

EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME
95TH STANDING COMMITTEE MEETING

24 – 26 MARCH 2026 **Regional Update for Europe**

NGO Collective Statement – Written Statement

This statement has been drafted in consultation with a wide range of NGOs including organisations led by forcibly displaced and stateless persons across the Europe region. Several of the collective concerns and recommendations are drawn from the Regional Consultations between UNHCR and NGOs held in late 2025.

The European protection environment is currently navigating an exceptionally critical period. While the region has demonstrated significant solidarity in its response to the Ukraine crisis, this has occurred against a backdrop of shrinking civic space, a severe funding crisis, and a worrying trend toward the externalisation of asylum responsibilities. NGOs, including organizations led by forcibly displaced and stateless persons, are operating under increased pressure, ¹ facing the criminalisation of solidarity and the instrumentalization of migration by several States in the region.

Against this background, we wish to highlight the following trends and recommendations:

Upholding the 1951 Refugee Convention and Access to Asylum

We are alarmed by the mainstreaming of political narratives that question the relevance of the **1951 Refugee Convention**.² The "asylum debate" in Europe has become increasingly skewed, often prioritising border management over the foundational principles of international protection. We reiterate that the Convention remains the best and most necessary instrument for protection in the 21st century – it is fit for purpose.

Simultaneously, the trend toward **externalisation**—including proposals for "return hubs," "safe third countries," and the outsourcing of asylum processing—risks creating "zones of exemption" where fundamental rights are not respected.³ These schemes often result in arbitrary detention, *refoulement*, and the shifting of responsibility to third countries that may already be hosting large refugee populations.

The EU Pact on Migration and Asylum: Implementation and Accountability

As the EU Pact enters its implementation phase, the NGO community remains concerned about the potential for systemic rights violations within mandatory screening and border procedures. The use of expedited procedures and expanded detention, including for children and families, undermines individual assessments and heightens the risk of *refoulement*.

For the Pact to be rights-compliant, the **Independent Border Monitoring Mechanism (IBMM)** must be truly autonomous, adequately funded, and empowered with an "escalation plan" to

¹ [Civil society under pressure: reversing the erosion of civic space and ensuring its vital role in Europe - Commissioner for Human Rights](#)

² [The 1951 Refugee Convention | UNHCR](#)

³ [Joint Statement: The future EU must uphold the right to asylum in Europe | Danish Refugee Council](#)

ensure accountability for violations. Furthermore, access to high-quality, independent legal aid from the earliest opportunity is essential to navigate these complex, restrictive environments.

Operationalising Meaningful Refugee Participation (MRP) and Localisation

While the importance of **Meaningful Refugee Participation** is increasingly recognised, it must move beyond ad-hoc consultation toward institutionalised leadership. Organisations led by forcibly displaced and stateless persons and community-based organizations (CBOs) are the most trusted interlocutors within their communities, yet they receive a disproportionately small fraction of available funding. The current funding crisis has severely impacted the sustainability of **Community-Based Protection (CBP)**, forcing many vital initiatives into survival mode just as their expertise is most needed.

Thematic Protection Gaps: Statelessness, Children, and Gender Based Violence

- **Statelessness:** Identification of statelessness remains a critical gap in European asylum systems. Many states lack dedicated determination procedures, leading to arbitrary detention and the denial of basic rights.
- **Child Protection:** We are witnessing a decline in resources for child-specific protection, leading to increased risks of trafficking and "absconding". Specific attention is needed for children "aging out" of care, who often lose support and legal status the moment they turn 18.
- **Gender-Based Violence (GBV):** Access to justice and safe shelter for GBV survivors varies widely across the region. The current funding crisis has led to the suspension of critical GBV prevention and response projects, while "anti-gender ideology" trends further strain protection frameworks.

Upholding the 1951 Refugee Convention

At a time when the relevance of the 1951 Refugee Convention is being openly questioned in parts of Europe, Member States must unequivocally uphold the right to seek asylum on European territory and reject policies that externalise protection responsibilities to third countries. Implementation of the EU Pact on Migration and Asylum must fully respect non-refoulement, guarantee independent legal assistance from the outset, and prevent the expansion of detention and accelerated border procedures that risk undermining individual protection assessments.

Recommendations

To address these challenges, the NGO community calls on UNHCR and Member States to:

1. **Reject Externalisation:** Member States must firmly reject any legislative proposals or bilateral agreements that seek to outsource asylum processing or externalise return procedures to third countries, ensuring the right to seek territorial asylum in Europe is upheld.
2. **Ensure Independent Monitoring:** The European Commission should establish standardised criteria for IBMMs that guarantee operational autonomy from national ministries and link findings to clear accountability mechanisms, including the potential suspension of funding for non-compliant states.

3. **Strengthen Statelessness Identification:** Member States should integrate mandatory statelessness screening into the EU Pact's initial screening procedures and national implementation plans by 2026, supported by UNHCR-led training for border authorities.

Conclusion

The NGO community remains engaged to support Europe Member States implement policies and practices that place protection and human dignity at the centre. We can and must work together to ensure that the foundational principles of refugee and human rights law are respected and complemented across Europe.

Lastly, and importantly, we welcome High Commissioner Salih and look forward to a partnership rooted in transparency and shared responsibility.