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Global Compact on Refugees: A Transformative Moment in Refugee Policy?

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Global Compact on Refugees: A Transformative Moment in Refugee Policy?

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Abstract

The adoption of the Global Compact on Refugees in 2018 aimed to address one of the biggest gaps in the international refugee regime, namely the misalignment of strongly integrated asylum policies with a weakly adopted standard policy of responsibility sharing among states. The Global Compact on Refugees is a voluntary framework that stems from the basic principles of humanity and international solidarity. It sets out a framework for more effectively sharing the burden of responsibility for safeguarding the rights of refugees among host communities serving as partners in implementing the Compact. The paper argues that the Compact represents a key transformation in the international approach to the global refugee regime through adoption of an integrated multi-stakeholder and partnership approach instead of a state focused one. The paper uses a *top-down* normative approach (focusing on global burden sharing and country level political constraints within existing political structures and institutions) to review the transformation from the old regime to the new one. It complements this with a bottom-up approach (focusing on policy implementation and the agency of civil society organizations) that draws on street level bureaucrat theory to illustrate the practical challenges that persist in effective implementation of the Compact's objectives.

Keywords: Global Compact on Refugees, non-political framework, responsibility sharing, street level bureaucrat theory.

1. Introduction

The number of forcibly displaced people worldwide has reached unprecedented heights. The United Nations High Commissioner for Refugees (UNHCR) reports that at the end of 2021, there were 89.3 million people of concern, 27.1 million and 53.2 million of which were refugees and internally displaced persons (IDPs) respectively (UNHCR, 2022). While this humanitarian crisis is not new, the refugee outflows resulting from the Syrian conflict fleeing into Europe in 2015 shocked the world and shed light on the inefficiencies of responsibility sharing internationally and its deeply felt ramifications on refugees and their host nations. More specifically, a state of emergency among the wealthy nations created a simultaneous widely political and tumultuous media frenzy surrounding refugees (Betts, 2018). As such, the adoption of the Global Compact on Refugees in 2018 aimed to address one of the biggest gaps in the international refugee regime, namely the misalignment of strongly integrated asylum policies with a weakly adopted standard policy of responsibility sharing among states (Betts, 2018). Through the cooperation of the international community, including non-state stakeholders, the Global Compact on Refugees aimed to build a robust protection framework for refugees (Appleby, 2017) using four main objectives: to “ease pressures on host countries, enhance refugee self-reliance, expand access to third country solutions, and support conditions in countries of origin for return in safety and dignity” (United Nations, 2018, p.4).

The conceptualization of the Global Compact on Refugees was initiated by Ban Ki Moon, United Nations Secretary General in 2016, with the aim of attaining renewed pledges to address the issue of lacking effective international collaboration in global refugee law (Gammeltoft-Hansen, 2019). Specifically, international synergy not only among states, but with other stakeholders, was at the core of the Global Compact on Refugees, constituting a major shift in the international refugee regime (Khan and Sackeyfio, 2018). The Compact is a formidable declaration of multilateralism in the contemporary unstable political climate. It can be viewed as an expression of a political commitment that strikes an equilibrium between the goals of states and other stakeholders, while considering the lessons learned of addressing refugees through policies and practices over the years (Grandi, 2019). As a result, the Global Compact on Refugees signifies a key transformation placing emphasis on a “whole of society approach” (Betts, 2018, p.624; Wurtz and Wilkinson, 2019), moving beyond the sole role of states in refugee response, by incorporating and utilizing the support of different and newly active stakeholders with interests such as businesses, international organizations including the World Bank, unique monetary

systems (Betts, 2018), local religious based organizations (Wurtz and Wilkinson, 2019), as well as refugees (Khan and Sackeyfio, 2018) to embody a “nothing about us without us” approach (Rother and Steinhilper, 2019, p.249).

To examine the abovementioned transformational moment, this paper will focus on the implementation of the policies of the Global Compact on Refugees. The implementation stage involves exploring the stakeholder initiatives and activities aimed to effectively meet the objectives of the Global Compact on Refugees. The success of the Compact must be evaluated using specific measures over time to effectively showcase the multifaceted experience of refugee safety and security (Gilbert, 2018). Nonetheless, it is critical to explore the implementation stage thus far as the Compact (which was created 4 years ago in 2018) is not an obligatory document (UNHCR, 2019); rather, it aims to achieve outcomes through international stakeholders (Alexander Aleinikoff, 2018). These outcomes are challenged by the reality of an exponential number of refugees met with heightened securitized policies by states in the global North (Alexander Aleinikoff, 2018). As a result, the Compact is an opportunity to not only emphasize the values guided by refugee protection and human rights, but it also presents a collaborative effort towards realistically operationalizing its objectives among stakeholders (Gilbert, 2018).

Towards exploring the implementation of the Global Compact on Refugees, this paper will highlight the challenges that civil society organizations face in achieving the objectives of the Compact. Examining the role of civil society organizations offers an opportunity to explore the effective engagement of organizations on the ground in host nations to help reduce the adverse impacts faced by refugees and to encourage their integration (Guo, 2020). The success of the Global Compact on Refugees is dependent on an all-inclusive approach that integrates a variety of change agents, including civil society organizations, which are key to developing locally tailored responses to evade possible conflict between refugees and the host communities, as well as to attain refugee self-sufficiency (Carciotto and Ferraro, 2020).

The Global Compact on Refugees represents a key transformation in the approach to the global refugee regime through the integration of a multi-stakeholder and partnership approach instead of a state focused one. Its main strength lies in reshaping the normative framework around refugees (focusing on global burden sharing and country level political constraints using existing political structures, institutions and different actors) to descriptively explain this transformation from the old regime to the new one; and highlighting the difficulties that hamper its implementation

(by focusing on the agency of civil society organizations). It highlights three distinct transformations, namely symbolic (how the framing of handling refugees has altered), institutional (how the institutional or governance architecture has changed), and relational (how the practices of civil society organizations on the ground in terms of implementing the Compact have changed, and what challenges remain ahead).

