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# Inclusion of lesbian, gay, bisexual, transgender and intersex persons (LGBTI) in the Global Compact on Refugees

[suggested additions in red]

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## The global compact on refugees

*DRAFT 1*

*(as at 9 March 2018)*

### I. Introduction

#### (i) *Background*

1. The predicament of refugees is an important international concern. Refugees flee because of persecution, conflict, violence and serious human rights violations. Increasingly, environmental degradation and natural disasters also interact with these factors to drive refugee movements. Refugees require protection, assistance and solutions to their plight, while those countries that host large numbers, often for extended periods of time, are mainly developing and middle-income countries with the fewest resources.

2. The achievement of international cooperation in solving international problems of a humanitarian character is a core purpose of the United Nations, as set out in its Charter. <sup>1</sup> Similarly, the 1951 Convention relating to the Status of Refugees (1951 Convention) recognizes that a satisfactory solution to refugee situations cannot be achieved without international cooperation, in recognition of the fact that the grant of asylum may place unduly heavy burdens on certain countries. <sup>2</sup> It is vital to translate this long-standing principle into concrete and practical action, including by widening the support base beyond those countries that have historically contributed to the refugee cause through hosting refugees or other means.

3. Based on existing law and experience gained through operational engagement in comprehensive responses, the global compact on refugees seeks to address this perennial gap by establishing a framework for more predictable and equitable burden- and responsibility-sharing among all United Nations Member States, together with other relevant stakeholders, including local authorities; international organizations within and outside the United Nations system; other development actors and international financial institutions; regional organizations; civil society, including faith-based organizations; academics and other experts; the private sector; media; and refugees themselves (hereinafter “relevant stakeholders”).

4. The global compact emanates from fundamental principles of humanity and international solidarity. It is grounded in the international refugee protection regime, centred on the cardinal principle of non-refoulement, the 1951 Convention and its 1967 Protocol,<sup>3</sup> together with regional instruments notably the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa<sup>4</sup> and the 1984 Cartagena Declaration on Refugees.<sup>5</sup> This regime is complemented by international human rights instruments (such as the Universal Declaration on Human Rights, article 14 in particular), <sup>6</sup> international humanitarian law, as well as instruments for the protection of stateless persons.

#### (ii) *Goals of the global compact on refugees*

5. **The success of the global compact will ultimately hinge on how much progress is made in the following areas:** (1) an improved system of burden- and responsibility-sharing, measured in terms of the distribution of contributions among States – and, where relevant, other stakeholders - including through the hosting of refugees, making financial contributions, and providing solutions; (2) strengthened national protection systems and

response capacities worldwide that safeguard the rights of refugees; (3) enhanced socio-economic conditions for refugees and host communities, notably women and girls, measured against the 2030 Agenda for Sustainable Development ('the 2030 Agenda');<sup>7</sup> and (4) greater efforts to resolve protracted situations, measured by a reduction in the number of refugees who live in such situations through the achievement of durable solutions.

6. Although the global compact is not legally binding, it provides a framework for cooperation to ensure that the international community engages more robustly and predictably in support of refugees, their host countries and communities, as well as in countries of origin where appropriate. It will be operationalized through **voluntary but mutually reinforcing and dedicated contributions** towards the achievement of the goals of the global compact set out in para 5. These contributions will be determined by each State and stakeholder **according to their respective resources, capacity and expertise**.

7. In particular, to achieve the goals set out in para 5 above, the global compact will mobilize:

- political will on the part of the international community to address refugee challenges, including through engagement of a wider range of States and stakeholders to broaden the base of support;
- stronger and more predictable humanitarian and development responses that are consistent with national development strategies and contribute to the implementation of the 2030 Agenda, particularly the commitment to "leave no one behind";
- increased investments in building human capital and resilience for host communities and refugees, including through education, livelihoods, and education, pending the realization of durable solutions; and
- strengthened focus on addressing root causes and planning for durable solutions from the outset of emergencies.

**(iii) Prevention and addressing root causes**

8. The global compact is humanitarian and non-political in nature and outlook. The persistence of large-scale refugee movements and protracted situations demonstrates that protecting and caring for refugees is life-saving and therefore vital, but not sufficient. Humanitarian efforts to protect and assist refugees need to be accompanied by the imperative to address root causes. Refugees are forced to flee their homes in fear for life, liberty and security, often as the result of complex and interrelated problems. In the first instance, dealing with these problems is the responsibility of the States directly concerned. However, averting and resolving large movements of refugees are matters of serious concern to the international community as a whole: they require improved cooperation and complementarity among political, humanitarian, development and peace efforts.<sup>8</sup>

9. Against this background, the global compact is in line with ongoing United Nations reforms in the areas of prevention, peace, security, development, and peacebuilding. All States and stakeholders are called on to cooperate to tackle the root causes of large refugee situations, including through heightened international efforts in the fields of conflict prevention and resolution, upholding international humanitarian law, poverty alleviation in and development assistance to countries of origin in line with the 2030 Agenda, and promotion of respect for human rights and fundamental freedoms.

## **II. Comprehensive refugee response framework (CRRF)**

10. Part II of the global compact is the CRRF as adopted by the United Nations General Assembly ([A/RES/71/1, Annex I](#)).

## **III. Programme of action**

11. The purpose of the programme of action is to facilitate the application of a comprehensive response in support of refugees and those countries particularly affected by a large movement, a protracted situation, or other context as may be appropriate.<sup>9</sup> It consists of two subparts: Part III.A, which sets out mechanisms to achieve more equitable and predictable burden- and responsibility-sharing; and Part III.B, which sets out specific

areas requiring concrete and mutually reinforcing contributions to be made in support of host States, and countries of origin where appropriate, by other States and relevant stakeholders through the mechanisms contained in Part III.A.

