

Statement by Academics, Researchers and Experts for the Global Compact on Refugees
Conclusions from the
Conference on Responsibility-Sharing for Refugees in the Euro-Mediterranean Space
The American University in Cairo
October 2017

Introduction

1. The May 2017 UNHCR document, *Towards a Global Compact on Refugees: A Roadmap*, refers in several paragraphs to academia, experts and civil society among stakeholders involved in the preparatory process of drafting the *Programme of Action*, which will comprise the second part of the *Global Compact*. The first part will be the *Comprehensive Refugee Response Framework* agreed to by UN Member States and constituting Annex I of the *New York Declaration*. According to paragraph 16 of the *Roadmap*, the *Programme of Action* will identify gaps that need to be addressed.
2. Paragraph 19 of the *Roadmap* signals that the development of the *Programme of Action* will draw lessons from current and past refugee situations. Paragraph 27 also indicates that UNHCR will utilize existing and past processes to identify measures that should be included in the *Programme of Action*.
3. To advance the *Roadmap* and the *Programme of Action*, academics, experts and representatives of civil society organizations (CSOs) gathered in Cairo at the *Conference on Responsibility-Sharing for Refugees in the Euro-Mediterranean Space* held at the American University in Cairo on 9-10 October 2017. In issuing this Statement, we draw especially upon the experiences of refugees from Syria and Iraq, as well as the protracted situation of refugees from Palestine.
4. Our Statement signals measures that can be added or reinforced in the *Programme of Action*. It does not repeat what is adequately included in the *Comprehensive Refugee Response Framework*.
5. Conference participants representing international and regional intergovernmental organizations are not party to issuing this Statement.

Measures

6. UNHCR's inclusion of academics, experts and CSOs in the preparatory process for the *Programme of Action* should be extended to its implementation as well. Academics, experts and CSOs can contribute to more effective implementation.

7. The *Programme of Action* should reiterate the importance of the foundational principles of international cooperation, responsibility-sharing, and durable solutions. It should reiterate the need to respect international law, international refugee law, international human rights law, and *non-refoulement*.
8. The *Programme of Action* should acknowledge the complex and manifold root causes of contemporary forced migration, including economic inequality, environmental change, and conflict, and reiterate the determination of UN Member States to address root causes and learn from past and present refugee situations.
9. The *Programme of Action* should recognize that the complexity of contemporary forced migration requires measures for the protection of individuals moving in ‘mixed migration’ flows, where displacement is caused by multiple factors including conflict, economic, and environmental pressures.
10. Early warning of potential displacement would greatly improve preparedness and response. To this end, early warning expert groups should be set up that include in their memberships academics, researchers and representatives of relevant CSOs and non-governmental organizations (NGOs).
11. The *Programme of Action* must emphasize the humanitarian aspects of refugee situations, especially large movements. It should oppose their securitization, which has negatively affected responsibility-sharing. With respect to international law and the rule of law, the *Programme of Action* should particularly call for refraining from taking exceptional measures, such as curfews and restricted mobility, in dealing with refugee situations.
12. The *Programme of Action* should emphasize the importance of countering hate speech and xenophobia against refugees in the media and public discourse. It should call on UN Member States to formulate and implement effective policies in this respect. Refugees can and should participate in media production to help shape their own images, stories, and knowledge about them.
13. Temporary protection schemes should not be used in lieu of the refugee protection States are obliged to provide under the *1951 Refugee Convention*. Where such temporary protections schemes are utilized, they should be institutionalized along the lines of the best practices of UN Member States. They should particularly not detract from human rights obligations, including non-discrimination.

14. The basis for sharing responsibility could include, inter alia, state contribution to causing displacement, GDP per capita, size of the country, population volume and density, number of refugees in the country, and quality of infrastructure.
15. Responsibility-sharing mechanisms should be based on the dignity and free movement of refugees, refraining from any arrangements that treat refugees as tradable commodities or diminish their voice and agency.
16. A truly people-centered approach to providing international protection to refugees must fully incorporate the freedom of movement of refugees, including those refugees whose status has yet to be determined by a host country. With this in mind, we recommend the *Programme of Action* include reference to the following:
 - a) The freedom of movement of refugees, a pillar of the *1951 Convention on the Status of Refugees* as explicitly stated in Article 26.
 - b) Freedom of movement of refugees not only allows them access to opportunities in other countries and increases their prospects of becoming self-reliant and providing durable solutions, it also improves the sharing of responsibility among Member States of the United Nations.
 - c) With a view to concretizing their commitment to ensure that refugee admission policies or arrangements are in line with their obligations under international law, States must not only ease administrative barriers but also dismantle non-administrative barriers such as the concepts of first-country of asylum and safe third countries that directly undermine the normative content of the international refugee protection regime and exacerbate unequal responsibility-sharing for refugee protection.
17. Responsibility-sharing mechanisms should include large-scale resettlement so as to keep refugee situations from turning into protracted ones. Alongside the adoption of new resettlement programmes, existing resettlement processes should be expanded and expedited. Resettlement states should envisage the expansion of other temporary or permanent admission programmes, such as those of humanitarian, sponsorship, family reunification, emergency and student visas.
18. Beneficiaries from responsibility-sharing mechanisms should include all UN Member States, whether or not they are parties to particular international law instruments.
19. Responsibility-sharing should not be confined to regions where refugee flows are generated, which often consist of developing states already hosting large numbers of

refugees. Responsibility-sharing commitments of states outside the relevant regions should not *ab initio* be confined to financial contributions but also include large resettlement programmes such as those implemented in the 1990s. Global responsibility-sharing of this kind will help bordering host states ensure better protection as smaller numbers of refugees will remain in their territories.

20. Although refugee and mixed migration flows cannot be reduced to questions of smuggling and trafficking, combating these being necessary through a comprehensive approach focused on prosecution of smugglers and trafficking and focusing on the protection of victims. The *Programme of Action* should emphasize that allowing people to exercise their right to seek asylum and increasing the admission of refugees through resettlement and other visa programmes are the most effective means of combating smuggling.
21. The *Programme of Action* should focus on children and their need for education, immediately enrolling them in school within 30 days of entering a host country. Similarly, health care should be placed foremost on the agenda of the *Programme*. In short, the approach and the goal is to fully integrate refugees into the societies that host them, starting with housing, health care, and education. Where full integration is not possible, there should be no compromise on the dignity and inclusion of refugees in their host communities.
22. The *Programme of Action* should include concrete legal and support measures to facilitate the access of refugees to labour markets so as to enable them to provide for themselves and their families and reduce the burden on host countries. Beneficiaries of these efforts should include host communities. International cooperation is key in these efforts.