

## MYAN (Australia)

# Response to Draft 2 of the Global Compact on Refugees

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May 2018

## A. Background

MYAN welcomes the release of Draft 2 of the Global Compact on Refugees (GCR). The creation of the GCR is a critical opportunity for the recognition and inclusion of refugee youth rights and needs in discussions around refugee protection. This would ensure that refugee youth, as a group with distinct rights, needs and capacities, and who make up at least one-third of the global refugee population<sup>1</sup>, are adequately protected and empowered<sup>2</sup>. This reflects and builds on the work of UNHCR and civil society over several years in promoting the rights and needs of refugee youth.

In December 2017, MYAN prepared an *'Advocacy Brief on Youth Rights in the Global Compact on Refugees'*<sup>3</sup> to support the inclusion of youth rights and needs in the Global Compact on Refugees (GCR). UNHCR's Global Youth Advisory Council (GYAC) provided input and endorsed the brief during the High Commissioner's Dialogue on Protection Challenges 2017. Following the release of the Draft 1 of the GCR in March, MYAN released *'Response to Draft 1 of the Global Compact on Refugees'*<sup>4</sup> in April 2018 and also co-drafted a position paper from the Compact for Young People in Humanitarian Action, *'Recommendations on youth in the Global Compact on Refugees'*<sup>5</sup> with Mercy Corps. This has been endorsed by the Compact membership as well as UNHCR's GYAC.

While building on MYAN's earlier recommendations in its *Advocacy Brief* and MYAN's response to Draft 1 of the GCR, this response to Draft 2 reinforces the five areas of action of the Compact for Young People in Humanitarian Action (from here on Youth Compact)<sup>6</sup>, which cover young people's engagement through partnerships and inclusive programming; reinforcing young people's capabilities; better data collection on youth and including youth in monitoring, evaluation and reporting on policy and programmes pertaining to youth.

Based on feedback received from UNHCR, MYAN's response to Draft 2 primarily makes recommendations for changes to or insertion of text under specific sections of the Draft. These are detailed in Section 3 below.

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<sup>1</sup> While there is no current data on the global numbers of refugee youth, in 2013 UNHCR estimated that approximately one third of refugees are between 10 and 24 years old. See *UNHCR (2013) A Global Review: UNHCR's Engagement with Displaced Youth*. Available at: <http://www.unhcr.org/513f37bb9.pdf> p.9

<sup>2</sup> See also United National Development Program (UNDP), *Global Compact on Refugees - UNDP's Written Submission to the First Draft GCR (9 March) - Draft Working Document - March 2018*. Available at: <http://www.unhcr.org/en-au/events/conferences/5aba3ee77/undps-written-submission-first-draft-global-compact-refugees.html>

<sup>3</sup> Multicultural Youth Advocacy Network (MYAN) Australia (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html>

<sup>4</sup> MYAN Australia (2018) *Response to Draft 1 of the Global Compact on Refugees*. Available at:

<http://www.unhcr.org/events/conferences/5acb125a7/myan-australia-response-draft-1-global-compact-refugees.html>

<sup>5</sup> Compact for Young People in Humanitarian Action (2018) *Recommendations on young people in the Global Compact on Refugees*.

Available at: [https://www.agendaforhumanity.org/sites/default/files/resources/2018/Apr/Position%20paper%20Refugee%20Compact%20-%20Compact%20for%20Young%20People%20in%20Humanitarian%20Action\\_0.pdf](https://www.agendaforhumanity.org/sites/default/files/resources/2018/Apr/Position%20paper%20Refugee%20Compact%20-%20Compact%20for%20Young%20People%20in%20Humanitarian%20Action_0.pdf)

<sup>6</sup> World Humanitarian Summit (2016) *Compact for Young People in Humanitarian Action*. Available at <http://www.un.org/youthenvoy/wp-content/uploads/2016/05/CompactforYoungPeopleinHumanitarianAction-FINAL-EDITED-VERSION1.pdf>. See Annex for reading these Action Areas.

