

NGO Statement on the Middle East and North Africa

Dear Chair,

Fundamental protection and humanitarian principles are violated on a daily basis across the MENA region. Millions face threats to their lives, homes and livelihoods. The intentional shelling of hospitals, arbitrary detentions and lack of safeguards for humanitarian workers are pervasive. Syria is still the deadliest place for humanitarians and agencies often grapple with negative attitudes from governments across the region. People fleeing war and persecution are regularly denied protection and quality asylum. The majority of IDPs in Yemen, Iraq, Libya and Syria live without access to justice.

The failure to reach peaceful settlements to conflicts has directly impacted humanitarian funding, the complexity of people's needs and agencies' ability to address them. In particular, waivers for humanitarian agencies working in countries under sanction and related exceptions to anti-terror legislation do not work. Several agencies have had their operations impacted by the inability to bring money into Syria, Yemen, Libya and Iraq, hindering staff payments and procurement of critical supplies.

Humanitarian access linked to bureaucratic impediments is the number one challenge faced by humanitarian actors in Libya, Iraq, Yemen and Syria. Suspicion and the drive to control and benefit from international assistance are pervasive. Lack of access and the security situation in these countries limits NGOs' ability to conduct needs assessments and hampers humanitarian agencies efforts to establish operations in remote areas.

In Iraq, in December 2019, all NGO access was suspended due to 'administrative changes' by the Government. This raises growing concerns about NGOs' ability to operate in a rapidly narrowing humanitarian space, severely impacting millions of vulnerable families.

Moreover, the rush to consolidate and close IDP camps in 2019 caused forced or unsafe returns, resulting in secondary displacement of populations now experiencing dire conditions in out-of-camp settings. Along with security concerns, many IDPs are unable to return due to substantial damage to their homes and lack or delays in compensations. Finally, denial of documentation on the basis of perceived affiliation with the Islamic State in Iraq amount to a form of collective punishment, violates Iraq's constitution and international obligations, and sow the seeds of future problems.

In Yemen, over three-quarters of the population requires assistance but most people do not get the help they need. This is also true of the thousands of migrants *en route* to the Gulf countries, who face severe protection risks.

The Humanitarian Response in the north is at great risk since agencies are increasingly asked to ignore 'do no harm' and other humanitarian principles. Authorities also work to requisition parts of each new NGO project's funds and capital items purchased with donor money. In areas controlled by the

internationally recognized government, humanitarians are also regularly asked to compromise the principles of independence and neutrality.

In Syria, Lebanon, Turkey, Jordan, the majority of individuals and communities affected by the war in Syria live in limbo, trying to avoid arbitrary detention and violence. Many have been displaced for over 5 years. Although no peace agreement has been reached, and little rebuilding has taken place, there is a heavy focus on ‘return’ in discussions on supporting the displaced. Moreover, 1 million people have been newly displaced inside Syria since December due to the crisis in Idlib. People are experiencing the most extreme elements of any humanitarian crisis, including daily fear of death, loss of livelihoods, extreme cold and hunger. While countries in the region show clear signs of ‘host fatigue’, no one seems ready to offer shelter and protection to the newly displaced.

In **Libya**, hostilities have led to death of civilians, large scale internal displacement and attacks on health care facilities. The security situation across the country limits NGOs’ ability to establish operations in remote areas, in a context of limited funding. Thousands of migrants remain stuck in Detention Centers, facing routine human rights violations. The limited access granted to NGOs, combined with the absence of systematic registration make it extremely difficult to monitor the situation in those centers. In particular, NGOs cannot track those who are intercepted at sea and brought back to detention by Libyan Coast Guards. Early reports point out an alarming protection environment faced by individuals recently released from the Detention Centers and the Gathering and Departure Facility.

Overall, we highlight the need for all humanitarian actors to support a principled humanitarian response. This will also require that we all do better on localization, which too often simply results in transferred risk to national actors.

Therefore, NGOs recommend the following:

1. UNHCR should push for stronger coordination between humanitarian agencies, and dissuade competition over aid resources. It should promote genuine collaboration and timely information sharing between the UN and NGOs, particularly on coordination, preparedness, and risk analysis.
2. UNHCR should demonstrate its strengthened commitment to localization, inclusion and solutions by working with others to mitigate push factors in host countries and look for context specific, innovative support to displacement-affected populations. Humanitarian response should follow a vulnerability-based, not a status-based approach.
3. UNHCR should build on the Global Refugee Forum commitments and provide technical support on nexus programming to interested countries.
4. Donor governments must recognize that responsibility-sharing goes beyond resettlement and aid budgets. Responsibility-sharing requires support for positive policy and practice toward the displaced and recognition of the specific social and economic challenges host countries face.
5. Donor governments must work with all parties to find peaceful solutions to the conflicts in this region. Without peace, governments risk prolonging the suffering of millions, while over burdening humanitarian agencies.

6. States should demonstrate their support for humanitarian principles by enabling unimpeded access to persons of concern and use their good offices to influence others to do likewise. They should highlight their commitment to 'do no harm' and ensure constructive dialogue with and communication about humanitarian agencies.
7. Where compensation mechanisms exist for people affected by conflict, States should be supported by their peers to implement a streamlined process and quickly resolve any backlog.

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

Thank you.