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Note on international protection

Addendum

**Report on the Intergovernmental event at the ministerial
level of United Nations Member States on the occasion of
the 60th anniversary of the 1951 Convention relating to the
Status of Refugees and the 50th anniversary of the 1961
Convention on the Reduction of Statelessness
(7-8 December 2011)**

Report of the High Commissioner

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I. Introduction

A. Opening and organizational matters

1. The Intergovernmental event at the ministerial level of United Nations Member States (Intergovernmental Ministerial Event) was held in Geneva on 7 and 8 December 2011. Pursuant to General Assembly Resolution A/C.3/65/L.58, the Intergovernmental Ministerial Event was facilitated by the United Nations High Commissioner for Refugees (UNHCR) on the occasion of the 60th anniversary of the 1951 Convention relating to the Status of Refugees and the 50th anniversary of the 1961 Convention on the Reduction of Statelessness. Conceived as the culmination of the celebration to these anniversaries, the Intergovernmental Ministerial Event was preceded by three preparatory meetings held in Geneva on 4 March, 24 June and 22 September 2011. An Information Session also took place in November 2011 to inform participants of final arrangements for the event. Prior to the session, the Secretariat shared an Information Note (HCR/MINCOMMS/2011/07), Draft Programme (HCR/MINCOMMS/2011/05) and Background Note for the Roundtables (HCR/MINCOMMS/2011/08).¹

2. The first preparatory meeting adopted the Rules of Procedure contained in document HCR/MINCOMMS/2011/03. Pursuant to Rule 6 of the Rules of Procedure, representatives of those States previously elected as Chairpersons of the Executive Committee of the High Commissioner's Programme during its 61st, 62nd and 63rd plenary sessions, as well as the United Nations High Commissioner for Refugees, were to serve as Co-Chairpersons of the preparatory process and of the two-day event: Australia, Egypt, and Sweden. These States were represented at the Intergovernmental Ministerial Event by: the Minister for Migration and Asylum Policy of Sweden, Mr. Tobias Billström; the Minister for Immigration and Citizenship of Australia, The Honourable Chris Bowen; and the Permanent Representative of Egypt to the United Nations Office at Geneva, His Excellency Ambassador Hisham Badr. Mexico, represented in the preparatory process by Ms. Sofía Lascurain, was elected as Rapporteur.

3. The Intergovernmental Ministerial Event adopted by consensus the following agenda (HCR/MINCOMMS/2011/12):

1. Opening of the session and welcoming remarks by the Co-Chairs
2. Adoption of the agenda
3. Recorded video message from the United Nations Secretary-General
4. Film, "*Survivors, Protectors, Providers: Refugee Women Speak Out*"
5. Special messages
6. Opening address by the United Nations High Commissioner for Refugees
7. General debate/pledges
8. Adoption of the Ministerial Communiqué
9. Concluding statement by the United Nations High Commissioner for Refugees
10. Closing remarks by the Co-Chairs

¹ All documents of the series HCR/MINCOMMS/2011 are available at www.unhcr.org/pages/4d22fd496.html.

B. Representation at the Intergovernmental Ministerial Event

4. The following Member States of the United Nations were present at the Intergovernmental Ministerial Event:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritania, Mexico, Monaco, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saudi Arabia, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe.

5. The following States were represented at ministerial or similar level:

Afghanistan, Angola, Argentina, Australia, Austria, Azerbaijan, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Canada, Central African Republic, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, El Salvador, Finland, Gambia, Georgia, Guatemala, Guinea-Bissau, Haiti, Iran (Islamic Republic of), Iraq, Israel, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lesotho, Liberia, Liechtenstein, Luxembourg, Mauritania, Mexico, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Netherlands, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Russian Federation, Rwanda, Senegal, Serbia, Sierra Leone, South Africa, South Sudan, Spain, Sweden, Switzerland, Turkey, Uganda, United Republic of Tanzania, United States of America, Uruguay, Yemen, Zambia and Zimbabwe.

6. The Holy See and Palestine were represented as observers.

7. Also present as observers were the following intergovernmental organizations and other entities:

African Union, Association of Southeast Asian Nations Intergovernmental Commission on Human Rights, Council of Europe, European Union, International Centre for Migration Policy Development, International Committee of the Red Cross, International Federation of Red Cross and Red Crescent Societies, International Organization for Migration, Japan International Cooperation Agency, League of Arab States, International Organization of la Francophonie, Organisation of Islamic Cooperation, Organization for Security and Co-operation in Europe and Sovereign Military Order of Malta.

8. The United Nations system was represented as follows:

United Nations Office at Geneva (UNOG), Office for the Coordination of Humanitarian Affairs (OCHA), Joint Inspection Unit, World Bank, World Food Programme (WFP),

United Nations Development Programme (UNDP) and United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

9. A total of 43 non-governmental organizations were represented by observers.
10. The full list of participants is contained in document HCR/MINCOMMS/2011/09.

