

The Initiative for Child Rights in the Global Compacts: Response to the GCR Final Draft

The Initiative for Child Rights in the Global Compact commends Member States and UNHCR for the Global Compact on Refugees (GCR). In a world where, increasingly, refugee and migrant children are deprived of liberty, become separated from families, are denied access to education, care and protection, and have their life and survival threatened because of their status, the agreement of a global compact on refugees is of significant importance.

For many months, the Initiative has accompanied States, UNHCR and other UN and civil society organizations in discussing the GCR text. Our aim is to ensure that children's rights are at the heart of the Global Compact on Refugees and of the Global Compact for Safe, Orderly and Regular Migration; and that together they pave the way to guarantee a continuum of care, protection and support for refugee and migrant children. For the GCR, our expectation is an inspiring text, one that will enable concrete translation of legal obligations into action for refugee children through mechanisms of responsibility sharing and collective action to respect, protect and fulfill their rights as children first and foremost.

The Initiative welcomes that the GCR program of action is underpinned by 'age, gender, and diversity considerations'. The Comprehensive Refugee Response Framework envisages a solid child rights approach and the GCR calls upon States to ensure the best interests of the child; to combat discrimination; end all forms of sexual and gender-based violence, trafficking in persons, sexual exploitation and abuse, and harmful practices; promote gender equality and empowerment of women and girls; as well as facilitate the meaningful participation of all people concerned, including children and youth.

The Initiative strongly supports the language in paragraph 76 of the GCR on 'investments in strengthening national child protection systems, cross-border cooperation and regional partnerships to provide a continuum of protection, care and services for at risk children'. In addition to child protection, other [recommendations](#) considered crucial by the Initiative, including fighting discrimination, ensuring access to services and building alternatives to detention, especially for children, are reflected in the text. We hope that the GCR will drive States to ensure meaningful participation of children; build community alternatives to detention for children and their families; and facilitate access to education, while also enhancing the quality and inclusiveness of national education systems.

On a few specific child rights issues however, we regret that the GCR fails to provide guidance for action. Although it is a matter of life or death for many refugees, the GCR remains silent on the need to build and strengthen comprehensive sexual and reproductive health rights and services as well as maternal and infant health services.

We note the subsection on gender is now titled 'women and girls', which in our view represents a limited understanding and response to gender-related discrimination and norms as drivers of rights violations for all refugees. We would hope that the GCR

would not only talk about the needs of women and girls but propose solutions to address the gender-based norms and power dynamics that affect all persons, regardless of their gender identity.

The Initiative stresses the importance of the principle of the best interests of the child. In line with the Convention on the Rights of the Child, any decision, and in particular decisions about solutions for children and their families, should be guided by robust, multidisciplinary and independent best interests' assessments and determination, led by qualified child protection personnel in consultation with the child concerned. As the aim of the process is to guarantee a quality sustainable solution for the individual child, we regret the part on Solutions does not refer explicitly to the best interests of the child principle. While the Initiative welcomes the GCR text on 'effective procedures and clear referral pathways for family reunification' as well 'student visa, especially for women and girls', we would like the text to also include references to prioritization and extended eligibility criteria for children in resettlement, family reunification and other complementary pathways.

The Initiative shares the belief that the success of the measures described in Part B of the GCR relies on robust and well-functioning arrangements for responsibility-sharing. We hope that the governance proposed in the GCR will bear fruit and truly result in the widening of the support base so that we can provide refugee children with the protection and services they are entitled to. International solidarity and cooperation is a corner stone to achieving this.

Whilst the Formal Consultations on the GCR text are coming to an end, the Initiative believes that an even more important phase will soon begin. For us, the GCR's final success will be measured by its impact on the lives of millions of refugee girls and boys around the world. Therefore, we commit to enhance collaboration, so that together we can concretely improve their situation. At national, regional and global levels, we pledge to contribute with knowledge, expertise and other resources in areas such as:

- Strengthening national education systems, facilitating access and removing barriers to education;
- Enhancing child protection systems, cross-border cooperation in ensuring continuum of protection, care and services for at risk children;
- Building community alternatives to immigration detention of children and their families, in line also with the UN Guidelines for the Alternative Care of Children;
- Ensuring family tracing and reunification upon request of the child and his/her family or legal guardian and as per child's best interests;
- Adequate housing, including safeguarding, and other service provisions such as legal counselling and representation, infant and child health care services, sexual and reproductive health services, mental health and psychosocial support;
- Best Interests Assessments and Determinations;
- Meaningful participation of children in decisions regarding them; and
- Working with communities and families to identify and address gender-based norms and discrimination that drive rights violations (i.e. child, early and forced marriage, disruption in education, sexual and gender-based violence,

trafficking, etc.) including through promoting girls' and boys' education, positive gender relations, positive masculinities etc.

The Initiative members and its vast networks of civil society, including refugee and migrant led and child/youth organizations, is well-placed to support further in the development of:

- Age, gender and disability disaggregated indicators and analysis;
- Impact measurement;
- Meaningful participation;
- Responsibility Sharing Mechanisms; and
- Programmatic responses tailored to address the needs of children at every phase of their displacement.

The Initiative strongly believes that every step in protecting the rights of a refugee and migrant child, is a step towards fulfilling the rights of all children. Providing children with access to their rights helps to break the cycle of violence, poverty, and inequality. It is a secured investment in achieving peaceful, inclusive and progressive societies. This is the future we expect the GCR implementation to contribute to.