Recommendations on Implementation of the Refugee Convention
US Civil Society Organizations Input to 75th Anniversary Year Dialogues
October 2028

This year marks the 75th anniversary of the Refugee Convention. This set of recommendations, from a group of refugee-led, faith-based and other US civil society organizations outlines crucial steps that States, UN agencies, civil society organizations and other stakeholders should take to strengthen adherence to the Refugee Convention and its Protocol, and to bolster support for the principles that underpin them.

The current US administration has repeatedly painted the Refugee Convention as outdated. Other UN Member States have however overwhelmingly reaffirmed their support for the Convention. At the same time though, there are tremendous gaps between the protections outlined in the Convention and the realities that refugees experience around the world. As the dialogues on the Convention progress this year, and in the lead up to the Global Refugee Forum in 2027, States, UN agencies, and others should take concrete action to strengthen adherence to the Convention in practice and reinvigorate support for it.

The recommendations outlined below relate to implementation of various articles of the Refugee Convention and its call for cooperation, and to some of the action areas suggested by UNHCR for potential discussion during the dialogues. They were identified and discussed in an October 2028 dialogue convening in Washington, D.C.

As overarching imperatives, States, UNHCR, civil society and other stakeholders should work together to champion public narratives that reflect the Convention's principles and to advance meaningful refugee participation in all discussions and decisions relating to refugees' rights. These actions are essential to effectively strengthening support for and adherence to the Convention.

1. Resettlement, Family Unity, Labor, Education and other Complementary Pathways[1]

UNHCR estimates that 2.4 million refugees need resettlement, and current global resettlement places come nowhere close to addressing that need. In line with the Refugee Convention's call

[1] Recommendations in this section correspond to UNHCR Dialogue item 6.

for cooperation, States have - in their 2024 Executive Committee Conclusion - collectively called for increased refugee resettlement slots and complementary pathway opportunities, including humanitarian and needs-based pathways, labor mobility, education, sponsorship, and family reunification pathways. States, UNHCR, and civil society must work together collaboratively to scale up a serious, coordinated initiative to increase resettlement and complementary pathway slots.

States should take, pledge, and report on action to:

- Expand the number of resettlement countries and the size of their programs. Invest in a baseline resettlement capacity that can scale in the future, respond to international and domestic priorities, and be adaptable in times of emergencies.
- Scale up family reunification, with faster processing, lower costs, broader eligibility, and ambitious targets, in line with the Multistakeholder Pledge on Supporting Refugee Family Reunification.
- Support community sponsorship, which gives refugees agency and gives communities ownership of welcome, but as a complement to government responsibility, not a replacement. Educational/learning institutions should be included as qualifying sponsors.
- Scale up education and labor mobility pathways for refugees, with targets for the number of people admitted, and ensure that there is a dedicated portion of places for refugees selected on protection need.
- Provide resettlement for refugees with acute protection needs, including through emergency or expedited resettlement, leverage it to expand protection for other refugees in countries hosting large numbers of refugees, and ensure that access to resettlement and pathways is non-discriminatory. Support infrastructure necessary for emergency and urgent resettlement.
- Where resettlement helps meet workforce needs, keep selection based on protection need, and safeguard the protection profiles of those resettled.
- Provide resettlement and complementary pathway places to refugees in protracted displacement, selected on protection need, and report them as part of UNHCR's 50 by 35 vision. Ensure that resettlement commitments and prompt processing are an integrated and central component of the vision, along with other solutions.
- Design complementary pathways so that they lead to permanent status and a route to naturalization after arrival.
- Never treat resettlement or any other humanitarian pathways as a substitute for the right to seek asylum.
- Strengthen reception in receiving communities including access to medical and health care, food assistance, education, and as a durable solution, permanent legal status and naturalization.
- Strengthen inter- and intra-governmental collaboration in scaling up and implementing prompt access to resettlement and complementary pathways.
- Prioritize the development of a positive public narrative by firmly standing up for these principles and sharing stories of successful integration in media.

In addition, UNHCR should:

- Prioritize people most at risk in its resettlement referrals, including those stuck for years in protracted situations.
- Leverage resettlement and pathways to bolster respect for rights and inclusion.

2. Access to Asylum and Asylum Systems[2]

The principle of *non-refoulement* is the cornerstone of the Refugee Convention. The legal prohibition against return to persecution applies to all States, not only those close to displacement crises, which host the vast majority of the world's refugees. Refugees and refugee leaders have described, as shared by Refugee Congress, restrictions at borders, externalized controls, long waits for asylum, little clear information, and limited access to lawyers needed to navigate asylum processes.

