NGO statement on International Protection

Dear Chair,

This statement was drafted through wide consultations with NGOs.

• With 68.5 million forcibly displaced people, the world continues to face massive humanitarian and protection challenges, particularly due to armed conflicts, climate change, political and economic crises.

• Despite the recent affirmation of the Refugee Compact, we continue to witness policies violating the rights of asylum seekers and stateless persons, generating protection gaps.

• NGOs therefore take this opportunity to highlight 4 areas of concern:

1. The need to reaffirm the right to seek asylum:

   • NGOs are concerned about administrative obstacles and measures such as labelling Rohingya as “forcibly displaced nationals from Myanmar”, and Venezuelans as “migrants”. This effectively undermines individuals’ ability to obtain international protection, thus violating obligations under the Refugee Convention and other applicable instruments, such as the Cartagena Declaration in the Americas.

   • Furthermore, externalising and outsourcing border management to transit countries often result in poor reception conditions, inadequate assessments of asylum claims, family separation and detentions and instances of refoulement.

   • Returns should take place only when conditions in countries of origin allow for safe, dignified, voluntary and sustainable repatriation. In this regard, Europe’s policies of returning Afghan citizens do not sufficiently consider the ongoing instability in Afghanistan. Many other similar situations lead to issues such as secondary displacements, for example affecting Venezuelan nationals.

   • We call on States to respect their legal obligations and guarantee the rights of all those with a well-founded fear of persecution and affected by organised crime, political violence or conflicts. They should have access to fair and effective procedures for assessing asylum and protection claims.

   • We also urge host governments to stop individual and group deportations violating non-refoulement and conducted without due process guarantees.

   • Monitoring of returns is a major challenge and NGOs appeal to UNHCR to monitor deportation procedures and compliance of host governments with their obligations.

2. The need to address statelessness:

   • NGOs are concerned with the human rights impact of statelessness, affecting around 15 million people worldwide, despite SDG Goal 16.9 on legal identity for all. This represents a real failure of protection.

   • Each year 70,000 children are born stateless, denied of birth registration, which restricts their access to education, health, and other services. The number of children of Venezuelan parents currently facing this risk is particularly alarming.
• Discriminatory policies and practices and the lack of safeguards in national laws are further causes of statelessness. Today, 25 countries deny women equal rights in conferring nationality to their children, while some 50 countries deny women equal rights in their ability to acquire, change or retain their nationality, or to confer nationality on non-national spouses.

• To mark the half-way point of the #IBelong campaign, UNHCR will convene a High-Level Segment on Statelessness at ExCom in October. We encourage States to deliver concrete pledges to address statelessness, informed by debates at the World Conference on Statelessness organized in The Hague from 26 to 28 June. To eradicate statelessness by 2024, it is vital that all States not only make pledges but also take quick action to implement them.

• NGOs call upon States to take decisive action to end discrimination in their citizenship laws and eliminate statelessness.

3. **The need to address discrimination and ensure protection for all:**

• Civilians in need are entitled to humanitarian relief essential to their survival. Ensuring access to protection and recognising its centrality in identifying all persons affected and at risk, should be part of all humanitarian activities.

• Nevertheless, inequality, discrimination and lack of documentation often make forcibly displaced people “invisible”, preventing their access to protection, services, and employment. They also face trauma and psychosocial distress on a daily basis.

• Some of the most vulnerable groups include:
  - **Women** under threat of SGBV, exploitation, trafficking, social isolation, with difficult access to services, often leading to negative coping strategies.
  - **Boys and girls** exposed to risks including human trafficking and child labour. Prolonged deprivation and elevated stress levels put them at risk of inadequate cognitive, social and emotional development, negatively impacting their learning abilities.
  - **Adolescents and youth** are often denied or have limited access to post-primary education and livelihoods opportunities, at a crucial stage in their development. They often fall prey to negative coping mechanisms and may be perceived as security threats.
  - **People living with disabilities** are frequently excluded from assistance and care due to physical, social and institutional barriers, which may prolong or worsen disabling conditions.
  - **Victims of torture and other forms of violence** suffer from social isolation, stigma and fear or mistrust towards authorities, all this impeding their access to needed specialized services.
  - **LGBTQI persons** are often socially excluded and at risk of discrimination, stigma, violence and face barriers to accessing all services.
  - **Other ethnic, racial and socially-excluded minorities** also face discrimination in accessing protection, including families of ex-combatants, or special ethnic groups, such as Yazidis. States must recognise those groups’ particular vulnerabilities and ensure their access to protection and services.

4. **The need to address the shrinking humanitarian and protection space:**

• Insecurity, targeting medical and humanitarian facilities, bureaucratic and legal impediments create a growing gap between communities requiring protection and assistance and humanitarian organisations’ ability to effectively reach and assist them.
• Anti-terrorism legislations further limit principled humanitarian action, delays and increases costs of assistance, and creates situations where humanitarian organisations may avoid certain high risk humanitarian context. The recent Security Council resolution 2462 is a major concern in this regard.
• We urge States to make a clear distinction between anti-terrorist legislations and humanitarian action that strives to provide protection to the most vulnerable, and to reconsider aspects of these legislations that effectively limit humanitarian access and civil society space.
• We also urge States to simplify bureaucratic procedures and support principled humanitarian action through increasing humanitarian access to enable assistance and protection to vulnerable communities and individuals.

A detailed version of this statement is available on icvanetwork.org

Thank you.