C. Introductory Statements²

11. In his opening remarks, the Swedish Co-Chairperson, Minister Billström, highlighted that despite the advances achieved in the past sixty years, refugees and stateless persons remained some of the world's most vulnerable people. He commended UNHCR's work and emphasized that the anniversary event was not only an occasion to reflect upon the efforts made to protect and assist refugees and stateless persons, but also an opportunity to examine changing global trends. He welcomed the Ministers and high-level representatives taking part in the Intergovernmental Ministerial Event and observed that the event represented an opportunity for States to make new commitments and pledges in order to strengthen solutions and enhance burden sharing for persons covered by the Conventions.

12. The Egyptian Co-Chairperson, Ambassador Hisham Badr, welcomed participants to the event and commended High Commissioner Guterres for his guidance, dedication and efficient management. He noted that Egypt was elected to serve as the African Chair of UNHCR's Executive Committee for 2010-2011 and stated that during this period, significant progress was achieved, such as increasing recognition of the important role played by refugee-hosting countries and improving the response to both protracted situations and the challenges of urban refugee populations. He also remarked that UNHCR had confronted two major refugee crises as a result of the Libyan uprising and the drought and famine in the Horn of Africa. Ambassador Badr commended the work of humanitarian agencies, including UNHCR, and noted that a thorough assessment is essential for comprehensive solutions. He concluded his remarks by reemphasizing that the event represented a strong message of hope to refugees and that States should translate this message into action by seriously and comprehensively addressing their needs.

13. The Australian Co-Chairperson, Minister Bowen, paid tribute to the dedication of UNHCR staff and highlighted that the Refugee Convention remained the cornerstone of the international protection system. He noted that over the years, the Convention had demonstrated its flexibility and relevance amid ever changing global circumstances. Minister Bowen emphasized that challenges of displacement continued to become more complex and that the international community was confronting mixed migration flows. While international movements had become easier, in many instances they remained dangerous. He noted that, in 2011, Australia witnessed two significant tragedies as a result of attempts to arrive in unsafe boats. Minister Bowen called upon States to recommit to the principles of refugee protection, and to work together to find innovative solutions to the challenges of the twenty-first century to ensure protection for those in greatest need.

14. The United Nations High Commissioner for Refugees, Mr. António Guterres, highlighted that dramatic events, such as those in Africa and the Middle East, had forced hundreds of thousands of people to seek refuge across borders in 2011. The High Commissioner observed the importance of renewing engagement with and commitment to the core values underpinning the entire system of international protection, namely tolerance, solidarity and respect for human rights and human dignity. He commended all countries neighbouring the crisis zones for keeping their borders opened. He noted that States had the right to define their own immigration policies but emphasized that such

² The full texts of statements are available at <http://www.unhcr.org/pages/4d22fd496.html>.

policies should be crafted in a way to ensure protection for those in need. The High Commissioner also called on States to fight against racism, xenophobia and related intolerance.

15. The High Commissioner identified four main challenges to providing the kind of protection the 1951 Convention aspired to afford. He emphasized that although the Convention was a widely accepted instrument, many refugees did not enjoy the minimum standards it established. He noted that the burden of hosting large refugee populations was borne predominantly by developing countries and that durable solutions were becoming harder to attain. Finally, he noted that while the nature and complexity of forced displacement were rapidly evolving, the responses of the international community had not kept pace, creating serious protection gaps. He said the international community should be asking what kind of new tools it needed to respond to these new realities.

16. The High Commissioner remarked that although statelessness had long been neglected on the global agenda, that seemed to be changing, with no region untouched by recent progress. He commended the countries that had acceded to one or both of the Statelessness Conventions and that were amending legislation to prevent and reduce statelessness, and called upon States to seek solutions for the problems of stateless people. The High Commissioner also reported that regional dialogues with 1,000 refugee, displaced and stateless women had revealed the endemic problem of sexual violence, which prevents women and girls – and boys and men – from leading productive lives. The High Commissioner pledged to do everything possible to uphold and strengthen UNHCR's corporate commitment to address sexual and gender-based violence and to support States in ensuring access to justice by survivors.

17. The High Commissioner closed by asking the international community to reaffirm and recommit to the value of international protection, face the new challenges of forced displacement, and find concrete and constructive ways to address them collectively.

18. In a recorded message the Secretary-General of the United Nations, Mr. Ban Ki-moon, stressed the importance of the event in relation to the reduction of statelessness and the protection of refugees and called upon States to pledge their support for UNHCR and for the protection of all refugees. He emphasized that the 1951 Convention relating to the Status of Refugees and the 1961 Convention on the Reduction of Statelessness helped millions of people around the world. He recalled that the 1951 Convention was based on the principle that people should never be forced into harm's way.

