

A collage of various data visualizations including a pie chart at the top, a bar chart in the middle, and a line graph at the bottom. The bar chart has labels for 'May', 'June', and 'July'. The line graph has labels for 'Japan' and 'Germany'.

RECOMMENDATIONS OF THE WOMEN AND DISPLACEMENT WORKING GROUP

MAY 2018



Report and Recommendations of the Women and Displacement Working Group

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Introduction

Global displacement is currently at record levels, with 65.6 million people forcibly displaced worldwide, including 22.5 million refugees.¹ The global distribution of the world's refugee population is highly uneven. Overall, 84% of the global refugee population resides in low- and middle-income countries, while the six wealthiest countries, which represent 50% of the world's economy, host less than 9% of the total.² Refugees and the communities and countries that host them are the groups most affected by forced displacement across borders, and thus, their experiences and perspectives should play a leading role in shaping the policy and programmes designed to support them. Currently, however, these groups are systematically under-represented at all levels of policy-making and programme design. For instance, only 4% of the organisations³ that participated in the Summit on Refugees and Migrants in New York in September 2016 were from the top five countries hosting refugees.⁴

The Global Compact on Refugees (GCR)⁵ is a response to the need for the international community to come together and find ways to equitably share responsibility for meeting refugees' needs. It offers an opportunity to create a more comprehensive approach to equitably respond to large-scale refugee movements and protracted situations. It represents a chance to fundamentally strengthen the international refugee regime and the mechanisms through which refugees, host communities, and their organisations participate in the response, including in formulating and implementing policies, programmes, and actions. It also provides an opportunity to integrate gender-responsive mechanisms into regional, national, and international policy-making processes concerning displaced populations.

In response to this opportunity, a group of refugee-led organisations, national civil society organisations from some of the world's major refugee-hosting countries,⁶ and allies from around the world came together in late 2017 to build a joint platform to provide input to the GCR and other refugee-related policy-making processes. The first step was a participatory and inclusive international civil society consultation and policy development process that engaged nearly 500 organisations and academics from 47 countries.⁷ From among these participants, the following five working groups were formed to develop concrete policy recommendations: Durable Solutions and Responsibility Sharing, Women and Displacement, Legal Rights and Asylum, Access to Services, and Representation and Participation.



This paper puts forward a set of initial policy recommendations drafted by the Women and Displacement Working Group. It reflects inputs from 13 organisations and academics, including four refugee-led organisations, seven national organisations, and two international networks, from Australia, Ethiopia, Iran, Kenya, Lebanon, Pakistan, South Africa and Turkey. It analyses the main issues that refugee women and girls face during the different phases of displacement and reveals gaps in existing mechanisms and lessons learned. It develops concrete policy recommendations for best practices to address gender-specific vulnerabilities, and to integrate the voices of both refugee and host-community women in refugee-related policy-making processes. These recommendations will be discussed and further developed at the International Refugee Congress in May 2018.⁸

Background

Half of the 65.6 million displaced people around the world today⁹ are women and girls.¹⁰ While all refugees confront countless challenges, women and girl refugees face multiple social, political and economic vulnerabilities experienced by women worldwide, linked to persistent gender discrimination and inequalities.

As with women generally, the experiences of refugee women and girls vary according to factors such as age, (dis)ability, social and ethnic background, religion, sexual orientation, and geography. Nevertheless, the consultation process carried out prior to the development of this policy paper underscored the idea that refugee women and girls face common obstacles, regardless of their country of origin, refuge, or final destination. They continue to face forms of gender discrimination that are similar to those faced by their peers in host communities, including a heightened risk of structural poverty, unemployment, and inadequate access to basic services such as healthcare and education. Refugee women and girls, the majority of whom are hosted in low- and middle-income countries, face additional vulnerabilities as a result of and in the course of displacement, including limited access to legal, social, and economic services; restricted sexual and reproductive rights, and increased risk of gender-based violence (GBV).¹¹ Many also experience sexual exploitation, persecution, and other traumatic events.

A focus on the rights and protection of refugee women, and the need for the development of specific policies addressing displaced women's concerns, can be traced back to the 1970s. A host of international conventions, agreements and action plans – including the UN Decade for Women, Nairobi Conference, and Beijing Platform for Action – highlight the situation of refugee women as an area of special concern. Yet, much remains to be done to implement these frameworks in a gender-sensitive manner, and to put the experiences of women refugees at the heart of the policies, programmes, and actions designed to respond to refugee needs.



