

## GLOBAL REFUGEE FORUM 2023

Mega Pledge on Economic Inclusion  
and Social Protection

# TECHNICAL GUIDANCE NOTES: LAW AND POLICY



### Background:

Law reform pledges aim to build enabling environments in States for socio-economic inclusion of refugees, other forcibly displaced and stateless people, promoting equal access to economic opportunities, employment, entrepreneurship, decent work, and inclusive government social protection systems. This includes effective access to the right to work, rights at work, and social rights through providing access to labour markets and to decent work, and to contributory and non-contributory social protection systems to address poverty and vulnerabilities across the lifecycle. Equally important are related rights such as freedom of movement; access to individual registration, documentation, and legal status; freedom of association and collective bargaining; access to justice and judicial remedies against abusive working conditions; as well as access to productive land, bank accounts, and other financial and business development services.

Policy pledges will assist States and local governments to implement national legislative frameworks, prepare for future needs and shocks, as well as promote development strategies that mutually benefit refugees, other forcibly displaced and stateless people, and host communities. The principle of non-discrimination and equality of opportunity and treatment, in particular gender equality, should apply. Law and/or policy reforms should be developed in consultation with forcibly displaced, stateless and host communities to ensure they are targeted to needs. Other stakeholders, such as international organizations, development actors and civil society, can support building a strong legal framework and developing inclusive policies through providing for example technical assistance; medium- and long-term financial and programme support; training; as well as data and evidence.<sup>1</sup>

### Goal:

Over the next four years, at least 15 States—with the support of relevant stakeholders—adopt and/or strengthen laws and policies supporting economic inclusion and/or social protection.

## Aspirational Outcome:

One million refugees, other forcibly displaced and stateless people, and members of host communities gain equal access to economic inclusion; employment and decent work; training and lifelong learning; financial services; and access social protection through strengthened and inclusive legislative and policy frameworks.

## Impact indicators:

1. Number of States that make law and/or policy reforms to adopt and/or strengthen laws and/or policies supporting economic inclusion.
2. Number of States that make law and/or policy reforms to adopt and/or strengthen laws and/or policies supporting inclusion in national social protection programmes.
3. Number of States that explicitly include refugees, other forcibly displaced and stateless people in their national development plans and sector plans, including, in particular, sector plans for social protection, employment generation, and in technical vocational education and training (TVET).
4. Number of bilateral and multilateral development partners that explicitly include refugees, other forcibly displaced and stateless people in their high-level, regional, and country-level international development co-operation strategies.
5. Number of refugees, other forcibly displaced and stateless people, and members of host communities, disaggregated by age and sex at a minimum, that gain access to economic inclusion, employment and decent work, training and lifelong learning, – as a result of law and/or policy reforms (to the extent possible, this indicator will also be disaggregated into sectors).
6. Number of refugees, other forcibly displaced and stateless people, and members of host communities, disaggregated by age and sex at a minimum, that gain access to national social protection programmes– as a result of law and/or policy reforms (to the extent possible, this indicator will also be disaggregated into sectors).

## Pledging Guidance:

- Law and policy reform pledges should be SMART (specific, measurable, attainable, realistic, and timebound) and linked to one or more impact indicators.
- We encourage synergy and complementarity between pledging partners for the

development of quantifiable multi-year, multi-stakeholder pledges where the whole is greater than the sum of the parts. Multi-stakeholder pledges can be made at the local, country, regional, and international levels. For accountability and reporting purposes, the contribution of each stakeholder to a multi-stakeholder pledge should be clearly defined. Multi-stakeholder pledge development and pledge pre-matching can be facilitated under the framework of this pledge.

