countries applying the CRRF, allowing for global analysis and lessons learned.

2- Country-specific indicators are anchored in the country context and national comprehensive refugee response plan, developed through a multi-stakeholder approach. Country-specific indicators should be aligned with national and local development plans wherever possible. In the case of a situational comprehensive response, situational or region-specific goals will be set.

Indicators

Quantitative indicators will be clustered in four groups designed to measure the progress toward four objectives specified in Annex 1 of the New York Declaration. A fifth cluster will measure progress in the process of implementation of the CRRF globally. Indicators will be disaggregated, where relevant, by gender, age, race, ethnicity, disability and geographic location. Additional disaggregation characteristics that might prove necessary for meaningful monitoring of certain indicators might be added.

The finalisation of the indicators will be done in consultation with field operations and partners. The roll out will be done during the third quarter of 2017.

Objective 1: Ease pressure on host government

To measure progress toward this objective, indicators will target:

- Additional resources and technical support in CRRF countries
- Proportion of additional bilateral and multilateral official development assistance (ODA) used to address refugee and host community needs through support for local and national services and institutions
- Innovative solutions to persistent challenges that benefit refugees and host communities

Objective 2: Enhance refugee self-reliance

To measure progress toward this objective, indicators will target:

- Enhanced access of refugees and host communities to basic services such as health, water, sanitation and education
- Enhanced access of refugees and host communities to employment and livelihoods
- Enhanced freedom of movement for refugees
- Provision of civil documentation to refugees
- Inclusion of refugees and their hosts in national and local development plans

Objective 3: Expand third-country solutions

To measure progress toward this objective, indicators will target:

- Increase in the number of countries with active resettlement programmes
- Increase in the number of resettlement spaces made available
- Expansion of access to third countries through complementary pathways to admission

Strategic Goal 4: Support conditions in countries of origin for return in safety and dignity

To measure progress toward this objective, indicators will target:

- Advocacy efforts for improved conditions of return as well as number of successful informed and voluntary returns.
- Strengthened conditions in areas of return, including access to basic services

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[4] A/RES/71/1, Annex 1, para. 18.

- Progress in stabilization efforts, including in the areas of rule of law and security
- Remittances costs between refugees and countries of origin

Implementation of Comprehensive Refugee Response

To measure the progress in the overall implementation of the CRRF, indicators will include:

- Number of countries applying the CRRF
- Increase in the number and diversity of partners participating in the comprehensive response
- Number of national laws or policies strengthened consistent with the principles and practices contained in the New York Declaration and the CRRF

Reporting

Monitoring will be phased as follows: short-term (1–year stocktaking on universal indicators in September-October 2017); mid-term (2 years, September 2018) and intermediate-term (5 years, 2021). This phased approach will enable and facilitate adjustments as the application of the CRRF progresses. Country-specific indicators and baselines for all indicators will be established at country levels where possible in third quarter 2017 possible.

Short-term outputs: The first stocktaking exercise will be completed in September-October 2017.

Mid-term outcomes: The second stocktaking exercise, in September 2018, and will focus on the outcomes, results achieved and lessons learnt in the CRRF countries.

Intermediate-term impact: The third stocktaking exercise will be completed in 2021, five years following the adoption of the New York Declaration, and will focus on the impact of the CRRF implementation globally, as well as in CRRF countries.

Roles and responsibilities

The government, supported by UNHCR, will be responsible for overseeing the implementation of the monitoring activities.

At the country level, under the leadership of the Government, and with the support of UNHCR, relevant stakeholders (development, private sector, community based organisation, humanitarian, civil society, diaspora, refugee representatives, academia) participating in the development and implementation of the CRRF will: i) establish an appropriate process to report against the universal indicators; ii) develop and agree on the country-specific indicators to be applied and the process for data validation; and iii) report on both sets of indicators with in the established timeframe.

All CRRF partners will harmonize their monitoring plans with the overall CRRF monitoring framework. The Government supported by UNHCR will be responsible for consolidating and reviewing data of all partners and ensure issuance of monitoring and narrative progress reports.

At the global level, UNHCR will be responsible for collating the results of universal indicators monitoring, preparing a synthesis report and presenting the findings to relevant stakeholders.

Quality Assurance

In each country, a data validation process will be guided by the following principles:

Accuracy - Monitoring data are correct and reflect the true situation. If data are estimated, this will be noted as well as the methodology explained. Deviations in quantitative data will be explained, and measurement error shall be maintained within an acceptable margin (less than 10 per cent).

Validity - The data should be reflective of actual results that are attributable to the programme. The methodology for gathering data must be rigorous, representative and transparent.

Reliability - Data collected over time are comparable. In particular, collection methods and analyses shall be consistent over time, permitting the identification of trends.

Timeliness - Data are collected in a timely manner and used to inform strategic planning and decision-making. At a minimum, monitoring data are reported annually.

Integrity – The measurement of indicators must be verifiable. Data quality is routinely assessed, and the results of such assessment are integrated into data collection processes and procedures.