

Aide Memoire on the Centrality of Gender Equality and Women's Empowerment for the Formulation of the *Global Compact on Refugees*

Background:

The importance of gender equality, as well as the protection of the human rights of all women and girls displaced by crisis or persecution, or on the move in search of new economic opportunities and horizons, was clearly articulated in the *New York Declaration on Refugees and Migrants (NYD)*.

The NYD's annexed *Comprehensive Refugee Response Framework (CRRF)* took this further by addressing the rights and needs of women and girl refugees, specifically through their empowerment and meaningful participation in the decision-making that impacts their lives, and those of their families and communities. The CRRF builds on the 2030 Agenda for Sustainable Development which is premised in the principle of 'leaving no one behind'.

As member states and other stakeholders convene to formulate the global compact on refugees – which will set out the specific measures to operationalize the principles of the New York Declaration - it is essential, for the immediate needs and long-term prospects of the millions of women and girls on the move, that these same commitments are maintained and operationalized.

Purpose of this Aide Memoire:

This paper summarizes UN Women's advocacy efforts in advance of the GCR thematic discussions for member states to be held in Geneva in October and November of 2017, as well as the consultations planned by UNHCR for 2018.

Specifically, UN Women is calling for a global compact on refugees (GCR) that not only provides the services, protection and resources required to address the rights and gender-specific needs of all refugee women, girls, men and boys, but also acknowledges and promotes the contribution that women and girls' leadership, equal participation and agency will bring to the delivery of more effective refugee response and durable solutions.

To that end, it is essential that the GCR's efforts to operationalize the New York Declaration will lead to transformative results that address the multiple and intersecting forms of discrimination experienced by refugee women and girls that lead to them being disproportionately affected by crises.

In this paper, UN Women consolidates its key recommendations on what needs to be included in the GCR to ensure it comprehensively addresses gender equality and the protection and empowerment of women and girls.

These recommendations are based on best practice, human rights, international humanitarian and refugee law and related commitments. The recommendations are organized in line with the four pillars of the Comprehensive Refugee Response Framework (CRRF) and the to-be-defined Plan of Action.

This *aide-memoire* is based on a more expansive UN Women *position paper* which forms the basis of its advocacy efforts in advance of the GCR thematic discussions for member states to be held in Geneva in October and November of 2017, as well as the on-going consultations planned by UNHCR for 2018. The position paper provides a much more detailed list of recommendations for inclusion in the GCR.

Key Recommendations across the four pillars of the CRRF's Plan of Action:

Reception and Admission:

1. Ensure all entry systems are protection-sensitive¹ and gender responsive to encourage all asylum seekers to avoid irregular means of entry which can greatly increase their protection risks and exclude them from accessing the specific protection and humanitarian services they require to meet their immediate needs, as well as hampering their long-term prospects.
2. Ensure that arrivals have immediate access to the differing and gender-specific humanitarian and protection services they need whilst being processed as asylum seekers. These should include safe and dignified reception facilities, access to comprehensive health services (including sexual and reproductive health).
3. Recognize the broad spectrum of gender based violence in the country of origin – including forced and child marriage, female genital mutilation, dowry-related violence, domestic violence, trafficking, stigma – as valid conditions to allow asylum requests and to respect the obligations to non-refoulement.
4. Ensure women and girls are registered and enjoy full access to their rights as asylum seekers as individuals.
5. Ensure that all staff at reception and detention centers are trained in protection from sexual exploitation and abuse (PSEA²) and that a standardized, zero-tolerance formal code of conduct is set in place. An easily accessible, anonymous and confidential complaints mechanism must be in place.

Support for Immediate and Ongoing Needs:

1. Ensure women and girl refugees are also consulted on their needs and vulnerabilities and in the formulation of the means to address them in assessment and planning processes.
2. Give women and girls leadership and participation roles in the management and provision of humanitarian and protection services that they receive.
3. Emphasize the social, educational and economic empowerment of women and girls to build their self-reliance and resilience in order to reduce their vulnerability and exposure to protection risk, as well as enhancing their long-term prospects.
4. Ensure that GBV prevention, response and PSEA strategies are central to the provision of all refugee services, including enhancing the self-reliance and resilience of women to mitigate GBV risks. Adopt a 'do-no-harm' strategy in the provision of services so that they do not exacerbate any protection risks.

