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.** The initiative began with **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.** To date, almost 500 online surveys and 79 in-depth interviews have been completed. Responses to the online survey include views from nine of the world's top refugee-hosting countries, covering 47 countries in total

The process helped determine a number of priority areas for refugee-led organizations and civil society organizations in host countries which has, subsequently, led to the creation of a number of thematic working groups. As with other working groups, the working group on representation and participation consists of refugee-led organizations and national civil society organizations found in the major refugee-hosting countries. They will be led by chairs who also represent these organizations. Collectively, the group will form policy positions and recommendations on this theme. This background paper aims to support the working group by providing a brief analysis of previous and current practices on refugee participation by international institutions, major refugee-hosting governments' responses and positions to refugee participation in relation to the Global Compact on refugees, and policy positions of CSOs from the world's major refugee-hosting countries on issues particularly relevant for discussion on representation and participation of refugees and host community.

Section 2: The Context

In recent years, the international community has called for increased cooperation with refugees and host communities in international policy-making processes on refugees. For instance, the international community came together to strengthen local actors by endorsing The Grand Bargain, which calls for greater funding and capacity building for local actors and first responders who respond to humanitarian crises involving refugees.

Yet despite calls for increased involvement of major refugee-hosting states, refugees, and host communities, there is very little evidence that refugee and host communities are being better represented in these processes. At the High-Level Meeting on the New York Declaration for Refugees and Migrants in September 2016, only 13% (29) of participating organizations came from one of the major refugee-hosting countries, with only 4% (10) of these organizations coming

from one of the top five refugee-hosting countries.[1] A similar trend can be found in the UNHCR Annual NGO Consultations in June 2017. Only 8% (23) of organizations present from the top five refugee-hosting countries, with only two of these organizations being refugee-led, and one being a woman's organization.

Meanwhile, rhetoric on refugees by non-refugees from the humanitarian and development sector, intergovernmental institutions, national governments, media, and others raise questions on the avenues available for refugees to represent themselves on their own terms. It also raises questions on the role of different stakeholders in advancing certain representations of refugees for their respective agendas[2], as well as the accountability of these stakeholders to their refugee constituents in programming their activities.

Section 3: International Policy Frameworks

1951 Convention Relating to the Status of Refugees (1951 CSR)

The 1951 Convention relating to the Status of Refugees (CSR) does not use the words 'representation' or 'participation' when listing the duties of states to refugees in their territories. However, it does mention some of rights related to participation in the hosting state when under its protection. For instance, Article 15 provides right of association for refugees, stating:

> 'As regards non-political and non-profit-making associations and trade unions the Contracting States shall accord to refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country, in the same circumstances.'[3]

Thus, states which have acceded to the 1951 CSR are expected to provide refugees the same rights that they afford to citizens when forming organizations like CSOs.

UNHCR Practices on Refugee and Host Community Participation

UNHCR has framed active refugee participation as a requisite for all programs and operations. When defining how to classify 'good practices' in 2006, UNHCR stated that 'good practices' involve four essential principles: "age, gender, and diversity mainstreaming", "community-based approach*, including refugee participation*", "protection partnerships, including a multi-functional

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[1] http://www.un.org/pga/70/wp-content/uploads/sites/10/2015/08/list-of-NGOs-and-CSOs-for-High-level-meeting-on-addressing-large-movements-of-refugees-and-migrants_10-Aug.pdf

[2] As an example, see UNHCR spokesperson Melissa Fleming's book *A Hope More Powerful than the Sea* telling the story of Doaa al Zamel, a refugee woman. For academic analysis on this point, see Agier, M. "Humanity as an Identity and Its Political Effects (A Note on Camps and Humanitarian Government)". Available from: <https://muse.jhu.edu/article/394858>.

