Section 1: Background of the Policy Consultation and Development Process

In December 2017, a policy consultation and development process was launched through the collaboration of the Asylum and Migration Research Centre (IGAM), Oxfam, The Turkish Refugee Council, Human Resources Development Foundation (IKGV), Support to Life (STL), Ravda Nur Foundation, Asil Vakfi, and Foundation for the Support of Women's Work (KEDV), Education Reform Initiative (ERG), Economic Development Foundation (IKV) and Network for Refugee Voices. An online multi-language survey in Arabic, English, Turkish, Spanish and French, as well as in-depth interviews designed with an aim to better understand the views and perspectives of refugee-led and national civil society organizations (CSOs) from the world's top refugee-hosting countries constituted part of this process. In total, there were 475 online survey submissions, and the initiative conducted interviews with 79 organizations in major refugee-hosting countries, discussing the priorities of refugees in the countries in which they are based, and their perspectives on policy frameworks which govern refugees.

The process helped determine a number of thematic priority issues of these organizations, and provided guidance in the formation of a number of thematic working groups for policy development. Access to services, and basic needs, including access to education, employment opportunities, health, and other forms of assistance was one of the priority issues of consulted organizations, and therefore became one of the themes for the Working Groups. As with other working groups, the working group on access to services and basic needs includes refugee-led organizations and national civil society organizations from major refugee-hosting countries as members. Co-chairs of this working group also represent these organizations; they will lead this group in forming collective policy positions and recommendations on this theme.

This background paper provides a brief analysis of relevant international frameworks, state positions, and policy positions of civil society organizations on access to services and basic needs for refugees. It is hoped that this brief will support the work of the Access to Services and Basic Needs working group.

Section 2: The Context

Access to services and basic needs are critical for promoting the dignity and rights of refugees. These services[1] provide vital support to refugees after displacement, as well as to the communities which host them. They are crucial for realizing the full local integration of refugees in the communities which host them. There is a collective awareness among the international community about the necessity of access to services and basic needs for promoting and supporting refugees. However, funding levels for creating such access does not match the level of rhetoric on the importance of the issue.   For example, in September 2017, UNHCR's budget was 46% underfunded, which directly affected UNHCR's ability to provide basic assistance to

---

[1] These services might include access to education, jobs and legal employment opportunities, self-reliance opportunities, health services, food and nutrition, water and sanitation, humanitarian assistance, housing, and natural resources. This is not an exhaustive list.

refugees across different host countries.[2] Funding gaps for services provided by governments and civil society organizations have also been raised in multiple platforms.

Given that there are growing funding gaps across the sector, there is an overall need to reassess how states and relevant stakeholders deliver access to services and basic needs for refugees. As first responders to emergency situations, as well as actors who never stop providing support to refugees and host communities in protracted refugee situation local civil society organizations and refugee-led organizations in major refugee-hosting states can play a key role in reassessing existing operations and designing new mechanisms.

This background paper provides a glimpse into existing policy frameworks, assesses these policy frameworks in relation to the priorities of major refugee-hosting states, and analyzes how these positions might converge or conflict with the priorities of civil society organizations in major refugee-hosting states.

Section 3: International policy frameworks

1951 Convention relating to the Status of Refugees and other International Conventions

The 1951 Convention relating to the Status of Refugees (1951 CSR) includes articles which outline the provision of *some* services and basic needs. **Articles 17-19 and 24** outline some of the labor rights which states should provide to refugees. It lays out that refugees should be provided the 'most favorable treatment accorded to nationals of a foreign country in the same circumstances'. These rights include the right to wage-earning employment, self-employment, liberal professions, and social security. However, these working rights are limited to refugees who are 'lawfully staying in their territory'. This phrasing has led to diverging opinions on refugees' right to work, as well as a system whereby some states do not accord to asylum seekers the right to work until they have successfully gone through the refugee status determination procedure.[3] The 1951 CSR does not explicitly provide the right to work, which is most clear in the phrasing of article 17. Article 17 makes exceptions for some refugees to be able to work in countries where there are restrictions on foreigners' right to work, thus reinforcing the principle that states can maintain restrictions on refugees' rights to work.