12. The programme of action also links to broader United Nations efforts to end discrimination based on race, colour, religion or creed, and to promote and protect human rights. Age, gender, and diversity considerations will guide all aspects of the programme of action, informed by the imperatives of: promoting gender equality and empowering women and girls; ending sexual exploitation and abuse; responding to the needs of those with disabilities and older adults or other specific needs groups (for example LGBTI); and the best interests of the child.

## A. Mechanisms for burden- and responsibility-sharing

13. Countries that receive and host refugees, often for extended periods, make an immense contribution from their own limited resources to the collective good, and indeed to the cause of humanity. It is imperative that these countries obtain the tangible and concrete support of the international community as a whole in leading the response.

14. The following mechanisms will achieve more equitable and predictable burden- and responsibility-sharing with host countries and communities, and support the search for solutions, including through assistance to countries of origin where appropriate. They entail action at different levels:

- a **global mechanism for mobilizing international cooperation**, involving concrete and mutually reinforcing pledges towards the achievement of the goals of the global compact by all United Nations Member States and other stakeholders through regular global refugee summits; and
- **region- or country-specific mechanisms**, including through national arrangements, regional approaches, and activation of the Global Support Platform.

15. In addition, **other key tools for burden- and responsibility-sharing** include: funding; a multi-stakeholder approach; and better data and evidence, including “mapping” of the cost and impact of hosting refugees.

### 1. Global mechanism for international cooperation

#### 1.1 Global refugee summits

16. All United Nations Member States and relevant stakeholders will be invited to announce concrete and mutually reinforcing pledges to support the achievement of the goals of the global compact as set out in para 5, through regular, ministerial-level **global refugee summits**. UNHCR will convene the first global refugee summit in 2019. Subsequent summits will be convened every three years from 2021 (see Part IV).<sup>10</sup>

17. Part III.B of the programme of action, below, sets out areas in need of support by the international community which would form the basis for concrete pledges and contributions, including financial, material and technical assistance (including through standby capacity); as well as resettlement places and other pathways for admission including scholarships, labour mobility schemes or private sponsorship arrangements. A template will be prepared to collect and record pledges. Where relevant, pledges would include support for countries of origin to work towards establishing conditions for voluntary repatriation. As part of global refugee summits, host countries and countries of origin also could indicate specific legal, policy and operational measures that would be matched by specific contributions from the international community. Pledges to make active contributions to and participate in the Global Support Platform (section 2.3 below) and other innovative methods of contributing to burden- and responsibility-sharing will be sought.

18. Starting in 2021, global refugee summits will provide an opportunity not only to make new pledges, but also to take stock of the implementation of previous pledges, progress towards the achievement of the goals of the global compact, and ongoing opportunities and challenges. The implementation and impact of pledges made as part of global refugee summits will be reported on by UNHCR as part of the follow up to the global compact (Part IV).

### 3. Mechanisms to support a comprehensive response to a specific situation

#### 2.1 National arrangements

19. Based on good practices, **national arrangements** established by host countries play a key role in coordinating and facilitating the efforts of national and local authorities, UNHCR, other international organizations, non-governmental entities, and refugees to achieve a comprehensive response. These arrangements could take the form of a steering group to provide policy direction at the national level, supported by a secretariat. The composition and working methods of national arrangements would be determined by host States. Capacity development for relevant national authorities to undertake such work would be provided by UNHCR and other stakeholders, at the request of the host country.

20. Such efforts would result in the preparation of a **comprehensive plan**, when necessary, with the support of UNHCR and other stakeholders, setting out policy priorities; institutional arrangements; and requirements for investment and financing, material and technical assistance, and solutions, including resettlement and other pathways for admission. Linkages with existing national plans, including for development and disaster response, would be made.

#### 2.2 Regional approaches

21. Refugee movements often have a significant regional dimension and regional leadership can be key in achieving comprehensive responses. In recognition of their important role, regional organizations, fora and other bodies would, in cooperation with relevant States, contribute to the development and application of a comprehensive response, including through the mechanisms set out above/below.<sup>11</sup> To bring in different perspectives and experiences, and to encourage coherence, exchange of good practices among relevant regional bodies will be facilitated by UNHCR on a regular basis.

#### 2.3 The Global Support Platform

22. In response to a significant refugee situation, whether new or protracted, host countries will be able to rely on the **Global Support Platform**. This platform would be activated for a specific national or regional situation, and its composition would vary depending on the context to be addressed. It would consist of host States themselves and other States that are dedicated actively to providing and mobilizing more equitable and predictable burden- and responsibility-sharing through concrete financial, material and other contributions. The platform would also support the search for solutions, bearing in mind broader peace processes that may be under way, including to address root causes. Pledges made at global refugee summits could serve as a basis for pre-determining the concrete national, regional and international support measures to be provided by the platform as relevant (e.g. standby capacity; opportunities for resettlement or other pathways for admission; and policy initiatives).

23. The platform would be activated by the High Commissioner for Refugees, in close consultation with affected host countries and States which have committed to contributing in principle. Depending on the situation, other stakeholders would be invited to engage in the platform as appropriate.<sup>12</sup> The platform would be serviced by UNHCR.

24. Where it would add value, the platform could initiate the organization of a **solidarity conference**.<sup>13</sup> The solidarity conference would broaden the base of support beyond the States participating in the platform, seeking specific contributions from other States and relevant stakeholders, notably in the areas set out in Part III.B below. The solidarity conference could serve to translate pledges made as part of global refugee summits to the specific situation as well as to mobilize additional situation-specific contributions.

25. The platform could support the development of a **country or region-specific compact** that articulates a set of mutual commitments between cooperating States and other stakeholders. <sup>14</sup> This would include follow-up arrangements and reporting on progress, including from an age, gender, and diversity perspective (see Part IV).

