

COHERE



EXECUTIVE SUMMARY

Addressing five barriers to implementing “Meaningful Refugee Participation” in the refugee response.

Identifying practical solutions to the challenges of refugees’ meaningful participation in humanitarian decision-making that affects them.

December 2022

Introduction

Refugees around the world play a vital role in meeting their community's needs. At the 2019 Global Refugee Forum, various aid organizations and other stakeholders made pledges to move towards “meaningful refugee participation”. These pledges illustrate a growing interest among humanitarian and development actors within the refugee system to pursue (support?) refugee-led solutions. While the Global Refugee-led Network (GRN) and some organizations have developed exemplary reference materials and guidelines on meaningful participation, actors within the sector do not share a consensus on how to define or achieve the concept. Lack of consensus coupled with the lack of a space to discuss challenges and propose solutions, have slowed the achievement of meaningful refugee participation.

This study seeks to provide organizations supporting meaningful participation and Refugee-Led Organizations (RLOs) a space to share challenges met in their efforts to enact pledges, and to propose solutions. It is based on the anonymous testimonies of fifteen pledge-making NGOs and RLOs that are based in fourteen countries across seven regions, complemented by the testimony of two RLOs leading advocacy from within the meaningful participation movement, as well as by non-anonymized case studies. The study was conducted between May and December 2022, with an initial round of interviews, literature review and analysis done between May and July, and a thematic analysis completed between July and December. We highlight five barriers that emerged as a trend among participants, participants' description and analysis of these barriers, as well as their best practices and proposed solutions to overcome barriers. Barriers included the lack of common agreement around how to define and operationalize meaningful participation; questions about refugees' impartiality, representativeness and commitment to confidentiality; refugees' skills and differences in workplace cultures; and unfavorable legislations. Other identified barriers stem from a lack of deep understanding of the ins and outs of meaningful participation within the “rest of the sector” [meaning NGOs, UNHCR, donors, and host States, among others].

This study uses the GRN's eight steps of refugee participation based on Hart's Ladder of Participation, for measuring the meaningfulness of participation mechanisms developed by respondents¹.

1. GRN, EU-COMAR, NWC, Oxfam. (2022). Beyond Consultation, Unpacking the Most Essential Components of Meaningful Participation by Refugee Leaders, pp.7-8, figure 1.

The eight steps of refugee participation, based on Hart's Ladder of Participation

Original Source : GRN, EU-COMAR, NWC, Oxfam. (2022). Beyond Consultation, Unpacking the Most Essential Components of Meaningful Participation by Refugee Leaders, pp.7-8, figure 1.

Step 8. Refugee-initiated, shared decision making with non-refugee policy makers²

Step 7. Refugee-initiated and directed

Step 6. Non-refugee-initiated, shared decision making with refugee leaders

Step 5. Refugee leaders consulted and informed

Step 4. Assigned but not informed

Step 3. Tokenism

Step 2. Decoration

Step 1. Manipulation

2. In the report, we understand the expression "policy-makers" as "decision-makers" for more relevance to the refugee response. Components of Meaningful Participation by Refugee Leaders, pp.7-8, figure 1.

Barrier n°1 - Divergences in the conceptualization of meaningful participation and variations in the mechanisms to enact it.

The lack of an adoption of a common conceptual framework or guidelines on meaningful participation has led to divergences in its interpretation and in the mechanisms developed by responding organizations and RLOs to implement it. Divergences highlighted in this study include:

- **The degrees on the GRN ladder of refugee participation (or the level of decision-making powers)**

In reference to the ladder of refugee participation, there is a divergence in the degrees (namely "steps" on the GRN ladder) to which respondents' participation mechanisms are associated. While the majority of respondents' pledges are intended to match step 7 (refugee-initiated and directed) and step 8 (shared decision-making between refugees and non-refugees), some of these pledges, if

achieved, are actually only matching step 5 (consultation of refugee leaders).