In addition to working and labor rights, the 1951 CSR also addresses access to other essential services and needs. **Article 21** ensures the provision of housing with 'treatment as favorable as possible'. **Article 22** requires states to provide elementary education, access to studies, recognition of foreign school certificates, degrees, and scholarships. **Article 23** ensures the provision of public relief, while **Article 24** requires the provision of social security to refugees.

---

[2] http://reporting.unhcr.org/sites/default/files/UNHCR%20Brochure%20on%20Underfunded%20Situations%20in%202017%20-%20October%202017.pdf

[3] See: https://asylumaccess.org/wp-content/uploads/2014/09/FINAL_Global-Refugee-Work-Rights-Report-2014_Interactive.pdf, p. 11-12

Though the 1951 CSR does mention these services, it does not make any reference to refugees' right to adequate physical and/or mental health or to refugees' rights to health services.

Most of the 1951 CSR's language on the provision of services and basic needs revolves around the need to ensure that refugees *and* nationals are treated equally. Thus, the provision of services and basic needs to refugees discourages discrimination and safeguards the principle that refugees are not left in a situation less desirable than that of nationals of the state.

Regional conventions like the 1969 Organization of African Unity OAU) Convention and the 1984 Cartagena Declaration do not expect states to provide access to services and basic needs to refugees in their territory. However, as these conventions are meant to be supplementary to the 1951 CSR, states which have acceded to these conventions are also party to the 1951 CSR. The exception to this is the Bangkok Principles of 1966. Though the Bangkok Principles remain largely unimplemented, the text accounts for the need to provide 'minimum standards of treatment' to refugees. Article 4(1) notes that "A State shall accord to refugees treatment no less favorable than that generally accorded to aliens in similar circumstances, with due regard to basic human rights as recognized in generally accepted international instruments".[4]

Other international human rights conventions also pertain to the refugees' rights to access services and basic needs. The Universal Declaration of Human Rights (UDHR) includes the right to social security (Article 22); the right to work (Article 23), the right to adequate standard of living (Article 25), and the right to education (Article 26).[5] The International Covenant on Economic, Social, and Cultural Rights (ICESCR) includes the right to enjoy just and favorable conditions of work (Article 7); the right to education (Article 13-14); and the right to highest standard of physical and mental health (Article 12). It also includes the right to form unions (Article 8); the right to social security and insurance (Article 9); the right to family, women, and child protection (Article 10); and the right to an adequate standard of living which includes food, clothing, and housing (Article 11). These rights do not discriminate, and apply to all people. Notably, *all* of the current major refugee-hosting states are signatory to ICESCR.[6]

International Policy Frameworks: A Shift to Development Approaches

Development Assistance for Refuges (DAR) became one of UNHCR's key focus areas starting in 2001, acknowledging that there must be better ways to 'close the gap between emergency relief and longer-term development'.[7] This has also become one of UNHCR's main approaches to

---

[4] See: Bangkok Principles, http://www.refworld.org/docid/3de5f2d52.html

[5] http://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf

[6] https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-3&chapter=4&lang=en#27. Kenya, Pakistan, and Turkey make some reservations. Kenya made reservations on Article 10 regarding the provision of social security to women on maternal leave. Turkey made reservations that the ICESCR should only apply to nationals of states which also afford Turkish citizens the same rights. Pakistan made the reservation that they will progressively realize these rights based on the resources available to them.