This paper descriptively explains the development of the Global Compact on Refugees by recounting the impact of historical events, agreements, and contemporary contexts and stakeholder (in)actions. In addition, it explores the interaction of active stakeholders with particular interests and decisions (agency) within the already established global refugee regime (structure) towards achieving the Global Compact on Refugees. Using secondary sources, this paper explores the implementation stage of the Global Compact on Refugees through the work of civil society organizations using the street level bureaucrat theory as a framework of analysis. Indeed, the establishment of a non-binding Compact speaks to the impact of the agency of stakeholders that chose not to commit, while recognizing the importance of the Compact for the sake of its objectives in the shared global refugee protection agenda.

The paper will adopt the following structure: first, a historical background on what the Global Compact on Refugees is and how it was developed will be detailed; second, using the street level bureaucrat theory, the challenges of implementing the Compact using civil society organizations as examples will be explored; and third, the paper will provide concluding remarks.

2. What is the Global Compact on Refugees?

As a starting point, it is significant to break down the meaning of the Global Compact at face value. While the word 'global' in this case refers to cooperation among international stakeholders, the word 'compact' is more complex and its adoption is indicative of its wide dissemination and utilization over the past 15 years within international diplomacy circles (Gammeltoft-Hansen, 2019). For example, the United Nations put forth its first Global Compact in 2000 on the duties and obligations that must be disclosed by businesses. Subsequently, it adopted the Global Compact on Refugees following regional compacts such as the ones acquired by the European Union, select third states, the World Bank and global funding agencies along with Jordan and Lebanon, to protect refugee rights and offer them socio-economic prospects in host states in return for financial rewards (Gammeltoft-Hansen, 2019). Moreover, a 'compact' can be described

as a set of arrangements between different actors across various topics of interest. Compacts usually include multi-stakeholder activities, lessons-learned and common interests in order to achieve realistic collaboration and responsibility sharing in contexts where formal binding agreements would usually reach a stalemate (Gammeltoft-Hansen, 2019).

The Global Compact on Refugees represents the newest international collaborative effort for change. It is a non-political framework¹ that stems from the basic principles of humanity and global cohesion to practically define and describe the concepts of burden- and responsibility sharing to more effectively safeguard the rights of refugees and enable host communities as partners in implementing the Compact (United Nations, 2018). At the heart of the Compact is the need for international collaboration to achieve effective long-term responses to the predicament of refugees (UNHCR, 2020, para. 1). The non-obligatory nature of the Compact makes it more appealing to multiple stakeholders (including states that do not host large numbers of refugees). Their active participation in the drafting of the Compact means that stakeholders would more likely commit to its objectives even if it is not enforced (Appleby, 2017). Indeed, an international collaborative effort that accomplishes a document with shared aims and strategies is beneficial in responding to pressing global refugee challenges (Chimni, 2018).

Through the collection of political will, a coalition of support, and concrete methods to reach fairer and more calculated responses from states and other stakeholders to refugee crises (Turk, 2018), the Global Compact on Refugees targets the following four objectives: to “ease pressures on host countries, enhance refugee self-reliance, expand access to third country solutions, and support conditions in countries of origin for return in safety and dignity” (United Nations, 2018, p.4).

¹ While labelled as a non-political framework, the Global Compact on Refugees is indeed responding to an intrinsic political crisis, namely refugee circumstances and related durable solutions. It is indeed an expression of a political commitment that strikes an equilibrium between the goals of states and other stakeholders, while considering the lessons learned of addressing refugees through policies and practices over the years (Grandi, 2019). It does this through the collection of political will, a coalition of support, and concrete methods to reach fairer and more calculated responses from states and other stakeholders to refugee crises (Turk, 2018). As such, the Global Compact on Refugees “represents the political will and ambition of the international community as a whole for strengthened cooperation and solidarity with refugees” (United Nations, 2018, p.2).

A Multi Stakeholder Approach

Towards fairer and more foreseeable responses to responsibility sharing, the Compact targets member states of the United Nations as well as other key stakeholders, more than has usually been the case in the past (Khan and Sackeyfio, 2018), including: international organizations (such as the United Nations organizations), other humanitarian and development agencies, global and regional monetary institutions, regional agencies, local decision makers, civil society including faith based organizations, academic researchers, the private sector, media, host community individuals, as well as refugees.² The benefits of utilizing a multi-stakeholder approach in this effort include the following (United Nations, 2018): first, the outcomes of the Compact are more readily achieved when they incorporate the intended beneficiaries, namely refugees. Second, humanitarian organizations and development agencies will collaborate to achieve refugee protection in long term situations and will not be limited to their organizational mission statements. Moreover, the one-on-one collaboration as well as group efforts will be coordinated while respecting the sovereign discretion and guidance of the state as well as the existing development initiatives implemented. Third, the United Nations agencies will be consulted, especially concerning safety and socio-economic advancement. Fourth, international support will be provided to existing community initiatives. Fifth, best practices and lessons learned will be shared by municipalities and communities that are currently hosting refugees. Lastly, civil society organizations, directed by refugees, women, youth or persons with disabilities, will play a key role in examining the needs of the target population and their immediate surroundings, and will provide comprehensive plans of action and necessary trainings when needed. Further, faith-based organizations will contribute in the development and implementation of action plans for refugees, especially in areas pertaining to conflict resolution and peace efforts (United Nations, 2018).³

² To give an indication of the shared nature of this effort: of 1636 pledges, 871 were from states, 393 were from civil society organizations, 192 were from international organizations, 127 were from sports organizations, 65 were from academics and researchers, 45 were from faith-based organizations, 43 were from refugee groups, host communities and diaspora, to name a few (UNHCR, 2021).