Justification

The lack of a gender perspective in policies, frameworks, and responses impairs efforts to protect refugee women and girls, hindering their ability to realise their full potential and live with dignity. Women and girls' access to legal protection, basic services, and the labour market are affected by multiple factors which, depending on the specific country context, may include discriminatory regulations, uneven and biased implementation of regulations, xenophobia, and racism. The lack of comprehensive, multi-stakeholder, and multi-sectoral efforts and the absence of cooperation between international and national actors at the political, policy and civil society levels further exacerbate these challenges. Furthermore, the lack of a holistic and long-term policy framework inhibits efforts to address the root causes of conflict and displacement, promote conflict prevention, and prevent GBV. The exclusion of women and their organisations from decision-making mechanisms, the limited space and available resources, and the lack of recognition of their contributions and leadership further complicate efforts to address the needs of refugee and host-community women.

The most significant factors that prevent refugee women and girls from fully enjoying their rights include a lack of sufficient information on available legal services, limited access to those services, and language barriers. Participation of refugee women in the labour market is generally low; existing conditions tend to exacerbate economic dependency, increasing women's vulnerability to sexual and labour exploitation and preventing them from leaving violent domestic situations. Low education enrolment rates are another major factor limiting women's long-term integration into the labour market; lack of education also hinders efforts to reduce rates of GBV and child marriage.

In many host countries, refugee women and girls are either refused access to national healthcare systems or are unable to access them because they cannot afford to pay user fees. The need for mental health services is particularly acute for populations of traumatised people living in foreign, and at times unwelcoming, settings, often separated from family and unable to envision a decent future. Awareness of mental health issues and availability of appropriate support is often poor.

GBV is widespread among refugee and host communities. Women in refugee camps and self-settled refugee women report difficulty in accessing fair, affordable, and gender-sensitive legal assistance and judicial processes. The absence of a gender sensitive approach on the part of service providers and emergency responders further limits women's ability to access redress mechanisms. Limited prevention of and response to GBV multiplies the problems women face, such as failing physical, reproductive, and mental health; unwanted pregnancies; unsafe abortions; and sexually transmitted diseases.

The limited attention paid by the international asylum system to the need for comprehensive sex-disaggregated data-collection, and the absence of systematic assessments of policies, programmes and best practices from a gender perspective prevents



the development of more effective strategies for the protection of refugee women and girls. As a result, gaps in services are difficult to identify, opportunities for improvement are hard to define, and ways to mainstream gender are challenging to plan.

Finally, despite the rhetoric surrounding women's participation, refugee women's voices and perspectives are persistently absent from national and international decision-making processes, including in the formulation of policies and programmes, and in service development and implementation. This absence of the lived experience of women and girls, as well as their perspectives on how to resolve problems, leads to policies that fall short of delivering what refugee women and girls need.

Recommendations

The Women and Displacement Working Group identifies the following priorities for policy development and action planning. As follow-up to the International Refugee Congress in Istanbul, this working group will collaborate with experts and officials to create the necessary policies and instruments for their implementation.

1. Improve access to legal rights for refugee women and girls

- a. A comprehensive framework for the protection of refugee women and girls should be developed. Awareness raising and information sharing on women's rights and international human rights law, as well as available legal services and how to access these should be integrated into the overall refugee response.
- b. A comprehensive plan of action should be launched to encourage and support the reform of discriminatory national laws. A system should be established that ensures available, accessible, just, non-discriminatory, and affordable legal protection, services and processes for all, including refugee women and host-community women. This system should be supported by sufficient legal aid and detention centres for women. A transparent registration framework for accessing legal services outside refugee camps should be an integral part of such a system.
- c. Women and girls should be registered as individuals, separate from their husbands or fathers, as this is necessary to remove them from abusive situations when necessary. It will also protect them from reprisals stemming from the political affiliation or activities of male relatives. The registration system should also include efforts to identify orphans; individuals with disabilities; elderly people; and lesbian, gay, transgender and intersex (LGBTI) people.
- d. Anonymous legal advice should be provided through hotlines operated by civil society actors and others to alleviate refugee fears of contacting the legal system. Providing a support structure and services with a low threshold for access is especially important in addressing GBV.
- e. Establish mechanisms to ensure timely verification of legal documents including, amongst others, birth certificates, identity documents, marriage licences and professional certificates to facilitate access to services and labour markets. This can



include establishing communications between governments through intermediary agencies or use of new technologies such as blockchain.