[7] http://www.unhcr.org/partners/partners/3f1408764/framework-durable-solutions-refugees-persons-concern.html Paragraph 6

promote the self-reliance of refugees and avoid reliance on humanitarian aid in protracted situations, as well as improve responsibility sharing among states towards reaching one of the three durable solutions.[8] Under this framework, the UNHCR High Commissioner at the time promoted a strategy called "Development through Local Integration" (DLI) which would solicit development assistance from states towards reaching the durable solution of local integration.[9] Hence, policy frameworks on access to services and basic needs gradually shifted towards development approaches that could support both refugees and host communities.

The 2030 Agenda and its 17 sustainable development goals (SDGs) account for the need to include all persons in all nations - including refugees, IDPs, and migrants.[10] The 17 SDGs include providing employment and decent work (Goal 8), ensuring healthy lives and well-being of all people (Goal 3), ensuring educational opportunities (Goal 4), eradicating poverty (Goal 1), ending hunger (Goal 2), and ensuring the availability of water and sanitation (Goal 6). It also includes goals to address expected changes in the environment due to climate change and environmental degradation.[11] As a result, the need to provide access to services and basic needs for refugees is increasingly framed as an issue to be addressed through development assistance.

Comprehensive Refugee Response Framework (CRRF) and Global Compact for Refugees (GCR)

The Comprehensive Refugee Response Framework (CRRF) and Draft 1 of the Global Compact for Refugees (GCR)[12] include information on access to services and basic needs. A large segment of the compact consists of details about the methods through which states and stakeholders could support refugees and their host communities. The draft makes a clear linkage between these measures and the 2030 Agenda in an effort to strengthen the resilience of both refugees and host communities. The draft also expects humanitarian and development actors to complement one another, and thus states that efforts should be delivered through local and national service providers (See: Paragraph 57, GCR).[13] There is also a suggestion for the CRRF to be included in the national development planning to benefit both host communities and refugees (See: Paragraph 8).[14]

The Compact makes the following recommendations regarding access to services and needs:

- **On education:** Calls for the expansion of national education systems to be utilized by both host communities and refugees. This includes expanding educational facilities, capacity building for teachers, meeting the specific education needs of refugees, addressing

---

[8] Ibid.

[9] http://www.unhcr.org/partners/partners/3f1408764/framework-durable-solutions-refugees-persons-concern.html Paragraph 14-15

[10] http://www.unhcr.org/2030-agenda-for-sustainable-development.html

[11] https://www.un.org/development/desa/disabilities/envision2030.html

[12] Draft 1 was published on March 9th, 2018

[13] http://www.unhcr.org/5aa2b3287.pdf

[14] http://www.unhcr.org/57e39d987

obstacles in enrollment, expanding access to secondary and university education such as through the growth of scholarship opportunities, and engaging with potential teachers (See: Paragraph 60).

- **On employment:** States that it will promote economic opportunities for both refugees and host communities, attract private sector investment in refugee-hosting areas, facilitate access to opening bank accounts and insurance for refugees, promote beneficial trade arrangements for host communities and refugees, promote language and vocational training, and promote internet connectivity for increasing livelihood opportunities (See: Paragraph 61).
- **On health:** Aims to expand health service delivery, strengthen national health data systems, define and support a basic package of health services, ensure the availability of health workers, facilitate access to affordable medicines and supplies, and support host countries in ensuring proper resourcing and health financing (See: Paragraph 63).
- **On housing:** States that alternatives to camps should be pursued whenever possible, and that states and stakeholders should contribute resources and expertise to improve infrastructure and meet the housing, environmental, and energy needs of refugees and host communities (See: Paragraph 65).
- **On food and nutrition:** This section did not exist in the zero draft of the GCR. The most recent draft now states that there must be resources and expertise for providing food assistance to both refugees and host communities, develop and facilitate access to nutrition-sensitive 'social safety nets', and build the resilience of food and agricultural production systems in refugee-hosting areas (See: Paragraph 69).
- **On other services:** Identifies that resources and expertise can also extend to infrastructure, urban development, social protection systems, and access to new technologies (See: Paragraph 73).