³ Indeed, the integration of a multistakeholder and partnership approach instead of a state focused one calls for the reinforcement of the humanitarian-development-peace nexus or the triple nexus. The *Triple Nexus* refers to the connected nature of three components with added attention given to its preventative nature (Barakat and Milton, 2020). International collaboration not only among states, but with other stakeholders, is at the heart of the Compact, constituting a major shift from the whole of society approach (United Nations, 2018). Further, the collaborative effort, self-reliance as well as the role of private sector engagement for instance, point to the humanitarian-development-peace nexus. For example, refugees in protracted situations are characterized as a development issue, while the Compact and its emphasis on self reliance contributes to a longer-term approach beyond immediate humanitarian responses toward sustainable acts of peace. The “Private Sector 4 refugees” project by the World Bank, the European Investment Bank and the Confederation of Danish Industry is a good example that aims to “share

While the multi-stakeholder approach is central to the implementation of the Global Compact on Refugees, it faces various challenges in its effective and realistic application. First, it cannot be assumed that all stakeholders mentioned in the Compact will be able to deliver on their intentions. The mere fact that a multi-stakeholder approach was partly used was due to the inability or reluctance of states to provide basic protection and security to refugees. Thus, the inclusion of other stakeholders such as private corporations and others were utilized to fill this gap (Samaddar, 2020). Nonetheless, how stakeholders engage with the Compact necessitates an in-depth exploration of the political and economic context of hosting different refugees, as well as examining what various stakeholders can benefit or lose from adjustments to their refugee responses (Osborn and Wall, 2021). Second, while a multiplicity of stakeholders is called to action, not all stakeholders are able to partake in the development of the Compact and its implementation in a truly impactful way. For instance, although refugee participation was viewed as a key improvement in these multi stakeholder collaborations, only certain types of refugees, namely those that were able to travel across the world and particularly those who had been resettled, were able to participate. Meanwhile, refugees that did not have access to official passports or other formal documents experienced taxing legal challenges and processes. This calls to question who were the particular refugees who were engaged in this global cooperative process and who were not (Triggs and Wall, 2020).

A Non-Binding Agreement

Although a major feature of the Compact is its non-obligatory nature, it is nonetheless informed by the normative international refugee protection scheme, the related global human rights tools as well as the previously agreed upon international conventions (such as 1951 Refugee Convention) (Gilbert, 2018; Khan and Sackeyfio, 2018). While not all states are parties to these conventions, those that are may still offer limited rights for refugees and fewer protections (Gilbert, 2018). Indeed, while not explicitly stated in global pacts, member states of the United Nations have agreed that a descriptive rule of law implies effective governance and is enforced on all global actors (Gilbert, 2019). By defining a scheme for international collaboration through non-obligatory but collectively beneficial and serious effort making, the Compact upholds the rule of law agreements that have already been made by states (Gilbert, 2019). The effort to create focused measures to examine how effectively the Compact is being utilized as intended could be

knowledge and develop new ways to mobilize expertise, linkages, finance, and resources in support of refugees” (UNHCR, 2020).

viewed as a logical response to creating obligations through a non-binding Compact (Gilbert, 2019).⁴ Therefore, the Compact influences the way that states and other stakeholders act, illustrating the active effect that a non-obligatory document assented by states can have on their actions (Turk, 2018). In order to develop a better understanding of the practical potential of the Compact, “it is however necessary first to understand what kind of animal the Global Compact for Refugees is in the zoo of international law and diplomacy” (Gammeltoft-Hansen, 2019, p.2).

Acting on the concepts in the Global Compact on Refugees by stakeholders, especially states, can be viewed as an opportunity to strengthen their soft power through the adoption of soft law. The Organization for Economic Cooperation and Development (OECD, n.d.) deems soft law as a collaboration using tools that are not legally mandatory. In other words, it involves cooperation among states and other stakeholders that are less enforceable than customary international regulations, such as guiding principles or frameworks for action. The prospective normative impact of the Global Compact on Refugees is achieved through its non-obligatory classification, its amenable soft law disposition to help bridge standard challenges of international law application such as holding a variety of stakeholders responsible for its contents (Gammeltoft-Hansen, 2019), as well as promoting greater flexibility in response to fluctuating socio-economic and political contexts (Triggs and Wall, 2020). Moreover, the normative influence of the Compact can be viewed in terms of its “norm-creating role” in which values that are defined clearly may potentially lead to the development of compulsory international rules and regulations, as well as its “norm-filling role” in which it operationalizes the meanings of the current and future international regulations and their effective application (Gammeltoft-Hansen, 2019, p.6-7).

Limitations

The major limitations of the Global Compact on Refugees as an international document mainly concern *what* and *who* is excluded towards achieving its objectives. First, the Compact has been negatively labelled as one that does not address the issue of resettling refugees. Nonetheless, some have argued that its value is evident in the collaboration among global stakeholders to support and empower refugees in host communities and in the standardised assistance given to refugees within African states, for example (Khan and Sackeyfio, 2018).

⁴ This includes the mechanisms used to monitor the implementation progress of the Global Compact on Refugees such as the Global Refugee Forum and the High-Level Officials’ Meetings. Further, consistent data and evidence provision from stakeholders will be used to support solution plans (United Nations, 2018).

A second weakness of the Compact involves states' ineffective implementation of the burden and responsibility sharing premise. While states believe that they can benefit from international burden sharing, some are currently implementing policies that serve their interests through the denial of entry to refugees (Alexander Aleinikoff, 2018). Indeed, a shortcoming of its non-obligatory nature is that political actors are not required to enforce this responsibility sharing due to their domestic policies, for instance. In the Middle East and Gulf states, national policies do not formally offer rights to refugees and stateless persons. They claim that treaties that call for the assimilation of refugees in host countries directly undercut displaced persons' right of return, as seen in the case of the Palestinian refugees (Akram, 2018). The Compact does not address this issue head on, but instead adopts new means of global collaboration such as the Global Refugee Forum and Support Platforms towards responsibility sharing (Alexander Aleinikoff, 2018). The non-binding characteristic of the Compact directly manifests the political intentions of global stakeholders to enhance collaboration and cohesion while acknowledging their national needs and sovereign actualities (United Nations, 2018).