[3] Article 15, 1951 Convention Relating to the Status of Refugees. Available from: <www.unhcr.org/3b66c2aa10.pdf>.

team approach", and "a rights-based approach" [emphasis added].[4]

Yet, policy frameworks have generally kept refugee participation limited to participation in local systems, processes, and initiatives, well outside of the international sphere. Similar to other practices of humanitarian actors, refugee participation and leadership has, by and large, been limited to a "subcontracting" relation whereby refugees and their organizations are contracted to support program implementation, such as distributing support to refugees on behalf of larger institutions such as UNHCR. For example, the *'UNHCR Mid-Year Progress Report 2002 – Global Programmes'* exemplifies how institutions like UNHCR limit refugee participation to activities at the community level. The report states that refugee women were better included in leadership by being involved in "camp management committees", "community sensitization campaigns", and "refugee camp leadership committees".[5]

Nevertheless, UNHCR has also conducted consultations to facilitate the participation of refugees. For instance, with the Council and the Women's Refugee Commission, UNHCR has organized the Global Refugee Youth Consultations. The consultations involved 1,267 youth in 56 national and sub-national consultations in 22 countries between October 2015 and June 2016. The consultations brought together refugee and host community youth to discuss the challenges which youth face, as well as their recommendations on how to address these challenges.[6] The Global Refugee Youth Consultations is not only an example of UNHCR's reliance on consultations to elicit refugee participation, but is one of the first examples in which UNHCR actively elicits host community participation as well.

UNHCR Practices on CSO and NGO Participation

UNHCR facilitates NGO participation in decision-making process by organizing annual consultations. It depends heavily on the International Council of Voluntary Agencies (ICVA), generally co-organizing the annual consultations with ICVA. These consultations generally bring together over 500 NGO representatives from around the world. Despite this, representation from national organizations in major refugee-hosting countries, refugee-led organizations, and women's organizations is limited compared to the participation of international organizations.[7] According to a video on the Annual Consultations website for 2017, 125 (40%) out of 313 at the consultations were INGOs. Meanwhile, 169 (54%) of the organizations present were national organizations.[8]

UNHCR also involves NGOs in the Executive Committee (ExCom) via ICVA. ICVA develops a statement based on policy submissions from NGOs, and uses the statements they receive to

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[4] http://www.unhcr.org/publications/legal/448d6c122/operational-protection-camps-settlements-reference-guide-good-practices.html?query=refugee%20participation, p. 11

[5] http://www.unhcr.org/publications/fundraising/3daabefe0/unhcr-mid-year-progress-report-2002-global-programmes.html?query=refugee%20participation

[6] https://www.womensrefugeecommission.org/youth/global-refugee-youth-consultations

[7] http://www.unhcr.org/5930ff3c7 See also Section 2 (The Context) for more info on participation in consultations

[8] http://www.unhcr.org/2017-annual-consultations-with-ngos.html

make a statement on behalf of the entire NGO community.[9] This mechanism, however, does not amount to the direct participation of refugee-led, national, and women's organizations at ExCom, as the mechanism contributes to greater representation among INGOs.

In the most recent 68th ExCom, ICVA helped organize a side event in which there were three speakers – one speaker from a refugee-led organization, and two speakers from INGOs.[10] The ExCom previous to the 68th ExCom also had a side event which was called "Around the World in 60 Minutes". But ironically, two of the speakers for this panel were from organizations based in Europe, with only one other speaker from outside of Europe.

Other Practices of Representation and Participation of Refugees and Host Communities

Meetings and summits among states and international organizations have shifted in recent years to reflect the importance of including refugees in discussions. Though this is promising, there are no mechanisms in place which ensures that refugee, host community, and CSO participation is an upheld standard in these meetings.

The World Humanitarian Summit in May 2016 is an example of international policy-making processes accounting for the participation of refugees and host communities. Leading up to the summit, its organizers encouraged local organizations and grassroots actors to provide policy submissions to be used towards the process. In total, the summit elicited the participation of 23,000 participants, gathered 400 written submissions, and organized numerous regional and global consultations.

