



Public Services International
Internationale des Services Publics
Internacional de Servicios Públicos
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Internationell Facklig Organisation för Offentliga Tjänster
國際公務勞連

Public Services International

Written Contribution to the Formal Consultation on the Zero Draft of the Global Compact on Refugees

13-14 February 2018, Geneva

About Public Services International (PSI)

Public Services International is the global trade union federation representing more than 20 million workers, represented by over 700 unions in 154 countries and territories. Our members, two-thirds of whom are women, work in social services, health care, municipal and community services, central government, and public utilities.

PSI champions human rights, advocates for social justice and promotes universal access to quality public services. PSI works with the United Nations system and in partnership with labour, civil society and other organisations.

Comments on the Zero Draft of the Global Compact on Refugees

PSI welcomes the opportunity to contribute to the drafting of the **UN Global Compact on Refugees (GCR)**, which consists of:

- The **Comprehensive Refugee Response Framework (CRRF)**, as contained in the annex I of the *New York Declaration for Refugees and Migrants*;
- A **Programme of Action** that will underpin the CRRF and facilitate its application through concrete measures.

Key Points

A holistic and integrated approach grounded on human rights and humanitarian principles

We welcome a holistic and integrated approach in the Programme of Action (PoA), aligning it with the sustainable development agenda and recognising the complementarity between humanitarian, development and peace-building efforts. Along with the reiteration of the international refugee protection regime founded on the 1951 Refugee Convention and its 1967 Protocol, we, however wish to see strong reference made on the UN Core Human Rights Conventions and international labour standards. The principle of *non-refoulement* must be upheld and placed at the forefront of the Compact. We welcome the important consideration placed in addressing broader international protection challenges, such as displacement caused by natural disasters and climate change, and working with relevant stakeholders (para 47).

Emphasis on responsibility sharing

We would like to see emphasis in the Global Compact on responsibility-sharing, and to do away with the term “burden-sharing.” Refugee protection and assistance is not a burden on States, but a responsibility that should be equitably shared among countries, commensurate to their economy and size of the population. It is deeply disturbing that rich countries that have the capacity to receive and host refugees are not stepping up to this responsibility. To date 85% of the world’s refugees are hosted by developing countries.

Support for the application of CRRF should focus on durable solutions, an important component of which is resettlement. Rich countries must contribute their share in resettlement programmes, and not just as donors.

Investment in quality public services to meet needs and support communities

We support the emphasis in the PoA to “move away from past practices of encampment and parallel services for refugees” (para 49), and to encourage investments to expand and strengthen national, and we would add, *sub-national* systems for education, health, jobs and other services. **Funding public services is key to achieving this goal.** Inclusion of refugees and ensuring their access to quality public services, without fear or discrimination, while also ensuring that host communities benefit from strengthened and well-resourced public services will support empowerment and the sustainable integration of refugees into their host communities. It can facilitate inclusion and will help dispel myths and misconceptions that “refugees are a burden.” This should go hand in hand with measures and policies that support diversity, social inclusion and responsible media reporting in fighting racism and xenophobia.

Outsourcing and Privatisation of Refugee Services

Evidence shows that outsourcing and privatisation of refugee services have serious impact on human rights and on the quality of the services delivered. A PSI study on *The Privatisation of Migration and Refugee Services (2017)* documents the dehumanising impact on refugees, asylum seekers and migrants by these privatised and outsourced services, such as in detention facilities, off-shore services, reception, housing and health care. PSI advocates for access to quality public services for refugees, asylum seekers and migrants, to abandon the privatisation of these services and to keep public services in public hands.

In order to protect public interest, to fight corruption and the misuse of public funds, private sector investments in supply chains, including public-private partnerships and ventures, must be subject to public scrutiny and regulations and must be governed by human rights norms and labour standards, including whistle-blower protection.