26. The platform will meet in Geneva, Switzerland, and/or at the national or regional level as appropriate. It will not engage in operational activities or duplicate existing coordination mechanisms. UNHCR will report regularly on the platform to the Executive Committee of the High Commissioner's Programme (ExCom).

### 3. Key tools for burden- and responsibility- sharing

27. The following tools operationalize burden- and responsibility-sharing, and underpin the mechanisms set out above.

#### 3.1 Funding and efficient use of resources

28. The mobilization of timely, predictable and adequate public and private funding is key to the successful implementation of the global compact, bearing in mind the interest of all stakeholders in maximizing the effective and efficient use of resources. Through the mechanisms set out above, and other related channels, resources will be made available to countries faced with large-scale arrivals and protracted situations as part of the global compact. This includes:

- **timely, adequate and needs-driven funding for the emergency response and in protracted situations:** States and humanitarian actors will ensure adequate financing for the emergency response and protracted situations, including flexible, unearmarked, and multi-year funding wherever possible, in line with commitments made as part of the “grand bargain”;<sup>15</sup>
- **development action:** development actors, including international and regional financial institutions, will step up their engagement in support of refugees, host countries and host communities, and include the impact of a refugee situation in formulating policy recommendations. This will involve dedicated development resources, over and above regular development programmes, provided under favourable terms through both bilateral and multilateral channels, with direct benefits to host countries and communities, as well as to refugees.<sup>16</sup> These efforts will be guided by “aid effectiveness”<sup>17</sup> principles, including the primacy of country ownership and leadership, and the importance of partnerships with the private sector and civil society. Development action in favour of countries of origin to enable conditions for voluntary return will also be prioritized, where appropriate;
- **maximizing private sector contributions:** At the request of host countries, and under their leadership, other States and relevant stakeholders will explore opportunities for private sector investment and job creation in refugee-hosting areas and potential areas of return in countries of origin by:
  - assessing investment opportunities that are commercially sustainable, including identifying impediments to their implementation; and recommending and supporting policy measures and de-risking arrangements to capitalize on potential commercial investment opportunities that also serve the public interest.

#### 3.2 A multi-stakeholder approach

29. While recognizing the primary responsibility of States, the global compact is premised on a multi-stakeholder approach, with relevant stakeholders contributing according to their capacities and expertise.

30. In order to strengthen this multi-stakeholder approach and to provide a sustainable base of support to underpin the mechanisms for burden- and responsibility-sharing contained above, the following actions are foreseen. They are not exhaustive.

31. In recognition of the fact that responses are most effective when they actively engage those they are intended to protect and assist, national authorities, UNHCR, and other relevant stakeholders will continue to develop and support consultative processes that enable *refugees and host communities* to assess their needs and help to design appropriate responses. States and relevant stakeholders will explore how best to include refugees, particularly women and youth,<sup>18</sup> in key fora, institutions, and decision-making processes, including by facilitating language learning, as well as access to information, for instance through low-cost mobile phone and internet subscriptions.

32. **Local authorities and actors** are often both first responders to large-scale refugee situations, and among the actors that experience the most significant impact over the medium term. Local actors will be included in the mechanisms for burden- and responsibility-sharing set out above (including solidarity conferences, where appropriate). In line with the “grand bargain” commitments, it is a priority that support by the international community under the global compact be directed to strengthening institutional capacities at local level, including through direct funding and capacity development where possible.

33. **Networks of cities and municipalities**<sup>19</sup> hosting refugees will share good practices and innovative approaches to responses in urban settings, including through twinning arrangements, with the support of UNHCR and other relevant stakeholders.

34. In recognition of their important contributions to refugees, as well as host States and communities, and in a spirit of partnership, <sup>20</sup> **civil society organizations**, including those that are refugee-led, and those operating at the local and national levels, will work with States and other stakeholders in assessing community strengths and needs, planning and programme implementation, capacity development, and funding allocations.

35. **Faith-based organizations** could play a crucial role in developing arrangements to maximize support to refugees and host communities, including in the areas of conflict prevention, reconciliation, and peacebuilding. They could also support private sponsorship programmes or other pathways for admission to third countries.

36. **Public-private partnerships** will be explored,<sup>21</sup> including possible new institutional arrangements and methodologies for the creation of commercial business venture conditions and financial/business instruments, to enable greater opportunities for private sector investment in refugee-hosting areas and in areas of return in countries of origin, where appropriate.

37. A **global academic network** on refugee, forced displacement, and statelessness issues will be established with the support of UNHCR, involving universities, academic alliances, and research institutions, to facilitate research, training, scholarship opportunities and other initiatives which result in specific deliverables in support of the goals of the global compact.

38. Recognizing the important role that **sports and cultural activities** can play in social development, inclusion, cohesion, and well-being, particularly for refugee children and youth (both boys and girls), partnerships will be pursued between relevant State institutions; foundations; international organizations; non-governmental organizations; sporting and cultural organizations; the private sector; and experts to increase access to sporting and cultural facilities and activities in refugee-hosting areas.<sup>22</sup>

### 3.3 Data and evidence

39. Reliable, comparable, and timely data, including population and socio-economic data, is critical for evidence-based measures to: improve socio-economic conditions for refugees and host communities; assess and address the impact of large refugee populations on host countries; and identify and plan appropriate solutions.<sup>23</sup>

40. To support evidence-based responses, States and relevant stakeholders will:

- promote the development of common standards for the collection, analysis, and dissemination of age, gender and diversity disaggregated data on refugees<sup>24</sup> and returnees, in line with relevant data protection policies;
- support the inclusion of refugees and host communities, as well as returnees and stateless persons as relevant, within national data and statistical collection processes;
- capacitate national data collection systems on the situation of refugees and host communities, and returnees as relevant, including their socio-economic and demographic status, using national surveys, population and housing censuses, and administrative sources as relevant; and
- support the generation and dissemination of evidence on what has been effective in terms of the arrangements undertaken in the application of the global compact (see also Part IV).