The GCR lays out that states, relevant national ministries, and relevant stakeholders are responsible for contributing resources and expertise within each of these issue areas. For each of the different issue areas, the GCR lays out potential relevant stakeholders. These stakeholders most prominently include intergovernmental institutions such as the UN, international organizations and programs, but also include academia and other civil society organizations (CSOs) to a lesser extent.[15] According to the GCR, UNHCR will play a primary role in engaging and involving these stakeholders in meeting these needs, such as by supporting in the preparation of national comprehensive plans and activating the Global Support Platform.[16] However, the language on *how to guarantee the involvement of these stakeholders* is vague and unclear.

Section 4a: Policy Positions of States

Major refugee-hosting countries have varying positions on access to services and basic needs. Access to services and basic needs in these countries are not necessarily determined by whether

---

[15] See: Footnotes 49, 52, 55, and 59, Draft 1 of GCR
[16] Paragraph 20 and 22, Draft 1 of GCR

or not the state has acceded to the 1951 CSR. Nevertheless, it is possible to identify commonalities in the priorities across these states, as well as highlight where these priorities might differ between them. The following section will detail where these states stand on some of these positions.

Access to services such as employment, education, and health for all of these states hinges on the refugees' registration and/or refugees' legal status with relevant national authorities. In other words, most of these states do not provide access to services and basic needs to refugees if they are unregistered with the host country. In Iran, registration with Amayesh cards enable access to some rights to work[17], but the lack of registration causes obstacles in enrolling in schools.[18] In Turkey, access to free government education and health services is dependent on having a *kimlik,* or being registered under the Temporary Protection Regulation.[19] When the Department of Refugee Affairs was still active in Kenya, registration under the department facilitated access to services for refugees.[20] In the case of Kenya, he dissolution of the Department of Refugee Affairs has led directly to refugees who are no longer able to access their basic needs.[21]

Some of the major refugee-hosting states make an explicit connection between access to basic services and the need to incorporate refugees into their national development planning. This sentiment comes hand-in-hand with the need to ensure that refugees and host communities equally benefit from improvements in national infrastructures which provide basic services. As a prime example, Kenya's priorities lie with the need to address the clash between host community and humanitarian actors, as there have been concerns that refugees are provided with more resources and services than host communities.[22] Germany has stated during thematic discussions that they agree with the development approach.[23] Pakistan has also highlighted the importance of providing development assistance to not only hosting countries, but also to refugee-sending countries to ensure access to services.[24] Not all of the major refugee-hosting states agree with the development approach for various reasons. Chad, for instance, has not included refugees in their development strategy (2017-2021) and views the presence of refugees as a humanitarian crisis.[25]

Uganda, Kenya, and Ethiopia have agreed to be pilot states to implement the Comprehensive Refugee Response Framework (CRRF). The CRRF strives to take on a development approach to

---

[17] http://www.unhcr.org/4ec2310316.pdf
[18] Adelkhah, F and Olszewska Z, 2007
[19] http://www.goc.gov.tr/files/_dokuman28.pdf
[20] http://www.fmreview.org/25th-anniversary/kiama-karanja.html
[21] Policy Consultation Process – In-depth interview with Kenyan national organization
[22] Ibid.
[23] Thematic Discussion 4 Panel 4 on Local Solutions
[24] Third Thematic Discussion, Panel One: How we mobilize more resources? 18 October 2017. Available from: <http://webtv.un.org/search/panel-one-how-we-mobilize-more-resources-3rd-thematic-discussion-unhcr-global-compact-on-refugees/5614696850001/?term=thematic%20discussions&sort=date&page=1>.
[25] http://pnd.td/wp-content/uploads/2017/09/PNUD.pdf , p. 4

support both refugees and host communities' access to services.[26] Under this framework, Ethiopia is phasing out its encampment policies to expand access to services within host communities. In the Nairobi Declaration, the Ethiopian government pledged to provide work permits, increase enrollment in schools, provide irrigable land, build industrial parks for work opportunities, and enhance access to basic services for both refugees and host communities.[27] Uganda has also included refugees into their National Development Plan (NDP11).[28]