## **B. General statements**

MYAN recognizes the reinforcement in Draft 2 that refugees and those affected by refugee situations must not be left behind.<sup>7</sup> MYAN also welcomes a separate section on guiding principles laying out the key international and regional instruments relating to refugee protection, as well as international human rights and humanitarian law, and international law.<sup>8</sup>

MYAN welcomes the overall increase in references in Draft 2 to youth. We are very pleased to see the recognition of youth as important actors with specific rights, needs and capabilities. However, we believe that the Compact could be stronger in this regard.

## **C. MYAN's recommendations for changes in Draft 2<sup>9</sup>**

### **1. Recommendation for (iii) Objectives**

Under the this section of the Draft<sup>10</sup>, there is no mention of young people, when enhanced protection and socio-economic conditions are mentioned and other groups are listed, such as women and girls, children, older persons, etc. Young people should be clearly stated as a specific group under the Objectives section, and MYAN recommends the following formulation;

*“-enhanced protection and socio-economic conditions for refugees and host communities, notably women and girls, children, young people, older persons, people with disabilities, and others with specific needs, taking into account each country's capacities and resources; and”*

### **2. Recommendations for 2.1. National Arrangements**

While Draft 2 refers to strong partnership and participatory approaches involving refugees<sup>11</sup>, MYAN believes this has not been adequately emphasized throughout the document. MYAN believes the language around refugee participation and involvement, including of young people, should be stronger for increased ownership.<sup>12</sup> To this end MYAN suggest following changes in the Draft to reinforce refugee participation, under this section<sup>13</sup>:

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<sup>7</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 2.

<sup>8</sup> The Draft 1 mentions that the Global Compact on Refugees is grounded on international refugee protection regime. UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 2.

<sup>9</sup> Please note that MYAN's recommendation formulations in this document do not indicate the changes made from the original text in Draft 2 and reflects MYAN's recommendation of alternative text for inserting to the upcoming Draft of GCR.

<sup>10</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 3.

<sup>11</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 4.

<sup>12</sup> MYAN Australia (2018) *Response to Draft 1 of the Global Compact on Refugees*. Available at:

<http://www.unhcr.org/events/conferences/5acb125a7/myan-australia-response-draft-1-global-compact-refugees.html>, p. 8.

<sup>13</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 5.

*“The composition and working methods of national arrangements would be determined by host States, with input from refugee and host communities and civil society organisations working with refugees, as would the need for capacity development for relevant national authorities to undertake such work. Refugee and host communities of all ages, including children and young people, will be included in the planning, programming and decision making processes leading to national arrangements to increase ownership by both refugee and host communities. Involvement of young people could be through consultative youth bodies (made up of both refugee and local youth) that are involved in planning and programming for the emergency response.”*

### **3. Recommendations for 3.2. A multi stakeholder and partnership approach**

While recognizing the improvements in language In Draft 2 related to including refugees in decision-making processes, MYAN believes further improvement could be made under this section<sup>14</sup> as below:

*“35. In recognition of the fact that responses are most effective when they actively engage those they are intended to protect and assist, relevant actors will, continue to develop and support inclusive and consultative processes that ensure active participation and meaningful engagement<sup>15</sup> of refugees of all ages and host communities to co-design appropriate responses. States and relevant stakeholders will explore how best to include refugees and members of host communities, particularly women and youth, in key fora, institutions, and decision-making processes from the beginning of, during and after emergencies, including by facilitating language learning, as well as access to information, for instance through low-cost mobile phone and internet subscriptions. Mechanisms to receive complaints and investigate and prevent fraud and corruption help to ensure accountability.”*

MYAN also believes that alongside refugee-led organisations, youth-led organisations including national youth organisations should be mentioned as stakeholders<sup>16</sup> under this section<sup>17</sup>, and should be engaged as important actors for monitoring and evaluation of the activities alongside planning and implementation. MYAN recommends the following formulation:

*“40. In recognition of their important work for refugees, as well as host States and communities, and in a spirit of partnership, civil society organizations, including those that are refugee-led and youth-led, and those operating at the local and national levels, including national youth organisations, and at the regional levels, such as regional refugee protection*

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<sup>14</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 8.

