



Joint Statement on Women and Girls towards the Global Refugee and Migrant Summits, September 2016

On September 19th and 20th, world leaders gather at the United Nations (UN) for two major summits on the global refugee and migration crisis – the UN Summit for Refugees and Migrants co-chaired by the Governments of Jordan and Ireland and the Leaders’ Summit on Refugees convened by President Obama.

This paper outlines recommendations from the under-signed agencies, which have wide-ranging experience in support to people experiencing forced displacement, as well as the specific challenges faced by displaced women and girls. Millions of refugees flee their homes every year in search of protection, as do many other migrants who have been forcibly displaced but do not fall into the legal category of refugees as defined by the 1951 Refugee Convention. Regardless of whether or not they meet the legal definition of refugee, many of these displaced individuals have been subjected to discrimination, persecution or violence. The obligation to protect persons fleeing conflict, natural disasters and other difficult circumstances in search of safety and dignity is paramount. All refugees and migrants, regardless of the reason for their displacement, should be treated with dignity and respect for their fundamental human rights.

Women and girls who flee conflict, crisis and natural disasters, as well as women who migrate for other reasons, such as domestic violence or poverty, face specific threats - including human trafficking, exploitation and sexual violence and a denial of their basic human rights, including the right to seek asylum.ⁱ The risks they face can also be compounded by various factors, including age, disability, race and other issues which mean some women and girls face increased discrimination, violence and barriers to assistance and protection. Assessments conducted in 2015 and 2016 found that current policy and programming trends in response to migration often exacerbate the barriers to safety and legal protection for women and girls.ⁱⁱ Studies published in November 2015 found that refugee programmes in Turkey, Jordan, Lebanon, Greece and the Balkans were failing in basic aspects of gender-based violence prevention and response.ⁱⁱⁱ A global study by the Inter-Agency Working Group on Reproductive Health in Crises found that access to sexual and reproductive healthcare for displaced women is generally also below minimum standards or absent in many contexts.^{iv} Despite all these challenges, displaced women are organising themselves to support aid delivery and protection efforts, such as through establishing safe spaces for women and children. Yet their efforts currently receive little support or recognition from donors and policymakers.

At the Summits and beyond, states should commit to:

- 1. Ensure displaced women and girls meaningfully participate in all aspects of the Summits themselves and follow-up implementation, monitoring and accountability efforts.** At the Summits, there should be a gender balance in participation from all sides. The international community should practice what it preaches by facilitating female representatives from diverse backgrounds to participate. We welcome the call for 'Comprehensive Refugee Response Plans' to be taken forward at national level with a 'whole of society approach' including participation by national governments, UNHCR, civil society and refugees. Deliberate steps should be taken to enable local women's organisations and networks from both the refugee and host communities to meaningfully participate in this process. Monitoring and accountability on the Summits' outcomes should take place at both global and national levels, with involvement by women's civil society groups, who can bring their expertise to identify gaps and ways forward.
- 2. Implement safe and legal migration routes, including through expanded family reunification options for refugees, rather than a policy of deterrence. Ensure access to effective asylum and legal protection mechanisms for all migrants.** A misguided focus on deterrence ignores root causes of forced displacement, puts women and girls at greater risk of trafficking and gender-based violence, and diverts resources from efforts to appropriately strengthen protection systems at home and abroad. In particular, restrictive family reunion practices hugely and disproportionately impact on women and children and put them at risk – either by forcing them to remain in dangerous circumstances in country of origin / first country of asylum (after the male head of household has left in search of a more sustainable future) or by forcing them to embark on dangerous journeys to reunite with family members already living in safety. Even in states where asylum processes are in place, refugees may have great difficulty in accessing such processes and exercising their rights to asylum in a safe, timely and informed manner. There are many specific challenges to ensuring that refugee, returnee, displaced and stateless women access individual registration and documentation. These include the practice of registering only the 'head of the family,' usually the eldest male; difficulty in reaching female asylum seekers in urban areas; and gender discrimination leading to the exclusion of young girls from registration. Moreover, registration and screening processes often fail to adequately and appropriately identify women and girls who may have experienced, or are at risk of, gender-based violence, and to ensure they receive needed services and protection. States should prioritize the strengthening of legal frameworks and processes that are compliant with obligations under the Refugee Convention and Protocol, including through registration mechanisms that meet the specific needs of women and girls, and should ensure best practices in including the gender dimensions of persecution in refugee status determination. They should also support the Global Campaign Against Xenophobia called for in the Political Declaration. To make this a reality, states should support grassroots integration efforts; hold perpetrators of hate speech and crimes accountable; and ensure that political leaders foster positive narratives about refugees and migrants, and avoid language which stigmatizes them and fosters xenophobia.
- 3. End the arbitrary and prolonged detention of asylum seekers and migrants. Increase support for alternatives to detention.** Many governments are responding to arrivals of refugees and migrants with policies of deterrence, containment, detention and other measures that represent an erosion of the principle of asylum. These practices place women and girls – as well as unaccompanied children, persons with disabilities, persons discriminated against on the basis of sexual orientation, the elderly and others – at risk of gender-based violence, trafficking, exploitation and abuse. Furthermore, research has demonstrated that there are more cost effective and humane alternatives to detention which deserve increased support. For these reasons, states should end the practice of detaining children regardless of their or their parents' migration status and should only detain asylum-seekers as a last resort and for the least amount of time possible. They should adopt and implement the OHCHR Recommended Principles and Guidelines on Human Rights at International Borders based on