41. Improving data and evidence will also support efforts to achieve **solutions**. Data and evidence will guide the development of socio-economic policies, investments, and programmes aimed at enabling the voluntary return and sustainable reintegration of returnees into their communities of origin. States, UNHCR, and other relevant stakeholders

will work to enable the systematic collection and analysis of data related to the availability and use of resettlement and other pathways for admission, and share good practices and lessons learned that would assist in the development of predictable, effective and sustainable systems needed to expand third country solutions.<sup>25</sup> (See Part III.B.3).

42. To inform burden- and responsibility-sharing mechanisms, UNHCR will coordinate with appropriate international and local partners to assist **with measuring the cost and impact** of hosting, protecting and assisting refugees, with a view to assessing gaps in international cooperation and to promoting burden- and responsibility-sharing that is more equitable, predictable and sustainable.<sup>26</sup> Assessments and reporting will be prepared with support from relevant stakeholders.<sup>27</sup>

## **B. Areas in need of support**

43. In support of host countries, as well as countries of origin where appropriate, other States and relevant stakeholders will be called on to pledge and contribute to the areas set out below through the mechanisms in Part III.A. These areas are grouped according to the CRRF and are designed to facilitate its application. They are not intended to impose additional obligations on host countries: they rather identify where support is needed from others in order to achieve a comprehensive response to large refugee situations, or other contexts where appropriate.

### **1.Reception and admission**

#### ***1.1 Preparedness, contingency planning and early warning***

44. Preparedness, including contingency planning, strengthens and enhances the quality and timing of a comprehensive response to refugee situations, including over the medium term. In line with the United Nations Secretary-General's prevention agenda<sup>28</sup> and in support of host countries, other States and relevant stakeholders will contribute resources and expertise to include preparation for large movements in a manner consistent with the CRRF in national, regional, and United Nations-supported preparedness and contingency planning efforts.<sup>29</sup> Capacity development for local authorities will be supported, enabling them to put in place risk monitoring and contingency planning, as well as other preparedness measures, in advance of a crisis. Preparedness measures, including contingency planning, will take into account global, regional and local early warning and early action mechanisms,<sup>30</sup> disaster risk reduction efforts,<sup>31</sup> and measures to enhance evidence-based forecasting of future movements, where appropriate.

45. In particular, in support of host countries, other States and relevant stakeholders will contribute resources and expertise to:

- conduct risk analyses to understand the likelihood of future refugee movements and the potential impact on host areas;
- develop contingency plans to rapidly address refugee movements, including standard operating procedures and preparedness plans; and
- strengthen response capacities, including by establishing and ensuring well-functioning national and local early warning systems.

#### ***1.2 Immediate reception arrangements***

46. When large numbers of people arrive, host countries and communities go to great lengths to scale up arrangements to receive them. In support of local and national government strategies to manage arrivals, UNHCR, other States, and relevant stakeholders will contribute resources and expertise to:

- assist with initial registration and identification of specific needs<sup>1</sup>, including protection risks, notably of women under certain circumstances, **LGBTI persons** and those of unaccompanied and separated children (see sections 1.4 and 1.5 below);

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<sup>1</sup> [to include explicit definition/reference to who constitutes the specific needs group] "The following are groups generally considered to have specific needs: girls and boys at risk, including unaccompanied and separated children, persons with serious health conditions, persons with special legal or physical protection needs, single women, women-headed households, older persons, persons with disabilities, and persons with a diverse sexual orientation"

- identify and support the establishment of reception and transit areas;
- provide essential services in reception areas, including clean drinking water and sanitation, health and nutrition; and
- conduct post-reception planning, including through collective arrangements or individual/community-based accommodation.

47. Priority will be given to supporting local service delivery. Regional and international standby arrangements for personnel, as well as technical and material assistance, will also be activated and strengthened. Measures by host States to facilitate entry for standby and emergency deployments are encouraged.

### *1.3 Safety and security*

48. Security considerations and international refugee protection are complementary. Host States can benefit from the adoption of an integrated approach that protects refugees while safeguarding national security. The legitimate security concerns of host States are fully recognized, as well as the need to uphold the civilian and humanitarian character of international protection.<sup>32</sup> In support of host countries, other States, UNHCR and relevant stakeholders<sup>33</sup> will contribute resources and expertise for:

- the application of protection-sensitive protocols for security screening of new arrivals, and effective and protection-sensitive use of databases **that are age, gender and diversity sensitive**;
- the provision of guidance to and support for the capacity of relevant authorities (police, military, security, judiciary) with respect to international refugee protection and exclusion criteria, as well as on modalities for prosecution and/or extradition, in line with international law, of persons suspected of engaging in criminal activity;
- the strengthening of international efforts to combat sexual and gender-based violence, smuggling and trafficking;
- the facilitation of community-oriented approaches to identify and address potential security threats affecting refugees and host communities, including frameworks for community policing and community watch systems;
- the identification and separation of fighters and combatants at border entry points or as early as possible after arrival; and
- the development and implementation of programmes for protection and assistance to children formerly associated with armed forces and groups.

