

Suggestions related to Women and Girls for the Third Draft (4 June 2018) of the Global Compact on Refugees
8 June 2018



Background

Ahead of Consultation 5 from 12-13 June 2018 in Geneva, CARE International, Plan International, Refugees International, the UNSW Forced Migration Network and the Women's Refugee Commission make the following suggestions to the 3rd draft of the Global Compact on Refugees (GCR) related to women and girls.

We appreciate and welcome the extensive efforts UNHCR has made to reflect age, gender and diversity considerations throughout the Programme of Action and appreciate the word limitations that have precipitated some difficult decisions and compromises. We do remain concerned however over a few sections where language consolidations or difficult decisions have made the draft weaker than previous versions or where there still remains an obvious gap in urgently needed services for refugee women and girls. We believe the GCR can be further strengthened to ensure their protection and meaningful participation in humanitarian action.

Hence, we make the following suggestions below for consideration.

For more information, please also see general recommendations on women and girls made in a joint policy brief in October 2017 endorsed by over 30 organizations, available here: [Making the Global Compact Work for All Refugee Women and Girls](#).

Original text of the GCR 3	Suggestions in bold and underline	Rationale
<p>Para 2. (Background)</p> <p>“The achievement of international cooperation in addressing international problems of a humanitarian character is a core purpose of the United Nations, as set out in its Charter, in accordance with the principle of sovereign equality of States.”</p>	<p>The achievement of international cooperation in addressing international problems of a humanitarian character is a core purpose of the United Nations, as set out in its Charter, in accordance with the principle of sovereign equality of States.</p>	<p>The UN Charter in Article 2(1)–(5) already states that “the Organization is based on the principle of the sovereign equality of all its Members”, therefore language is repetitive and distracts from the aim of the Global Compact on Refugees to enhance international cooperation efforts.</p>
<p>Para 9. (Prevention and addressing root causes)</p> <p>“(…) All States and stakeholders are called on to tackle the root causes of large refugee situations, including through heightened international efforts to prevent and resolve conflict; to uphold the Charter of the United Nations and international law, including international humanitarian law; and to end exploitation, abuse, and discrimination of any kind, including on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Equally important are efforts to alleviate poverty, reduce disaster risks, and provide development assistance to countries of origin, in line with the 2030 Agenda and other relevant frameworks; uphold the rule of law at the national and international levels; and promote and protect human rights and fundamental freedoms for all.”</p>	<p>“(…) All States and stakeholders are called on to tackle the root causes of large refugee situations, including through heightened international efforts to prevent and resolve conflict; to uphold the Charter of the United Nations and international law, including international humanitarian law; and to end exploitation, abuse, and discrimination of any kind, including on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Equally important are efforts to alleviate poverty, promote gender equality, reduce disaster risks, and provide development assistance to countries of origin, in line with the 2030 Agenda and other relevant frameworks; uphold the rule of law at the national and international levels; and promote and protect human rights and fundamental freedoms for all.”</p>	<p>Addressing gender equality is not only important for economic growth, development and the achievement of the 2030 Agenda but also from a peace and security perspective in preventing conflict.</p>
<p>Para 32. (Humanitarian Funding)</p> <p>“- humanitarian funding: States and humanitarian actors will work to ensure timely, adequate and needs-driven funding, both for the emergency response and protracted situations, including flexible, unearmarked, and multi-year funding</p>	<p>- humanitarian funding: States and humanitarian actors will work to ensure timely, adequate and needs-driven funding, both for the emergency response and protracted situations, including flexible, unearmarked, and multi-year funding wherever possible, delivered in line with the</p>	<p>In line with international humanitarian law, humanitarian response should ensure that protected persons are treated humanely and without adverse distinction based on race, colour, sex, language, religion or belief, political or other opinion, national or social origin, wealth, birth or</p>

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wherever possible, delivered in line with the humanitarian principles;”	humanitarian principles <u>and without adverse distinction;</u>	other status.
<p>Para. 69. (Education)</p> <p>“Depending on the context, additional support could be contributed to expand educational facilities (including for early childhood development, and technical or vocational training) and teaching capacities (including support for, as appropriate, refugees and members of host communities who are or could be engaged as teachers, in line with national laws and policies). Additional areas for support include efforts to meet the specific needs of refugee children and youth (including through “safe schools”) and overcome obstacles to their enrolment and attendance. Support will be provided for the development and implementation of national education sector plans that include refugees. Technical support will be provided where needed to facilitate recognition of equivalency of academic, professional and vocational accreditation.”</p>	<p>Depending on the context, additional support could be contributed to expand <u>safe, quality and inclusive</u> educational facilities (including for early childhood development, and technical or vocational training) and teaching capacities (including support for, as appropriate, refugees and members of host communities who are or could be engaged as teachers, in line with national laws and policies). Additional areas for support include efforts to meet the specific needs of refugee children and youth, <u>particularly adolescent girls</u> (including through “safe schools”) and overcome obstacles to their enrolment and attendance, <u>through adapted approaches for children with disabilities, psychosocial trauma and other specific needs, and addressing such gender-based barriers as school-related gender-based violence; unpaid domestic labour and care-work and child labour outside the home; child, early and forced marriage; and early pregnancy, and health needs, including menstrual hygiene supplies.</u> especially for girls and those with disabilities. Support will be provided for the development and implementation of national education sector plans that include refugees. Technical support will be provided where needed to facilitate recognition of equivalency of academic, professional and vocational accreditation.</p>	<p>Data for refugees shows that the gender gap for refugee children in education widens, as children get older. Gender gaps in access to education compound the disadvantage of girls in refugee settings, can heighten existing gender inequalities, create protection risks like child, early and forced marriage, and causes long-term consequences for girls as they transition into adulthood.</p> <p>In addition, girls, particularly adolescent girls, face specific gender and age-related barriers to accessing their education that must be addressed. Such barriers as sexual and gender-based violence in the school, an increase in domestic responsibilities that causes a time deficit for girls, and particularly menstrual hygiene management needs, have all come through strongly in gender and age sensitive needs assessments conducted by Plan International and humanitarian and refugee response partners.</p> <p>Girls who are married, pregnant or child mothers, may also face significant barriers to continuing their education, sometimes stemming from discriminatory norms or laws, and other times because they simply have increased home responsibilities and/or lack childcare options.</p>

