

Global Compact on Refugees: Fifth Formal Consultations 12 – 13 June 2018 (Geneva)

Opening remarks by the Assistant High Commissioner for Protection, Mr. Volker Türk, is available [here](#).

Overall, there was a slightly reduced attendance at this formal consultation, with less interventions. Many States appreciated a shortened and streamlined Draft 3, commending UNHCR for striving to achieve balance between diverse views. A number of States suggested that the text is now close to achieving consensus although some issues still surfaced and will require attention. Consensus was more apparent with regard to the Introduction than other agenda items. Several donor States said that while they noted some loss of language in reducing the text, they were committed to making the necessary concessions to reach agreement and that the ‘the best can sometimes be the enemy of the good’. Bilateral discussions with donor States ahead of the consultation indicated that most of them are now willing to ‘park’ some difficult issues if this can ensure host States are on-board. Some host States seemed to take a similar approach to ensure consensus although others still took a relatively hard-line, with veiled indications that they could push for an extension of the process beyond 4 July.

Thus, several host States continued to stress that the draft still does not address satisfactorily some of their concerns, particularly not guaranteeing equitable and predictable burden- and responsibility-sharing. Responsibility-sharing mechanisms proposed in the draft, they noted, are mostly based on existing practices and goodwill that have not succeeded to generate additionality and predictability so far. At least one State noted that fair responsibility-sharing entailed equal distribution of refugees among countries, reaffirming a previous call to establish a target for developed and developing countries to host equal number of refugees by 2030.

1. Introduction

- On paragraph 1, several States welcomed language that highlights the challenges of responding to current refugee situations as well as the growing gap between needs and humanitarian funding. Some delegations underlined that their humanitarian funding was already at peak levels. As a consequence, they noted, it was vital to increase development assistance. Yet they highlighted that current mechanisms to mobilise development resources were ill-suited to unlocking additional development resources as this was mostly allocated bilaterally.
- A few States however suggested that paragraph 1 had lost focus on refugees and requested to consider partly reintroducing language from the first paragraph of Draft 2.
- Inclusion of **collective outcomes and progress** was largely welcomed by States (or not commented on). Many delegations underlined that it reflected the collective nature of the compact and established clearer linkages between the voluntary nature of the contributions and the objectives set out in paragraph 7. States, however, did not ask for clarification on what collective outcomes would mean in practice and how those would be defined.
- Several States asked for adding reference to the New York Declaration in the introduction. Delegations also underlined the need to specifically mention the importance of national ownership for the successful implementation of the compact, while also noting the need for strengthened international cooperation. Few delegations also asked for specifically adding that hosting refugees should be considered as the relevant State’s contribution to burden- and responsibility-sharing.
- In the paragraphs on **guiding principles**, at least one State suggested adding the principle of burden- and responsibility-sharing. A few delegations called for the deletion of references to regional

refugee protection instruments, yet others noted the need to protect the compact from politicisation. At least one State asked for the inclusion of the Conventions on Economic, Social, Cultural Rights; Political and Civil Rights; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; and Optional Protocol to the Convention Against Torture.

- Several States welcomed the reference to the International Convention on the Elimination of All Forms of Racial Discrimination in footnote 7.
- The objectives included in paragraph 7 were widely welcomed and several delegations noted that these aligned with the four pillars of the CRRF. They noted that the four objectives must be pursued with equal vigour and pace. Some States asked for deleting the latter part of paragraph 7, considering the language as unnecessary. A few delegations regretted that references to vulnerable groups and protection in this paragraph had been removed.
- On paragraph 8, most delegations expressed satisfaction with new language, which states that environmental degradation and natural disasters are not causes of refugee movements although these may interact with drivers of refugee movements. Few delegations also noted that they were satisfied to see mentioned the responsibility of countries of origin to tackle root causes. Some States asked for the deletion of ‘forced’ in ‘**forced internal displacement**’. In addressing root causes, some delegations underlined the need to include safeguards against political interference. A few States stressed the need to refer to the adverse effects of climate change and referencing the Nansen Protection Agenda and the Platform for Disaster Displacement as good practices.
- **Paragraph 12**, underlining the need for operational partnership between UNHCR and IOM among others, was welcomed by many States, who felt it was a useful compromise to ensure people requisite international protection coverage. A first-time intervention by Tuvalu further emphasised this point, with focus on the need to protect and assist those uprooted climate change and natural disasters. A few States underscored that the document still needed to go further to ensure complementarity between the two compacts, while others reiterated that the compact must exclusively focus on refugees thus deleting all mention of mixed migration.
- On paragraph 13, some delegations underlined the need to include victims of trafficking and smuggling.