2. Ensure women refugees' economic security

- a. Transparent laws, regulations, and government programmes should be developed to improve women refugees' participation in the labour market and provide them with safe and formal work opportunities, including measures to reduce cost and long waiting periods for work permits.
- b. Refugees should be included in the preparation of economic development policies and macro-economic growth strategies, and these should be developed with specific provisions and initiatives aimed at supporting women. In line with best practices, promotion of programmes and initiatives should be gender sensitive, recognising the diversity of refugees' ethnicities, faiths, and backgrounds.
- c. A database should be created that captures the labour profiles of refugees, disaggregated by gender and skills, and made available to refugees, companies, and civil society organisations, particularly those providing skills training.
- d. All actors engaged in skills training for refugees should ensure that they provide tailored skills training for women in sectors where there are job opportunities, facilitating women's self-reliance and economic independence.
- e. Women should be explicitly targeted to receive cash transfers to support their participation in managing household budgets and their ability to make financial decisions for themselves and their families.¹²
- f. Addressing the unpaid care work of refugee and host-community women, including facilitating access to affordable and good quality childcare, and support for the elderly and sick, should be prioritised as a central investment strategy for stimulating inclusive economic growth and integrating refugee and host-community women into the economy.
- g. Funding for refugee and host-community women's organisations and their programmes for women's economic integration should be increased at levels proportionate with funding for humanitarian aid, early recovery, and development programmes.

3. Improve refugee girls' access to education through a focus on public policy

- a. Stakeholders should help refugee families achieve a living wage, reducing the need for child labour.
- b. National governments should integrate refugees into national education plans and programmes at the earliest possible stage.
- c. National governments should incentivise families to enrol girls in school through the provision of conditional cash transfers.
- d. Systematic and regular national data on the number of refugee women and girls enrolled in, participating in, or dropping out of the education system should be collected.



- e. Resources for schools and scholarship opportunities for women and girls who wish to attend schools and universities should be increased.
- f. Gender equality and protection against GBV should be mainstreamed in education systems including the curricula.

4. Improve refugee women's access to health services

- a. Stakeholders should assist refugee women to overcome economic, social and practical obstacles (including language barriers) to accessing health services including sexual and reproductive health, through the integration of regular trainings of health professionals, ensuring delivery of services in a gender-sensitive manner and awareness-raising within the health system on the realities of refugee women.
- b. Action firmly addressing stereotypes and prejudices concerning refugees including their perceived negative impact on the health of host communities is paramount to ensuring refugees' equal access to basic social services, including health services.

5. Prevent and effectively respond to gender-based violence

- a. Awareness raising and information sharing on the causes and consequences of GBV should be promoted, targeting policy makers at international, national, and local levels.
- b. Data on incidents and sources of GBV within refugee and host communities should be systematically collected and analysed to inform prevention and response strategies.
- c. The external environment of refugee women and girls should be monitored by engaging with refugee women and representatives of local civil society organisations on a regular basis to better understand women's experiences of GBV and identify measures to prevent it.¹
- d. Security and judicial officers, social workers, health professionals, and other stakeholders engaged in refugee response and asylum processing should be trained to identify at-risk refugee women and girls. Training should be designed to yield a pool of qualified female service providers, translators, and responders who are sensitive to the social stigma and fear of exclusion typically experienced by GBV victims.
- e. Redress mechanisms, including legislation and enforcement of laws that allow timely and fair prosecution and punishment of perpetrators of violence against women, should be established. Victims of GBV should be supported in filing formal complaints and protected from retaliation.
- f. Legalisation of abortion, at minimum in the case of rape, should be encouraged.
- g. Assistance to enable GBV survivors to find housing and/or emergency shelter should be provided, as well as support for the socio-economic integration of survivors of

¹ For example, the IKEA initiative that aimed to improve lighting to curb violence within refugee camps in Ethiopia is a good example of how changing an external factor can reduce refugee women's vulnerability.



GBV to prevent negative coping mechanisms, including commercial sex and forced marriage.