Third, the Compact does not address the major reasons for contemporary refugee movements (Chimni, 2018; Betts, 2018), especially as a result of the roles played by Western states: for example, the refugee outflows from Afghanistan, Iraq, Libya and Syria were largely due to armed interferences of Western countries (Chimni, 2018). In this case, the Compact serves the interests of the main donor countries to keep refugees in their host countries until they may be able to go back to their country of origin if and when possible. Fourth, the objectives of the Compact can hinder the effective implementation of the basic tenets of the international refugee regime and human rights regulations. For instance, the call to "ease pressures on host countries" should have been replaced with a call to solidify the protection regime by ceasing the no-entry policies adopted by developed states which was established in the 1951 Refugee Convention (Chimni, 2018, p.631).

Fifth, the Compact does not explicitly respond to the particular contexts within different regions hosting large numbers of refugees. For instance, North American nations and the European Union members are forcing refugees to settle in areas outside their borders, while only a few Asian countries are signatories to the 1951 Refugee Convention and do not have a regional refugee agreement to act on. Indeed, the Compact merely states that regions and sub-regions can "play an important role in comprehensive responses" (United Nations, 2018, p.11; Chimni, 2018,

p.632). As such, the political economic and social environments of various regions and sub-regions must be effectively targeted and integrated in meeting the goals of the Compact (Chimni, 2018).⁵ Lastly, the Compact does not address multi-sectoral issues that may influence the effective implementation of its guiding principles such as climate change, unstable state institutions (Betts, 2018) as well as the rise of global health outbreaks such as the COVID-19 pandemic which can affect state entry policies, for instance (Triggs and Wall, 2020).

Simultaneously, the major limitations of the Global Compact on Refugees also involve who it excludes and who it includes towards achieving its objectives. This points to the limits of the *co-production* of policy, namely the active inclusion of stakeholders in developing the Compact, such as a “lack of mutual respect and trust, stereotyping, imbalanced power relationships, accountability failings and increased costs” (Carmel and Farr, 2019, p.155). As such, while co-production can be viewed as a means to enhance public policies and empower stakeholders, attention must be given to public accountability (Carmel and Farr, 2019, p.155). While the limits of the UNHCR’s contemporary target groups have expanded (to include those who escaped domestic abuse in their country of origin that was unable to protect them, for example) the Compact merely adopts the definition offered in the 1951 Refugee Convention and does not identify other displaced populations seeking international safety not protected by law (Alexander Aleinikoff, 2018). The characterization of refugees as those in need of protections dilutes the importance of targeting other groups that may need protection but do not have the legal status of a refugee.

The Top-Down View: Institutions and Structures

Using a top-down approach, this section will highlight the historical and political influences leading to the development of the Global Compact on Refugees, including the overall existing refugee contexts, structures and state policies, as well as the roles of institutions in its development. This section will also briefly refer to the advocacy coalition framework as a useful analytical tool.

⁵ This is a key concern especially due to the rising number of refugees because of the Ukraine crisis. According to a study conducted by the UNHCR and partners on Ukrainian refugee characteristics and beliefs on their futures in mid June 2022, 65% of refugees were intending on staying in their host countries, and 9% were aiming to relocate to a different host country within the next month (UNHCR Regional Bureau for Europe, 2022). This statistic draws attention to the unknown future of many refugees in host countries, and as a result signifies the importance of the role of host countries in securing the safety and dignity of refugees. A clearer outline of the role played by host communities (while considering their internal contexts) is needed to effectively respond to the needs of refugees.

How did the Global Compact on Refugees Develop?

Historical and Political Influences

The Global Compact on Refugees was developed against a particular context in which the predicament of refugees had reached new heights. Many refugees are fleeing due to political violence, attacks on human rights, ineffective governance, natural disasters as well as the ramifications of climate change (Turk, 2018). Not only have the numbers of refugees increased but their circumstances have taken new and various forms, as well as magnitudes, thus increasing the need for safety and livelihood security among other protections. These needs are especially pressing given the increase of protracted situations in which many refugees are staying longer in host countries, usually those in developing states due to their proximity to the conflict-ridden refugee producing states (United Nations, 2018).

Indeed, the magnitude of political crises around the world⁶ eventually paved the way for the adoption of the Global Compact on Refugees. A paramount shift occurred in 2015 when over 1 million people travelling by sea to Europe lost their lives and went misplaced. Existing international cooperation was viewed as inadequate to actively meet baseline needs, which captured the attention of what many academic researchers, civil society and international civil service had been advocating for a number of years (Alexander Aleinikoff, 2018; Triggs and Wall, 2020). While efforts have been made by host states and funders to contribute to the resulting humanitarian emergency of the refugee exodus, there still remained a formidable disconnect between the needs and the assistance received (United Nations, 2018). This context created a demand for fairer allocations of responsibilities among states, while considering their capacities and available mechanisms (United Nations, 2018; Turk, 2018). Overall, these efforts are needed to ensure that “refugees and host communities ... [are] not ... left behind” (United Nations, 2018, p.1).

While some states implemented policies to allow refugee entry, others adopted exclusionary policies, solidifying the need for “a more robust, comprehensive, and good-faith application of the tenets of protection” (Turk, 2018, p.576). Indeed, some states are not eager to give up their

⁶Such political catastrophes included the mass escape of refugees from Venezuela, the exile of thousands of migrants from Algeria, the escape of over 700 000 Rohingya refugees from Myanmar to difficult contexts in Bangladesh, the adoption of exclusionary refugee policies in Hungary that called for jailing those that aided migrants, asylum seekers or refugees without official identification documentation, the parting of over 2 300 children from their parents as they requested entry into the United States from Mexico, among others (McAdam, 2018).

sovereign rights over their immigration policies or develop new global legal compacts, as seen in Hungary and the United States' vote against the adoption of the Global Compact on Refugees in which 181-member states agreed (Harley, 2019). In contrast, Djibouti, Ethiopia and the African Union have implemented policies to encourage the integration of refugees such as the *Ethiopian Government's Roadmap* which involves the adoption of 100 000 jobs, of which 30% will be allocated to refugees (Turk, 2018). Indeed, the focus on human rights approaches and long-term continuous progress at the center of the Compact is what garners support for it in developing countries (Khan and Sackeyfio, 2018).