- **The phases of the project cycle**

Respondents developed participation mechanisms for different phases of the project cycle. While some respondents involve refugees at all phases (diagnosis, design, implementation, monitoring, evaluation, reporting), the larger part favor involvement of refugees only at the diagnosis and implementation phases. Mechanisms developed to ensure refugee participation during project cycle phases associated with higher levels of decision-making, such as the design phase, are still a minority among respondent organizations.

- **The internal and external streams of decision-making processes**

Variation in the mechanisms used by respondents to foster participation appeared in whether they fostered participation in the streams that we labeled “internal” or “external”. Under “internal participation” we grouped the pledges respondents took to foster refugees’ participation within their own structures - in their staff at different degrees of decision-making (from implementation team to leadership team), in their advisory panels, and in their boards. We grouped under “external participation” the pledges respondents took to foster RLOs’ success in the refugee sector, outside of their own structures - through funding, partnerships, capacity-strengthening, support to RLO inclusion in coordination spaces, programs over which decision-making powers given to RLOs varied.

Finally, some respondents pledged to develop mechanisms in favor of both internal and external participation. This last modus operandi has been commended by various respondents as the best way to effect transformative change in the sector. It allows refugees to not only lead RLOs’ initiatives but also to participate in programs led by organizations still receiving the most money and power in the system as it is today.

An RLO respondent suggested that these divergences resulted from a lack of common understanding of “what” meaningful participation is and what it is meant to achieve. They highlighted that meaningful participation, besides being a right and the most ethical thing to do, should be understood not as an end in itself, but as a means to achieve more quality humanitarian aid. Thus, when mechanisms developed do not target the highest standards of participation, and do not allow for refugees’ input to be translated into organizations’ policies, partnerships and programs, participation as simply a means to an end might be counterproductive, and can even become discouraging for refugees.

Recommendations for aid organizations (NGOs, INGOs, UNHCR):

Good practices :

- To adopt the GRN definition of 'meaningful participation' until a consensus can be reached on the definition and operationalization of the concept.
- To strengthen the design process of meaningful participation goals and associated practices by committing to the values of Diversity, Equity and Inclusion (DEI) and by undergoing DEI assessment and training with an external expert. This will prevent the perpetuation of tokenistic or consultative participation practices.

Proposed solutions:

- Along with RLOs and experts, for organizations to co-create, adopt and disseminate measures and indicators of what meaningful participation means and how it can be implemented in a given context.
- To integrate a "significant proportion of refugees" among organizations' staff, particularly in high levels of decision-making, in respect of the Age, Gender and Diversity (AGD) criteria. This will foster refugee staff' ability for open, collective expression.

Barrier n°2 - Requirements for impartiality, representativeness and confidentiality from refugee leaders.

Across respondent organizations, refugee participants' potential lack of impartiality, representativeness and respect of confidentiality, potential conflicts of interest between refugee communities, risks linked to the appearance of privileging one community over others when selecting refugee participants, were mentioned as challenges to enacting participation pledges. Additionally, difficulties in organizing selection processes that wouldn't be top-down, concerns that recruiting or involving refugees from other regions would appear to be "under the refugee label only" and the difficulty to diversify socioeconomic profiles of refugee staff once included in NGOs higher management, were also described as challenges to enacting refugees' meaningful participation in decision-making.

When analyzing these challenges, some NGO and RLO respondents noted that while some may be well founded, they could also constitute an "escape route" for organizations to not involve refugees, especially at high decision-making levels. Respondents questioned and argued the requirements for full impartiality and representativeness are impossible. They noted that these prerequisites were less of a concern when refugees are invited to intervene in less meaningful degrees of participation, such as

to give feedback on programs already set, to speak in conferences or to sit in advisory panels. Respondents recognized the importance of developing proper governance mechanisms to ensure diversity in representation and to avoid gatekeeping. Nevertheless, some respondents perceived concerns around confidentiality as a justification to exclude refugees from decision-making.