The WHS also led to the adoption of the 'Grand Bargain' commitments among more than 30 of the largest aid providers, which acknowledges the importance of localization of aid.[11] One of its commitments is to have 25% of all humanitarian funding allocated to local responders by 2020. This shift is not only seen as a means of increasing effectiveness of programs, but is framed as a way of increasing direct participation of local actors, including refugee-led and national civil society organizations, in designing and planning humanitarian response.[12] Since the adoption of the Grand Bargain two years ago, there has been increased debate on the localization of aid, as well as increased focus on encouraging INGOs to foster more sustainable relationships with local NGOs.[13]

New York Declaration and the Comprehensive Refugee Response Framework (CRRF)

The High-Level Meeting on the New York Declaration for Refugees and Migrants in 2016 had limited participation of refugee-led and national CSOs. However, the Informal Interactive Multi-Stakeholder hearings leading up to the High-Level Meeting in September was the greatest attempt to involve CSOs in these discussions, by inviting 300 representatives from CSOs, NGOs,

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[9] https://www.icvanetwork.org/ngo-statements-delivered-unhcr-executive-committee
[10] https://www.icvanetwork.org/resources/1967-protocol-fifty-ngo-side-event-unhcr-excom-october-2017
[11] https://www.agendaforhumanity.org/initiatives/3861
[12] https://charter4change.org/we-need-localisation-2/
[13] https://start-network.app.box.com/s/1ova6blkv9vwkwq8o6xbdf6o5ig9rkp1

academia, and the private sector. At the hearings, one speaker noted "the importance of including refugees, migrants and the diaspora directly and meaningfully in all international discussions and decision-making frameworks".[14] Though the event included speeches which emphasized the inclusion of refugees, migrants, and CSOs in discussions, only one refugee was invited to speak at the event. UNHCR's write-up of the event also further stated that this speaker, "delivered a compelling presentation on behalf of the 60 million forcibly displaced people and refugees".[15]

The text of the New York Declaration has few references to including refugees and women in policy-making discussions. It does not, however, mention the need to equally include host communities in these discussions. Even when the text mentions including refugees in discussions on refugee response, refugees remain an afterthought, as they are only mentioned as a potential stakeholder after listing all other stakeholders.[16] The text of the declaration envisions that refugees are potential partners who can help effectively implement the decisions of policy-makers. For instance, the declaration states that 'we invite the private sector and civil society, including refugee and migrant organizations, to participate in multi-stakeholder alliances *to support efforts to implement the commitments we are making today*'.[17] Furthermore, it mentions "increasing engagement with beneficiaries" as a way of reducing management costs and creating a more efficient refugee response.[18] Hence, the text frames the participation of refugees from an instrumentalist perspective, and as a means to improving the logistics of refugee response.

Similarly, the Comprehensive Refugee Response Framework (CRRF) mentions refugees as a potential stakeholder for future processes, but only after listing all other stakeholders.[19] The CRRF states that refugees should be empowered so that they can "establish supportive systems and networks that involve refugees and host communities" within their local contexts in a gender and age-sensitive manner.[20] Hence, like the NY Declaration, the CRRF reinforces the idea that refugee participation takes place in local systems, but not necessarily in global processes.

The CRRF recognizes the value of participation among refugees, including refugee women, in peace and reconciliation processes. However, it only mentions this as a form of participation to facilitate the successful return and reintegration of refugees to countries of origin, and does not extend their participation to other solutions dealing with local integration or third-country resettlement.[21]

Lastly, the CRRF also recognizes the role of civil society organizations. It states that hosting states

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[14] www.un.org/pga/71development/wp-content/uploads/sites/40/2015/08/Refugees-and-Migrants-Summary-of-hearings-22-July-2016.pdf

[15] www.un.org/pga/71development/wp-content/uploads/sites/40/2015/08/Refugees-and-Migrants-Summary-of-hearings-22-July-2016.pdf

[16] See Paragraph 69, New York Declaration

[17] Paragraph 15, New York Declaration

[18] Paragraph 38, New York Declaration

[19] See paragraph 2, Annex 1, CRRF

[20] Paragraph 7(c), CRRF

[21] Paragraph 12(e), CRRF

and other relevant stakeholders should "support local civil society partners that contribute to humanitarian responses, in recognition of their complementary contribution".[22]

Global Compact on Refugees (GCR)

The GCR[23] shares many similarities with the New York Declaration and the CRRF. However, the GCR also introduces new mechanisms for including refugees in policy-making. First, refugee and host community participation is mostly envisioned as a way of creating a multi-stakeholder approach. Paragraph 31 states that:

> *"in recognition of the fact that responses are most effective when they actively engage those they are intended to protect and assist, national authorities, UNHCR, and other relevant stakeholders will continue to develop and support consultative processes that enable refugees and host communities to assess their needs and help to design appropriate responses".*

Like the NY Declaration and the CRRF, the main motive for including these groups in decision-making processes, according to the GCR, is utilitarian – reducing the participation of refugees to a method for improving the efficiency of programs.