States should take, report on, and pledge concrete action to:

- Ensure access to territory and the right to seek asylum, upholding *non-refoulement.*
- Accede to the Convention if they have not yet done so, or at least align national law with *non-refoulement* and its other principles.
- Cooperate with UNHCR and facilitate its supervisory duties under Article 35, including through support for updating the *Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status* and through more faithful adherence to UNHCR guidance.
- Put the necessary funding into prompt, fair, credible, and effective asylum systems in their own countries as well as in States with fewer resources, recognizing that fairness drives efficiency. Early legal representation, good interpretation, and well-trained and supported decisionmakers produce accurate first decisions and fewer appeals. Asylum systems should therefore include independent specialist legal assistance, effective interpretation, sufficient decision-making capacity including robust country of origin information, and independent judicial review.
- Support the Global Legal Community Pledge and the Asylum Capacity Support Group.
- To streamline adjudication, use *prima facie* or group recognition when country conditions warrant it, and/or to leverage country conditions and legal analysis relating to particular populations that will generally be eligible for protection.
- Respect Article 31 of the Refugee Convention: no penalties for seeking asylum. Do not deny protection because someone transited another country, and do not dismiss refugees' choices as "forum shopping." As Refugee Congress has recounted, refugees seek safety where they have family, language, and community, and those ties are what make integration work.
- Align interpretation of the refugee definition with UNHCR guidance to avoid complicated legal tests for inclusion, unjustifiably broad grounds of exclusion that go far beyond the

[2] Recommendations in this section correspond to UNHCR Dialogue item 1.

provisions of the Convention, and bureaucratic barriers such as filing deadlines that serve only to slow down adjudication and deny protection.
- Redesign or design asylum systems with refugee-led organizations, UNHCR, civil society, and other stakeholders. States should enable external actors to monitor and evaluate and should publish data allowing all stakeholders as well as other States to learn from best practices.
- Plan for flexibility and capacity to scale asylum systems to respond to emergency situations while prioritizing protection.

UNHCR should:

- Make greater use of the courts and human rights mechanisms alongside the Convention, and engage the judiciary, not only governments.
- In developing or updating guidance, safeguard access to asylum and the protection of people seeking asylum as consistent with the Refugee Convention, explaining the ways in which efforts to deny individual refugees access to asylum - including via pushbacks, asylum bans, "instrumentalization," or specious declarations of "emergency" - run afoul of the Convention and international law.

3. Refugee Rights and Article 34 Integration[3]

The Convention delineates the rights of refugees that States must uphold. Recognition of refugee status is not the end of the journey. Yet, refugees still face obstacles to obtaining documents, work, housing, education, and health care. In addition, Article 34 of the Refugee Convention calls on States to "as far as possible facilitate the assimilation and naturalization of refugees."

A study conducted by Refugee Congress, Refugee Council USA and Ethiopian Community Development Council identified factors that make integration successful from the perspective of refugees and asylum seekers. The study was designed with refugees, and refugees defined the measures. The ten measures that emerged included English language, employment, health and mental health, housing, cultural orientation, and identity and inclusion. A person can be housed and working and still not feel at peace. Belonging is what the Convention's rights are meant to make possible.

States should take, report on, and pledge action to:

- Expand access to work and education, self-reliance, and local integration, so that a sense of belonging is possible. These efforts should all be accessible and responsive to people with diverse needs, risks, and capacities. States should provide prompt access to work, consistent with Article 17, one of the Convention's most underused provisions. Work is what makes self-reliance possible. States should recognize credentials and skills, so that a nurse or an engineer is not cleaning offices for lack of a certificate. In addition, as a participant in Refugee Congress's research recommended: "hire people

[3] Recommendations in this section correspond to UNHCR Dialogue items 7 and 9.

who can relate to refugees, hire refugees." This is both a recommendation, and also the model.

- Ensure humane reception and freedom of movement. Use community-based case management instead of detention. Children should never be detained.
- Include local governments and host communities, because integration happens in cities and neighborhoods, and protection should never be framed as a competition for resources.
- Share responsibility. The Convention's preamble recognizes that international cooperation is essential to achieving satisfactory solutions. States and other stakeholders should increase aid and diplomatic support for integration in the major refugee-hosting countries, and fund local governments and refugee-led organizations directly, with multi-year support.
- Define integration indicators with refugees, including belonging and mental health, and fund the data.
- Honor Article 34 of the Refugee Convention, which asks States to "as far as possible facilitate the assimilation and naturalization of refugees." To put this into practice, States should:
    - Implement measures to assure family unity, identity and travel documents, permanent legal residence, and citizenship.
    - Launch policies that provide these, end the policies that deny them, and make naturalization expedited and affordable.
    - Extend secure status to the second generation.
    - End constant status reviews and unnecessary re-vetting that leave refugees in permanent insecurity, as such policies undermine stability, encourage onward movement, and harm refugees and host communities alike.