<sup>15</sup> Multicultural Youth Advocacy Network (MYAN) Australia (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html>, p. 10

<sup>16</sup> MYAN Australia (2018) *Response to Draft 1 of the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5acb125a7/myan-australia-response-draft-1-global-compact-refugees.html>, p. 5.

<sup>17</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 9.

*networks, will contribute to assessing community strengths and needs, planning and programme implementation, capacity development, and funding allocations, as well as monitoring and evaluation of the progress following implementation .”*

Under this section<sup>18</sup>, MYAN recommends a focus on engaging both refugee and local youth in sports and cultural activities as a way to promote social cohesion.<sup>19</sup> The following formulation is recommended:

*“44. 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 engage both refugee and local youth in joint sports and cultural activities and increase access to sporting and cultural facilities and activities in refugee-hosting areas.”*

MYAN regrets that media has not been mentioned as an important stakeholder under this section. We recommend inserting the following paragraph under this section to highlight the importance of engaging media as a stakeholder to increase social cohesion<sup>20</sup> and integration between refugee and host communities, especially young people from both communities<sup>21</sup>:

*“Media, especially local media, plays an important role in shaping perceptions of the host communities as well as refugees. Media will be engaged and encouraged as part of the Global Compact process to increase positive messaging and accurate information provision to both refugee and host communities to increase social cohesion. Young people are key actors in this agenda – young people are utilising social media as a fundamental tool for promoting positive perceptions of refugees and are often leading the way in this area.”*

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<sup>18</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 9.

<sup>19</sup> MYAN Australia (2018) *Response to Draft 1 of the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5acb125a7/myan-australia-response-draft-1-global-compact-refugees.html>, p. 9.

<sup>20</sup> Multicultural Youth Advocacy Network (MYAN) Australia (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html>, pp. 19-21.

<sup>21</sup> MYAN Australia (2018) *Response to Draft 1 of the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5acb125a7/myan-australia-response-draft-1-global-compact-refugees.html>, p. 9.

#### 4. Recommendations for 3.3 Data and evidence

MYAN reinforces the need for and importance of collecting data specific to adolescents and youth<sup>22</sup> in reaching comprehensive solutions. As mentioned by the Committee on the Rights of the Child, “Data disaggregated by age, sex and disability are not available in most countries to inform policy, identify gaps and support the allocation of appropriate resources for adolescents.”<sup>23</sup>

MYAN recommends the following formulation for increased evidence-based response under this section<sup>24</sup> as follows:

*“-promote the development of harmonized or interoperable standards for the collection, analysis, and dissemination of age, gender, diversity (including disability) disaggregated data on refugees and returnees (in a way to capture information on different age cohorts, including specific data collection for adolescents and young people from the ages of 15 to 24<sup>25</sup>);”*

MYAN welcomes the use of national data collection systems for understanding the situation of refugees<sup>26</sup>, and recommends the scope of data collection is broadened to collection of data on education and employment outcomes as follows:

*“-strengthen national data collection systems on the situation of refugees and host communities, as well as returnees, using national surveys (including on participation to secondary and tertiary education, and vocational training and employment/labour force<sup>27</sup>), population and housing censuses, and administrative sources as relevant; and”*

#### 5. Recommendation for B. Areas in need of support

<sup>22</sup> Multicultural Youth Advocacy Network (MYAN) Australia (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html>, pp. 14-15, 18-20.

<sup>23</sup> UN Committee on the Rights of the Child (CRC) (2016) *General comment No. 20 (2016) on the implementation of the rights of the child during adolescence, CRC/C/GC/20*. Available at <http://www.refworld.org/docid/589dad3d4.html>, p. 3.

<sup>24</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 9.

<sup>25</sup> For statistical purposes UN defines youth as persons aged between 15-24 years. UNHCR (2016) *Executive Committee of the High Commissioner’s Programme conclusion on Youth, 31 May 2016, EC/67/SC/CRP.17*. Available at: <http://www.refworld.org/docid/5800cdea4.html>, p.3.

<sup>26</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 10.