The mechanisms featured in the GCR that are available to refugees and host communities to participate in policy-making processes also appears limited in scope. It states that stakeholders can facilitate their participation and inclusion merely by continuing to support consultative processes, and by allowing refugees and host communities to "*help"* design responses. It does not state how refugees and host communities can play a leading role in designing responses, and does not address how consultative processes will lead to refugees and host communities having an expanded role in influencing the decision-making processes. Furthermore, the GCR only makes direct reference to the participation of refugees (particularly women and youth) in decision-making processes in the context of voluntary repatriation and peacebuilding activities, without referring to their participation in decision-making processes for governing access to other durable solutions (Paragraph 77).

Furthermore, instead of offering concrete mechanisms for participation, the GCR postpones these issues. For instance, it states that ' **states and relevant stakeholders will "explore how best to include refugees**…in key fora, institutions, and decision-making processes, including by facilitating language learning, as well as access to information, for instance through low-cost mobile phone and internet subscriptions" (Paragraph 31). Furthermore, when discussing national response to refugees, the GCR makes little reference to the need for host country governments to involve refugees and NGOs, and only proposes their inclusion in national arrangements as a possibility which states *could* pursue (Paragraph 19-20). The GCR text also accounts for the need to promote the participation of women and girls. For instance, the GCR states that one of the ways for states and relevant stakeholders to empower women and girls is to "promote the meaningful participation and leadership of women and girls" (Paragraph 64). According to the GCR, this 'meaningful participation and leadership' can take place if states and relevant

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[22] Paragraph 7(d), CRRF
[23] This paper draws on Draft 1 of the GCR

stakeholders build the institutional capacity of women's organizations and government ministries working on women's issues. The GCR also makes references to the need to include other under-represented stakeholders, such as youth and city/municipality authorities, and provides examples of processes which have specifically facilitated their participation in decision-making processes, such as UNHCR's Global Youth Advisory Council, ICORN Cities of Refugee, 100 Resilient Cities, and others.

Regarding CSOs, the GCR also acknowledges the important role of civil society organizations for facilitating a multi-stakeholder approach. The GCR states that CSOs will "work with States and other stakeholders in assessing community strengths and needs, planning and programme implementation, capacity development, and funding allocations" (Paragraph 34). Notably, when discussing the role of CSOs, the GCR specifically recognizes the role of refugee-led organizations, the only time that the GCR mentions refugee-led organizations in any context. While the section recognizes the role of CSOs, it does not go further in committing a new role for them which is different from its current role today, as CSOs are already assessing community strengths and needs, planning and implementing programs, and contributing to funding allocations.

The GCR links support to local actors as a means to facilitating more equitable responsibility-sharing. It states that since local actors are first responders in emergency situations, local actors will be "included in mechanisms for burden- and responsibility-sharing" (Paragraph 32). Furthermore, the GCR expects the international community to align to the commitments of the 'grand bargain', such as by providing direct funding and building capacities at the local level (Paragraph 32). However, the GCR is vague on how to include CSOs, as well as refugees and host communities, in other responsibility-sharing mechanisms. For example, on the Global Support Platform, a proposed mechanism for international responsibility-sharing, the GCR states that the platform would only be activated by UNHCR, and that UNHCR would make the ultimate decision on who to invite to engage in the platform. Furthermore, the GCR states that UNHCR might choose to invite "local authorities and communities, refugees, and non-governmental organizations" to the Global Support Platform only after referring to inviting other international bodies such as the UN (Footnote 12). As a result, refugee, host community, women, and CSO participation in the Global Support Platform will be limited.