Support for Countries and Communities:

1. Provide host countries with access to the capacity and resources they need to ensure the comprehensive inclusion of gender equality and the needs, rights and protection of refugee women and girls in the formulation of national development and humanitarian response plans.
2. Resource local women's organization to provide sustainable support to provision of services to the ongoing arrival of refugee women and girls and to address the intersecting barriers that block the promotion of gender equality in displacement contexts

Durable Solutions:

1. Embed gender equality, as well as age and diversity-sensitive approaches, into legislative frameworks, and protection and solutions strategies, and translate these into concrete actions with tangible impact, including by institutionalizing capacity to respond to the various risks displaced women and girls face, in an accountable and responsible manner.
2. Ensure that displaced women are afforded an equal voice in the creation of conditions that would help refugees to return in safety and dignity to their countries of origin – including peace negotiations, formulation of political solutions, humanitarian, reconstruction and recovery assessment, planning and implementation.
3. Provide accessible, relevant and actionable information on all options for durable solutions – be it voluntary repatriation, resettlement and other legal pathways – to all refugees, including women and girls, so that they can freely make informed decisions.

¹ As defined in [UNHCR's 10 Point Plan in Action](#)

² See the [PSEA Task Force](#) for more details

4. Protect the rights of all refugee women to independently choose their own durable solution based on the options available to them and facilitate their efforts to act on that choice.

Cross Cutting Issues: In addition, there are a number of cross-cutting issues relating to the mainstreaming of gender equality and the empowerment of refugee women and girls, which will impact all of the workstreams that will be contained within the Global Compact on Refugees's Plan of Action. These include:

Gender Equality Throughout the Displacement Cycle: It is essential to consider gender equality and the rights and specific gender-needs and rights of women, girls, men and boy refugees throughout all phases of displacement – from initial flight, reception and efforts to find a permanent solution. All response efforts, provision of services and durable solutions must mainstream gender equality but also include targeted action where needed to meet gender specific needs and promote the participation and leadership of women and girls.

Resources: In order to ensure the commitments to gender equality and the rights and empowerment of women and girls are translated into reality, member states, donors, implementing agencies and all other stakeholders need to allocate adequate and earmarked resources to be able to target the specific and differing needs of refugee women, girls, men and boys and institute tracking and monitoring systems to monitor those resources.

Capacity: The capacity of all stakeholders engaged in refugee response to understand and address the differential dynamics and impacts on displaced people caused by gender inequality is essential to the successful operational delivery of the NYD's commitments to gender equality, the rights and empowerment of women and girls.

Evidence and Data: Providing the international protection and humanitarian services that adequately meet the rights and needs of all asylum seekers requires an evidence based understanding – under-pinned by gender analysis and disaggregated data - of the gender-dynamics that affect the displacement contexts for each refugee population.

Participation and Leadership: To effectively address the needs and rights of an entire refugee population, the affected women and girls, as well as other vulnerable gender and age groups, must also have a meaningful, dignified and equal say in the decision making and means of providing the necessary services and support. They must also have equal access to all of the resources and opportunities on offer. Since women and girls consistently face structural barriers and increased risks to doing so in humanitarian contexts, this requires specific efforts and investment.

Accountability: The signatories to the global compact on refugees must hold themselves accountable for delivering on its commitments, including those on gender equality, the rights and empowerment of refugee women and girls. In line with international human rights³, refugee⁴ and humanitarian⁵ legal frameworks, as well as the resolutions, policies and guidance on gender responsive humanitarian action, information on progress and challenges towards achieving commitments on gender equality should be publicly available.

Ongoing monitoring of the Plan of Action and the CRRF, at all levels, should include indicators measuring the extent that commitments to gender equality and women and girls' empowerment are being realized – examples could include numbers of refugee women in service delivery positions such as camp management. Monitoring of individual CRRFs should track funding made available specifically for programming that specifically target women and girls.

³ As embodied in the Universal Declaration on Human Rights; the International Covenant on Civil and Political Rights (ICCPR); International Convention on Economic, Social, and Cultural Rights (ICESCR); the Convention on the Rights of the Child; the Convention on the Reduction of Statelessness; the Protocol to prevent, suppress and punish trafficking in persons as well as the Convention on the Elimination of All Forms of Violence Against Women (CEDAW), the 1995 Beijing World Conference on Women; Security Council Resolution 1325 on Women, Peace and Security

⁴ The main principles of refugee law are defined in the 1951 Convention relating to the Status of Refugees and well as the 1967 Protocol. Other important sources include regionally specific refugee instruments; Conclusions of the Executive Committee of UNHCR, as well as its Statute.

⁵ The main instruments of IHL are the four Geneva Conventions of 1949 and their two Additional Protocols of 1977