In addition, UNHCR should:

- Strengthen guidance on Article 34, including on facilitating access to naturalization and ending constant status reviews.
- Build refugee-defined integration indicators into reporting and into the road to the 2027 Global Refugee Forum.
- Encourage States to make Article 34 pledges at the Forum on permanent residence status, family unity, and citizenship.

4. *Non-refoulement* and Third Country Arrangements[4]

Refugee-led and civil society organizations have repeatedly raised concerns about the proliferation of third country transfer and "safe third country" arrangements that subject refugees and other migrants to *refoulement*, arbitrary detention, torture and other human rights

[4] Recommendations in this section correspond to UNHCR Dialogue item 1.

abuses. Based on its interviews with refugees, Refugee Congress shared that "[r]efugees are alarmed by the increased use of deals that send people to countries where they have no ties and no protection." Such "externalization" arrangements are, by their very nature, prone to human rights violations, as the UN Special Rapporteur on the Human Rights of Migrants concluded in his 2026 report.

In a September 2026 statement, UN Special Rapporteurs and other Special Procedures warned that States involved in 35 US third country arrangements "must immediately halt these arrangements, restore access to fair and effective asylum procedures, human rights protection, due process guarantees, prevent chain *refoulement*, and ensure transparency, independent human rights monitoring and accountability." They announced that they had issued communications to the US and the 35 States and territories, explaining that the "arrangements are triggering a cascade of human rights violations, increasing risks of torture and ill-treatment and enforced disappearance, and breaching the customary law principle of *non-refoulement* in countries around the world that are signing agreements to accept plane loads of migrants and refugees removed from the U.S."

In their September statement, the UN Special Procedures explained that: "UN entities, including the International Organization for Migration (IOM) play a crucial role in assisting refugees and migrants, but their engagement must never legitimise arrangements that expose people to *refoulement* or other grave human rights violations, including torture, and should be guided by robust human rights due diligence processes," and warned that "Participating in measures that lead to rights violations, including breaches of the non-derogable prohibition on torture, may, in some situations, amount to complicity."

States should take, report on, and pledge action to:

- Adhere to both the rule of law and the spirit of the law on *non-refoulement*. Third country agreements are being used as an attempt to circumvent the Refugee Convention and other prohibitions against *refoulement*.
- Review these arrangements before and during implementation and reconsider existing arrangements. While we strongly discourage these agreements, some States have chosen to pursue them despite their inherent risks. Any such arrangements must adhere to *non-refoulement* and human rights standards, and should include human rights risk assessments, independent human rights monitoring, redress avenues for victims and their families, and complaint mechanisms - safeguards identified in the Special Rapporteur's report. Any such arrangements should safeguard due process and access to protection, which requires meaningful notice, access to an individualized examination, and suspensive effect to ensure protection from removal during appeal.
- End third country arrangements that risk *refoulement* or other human rights abuses, and/or lack due process safeguards.
- Specifically exempt, from any such arrangements, people with family in the sending country, people with no meaningful links to the third country, and people already recognized as refugees and/or determined to be at risk of *refoulement* to persecution, torture or other human rights violations, people already in the adjudication system and/or

awaiting a determination or decision, as well as children, families and other vulnerable populations. The Special Rapporteurs and other Special Procedures explained, with respect to the 35 arrangements, that they had found that those at "gravest risk are children, women, persons with disabilities, victims of trafficking, LGBT persons, human rights defenders, stateless persons and other people in extremely vulnerable situations."

UN agencies (IOM, UNHCR and any other agencies) should revise guidance and protocols, and take other steps, to help prevent and not facilitate *refoulement* or other human rights abuses, including:

- Closely review and adopt the findings and recommendations of the UN Special Rapporteurs and Special Procedures, and review potential and existing operations and protocols to ensure agencies do not facilitate, support or accept funding that advances arrangements or policies that violate or undermine the Refugee Convention, *non-refoulement*, and human rights.
- Encourage States party to, or considering, such arrangements to properly review proposed or existing arrangements for adherence to refugee and human rights law, and to refrain from entering into or continuing arrangements if they are inconsistent with the Refugee Convention, *non-refoulement*, or other human rights protections.
- Assess, both prior to, and periodically after interacting with, such arrangements for their adherence to *non-refoulement* and human rights standards, people's safety, and whether reception conditions are humane.
- Clarify in guidance, operational protocols and communications with States that, as the Special Rapporteurs and Special Procedures explained: "[a] return cannot be presumed to be voluntary when a person has no lawful status, no means of subsistence, no independent legal advice, or no viable alternative to return," and that "[r]eturn under such circumstances would be coerced and could complete an unlawful chain of *refoulement* stemming from the initial transfer …."
- Speak out when arrangements put refugees at risk of *refoulement* and human rights abuses.
- Conduct, encourage, or ensure:
    - prompt screening for *non-refoulement* and other protection needs,
    - referrals to protection, and
    - access to legal representation.