Section 4a: Policy Positions of National Governments

"*I think we'll get started, even though I think some people are still queueing for h'ordeuvres outside…hopefully we'll have a few more people join us*" – Ms. Ellen Hansen, Senior Advisor to the High Commissioner for Protection at the "Side Event: Refugee Voices" at the 3rd Thematic Discussion, UNHCR Global Compact on Refugees

Screenshot of the "Side Event: Refugee Voices" at the 3rd Thematic Discussion, UNHCR Global Compact on Refugees (18 October 2017) - http://webtv.un.org/search/side-event-refugee-voices-3rd-thematic-discussion-unhcr-global-compact-on-refugees/5614696852001/?term=thematic%20discussions&sort=date&page=1

Representation and participation of refugees is not always a priority for national governments across the world. There are some exceptions to this trend, albeit few, in the context of the major refugee-hosting countries. **Uganda** stated at the 2nd Thematic Discussions that it commends the Youth Delegation for its work, and that the international community should support the demands of the youth.[24] At the World Humanitarian Summit, **Turkey** committed to strengthening women's participation in mediation of conflict.[25] **Germany** has stated that, "the inclusion and representation of refugees in their own protection and in pursuit of durable solutions is crucial".[26] Germany has also stressed the importance of equal access to leadership and participation for women and girls.

Like previous UNHCR practices, national governments' support for CSOs and front-line responders is motivated by the need to improve the efficiency of refugee response in emergency situations. **Uganda** stated at the 2nd Thematic Discussions that increased funding will allow hosting states to build local capacities in preparation for large influxes of refugees.[27] The Democratic Republic of Congo and Ethiopia have also stressed that their ability to respond to emergency refugee movements is dire due to extensive funding shortages.[28] Thus, the need to support these organizations is mostly focus on the need to deliver emergency refugee response,

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[24] 2nd Thematic Discussions, Panel 1
[25] http://www.agendaforhumanity.org/comitment/3055
[26] High Commissioner's Dialogue on Protection Challenges: "Towards a global compact on refugees" 12-13 December 2017, Palais des Nations, Geneva, Session 4: Contemporary Protection Challenges
[27] Uganda's statement at the 2nd Thematic Discussion, Panel 1
[28] Statement of Kenya, Thematic Discussion 3 Panel 1; 68th Session of ExCom "A Special Segment on the Application of the CRRF" – Federal Democratic Republic of Ethiopia ARRA; Statement of DRC at 68th ExCom: http://webtv.un.org/search/general-debate-contd-3rd -meeting-68th-session-of-unhcr-executive-committee-/5597495054001/?term=executive%20committee&sort=date&page=1

rather   than   improve   voice   and   participation   of   refugees.   .

Some of the governments of major refugee-hosting also link the issue of ear-marked and unpredictable funding to their inability to implement programs in the ways they see fit. Ethiopia stated at the 68th ExCom that earmarked funding causes problems when it comes to designing programs and implementing policies.[29] Kenya and Jordan has stated that there needs to be more predictable funding from the international community, as it impedes their ability to plan programs and policies as they see fit.[30] Thus, these countries connect the lack of sustainable funding as a barrier to their full involvement in designing and planning national responses.

In conclusion, even though some statements reflect that national governments place importance on including refugees, particularly women, in decision-making processes, it is not a key priority for major refugee-hosting states. In contrast, the ability to have ownership over the design and implementation of policies on refugees is a recurring concern among major refugee-hosting states.

Section 4b: Policy Positions of Civil Society Organizations

While national governments have been mostly silent on the need to improve the participation of refugees, host communities, and CSOs for enabling an ethical refugee response, CSOs raise a number of concerns on their ability to participate in policy- and decision-making processes. Based on reports and statements prepared by these organizations, and findings from the consultation process for this initiative, the following section will detail some of the concerns brought forward by these groups on their ability to represent themselves in policy- and decision-making processes.