Some RLO respondents described that requirements for impartiality, representativeness and confidentiality from refugee leaders in turn deteriorates confidence between aid organizations and refugees. Refugees can feel discriminated against when excluded from certain meetings and jobs, or where the scope of their participation is framed without them. Some perceived several reasons why certain organizations developed mechanisms that reduce the meaningfulness of their participation. Among these was a lack of willingness to manage concrete complexities of refugees' participation (such as logistics, travel and legal complexities, potential involvement in homeland politics), but also a lack of willingness to confront honest and challenging feedback from refugees, including around organizations' potential lack of transparency and accountability.

Recommendations for aid organizations (NGOs, INGOs, UNHCR)

Good practices:

- To center selection criteria for refugee staffing, board members, and participants in fora based on their skills following the AGD criteria.
- To develop inclusive governance mechanisms to ensure diversity in representation and avoid gatekeeping.
- To take advantage of the many existing processes to guarantee respect of confidentiality, and to develop training when necessary.
- To start a sector-wide conversation on how to reduce the gap between refugees working in top leadership positions and the refugee populations that the organizations serve.

Proposed solutions:

- To partner with RLOs and experts to formulate policies, strategies and processes to establish trauma-informed and non-patronizing background checks for future refugee workers and partners.
- To consider as an option to establish rotational representation in organizations' boards, in the respect of the AGD criteria, and with an additional consideration for non-registered RLOs.

Barrier n°3 - Skills and organizational cultures

Respondents reported that challenges around skills and workplace cultures impacted enactment of their participation pledges. Internally, respondents outlined difficulties finding refugee candidates that meet NGOs and donors' requirements without poaching from RLOs driving forces, and in acclimating refugee staff to aid organizations' specific workplace culture. Respondents also highlighted the need to provide continuous, individualized, time-consuming support for newly hired refugee staff. This is particularly challenging when resources, time and appropriate infrastructure are lacking, when there is a "high level of turnover" among refugee staff or among refugees who serve as board members, especially when the organizations' budget doesn't allow for their fair compensation. These challenges, which can either be ameliorated or exacerbated by donors' level of comprehension and adaptability, have pushed some of the NGO and RLO respondents to exclude refugees from working in areas of high responsibility.

Other respondents suggested aid organizations' recruitment criteria could bar meaningful participation. They reported these favored people from privileged backgrounds already conditioned to succeed within NGO norms, who often haven't experienced struggles refugees meet for socio-economic inclusion, such as accessing documentation, higher education or early professional work experiences. RLO respondents described a feeling of hypocrisy about organizations advocating that refugee-led solutions are more effective, efficient, and sustainable but failing to recruit refugees. This dynamic can be frustrating and even disempowering for refugees, and create a self-perpetuating cycle : refugees know they won't get the job, so they don't apply.

Some respondents encouraged organizations involved in discussions around participation to adapt and revisit their HR policies and workplace culture to meaningfully include refugees. They also encouraged organizations developing capacity-strengthening programs for RLOs or refugees to engage critical reflection about whether the skill set acquired by trainees would reach expectations of their own recruitment criteria, and if not, would reinforce pre-existing patterns of inequality.

In the context of partnerships between aid organizations and RLOs, challenges around skills and workplace cultures are usually labeled as a "lack of capacity", particularly in the context of partnerships between aid organizations and RLOs. From organizations' perspectives, the lack of capacity can materialize when RLOs "lack of established self-sufficiency" adds workload to the NGO partner. This tendency contributes to reinforcing entrenched power imbalances between organizations and RLOs, as organizations perpetuate their self-image of solution-finders and solution-makers, as opposed to a perception of refugees as being implementers. Due to lack of capacity, NGOs can choose to relegate RLOs to subordinate roles, making them ultimately still perceived as people seeking help. RLO respondents reported these patterns manifest in concrete examples of how organizations consider their relationship to RLOs: such as through limited communication flows, patronizing behaviors, limited propositions of transformative opportunities, and

exclusion from highest degrees of decision-making over common programs or partnerships, such as agenda-setting and budget. In a context of support to meaningful-participation, this contradiction is particularly self-defeating in the case of capacity-sharing programs for RLOs: when refugee leaders aren't participating in setting programs meant to support them it de facto limits their capacity to do so for future programs or partnerships.

