

**NGO Intervention on the programme of action and the principal modalities for burden-
and responsibility-sharing**

Agenda item 1

Dear Chairperson, distinguished delegates, ladies and gentlemen,

This intervention has been drafted following wide consultations with NGOs, and reflects a diversity of views within the NGO community.

NGOs recognise the efforts of UNHCR in making significant progress towards the adoption of a meaningful Global Compact on Refugees. We equally appreciate the sustained and inclusive engagement with the NGO community in the process.

We welcome the zero draft of the Programme of Action, which, when finalised, will be vital to the successful application of the Comprehensive Refugee Response Framework (CRRF), and thank you for the opportunity to offer feedback.

We share the view that the success of the Compact will be determined by concrete improvements in the lives of refugees, stateless persons and host communities. To do so, the Global Compact will need, and not only seek, to transform the international community's approach to protection, assistance and durable solutions for refugees. The Programme of Action must therefore strive to be realistic, but also develop a collective ambition, framework and objectives.

The Programme of Action's commitment to the international refugee protection regime as well as regional refugee protection instruments is reassuring. We nevertheless expected stronger references to the already agreed normative frameworks in the Programme of Action, particularly to the non-*refoulement* principle. Non-*refoulement* is the core of refugee protection and should be upheld, upfront, recognising the circumstances, vulnerabilities and forms of persecution that affect specific groups including children. The text also needs stronger references to core international human rights standards including women and child rights. Access to justice as well as proposed actions to prevent, resolve, and eradicate statelessness are also important.

We appreciate that the zero draft underlines the need for predictable and equitable responsibility sharing among States, a perennial gap in the international protection system. Yet, we note with concern that explicit reference to resettlement is missing in the responsibility

sharing section. Commitment to resettlement, a principal means through which third party states can share responsibility, must be affirmed. Omitting resettlement may also be construed as limiting responsibility sharing to its financial dimensions, leaving aside its direct protection implications. We strongly believe that responsibility sharing should be a collective effort, not just exercised by interested States or those closest to humanitarian crises.

Moreover, we reaffirm that referring to ‘burden’ does not reflect the changing thinking and practice, which confirms that refugees can generate opportunities and benefits. The Programme of Action should therefore only refer to ‘responsibility-sharing’.

The Programme of Action should include a timeline for responsibility-sharing arrangements, starting with immediate measures that States could take and build upon to achieve long-term objectives. It should also underline the international communities’ obligation to address the root causes of displacement in countries of origin.

We recognise efforts to align the Programme of Action with the Sustainable Development Goals as well as ongoing UN reforms on prevention, peacebuilding and development. To ‘leave no one behind’, refugees and persons in need of international protection have to be included in national development plans. The Programme of Action could also encourage the establishment of regional development centres to promote access to employment, education, health care and basic nutrition. It must also acknowledge that humanitarian assistance and principles will not always line up with national development strategies. Moreover, development financing being long term, its disbursement mechanisms may not be suitable for emergency situations. Thus, emergency assistance must be prioritised when refugees and stateless persons are in urgent need of relief.

When mobilising additional financing, we recognise that international financial institutions (IFIs) should also be seen as key stakeholders, including regional IFIs. However, we remain concerned that additional refugee-related development funds may be provided mainly in the form of loans. Recognising that countries hosting refugees perform a global and collective good, we consider that support should also come in the form of grants. We encourage exploring other financing avenues such as debt relief, favourable trade terms for refugee-hosting countries and using frozen assets to free up funds for humanitarian assistance.

We also consider that the concept of ‘solidarity conferences’ can only bring additionality if pledges go beyond financial aspects and are swiftly and transparently allocated and monitored.

We appreciate that some NGO recommendations are reflected in the zero draft. However, we recommend that future iterations of the draft set a more ambitious agenda and provide more details. On the global platform, for example, more information is needed: Which trigger mechanisms will lead to its activation? What will it be responsible for? How will it be constituted? How can it contribute to strengthening political commitments and how will it ensure an adequate global response should ‘interested’ States not come forward? Such details will allow the global platform to muster the authority and efficiency to take decisive collective

actions. We also suggest that refugees, civil society, financial institutions and relevant international organisations be associated to the platform.

We actually expected the Programme of Action to emphasise and detail the whole-of-society approach and still consider it useful to elaborate on what this approach entails, especially in terms of coordination, maximisation of efforts and inclusion and accountability. The process of working together towards a common public good should be based on a culture of partnerships rather than a mechanism of support or advice. The Principles of Partnership serve to establish equal, transparent, results-oriented, responsible and complementary relationships and as such, should be referenced in the Programme of Action.

In this regard, we also welcome references to national and regional coordination mechanisms. Regional inter-governmental organisations and NGO networks are also making important contributions in achieving protection and durable solutions for refugees and stateless persons. They reinforce cross-regional dialogue and cooperation in order to ensure a continuum of care for displaced people. If the Global Compact on Refugees is to be successful in achieving its objectives, their role will be crucial and should be further highlighted.

The Programme of Action's call to a range of stakeholders to work together, including local authorities, civil society, and persons of concern, is welcome. However, it should make clear how meaningful participation and leadership of people with lived refugee experience, including children, youth and stateless persons, can be promoted. Outreach to and capacity building of local actors should not be limited to government actors, but must be extended to all sections of society including NGOs. They must be included in all phases, particularly in decision and policy making.

Explicit mention of refugee-led, stateless-led and community-based organisations, including youth must also be made. Their participation should not only be limited to implementation, but they must be actively involved in policy making and planning processes. It is fundamental to emphasize that it is in everyone's interest to promote the meaningful participation of refugees and stateless persons. This will only strengthen refugee responses.

Moreover, refugee-led and community-based organisations along with local institutions must be empowered so that they can contribute to refugee protection holistically, effectively, efficiently, and sustainably. The Programme of Action should promote the adoption and implementation of measures that proactively support inclusion of refugees into host communities. As such, local and regional authorities, which play a key role in this respect, should be provided appropriate resources and support. Many girls and young women do not feel comfortable in male-dominated public spaces, so more must be done to empower and support refugee girls and women to engage and contribute to decision-making processes.

Finally, concrete accountability measures are necessary for effective refugee and statelessness responses and should come with a clear definition of collective outcomes, concrete targets and time-bound goals. We will elaborate on those aspects through our intervention on follow-up

measures (Agenda item 3). In the meantime, to conclude, we would like to emphasise that only by defining clear accountability to refugees and stateless persons, can we make them active agents in the Compact.

In addition to this written contribution, we also encourage you to consult comments and analyses on the zero-draft issued by several NGOs since 31 January 2018.

Thank you.