There is an overall consensus among refugee-led organizations, national organizations, and women's organizations that they are not able to adequately participate in international and national policy-making processes. Only two out of 37 interviewed refugee-led organizations for the policy consultation process expressed that they have been involved in international decision-making processes.[31] In the words of one refugee-led network:

> *"…too often refugees are brought into international discussions after policy has been defined. They are **included as token victims of the crisis, not active agents of change or experts with personal and professional field experience**."[32]*

In a similar vein, only four out of 38 refugee-led organizations stated that they had been involved in national decision-making processes.[33]

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[29] 68th Session of ExCom "A Special Segment on the Application of the CRRF" – Federal Democratic Republic of Ethiopia ARRA
[30] Jordan and Kenya's statements, 1st Thematic Discussion on Responsibility Sharing, 10 July 2017
[31] Consultation Report
[32] Network for Refugee Voices: http://www.networkforrefugeevoices.org/why-it-matters.html
[33] Consultation Findings – In-Depth Interviews

The International Council for Voluntary Agencies (ICVA) and Urban Refugees both recognize the need to include refugee-led organizations to improve self-reliance[34] and "increase program effectiveness and cost efficiencies".[35] However, the concerns of refugee-led organizations go beyond the need to improve delivery of refugee response. In their opinion, international institutions only see refugee participation as "a box to check".[36] Refugee-led organizations also see their participation as an essential mechanism for ensuring that policy recommendations are in the interests of refugees themselves. In the words of another refugee-led organization, "Refugees know better their own problems than anybody else. Therefore, international institutions should put in place and implement policies that make sure that, refugees' voices are heard."[37] Other refugee-led organizations go further, saying that international institutions and organizations have taken advantage of refugees to further their own interests. For example, the Foundation People for the Peace and Defense of Human Rights (FPPDHR) in Uganda stated that "we feel much offended when researchers who could have been motivated by the desire to utilize their skills and opportunities in order to become the voices of refugees tend instead [to] use refugees for their own interests".[38]

CSOs also advocate for the inclusion of national organizations, local authorities, and women's organizations. HAMI, a national organization in Iran noted in the Thematic Discussions for the GCR that any kind of specific programming on refugees should include host communities to act as "an [incentive] for the government to welcome the projects and to prevent any potential conflicts".[39] ALEF, a national organization in Lebanon also stated that local governments and local communities should be allowed to "identify needs and design responses that could enhance the protection of refugees".[40] Yet despite the importance of including host communities in policy-making processes, the consultation process for the International Refugee Congress suggests that national organizations, like refugee-led organizations, are underrepresented in both international and national policy-making processes. Only 11 out of 38 interviewed national organizations stated that they had participated in international conferences, meetings, and presentations. Moreover, only seven national organizations stated that they had been involved in either international or national decision-making processes. In some cases, host communities might be more excluded than refugee-led organizations from certain policy-making processes. The findings from the consultation survey show that national organizations were even less

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[34] 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

[35] http://www.urban-refugees.org/white-paper-global-compact-importance-refugee-led-organizations-effective-refugee-responses/

[36] Consultation process, Interview with refugee-led organization (08.02.2018)

[37] https://massocki.wordpress.com/2018/02/10/priority-issues-of-refugees-today-institutional-priorities-for-protecting-and-supporting-refugees-and-policy-recommendations-for-international-refugee-policy/

[38] http://foundationppdr.org/2017/03/20/the-refugee-international-reports-does-not-reflect-the-refugee-situation-in-uganda/

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

[40] http://www.unhcr.org/events/conferences/5a0abf1f7/written-contribution-alef-act-huan-rights-lebanon-thematic-discussion.html

engaged in the GCR process (23%) compared to refugee-led organizations (27.1%).

CSOs also note that women's organizations are underrepresented in policy-making processes. ICVA has stated that "refugee-led and women's organizations should be specifically included in unfolding discussions and in the development of policy positions and crafting practice based on its implementation".[41] In a statement with 34 other organizations, the Women's Refugee Commission stated that women should be mobilized as equal partners, and that assessments should measure women's skills to identify "where support is needed to ensure maximum participation".[42] Women's organizations from the policy consultation and development process also noted that women are underrepresented in decision-making processes. In the words of one woman's organization:

> *"Women's organizations are still not being consulted. Women's organizations who do lobbying work is unequipped to do it at international mechanism, and there is a dichotomy between women's organizations and international policy-making mechanisms. The international system is not equipped well enough. [For example], sending someone for three days to do [a] gender analysis is not enough*.*"*[43]