Meanwhile, the adoption of any type of agreement, especially one that emphasizes already established global legal regulations⁷ and frames refugee entry and integration in societies as a form of added value, is extremely striking, valuable, and necessary (McAdam, 2018; Alexander Aleinikoff, 2018; Betts, 2018). The mere actuality of the Global Compact on Refugees showcases a level of political obligation, as well as its interconnectivity with other pledges such as the Sustainable Development Goals (SDGs) which illustrates that refugee safety and security require more political notice and action (Costello, 2018).

A Time for Action

Given the aforementioned political and historical context, the United Nations General Assembly held a high-profile meeting to tackle the challenges of the mass movements of refugees and other migrants in 2016 in response to the European states' call for action (Alexander Aleinikoff, 2018). Indeed, a stakeholder analysis as a policy tool would highlight the distinct role of European states as influential stakeholders in powerfully pushing for change through urgent meetings towards a concrete end goal (Brugha and Varvasovsky, 2000). As such, the UN General Assembly Leaders' week in September 2016 held a Summit for Refugees and Migrants, where the General Assembly recognised the New York Declaration for Refugees and Migrants as the first resolution of the 71st session, and agreed to work towards creating a global compact on refugees and a global compact for safe, orderly and regular migration over the next two years (Triggs and Wall, 2020; Costello, 2018). Towards formulating the Global Compact on Refugees,

⁷ The Compact draws from international principles, including the Charter of the United Nations. It is also grounded in the global refugee protection framework, including the principle of non-refoulement, as well as the 1951 Convention on Refugees and the 1967 Protocol. It is also steered by international human rights frameworks, international humanitarian law, and others including the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the Convention against Torture, to name a few (United Nations, 2018).

a series of talks and official deliberations on the drafts of the contents of the Global Compacts over 18 months, as well as the realisation of the New York Declaration's Comprehensive Refugee Response Framework (CRRF) in 15 countries was achieved. Significantly, in an effort to engage a range of stakeholders in the development of the Compact, the UNHCR received over 500 hundred written responses from states, international organizations, non-governmental organizations, and individuals to complement theme-based talks, appraisals and official deliberations (UNHCR, n.d.). The Global Compact on Refugees was accepted by the General Assembly on 17 December 2018 ahead of its first task, namely the Global Refugee Forum in December 2019 (Triggs and Wall, 2020). The Global Compact on Refugees is a significant step in the international refugee protection system, the first of such importance since the adoption of the 1951 Refugee Convention (Turk, 2018).

The effective implementation of the Global Compact on Refugees requires the active participation of a breadth of stakeholders given that the responsibility sharing of the needs of refugees has not been well regulated among states (Triggs and Wall, 2020). Indeed, only a small percentage of the 193 UN Member States are actually responsible for the necessary taking in of refugees (Turk, 2018). As of 2018, 93% of the UNHCR's funding was only received from 10 states (Turk, 2018), while as of 2020, 85% of refugees worldwide are hosted in developing countries (UNHCR, 2020). As such, a major objective of the Compact was to create a more expected burden and responsibility sharing response among host states and their communities, and to further along the pursuit of durable solutions (United Nations, 2018). Indeed, moving away from overall "*burden sharing to responsibility sharing*" (italics included) approaches indicates a vested interest in viewing stakeholders such as refugees as active and interested partners of host nations and societies (Khan and Sackeyfio, 2018, p.697).⁸

Meanwhile, given the emergence of new players to share the responsibilities with states⁹ along with a political atmosphere of increased regulation of shutting out refugees, new challenges to the Compact's implementation are evident (Betts, 2018). Therefore, an "explicit theory of change" is needed to effectively achieve the Compact's objectives (Betts, 2018, p.625). A theory of change

⁸This policy transformation complements the global move towards refugee self-sufficiency adopting a "resilience-based development approach" (Carcioito and Ferraro, 2020, 83).

⁹As noted above, the new players that share the responsibilities with states in the implementation of the Compact include the private sector. Their roles and responsibilities can have both positive and negative impacts. For instance, while the private sector adopts market-based solutions like job creation, it can also exploit cheap and/or vulnerable workers like refugees. While the Compact calls for the adoption of humanitarian principles, national social policies are also needed to safeguard refugee workers.

is an introspective practice to point out presuppositions to examine change and the way it occurs in a particular context, as well as the specific functions individuals, fields and institutions have in this process (Valters, 2015). There is a need to focus less on the purpose of the Compact, and more on the technical facilitation needed in terms of political efforts, aligning national priorities, and adopting realistic arrangements based on mutual exchange among stakeholders (Betts, 2018).

3. The Bottom-Up View: Implementation and Agency

Using a bottom-up approach, this section will explore the overall on-the-ground challenges of implementing the Global Compact on Refugees using civil society organizations as examples. It will briefly explore the particular challenges faced by faith-based organizations and refugee led organizations and their resulting responses, using the street level bureaucrat theory as a framework of analysis.

What are the Challenges Faced by Civil Society Organizations?

