

### **NGO Statement on International Protection**

Dear Chair,

This statement is delivered on behalf of a wide range of NGOs.

Today, we find ourselves in a challenging situation as we face multi-faceted displacement crises and protection concerns, now compounded by the global pandemic. Before COVID-19, humanitarians were already seeing shrinking protection space, notable gaps in asylum and reception systems, general resistance to durable solutions, externalization of responsibilities to third-countries, leading to human rights abuses, risk of trafficking and GBV. The response to the pandemic has given rise to critical protection concerns, six of which we wish to highlight:

#### **1. The central importance of international protection**

Acknowledging States' right to take preventive health measures, provided they are non-discriminatory, proportionate, and reasonable, we worry about reports indicating that over 160 countries have partially or completely closed their borders. While having a negative impact on asylum, this also severely hampers humanitarian assistance to people in need. This trend must be reversed.

Suspensions of asylum processes carry risks of *refoulement*, increased deportations, and forcible return. We are particularly troubled by reports of pressure placed on displaced people to return to their place of origin despite ongoing threats to their lives and livelihoods. In Syria, over 200,000 people recently returned to their homes in areas along active frontlines.

NGOs worry about administrative obstacles and measures limiting the applicability of the Refugee Convention to certain groups, which undermine the ability to seek international protection. For example, temporary protected status granted to Syrians in several European States is coming under threat, despite the conflict.

Shelter and cash assistance remain top priorities especially as loss of income due to COVID-19 exposes displaced people to heightened risks of eviction, gravely exacerbated in contexts of high fragility and conflicts or deteriorating economic situations such as Libya, Nigeria, Iraq, and Lebanon. Any eviction of displaced tenants, during a lockdown period, would expose them to serious protection risks and vulnerabilities, while potentially aggravating the public health situation.

#### **2. States should refrain from arbitrary use of detention**

Even before the pandemic, those detained in dire conditions faced disproportionate risks and human rights violations. COVID-19 has further exaggerated these risks as social distancing and other preventive measures are impossible to maintain in detention facilities, further harming the mental and physical health of those detained, especially children. In Libya, many migrants and refugees face dire conditions in 'Detention Centres', especially routine human rights violations.

Again, within clear boundaries, States have the right and duty to impose public health measures, including quarantines. However, arbitrary deprivation of liberty through quarantine risk being extended beyond health requirements.

We are also concerned with actions taken by some host States to contain perceived risks of transmission or outbreak in camps or sites, restricting freedom of movement, but also hampering access to humanitarian assistance and other critical services.

### **3. The need to address statelessness**

A recent civil society call entitled ‘**In Solidarity with the Stateless**’ highlighted the cost of institutional blindness and structural violence in the COVID-19 context, urging stakeholders to listen to and work with stateless communities, and be accountable to them.

NGOs remain concerned about the lasting impact on 15 million stateless persons worldwide, who were already marginalized and deprived basic rights. Dominicans of Haitian origin, Indians declared foreigners in Assam, Bidoon of Kuwait, East Africa’s Maragoli, Nubians, Shona and Pemba communities, and Europe’s Roma now face heightened life-threatening marginalization and threats to their livelihoods and health. Moreover, the Rohingya endure new waves of hate speech, persecution in Myanmar, and first COVID-19 cases in Bangladesh, while boats are denied safe disembarkation. States are not taking full responsibility or providing adequate protection to them.

We appreciate efforts to address barriers to nationality and obtain or restore civil documentation, such as Iran’s recent law allowing citizenship to pass from an Iranian mother to her child. But women are still denied equal rights to confer citizenship in 25 countries, facing impossible choices when non-citizen family members are separated from them or denied COVID-19 relief.

### **4. Inclusion is a central tenet of protection**

NGOs are concerned with the lack of measures to ensure protection and assistance are accessible by persons with specific needs. For increased accountability, displaced people’s voices must also be heard and included in all processes impacting them, through adapted participatory approaches.

As the virus may be seen to be brought from “outsiders,” we worry that the pandemic may foster discrimination, stigmatization, and fear of others, as witnessed for example in CAR, Cameroon, Burkina Faso, and Libya. This hostility risks being manifested through violence, including excessive use of force from security services and inter- or intra-communal tensions. Discriminatory practices against people on the move should be proactively contested, especially in communities living in communication-vacuum where rumours thrive.

### **5. Addressing the continuous shrinking of humanitarian space**

Insecurity, intentional attacks on medical, humanitarian and civilian infrastructures, and bureaucratic and legal impediments create a growing gap between communities requiring support and our ability to effectively provide it, as witnessed in Libya and Syria.

Additionally, counter-terrorism measures and sanctions continue to negatively impact needs-based humanitarian action. Increasingly strict donor requirements also limit to whom and where we can provide assistance.

NGOs call on States and multilateral bodies imposing sanctions to review each sanction regime to address consequences impeding humanitarian assistance. The scope of existing humanitarian exemptions should be broadened, particularly to enable aid delivery of medical and other relief items. We also urge States to simplify bureaucratic procedures and support principled humanitarian action.

### **6. We encourage UNHCR efforts for stronger protection partnership**

We welcome the recent UNHCR strides in this regard, and we hope this trend will continue. We also appreciate UNHCR’s openness in weekly COVID-19 meetings with NGOs, which complements UNHCR’s

recent decisions on flexibility of funding and multi-year grants. Moving forward, COVID-19 operational challenges must also be reflected. NGOs see significant opportunities to further improve partnerships at the regional and country-level, with the new Bureaus. We wish to collaborate for complementary and impactful interventions.

Further details are available at [icvanetwork.org](http://icvanetwork.org)

Thank you.