

NGO Statement on Asia and the Pacific

Dear Chair,

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

Across the region, displaced populations face a fundamental lack of protection, in law and practice. With the COVID-19 pandemic and a shifting sociopolitical context, the protection environment remains broadly inadequate. Indefinite and arbitrary detention, pushbacks, inability to access legal services and government aid, disparities accessing healthcare, and shrinking asylum space remain of deep concern.

Hence, NGOs raise the following points:

1. Durable solutions for Afghans

As the conflict led to new displacement and returns are expected, durable solutions are more important than ever and should build on safe, dignified, and voluntary movements and comply with *non-refoulement*.

Additionally, despite pledges by States to facilitate evacuations of their former Afghan staff, it remains unclear if - and when - this will occur. We also urge States to expedite processing and facilitate the evacuation of vulnerable groups such as civil society members, journalists and women's activists who hide in fear of retaliation or harm.

2. Voluntary relocation to Bhasan Char

Since December 2020, the transfer of 20,000 Rohingya refugees from Cox's Bazar to Bhasan Char has involved documented incidents of coercion, misinformation about conditions on the island, and inadequate protection safeguards.

NGOs reaffirm the principle that all relocation be voluntary: refugees must not be coerced and must have complete, relevant, and accurate information in the language and formats they understand.

Moreover, UNHCR, donors, and Bangladesh must work towards a unified and multi-year refugee response considering the holistic needs of refugees, regardless of their location. Otherwise, it will be increasingly difficult for NGOs to deliver support in line with humanitarian and protection principles.

3. Humanitarian access

With increasing humanitarian needs across the region, it is vital to ensure all humanitarian actors can move and work in a safe, unhindered, and principled manner, protected from harm and kidnapping. On the contrary, in Afghanistan, restrictions on female staff have increased, undermining principled humanitarian access, particularly addressing women's and girls' needs.

In Myanmar too, the international community must act to protect civilians and mobilize resources to help address emerging needs. The military coup has had unprecedented political, socio-economic, human rights,

and humanitarian consequences, while de facto authorities have imposed access barriers designed to prevent humanitarian aid from reaching those directly impacted by conflict.

4. Sanctions and lack of development funding to Afghanistan

Last year, the Afghan Central Bank's assets were frozen and a sharp decline in development funding directly impacted Afghans' access to basic services, threatening a looming humanitarian disaster. Rising food prices, unpaid salaries of civil servants, food insecurity, and a collapsing healthcare system forced many Afghans to flee.

Providing humanitarian aid to Afghanistan is not, and will not, be enough. UNHCR and States must immediately expand development funding and invest in resilience, livelihoods and stimulate socio-economic recovery. Based on UNSC Resolution 2615, we must find a sustainable international banking solution to enable money to enter Afghanistan more freely, scale up aid and revive the Afghan economy.

NGOs welcome recently announced humanitarian carveouts to sanctions but remind that they will not benefit from those without clear reassurances to financial institutions that they will remain immune for all transactions related to humanitarian assistance.

5. Asylum and pushbacks

Across the region, the asylum space remains constrained. Many push backs preclude from accessing territory to claim asylum, thus violating International Law and causing refugee deaths or disappearance at sea. Similarly, refugees from Myanmar are often pushed back along land borders or denied access to RSD.

NGOs commend Indonesia's recent decision to disembark 105 Rohingya refugees, an example that should be heeded by all States working toward a regional rights-based search, rescue and disembarkation framework.

6. Detention

Immigration detention remains of serious concern in Asia, despite growing calls to pursue alternatives to detention. Stateless persons and refugees face increased risks of prolonged or indefinite detention in often overcrowded facilities, fraught with reported mistreatments and limited access to essential services. The result is often undue mental, physical, and psychological harm. In Malaysia, for example, detention – including of minors and children – continues in facilities to which UNHCR is not allowed access. All States should implement non-custodial measures and community-based care arrangements, especially for families and children.

Moreover, with the pandemic, measures taken for early / temporary release must be extended to refugees, whose rights to the highest attainable health standards must be respected, including through vaccination coverage.

7. Refugee women and girls

Women and girls face gendered challenges exacerbated by the pandemic, particularly GBV. Gender-discriminatory nationality laws impose additional vulnerabilities, for instance in Malaysia and Nepal.

States and UNHCR must pay increased attention to women and girls' human rights and specific needs. Donors must meet their commitments to the 2021–2026 Call to Action, including mainstreaming gender equality, empowering women, and girls, through sufficient, timely, and flexible multi-year funding.

8. Uyghurs protection needs

Uyghurs face human rights abuse through transnational repression, extradition requests, and harassment. They should be protected from *refoulement* and be acknowledged as a group of concern by UNHCR. In

Thailand, 54 Uyghur men are in arbitrary detention since 2014 feeling pressured to agree to repatriation, which they oppose. Arbitrarily detained refugees should be released, allowed to resettle and protected from harmful forced return.

9. Support States hosting protracted refugee populations

Without realistic prospects for repatriation or local integration, alternative solutions including but not limited to resettlement must be explored. NGOs recognize the role host States such as Bangladesh play for the Rohingya and encourage other States to increase responsibility-sharing, including through funding, resettlement, and support in host and transit countries.

In urban centres such as Bangkok and Kuala Lumpur, refugees find themselves in limbo. With fewer spaces available than in previous years, UNHCR and States should enhance resettlement where there is no realistic prospect of local integration or repatriation.

Further details are available at icvanetwork.org

Thank you.