- Law and policy reform pledges should adhere to the principle of non-discrimination and equality of opportunity and treatment, in particular gender equality.
- The anticipated month and year of completion of the law or policy reform should be specified in the pledge.
- The objective of the law or policy reform should be clearly specified and quantified in the pledge by adding the number of target population in the country.
- States pledging to adopt/enact/amend a law/decreed/act/regulation/policy should specify the name/code/year (if available) of the instrument in the pledge.
- States pledging to withdraw a reservation and/or declaration to the 1951 Refugee Convention or its 1967 Protocol, or the 1954 Convention Relating to the Status of Stateless Persons, should specify the full text and year of the reservation and/or declaration in the pledge.
- For non-state actors, commitments could either be: (i) a matching pledge to support the development of a State's law and/or policy adoption/amendment or (ii) a pledge to support a State's implementation of a law and/or policy. Support could be given through technical assistance and/or funding, among others.
- In addition to state pledges, regional and bilateral pledges are also welcome.
- Pledge commitments shall seek a "do no harm" approach and endeavor to assess risks and mitigate potential negative effects of their actions.

### **Illustrative examples of pledges:**

(Please note: This is a non-exhaustive list of illustrative examples for pledges. These examples need to be adapted to each national legislative framework depending on existing laws and policies and possible legislative gaps.)

## FOR STATES<sup>2</sup>

### *Economic Inclusion, Employment and Entrepreneurship*

- (Name of State) pledges to withdraw by (month and year) the following reservation(s)/ declaration(s) made in (year of the reservation/declaration) to Article(s) 17/18/19 of the 1951 Refugee Convention/1954 Statelessness Convention to allow (number of target population in the country) refugees and asylum-seekers/stateless persons access to employment: (full text of reservation/declaration).
- (Name of State) pledges to adopt/amend law (name, code, year of the law if available) by (month and year) to provide (number of target population in the country) refugees/stateless persons with the right to e.g. wage-earning employment/self-employment/liberal profession.
- (Name of State) pledges to adopt/amend law (name, code, year of the law if available) by (month and year) to provide (number of target population in the country) asylum-seekers with the right to e.g. self-employment (from the date of applying for international protection)/ wage-earning employment and liberal profession (no later than six months from the date of applying for international protection, or sooner if refugee status (or another form of international protection or right to stay) is granted within the six month period).
- (Name of State) pledges to adopt/amend law (name, code, year of the law if available) by (month and year) to provide (number of target population in the country) refugees and asylum-seekers/stateless persons with the same conditions for access to the labour market and decent work as host country nationals.
- (Name of State) pledges to adopt/amend implementing decree/regulation/policy (name, code, year of the decree/regulation/policy if available) for law (name, code, year of law) by (month and year) to streamline administrative procedures for (number of target population in the country) refugees and asylum-seekers/stateless persons to access work permits and business registration.
- (Name of State) pledges to adopt policies by (month and year) to address practical restrictions to employment and entrepreneurship including discrimination and barriers based on gender norms/disability to provide (number of target population in the country) with equality of opportunities.

### *Social Protection Services and Schemes*

- (Name of State) pledges to withdraw by (month and year) the following reservation/ declaration made in (year of the reservation/declaration) to Article 24 of the 1951 Refugee Convention/1954 Statelessness Convention to allow for the inclusion of (number of target population in the country) refugees/stateless persons in government social protection schemes: (full text of reservation/declaration).
- (Name of State) pledges to adopt/amend law (name, code, year of the law if available) by

(month and year) and the implementing decree/regulation (name of decree/regulation if available) by (month and year) to include (number of target population in the country) refugees/asylum-seekers/other forcibly displaced/and stateless persons in government social protection schemes.

- (Name of State) pledges to adopt/amend law (name, code, year of the law if available) by (month and year) and the implementing decree/regulation (name of decree/regulation if available) by (month and year) to include (number of target population in the country) refugees in free childcare/childcare subsidies for working parents.

### *Financial Inclusion*

- (Name of State) pledges to adopt/amend policy (name, code, year of the policy if available) by (month and year) to enable the recognition of ID cards of (number of target population in the country) refugees and asylum-seekers/stateless persons for opening bank accounts and accessing other financial services.
- (Name of State) pledges to adopt/amend by (month and year) regulatory policies to allow (number of target population in the country) refugees and asylum-seekers/stateless persons access to financial services in the country.
- (Name of State) pledges to adopt/amend law (name, code, year of the law if available) by (month and year) to provide (number of target population in the country) refugees and asylum-seekers with access to e.g. financial inclusion/administrative assistance/business development services.