### *1.4 Registration and documentation*

49. Registration of refugees is key for States to know who has arrived. It is also an important tool in ensuring the integrity of protection systems and preventing and combating fraud and corruption. Registration facilitates access to basic assistance, allows identification of those with specific needs, and provides information crucial to finding appropriate durable solutions.<sup>34</sup> In support of host countries, UNHCR, in conjunction with other States and relevant stakeholders,<sup>35</sup> will contribute resources and expertise for:

- the development of national capacity in the area of registration, documentation and biometrics, where requested by a host country;
- the establishment of digital systems for individual registration, documentation, and biometrics (including for women and girls), with standard operating procedures for national-level deployment;
- procedures to assist with the identification of stateless persons and those at heightened risk of statelessness;
- the collection of quality registration data, disaggregated by age, sex, specific needs, and location; and
- the establishment of protocols for the sharing of personal and biometric data, in line with relevant data protection principles.

### *1.5 Addressing specific needs, including children at risk*

50. In managing large movements, the capacity to address specific needs is a particular challenge, requiring additional resources and targeted assistance. In support of host countries, other States and relevant stakeholders<sup>36</sup> will contribute resources and expertise for the identification, screening and referral of those with specific needs to appropriate processes and procedures. Multi-stakeholder response teams may be established to facilitate this, where useful. This would include resources and expertise for the identification and referral of children, including unaccompanied and separated children, to best interests assessment and/or determination, together with appropriate care arrangements other services.<sup>37</sup> It would also include measures to identify and refer: victims of trafficking, including to assess their need for international protection; stateless persons and those at heightened risk of statelessness; and refugees in need, including women, **LGBTI persons** and children at risk, to platforms for emergency processing for resettlement, such as emergency transit facilities, as appropriate and available.

51. In addition, other States and relevant stakeholders will contribute resources and expertise for:

- the establishment of “safe spaces” in arrival, transit, registration, and other communal areas;
- the development of alternatives to detention, particularly for children;<sup>38</sup>
- the provision of counselling and medical assistance for survivors of sexual and gender-based violence, other torture, and trauma, and those with medical needs; and
- the establishment of arrangements to enable people with disabilities and older adults to access registration and other services.

#### **1.6 Identifying international protection needs**

52. The need for international protection arises when persons are outside their own country and unable to return home because they would be at risk there, and their country is unable or unwilling to protect them. In large movements, group-based recognition or other similar options are often best suited to addressing international protection needs. In some instances, such as mixed movements, other mechanisms for the fair and efficient determination of individual international protection claims provide an opportunity for States to determine the status of those on their territory.<sup>39</sup>

53. To facilitate predictable and sustained support,<sup>40</sup> UNHCR will establish an **asylum capacity support group**, drawn from a global pool of experts **who are trained to operate within age, gender and diversity framework**. Under the aegis of UNHCR, this group could be activated, at short notice, to provide support to States, including through standby arrangements, State-to-State twinning,<sup>41</sup> broader institutional capacity-development, and mobilization of other relevant assistance.

54. UNHCR will also, as appropriate:

- provide advice on arrangements for processing asylum claims (such as group-based or prima facie recognition) or other ways to recognize international protection needs fairly and efficiently in a particular context;
- share or facilitate tools and technical platforms (e.g. communities of practice or knowledge management platforms, country of origin information, and fraud resistant certificates and documentation);
- **provide guidance to adapt processes so that they are gender, diversity and child sensitive;**
- provide advice on how to take security concerns into account and prevent misuse of asylum and other international protection procedures; and
- promote and provide technical support for accession to the 1951 Convention, the 1967 Protocol thereto, other relevant refugee instruments, as well as the 1954 Convention on the Status of Stateless Persons<sup>42</sup> and the 1961 Convention on the Reduction of Statelessness.<sup>43</sup>

55. In addition, where appropriate, UNHCR will provide guidance and support for measures to address broader international protection challenges, together with other stakeholders with relevant expertise. This could include:

- measures to protect those displaced by natural disasters, taking into account regional refugee instruments,<sup>44</sup> as well as practices such as temporary protection, humanitarian stay arrangements, and complementary or subsidiary protection;<sup>45</sup> and

- the establishment or strengthening of statelessness determination procedures, where relevant.<sup>46</sup>

## **2. Meeting needs and supporting communities**

56. Pending the realization of durable solutions, the welfare of refugees and host communities is intrinsically interlinked. There is increasing recognition of the advantages of shared and inclusive economic growth from which all can benefit,<sup>47</sup> in line with the 2030 Agenda. For refugees, fostering their self-reliance and enhancing their skills and education also better prepares them for solutions, notably voluntary repatriation, and can make these solutions more sustainable. At the same time, host States that seek to strengthen national policies and institutions for the resilience of local and refugee communities require significant contributions from the international community to accompany their efforts, until solutions can be found.

57. In support of host countries, all stakeholders and, in particular, humanitarian and development actors, will ensure complementarity between the immediate emergency response and development cooperation. As a supplement to ongoing humanitarian assistance, development actors will be involved from the outset to ensure that the impact of large refugee situation on a host country is taken into account in formulating development policies. Similarly, humanitarian assistance will be delivered in a way that benefits host communities, in addition to refugees. This will include efforts to deliver assistance through local and national service providers where possible (including through State-led social protection systems and multipurpose cash assistance), instead of establishing parallel systems for refugees from which host communities do not benefit over time.

58. The areas set out below require particular support. As stated in para 43 above, they are not intended to create further burdens on host countries; but rather constitute a call for contributions from others to assist in the application of a comprehensive response.

### **2.1 Education**

59. In line with national education policies and planning, as well as the 2030 Agenda,<sup>48</sup> and in support of host countries, other States and relevant stakeholders<sup>49</sup> will contribute resources and expertise to expand national education systems to facilitate access by refugee and host community children and youth. More direct financial support and special efforts will be mobilized to minimize the time refugee boys and girls spend out of school, ideally a maximum of three months.

