

NGO intervention on Introduction (Part 1)

Agenda item 1

Dear Chairperson,

This intervention reflects a diversity of views among NGOs.

NGOs appreciate UNHCR's efforts to strive for balance in integrating various comments. We also note, with regret, that the third draft is less ambitious, and more ambiguous than Draft 2. Accountability measures have been reduced and the refugee- and people-centred outcomes have been toned down. Its scope has also become less clear. We encourage States to ensure that the GCR becomes a universal instrument, remaining inclusive of those in dire need of international protection. In this final phase of consultations, we must continue to aim at enhancing responsibility-sharing, strengthening refugee protection and expanding durable solutions. It remains fundamental to firmly anchor the right to seek asylum and access quality asylum procedures in the GCR.

More specifically, we believe **contextualising the abysmal state of forced displacement** provides a strong rationale for action. We regret, however, that this focuses only on consequences with now minimal references to causes of refugee movements. Acknowledging the various intersecting drivers and triggers forcing people to flee remains crucial to preventing such flows in the first place.

We appreciate that **partnerships** are now broader and that the compact invites contributions towards **collective outcomes and progress**. In line with the New York Declaration, collective outcomes must be defined with multi-stakeholder participation and have a strong protection, solutions and people-centred focus. Measuring progress requires establishing clear targets and indicators for a common understanding on how to contribute to collective outcomes.

The **guiding principles** remain the cornerstone of the GCR, providing a strong protective foundation to build refugee responses. We appreciate that draft 3 no longer limits application of key human rights conventions to specific articles and welcome inclusion of the Convention on the Elimination of All Forms of Racial Discrimination. However, we continue to note the absence of specific references to the Covenants on Economic, Social, Cultural, Civil and Political Rights. People, irrespective of categories, enjoy all human rights. Lest we include language underlining these fundamental guarantees, the compact's objective to promote refugee self-reliance will remain elusive.

We welcome the maintained call for countries to accede to international refugee instruments and we ask State parties to continue to meet their obligations under these instruments.

We also deplore that paragraph 7 further lost important indicators of success on improved responsibility-sharing, strengthened national protection systems, enhanced protection and socio-economic conditions, and reduction in the scale of protracted situations. These must be reflected in our efforts to define and measure collective outcomes. Coupled with earlier removal of references to SDGs,

reduced mentions of indicators reflects a gradual weakening of focus on protecting and assisting refugees, and on overall accountability.

Under **prevention and addressing root causes**, evidence shows that climate change and environmental degradation provoke competition and conflict over resources, which may eventually force people to flee. We cannot deny this reality if we are to address drivers of refugee movements in a holistic manner. Furthermore, laying the responsibility of addressing root causes solely on countries of origin ignores various other factors that precipitate refugee flows. These sometimes go beyond the control of one State. Respecting humanitarian and human rights law, eliminating inequality, avoiding the use of heavy weapons in populated areas and ensuring accountability for violations can also help prevent and reduce displacements. The Secretary General's reform initiatives are therefore useful references. The flexibility and swiftness of humanitarian action continues to provide a lifeline to people caught up in conflicts. This is only possible if it remains independent of political considerations and in line with humanitarian principles.

Lastly, we welcome paragraph 12, which refers to mixed flows and mentions internal displacement. Operational coordination between UNHCR and IOM in mixed flows should strive to cast a wide protection net to ensure people requiring international protection are not forced to fend for themselves. Therefore, NGOs encourage extending the GCR application in mixed movement situations in partnership with other actors. Yet, NGOs are concerned about potential protection gaps between the two compacts, particularly for those displaced due to disasters and climate change.

To conclude, NGOs stand ready to provide support in implementing comprehensive responses and to increase responsibility-sharing and accountability at all levels.

A detailed version is available on icvanetwork.org

Thank you.