

**STATEMENT BY MR. R.N. PRASAD, MINISTER, PERMANENT MISSION OF INDIA, GENEVA -
AGENDA ITEM 114 - REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR
REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS
AND HUMANITARIAN QUESTIONS (THIRD COMMITTEE) ON NOVEMBER 21, 2001**

Mr Chairman,

First of all I should like to thank Mr. Ruud Lubbers, the High Commissioner for Refugees, for his thought provoking statement to the Third Committee on 19 November as also for the Report on the activities of his office. Both the statement and the Report bear his imprint and reflect the dynamism that the High Commissioner has brought to the organisation.

In 1950, when UNHCR was founded, the expectation all round was that the refugee problem would be temporary and regional and that, in time to come, this organisation would no longer be needed. Sadly, these hopes have been belied. A little over 50 years down the road the refugee problem is seen as persistent and global. While it is true that the number of persons of concern to UNHCR has decreased between 1999 and 2000 by about one million - from 22.3 million to 22.1 million- and some 800,000 refugees have returned home and approximately 40,000 have been resettled in the same period, this is of little consolation as for the vast majority, solutions remain elusive.

Mr. Chairman,

The tragic and barbaric events of September 11 have brought into a sharper focus the need for a concerted international fight against terrorism. We could not agree more with the High Commissioner that this fight is not against a particular people or religion. Nor should this fight dilute the institution of asylum. Refugees and asylum seekers have become particularly vulnerable in today's environment and we endorse the High Commissioner's view that they should not be unfairly victimised. At the same time we believe that there is equally a need to guard against the misuse of the institution of asylum by certain states who, unwittingly or deliberately, provide shelter and safe haven to terrorists.

The post September 11 events have also brought the refugee situation into a sharper focus, principally through the attention which is now being given to the sad plight of the Afghan refugees. They have also highlighted the root causes of problems which lead to refugee situations, problems which need to be addressed if the growing global refugee crisis is to be properly tackled.

As pointed out by the High Commissioner, we too believe Mr. Chairman, that the link between poverty, conflict and forced displacement is evident. We also recognise the linkage between development and the refugee problem, that refugees are not an issue peripheral to development - but not quite for the same reasons which we have heard in this forum.

My delegation believes, Mr. Chairman, that abject poverty is the underlying cause of a number of refugee flows. Abject poverty is also a source of a number of conflicts which often manifest themselves in forms that blur their linkage to poverty.

Mr. Chairman, my delegation believes that prevention of humanitarian crises through investment in long term development in developing countries is the most cost effective approach available to the international community. And this is the link we see, Mr. Chairman, between development and the refugee problem.

From the viewpoint of developing countries which host large number of refugees, crippled by the burden imposed, countries whose environment stands devastated, resources exhausted, economy disrupted, law and order threatened and social, economic and ethnic tensions unleashed, for these countries Mr. Chairman, it is a little hard to appreciate the productive capacity of refugees or their potential to contribute to development. From those who believe that this is, indeed, the case, who see the productive potential of refugees better than others, we wait to see a greater hunger, a greater keenness to take in more refugees and to be more forthcoming in sharing the refugee burden more equitably. Today, neither the duty to receive refugees nor the real costs associated with their arrival are fairly apportioned across the world. These are based on accidents of geography and the relative ability of States to control their borders. Assistance doled out is considered an act of charity and the entire system survives tenuously on vague promises of cooperation and undependable funding.

Mr. Chairman,

The report of the High Commissioner speaks of a deterioration in the quality of asylum in a number of countries. The treatment being accorded to asylum seekers also leaves a lot to be desired. We have had in the recent past shocking instances of asylum seekers being literally hounded out and chased. We are cognisant of the fact that there is indeed abuse of the asylum system. We also recognise the legitimate rights of state to control illegal immigration and to take measures to prevent abuse of the institution of asylum. But the moot point is: how far may the States go in preventing such abuse? Can state adopt any methods? If we accept the premise that there is a minimum core content of human rights which apply to everybody in all situations, then obviously there are limits to what the States may do. The human rights of the asylum seekers cannot and should not be given a go by.

Mr. Chairman,

The 1951 Convention which, together with its 1967 protocol, is indeed the corner stone of international refugee protection regime, was adopted in the specific context of conditions in post World War II Europe. Its focus is clearly on cases of individual persecution. The Convention does not cover a number refugee related issues, in particular, situations of mass/mixed flows which are now being discussed in the third track of Global Consultations.

Mr. Chairman,

The implementation of the 1951 Convention often suffers either because of lack of political will in some parts of the world or the lack of means in others. Violations of provisions of the Convention are a reminder that international protection should not be seen through the prism of adherence to certain instruments. It is more a question of political will and commitment to humanitarian values. We hope that as a result of Global

Consultations the State Parties to the 1951 Convention and 1967 Protocol, particularly its more prosperous adherents with considerable economic means, would strengthen their commitment to the principles of these instruments, thereby setting an example in the area of international protection.

Lastly, Mr. Chairman, it is our view that of the durable solutions voluntary repatriation remains the best solution. Developing countries of origin should be given necessary assistance to facilitate such repatriation, particularly by creating economic opportunities, where required, for the returning refugees. Resettlement, specially in countries with necessary economic means, is also a possibility. As regards local integration, we believe that its implications as a policy option for dealing with refugees in a situation of mass exodus into developing countries are far reaching and need to be considered carefully.