Access to Health

We fully support the inclusion of refugees in national health systems, and in public health services. We move for the removal of the word “where appropriate” in the third line of paragraph 55. The Right to Health is a universal human right. We support measures identified in the PoA, and would add in the fourth bullet point (para 56), ensuring that sufficient health care workers are available, have access to training opportunities [delete “where needed”] and add, and working in safe and decent conditions.

The PoA should make reference to the *WHO Framework and Guiding Principles to Promote the Health of Refugees and Migrants* http://www.who.int/migrants/about/framework_refugees-migrants.pdf.

Access to Education

We welcome the inclusion of refugee children and youth in national education systems. We move for the removal of the word “where appropriate” in the third line of paragraph 52. The right of children to free quality education is a basic human right and must be guaranteed without discrimination of any kind, not *only when appropriate*. In addition to specific actions identified in para 52, the last bullet should read as: support to refugees who are or could be engaged as teachers, add, including their access to training, decent work and recognition of skills and qualifications.

Access to Jobs and Livelihoods

Access to decent work for refugees is key to their empowerment and sustainable integration in host societies. Decent work provides the link between humanitarian assistance and sustainable development, and in line with SDG 8. The PoA should therefore secure commitments to allow refugees and asylum seekers access to the labour market, to protect their human and labour rights, provide access to justice, fair and ethical recruitment, decent work and social protection. States must comply with international labour standards in the treatment of refugees, and can take guidance from *the ILO Guiding Principles on Access of Refugees and Forcibly Displaced Persons to the Labour Market* and the *ILO Recommendation 205 (Employment and Decent Work for Peace and Resilience)*.

Second bullet point in paragraph 54, should read as: encourage development funds to be directed to regions and communities that host refugees, and develop adequate instruments to [delete ATTRACT], and insert, support public and private sector and infrastructure in these areas.

Third bullet point in paragraph 54, insert at the end of the paragraph, subject to labour inspections and in compliance with human rights norms and labour standards.

Accommodation, energy and natural resource management

Investment in public infrastructure and utilities is crucial in sustaining communities, mitigating risks, responding to disasters and building resilience. In addition to accommodation and renewable energy, access to safe public drinking water, sanitation, infrastructure and urban development must be integrated and provided to refugees and host communities. The role of cities, municipalities and local authorities is crucial, along with frontline public service workers providing these services.

Working in solidarity with refugees, UNHCR, non-governmental organisations and local authorities, PSI’s trade union affiliate, the North Lebanon Water Workers Union, brings public water to communities in North Lebanon that are hosting 75,000 refugees and 90,000 local population (Solidarity Across Borders, <https://youtu.be/76Gb0CUa-Bg>).

A multi-stakeholder approach

The PoA stresses importance to multi-stakeholder approach in its successful implementation. On this, we particularly welcome the recognition of civil society, which should include among them, workers’ organisations and trade unions working with refugees at the national and local levels.

Complementarity between the Global Compact on Refugees and the Global Compact on Migration

Though mandated to be two distinct and separate processes, we encourage efforts to ensure complementarity between the two Global Compacts, with the view to strengthening protections for refugees and migrants, particularly those in vulnerable situations. Primary emphasis must be on

saving lives and the protection of human rights. In all circumstances, protection of the rights of the child and the best interest of the child must take precedence.

We welcome the emphasis in both Global Compacts in identifying gender responsive policies and measures to reduce vulnerabilities faced by women and girls in the migration process, while equally promoting their empowerment as change agents.

We need to see an explicit commitment to end the practice of detention and criminalisation of asylum seekers and undocumented migrants; and to categorically prohibit the detention of children.

The sovereign right of states to manage their borders includes their sovereign right to protect human rights. Discriminatory migration policies and the securitisation and externalisation of borders deprive migrants and asylum seekers access to safe and legal channels and the right to seek protection. In allowing for safe and legal pathways for migration, and establishing fair and rights-based migration policies, States will do well in strengthening their asylum system and doubling their commitment to refugee protection.

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PSI's work on Migration and Refugees: <http://www.world-psi.org/en/issue/migration-and-refugees>

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