6. Ensure durable solutions for refugee women

- a. Refugees' rights to return voluntarily to the country of origin when conflict ends should be upheld and legal systems to uphold citizenship and property ownership should be ensured.
- b. Space and resources for women to participate in social and cultural activities and maintain safe communications with networks with host communities as well as their compatriots, both in their country of asylum and origin should be created to help them integrate and preserve social ties.
- c. Freedom of movement of refugees within host countries, and between host countries and countries of origin, should be respected.
- d. Refugees' rights to family reunification, especially for women and girls, and their freedom to obtain citizenship of multiple countries, should be protected.
- e. Social cohesion between host community and refugee populations should be promoted, including by facilitating capacity sharing among women-led refugee and host country civil society organisations, and host and refugee communities to foster sustainable and positive relationships.
- f. The use of gender-sensitive resettlement programmes to a third country as a tool for protecting at-risk refugee women and girls should be strengthened. Greater flexibility by the international community regarding resettlement policies while continuing to fund host countries should be encouraged.
- g. Stakeholders should encourage public communication strategies that emphasise human narratives that can help to increase empathy for the plight of refugees, strengthen social cohesion and solidarity, and counter racism and xenophobia.
- h. Accountability measures that align fully with recommended practices as defined under the Inter-Agency Standing Committee's "Accountability to Affected Populations"¹³ should be encouraged
- i. Stakeholders should work to solve the root causes of displacement as well as to manage crises.

7. Integrate effectively the voices and perspectives of refugee and host-community women in national and international decision-making and policy-making

- a. The systematic and meaningful participation of refugee women and representatives of women's civil society organisations at all levels of policy making should be supported to ensure inclusion of women's perspectives and solutions in policies and programmes. Funding for the UN, states, and civic institutions should be based on success in reaching quotas and placement of refugee and host-community women in key decision-making positions.
- b. Joint initiatives between refugees and host-community women's organisations should be mobilised and supported in ways that encourage them to meet,



coordinate, exchange ideas, and strengthen their collective voice for advocacy purposes.

- c. Refugee women should be provided with programmes and training to empower them to participate in policy making and assume leadership positions. Such programmes should include building language and communication skills.
- d. Refugee women should take part in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Platform for Action to reflect refugee women's situations.
- e. Participation in women-led grassroots initiatives should be supported with funding, guidance, and training to enable refugee women to establish their own networks and organisations.
- f. The policy development process that began with the International Refugee Congress should be followed by a detailed assessment of existing strategies used to address the needs of refugee women and girls, including best practices and lessons learned within different national contexts. The results should be used to develop actionable guidelines to address specific conditions in host countries and civil society.



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- ² UNHCR (2017) *Global Trends: Forced Displacement in 2016*, available at <http://www.unhcr.org/5943e8a34.pdf>.
- ³ Based on the published list of NGOs who have been approved to participate in the High-Level Meeting, available at https://refugeemigrants.un.org/sites/default/files/20160823173049_0.pdf.
- ⁴ The top five refugee-hosting countries based on the total number of refugees hosted are: Turkey, Pakistan, Lebanon, Iran and Uganda. UNHCR (2017), op. cit.
- ⁵ The GCR is one of the two new global compacts aimed at improving the way in which the international community responds to large movements of refugees and migrants, as well as protracted refugee situations. The New York Declaration of 2016 calls for development in response to the need for the international community to come together and agree upon ways to share responsibility in responding to large-scale displacement, and help countries most affected. UNHCR defines it as "an agreement that is not legally binding but that captures, by consensus, political commitment both to principles and to concrete action by Member States." See 'New York Declaration for Refugees and Migrants', available at <http://www.unhcr.org/uk/new-york-declaration-for-refugees-and-migrants.html>.
- ⁶ Some of the world's major refugee-hosting countries, based on the total number of refugees hosted, include Turkey, Lebanon, Pakistan, Iran, Uganda, Ethiopia, Jordan, Germany, Democratic Republic of Congo, Chad and Kenya. UNHCR (2017), op. cit.
- ⁷ 'International Refugee Congress 2018: Consultation Report (March 2018)', available at https://drive.google.com/file/d/1ADCDkJyfiETtL_7Gh2AKw_IM5nc1pTa/view.
- ⁸ 10-11 May 2018, Istanbul, Turkey.
- ⁹ UNCHR 'Figures at a Glance', available at <http://www.unhcr.org/figures-at-a-glance.html>.
- ¹⁰ Ibid.
- ¹¹ Gender-based violence includes domestic violence, trafficking, early and forced marriage, and discrimination on the basis of sexual orientation.
- ¹² See UNHCR and International Rescue Committee (2015) *Integrating Cash Transfers into Gender-based Violence Programs in Jordan: Benefits, Risks and Challenges*.
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