2. Mechanisms for burden-and responsibility-sharing

- Several delegations noted that the various responsibility-sharing mechanisms were now better linked. Most States were supportive of the **Global Refugee Forum** as the principal vehicle for mobilising pledges as well as taking stock and reviewing progress of the global compact. States also appreciated the involvement of the UN Secretary General to ensure high-level political engagement. While the role of States acting as co-convenors of the Global Refugee Forum was largely welcomed, delegations, this time, did not raise concerns about how and which States would be chosen to co-convene. States also largely agreed that pledges should go beyond financial aspects.
- The periodicity of the Forum remained contentious, with donor States asking to retain a four-year timeframe, whereas host States urging for holding the Forum every two years. At least one State suggested that the periodicity could open, leaving it to each Forum to indicate in its final *communiqué* when the next Forum would be held. Donor States maintained that it was difficult to attract high-level ministerial interest in short timeframes, whereas host States reiterated the need to sustain political momentum. Brazil floated a proposal to organise a high-level ministerial event every second-year in lieu of the High Commissioner’s Protection Dialogue. Some States also noted that 2019 was too early to organise the first forum, particularly as implementation would not have progressed to an extent so as to allow for a meaningful review. In his closing remarks, AHC-P

Volker Türk, insisted on the need to organise the first Global Refugee Forum in 2019 followed by another in 2021, although he suggested UNHCR would be open to suggestions from Member States.

- Several delegations agreed with holding the Global Refugee Forum in Geneva although a few others noted that modalities allowing it to be organized elsewhere (even on occasions) could help universalise refugee discussions. However, Volker Türk, underlined the practical difficulties and cost implications of taking the Forum outside Geneva.
- At least one State asked for the development of a template for Forum pledges to ensure standardised tracking and reporting. Note that in his opening remarks, Volker Türk indicated: “once the global compact is finalized, we propose to work further with you to develop the logistical and technical aspects of the Global Refugee Forums – including the pledging component as well as ways to measure progress.
- National leadership in **national arrangements** was welcomed, and some States stressed that national coordination mechanisms must align with existing coordination structures.
- States agreed to the context-specific nature of the **Support Platforms**, however, several delegations continued to ask for further clarity. At least one State requested UNHCR to prepare a roadmap for the activation and deactivation of the platforms in emergencies and protracted situations. A few States also asked for the inclusion of countries of origin in the Support Platform and requested to explicitly specify the non-political nature of the Platforms.
- **Solidarity conferences** generated mixed views. While some delegations saw it as a means to quickly mobilise resources, others noted that these overlapped with existing pledging conferences. They also underlined that these conflicted with their Grand Bargain commitments to increasingly provide unearmarked funding. A few noted that solidarity conferences were ill-suited to mobilise development funding. In bilateral discussions, a number of donor States wondered about the efficiency of pledging conferences in general and Solidarity conferences in particular.
- In terms of governance and reporting, a few States asked for clarification on the role of ExCom and the possible contradiction with the need for universality if the limited membership of ExCom had a role in relation to the GCR.
- Host States continued to emphasise that the compact must be able to generate additional and flexible humanitarian and development funding. Some also asked for explicitly mentioning that current levels of humanitarian funding were inadequate. At least one State regretted that reference to grants was deleted. Donor States, while acknowledging the references to needs-driven and principled humanitarian action, underlined the need to further emphasise and concretise the humanitarian, development and peace nexus. ICRC emphasised the need for safeguards against the primacy of national ownership to ensure impartial humanitarian action in contexts where States, simultaneously, hosted and produced refugees.
- On section 3.2, **multi-stakeholder and partnership approach**, some States continued to emphasise the importance of leveraging the UN system for implementing the compact and supported better linkages with the UNCT and UNDAF. A few delegations also noted that cooperation with local actors should only be in coordination with national authorities but *upon their request*. Some States expressed regret that references to the private sector had been toned down.
- For the first time, a city representative from Sao Paulo made an intervention (as part of the Brazilian delegation), underlining that cities were first responders to refugee influxes, often playing an important role in subsequent integration.
- Under **data and evidence**, host States particularly asked for restoring language that emphasised the need for data on solutions.
- **Measuring the impact of hosting, protecting and assisting refugees** was welcomed, and several States noted that this must be linked to the follow up and review section. Some States asked for the

deletion of the word “*local*” in paragraph 48 in connection to measuring the impact. Few delegations also called for deleting footnotes 27 and 29, which emphasise the technical expertise of the OECD and the World Bank in the measuring exercise.