Major refugee-hosting states also link the need to provide access to services and basic needs to the durable solutions and support from the international community. Germany frames access to services and basic needs as tool for facilitating the local integration and social inclusion of refugees.[29] Meanwhile, Iran, Pakistan, Lebanon, and Jordan all view access to services and basic needs as a pre-requisite for fulfilling the sustainability of voluntary repatriation of refugees to their countries of origin. This has a direct effect on their views on how to meet the needs of refugees. The Lebanese government for instance insists that Syrian students attend schools which have Syrian curriculums to prepare them for return to Syria.[30] Iran emphasizes the need to provide vocational education to refugees for the future reconstruction of Afghanistan.[31] Tukey, Chad, and Iran all link the need for the international community to provide better support to hosting states to refugees' access to services and basic needs. Turkey, for example, emphasizes the need to provide financial assistance to national institutions to enable access to basic services.[32]

Broadly speaking, major refugee-hosting states focus heavily on the self-reliance of refugees. This may be partially due to dwindling international funds available to these states for meeting the needs of refugees. Chad, for instance, emphasizes the need to build the 'resilience' and self-reliance strategies of refugees and notes that the lack of financing has directly led to the inability of the state to provide basic services.[33] Ethiopia, Turkey, Kenya, Uganda, and Chad have all made statements in thematic discussions on the need to build the self-reliance of refugees. Some major refugee-hosting states have opened access to services and basic needs to refugees to attract international financial or economic investment. Jordan has eased access to work permits and allowed refugees to engage in work in certain industries through the Jordan Compact in exchange

---

[26] http://www.unhcr.org/comprehensive-refugee-response-framework-crrf.html

[27] https://igad.int/attachments/article/1519/Annex%20to%20the%20Declaration%20-%20Final%20Plan%20of%20Action%2011.04.2017.pdf

[28] Minister for Relief, Disaster Preparedness and Refugees. *Comprehensive Refugee Response Framework in the context of Uganda's Refugee Management Model,* 2 October 2017

[29] Thematic Discussion 3 Panel 2

[30] https://www.al-monitor.com/pulse/originals/2015/07/lebanon-syria-refugees-unhcr-gebran-bassil-rejection.html

[31] ExCom 2016 Iran Statement: http://www.unhcr.org/57f786fa7

[32] LOCAL SOLUTIONS-TURKEY'S STATEMENTS Fourth Thematic Discussion (Measures to be taken in pursuit of solutions, 14 November 2017

[33] http://www.un.org/ga/search/view_doc.asp?symbol=A/71/PV.4B

for economic investment in the country.[34] Under the CRRF, Ethiopia also pledged to provide work permits to refugees as well as open industrial parks for future business ventures.[35]

Some of the major-refugee hosting states also have a variety of other circumstances which make its policy positions unique from other states. In Lebanon, for example, political stalemate has culminated in the government often providing contradictory positions on access to services. Academics have cited that the policies of government on refugees' access to services varies depending on the religion of the leadership of each municipality.[36] Meanwhile, Pakistan advocates that there must be distinct strategies for providing access to services depending on whether there is a protracted or acute refugee situation.[37]

Section 4b: Policy Positions of Civil Society Organizations (CSOs)

While civil society organizations (CSOs) in major refugee-hosting countries do not by any means have the same perspectives, there are a number of common concerns among them which create similar policy positions. The following section will examine the various policy positions of the CSOs in major refugee-hosting states.[38]