Other respondents thought that the lack of capacity was less of a concern for organizations when it comes to asking refugee leaders to join advisory panels, or to speak in conferences - participation mechanisms associated with lower levels of decision making and engagement, that “tick the box” of participation, and that benefit NGOs' images at lower costs. The approach “refugees can be advisors, not employees” was overall considered as a tokenistic practice.

An Asylum Access (AA) case study demonstrates the viability of starting within organizations to ensure accountability to their meaningful participation commitments. It highlights that being guided by an external expert to create a workplace culture that guarantees inclusivity and equity can guarantee that policies and partnerships are rooted in the same values. Organizations should acknowledge that this requires a deep diagnosis of embedded individual and organizational bias. Only when bias is identified can there be a restructuring of the organizations' cultures. Through DEI assessment; goals, roadmaps, and metrics development, the organization identified and dismantled internal barriers related to their systems and ways of working, and as a result, has improved the quality of its programs and of engagement with RLOs. This translated in the quality of innovation and outcomes of the Resourcing Refugee Leadership Initiative (RRLI) that AA co-initiated with RLOs, both in terms of partnership and funding³.

3. Impact Report. 2022. Resourcing Refugee Leadership Initiative. https://www.refugeeslead.org/_files/ugd/3caee8_0acfd563d4e24f34a1a1fdb1251c542.pdf

Recommendations for organizations (NGOs, INGOs, UNHCR)

Good practices, for refugee inclusion within organizations:

- To earmark adequate resources to undergo a DEI transformation process, in order to remove organizational barriers and individual bias preventing the establishment of inclusive workplace environments for refugee staff and equitable partnerships with RLOs.
- To develop programs establishing mapping and data-base of refugee talents, and to facilitate referrals and matching between employers and refugee candidates.
- To become an attractive employer for refugees by working on its external image: by manifesting the work done to remove barriers internally and by promoting the visibility of refugee staff to enable recruitment of more refugees.

Proposed solutions, in advocacy:

- To educate and advocate to donors and other stakeholders about the values and requirements of DEI approaches in hiring practices. This includes defending the need for specific time and budget for ongoing support, from entry to promotion to higher levels of responsibility.
- To document the processes, outputs and outcomes of refugee staff inclusion for advocacy purposes.
- To develop targeted advocacy with universities for more flexibility in refugee enrollment.

Barrier n°4 - Restrictive national regulatory frameworks

In countries where national regulations bar refugees' access to rights such as free movement, access to social services, and right to work, their meaningful participation in humanitarian decision-making is also challenged. In five different countries, NGO respondents had to adapt their participation pledges to legal restrictions. In countries that didn't ratify the 1951 Refugee Convention, a respondent organization reported that including refugees in high management staff would be too risky and could even block their capacity to operate. Compensating refugees for sitting in the board was also reported impossible due to the absence of tax deduction in donations for refugees - which also challenged the whole organizations' fundraising strategy. Another organization had to reduce its target of 50% of refugee inclusion within staff to 30%. Across countries and organizations, it was common to present refugee staff as volunteers, and to exclude them from activities involving direct encounters with authorities that would provoke risks of arrest, such as advocacy activities.

In other countries where legislations are more permissive but accessing rights in practice is challenging for refugees, the issue of work permits discouraged various respondent NGOs from recruiting refugee staff, and has limited participation to consultation. The difficulty of fairly compensating staff seeking asylum was another limitation to their meaningful engagement, as donors were reluctant to pay due to risks of labor exploitation.