UNHCR should strengthen its monitoring, advocacy, and guidance related to third country arrangements to better protect refugees from *refoulement* and human rights violations, including to:

- Clarify that people subject to such arrangements should not be sent to places where they have no citizenship, residence, family, community or other meaningful links.
- Safeguard refugees' family unity, including to specify that any such arrangements should not send a person to a third country when they have close family in the sending state.

- Specify some examples of the vulnerable populations that should be exempted from such arrangements, including those identified by the Special Rapporteurs and Special Procedures as having suffered risks and vulnerabilities under such arrangements.
- Encourage consideration of refugees' reasons for seeking asylum in a particular country, as they often relate to sound considerations such as safety, the protection of rights, family unity, community, language or other ties.
- Clarify that people who have already been determined to qualify for *non-refoulement* protection (for example, as refugees at risk of persecution or as people at risk of torture or other human rights abuses), as well as people already in a State's adjudication process, should not be subjected to such arrangements.
- Explain in guidance (not simply by cross-reference) the criteria that enable another country to be considered "safe" or otherwise permissible for transfers, including that people should be protected in practice from *refoulement,* including chain *refoulement* and constructive *refoulement,* that asylum systems should be adequate and effective, and that the country should not be experiencing active conflict, civil war or high levels of violence.
- Encourage States to add safeguards to agreements such as human rights assessments, independent monitoring, redress mechanisms and other safeguards identified in the Special Rapporteur's 2026 report.
- Make clear that any such arrangements should be reflected in written, publicly available agreements that set forth their terms, and should only be entered into with States that are parties to the Refugee Convention, as well as the Convention Against Torture and the International Covenant on Civil and Political Rights.

IOM should take steps to:

- Review its role in third country arrangements and avoid supporting or facilitating returns that enable *refoulement*, are not truly voluntary (as explained by the UN Special Rapporteurs and Special Procedures, and referenced above), and/or feature arbitrary detention or other human rights abuses.
- Not accept funding that renders the agency complicit in *refoulement*, arbitrary detention and/or human rights abuses.
- Verify reception conditions are humane, consistent with human rights standards, and ensure prompt protection screenings and referrals are in place.

5. Voluntary Repatriation and Reintegration[5]

Displacement is often prolonged. Refugees want to go home when it is truly safe, as refugee-led organization Refugee Congress shared from its input from refugees. "Many of us dream of it. But return must be voluntary, informed, and dignified, and we reject pressure to return early or to remain in host countries without rights."

[5] Recommendations in this section correspond to UNHCR Dialogue item 8.

States, UNHCR, civil society and other stakeholders should support informed, voluntary, safe, dignified, and sustainable repatriation and reintegration that adheres to law and respects rights, ensuring that any decision to return is taken only when conditions exist that do not undermine the life, integrity, safety, and dignity of individuals. Premature returns or returns that violate human rights or refugee law must be avoided. They should also establish monitoring and follow-up mechanisms for returnees.

States should take, report on, and pledge action to:

- Safeguard refugees from return or pressure to return before conditions are safe.
- Invest in property restitution, jobs, infrastructure and rebuilding.
- Protect those who may still be at risk of *refoulement* even in the midst of larger scale returns.

UNHCR should:

- Support returns only when conditions are safe.
- Protect individuals still at risk, even during large-scale returns.
- Monitor returnees' safety after they go back.
- Work closely with local communities and with diaspora, who often have firsthand knowledge from friends and family who've remained, on what true conditions are like.

6. Convention Implementation and Meaningful Refugee Participation[6]

States, UNHCR and other stakeholders should pledge and take steps to advance and resource meaningful refugee participation and leadership in all decision-making processes that affect their lives and their rights - including all processes, guidance and actions relating to the Refugee Convention and its principles. They should center and meaningfully include refugees and refugee-led organizations in discussions, dialogues and decision-making on matters relating to their safety and rights. States and other stakeholders should support tools and initiatives that seek to strengthen the rights of displaced and stateless people to participate in decisions affecting them, such as Paragraph 34 of the Global Compact on Refugees affirmed by the UN General Assembly and the *Jakarta Declaration on the Right to Participate*.

