

TOWARDS A GLOBAL COMPACT ON REFUGEES
FORMAL CONSULTATIONS 4
8-9-10 May 2018

NGO intervention on Introduction

Agenda item 1

Dear Chairperson,

We appreciate the added day to this consultation for more in-depth discussions. However, the unusually limited time available to consult conflicted with this objective. This intervention, nevertheless, reflects contributions from the NGO community.

We recognize that this draft represents a turning point. We appreciate efforts to strengthen responsibility-sharing mechanisms and broaden the support base; the early references to the CRRF, which bind Sections II and III better together; and the fact that the introduction expands on the range of partnerships required for efficient responses and responsibility-sharing.

However, we note a certain evolution in the language, indicating that the compact is now meant to “establish the basis for” contributions rather than a framework as such. Understanding that the strength of the mechanisms will be demonstrated over time, we hope the urgency of addressing the ‘perennial gap’ is not lost. The time to increase responsibility-sharing is now.

Since the opening paragraph should set the necessary ambition to recognise the full range of factors affecting refugee movements, we agree that refugees flee because of threats linked to persecution, human rights violations, armed conflict, violence or public disorder. This language brings clarification, although we also note the absence of environmental factors, highlighting again that we need to find ways to ensure emerging threats, risks and all drivers pushing people to seek safety across borders are recognised with appropriate protection systems in place.

The **Guiding Principles** also rightly grounds the GCR on the UN Charter, refugee instruments and humanitarian and human rights law. We greatly appreciate references to humanitarian principles and the centrality of protection. However, we believe language should still be strengthened.

First, the right to seek asylum should be expressly recognised. Moreover, we consider that the call to accession to refugee instruments should also refer to the Statelessness conventions, as it did in Draft 1.

Second, to ensure refugees can truly prosper, they should be able to enjoy the full range of rights. We therefore urge references to International Covenants related to social, economic, and cultural rights. Protections against discrimination and xenophobia should also be emphasised, particularly the Durban Declaration. Paragraph 10 reference to efforts to end various forms of discrimination is welcome.

Third, references to human rights frameworks remain limited, for example, in footnote 6, to particular articles of the UDHR, CRC mentioning refugee settings. This is misleading and an inaccurate representation of the scope of those legal instruments. All refugees are entitled to all human rights protections and guarantees in all settings.

We appreciate that the compact's **objectives** are now more clearly aligned with those of the CRRF. In this recalibration, however, the goal to strengthen national protection systems and response capacities has fallen through. It should be reintroduced as an indicator of success. We also note that clear references to the SDGs have been removed here, and reduced in other sections. We still think it is paramount to mention the SDGs in the introduction, as they constitute a universal and inclusive framework for peace and prosperity. Otherwise, the compact might create a hierarchy, in which only those with citizenship rights are able to enjoy full claims to SDGs. Lastly, in striving to improve protection and socio-economic conditions for refugees and host communities, young people should also be mentioned.

Under **prevention and addressing root causes**, we appreciate the reference made to IDPs and the notion that early common efforts are necessary to address drivers and triggers of displacement. Current UN reforms on peace, security and development are promising. The 'sustaining peace' agenda focuses on prevention and strong national ownership, which aligns well with the GCR, and must receive full support. Let's also recognize that humanitarian action provides the foundation to forge peace and development, but it must remain distinct and able to adapt to changing dynamics.

To conclude, NGOs believe we must seize this opportunity to strengthen responsibility-sharing, protection for refugees and their access to rights, while leaving no one behind. This means that better attention to complementarity between the compacts is needed, especially to ensure due attention to all persons in need of international protection.

A detailed version of this intervention is available on icvanetwork.org

Thank you.