The role(s) of civil society organizations is pivotal in the implementation of the Global Compact on Refugees. Civil society organizations actively work toward the achievement of human rights. They aim to alter public policies using a variety of methods including the promotion of change and sharing new knowledge among decision makers and other stakeholders. They also seek to ensure that the unrepresented are heard, and to offer knowledge and provide evaluation of programs on the ground (OHCHR, n.d.). Civil society organizations also support vulnerable groups in attaining their rights (OHCHR, n.d.) during simultaneous crises such as the refugee crisis and the COVID-19 pandemic (IOM, 2020). More specifically, civil society organizations “contribute to [the Global Compact on Refugees by] assessing community strengths and needs, inclusive and accessible planning and programme implementation, and capacity development, as applicable” (United Nations, 2018, 16). The work of civil society organizations incorporates democratic values, namely the “participatory policy analysis” (De Leon, 2008, p.11) which involves exploring contextual issues of refugees using a myriad of methods and responding to practical and timely issues to fulfill the objectives of the Compact (Torgerson, 2017).¹⁰ As such, the

¹⁰ In other words, emphasizing the adoption and management of aid using domestic resources is key to the achievement of change (Wurtz and Wilkinson, 2019).

experience of civil society organizations, including refugee led organizations, is invaluable due to their instant responsive activity in the field. Indeed, incorporating the support of those who are explicitly impacted by the Compact can ensure their contributions towards its outcomes and actively engage in its fulfillment (Rother and Steinhilper, 2019). In general, the roles of civil society organizations are vital as key stakeholders in the Compact.

Nonetheless, civil society organizations face particular overall challenges in their implementation of the Global Compact on Refugees. The first challenge involves a lacking disposal of monetary resources in the private and public spheres to support the access to financial self-sufficiency of refugees as well as local people in the host country (Carciotto and Ferraro, 2020). Refugee led civil society organizations in Australia, for example, are not only denied financial resources, but the policies and regulations adopted by the government aim to render refugees voiceless and to outlaw the sharing of the realities of offshore refugee holding sites (Harley, 2019). A second challenge faced by civil society organizations in the implementation of the Compact is the lack of clarity of who will decide when and in what ways, faith-based actors, for instance, are key to the success of the objectives of the Compact. This points to the fact that the decision-making liberties are not solely in civil society actors' hands. As such, power imbalances between stakeholders in the Compact affect the contribution of civil society organizations towards its objectives (Wurtz and Wilkinson, 2020), causing a lack of implementation using the localization agenda with a diminished role for civil society.

Civil society organizations also face the challenge of the intersectionality of crises, including the onset of the COVID-19 global pandemic. Indeed, while refugees are some of the most vulnerable groups affected by COVID-19 due to exacerbated health concerns, state border closings, controlled movement patterns, no opportunities to reach asylum, increased safety and urgent needs, and increased ramifications on shelter and income related needs (Easton-Calabria, 2020), the call for a common approach to global responsibility and cohesion to account for the social and financial impacts of COVID-19 goes hand in hand with the Global Compact on Refugees' premise of international burden and responsibility sharing (UNHCR, 2020). More specifically, the COVID-19 pandemic has affected the implementation of the Global Compact on Refugees by refocusing attention on meeting the immediate needs of refugees, widening the gap between monetary needs and supplies, reducing effective allocation of responsibilities among stakeholders, extending the due dates for meeting Compact aims, and raising the significance of meeting COVID-19 related initiatives set out in the Compact first (Easton-Calabria, 2020).

As a result, the role of civil society organizations becomes vital in dealing with the consequences of COVID-19 on refugees and migrants, including unequitable humanitarian responses, unclear initiatives as well as the omission of refugees from support programs (IOM, 2020, para. 2-3). As such, the effective incorporation of local partners, including civil society organizations, in the provision of financial support and decision-making power to stakeholders on the ground is essential towards achieving the goals of the Compact during the pandemic (Easton-Calabria, 2020). Civil society organizations are needed to secure data in multiple languages on COVID-19 that is also tailored to the needs and environments of refugees, offer helplines to address gender-based violence and abuse, provide official law assistance, and psychosocial care, and engage other stakeholders like refugees in decision making arenas as well as establish social efforts in collaboration with national bodies to achieve fair treatment at work, to name a few (IOM, 2020, para. 4).

Street Level Bureaucrat Theory and Civil Society Organizations

In this section, Michael Lipsky's (1980) street level bureaucrat theory will be used to explore the challenges faced by civil society organizations in their implementation of the Global Compact on Refugees thus far. Unlike other theories such as the principal agent theory that explains the actions of individuals or organizations as merely a form of explicit agreement or rejection (Braun and Guston, 2003), the street level bureaucrat theory seeks to understand what affects and regulates street level bureaucrat decisions, unofficially affecting the actual policies adopted in practice (Lipsky, 1980). Alternatively, in contrast to policy evaluations that focus on best practices or management theories that connect adopted policies with specific results or effects (OECD, n.d.), the street level bureaucrat theory is interested in exploring the way organizations achieve their goals, especially considering their day-to-day operations and their external relationships with the community of interest (Lipsky, 1980).

More specifically, the street level bureaucrat theory explores the day-to-day judgement calls made by decision makers on the ground that may differ from policies and assigned initiatives due to personal choices, low funding levels and high caseloads (Lipsky, 1980; Marshall and Beland, 2019 Ustek-Spilda, 2020; Bhatia, 2020). According to the "theory of bounded rationality," it is the particular demeanors, beliefs, norms, ideas of other members of the bureaucratic structure, as well as the time, information and resource limitations that impact street level bureaucrats in how they understand and act in their roles (Keiser, 2010, p.252). A defining feature of street level

bureaucrat theory is the face-to-face¹¹ interaction between the individual service provider and the service receiver, during which the street level bureaucrat would choose how to apply the multifaceted policy or initiative to specific cases and in what ways, exemplifying agency in their interpretation and application of the service or regulation (Ustek-Spilda, 2020). In other words, “street level work is, ironically, rule saturated but not rule bound” (Maynard-Moody and Musheno, 2003, p.10 cited by Marshall and Behand, 2019, p.399). Further, the “citizen-agent narrative” highlights the way clients are evaluated by street level bureaucrats to explain the particular choices made (Keiser, 2010, p.250). The overall impact of street level bureaucrat judgements can affect the anticipated policy outcome and discredit the clients’ perceptions of equal and unbiased decision making (Lipsky, 1980). Lastly, street level bureaucrats are not merely tasked with carrying out a policy or initiative, they are also responsible for its overall assessment (Marshall and Beland, 2019).