60. More specifically, this will include resources and expertise to:

- support the expansion of educational facilities and capacity (e.g. infrastructure (including for early childhood development); teaching staff; and including refugee data in education management information systems);<sup>50</sup>
- meet the specific needs of refugee children and youth, especially girls, (e.g. through accelerated education and other flexible learning programmes, “safe schools”, as well as adapted approaches to cope with psychosocial trauma or specific needs) and overcome obstacles to their enrolment and attendance (e.g. those associated with the need for safe transport; health; accreditation and documentation; and language and literacy support);
- expand access to secondary and tertiary education, including through scholarships (see also section 3.3 below) and connected learning, with a particular focus on women and girls; and
- support refugees and members of host communities who are or could be engaged as teachers.

### **2.2 Jobs and livelihoods**

61. To foster inclusive economic growth for both host communities and refugees in line with national policies, data on labour markets, investment and skills, and the 2030 Agenda,<sup>51</sup> and in support of host countries, other States and relevant stakeholders<sup>52</sup> will contribute resources and expertise to:

- promote economic opportunities for host communities and refugees, including specifically for women, young adults, **LGBTI persons<sup>2</sup>** and those with disabilities, through enabling policy, legal, and administrative frameworks;<sup>53</sup>
- develop adequate instruments to attract private sector and infrastructure investment, notably in refugee hosting areas;
- facilitate access to affordable financial products and services for women and men in host and refugee communities, including bank accounts, savings, credit, insurance, and payments, in line with national services and policies;
- promote, where appropriate for a particular context, preferential trade arrangements, and facilitate access to local, regional and global supply chains for host communities and refugees; and
- promote language and vocational training, as well as internet connectivity and access to new technologies for host communities and refugees to support online livelihood opportunities.

### 2.3 Health

62. In line with national and local health care policies and plans, as well as the 2030 Agenda,<sup>54</sup> and in support of host countries, other States and relevant stakeholders<sup>55</sup> will contribute resources and expertise to expand national health systems to facilitate access by refugees and host communities including, in particular, women, children and youth, **LGBTI persons** and people with disabilities.

63. More specifically, this will include resources and expertise to:

- expand service delivery, including by building health facilities or strengthening the capacity of existing ones;
- strengthen national health data systems, including to allow disaggregation of key health indicators by refugee status;
- define and support a basic package of health services, including maternal and infant health;
- ensure sufficient healthcare workers are available, and have access to training opportunities where needed, including in psycho-social needs of survivors of torture and trauma;
- facilitate affordable and equitable access to adequate quantities of medicines, medical supplies, vaccines, diagnostics, and preventive commodities through agreements/waivers as appropriate; and
- promote health financing through bilateral and multilateral assistance to host countries and ensure proper resourcing of systems.

### 2.4 Gender

64. Women and girls may experience particular gender-related barriers that call for an adaptation of responses in order to maximize their skills and capacities. In line with the 2030 Agenda,<sup>56</sup> States and relevant stakeholders will adopt and adapt policies and programmes to empower women and girls, and to promote equity of access to services and opportunities, while also taking into account the particular needs and situation of men and boys. This will include contributions to:

- promote the meaningful participation and leadership of women and girls;
- support the institutional capacity and participation of national and community-based women's organizations, as well as government ministries particularly focused on women, in CRRF-related processes;
- strengthen the security and safety of women and girls, including to prevent and respond to sexual and gender-based violence and sexual exploitation;

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<sup>2</sup> LGBTI asylum-seekers and refugees experience widespread discrimination when accessing housing, employment, education, health and psychological care and other social services in host countries. They may be evicted from their housing and fired from jobs once their sexuality or gender identity is revealed. UNHCR Discussion Paper (2010) The Protection of Lesbian, Gay, Bisexual, Transgender and Intersex Asylum-Seekers and Refugees <http://www.refworld.org/pdfid/4cff9a8f2.pdf>

- facilitate access to gender-responsive social services, including through recruitment and deployment of female health workers and flexibility in timing of immunization services; and
- promote gender equality and strengthen the agency of women and girls among refugees and host communities, as well as on return to countries of origin, including by providing livelihood opportunities for women, and by supporting girls' access to education (including secondary and higher education).
- **meet the specific needs of diverse groups of women and girls arising from their age, sexual orientation and gender identity, disability or other diversity characteristics.**

## **2.5 Accommodation, energy, and natural resource management**

65. Wherever possible, alternatives to camps will be pursued.<sup>57</sup> To achieve this, in support of host countries and in line with national laws and policies, other States and relevant stakeholders will contribute resources and expertise to strengthen infrastructure to meet the accommodation needs of refugees and host communities, to preserve the environment, and to develop sustainable waste management and energy sources.

66. In particular, in line with national energy and environmental strategies, the 2030 Agenda,<sup>58</sup> and other frameworks,<sup>59</sup> this will include contributions to bolster national capacity to address accommodation, water, sanitation and hygiene, or environmental challenges in or near refugee-hosting areas, and to invest upfront in smart technologies that increase the use of renewable energy and prevent the degradation of the environment, including capacity development for national authorities where needed. Business models for the delivery of clean energy that cater more effectively to refugee and host community needs will be actively pursued.

67. State-to-State support for such projects will be facilitated, including in urban areas. Support will also be sought, as appropriate, to include refugees in disaster risk reduction strategies.

## **2.6 Food security and nutrition**

68. Acknowledging that food and nutrition are priority basic needs in line with the 2030 Agenda,<sup>60</sup> and in support of host countries, other States and relevant stakeholders<sup>61</sup> will contribute resources and expertise to facilitate access by refugees and host communities to sufficient, safe and nutritious food, with specific attention to nutritionally vulnerable groups, such as pregnant and lactating women, infants between 6 and 24 months, young children, and adolescent girls.