<sup>27</sup> UNHCR (2016) *Executive Committee of the High Commissioner’s Programme conclusion on Youth, 31 May 2016, EC/67/SC/CRP.17*. Available at: <http://www.refworld.org/docid/5800cdea4.html>, p.3.

MYAN welcomes the mention of comprehensive and people-centred response in this section as well as the need for the response to consider the diverse needs and potential vulnerabilities of various groups, including youth.<sup>28</sup> MYAN however regrets that the emphasis is only made to 'national leadership and ownership'<sup>29</sup>. As mentioned under the 2.1. *National Arrangements*, ownership by the refugee and host community also need to be mentioned here. MYAN recommends the following formulation:

*“53. To this end, in support of host countries, as well as, where appropriate, countries of origin, the international community is called on to pledge and contribute to the areas set out below through the mechanisms in Part III.A. It is recognized that each situation differs in nature and Part B does not preclude other support that may be relevant to host countries. National leadership and ownership, as well as the ownership of refugee and host communities will be paramount. The measures below will be mobilized at the request at the host country, building on national arrangements and relevant plans.”*

## **6. Recommendations for 1. Reception and admission**

MYAN regrets that this section<sup>30</sup> does not refer to young people *at all* while it focuses on different stages of reception and admission as well as different services provided and needs. While children are mentioned as a specific group, MYAN considers the lack of mention of/reference to the specific rights, needs and capacities of refugee youth (as distinct from children<sup>31</sup> and adults) as a significant gap in the Draft.

As mentioned by the Committee on the Rights of the Child, *“The Committee observes that the potential of adolescents is widely compromised because States parties do not recognize or invest in the measures needed for them to enjoy their rights. ... Generic policies designed for children or young people often fail to address adolescents in all their diversity and are inadequate to guarantee the realization of their rights.”*<sup>32</sup>

MYAN reiterates that the specific rights, needs and capacities of refugee youth (as distinct from children<sup>33</sup> and adults) should be recognised, protected and responded to in the GCR. MYAN makes the following recommendations under this section.

### **a) 1.2 Immediate reception arrangements**

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<sup>28</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 10.

<sup>29</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 11.

<sup>30</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, pp. 11 - 14.

<sup>31</sup> UN Committee on the Rights of the Child (CRC) (2016) *General comment No. 20 (2016) on the implementation of the rights of the child during adolescence, CRC/C/GC/20*. Available at <http://www.refworld.org/docid/589dad3d4.html>, p. 5

<sup>32</sup> UN Committee on the Rights of the Child (CRC) (2016) *General comment No. 20 (2016) on the implementation of the rights of the child during adolescence, CRC/C/GC/20*. Available at <http://www.refworld.org/docid/589dad3d4.html>, p. 3.

<sup>33</sup> UN Committee on the Rights of the Child (CRC) (2016) *General comment No. 20 (2016) on the implementation of the rights of the child during adolescence, CRC/C/GC/20*. Available at <http://www.refworld.org/docid/589dad3d4.html>, p. 5

MYAN recommends in this section<sup>34</sup> that arrangements are put in place in reception areas for all refugees with specific needs, including young people, as formulated below:

*“- provide essential services in reception areas, including clean drinking water and sanitation, health and nutrition, and “safe spaces” for all refugees with specific needs, including women, children and young people;”*

**b) 1.3 Safety and Security**

MYAN welcomes that the Draft continues to include a focus on children formerly associated with armed forces and groups<sup>35</sup>. MYAN however regrets that the programmes for protection and assistance are only mentioned as for children and not for young people. MYAN also regrets that rehabilitation programmes for former child soldiers have not been specifically spelt out in the Draft, alongside protection and assistance programmes. MYAN recommends the following formulation:

*“-the development and implementation of programmes for protection, rehabilitation and assistance to children and young people formerly associated with armed forces and groups.”*

**c) 1.5 Addressing specific needs**

MYAN regrets that when addressing specific needs are mentioned, the specific needs of young people have not been considered in the Draft. While recognizing that national child protection services have been mentioned under 2.5 *Children* section, MYAN believes that since addressing the specific needs of unaccompanied and separated children are detailed under this section, a specific reference to inclusion under national child protection services should also be made here. MYAN recommends the following formulation:

*“63. In support of host countries, States and relevant stakeholders 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 could be established to facilitate this. This will include the identification and referral of children, adolescents and young people, including unaccompanied and separated children, adolescents and youth, to best interests assessment and/or determination, together with appropriate care arrangements and other services under national child protection services .... Support will be garnered to enable refugees in need, including women, children and youth at risk, to be referred to platforms for emergency processing for resettlement, such as emergency transit facilities, as appropriate and available.”*

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<sup>34</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 12.