Nonetheless, the street level bureaucrat theory faces several critiques in fully explaining the role of civil society organization agents in achieving the objectives of the Global Compact on Refugees. First, it is significant to recognize that street level bureaucrats obtain a certain level of decision-making power only within the confines of the regulations mandated and the level of surveillance received in their work (Lipsky, 1980). A second challenge contends that street level bureaucrats’ actions that result in social change are only due to decisions made by the organization’s upper management. For example, increased costs of aids such as food stamps are final calls made by higher up staff. Thus, it “loses sight of the political economy of human service organizations” (Hasenfeld, 2005, p.155). Additionally, there is a need to emphasize the political, financial, and core institutional context surrounding these human interactions that affect the working environments and the resulting decisions of street level agents (Hasenfeld, 2005).

Overall, however, the power exerted by street level bureaucrats affects the intended socio-economic and political actions taken by government (Ustek-Spilda, 2020). A study on street level bureaucrats in immigration and asylum initiatives in Britain viewed asylum seekers as distrustful. Asylum seekers were denied registration for health services due to occupied offices that were not

¹¹ While face to face interactions between street level bureaucrats and service clients is a defining feature of street level bureaucracy, technological developments have allowed for their communication to occur online and virtually, thus losing this key feature (Keiser, 2010). Nonetheless, this theory still applies in the cases of the CSOs implementing the Global Compact on Refugees as digital technology allows for the continuation of service provision. In addition, the COVID-19 pandemic has altered the traditional way services are provided, which has also played a key role in the way that bureaucrats and clients interact.

taking in new patients and few translation experts to allow asylum seekers to express what they were feeling. Some asylum seekers were treated with aggression which lowered their confidence when seeking advice from doctors, for instance (Bhatia, 2020). As such, these practices debilitated the effective realization of the intended initiatives. Another study involving service provider organizations through the Resettlement Assistance Program in Saskatoon, Saskatchewan, Canada that aimed to resettle Syrian refugees explained that bureaucrats on the ground found that Syrian refugees had little comprehension and use of the English language, physical and mental distress, as well as multiple members of the family to provide for. This context heightened the challenges of responding to their needs due to the large number of incoming refugees, and the difficulty of dealing with their cases while knowing little about their population characteristics before they came to Canada, low funds, and poor communication between the sectors handling the resettlement of refugees (such as slow processing of excel sheets on the newcomers per day) (Marshall and Beland, 2019). Nonetheless, pressures were met with service provider organizations doing what they can and rallying with other stakeholders, adopting other effective measures to perform their duties, and creating project management strategies (Marshall and Beland, 2019).

As such, the choices made by street level bureaucrats in civil society organizations are vital towards realistically achieving the objectives of the Global Compact on Refugees. The implementation challenges will be illustrated by exploring the cases of faith-based organizations and refugee led organizations:

Faith Based Organizations

The roles of faith-based organizations are crucial in the conceptualization and implementation of mechanisms used to support refugees and host countries in conflict aversion, resolution and active peace initiatives as outlined in the Global Compact on Refugees (United Nations, 2018; Fiddian-Qasmiyeh and Nakib, 2018). This signals the “gradual movement from estrangement to engagement” regarding faith-based organizations in development processes (Clarke, 2007, p.79). Development is viewed more and more as a “multidimensional process” using an “institutionally complex” approach towards achieving political transformation (Clarke, 2007, p.90). Indeed, since the 2016 World Humanitarian Summit, there has been a shift towards the “localization of aid” in which capacities and decision-making power is transferred from global agents to local ones in order to build their capabilities to instill change (Wurtz and Wilkinson, 2019, p.146). Faith-based organizations support burden and responsibility sharing by actively engaging in receiving

refugees and treating refugees with respect, providing refugees with urgent necessities including tangible resources and psychosocial support, and in facilitating long-term responses to the refugee crisis, including resettlement and community inclusion (Fiddian-Qasmiyeh and Nakib, 2018).

One study conducted by the Joint Learning Initiative (JLI) and the UNHCR on effective measures used by faith agents to respond to refugees in Mexico and Honduras found that they adopt a broad concept of refugee self-reliance in order to reach a wider group of people that do not fit within the definition used by other organizations. Certainly, the definition used by faith actors focuses on communal strength, social cohesion, offering capacity building and knowledge sharing to locals, instead of relying on refugee abilities to respond to challenges solely. As noted in the street level bureaucrat theory, exploring these discretionary choices made on the ground and their consequences is key to understanding their daily operations. Moreover, faith-based organization actors' reliance on the work of volunteers due to their few resources and limited manpower to meet the requirements of refugees, can be explained effectively by the street level bureaucrat theory's assessment of clients' needs while capitalizing on their relationships with external bodies, including other religious organizations (Wurtz and Wilkinson, 2020).

Refugee Led Organizations

Moreover, the challenges faced by refugee led organization agents in their work towards the Global Compact on Refugees can also be explained using street level bureaucrat theory. As with faith-based organizations, the international policy focus on encouraging responsive actions through local organizations highlights the activities of refugees and refugee led organizations (Pincock, Betts and Easton-Calabria, 2020). Not only is an examination of the authority and the vested interests held among stakeholders on the ground significant to the actual engagement of agents in humanitarian action; rather, the particular decisions taken by street level bureaucrats is also influential. Indeed, refugees are often the initial responders to disasters, and they regularly act and create unofficial groups to respond effectively (Pincock, Betts and Easton-Calabria, 2020). Nonetheless, while it is discussed widely among international actors, there is no evident policy pattern on how action-oriented partners are expected to negotiate with refugee led organizations in actuality (Pincock, Betts and Easton-Calabria, 2020). Refugee led organizations must therefore bypass challenges such as limited financial resources, lack of registration and acceptability in the community, struggle over resources, and a lack of representation in the design of refugee

programs and coordination with international actors, to name a few. As such, the street level bureaucrat theory is an essential tool in explaining how refugee led organizations meet the challenges of refugees by assessing the general local context and developing key relationships with other organizations to achieve their objectives.