CSOs also state that there are a number of barriers that stop them from fully participating in decision-making processes. ICVA states that the high expectations from UNHCR, NGOs, and local stakeholders for refugee-led organizations is a barrier for refugee representation in international decision-making processes, as they are unable to meet the expectations of these institutions due to limited funding. ICVA also credits language barriers, limited resources, and legal concerns also complicate refugee representation in policy-making processes.[44] Urban Refugees also stated that refugee-led organizations are rarely provided capacity-building or financial support.[45]

While refugee-led organizations and national organizations agree that funding acts as a barrier to their involvement, surveyed and interviewed organizations also cited other systematic factors which impede their involvement in decision-making processes which often go unmentioned by other international organizations. For instance, one national organization stated that they were unable to attend an event they were invited to due to problems with visas.[46] Another refugee-led organization suspected that they haven't been involved in policy-making processes because they lacked an official office.[47]

However, for the vast number of interviewed and surveyed organizations for the consultation

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[41] 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

[42] https://www.womensrefugeecommission.org/general-resources/1522-making-global-compact-on-refugees-work-for-all-women-girls-recommendations , p. 2-3

[43] In-depth interview with an academic (22.01.2018)

[44] http://www.refugeecounil.org.au/wp-content/uploads/2017/08/Geneva-2017_Refugee-self-representation-advocacy_Final-report.pdf

[45] http://www.urban-refugees.org/white-paper-global-compact-importance-refugee-led-organizations-effective-refugee-responses/

[46] In-depth interview with a national organization (11.01.2018)

[47] In-depth interview with a refugee-led organization (12.01.2018)

process, the exclusion of refugee-led organizations and national CSOs from international policy-making processes stemmed simply from the fact that they were not invited to these processes or provided information about these processes in the first place. One refugee-led organization stated:

> *"It's a little bit about resources – pay from their own pockets to attend meetings;* **[and the] main problem is knowing about meetings**. *Another problem is being invited to them – [there are] restrictions on participation [and] limited numbers of attendees"[48]*

26.1% of surveyed organizations stated that the main reason they have not been engaged in the GCR process was that they were not informed about the process. 14.3% stated that they were not engaged because they were not consulted or invited to the process. Refugee-led organizations and women's organizations were more likely to state that they were not consulted or invited to these processes (22.9% and 20% respectively), while national organizations were more likely to state that they were not informed about the process (29.9%). In contrast to statements made by international organizations like ICVA and Urban Refugees about the need to build capacity and increase funding, refugee-led organizations and national organizations were less likely to identify 'organizational limitations' or 'lack of resources' as the main barrier which stops their involvement in decision-making processes (6.1% and 5% respectively).[49]

Lastly, CSOs and academics are also concerned by the ways refugees are represented in the media, academic studies, and in other settings without consultation of refugees, as this can contribute towards stereotypes about refugees, as well as structural xenophobia and discrimination against refugees.[50] Academics who conduct research on refugees are particularly vocal on this point, and have urged others to be cautious of the way language and written publications can reproduce negative stereotypes about refugees.[51] Other academics have noted that refugees are often pushed into being unpolitical to maintain peace, and thus are unable to represent themselves politically on their own terms. Naohiko Omata, for instance writes that the humanitarian regime paradoxically reinforces a framework of "good" and "bad" refugees, in which agencies like UNHCR only promote the political participation of refugees "when a disciplined and tame refugee voice expresses itself within certain limits".[52]

Surveyed and interviewed refugee-led and national organizations leading up to the International Refugee Congress were also concerned with negative media coverage that contributes to xenophobia and discrimination against refugees. One refugee-led organization stated, for