<sup>35</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 12.

While recognizing UNHCR's mandate and UNHCR's position on ending immigration detention for refugee children, MYAN continues to regret that UNHCR's current position, including a reference to the UNHCR's Global Strategy "Beyond Detention"<sup>36</sup> to end detention of refugees and asylum seekers, has not been stated clearly in the Zero Draft, Draft 1 or Draft 2.

MYAN recommends that the below paragraph on alternatives to detention is expanded to include adolescents and young people as follows;

*"64. Further, in support of host countries, States and relevant stakeholders will contribute resources and expertise for:  
- the development of non-custodial and community-based alternatives to detention, particularly for children, adolescents and young people;...."*

MYAN also recommends that a reference is made in Draft 2 (either in the text or in a footnote) to UNHCR's current position on immigration detention of children, which clearly states "UNHCR's position is that *child should not be detained* for immigration related purposes, irrespective of their legal/migratory status or that of their parents, and *detention is never in their best interests.*"<sup>37</sup>

## **7. Recommendations for 2. Meeting needs and supporting communities**

MYAN welcomes the continued recognition of refugee youth as a distinct group/stakeholder who should be responded to in services and systems - especially in accessing national education systems, economic opportunities/livelihoods and national health systems. MYAN however regrets that our recommendations in our response to Draft 1 have not been incorporated in Draft 2.

### **a) 2.1 Education**

MYAN continues to regret that the wording in the Zero Draft around measures to support refugee children and youth back to schooling to minimize the time spent out of school<sup>38</sup> has been changed in Draft 1 and continues under Draft 2 to only mention 'boys and girls'.<sup>39</sup> MYAN recommends the following:

*"72. In line with national education laws, policies and planning, and in support of host countries, States and relevant stakeholders will contribute resources and expertise to expand and enhance the quality of national education systems to facilitate access by refugee and host community children and youth. More direct financial support and special efforts will be*

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<sup>36</sup> The global strategy clearly states that "Children should, in principle, not be detained at all." See UNHCR (2014) *Beyond Detention: A Global Strategy to support governments to end the detention of asylum-seeker and refugees, 2014-2019*. Available at <http://www.refworld.org/docid/536b564d4.html>, p. 5.

<sup>37</sup> UNHCR (2017) *UNHCR's position regarding the detention of refugee and migrant children in the migration context*. Available at: <http://www.refworld.org/docid/5885c2434.html>, p. 2.

<sup>38</sup> UNHCR (2018) *The Global Compact on Refugees: Zero Draft (as at 31 January 2018)*. Available at: <http://www.unhcr.org/Zero-Draft.pdf>, p. 9.

<sup>39</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 1 (as at 9 March 2018)*. Available at <http://www.unhcr.org/en-au/events/conferences/5aa2b3287/official-version-draft-1-global-compact-refugees-9-march-2018.html>, p. 13 and UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 15.

*mobilized to minimize the time refugee children and youth spend out of education, ideally a maximum of three months.”*

#### **b) 2.4 Gender**

MYAN welcomes the expansion of the section on gender in Draft 2, however regrets that provision of sexual and reproductive health services has not been mentioned as a specific measure that should be supported and facilitated by states and relevant stakeholders.<sup>40</sup> Lack of sexual and reproductive health services negatively impact young refugee girls and women in emergency situations<sup>41</sup>, and lack of **hygiene and** sanitary items, such as those provided in “dignity kits” of UNFPA, prevents girls from accessing education opportunities.<sup>42</sup>

MYAN recommends the following formulation under this section:

*“-facilitate access to age and gender-responsive social services, including through recruitment and deployment of female health workers, essential health packages (including hygiene and sanitary items) and flexibility in timing of immunization services; and”*

#### **c) 2.5 Children**

MYAN welcomes a separate section on children under Draft 2 given the specific needs and rights of children.

