NGO Statement on the Middle East and North Africa

Dear Chair,

This statement has been drafted in consultation with a wide range of NGOs.

In the Middle East and North Africa (MENA), atrocities and protracted armed conflicts, disputes and political instability continue to rapidly and constantly escalate the levels of humanitarian needs. Ongoing conflict and hostilities in Yemen and Syria in particular have created the world’s most extreme humanitarian crises. Millions of people throughout Iraq continue to suffer from the impact of decades of conflict, including those who have been and continue to be displaced, returnees, and host communities. In Libya and the occupied Palestinian territory, unrest is likely to continue.

As per the global humanitarian overview, in 2019, the overall level of humanitarian need in the MENA region is expected to remain extremely high. Over 47 million people across the region are food insecure, lacking access to essential services, and in dire need of protection. Civilians in Syria, Yemen, Iraq and Libya are exposed to multiple protection risks due to insecure environments, forcing people in need to adopt negative coping strategies, and increasing needs in all humanitarian sectors.

While there has been a reduction in violence in many parts of the crisis-affected countries within the region, conflicts continue and the impact of present and past hostilities on civilians remains the principal driver of humanitarian needs. Attacks impacting humanitarian aid workers and health workers also continued throughout 2018. An analysis by CARE International found Syria being the deadliest place to be an aid worker for the second year in a row. The violence against aid workers in Syria has risen by over 44 percent compared to 2017, when 29 humanitarians were killed in the same period\(^1\). Moreover, the absence of a political solution to these crises, is likely to hinder stability, recovery, reconstruction and prosperity.

Child protection risks and gender-based violence continue to shape the lives of girls and boys throughout crisis-affected countries in the Middle East and North Africa. Grave child rights violations remain a critical concern. In Syria “the United Nations verified 12,537 grave violations against children, the most prevalent of which being killing and maiming; 10 per cent of the children concerned were killed or injured by weapons either prohibited, inherently indiscriminate or disproportionate in nature”\(^2\). The same applies in Yemen and Iraq, where gender-based violence continues to be perpetrated, particularly against women and girls, with female headed-households and women and girls with perceived affiliation at heightened risk. Resorting to survival sex has become all too common, due to limited economic opportunities and gaps in assistance. As a result, recourse to harmful coping mechanisms (including child labour, child recruitment, different forms of exploitation and child/early marriage) is a persisting trend. The ongoing conflict environment experienced by many boys and girls has profoundly affected their psychosocial well-being. Many are without civil documentation to prove their identity which hinders their ability to access basic services and safeguard their rights. Not to forget the obscure and mysterious destiny for thousands of children who are born to foreign fighters inside Syria and Iraq. Thousands of children are also likely to have been born in Iraq or Syria to at least one

\(^1\) Report by CARE, published 15 August 2018
\(^2\) Children and armed conflict in the Syrian Arab Republic – Report of the Secretary-General S/2018/969
parent of foreign origin. As high as the numbers are, they do not include those minors who were born in or are currently in besieged areas, those born without proper civil registration, those whom the authorities have lost track of, or those that are simply unknown to authorities. Currently, most children of foreign ISIS fighters in Syria are in internally displaced persons’ camps where living conditions are dire. Foreign children have reportedly also been held in detention centers in Iraq. Unfortunately, most international organizations, including UNHCR, have been insufficiently vocal or proactive towards this critical issue. Children cannot be the innocent victims who pay their parents’ bill.

In Syria, children have been denied access to their basic right to education; 2.1 million are out of school—almost the same in Yemen—and a further 1.3 million are at risk of dropping out. Displaced communities remain significantly underserved, with most IDP camps having insufficient or non-existent education services. More than one in three schools are damaged or destroyed, while others are used for purposes not related to education such as shelter for displaced people. According to the Syrian Assistance Coordination Unit: “all schools in the Northern Syria camps were distributed in only 62 camps, while there were no schools in the other 164 camps”. Furthermore, explosive hazard contamination is increasing in many parts of Syria, Yemen, and Iraq, making it dangerous for children and education personnel to reach schools safely.

After eight years of conflict in Syria, it is widely recognized that it is the world’s single largest driver of displacement. Children and women make up 79 per cent of the camp population in north-west Syria, where floods swept through the area on 26 December, affecting nearly 10,000 children in camps, and exposing them to harsh winter weather and freezing temperature conditions.

Regrettably, in Rukban camp, at the south-western border of Syria with Jordan, we all witnessed a failure in reaching children in need. “Freezing temperatures and harsh living conditions put children’s lives at risk. In just one month, at least eight children—most of them under four months and the youngest only one hour old—have died”. It is worth mentioning that only two humanitarian interventions were allowed in 2018, while the last convoy in February found the population in clear desperation. There is an urgent need to find a durable solution for those trapped in this desperate situation.

On the other side, 5.7 million Syrians are registered as refugees worldwide, including 5.3 million refugees in neighbouring countries—bearing in mind that some of these countries were already in a challenging economic situation—namely Turkey, Lebanon, Jordan, Iraq, and Egypt. Though this is an expression of their solidarity, it also reflects the failure of the larger international community to share more equitably the responsibility of hosting refugees.