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<p>Para 72. (Health)</p> <p>“In line with national health care laws, policies and plans and in support of host countries, States and relevant stakeholders will contribute resources and expertise to enhance the quality of national health systems to facilitate access by refugees and host communities, including women and girls; children and youth; older persons; those with chronic illnesses, including tuberculosis and HIV; survivors of trafficking, torture, trauma or sexual and gender -based violence; and people with disabilities.”</p>	<p>In line with national health care laws, policies and plans and in support of host countries, States and relevant stakeholders will contribute resources and expertise to enhance the quality of national health systems to facilitate non-discriminatory access by refugees and host communities, including women and girls; children and youth; older persons; those with chronic illnesses, including tuberculosis and HIV; survivors of trafficking, torture, trauma or sexual and gender -based violence; and people with disabilities.</p>	<p>See above - refugees often face a multitude of discrimination when accessing health services.</p>
<p>Para. 73. (Health)</p> <p>“Depending on the context, this could include resources and expertise to strengthen health facilities and services, or to support capacity development and training opportunities for refugees and members of host communities who are or could be engaged as health care workers in line with national laws and policies (including with respect to mental health and psychosocial care. Disease prevention and health promotion activities, including participation in physical activity and sport, are encouraged, as are pledges to facilitate affordable and equitable access to adequate quantities of medicines, medical supplies, vaccines, diagnostics, and preventive commodities.”</p>	<p>Depending on the context, this could include resources and expertise to strengthen health facilities and services, or to support capacity development and training opportunities for refugees and members of host communities who are or could be engaged as health care workers in line with national laws and policies (including with respect to mental health and psychosocial care, and sexual and reproductive health care. Disease prevention and health promotion activities, including participation in physical activity and sport, are encouraged, as are pledges to facilitate affordable and equitable access to adequate quantities of medicines, medical supplies, vaccines, diagnostics, and preventive commodities.</p>	<p>Women and girls have sexual and reproductive health needs throughout their lives, which are exacerbated while they are in transit and living in refugee settings.</p> <p>These needs range from menstrual hygiene management needs, to urgently needed comprehensive post-rape care and emergency services, including the availability and accessibility of emergency prophylactics. There is also a need for family planning, antenatal and safe delivery care, post-natal care, services to prevent sexually transmitted infections, including HIV, and services facilitating early diagnosis and treatment of reproductive health illnesses, including breast cancer and cervical cancer. These specific health care needs experienced by women and girls have a direct impact on their rights, including their dignity and at times even their lives.</p>

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<p>Para 74. (Gender)</p> <p>“Women and girls may experience particular gender-related barriers that call for an adaptation of responses in the context of large refugee situations. In line with relevant international standards and national arrangements, States and relevant stakeholders will adopt and implement policies and programmes to empower women and girls in refugee and host communities, and to promote full enjoyment of their human rights, as well as equality and equity of access to services and opportunities-while also taking into account the particular needs and situation of men and boys”</p>	<p>Women and girls may experience particular gender-related barriers and discrimination that call for an adaptation of responses in the context of large refugee situations. In line with relevant international standards and national arrangements, States and relevant stakeholders will adopt and implement policies and programmes to empower women and girls in refugee and host communities, and to promote full enjoyment of their human rights, as well as equality and equity of access to services and opportunities-while also taking into account the particular needs and situation of men and boys.</p>	<p>Suggest strengthening language as barriers are often rooted in gender-based discrimination in laws and policy.</p>
<p>Para 75. (Gender)</p> <p>“This will include contributions to address barriers to the meaningful participation and leadership of women and girls, and to support the institutional capacity and participation of national and community-based women’s organizations, as well as government ministries focused on women. Resources to strengthen access to justice and the security and safety of women and girls, including to prevent and respond to all forms of violence are called for; as is support to facilitate access to age- and gender-responsive social and health care services. Measures to promote women’s economic empowerment and to support access by women and girls to education (including secondary and tertiary education) will be fostered.”</p>	<p>This will include contributions to address barriers to the meaningful participation and leadership of women and girls, and to support the institutional capacity and participation of national and community-based women’s organizations, as well as government ministries focused on women. Resources to strengthen access to justice and the security and safety of women and girls, including to prevent and respond to all forms of violence are called for; as is support to facilitate access to age- and gender-responsive social and health care services, particularly sexual and reproductive health. Measures to promote women’s economic empowerment and to support access by women and girls to education (including secondary and tertiary education) will be fostered.</p>	<p>See also rationale at Para 73. Refugee women and girls are often unable to access basic services whether in transit, in refugee settings or in host countries, including sexual and reproductive health care. Lack of access to sexual and reproductive health services remains the primary cause of morbidity and mortality.</p>