Overall, the street level bureaucrat theory is significant in describing the decisions made by faith-based organization agents and refugee led organization actors on the ground. While challenges contend that street level agent decisions are controlled by regulations and monitored by management, the work of street level bureaucrats in these civil society organizations is usually conducted in situations that are complicated, politicized, and cannot be viewed as simply systematic, and involves decisions on a person-to-person level which requires the upholding of dignity and compassion in their interactions and decisions (Lipsky, 1980). Indeed, the work of these stakeholders is based on political intentions for change through non-compulsory initiatives and projects towards furthering the objectives of the Global Compact on Refugees (United Nations, 2018).

4. Concluding Remarks

Overall, this paper has shown that using a *top-down normative approach* (focusing on global burden sharing and country level political constraints using existing political structures and institutions), the creation of the Global Compact on Refugees represents a key transformation in its approach to the global refugee regime through the integration of a multi-stakeholder and partnership approach instead of a state focused one. In addition, using a *bottom-up approach* (focusing on policy implementation and the agency of civil society organizations), this paper has illustrated that 'street level' reality challenges persist in the effective implementation of the objectives of the Compact by civil society organizations using the street level bureaucrat theory as a framework of analysis.

The use of the top-down and the bottom-up views have been helpful in exploring the key transformation from both ends, highlighting the different macro level forces that paved the way for the Compact's development structurally, and reflecting on the micro level decisions and challenges during the implementation on-the-ground. However, while the Compact is currently used as a reference as seen in Turkey's refugee response, more research is still needed to capture how the tensions between and among the top-down and bottom-up factors unfold over

time. Future research on the impact of multi-stakeholder engagement will be able to extrapolate how far the Global Compact on Refugees has come in terms of meeting its objectives within the context of current and new challenges to come, including the effective localization of aid and an enabled role for civil society. Further, a long-term perspective is needed to effectively evaluate the accomplishment of the Compact, its ramifications on the global refugee regime, as well as the endurance of stakeholders' political will towards meeting its objectives on-the-ground (Triggs and Wall, 2020).

To conclude, the following will provide a reflection on the aforementioned key transformation symbolically (how the framing of handling refugees has altered), institutionally (how the institutional or governance architecture has changed), and relationally (how the practices of civil society organizations on the ground in terms of implementing the Compact have changed, and what challenges remain ahead). First, the creation of the Global Compact on Refugees represents a symbolic transformation in its approach to the global predicament of refugees. The development of the Compact challenged the view of handling refugees using heightened securitized policies as seen in the Global North (Alexander Aleinikoff, 2018), and instead underscored the values of refugee protection and human rights towards effectively adopting its objectives (Gilbert, 2018). Moreover, while efforts have been made by host states and funders to respond to the resulting humanitarian emergency of the refugee exodus, there still remained a formidable disconnect between the needs and the assistance received (United Nations, 2018). Indeed, this context created an explicit need for a fairer allocation of responsibilities among states and other stakeholders, while considering their capacities and resources (United Nations, 2018; Turk, 2018). As such, the shifting narrative towards more effectively meeting the needs of refugees using multiple and various stakeholders paved the way for the development of the Global Compact on Refugees.

Moreover, the adoption of the Global Compact on Refugees can contribute to system change over time by influencing the discourse that frames current international refugee policy. While the mere existence of the Global Compact on Refugees showcases a level of political obligation, its interconnectivity with other ongoing pledges such as the Sustainable Development Goals (SDGs) actively illustrates that refugee safety and security require more political notice and action (Costello, 2018). Overall, the Global Compact on refugees illustrates a key transformation by underscoring a "whole of society approach (Betts, 2018, p.624; Wurtz and Wilkinson, 2019), by incorporating the support of various and interested parties beyond member states, such as

refugees themselves (Khan and Sackeyfio, 2018), to highlight a “nothing about us without us” approach (Rother and Steinhilper, 2019, p.249). This shifts the Compact’s framing from a “*burden* sharing to *responsibility* sharing” (italics included) approach to illustrate this active multilateral approach towards its creation and implementation.

Second, the development of the Global Compact on Refugees represents a key institutional transformation consisting of international cooperation not only among states, but among other stakeholders, in the international refugee regime (Khan and Sackeyfio, 2018). Towards fairer and more probable responses to responsibility sharing, the Compact targets member states of the United Nations as well as other key stakeholders, more than has usually been the case in the past (Khan and Sackeyfio, 2018). The benefits of the multi-stakeholder approach in the Compact include outcomes that are more readily achieved due to collaboration among the intended beneficiaries such as refugees, as well as long term collaboration between agencies that transcends mere organizational mission statements (United Nations, 2018). While not all stakeholders in the Compact may be able to deliver on their intentions, and some stakeholders may not be able to partake in the development and implementation of the Compact in a truly impactful way, due to limited refugee access, for instance (Samaddar, 2020), the non-obligatory nature of the Compact makes it more appealing to multiple stakeholders (Appleby, 2017). It constitutes an expression of a political commitment that strikes an equilibrium between the goals of states and other stakeholders, while considering the lessons learned of addressing refugees through policies and practices over the years (Grandi, 2019).

Lastly, using the street level bureaucrat theory as a framework of analysis, this discussion illustrates the relational transformation resulting from the Global Compact on Refugees, namely the difference between the intentions of civil society organizations in fulfilling the objectives of the Compact and the challenges they face in their effective implementation. While civil society organizations are key stakeholders in the implementation of the Compact, the reality of their contribution is affected by day-to-day judgement calls made by decision makers on the grounds that may differ from the policies and assigned initiatives due to personal choices, low funds, and high caseloads (Lipsky, 1980; Marshall and Beland, 2019; Ustek-Spilda, 2020; Bhatia, 2020). For example, faith-based organization actors’ reliance on the work of volunteers due to their few resources and limited manpower to meet the requirements of refugees (Wurtz and Wilkinson, 2020) represents an agent decision made to respond to the necessities on the ground. This

highlights the tension between the intention of civil society organizations and the reality of achieving the objectives of the Global Compact on Refugees.

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