We should be alert that conditions are currently not met for safe, voluntary and dignified returns to Syria as well as for many IDPs and Syrian refugees in Iraq. Any returns must be conducted in accordance with international law and must respect the non-refoulement principle. All decisions on refugees’ voluntary returns should be followed in accordance to the 21 protection thresholds outlined in the “Comprehensive Protection and Solutions Strategy”.

Moreover, there continues to be a need to find alternative pathways to refugee resettlement and other forms of admissions to third countries given that a large number of those displaced from Syria are likely to never return.

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3 The Children of ISIS Foreign Fighters: Are Protection and National Security in Opposition? IPI Global Observatory. 
5 Schools in the northern Syria camps 2018 – IMU of ACU 
6 UNICEF, Press release 3rd of January 2019 
7 Statement attributable to Geert Cappelaere, UNICEF Regional Director for the Middle East and North Africa 
8 Protection Thresholds and Parameters for Refugee Return to Syria
Palestinian refugees from Syria have also been severely affected by the ongoing conflict. 254,000 have been internally displaced and 56,600 are trapped in hard to reach locations. Many Palestine refugees from Syria who have been able to reach Jordan and Lebanon live in a difficult environment facing protection risks, including the risk of forced returns, raising concerns of *refoulement*.

Although governments of Jordan, Lebanon, and Turkey have taken steps to ease processes and waive administrative fees, access to civil status documentation, including birth and marriage certificates, residency, travel documents and work permits, continues to be a challenge. The lack of legal residency and challenges to obtain travel documents results in restrictions on freedom of movement that affects refugees’ livelihood opportunities and access to healthcare and education. Additionally, cases of violence against girls and boys in host communities continue to rise. A recent participatory youth-focused needs assessment produced by Plan International and CARE revealed that both displaced and local adolescent girls continue to become victims of gender-based violence, early forced marriage, sexual exploitation and trafficking. As such, the deteriorating protection environment, including the physical, psychological and material pressure refugees face in host countries, continues to hinder refugees’ ability to make free and informed decisions.

The humanitarian situation in the Gaza Strip is likely to remain extremely fragile. The long-standing Israeli blockade on Gaza, imposed citing security concerns, is expected to continue, alongside the internal Palestinian political divide. Both factors are likely to prevent a genuine improvement in peoples’ access to livelihoods and basic services.

When it comes to North Africa, NGOs are deeply concerned about the protection situation in Libya in particular. We would like to highlight the need for UNHCR and all other humanitarian actors to pursue a principled response; a response where wider humanitarian access can be achieved and where integrity in the response, particularly in detention centres can be ensured. Moreover, NGOs experience significant coordination challenges in the humanitarian response. We ask UNHCR to support an enhanced, more cost-effective and fit for purpose humanitarian architecture in Libya in consultation with those being coordinated, including NGOs. We welcome the step to establish the Migrant and Refugee Platform and look forward to seeing progress towards more collaborative approaches and greater coordination in line with recommendations made by NGOs in 2018.

Ultimately, the scale of humanitarian needs in the MENA region reflects the result of a failure to prevent and respond to root causes of these destructive crises. As a result, innocent civilians and most vulnerable people keep paying the heaviest price of this devastation.

Therefore, it is important to remind ourselves to keep with our Grand Bargain commitments, which aims to get more means into the hands of people in need and to improve the effectiveness and efficiency of humanitarian action.

In summary, we call on UNHCR:

- To carry out effective coordination with host country governments, UN agencies, INGOs, and local NGOs to mitigate push factors in host countries, including barriers to legal residency and access to livelihoods and essential services.
- To strengthen integrated programming, and focus on eliminating protection risks faced by people of concern, in particular, discrimination, sexual and gender-based violence and risks and violations faced by children and women.
- To pursue—seriously—with all respective agencies and states to respond to the return and reintegration of children, particularly foreign fighters’ children, IDPs and refugees.
To advocate, facilitate and monitor all conditions required for safe, voluntary and dignified returns. And to play a more transparent and accountable role in preventing *refoulement*, as well as in informing, protecting, and monitoring refugees during all phases of return.

To enhance adequate adaptation in the face of changing and complex emergency situations, and increase multi-year, collaborative and flexible planning and multi-year funding instruments.

To emphasize community-based mechanisms, empowering local humanitarian organizations to improve and sustain durable solutions.

To support national systems, local actors’ capabilities and processes of accountability to monitor progress, and to scale up levels of preparedness, and efficiently interfere in response operations.

To advocate protection of humanitarian workers and local NGOs while considering solutions for delivering aid to crisis-affected communities.

We also call on States:

To genuinely work for lasting political solutions to conflict. This is the only way to sustainably alleviate the suffering of millions of civilians and to promote protection. Moreover, refugees and IDPs should not be used as pawns in political games.

Thank you.