At the most basic level, civil society organizations stress that there are still serious concerns that refugees are not able to access basic needs and services. HAMI, a national NGO notes that there are still basic issues with ensuring access to basic services for Afghan refugees in Iran.[39] Often times, CSOs state that refugees are unable to access these services and basic needs due to lack of proper implementation of the regulations in support of refugees. CSOs also note that bureaucratic obstacles also affect refugees' access to basic services. The Network of Refugee Voices, a network of refugee-led organizations stated in the First Consultation for the GCR that bureaucratic hurdles continue to hinder refugees' access to services.[40] This concern also featured in the policy consultation that was carried out as part of the preparations for the International Refugee Congress. When prompted with answer options 'access to services that meet essential needs' was the top policy priority of survey respondents. 49.9% of all surveyed organizations (out of 475 survey responses) identified this as a priority. [41]

---

[34] https://www.odi.org/publications/11045-jordan-compact-lessons-learnt-and-implications-future-refugee-compacts

[35] https://igad.int/attachments/article/1519/Annex%20to%20the%20Declaration%20-%20Final%20Plan%20of%20Action%2011.04.2017.pdf

[36] See: Betts, Ali, and Memişoğlu (2017) *Local Politics and the Syrian Refugee Crisis: Exploring Responses in Turkey, Lebanon, and Jordan.* Refugee Studies Centre. Available from: <https://www.rsc.ox.ac.uk/publications/local-politics-and-the-syrian-refugee-crisis-exploring-responses-in-turkey-lebanon-and-jordan>.

[37] http://sdg.iisd.org/news/officials-explain-proposed-global-compacts-on-refugees-migrants/

[38] These policy positions are based on the existing literature on CSOs' policy positions, and by no means represent the positions of *all* CSOs in major refugee-hosting states. Rather, this section identifies commonalities among these organizations to assist in formulating policy positions.

[39] http://hamiorg.org/en/?p=2989

[40] Network for Refugee Voices (NRV) NGO Intervention on the programe of action and the principal modalities for burden-and responsibility-sharing. Formal Consultations 1 (13-14 February, 2018)

[41] See: Consultation Report – International Refugee Congress

Other CSOs also note that bureaucratic hurdles affect refugees' access to employment opportunities, and access to employment opportunities is a recurring concern among civil societies. ALEF, a national CSO in Lebanon also raises concerns that work permits for refugees are only accessible for Syrian refugees who are legally registered.[42] In Turkey, some CSOs note that provisions which only allow Syrians to apply to work permits after six months of residency creates an unnecessary financial burden in refugees' lives.[43] In the policy consultation process for the International Refugee Congress, access to legal employment opportunities was one of the main priorities among respondents of the online survey, as well as one of the top three priorities stated by both refugee-led and national CSOs.[44]

CSOs also express that educational opportunities for refugees are insufficient, and that there continue to be barriers to accessing education even when the opportunities exist. Some organizations like the Asia-Pacific Refugee Rights Network (APRRN) stress that facilitating access to education in emergency situations cannot wait, given that many humanitarian emergencies eventually become a protracted displacement situation.[45] CSOs also highlight that refugees in some contexts are unable to access education due to poorly implemented policies. The Xavier Project in Kenya, for instance, notes that even though education is free for refugee students in Kenya, schools in Kenya continue to ask for fees from refugee students.[46] There is also a growing sentiment among CSOs that there is insufficient access to higher education opportunities. InZone Kakuma, an initiative to provide computers in refugee camps in Kakuma-Kenya, notes that high school graduates are often left in limbo with no future higher education prospects available to them.[47] ARDD-Legal Aid in Jordan also highlights the difficulties which refugee youth in Jordan face in accessing higher education.[48] In the consultation process for the International Refugee Congress, access to education was the most commonly stated priority issue among all in-depth interview participants, and was expressed by organizations across major refugee-hosting states. Similarly, access to education came out as one of the top five priorities among online survey respondents. In the words of one Turkish organization in the policy consultation process for the International Refugee Congress, "we are creating a lost generation" due to the number of displaced children who are unable to go to school.[49]

