NGO Protection Statement
Agenda item 5(a)

Thank you, Chair.

This statement was drafted through a wide consultation with NGOs and attempts to reflect a diversity of views.

One year after the New York Declaration, some large hosting states have shown new willingness to rethink national policies and prioritize refugee protection, resilience and self-reliance. New actors – including development actors and the private sector – increasingly recognize their role in supporting protection work.

While the New York Declaration provided an impetus to strengthen the protection regime, critical gaps remain. In many regions, refugees’ access to services and livelihood opportunities continues to be restricted; women and girls face violence and obstacles to realizing their human rights; ‘Xenophobic’ narratives influence policies that limit refugees’ rights and freedoms.

In short, many of the new arrangements still do not fully address structural issues and security concerns of refugees. Equally, excluding refugees from designing solutions strategies weakens efforts to find comprehensive and durable responses for refugees.

As we mark the 50th anniversary of the 1967 Protocol, we urge states to commit to ensuring full protection of all people forcibly displaced worldwide – leaving no one behind.

We therefore draw the Committee’s attention to key protection concerns:

Responsibility-Sharing
As a framework for responsibility-sharing for refugee protection remains elusive, States must use the Global Compact to fill this gap. We need to define a predictable and equitable mechanism to ensure respect for refugees’ right to seek asylum; increase resettlement and additional pathways; ensure local inclusion of refugees and access to basic services, including quality education, vocational training and decent work; and provide predictable humanitarian assistance and development funding to support displaced people and host communities.

Protection of Civilians
In 2017, we have seen shocking instances of civilians being targeted, including in Myanmar, Nigeria, Iraq, South Sudan, and Yemen. We have further seen military strategies place civilians under siege, prevent humanitarian access, and actively block civilians from moving to safety.

We urge States to uphold their obligations under international humanitarian law, refugee law, and human rights law, reinforced by binding Security Council resolutions. Non-state armed actors should also uphold their obligations. Efforts should be made to prevent violence against civilians, provide access to protection and respond to survivors’ needs.
**Women and Girls**

Women and girls continue to be victims of many violations and are vulnerable to sexual abuse in detention centers and camps. Children, particularly girls, are exceptionally vulnerable to rights violations due to the confluence of both age and gender power dynamics. Adolescent girls face extreme mobility restraints barring them from accessing needed services. They are at extreme risk of exploitation and abuse, often perpetrated by those they should be able to trust, including peacekeepers and humanitarian workers. Survival sex is a common negative coping mechanism, yet continues to be disregarded as simply a contextual byproduct.

**IDPs**

With the 20th anniversary of the Guiding Principles on Internal Displacement, we must bring back the 31.1 million IDPs to the center and commit to addressing their protection needs. UNHCR committed to “a more predictable and decisive engagement” with IDPs. States and regional bodies must adopt strategies and policies with clear targets. States must take into account special needs and vulnerabilities to find durable solutions for IDPs. Commitments to addressing internal displacement made through (for example) the World Humanitarian Summit, the 2030 SDGs Agenda, the Paris Climate Agreement, and the Sendai Framework must be immediately taken up.

**Statelessness**

NGOs reiterate their support to the #Ibelong campaign to end statelessness by 2024. We urge States to do likewise and to increase accessions to UN Statelessness Conventions. Addressing statelessness also clearly falls within the scope of the Global Compact on Refugees.

To prevent new cases of statelessness, every country’s nationality laws should contain effective safeguards to ensure that no child is born stateless by removing gender, racial, ethnic or religious discrimination from nationality laws and achieving universal birth registration.

Equally, the proper identification of stateless persons is critical to ensuring effective protection. Strengthening statistical information on statelessness is also essential. NGOs express concern that UNHCR’s 2016 Global Trends Statistics, no longer reflect statistical data for the Dominican Republic and Zimbabwe, two countries with large stateless populations.

NGOs are also deeply concerned about the indiscriminate violence against stateless Rohingya in Myanmar, described by OHCHR as “ethnic cleansing”. Unprecedented protection challenges emerge because of the mass forced displacement into Bangladesh. The issue of statelessness as a key element in this crisis cannot be ignored. NGOs reiterate the UN Secretary General’s statement requiring Myanmar to grant nationality to the Rohingya, end all violence and guarantee fundamental human rights.

**Specific vulnerabilities**

We urge States and humanitarian actors to strengthen their efforts to protect and serve the estimated 9.8 million displaced persons with disabilities, and to do so in full partnership with refugees and NGOs. A continued commitment to implementing UNHCR’s age, gender and diversity approach is also essential.

NGOs also call on States to set up adequate mechanisms to identify torture victims within displaced populations. This should be followed by prompt access to rehabilitation services, implementation of safeguards against re-traumatisation and protection determination.
procedures that take into account their mental health situation.

**Non-Refoulement**

NGOs have noted increased pressures on refugees to return to their countries of origin. In some cases, States have returned asylum seekers without providing access to refugee status determination. Australia’s “enhanced screening process” for people intercepted at sea resulted in returns to Vietnam and Sri Lanka with no effective scrutiny of protection claims. In Kenya, refugees reported coercive tactics to ‘encourage’ return of Somalis. In Lebanon and Turkey, returns to Syria are promoted without proper safeguards. Finally, in Pakistan and Iran, a toxic combination of barriers to legal stay for refugees and a highly incentivized return program resulted in returns to Afghanistan – where safety and sustainability remain in question.

While repatriation is an important durable solution when it is voluntary, safe, dignified, and sustainable, greater attention should be paid to ensuring refugees are informed and able to participate in decisions. Moreover, non-*refoulement* is the core principle of international refugee protection and a non-derogable norm of customary international law, which must be respected at all times.

A detailed version of this statement is available online at icvanetwork.org

Thank you.