### *Education and Training*

- (Name of State) pledges to withdraw by (month and year) the following reservation/declaration made in (year of the reservation/declaration) to Article 22 of the 1951 Refugee Convention/1954 Statelessness Convention to allow (number of target population in the country) refugees and asylum-seekers/stateless persons to fully access education for the purpose of realizing livelihoods and economic and social protection inclusion: (full text of reservation/declaration).
- (Name of State) pledges to adopt/amend policy (name, code, year of the policy if available) by (month and year) to facilitate the recognition of (number of target population in the country) refugees' and asylum-seekers'/stateless persons' education and professional certificates, diplomas, and degrees for the purpose of livelihoods and economic and social protection inclusion.
- (Name of State) pledges to adopt/amend law (name, code, year of the law if available) by (month and year) to provide (number of target population in the country) refugees and asylum-seekers/stateless persons with access to e.g. primary, secondary and tertiary education, Technical and Vocational Education and Training (TVET), professional training,

apprenticeships, and business development services for the purpose of livelihoods and economic and social protection inclusion.

### *Rights at Work*

- (Name of State) pledges to adopt/amend law (name, code, year of the law if available) by (month and year) to provide (number of target population in the country) refugees (and asylum-seekers)/stateless persons with the right to freedom of association/access to justice and legal services.
- (Name of State) pledges to adopt/amend law (name, code, year of the law if available) by (month and year) to ensure that refugees (and asylum-seekers)/stateless persons are covered under relevant labour laws and regulations, including on minimum wages, maternity protection, working time, occupational safety, health, and social insurance, where applicable.

### *Other Related Rights*

- (Name of State) pledges to withdraw by (month and year) the following reservation/declaration made in (year of the reservation/declaration) to Article 26 of the 1951 Refugee Convention/1954 Statelessness Convention to allow freedom of movement for (number of target population in the country) refugees and asylum-seekers/stateless persons: (full text of reservation/declaration).
- (Name of State) pledges to adopt national regulations to implement (name and year of regional protocol/agreement) by (month and year) to allow for the free movement of (number of target population in the country) refugees and stateless persons across borders within (name of regional economic region).
- (Name of State) pledges to adopt/amend law (name, code, year of the law if available) by (month and year) to provide (number of target population in the country) refugees (and asylum-seekers)/stateless persons with the right to e.g. freedom of movement/civil, identity and travel documentation/administrative assistance/land and property.
- (Name of State) pledges to adopt/amend law (name, code, year of the law if available) by (month and year) and the implementing decree/regulation (name of decree/regulation if available) by (month and year) to provide (number of target population in the country) refugees/stateless persons with the right and access to agricultural land in the country.

### *Area-Based Development*

- (Name of State) pledges to adopt national/local development plan(s) (name(s) of plan(s)) by (month and year) that include (number of target population in the country) refugees, asylum-seekers and other forcibly displaced people and their participation, and designate a national focal point to liaise between governmental departments to promote policy coherence.
- (Name of State) pledges to strengthen policies (names and years of policies) by (month and year) to enable a conducive environment for private sector investment in refugee and

other forced displacement contexts to benefit (number of target population in the country) refugees, other forcibly displaced people, and members of the host community.

## FOR NON-STATE ACTORS

- (Name of stakeholder) pledges to support (name of State/city) in the development and adoption of law (name, code, year of the law if available) by supporting the drafting of a national/local roadmap on extending social protection to refugees and asylum-seekers/stateless persons by (month and year).
- (Name of bilateral and multilateral development partner) pledges to explicitly include refugees, other forcibly displaced and stateless people in their high-level/regional/country-level international development cooperation strategies by (month and year).
- (Name of stakeholder) pledges to provide technical assistance (include specific activities if applicable) for (name of government office or State actors) in (name of State/city) towards the development/revision/ implementation of law (name, code, year of the law if available).
- (Name of stakeholder) pledges to provide (number of individuals) refugees with tools and training on how to access financial services in (name of State/city) following the adoption/amendment of law (name, code, year of the law if available).
- (Name of stakeholder) pledges to raise awareness and enhance the capacities of relevant stakeholders (specify authorities/private enterprises/institutions/communities) on the socioeconomic rights and obligations of refugees, asylum seekers, stateless persons and other forcibly displaced persons in (name of State/city) as per national and international legislation.
- (Name of funder) pledges (financial amount) to streamline administrative procedures for (number of individuals) refugees and asylum-seekers/stateless persons to access work permits and business registration in (name of State/city), in order to advance the implementation of law (name, code, year of the law if available).