the primacy of human rights and promoting non-custodial forms of alternatives to detention that empower individuals to participate in decision-making about their future.

- 4. Make an explicit, detailed commitment to protect all displaced women and girls from gender-based violence while in transit, in reception centres and upon reaching their destinations.** The threat of gender-based violence is pervasive for women and girls during displacement and often especially high for unaccompanied minors, those with disabilities and sexual minorities. States should demand that implementation of the Inter-Agency Standing Committee (IASC) Guidelines on Prevention and Response to Gender Based Violence becomes standard operating procedure at every stage of the humanitarian response—as automatic as the provision of shelter or food. Internationally-recognized best practices for ensuring security and protection – such as adequate lighting, separate toilet and bathing facilities with locks, and separate accommodation for women or children traveling alone – should become the default. While GBV response services must be strengthened, this should be complemented by strong prevention programming, which engages men and boys where possible and seeks to address the root causes. All women and girls have the right to live free from the constant threat of violence and exploitation, and survivors of gender-based violence must have access to essential services. Zero tolerance for all forms of sexual exploitation and abuse should be maintained, including setting up confidential reporting mechanisms, and taking safe and ethical action as quickly as possible where incidents have been reported. Due process should include punitive action against perpetrators and protection – including in the form of legal status – for survivors.
- 5. Expand access for women to legal and safe livelihoods opportunities that leverage their capacity to sustain and protect themselves and their families.** Displaced women often need support to access work permits and markets that can help them become self-reliant. Economic opportunities are frequently rare in displacement settings, and may be even more so for women due to real or perceived protection risks and other assumptions about their capabilities. For some women and girls, this may result in negative coping mechanisms such as early marriage.^v Vocational training has also often failed to provide displaced women with marketable skills by limiting their options to feminized occupations such as sewing, hairdressing and cooking. For women whose legal status depends on a partner or employer, this can result in exploitation and exacerbated protection risks. To counter these risks, expanding access to formal, dignified and decent work for displaced women should be an identified priority at this Summit. States should adopt right to work legislation, decent work legislation and support collaborative processes that allow refugees and host communities to safely meet their basic needs, build resilience and lay the foundation for longer-term development. Inclusive national development strategies can promote economic growth, social cohesion, and gender equality, and are in the interest of all concerned.
- 6. Ensure that all refugee and migrant girls have access to quality, safe and inclusive education at all levels.** Access to education for refugee and migrant children is inadequate in most situations and in many cases girls are particularly disadvantaged and their right to quality education is violated. In camp settings in Eastern and the Horn of Africa, only 5 girls are enrolled for every 10 boys. Ensuring the right to quality education for refugee girls also protects them from physical abuse and contributes to psycho-social wellbeing. It can also be gender transformative and is key to improving girls' social and economic potential. Refugee girls that are out of schools are at greater risk of gender-based violence. States and other education providers should ensure a comprehensive approach to improving girls' access to quality, safe and inclusive education, with links to girls' future livelihoods.
- 7. Reform gender discriminatory nationality laws to ensure that women and men have equal rights to confer nationality on their children and spouses.** Gender discrimination in nationality laws is a leading cause of statelessness and has been recognized by the Security Council as a factor that exacerbates the vulnerability of displaced women and children. Further, forced displacement and

migration from countries with gender-discriminatory nationality laws threatens to create a new generation of stateless children. These discriminatory laws also contravene Articles 2 and 9 of the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights treaties, including the Convention on the Rights of the Child articles 2, 7 and 8.