69. In particular, this will include resources and expertise for:<sup>62</sup>

- the provision of targeted food assistance to meet the immediate food and nutritional needs of refugees and host communities, as required;
- the promotion of nutrition-sensitive interventions to enable refugees and host communities to become more self-reliant in food security and nutrition;
- the development and facilitation of access by refugees and host communities to nutrition-sensitive social safety nets such as school meals and preventive health services; and
- building resilience of households and enhancing the resilience of food and agricultural production systems in refugee-hosting areas, by addressing bottlenecks along the food value chain and supporting sustainable and resilient livelihoods.

## **2.7 Civil registries**

70. Birth registration and registration of other vital events is critically important for all persons, including refugees, and a major protection tool for women and girls. Birth registration helps establish legal identity and prevent the risk of statelessness; while legal identity is key for a wide variety of activities, including enrolling in school and obtaining employment, housing, medical care, and other services. <sup>63</sup> For refugees, recognition of identity is essential for attaining a durable solution. Proof of identity also helps States to have accurate information about the persons living on their territory for the purposes of security, as well as economic and social planning.

71. In support of host countries, other States and relevant stakeholders will contribute resources and expertise to strengthen the capacity of national civil registries to facilitate

access by refugees and stateless persons, as appropriate, including through digital technology and the provision of mobile services.

## **2.8 *Statelessness***

72. Recognizing that *statelessness* is both a cause and consequence of displacement, States, UNHCR and other stakeholders will contribute resources and expertise to support the sharing of good practices for the prevention and reduction of statelessness, and the development of national action plans to end statelessness, in line with the statelessness conventions, UNHCR's Campaign to End Statelessness<sup>64</sup> and the 2030 Agenda.<sup>65</sup>

## **2.9 *Other areas of action***

73. States and relevant stakeholders will contribute resources and expertise to support host countries to strengthen other sectors and technical areas to facilitate better conditions for refugees and host communities, in line with the 2030 Agenda. <sup>66</sup> This could include: infrastructure, urban development, social protection systems where relevant, and access to new technologies. Support in these areas will also be provided to countries of origin, where appropriate (see section 3.1 below).

# **3. Solutions**

74. One of the primary goals of the global compact (see para 5) is to increase the availability of durable solutions, including by planning for solutions from the outset of emergencies. Political and security cooperation and promoting development and human rights are key to resolving protracted displacement, and to preventing new crises from emerging. At the same time, addressing the causes of displacement can take time. The programme of action therefore envisages the application of a mix of solutions, adapted to the specific context and circumstances of displacement. This includes the three traditional durable solutions of voluntary repatriation, resettlement and local integration; as well as other pathways for admission to third countries which may provide additional opportunities for protection and solutions. Pending the availability of solutions, the measures set out in Part III.B.2 above help to strengthen the resilience of refugees and host communities; and provide an important foundation for the success of durable solutions once achieved, including notably voluntary repatriation, the preferred solution of many refugees.<sup>67</sup>

## **3.1 *Support for countries of origin and voluntary repatriation***

75. While enabling voluntary and sustainable repatriation is first and foremost the responsibility of the country of origin towards its own people, coherent and sustained action and support by the international community is needed. The overriding priorities are to promote the enabling conditions for voluntary repatriation, to ensure the exercise of a free and informed choice, and to mobilize support to underpin safe and sustainable return. It is recognized that voluntary repatriation is not necessarily conditioned on the accomplishment of political solutions in the country of origin, in order not to impede the exercise of the right of refugees to return.<sup>68</sup>

76. As an integral part of the mechanisms for burden- and responsibility-sharing set out in Part III.A, States and relevant stakeholders, including notably development actors, <sup>69</sup> will contribute resources and expertise to support countries of origin to address root causes, to remove the obstacles to return, and to enable conditions favourable to voluntary repatriation. These efforts will take into account existing mechanisms for coordinating humanitarian, peacebuilding and development interventions, and be in line with the 2030 Agenda and the United Nations Secretary-General's reform agenda, notably in the areas of peace, security and development. It is crucial that measures for voluntary repatriation be included in political settlements and reconciliation efforts, peace agreements, and crisis recovery strategies.

77. In particular, this will include resources and expertise to support:

- reconciliation and confidence-building measures;
- the participation of refugees and returnees (notably women and youth) in relevant processes and decision-making, including peacebuilding activities; and

- mine action, including risk awareness and victim assistance, security sector reform, and counter-proliferation of small arms and light weapons.<sup>70</sup>

78. Once voluntary repatriation is underway, and to make it sustainable, States and relevant stakeholders, including development actors, will contribute resources and expertise to support countries of origin with respect to:

- capacity to receive and reintegrate returnees (e.g. documentation, including for purposes of travel; civil and voter registration; essential services);
- measures to avoid further displacement on return (internal or cross-border) and to ensure non-discrimination between returning refugees, the internally displaced, and non-displaced resident populations;<sup>71</sup>
- inclusion of returnees, and their reintegration, in national development plans, as part of overall rehabilitation, reconstruction and development efforts and in line with the 2030 Agenda;
- livelihoods programming and economic opportunities in areas of return that will benefit returnees, the internally displaced, and receiving communities alike;
- measures to address housing, land, and property issues; and
- returnee monitoring to provide updated information on return areas and identify any protection concerns faced by returnees.

### 3.2 *Resettlement*

79. Apart from being a tool for protection of and solutions for refugees, resettlement is also a tangible mechanism for burden- and responsibility-sharing, allowing States to help share each other's burdens and reduce the impact of large refugee situations on host countries. At the same time, resettlement has traditionally been offered only by a limited number of countries. The need to enhance resettlement capacity and expand its base cannot be overstated.