There is consensus among CSOs in major refugee-hosting countries that self-reliance schemes with refugees should be supported. However, CSOs also agree that there are challenges which hinder the full and holistic functioning of self-reliance schemes. The Refugee Consortium of

---

[42] See: https://aleafliban.org/wp-content/uploads/2018/02/Material-Safety_v02_web.pdf
[43] IPSOS and Triangulation by IKV on access to employment
[44] See: Consultation Report – International Refugee Congress
[45] http://aprrn.info/wp-content/uploads/2017/10/APRRN-Submission-to-the-2nd-and-3rd-Thematic-Consultations.pdf, Paragraph 27
[46] http://www.xavierproject.org/education/
[47] http://www.unige.ch/inzone/what-we-do/regions/horn-africa/inzone-learning-hub-kakuma/
[48] https://ardd-jo.org/reports-documents/access-higher-education-refugees-jordan-protection-and-sustainable-development
[49] Interview with Turkish national organization (11.01.20108)

Kenya, for instance, states that the lack of access to financial and credit facilities stop refugees from becoming self-reliant.[50] The Network for Refugee Voices states that self-reliance schemes should involve refugees in the design process.[51] In contrast, some CSOs are concerned that self-reliance is being pushed by states and international institutions because of a decrease in available funding to assist refugees and an unwillingness to provide humanitarian assistance. The Refugee Law Project in Uganda, for instance, states that the narrow focus of the Ugandan government's Self-Reliance Strategy (SRS) is paradoxical, as the strategy only focuses on certain kinds of agricultural subsistence which are unsustainable in the long-term, and lead to a host of other protection issues in the process.[52] Some CSOs stress that self-reliance is not solely about becoming financially independent. YARID, a refugee-led organization in Uganda notes that literacy, education, and life skills all contribute to refugee self-reliance.[53] Finally, other CSOs note that self-reliance strategies are necessary for the eventual return of refugees to countries of origin. Rizk Institute, a refugee-led organization in Turkey, maintains that professional development and job placements are a means for preparing to rebuild Syria.[54]

CSOs in major refuge-hosting countries also highlight that they require better international support to continue to provide access to services and basic needs. ICVA notes that there should be better focus on localized approaches and supporting local actors in any refugee situation.[55] Thus, a number of CSOs based in major refugee-hosting countries advocate for increased direct-funding as well as the localization of aid. ARDD-Legal Aid advocates for direct-funding to local actors, citing that only 1.6% of international funding to support refugees goes directly to these organizations.[56] A study by the Helsinki Citizens' Assembly demonstrates that many local CSOs in Turkey are being forced to compete with one another due to funding structures.[57] Furthermore, APRRN notes that guaranteed and regularized funding from the UN General Assembly based on the known costs of existing refugee and displacement situations would dramatically improve humanitarian response into the future.[58]

---

[50] https://www.rckkenya.org/?media_dl=846

[51] http://www.networkforrefugeevoices.org/statements-to-date/fourth-thematic-session-of-the-global-compact-on-refugees-panel-four-how-can-we-make-local-solutions-work-for-refugees-and-the-communities-in-which-they-live

[52] See: https://www.refugeelawproject.org/files/working_papers/RLP.WP20.pdf

[53] http://nebula.wsimg.com/a6687b72fe83b15861264a8a95afe1d0?AccessKeyId=6496228AA8AE910A0005&disposition=0&alloworigin=1, p. 13

[54] Syrian Forum Annual Report (2016), p. 44

[55] NGO Key Messages for the 10th High Commissioner's Dialogue on Protection Challenges, http://www.unhcr.org/events/conferences/5a33d5917/ngo-key-messages-tenth-high-commissioners-dialogue-protection-challenges.html

[56] ARDD-Legal Aid (2016) *The Role of Civil Society in Jordan.*

[57] http://www.hyd.org.tr/attachments/article/214/civil-society-and-syrian-refugees-in-turkey.pdf

[58] http://aprrn.info/wp-content/uploads/2017/10/APRRN-Submission-to-the-2nd-and-3rd-Thematic-Consultations.pdf, Paragraph 23

Section 4c: Analysis of international policy frameworks in relation to positions of national and civil society policy positions/priorities

Looking at access to services and basic needs for refugees, it is possible to register a plethora of issues identified by international policy frameworks, states, and CSOs operating major refugee-hosting states. The following section illuminates key areas where the policy positions of CSOs, states, and existing international policy frameworks converge and diverge from one another regarding access to services and basic needs.

