

ANNUAL CONSULTATIONS WITH NGOs
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DISCUSSION PAPER

Session title: *Creating conditions for voluntary, safe and sustainable returns*

Date: *Friday 16 June*

Time/Room: *09h00 – 12h00 – Room 5/6*

Background and link to the theme:

In the New York Declaration, States commit to actively promoting durable solutions, one of which is voluntary, sustainable and timely return in safety and dignity, encompassing repatriation, reintegration, rehabilitation and reconstruction activities. They reaffirm the primary goal of bringing about conditions that would help refugees return in safety and dignity to their countries.

Refugee return processes are frequently the most challenging component of the refugee protection regime. Voluntary repatriation is typically viewed as the most preferable durable solution by member states, but the imperative to ensure the voluntary, safe, and sustainable nature of returns has created a number of challenges for both refugee-hosting states and refugee-generating states. Political and economic pressures often inform the debates on return as much as protection concerns and humanitarian realities. The process of reconciliation, re-establishing rights, assessment of absorption capacity, reconstruction and rebuilding services, restitution of property and infrastructure to allow returns to be dignified and sustainable can take years at an extremely high cost – going well beyond the timeframe and available financing that is typically attached to the aspects of return programs supported by humanitarian actors. As central actors in voluntary repatriation programs, and service providers for those who have returned to their countries of origin under complex circumstances, NGOs and UNHCR have a crucial role to play in defining the way that states, civil society actors - including humanitarian, development and human rights NGOs - and the Red Cross/ Red Crescent National societies, UN humanitarian and development organisations, local communities and refugee returnees, the private sector and other stakeholders ensure that the CRRF commitments to voluntary, safe, and sustainable returns are translated into specific measures on the ground.

In the context of developing a comprehensive refugee response framework, the session will explore proposals for creating the conditions for voluntary, safe and sustainable returns

– particularly in areas relating to ensuring the voluntary nature of return; the restoration of national protection and respect for rule of law; fostering reconciliation, dialogue and participation; and ensuring that national development planning incorporates the specific needs of returnees and promotes sustainable and inclusive reintegration. Good practices that have the potential to be scaled up and replicated will be highlighted, and concrete actions will be proposed to build on and improve current approaches. The proposed actions will serve as inputs in the development of the programme of action of the Global Compact on Refugees.

Following the panel, participants in the session will break into four moderated working groups in order to examine the state commitments on return in the New York Declaration and the CRRF on the following four themes:

- What measures can be taken to encourage voluntary and informed repatriation, reintegration and reconciliation? What actions are required from states and other multi-stakeholder actors to promote those measures?
- What does restoring rights in the countries of origin mean? How this is reflected in legal and policy approaches? How can it be better reflected in operational approaches?
- How can commitments to reconciliation, dialogue and participation be operationalized. How can we ensure that efforts in this regard achieve meaningful results? And
- What specific actions by states and other actors will ensure that returnees can be meaningfully included in national development plans and that the specific issues linked to their displacement are comprehensively addressed?

Objectives of the session:

Based on discussions, breakout groups will collectively propose content for the Global Compact on Refugees and related Programme of Action. Such content will be proposed with a view towards enhancing partnership among governments, UNHCR and NGOs, and leveraging complementary roles and competencies of the actors in the humanitarian and development “eco-system” to ensure a solutions orientation of the Global Compact.

Desired outcome of the session:

Concise proposals to be elaborated as a contribution to the Global Compact on Refugees.

Methodology:

The session on “creating conditions for voluntary, safe and sustainable returns” will be broken into two parts. During the first hour, a diverse panel of speakers will offer insights on good practices and critical gaps in return and reintegration processes in which they have been involved, and this plenary panel will then have a Q&A.

After the coffee break, the participants will break into four moderated working groups for the remainder of the time.