

GLOBAL COMPACT ON REFUGEES SECOND FORMAL CONSULTATION

OVERARCHING RECOMMENDATIONS

- **Ensure that a human-rights based approach is mainstreamed throughout the Global Compact on Refugees.** This includes recognition and promotion of fundamental human rights under the international human rights legal framework, particularly the human rights of the most vulnerable - refugee girls and boys of all ages. The Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) are **non-derogable** and apply in all settings. 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. Strong language referencing the applicability of international human rights law is essential to ensure the “improved socio-economic conditions for host communities, notably women and girls; and enhanced efforts to resolve protracted situations....” Rights to gender and age sensitive protection needs; safe, inclusive and quality education; and healthcare, including psychosocial and sexual and reproductive healthcare 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.** We appreciate and welcome reference to such intention to mainstream age, gender and diversity considerations in all aspects of the Programme of Action. This intention must be reflected and evidenced throughout the document. 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 and meaningful 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 and ethical participation of all stakeholders, including refugees themselves. The Global Compact on Refugees must identify mechanisms and processes wherein refugees and host communities are systematically consulted and can be instrumental as decision-making agents. Gender and age-based barriers to meaningful participation should be addressed through targeted strategies.

CONTEXT:

The risks and human rights violations girls and young women face multiply and are exacerbated in humanitarian and forced displacement contexts. These risks and violations relate to accessing education, gender-based and sexual violence, child, early and forced marriage, trafficking, and unpaid forced labour, including domestic labour and care work.ⁱⁱ 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 freedom of movement. Families may place tighter restrictions on girls' movements or give them increased responsibilities around the home,ⁱⁱⁱ leading to further barriers for girls and young women in accessing necessary services. Culturally and religiously predicated mobility constraints, security concerns, and entrenched gender norms also create 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.

Unaccompanied or separated girls are particularly vulnerable to trafficking, sexual and gender-based violence (SGBV), 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 are at risk of being targeted for sexual violence. Sleeping quarters without doors or locks increase the risks of SGBV. Lighting may be poor and routes to and from firewood or water, may be far and hazardous.

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,^{iv} 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.^v Gender gaps in access to education compound the disadvantage of girls in displacement settings, and can heighten existing gender inequalities, create protection risks like CEFM, and have long-term development consequences 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.

Yet despite these distinct needs and rights violations, adolescent girls as a group are often missed in traditional humanitarian interventions. Their specific needs are often not met with programmes targeting adult women or children more generally – resulting in a gap in services and ongoing rights abuses that have life-long consequences.

PART I. INTRODUCTION: BACKGROUND, GOALS OF THE GLOBAL COMPACT ON REFUGEES, AND PREVENTION AND ADDRESSING ROOT CAUSES

- **We urge the inclusion of stronger language linking the refugee protection regime with all relevant international law obligations. Refugees require protection, assistance and solutions to their plight, and States are legally obligated under international human rights law to ensure that the human rights of refugees are promoted, protected and fulfilled.** We welcome explicit reference to the best interests of the child, and age, gender and diversity considerations as guiding all aspects of the programme of action.^{vi} We further welcome explicit reference to the many root causes of large movements of refugees, including “persecution, conflict, violence and serious human rights violations,”^{vii} as well as in-text reference to international human rights instruments, such as the Universal Declaration on Human Rights.^{viii} Further, all children, including refugee girls and boys, are legally entitled to the protection of those rights guaranteed under the Convention on the Rights of the Child, at all times and in all contexts. This includes the right to survival, humanitarian assistance, development, protection, healthcare, education, and participation. Rights violations are often both exacerbated and driven by age and gender-related factors and we must ensure we are addressing the rights and needs of those refugees facing the highest levels of vulnerability. Reinforcing a rights-based approach to addressing large movements of refugees will ensure that refugees are treated with dignity, and as agents of change in their own lives.

PART III: PROGRAMME OF ACTION: MECHANISMS FOR BURDEN AND RESPONSIBILITY-SHARING AND FOLLOW UP ARRANGEMENTS

- **We urge that the proposed regular “Global Refugee Summits” serve as a systematic mechanism that includes ALL relevant stakeholders, including refugees themselves.^{ix} Concerted effort must be made to ensure that gender-, age- and diversity- related barriers to participation are identified and addressed, particularly those faced by refugee girls and young women, including those with differing levels of (dis)ability.** Evidenced barriers that girls and young women face in participating in both formal and informal decision-making processes include a wide range of protection concerns, discriminatory gender norms that affect women’s and girls’ participation in public life more broadly, increased unpaid domestic and care work, lower levels of confidence resulting from education barriers, and funding limitations that increasingly impact women and youth led civil society organizations. Girls and young women have the fundamental right to participate in decisions that affect their lives, yet unless the age and gender predicated barriers to their participation are addressed, their voices, agency, and vital insights and experiences will remain invisible. As emphasized in UNHCR’s newly revised *Age, Gender, and Diversity Policy and Five Commitments for Refugee Women and Girls*, “[c]reating conditions for the equal, meaningful, and active participation of women and girls is a basic requirement for upholding their rights, and their effective protection and future prospects.”^x Dedicated resources must be prioritized and allocated for the participation of all stakeholders, including resources to increase capacity as needed, to ensure that participation is meaningful and supported.
- **Women, youth, girls and boys, including women and youth led civil society organizations, must be systematically included in decision-making on how we how we measure progress on the Global Compact on Refugees, including in both the development of indicators and in their monitoring and evaluation.** We welcome the proposal that regular Global Refugee Summits will enable better monitoring and evaluation of the progress made towards the goals defined in the Global Compact on Refugees. Such stock-taking exercises must include gender and age sensitive indicators, as well as the direct participation of refugees and host community members, including young women and girls, to best ensure that their perspectives are heard, and no one is left behind.

ⁱ Global Compact on Refugees Draft 1, para. 5

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

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

^{iv} UNHCR (2016). P.29.

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

^{vi} Global Compact on Refugees, Draft 1, para. 12

^{vii} Global Compact on Refugees, Draft 1, para. 1

^{viii} Global Compact on Refugees, Draft 1, para. 4

^{ix} Global Compact on Refugees, Draft 1, para. 16-18

^x UNHCR, Revised Age, Gender and Diversity Policy, p. 10 (2018)