Drafted by displaced and stateless experts worldwide, the *Jakarta Declaration on the Right to Participate* (December 2025) outlines the right of refugees to participate in decisions that affect them, and the duties of States and UNHCR to make that participation meaningful, resourced, safe and accountable. Refugee Congress and the US Refugee Advisory Board heard the same priorities in their October 2026 survey and dialogue with refugee leaders across 13 US states: shared decision-making power, early engagement, direct funding, and clear follow-through.

[6] Recommendations in this section correspond to UNHCR Dialogue item 10.

States and UNHCR should endorse the *Jakarta Declaration* and use it to guide pledges at the 2027 Global Refugee Forum.

In addition, UNHCR should take steps to:

- Give refugee-led and stateless-led organizations a standing role in the agency's decision-making structures, with voting seats and representatives chosen by refugee networks, not advisory roles that depend on an invitation.
- Bring in refugee-led organizations before priorities, programs, and budgets are drafted, and meet regularly, from the December 2026 Dialogue through the 2027 Global Refugee Forum and beyond, not only around deadlines.
- Reach beyond established networks, share materials early in plain language and multiple languages, and invite refugees for their expertise as economists, lawyers, teachers, and leaders, not only for their stories.
- After each consultation, publish what was accepted, what was rejected, and what is still pending.

States and donors should take, report on and pledge action to:

- Set a direct-funding target for refugee-led, women-led, and stateless-led organizations, with flexible, multi-year funding.
- Compensate participation and cover its costs, such as interpretation, childcare, and travel. No one should have to choose between a day's wages and a voice in decisions about their community.
- Issue travel documents in line with Article 28 of the Refugee Convention and remove documentation rules that block participation.

7. Bolstering Support for the Convention and Shifting the Narrative[7]

"Our communities face dehumanizing rhetoric and false claims of widespread asylum fraud," refugee leaders recounted to Refugee Congress. To better protect refugees, and ensure principled implementation of the Refugee Convention, States, UN agencies, refugee-led, faith-based and other civil society organizations, as well as political leaders, public figures, faith leaders and other stakeholders, should pledge and take action to shift the public narrative around refugees and asylum to one rooted in shared values, human dignity, and hope, rather than fear and division. In these efforts:

- Refugees and refugee-led organizations must be recognized and centered as experts, advocates, leaders, and trusted messengers.
- The voices of local communities, faith leaders, faith-based organizations, and others who champion refugee protection and human dignity should be amplified.

[7] Recommendations in this section correspond to UNHCR Dialogue items 2 and 5.

- Enlist and leverage new media, influencers and UNHCR ambassadors in narrative efforts.

In addition, States, political leaders, and other stakeholders should take, report on, and pledge steps to:

- Vocally re-affirm that protecting refugees and upholding the Refugee Convention serves the interests of our societies.
- Root discussions in shared values, rights, human dignity, and hope, and:
    - Recognize that effective, orderly, properly resourced resettlement and asylum support infrastructure is the key to building public support.
    - Enhance fairness and integrity to build support for asylum systems, as outlined above, avoiding inaccurate, exaggerated, divisive or dehumanizing narratives that paint people seeking asylum as frauds or asylum "shopping."
- Proactively counter misinformation with facts and share accurate and hopeful stories about refugee protection. Highlight the voices of refugees and impacted leaders as trusted messengers.
- Restore funding to UNHCR, civil society, and refugee-led organizations, which have been hit hardest by cuts.
- Amplify the voices of local communities who are doing the work of welcome – engage faith leaders and faith-based organizations in these efforts.
    - Recent polling demonstrates once again that those who personally know a refugee are far more likely to support resettlement, and that large majorities support due process for asylum seekers including access to territory.
    - Faith-based organizations accompanying displaced communities every day witness how weakening protection systems and undermining human rights inevitably lead to greater suffering, insecurity, and loss of life.

UNHCR should:

- Encourage states to combat misinformation and anti-refugee rhetoric through effective, principled resettlement and asylum policies.
- Connect with and uplift local communities and faith leaders/organizations.
- Continue work to bring new voices in support of the resolution, and utilize creative messaging strategies and goodwill ambassadors, as UNHCR did for its July and September commemorations of the anniversary and its publication of an op-ed on the Convention by one of its ambassadors.

UNHCR, together with faith leaders and civil society should:

- Tell the hopeful, honest story of what refugees contribute.
- Recognize refugees as neighbors, workers, professionals, and leaders, and as experts and trusted messengers.