80. Contributions will be sought from States, with the support of relevant stakeholders,<sup>72</sup> to establish, or increase the scope, size, and quality of, resettlement programmes with a view to meeting the annual global resettlement needs identified by UNHCR. A special effort will be made to approach countries not already participating in global resettlement efforts, both as part of global refugee summits and solidarity conferences, where relevant.

81. In support of these efforts, UNHCR and traditional resettlement countries will devise a three-year strategy to enlarge the pool of resettlement countries and to consolidate emerging resettlement programmes, including through the Emerging Resettlement Countries Joint Support Mechanism (ERCM). The strategy will identify support to new and emerging resettlement countries, including through twinning projects, human and financial resources for capacity development, and the involvement of stakeholders such as the private sector, civil society, individuals, and academia.

82. In addition, contributions will be sought to:

- establish multi-year resettlement schemes;
- resettle at least 25 per cent of annual resettlement submissions within six months of UNHCR referral, including through the use of flexible processing modalities that fully account for security concerns;
- ensure that resettlement is used strategically, and in line with its humanitarian and protection underpinnings **and taking into account particular vulnerabilities of people with specific needs such as LGBTI persons.** (e.g. by allocating places for the resettlement of refugees from at least three priority situations identified by UNHCR in its annual projected global resettlement needs; or dedicating at least 10 per cent of resettlement submissions as unallocated places for emergency cases identified by UNHCR, including people with urgent or serious medical needs); and
- expand the use of platforms for emergency processing for resettlement, and emergency transit facilities.<sup>73</sup>

83. In specific situations, in light of its proven value, resettlement core groups will continue to facilitate a coordinated response, to expedite processing, and to broaden selection criteria with due regard to protection needs and security considerations.<sup>74</sup>

### 3.3 *Other pathways for admission to third countries*

84. As a complement to resettlement, other pathways for the admission of persons with international protection needs can facilitate access to protection and/or solutions, and alleviate pressures on host countries. There is a need to ensure that such pathways are made available on a more systematic and sustainable basis, that they contain appropriate protection safeguards, and to expand the number of countries offering these opportunities overall.

85. With a view to significantly increasing the availability and predictability of other pathways for admission within three years, contributions will be sought from States, with the support of relevant stakeholders, for:

- expanded family reunification mechanisms, including broadened eligibility criteria and simplified procedures;
- private or community sponsorship programmes that are additional to regular resettlement, including through the Global Refugee Sponsorship Initiative (GRSI);
- humanitarian visas, humanitarian corridors and other humanitarian admission programmes;
- educational opportunities through grant of scholarships and student visas; and
- labour mobility opportunities for refugees.

86. Contributions will also be sought to support the sharing of best practices, lessons learned and capacity development for new States considering the establishment of other pathways for admission (see also above, para 41).

### **3.4 Local solutions**

87. While voluntary repatriation continues to be the durable solution sought by many refugees, it is also important to support countries who elect to resolve a refugee situation locally. Local integration is a sovereign decision and an option to be exercised by States guided by their treaty obligations and human rights principles.<sup>75</sup> A number of States have found it useful to move towards the local integration of certain refugees, including by providing durable legal status and naturalization, where appropriate, without prejudice to the specific situation of certain middle income and developing countries facing large-scale situations.<sup>76</sup>

88. Local integration is a dynamic and two-way process, which requires efforts by all parties, including a preparedness on the part of refugees to adapt to the host society, and a corresponding readiness on the part of host communities and public institutions to welcome refugees and to meet the needs of a diverse population. In developing countries or countries with economies in transition, significant additional support from the international community is required to ensure successful local integration in a manner that takes into account the needs and views of both refugees and host communities.

89. In support of countries opting to provide local integration to refugees, other States and relevant stakeholders, including notably development actors, will contribute resources and expertise to:

- assist with the development of a strategic framework for local solutions;
- support the adaptation and revision of national legal and administrative frameworks to allow equal enjoyment of rights, services and programmes;
- strengthen capacity of relevant State institutions, local communities and civil society more broadly to support the local integration process (e.g. to address documentation issues; facilitate language and vocational training);
- facilitate access to livelihood opportunities for integrating refugees, including through analysis of economies in refugee hosting areas, taking into account local labour market assessments and skills profiles;
- invest in areas where refugees will settle, in support of national development plans and strategies, and in line with the 2030 Agenda; and
- support regional frameworks which may complement national laws in offering pathways to permanent residence or naturalization for refugees, where appropriate.

## **IV. Follow-up arrangements**

90. The international community will do its utmost to mobilize support for the application of the global compact and the achievement of its goals through the mechanisms for burden-and responsibility-sharing set out above.

91. In consultation with States and relevant stakeholders, UNHCR will develop a set of key indicators ahead of the first global refugee summit in 2019, in order to monitor and evaluate progress and outcomes of the global compact. These indicators will be measurable against the goals set out in para 5 above. They will complement efforts to ensure disaggregated data necessary for States to report progress on the Sustainable Development Goals and to meet the commitment to leave no-one behind.

92. The United Nations High Commissioner for Refugees will include, in his/her annual report to the United Nations General Assembly, information on progress made in the application of the global compact, including the implementation and impact of pledges and contributions, in line with relevant indicators. UNHCR will provide a platform to share good practices, notably from a gender and age-sensitive perspective, in the application of the different elements of the global compact.

93. As set out in para 18, starting in 2021 and every three years thereafter, ministerial-level global refugee summits will provide an opportunity not only to make new pledges, but also to take stock of the implementation of previous pledges, progress towards the achievement of the goals of the global compact, and ongoing opportunities and challenges. In addition, global refugee summits will allow for review of efforts in relation to specific country or regional situations, including through the Global Support Platform.

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