3. Areas in need of support

- Most delegations welcomed that areas in need of support have been presented in Draft 3 as non-exhaustive and non-prescriptive, and that they are not meant to impose additional burden on host States. Several delegations appreciated the reference to meaningful engagement of people with diverse needs and vulnerabilities.
- On **early warning, preparedness and contingency planning**, a delegation asked for clarification on standby capacities. Volker Türk replied that such capacities could be mobilised through the pledging exercise. At least one State requested to add climate change adaptation to the list of preparedness measures.
- Transit countries continued to ask UNHCR to reflect their reality in the programme of action, especially in addressing **immediate reception needs**. At least one State noted that large scale refugee situations must be read in context, since an influx of a few thousand people in some smaller countries could overwhelm national capacities.
- On **safety and security**, particularly African States regretted the deletion of the need to protect and assist children formerly associated with armed groups.
- On **registration and documentation**, at least one State noted that support provided must go beyond biometrics to include digitalisation of services and ensuring data security.
- Under **addressing specific needs**, some delegations asked for stronger references to needs of people living with disabilities and victims of trafficking.
- Some delegations continued to ask for more details on the make-up of the *Asylum Capacity Support Group* and one State noted the need for South-South cooperation in drawing experts. Another delegate asked that this Group be included in the burden- and responsibility sharing mechanisms.
- On **meeting needs and supporting communities**, host States regretted that language in this section had been toned down and called for stronger and clearer references to the need to avoid creating conditionality, some also noting that development assistance should directly benefit host communities.
- Several States, while welcoming the streamlining of this section, noted that important language on **children, women and health** had been lost, and encouraged UNHCR to restore some of it. While most delegations welcomed the new section ‘children and youth’, some cautioned that this should not lead to blurring of lines between the two. Several States also called for stronger language on child protection and best interest determination. Several delegations renewed their call for specific references to sexual and reproductive rights as well as infant and maternal mortality. Others reiterated the importance of women empowerment and addressing all forms of gender-based violence. A few others asked for the deletion of footnote 50, which refers to two Security Council Resolutions on women.
- On **jobs and livelihoods**, many States welcomed the reference to decent work, but others regretted that the role of the private sector in relation to job creation had been reduced.
- On **tolerance and peaceful co-existence**, several States highlighted that tolerance carried negative connotations and expressed preference for social cohesion.
- In general, there were limited comments on solutions. Under **voluntary repatriation**, at least one delegation asked for removing the reference to sustainable returns, while a few others continued to stress the need for international support in ensuring the reintegration of returnees. The three-year **resettlement strategy** continues to garner widespread support, with some delegations underlining

the need for implementing the strategy as soon as possible. The new section on **other local solutions** was largely welcomed. At least one State called for deleting footnote 60, which mentions the guiding principles of internal displacement. One State asked that references to internal displacement be deleted from the compact, arguing that the GCR should remain within the remit of UNHCR's mandate which does not include IDPs. Volker Türk corrected this characterization in his reply, stressing the historical and UNGA mandated role of UNHCR *vis-à-vis* IDPs.

4. Follow-up and review

- Most delegations welcomed the central role of the Global Refugee Forum in the follow-up and review of the global compact. In this regard, some asked that the four-year cycle of the Forum align with that of the GCM to ensure continued complementarity between the two compacts. At least one State noted that the Secretary General should produce a quadrennial report on the two compacts. Another State mentioned that adopting a communiqué after the Forum could ensure the result-oriented nature of the compact.
- Several States regretted that reference to developing indicators had been removed and asked for introducing language that provided indication of how these would be developed. Most host States noted that indicators must reflect progress on all four objectives mentioned in paragraph 7 and be defined through an intergovernmental process. A few States also regretted the deletion of aligning reporting with SDGs.
- Appreciating the inclusion of facilitating participation of refugees, including women and youth, some States asked for replacing 'adequate' with 'meaningful'.
- In his closing remarks, Volker Türk noted that UNHCR will find a way to bring back the issue of indicators in the next draft. He indicated that indicators could be developed through technical consultations followed by formal consultations in the beginning of 2019.
- The next and the last draft of the programme of action will be released on 26 June to be adopted through a process of consensus during the sixth formal consultation to be held on 3 and 4 July.
- UNHCR would hope this last formal consultation would serve as a validation exercise of the last draft and could even last for one day only.
- However, Volker Türk recognized that a number of issues need to be addressed before a final draft can be reached and indicated UNHCR would have bilateral discussions in the following days with those States who asked for text modifications to see how their concerns can be addressed in a spirit of striving for consensus.
- Volker Türk will be providing a [briefing in New York next week on Friday 22 June \(Conference Room 3\)](#).