19. The Secretary of State of the United States of America, The Honourable Hillary Rodham Clinton, represented one of two States delivering special messages during the opening ceremony. She recalled that UNHCR, its staff and its humanitarian partners had helped more than 34 million refugees and persons of concern around the world. She also remarked that the 1951 and the 1961 Conventions enshrined and guaranteed the rights of refugees and stateless persons and created a system for protecting refugees and other vulnerable persons and responding to crises. Millions continued to be uprooted by wars or were victims of persecution; many, too, were internally displaced. Secretary Clinton said the United States of America attached priority to addressing discrimination against women, one of the major causes of statelessness. Discriminatory laws prevented women from acquiring, retaining or transmitting citizenship to their children or their foreign spouses, or stripped them of citizenship if they marry a foreigner. The United States of America had launched an initiative to build global awareness and to support efforts to repeal or amend such discriminatory laws. She urged States to make pledges and to turn the pledges into actions and remarked that this would make a real difference.

20. Kenya's Minister of State for Immigration and Registration of Persons, The Honourable Gerald Otieno Kajwang', also delivered a special message during the opening ceremony. He referred to Kenya's experience hosting 600,000 refugees fleeing conflict in neighbouring countries such as Somalia. Minister Kajwang appealed for international

support for host communities, including development projects in the areas of water, health and the environment, noting that such support helps to reduce conflict with refugees over land and scarce resources. He also called upon the international community to deal decisively with conflicts that generate an exodus of asylum-seekers worldwide and provide durable solutions to protracted refugee situations.

21. Representing the host country, the President of the Swiss Confederation, Her Excellency Ms. Micheline Calmy-Rey, made a statement in the opening session of the event. She noted that States which participated in the drafting of the 1951 Refugee Convention proved themselves to be far-sighted. At the same time, she emphasized that the development of the international protection regime was not limited to the 1951 Convention and its 1967 Protocol, and highlighted that more than 100 UNHCR Executive Committee conclusions helped improve protection for people in need. President Calmy-Rey raised the importance of refugee resettlement as an instrument of international protection and drew attention to the phenomenon of external displacement resulting from natural disasters. She noted that the Intergovernmental Ministerial Event presented an opportunity to all participants to be as ambitious and far-sighted as States were in 1951, and to respond to new challenges of displacement, giving “new life” to the instruments of international protection.

22. The former President of Finland, His Excellency Mr. Martti Ahtisaari, was the keynote speaker at the event. He described his experience as an internally displaced person, which made him a strong believer that everyone should enjoy the right to live in peace and dignity. President Ahtisaari commended the invaluable work of UNHCR and its High Commissioner, observing that over more than fifty years, the Refugee and Statelessness Conventions had guided governments, international organizations and civil society in seeking to protect refugees and stateless persons. He stated that the Conventions were crucial instruments to safeguard fundamental rights and stressed that their full implementation should remain a priority for the international community. President Ahtisaari emphasized that armed conflict had always been a major cause of displacement, but the increasingly intra-state character of conflict was affecting more and more civilians. He encouraged States not to view refugees passively, as victims; rather, he emphasized that refugees could play an important role in peace processes, and that peace agreements should always contain provisions concerning displaced populations. He stressed that sustainable solutions to refugee situations and conflict were not possible without the empowerment of and ownership by affected populations, nor without enhanced structures of democracy and good governance.

II. Work of the Intergovernmental Ministerial Event

23. Participants heard statements from 113 States, four international organizations and one non-governmental organization (speaking on behalf of those attending the Intergovernmental Ministerial Event). Several States presented pledges in the run-up to the event, and many others announced pledges during the proceedings. UNHCR has confirmed pledges from over 100 States and three international organizations.

24. The Intergovernmental Ministerial Event was also a Treaty Event. States that had acceded to the Statelessness Conventions during 2011, namely Croatia, the Philippines, Panama and Nigeria, were acknowledged and congratulated. Serbia and Turkmenistan deposited their instruments of accession to the 1961 Convention on the Reduction of Statelessness and the 1954 Convention relating to the Status of Stateless Persons, respectively.