MYAN recommends that this section is renamed as “Children and Youth” and is expanded to cover the specific needs and right of refugee adolescents and youth, as stated by the Committee on the Rights of the Child. MYAN recommends insertion of the below paragraph following the first paragraph of the section on children;

*“There is no current data on global numbers of refugee youth. The most recent and comprehensive global data on refugee youth is from a 2013 UNHCR report.<sup>43</sup> In support of host countries, States and relevant stakeholders will contribute resources and expertise towards youth-specific policy and programming that recognise, protect and respond to particular rights, needs and capabilities of refugee youth. Young people have capabilities that should be harnessed and directly engaged across all areas and stages of a comprehensive response.”*

MYAN welcomes the reinstatement of reference to national child protection systems in the Draft under this section, and recommends that besides investment, a commitment is made to the host

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<sup>40</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 16.

<sup>41</sup> Women’s Refugee Commission (2018) *GBV and Sexual and Reproductive Health*. Available at <https://www.womensrefugeecommission.org/gbv/srh>

<sup>42</sup> UN Women (2012) *Key considerations for hygiene or “dignity” kits*. Available at: <http://www.endvawnow.org/en/articles/1632-key-considerations-for-hygiene-or-dignity-kits.html>

<sup>43</sup> UNHCR (2013) *A Global Review: UNHCR’s Engagement with Displaced Youth*. Available at: <http://www.unhcr.org/513f37bb9.pdf>.

states to strengthen the national child protection systems, as below. MYAN also recommends that paragraph 79 is expanded to cover adolescent and youth-specific issues as follows:

*“79. More specifically, this will include resources and expertise to support:*

- integrated and age-sensitive services for refugee and host community children, adolescents and youth;*
- investment in and strengthening of national child protection systems and developing cross-border cooperation and regional partnerships to provide a continuum of protection, care and services for at-risk children, adolescents and youth (even after durable solutions are realized to ensure continuity of care following resettlement or voluntary repatriation/return);*
- robust, multi-disciplinary and impartial best interests determination and assessment procedures to inform decisions that concern refugee children, adolescents and youth;*
- capacity development for national and local authorities to support child- and youth-sensitive procedures and prioritize cases that concern children and youth (especially unaccompanied or separated children, adolescents or youth);*
- strengthening the capacity of professionals and first responders who come into contact with refugee children, adolescents and youth including to communicate in a child- and youth-friendly manner; and*
- broadening refugee children and youth’s eligibility for and effective access to resettlement and other pathways, such as family reunification and refugee student programmes.*
- investment in establishing youth sensitive practices, programmes and processes, including for age (and gender) appropriate protection and assistance programmes.<sup>44</sup>*
- supporting and strengthening national refugee status determination mechanisms to establish child and youth sensitive processes at the stage of identifying international protection needs.*

#### **d) 2.8. Civil Registries**

MYAN also reiterates the importance of taking a long-term view in any response to refugee emergencies, especially when registration and documentation is concerned. MYAN suggests that the documentation issued for refugees, including registration documents and birth registration certificates, or any other certificates that evidence civil matters issued in host states are recognized by the relevant stakeholders (especially the countries of origin and resettlement states) in reaching durable solutions.

MYAN recommends that a specific paragraph is inserted under this section to underline the importance of recognition of such documentation issued in host states in reaching durable solutions. MYAN recommends the following:

*“States and relevant stakeholders undertake to recognize the documentation issued to refugees by the host country national institutions, including civil registries, such as civil documentation*

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<sup>44</sup> UNHCR (2016) *Executive Committee of the High Commissioner’s Programme conclusion on Youth*, 31 May 2016, EC/67/SC/CRP.17. Available at: <http://www.refworld.org/docid/5800cdea4.html>, p. 3.