## Pledge Matching Guidance:

**2019 GRF Pledges:** 2019 State pledges that still require matching can still be matched by following the guidance available on [Matching Pledges | The Global Compact on Refugees | UNHCR \(globalcompactrefugees.org\)](https://www.unhcr.org/globalcompactrefugees.org).

**Matching new pledges under development for the 2023 GRF:** In line with the initial 2023 GRF pledging guidance, and the Note on [Pledge Matching in the Context of the GRF 2023 | The Global Compact on Refugees | UNHCR \(globalcompactrefugees.org\)](https://www.unhcr.org/globalcompactrefugees.org), States are strongly encouraged to ensure that all pledges developed are concretized and pre-matched in advance of the next GRF, to the extent feasible. The mega pledge on economic inclusion and social protection provides the space to facilitate consultations between stakeholders, notably donors and hosting States, for the pre-matching

of relevant pledges as they develop.

## Definitions:

- Economic Inclusion entails access to labor markets, assets, finance, entrepreneurship, and economic opportunities for all, including non-citizens in addition to vulnerable and under-served groups. Economic inclusion contributes to the self-reliance and resilience of refugees, empowering them to meet their needs in a safe, sustainable, and dignified manner; avoids aid-dependency and negative coping mechanisms; contributes to their host economies; and prepares refugees for their future whether they return home, integrate in their country of asylum, or resettle in a third country.
- Social protection refers to a nationally defined system of policies and programmes that provide equitable access to all people and protect them throughout their lives against poverty and risks to their livelihoods and well-being.<sup>3</sup>

## Resources:

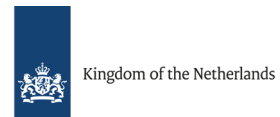
- [Handbook for Parliamentarians No. 27 – A Guide to international refugee protection and building state asylum systems, the Inter-Parliamentary Union \(IPU\) and the United Nations High Commissioner for Refugees \(UNHCR\), 2018](#)
- [Guidelines on International Legal Standards Relating to Decent Work for Refugees, UNHCR, July 2021](#)
- [Guiding Principles on the Access of Refugees and Other Forcibly Displaced Persons to the Labour Market, ILO, 2016](#)
- [Employment and Decent Work for Peace and Resilience Recommendation, \(No. 205\), ILO, 2017](#)
- [Global synthesis report: Review of national policy, legislative and regulatory frameworks and practice: a baseline study on the right to work and rights at work for refugees in Egypt, Ethiopia, Iraq, Jordan, Kenya, Lebanon, Uganda, Sudan, ILO, 2023](#)
- [Policy Guide on Entrepreneurship for Migrants and Refugees, IOM, UNHCR, UN, 2018](#)
- [Linking social protection and humanitarian assistance, ODI, 2022](#)
- [Social Protection for the Forcibly Displaced in Low- and Middle-Income Countries, OECD, 2022](#)
- [No longer a blind spot: Climate change adaptation policies must address forced displacement, OECD, 2023](#)
- [Age Gender and Diversity Tip Sheet \(ENG\) - Helping to ensure AGD inclusive pledges and good practices for the GRF | The Global Compact on Refugees | UNHCR \(globalcompactrefugees.org\).](#)
- Soon to come: Information on how to withdraw reservations to the 1951 Convention and/or the 1967 Protocol and the benefits thereof on the UNHCR website on the [1951 Convention](#)



<sup>1</sup>See also the technical Guidance Notes on Programmes and Data and Evidence.

<sup>2</sup>Where applicable, pledges may be adapted to regional, bilateral, sub-national or local levels.

<sup>3</sup>For more details, see: the Global Partnership for Universal Social Protection to Achieve the Sustainable Development Goals (USP2030).



For updates, pledging technical guidance notes, contributing pledge initiatives, a calendar of events and information about how to get involved, visit:

[refugeeselfreliance.org/megapledge2023](https://refugeeselfreliance.org/megapledge2023)