RLOs also reported that restrictive regulation impacted their ability to establish and develop, in terms of raising funds, developing capacities, and ensuring long term sustainability, particularly through securing core costs (staffing, rent, registration fees).

The potential to replicate the practices implemented and solutions recommended

to overcome legal challenges vary from one organizational and geographical context to another. Nevertheless, an organization respondent suggested that committing to meaningful participation requires embracing the complexities of legal limitations refugees face, particularly when it comes to work permits. A litigious culture in which NGOs evolve may have added barriers to recruitment based on hypothetical risks. Engaging in thorough risk mitigation processes might allow organizations to determine if a high probability of legal risks being realized exists before deciding on any exclusionary practices.

Recommendations for organizations (NGOs, INGOs, UNHCR)

Good practices:

- To present staff as volunteers in contexts where work permits can't be accessed in practice and to transfer payment in cash, or in a package including medical care, food vouchers, housing, and equivalent to the salary grid of national employees.
- To support refugee-led advocacy through digital media and fora, to prevent legal or punitive harm such as risks of arrest.

Proposed solutions:

- To seek long-term solutions, such as: asking refugee staff what would be their preferred method of employment and adapt; using the support of Professional Employer Organizations; subsidizing the often high fees for work permits; training in risk mitigation to determine if there are legal risks of including refugees in leadership roles; referring refugee talents to organizations working in more permissive legal environments.
- For UNHCR, along with RLOs and relevant actors, to co-organize forums on refugee economic inclusion, inviting Members of Parliament, government officials, leaders across the economic sector, and to involve refugees at all stages (setting outcomes and agendas, selecting attendees, engaging in discussions).

Good practices, in advocacy :

- Using programmatic evidence, to advocate for donors to support alternative forms of salary payment despite unfavorable national regulations.
- To advocate for governments issuing restricting regulations to deconstruct perceptions of refugees as a threat, to understand that their socio-economic inclusion is beneficial, and to legalize pathways to formal sector employment.

Barrier n°5 - A sector too little engaged in deconstructing its hierarchical system

Various respondents pointed to the colonial legacy embedded in the structure of the humanitarian system as a significant barrier to the expected outcome of their meaningful participation pledges. The “hierarchical” nature of the refugee response’s governance impedes pledge-makers’ expected impact on RLOs’ participation, by standing against the possibility for RLOs they support to be given equal opportunities. It also stands against the expected impact of their internal participation pledge, by reducing the chances to see their internal changes replicated and adopted as the new norm in the regime.

While respondents commended the growing interest within the sector for refugees’ meaningful participation, they also observed a growing number of contradicting, tokenistic practices. For some respondents, this reflects two conflicting philosophies among stakeholders discussing meaningful participation - the first being that consultation is a satisfactory model for creating more contextual and appropriate solutions, and the second being that meaningful participation cannot be thought of without dismantling problematic power dynamics embedded in our current ways of working.

The study highlights refugee leaders’ thoughts that committing to meaningful participation must be coupled with collectively addressing the difficult questions of who sits at the locus of power, and how humanitarian and development success is defined and measured. Despite positive interactions with organizations on the topic, and despite their advocacy for a shift of power and resources to refugee-led responses, some respondents noticed that work on the sharing of power over high-profile, well-funded and large-scale strategies headed by these same organizations is yet to be done.

Respondents commented that it is not enough to stop at the worthwhile aim of channeling support to RLOs. This approach can allow entities holding power to clear their consciences, without ever really challenging institutional norms, or relinquishing power within the sector as a whole. The result of this is the status quo

being maintained.