*issued to refugees that prove their identity and personal information, while reaching durable solutions.”*

**e) 2.10 Social cohesion**

MYAN welcomes a separate section on social cohesion<sup>45</sup> in Draft 2, and recommends that this section is strengthened through a reference to the role of media in social cohesion, as follows;

*“87. Recognizing the importance of good relations between communities, pending the availability of durable solutions it is important to support programmes and projects to foster social cohesion, tolerance and understanding of the plight of refugees. This could include specific programmes to promote engagement of children and youth, including through sports and cultural activities, language learning, and education, as well as positive messaging through media and social media.”*

**8. Recommendations for 3. Solutions**

MYAN welcomes that the overall emphasis on voluntary repatriation/return to country of origin in Draft 1 has not been maintained in Draft 2. MYAN makes the following recommendations related to specific solutions.

**a) 3.1 Support for countries of origin and voluntary repatriation**

MYAN recommends that the reference to gender responsive livelihoods programming is expanded to be ‘age and gender responsive’ to consider the needs of young people in accessing livelihoods upon repatriation. MYAN recommends the below formulation for this section under paragraph 95<sup>46</sup>;

*“-age and gender-responsive livelihoods programming and economic opportunities in areas of repatriation that will benefit returnees, the internally displaced, and receiving communities alike;*

*....*

*- gender- and age-responsive policies and programmes that consider needs and capacities of women, children and youth and the unique risks they may face on return.”*

**b) 3.3 Other pathways for admission to third countries**

MYAN believes that it is essential to add ‘low cost and fast’ family reunification pathways for all refugees, in addition to simplified and clear pathways under paragraph 101<sup>47</sup>, especially for young people.

MYAN recommends the following formulation:

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<sup>45</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 18.

<sup>46</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 20.

<sup>47</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, p. 21.

*“the establishment of simplified, low cost and fast procedures and clear referral pathways to facilitate access to family reunification;”*

## 9. Recommendations for IV. Follow-up and review

MYAN regrets that under this section<sup>48</sup>, there is no reference to the role refugees, especially young people, could play in relation to developing the indicators for tracking progress, as well as measuring, monitoring, reporting and evaluation of the GCR. MYAN recommends that the language in this section is strengthened to emphasize the role of refugee participation in the process, especially the participation of refugee youth.

MYAN recommends the following formulation for paragraphs 107 to 109:

*“107. In close consultation with States and relevant stakeholders, UNHCR will develop a set of broad indicators ahead of the first Global Refugee Forum in 2019, in order to assess progress and outcomes of the global compact. Refugee communities including young people and youth-specific expertise will be engaged in developing these key indicators. These indicators will be measurable against the objectives set out in para 7 above and draw as much as possible on existing data collection and monitoring efforts, notably related to the Sustainable Development Goals. The United Nations High Commissioner for Refugees will regularly include, in his/her reporting to the United Nations General Assembly and ExCom, progress made in the application of the global compact.”*

*“108. As set out in para 20, starting in 2021 Global Refugee Forums will provide an opportunity not only to make new pledges, but also to take stock of and review the implementation of previous pledges, progress towards the achievement of the objectives of the global compact, and ongoing opportunities and challenges. This will include review of efforts in relation to specific country or regional situations, including through Support Platforms. UNHCR will establish a mechanism for the tracking of pledges by States and other stakeholders and will compile and report on the realization and implementation of pledges and contributions, as well as on their impact where possible, prior to each Global Refugee Forum. Mechanisms will be put in place to include refugees, and specifically young people, in measuring, evaluation, monitoring and reporting the progress and impact of the global compact leading to Global Refugee Forums.”*

*“109. States and relevant stakeholders will facilitate regular participation of refugees in Global Refugee Forums, ensuring the inclusion of their perspectives on progress with the global compact and its impact as part of the Forums. A digital platform to share good practices, notably from an age, gender and diversity (including disability) perspective, in the application of the different elements of the global compact will be developed by UNHCR.”*

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<sup>48</sup> UNHCR (2018) *The Global Compact on Refugees: Draft 2 (as at 30 April 2018)*. Available at: <http://www.unhcr.org/en-au/events/conferences/5ae758d07/official-version-draft-2-global-compact-refugees-30-april-2018.html>, pp. 22-23.