25. Two roundtable sessions provided an opportunity for participants to share their views on key issues. The roundtables addressed the following themes:

<i>Topic</i>	<i>Moderators</i>	<i>List of speakers</i>
“Protection challenges and opportunities: Where will we be in ten years?”	Ms. Erika Feller, Assistant High Commissioner (Protection), UNHCR Mr. Volker Türk, Director, Division of International Protection, UNHCR	Ms. Cecilia Malmström, European Union Commissioner for Home Affairs Her Excellency, Ms. Julia D. Joiner, African Union Commissioner for Political Affairs Mr. Rafendi Djamin, Chair, ASEAN Intergovernmental Commission on Human Rights
“International cooperation, solidarity and burden sharing, including in protracted refugee situations”	Ms. Erika Feller, Assistant High Commissioner (Protection), UNHCR Mr. Volker Türk, Director, Division of International Protection, UNHCR	Ms. Sadako Ogata, President, Japan International Cooperation Agency, and former UN High Commissioner for Refugees (1991-2001) Dr. Bonaventure Rutinwa, Coordinator, International Migration Management Programme, University of Dar Es Salaam Mr. Jakob Kellenberger, President, International Committee of the Red Cross

III. Closing and adoption of the Ministerial Communiqué

26 The text of the draft Ministerial Communiqué was read out by Mexico, as rapporteur of the process, represented by the Vice-Minister for Population, Migration and Religious Affairs of Mexico, Mr. René Zenteno Quintero. The Intergovernmental Ministerial Event adopted by consensus the Ministerial Communiqué contained in the Annex to this report (HCR/MINCOMMS/2011/6).

27. At the end of the Intergovernmental Ministerial Event, the Co-Chairpersons made closing remarks, thanking participants for their contributions to the Ministerial Intergovernmental Meeting, which reaffirmed and strengthened the commitment of States to the protection of refugees and stateless people. The High Commissioner commended the pledges made by States in a range of areas and highlighted the importance of implementing these pledges in order to enhance the protection of refugees and stateless people.

Annex

Ministerial Communiqué

1. We, the Ministers and representatives of Member States of the United Nations, gathered in Geneva, Switzerland, on 7 and 8 December 2011, for a ministerial-level meeting facilitated by UNHCR to mark the 60th anniversary of the *1951 Convention relating to the Status of Refugees* and the 50th anniversary of the *1961 Convention on the Reduction of Statelessness*.
2. We reaffirm that the *1951 Convention relating to the Status of Refugees* and its *1967 Protocol* are the foundation of the international refugee protection regime and have enduring value and relevance in the twenty-first century. We recognize the importance of respecting and upholding the principles and values that underlie these instruments, including the core principle of *non-refoulement*, and where applicable, will consider acceding to these instruments and/or removing reservations.
3. We recognize that the *1961 Convention on the Reduction of Statelessness* and the *1954 Convention relating to the Status of Stateless Persons* are the principal international statelessness instruments, which provide important standards for the prevention and resolution of statelessness and safeguards for the protection of stateless people. We will consider becoming a party to them, where appropriate, and/or strengthening our policies that prevent and reduce statelessness.
4. We express our concern that millions of people live without a nationality which limits enjoyment of their human rights, and we will work towards addressing statelessness and protecting stateless persons, including, as applicable, through national legislation and strengthening mechanisms for birth registration.
5. We are committed to strengthening and enhancing international protection and assistance to refugees through international cooperation in a spirit of solidarity, responsibility and burden sharing among all States and to improving ways to support countries hosting refugees, including in protracted refugee situations.
6. We commend the countries that host large numbers of refugees for their generosity and acknowledge the security, socio-economic and environmental impact of the presence of large-scale refugee populations on these countries. We will work alongside these countries to meet the assistance and protection needs of refugees. We will endeavour to promote refugees' self-sufficiency, with the aim of investing in their future durable solutions.
7. We remain deeply concerned that too many refugee situations have become protracted, and will strive to work with UNHCR and development actors, as appropriate, to resolve refugees' plight and realize durable solutions in more effective and comprehensive ways, consistent with international law and relevant UN General Assembly resolutions. We will cooperate with countries of origin to foster conditions for voluntary repatriation, which remains the preferred solution, and pursue resettlement, in tandem with other solutions, and local integration where feasible. In this context, we recognize the need to address the root causes of refugee situations in accordance with international law.
8. We express our appreciation for the leadership shown by UNHCR and commend the Office for its ongoing efforts. We further commend the staff and implementing partners of UNHCR for the competent, courageous and dedicated manner in which they discharge their responsibilities.

9. We, while recalling the global nature of the refugee problem, note the efforts undertaken by UNHCR in partnership and cooperation with international, regional and national stakeholders.

10. We note that today's challenges in providing protection and achieving solutions continue to be serious, interconnected and complex. In this regard, we recognize the importance of enhancing international solidarity, strengthening action in accordance with the principles enshrined in applicable instruments and finding durable solutions. We will reinforce cooperation with each other and work with UNHCR and other relevant stakeholders, as appropriate, to deepen our understanding of evolving patterns of displacement and to agree upon ways to respond to the challenges we face in a changing global context.

11. We extend our gratitude to the Government and people of Switzerland for generously hosting the UNHCR ministerial meeting to commemorate the 60th anniversary of the *1951 Convention relating to the Status of Refugees* and the 50th anniversary of the *1961 Convention on the Reduction of Statelessness*.