When we compare funding or capacity-strengthening programs for RLOs initiated by organizations and UNHCR to the ones initiated by RLO coalitions such as RRLLI and the Asia Pacific Network Of Refugees (APNOR); eligibility criteria, modalities and amount of funding, quality of partnerships and interactions, but also refugee participation mechanisms at all stages of these initiatives, are more ambitious and effective in the case of refugee-led initiatives.

Various respondents considered that for UNHCR to play a more significant leading role in enabling meaningful participation for refugees will depend on reflections from the organization as a whole as to how their current ways of working, as well as their up-coming initiatives, can be rigorously assessed against the ladder of refugee participation. While commending recent progress made by UNHCR's task team on meaningful participation, respondents observed that improvement could still be made, such as moving away from the restrictive nature of UNHCR's funding to RLOs, in order to allow core costs such as salaries, vital for RLOs' health and sustainability, to be covered. Respondents called for more transparency from UNHCR on the plans envisioned or underway to achieve meaningful participation internally, and on the participation mechanisms associated in designing and implementing these plans.

Besides perceived institutional interest in maintaining the status quo, some respondents suggested that the sector had “no clue” on “how to step back to leave space for others to lead” and about how organizations could revisit their own role to become allies of refugee leaders. Respondents highlighted that a sector-wide conversation on how to cede power would be beneficial, for accountability for commitments to participation, and to ultimately improve the sector's deliverables for refugees.



Recommendations for organizations (NGOs, INGOs, UNHCR).

Good practices to deconstruct the hierarchical structure of the refugee response:

- To develop an RLO-to RLO fund with flexible, unrestricted, and high amount of funding available (e.g.; amount for the RRLI grants are between 25000 USD for capacity-strengthening grants to 100 000 USD to 200 000 USD for impact growth grant).
- To develop a platform to showcase RLOs and foster direct funding opportunities.
- For NGOs to no longer position themselves as lead applicants in funding proposals involving RLOs, but to co-apply instead.
- To support refugee-led advocacy strategies for meaningful participation in the sector, including financially and technically.

Proposed solutions:

For NGOs

- To no longer apply for funds to work with RLOs but instead advocate for RLO direct funding. This will allow RLOs to choose their partners.
- When RLOs formulate a need for capacity-strengthening that organizations can't provide, to support RLOs in accessing training experts through networking or funding.

For NGOs and UNHCR:

- To report and disseminate internal progress, highlighting variables in degrees and streams of participation, and challenges met.
- To develop a toolkit or framework along with researchers from refugee backgrounds and partners to monitor and evaluate organizational transitions towards meaningful participation.

For UNHCR

- To undergo a transparent DEI transformation process to ensure inclusivity of the workplace and equity of partnerships.
- To recruit refugees in multiple high management positions.

- To recruit refugees in entry-level positions by opening paid, living-wage internships, and by providing support and upwards promotion, particularly for refugees who have completed training in organizations' programs and who are interested in working in the sector.

- Along with RLOs, to rephrase the partnership agreement to include specific provisions for RLOs' success, such as: investing resources to ensure RLOs' equitable access to partnerships and to major funding beyond an initial grant agreement; to review existing agreements to provide unrestricted funding to ensure compensation for core costs including salaries; to simplify the partnership agreements and application procedures to reduce time and energy RLOs invest in proposal; to make broad investment in RLOs by paying their registration fees;

- To support RLO advocacy to decision-makers around the systemic barriers to participation.

For philanthropic and institutional donors:

- To increase RLOs' access to direct, major, high-quality, and unrestricted funding, including capacity-strengthening components when needed, rather than funding organizations working with RLOs. Funding to RLOs should also use evidence that when RLOs have established structures and programming, there should be no maximum funding limits.

- To co-design with RLOs measures and indicators appropriate to capture RLOs' successes, rather than generating rigid requirements that are difficult for RLOs to meet.

- To resource organizations' internal transformation processes.

- To incentivise coalitions rather than competition among RLOs and between RLOs and NGOs.

- To surrender power over agenda setting in order to let refugees set priorities.