- 8. Increase funding and policy support to ensure access to life-saving and comprehensive sexual and reproductive health services.** During migration and displacement, women and adolescent girls face high risks to their reproductive health, including the risks resulting from sexual exploitation, abuse and complications during pregnancy and childbirth. The Minimum Initial Service Package (MISP) for Reproductive Health, comprised of priority life-saving reproductive health services, is the established global standard to address these issues in emergencies. Yet across displacement contexts, there are still significant gaps in MISP implementation. The price is paid in the lost lives and diminished health of women and girls. Linked to the wider process proposed to develop 'Comprehensive Refugee Response Plans', governments, donors and humanitarian agencies should work together to ensure the availability of such care through support for reproductive health service provision, necessary equipment and medication, and capacity-building of relevant personnel, including female staff. States should also take immediate steps to reform laws and practices that deny migrant women access to health services on the basis of their migration status.
- 9. Provide increased and dedicated funding to displaced women-led civil society organisations, and support policy reforms to enable displaced women to organize themselves and register civil society organisations.** Commitments made at the World Humanitarian Summit (WHS) to launch a 'Grand Bargain' which strengthens the localisation of humanitarian action, and the WHS Gender Core Commitment on empowering local women's organisations should be taken forward in contexts affected by displacement. Towards this end, Humanitarian Coordinators, donors and other stakeholders should convene discussions on country-specific priorities in support to women-led groups and factor these into the 'Comprehensive Refugee Response Plans' and other relevant strategic processes, such as UN Humanitarian Response Plans and National Action Plans on Women, Peace and Security. These key parties should support relevant ministries in reviewing regulatory frameworks and practices for consulting civil society. They should ensure an enabling environment for refugees, including refugee women and girls, to establish, register and operate civil society organisations to better support self-reliance, integration and engagement in decision-making on the crisis response.
- 10. Promote robust and coherent accountability across donor funding for addressing women's participation, gender-based violence, comprehensive sexual and reproductive health and rights, and gender sensitivity.** The World Humanitarian Summit launched 'Core Commitments' on Gender which donors could adapt as benchmarks in their funding to agencies implementing refugee and migrant programmes.^{vi} The various standards and tools to promote accountability for gender-sensitive humanitarian programmes such as the IASC Gender and Age Marker, the IASC guidelines on Gender Based Violence and the Minimum Initial Service Package on Reproductive Health in Crises should be brought together into a coherent approach. Common across efforts on women's participation, gender based violence and sexual and reproductive health, donors should require agencies they fund to demonstrate the inclusion of women-led civil society organisations from both host and displaced communities in the design, implementation and monitoring of programmes.

1. Action Aid International
2. AFFORD
3. ABAAD, Lebanon
4. ACCEM
5. ADRA International
6. African Women's Development and Communication Network (FEMNET)
7. Alianza por la Solidaridad
8. CARE International
9. Christian Aid
10. Entreculturas
11. Equilibres & Populations
12. Federación Aragonesa de Solidaridad
13. Federación de Derechos Humanos
14. Free Yezidi Foundation
15. Forum des Organisations de Solidarité Internationale issues des Migrations (FORIM)
16. Fundación 1º de Mayo de CC.OO.
17. Handicap International
18. Heartland Alliance
19. HIAS
20. IECAH
21. Inspiration
22. International Medical Corps
23. International Rescue Committee
24. ISIS – Women's International Cross-Cultural Exchange
25. Liga de Mujeres Desplazadas
26. Melissa Network
27. Mercy Corps
28. ONG Rescate Internacional
29. Oxfam International
30. PAI
31. Plan International
32. Refugee Action
33. Solidarity Now
34. Somali Women's Studies Centre
35. Syrian American Medical Society
36. Support for Women in Governance Organization (SWIGO)
37. U.S. Committee for Refugees and Immigrants
38. Warwin Foundation for Women's Issues
39. Women's International League For Peace and Freedom
40. Women Now For Development
41. Womankind Worldwide
42. Women for Women International UK
43. Women's Refugee Commission
44. Women Refugee Route
45. World Jewish Relief

ⁱ <https://www.womensrefugeecommission.org/resources>

ⁱⁱ <https://www.womensrefugeecommission.org/rights/resources/1357-eu-turkey-agreement>

ⁱⁱⁱ <http://www.unhcr.org/uk/protection/operations/569f8f419/initial-assessment-report-protection-risks-women-girls-european-refugee.html>;

<http://reliefweb.int/report/syrian-arab-republic/evaluation-implementation-2005-iasc-guidelines-gender-based-violence>

^{iv} http://iawg.net/wp-content/uploads/2015/04/3.-IAWG-GE-Summary_English.pdf

^v <http://insights.careinternational.org.uk/publications/to-protect-her-honour-child-marriage-in-emergencies-the-fatal-confusion-between-protecting-girls-and-sexual-violence>

^{vi} <https://consultations.worldhumanitariansummit.org/bitcache/a013ad0b3de01c192588653dd4138280fbdcbc69?vid=575816&disposition=inline&op=view>