First, while there is overall agreement that development assistance must be provided to both host communities and refugees, CSOs highlight that there are still ongoing concerns in accessing basic needs. Others (like the Refugee Law Project) demonstrate that an over-dependence on development and self-reliance strategies can also be detrimental for the refugee protection and safety if access to basic needs such as employment or education have not already been met. Such sentiments indicate that sequencing, well designed planning and incremental transition from humanitarian assistance towards long-term development-centered policies.

Second, there are concerns that existing programs geared towards accessing services and basic needs require proper implementation and monitoring to ensure its effectiveness. CSOs, for instance, note that refugees face numerous bureaucratic challenges in accessing services and basic needs (such as work permits, school enrollment), even when the necessary legal and policy frameworks exist. Thus, the policy recommendations on meeting the needs of refugees and host communities should also suggest ways to overcome these bureaucratic hurdles in collaboration with host governments. While the GCR does acknowledge that civil registration is critical for ensuring access to services, it does not suggest innovative ways or/and a call for finding innovative ways to ease the existing bureaucratic challenges for facilitating access to basic services.

Lastly, there is agreement that local actors such as CSOs in host countries and refugee-led organizations require better financing, as they are generally the first actors and responders who provide services and support to displaced persons. The GCR acknowledges that institutional capacities at the local level and direct funding for local organizations must be strengthened.[59] However, it falls short of acknowledging the already existing capacities, and suggesting ways to change the existing financing and implementation models in accordance to these capacities. While it makes suggestions about the key role that non-governmental entities should have in national comprehensive plans and arrangements[60] , it does not include clear mechanisms for ensuring active involvement of local actors in policy-making discussions taking place at the global level.

---

[59] See: Draft 1 of GCR, Paragraph 32
[60] See: Draft 1 of GCR, Paragraphs 19-20

Section 5: Key Questions

The following questions aim to provide some ideas for discussions among the working group member organizations on access to services and basic needs as they form and develop a policy brief in preparation for the International Refugee Congress.

Please note that these constitute only suggestions to kick start your discussions, with full awareness that the working groups' discussions will not be limited to the scope of these questions, and they will form their discussions and policy briefs as they see fit.

- There are a wide variety of issues faced by refugees in accessing services and basic needs. As the 'Access to Services and Basic Needs' Working Group, what would be your suggestions on the best methods for meeting the needs of refugees and host communities?
- How can systems be best re-structured in a way to meet these needs?
- What should be the responsibilities of local government, national government, regional governmental bodies, and intergovernmental entities (ex. UN) in ensuring and facilitating access to services and basic needs?
- Who should be developing, designing, and implementing policies at the local, national, regional and international levels?
- How should these policies be financed? What creative ways could be suggested to help national governments improve the services, and ensure equal access of host/refugee communities to these services? (trade concessions, financial measures that can help governments?)
- What mechanisms can be used to ensure that humanitarian and development actors better coordinate and complement one another?
- What can be done to ensure a meaningful inclusion of the refugee-led organizations, national NGO and CSO actors in policy-making processes at the national, regional, and international level?
- What innovative ways can be suggested to ease the bureaucratic hurdles that hinder refugees' access to services?
- How can states be provided by fiscal space to allow them to expand basic services, and ensure the equal access of host and refugee communities to these services?
- How can the financial investments and program implementation of all actors (states, international institutions, civil society organizations) be best monitored?