

Essential components for responsibility sharing for refugees

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As group of civil society organisations (Action Aid, Amnesty International, American Relief Coalition for Syria, Asylum Access, Care International, Center for Migration Studies, ICMC, IRC, Lutheran World Federation, Mercy Corps, NGO Committee on Migration, NRC, Oxfam, Save the Children, Terre des Hommes) we think that the following three issues need to be addressed to ensure that the September Summit:

- Does not lower existing principles, standards and norms on refugee protection
- Seizes the opportunity to realise responsibility sharing for refugees in practice

Unless these issues are addressed, it is difficult to see how civil society can support a Summit outcome which, rather than addressing the shortcomings of the current international response to displacement, risks reinforcing them.

We therefore urge Member States to:

1. **Ensure that nothing in the political declaration and the global compact undermines existing standards and principles regarding refugee protection.**

In this respect, we are very concerned about the section on durable solutions in the Global Compact which should list and use the terminology of the three existing and agreed durable solutions (voluntary return, integration and resettlement) instead of suggesting other solutions such as repatriation and local solution.

Specifically, **we are suggesting that:**

- **Repatriation is replaced by voluntary return** and that a separate sentence is included that clarifies that voluntary return includes conditions in the country of origin (calling for an informed decision) and the situation in the country of asylum (permitting a free choice) as per the UNHCR Handbook.¹
- **The section on local solutions is renamed local solutions and integration**, and that the first two bullet points under section 12 are replaced by the following points:

Host States, in cooperation with UNHCR and relevant partners, where appropriate would:

- *provide fair, transparent asylum systems with support for legal services, where possible*
- *provide meaningful legal status, including as necessary longer-term residency with access to education, health care and services, livelihood opportunities and labor markets, freedom of movement and other rights and responsibilities as outlined in international and regional law, where applicable.*
- *consider where, when and how to provide the opportunity to become naturalized citizens of the country of asylum;*
- The **section on resettlement** must distinguish between the resettlement as a pathway to protection for vulnerable refugees identified as per UNHCR vulnerability criteria and other safe and legal routes to protection. Member States should commit to ensuring all refugees in

¹ UNHCR (1996) Handbook Voluntary Repatriation International Protection. Available at: <http://www.unhcr.org/publ/PUBL/3bfe68d32.pdf>

need of resettlement are offered a resettlement place, or at least 10% of the global refugee population as well as expanding other safe and legal pathways for protection.

We therefore suggest that:

- para 15 becomes the first para in this section and that 'and other pathways' is deleted
- para 13 (then para 14) reads States other than host countries would also...

2. Ensure that the outcome document of the UN Summit addresses the shortcoming of the current approach to displacement by:

- Committing to a system that uses relevant, objective criteria to identify what Member States' fair share looks like. These criteria should then be used to address critical dimensions of a large movement.
- Clarifying on the basis of which criteria a comprehensive refugee response framework will be applied to existing and future refugee movements.
- Committing to elaborate an operational framework to putting the principle of responsibility sharing into practice within the next 12 months

We therefore suggest the following revisions to the declaration:

4.4 We underline the centrality of responsibility-sharing and burdensolution-sharing within international refugee protection. Echoed in the emphasis on international cooperation in the preamble to the 1951 Convention, this has been reaffirmed in successive General Assembly resolutions. We commit to an equitable sharing of responsibility for hosting and supporting the world's refugees, while taking account of the differing capacities and resources among Member States ~~for shouldering the burdens involved~~. We commit to developing will consider ways in which an equitable responsibility sharing mechanism based on relevant, objective criteria to be used can be determined, either formally or informally, in specific situations of large-scale movement and protracted refugee situations.

4.5 We commit to developing ~~believe that~~ a comprehensive refugee response ~~should be developed~~, initiated and coordinated by UNHCR, involving other relevant UN agencies, and activated in cases of large movements of refugees based on relevant, objective criteria and involving other relevant UN agencies, for all situations involving large movements of refugees. Development of this comprehensive refugee response ~~This~~ should involve a whole-of-society approach spanning the United Nations, other international organizations, refugees, national and local authorities, civil society partners, including faith-based organisations and academia, the private sector and the media. The pillars Elements for such a comprehensive refugee response are included in the Global Compact on Responsibility-Sharing for Refugees which we are adopting today (annexed to this Declaration) ~~and we commit to concluding an operational framework within 12 months~~.

4.10 Welcoming the extraordinarily generous contribution made to date by countries which host large refugee populations, and the global public good which this constitutes, we will work to increase the support needed for these countries and call for pledges made at recent relevant conferences to be disbursed promptly. We commit to a mechanism that uses relevant, objective criteria to equitably share responsibility for refugees. ~~sharing in an equitable manner the enormous burden these countries have been carrying~~.

3. Introduce a mechanism for Member States to report on the progress made on the implementation of the operational framework