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[48] In-depth interview with a refugee-led organization (16.01.2018)
[49] Consultation survey results
[50] See for example: Melissa Fleming's (UNHCR Spokesperson) book on the life of Doaa Al-Zamel, and *the Guardian* review on the book: https://www.theguardian.com/books/2017/jan/22/a-hope-more-powerful-than-the-sea-review-melissa-fleming-syrian-refugee
[51] See: https://academic.oup.com/jrs/article/20/2/248/1537964 ; https://www.huffingtonpost.com/lara-zahabibekdash-md-phd/recreating-the-refugees-n_b_8610422.html ; and https://kiej.georgetown.edu/refugees-narratives-bad-things-words/
[52] Omata, N. (2017) "Unwelcome Participation, Undesirable Agency: Paradoxes of De-Politicization in a Refugee Camp", p. 129; See also: E. Olivius, "(Un)Governable Subjects: The Limits of Refugee Participation in the Promotion of Gender Equality in Humanitarian Aid", Journal of Refugee Studies, 27(1), 2014, 42-61.

instance, that national governments should take action against organizations and policies which promote xenophobia against refugees.[53] Another refugee-led organization noted that there is a need to "fight against socially-constructed images of refugees".[54]

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

CSO priorities and positions on refugee and host community participation in decision-making processes depart from UNHCR's previous and current practices, as well as state priorities. The following section will focus on a number of key issues in conflict with one another when discussing refugee and host community participation and representation.

First, refugee participation is encouraged by international institutions and states *to a certain extent* and only *under specific conditions.* Though international institutions and national governments portray refugee and host community participation as an essential component for policy-making processes, refugee and host community participation has remained largely symbolic. While refugee-led organizations have advocated for their participation in decision-making processes to exert their agency and pursue an ethical refugee response, international institutions and national governments frame refugee participation as a mechanism with the potential to improve the management and effectiveness of programs. Thus, refugee participation and host community participation is only welcomed as a way to implement the agenda of these institutions and governments.

Second, past and current practices have generally ignored the need to ensure the participation of host communities in decision-making processes. As observed in the consultation process for this initiative, surveyed national organizations felt that they were even less represented in the GCR process than refugee-led organizations. While the current draft of the GCR does mention that local actors, host communities, and civil society organizations should be supported, their participation in policy-making processes is also largely limited to being an effective partner which can enact the agenda of international institutions and national governments.

The GCR also barely addresses how refugee-led and national organizations could be better involved in national decision-making processes on refugees. As demonstrated in this paper, national governments generally have not focused on the need to improve the participation of refugee-led and national CSOs. But despite the apparent lack of interest of states, the GCR does not propose any mechanisms which might encourage national governments to encourage the participation of refugees and host communities in national decision-making processes.

Lastly, refugee-led and national CSOs state that the main factor hindering their involvement in decision-making processes is the lack of an invitation to partake in these processes, as well as lack of information or communication on these processes. Despite this, many international

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[53] In-depth interview with refugee-led organization (08.02.2018)
[54] In-depth interview with refugee-led organization (26.01.2018)

institutions and organizations, such as ICVA, fixate on the idea that refugee-led and national CSOs need to be provided with opportunities for capacity-building or resources in order to attend these events, without acknowledging their already existing capacities. This perspective rings through in the current draft of the GCR, which states that UNHCR and other relevant stakeholders can improve refugee and host-community participation by providing capacity-building.[55] This statement acknowledges that refugees and host communities might not be adequately informed about the process. However, more crucially, it does not acknowledge the already existing capacities of refugee-led and national CSOs to participate in decision-making processes, nor does it acknowledge that the root of refugee-led and national CSO exclusion stems from the existing practices of international institutions, national governments, and INGOs themselves.

Section 5: Key Questions for the Working Groups

The following questions aim to provide some ideas for discussions among the working group member organizations on representation and participation, as they form and develop policy briefs in preparation for the International Refugee Congress.

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

- As the working group on representation and participation of refugees and host communities, what are your suggestions on the best methods for improving participation and representation of refugees and host communities (including women) in national and/or international policy-making processes?
- What should be the responsibilities of local government, national government, regional governmental bodies, and intergovernmental entities (ex. UN) and INGOs in ensuring and facilitating the participation and representation of refugees and host communities in policy-making processes?
- What mechanisms can be used to ensure that stakeholders in international and national refugee response include refugees, host communities, and women in decision-making processes?
- Does the GCR provide a sufficient framework for including refugees, host communities, and women in policy-making processes? If not, what should be added in the GCR?

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[55] See Paragraph 31, Draft 1 GCR