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<p>Para 76. (Children and youth)</p> <p>“Children make up over half of the world’s refugees. In support of host countries, States and relevant stakeholders will contribute resources and expertise towards policies and programmes that take into account the specific vulnerabilities of girls and boys, children with disabilities, adolescents, unaccompanied and separated children and other children at risk. Depending on the context, this will include resources and expertise to support integrated and age-sensitive services for refugee and host community girls and boys, as well as investment in national child protection systems. Capacity development for relevant authorities to undertake best interests determination and assessment to inform decisions that concern refugee children, as well as other child-sensitive procedures and family tracing, will be supported. UNHCR will work with States to enhance access by refugee boys and girls to resettlement and complementary pathways for admission.”</p>	<p>Children make up over half of the world’s refugees. In support of host countries, States and relevant stakeholders will contribute resources and expertise towards policies and programmes <u>that uphold the protection and respect for the rights and best interest of the child at all times including by ending the practice family separation. Programmes will also</u> take into account the specific vulnerabilities of girls and boys, children with disabilities, adolescents, unaccompanied and separated children and other children at risk, <u>particularly adolescent girls, married girls, and child mothers.</u> Depending on the context, this will include resources and expertise to support integrated and age- <u>and gender-responsive</u> sensitive services for refugee and host community girls and boys, as well as investment in national child protection systems. Capacity development for relevant authorities to undertake best interests determination and assessment to inform decisions that concern refugee children, as well as other child-sensitive procedures and family tracing, will be supported. UNHCR will work with States to enhance access by refugee boys and girls to resettlement and complementary pathways for admission, <u>particularly for those at specific risk, such as those vulnerable to sexual and gender-based violence and harmful practices, including child, early and forced marriage and female genital mutilation (FGM).</u></p>	<p>In line with basic principles of child welfare and international law, the Global Compact on Refugees should recognize that the separation of families impedes access to asylum and causes irreparable economic, emotional harm and trauma to both children and parents and should never be used to punish or deter individuals or families from seeking protection.</p>

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<p>Para 83. (Statelessness)</p> <p>“Recognizing that <i>statelessness</i> may be both a cause and consequence of refugee movements, States, UNHCR and other stakeholders will contribute resources and expertise to support the sharing of good, gender-sensitive practices for the prevention and reduction of statelessness, and the development of, as appropriate, national and regional and international action plans to end statelessness, in line with relevant standards and initiatives, including UNHCR’s Campaign to End Statelessness. States that have not yet acceded to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness are encouraged to consider doing so.”</p>	<p>Recognizing that statelessness may be both a cause and consequence of refugee movements, States, UNHCR and other stakeholders will contribute resources and expertise to support the sharing of good, gender-sensitive practices, <u>such as strengthening women’s nationality rights</u>, for the prevention and reduction of statelessness, and the development of, as appropriate, national and regional and international action plans to end statelessness, in line with relevant standards and initiatives, including UNHCR’s Campaign to End Statelessness. States that have not yet acceded to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness are encouraged to consider doing so.</p>	<p>Gender discrimination in nationality laws still remains a major driver of statelessness and should be eliminated. For more information, see https://equalnationalityrights.org.</p>
<p>Para 103 (Global Refugee Forums)</p> <p>“States and relevant stakeholders will facilitate adequate participation of refugees, including women and youth, in Global Refugee Forums, ensuring their inclusion of their perspectives on progress. A digital platform accessible to all to share good practices, notably from an age, gender, disabilities, and diversity perspective, in the application of the different elements of the global compact will be developed by UNHCR.”</p>	<p>States and relevant stakeholders will facilitate <u>adequate meaningful</u> participation of refugees, including women and youth <u>and civil society organizations, including those that are women- or youth-led</u> in Global Refugee Forums, ensuring their inclusion of their perspectives on progress <u>and recognizing their leadership</u>. A digital platform accessible to all to share good practices, notably from an age, gender, disabilities, and diversity perspective, in the application of the different elements of the global compact will be developed by UNHCR.</p>	<p>The Global Compact on Refugees should recognize the need for meaningful participation of individual women and youth, not only as vulnerable groups but as equal partners in finding solutions as well as civil society organizations in line with Para 40. to ensure inclusivity.</p>