

**MINISTERIAL MEETING OF STATES PARTIES
to the 1951 Convention and/or its 1967 Protocol
relating to the Status of Refugees**

13 December 2001

STATEMENTS BY STATES PARTIES AND OBSERVERS (continued)

The following delegations took the floor: Canada, Democratic Republic of Congo, Nigeria, Lesotho, Morocco, Sudan, Poland, Venezuela, Philippines, Greece, New Zealand, Angola, Niger, Tajikistan, Benin, Senegal, Armenia, Djibouti, Iceland, Rwanda, Sierra Leone, Georgia, Ghana, Guinea, Burundi, Liberia, Malawi, Belarus, Moldova, St Kitts and Nevis, Malta, Botswana, Chad, Costa Rica, Lithuania, Yemen, Kenya, the former Yugoslav Republic of Macedonia, Kazakhstan, Gambia, Albania, Ethiopia, France, Nicaragua, Italy, Argentina, Austria, Japan, Chile, Colombia, Republic of Korea, Israel, Romania, El Salvador, Croatia, Peru, Gabon, Pakistan, Thailand, Bangladesh, Saudi Arabia, Libyan Arab Jamahariya, Bhutan, San Marino, European Commission, ICRC, ILO, NGOs.

The 1951 Convention relating to the Status of Refugees

Delegations affirmed the enduring importance of the 1951 Convention and its Protocol as the sole legal framework for the protection of refugees and a foundation for the shared effort to promote human dignity. The centrality and relevance of the principles contained in the Convention were said to reflect the fundamental values shared by the international community.

Stressing that the refugee phenomenon cannot be dealt with “independently”, several delegations referred to the interdependency of the international community and urged those who had not acceded to the Convention and its Protocol to do so, and for those who had acceded with reservations to withdraw them. Two States announced their recent accession to the 1951 Convention and the 1967 Protocol. One delegation also said that it had decided to lift reservations made at the time of accession 30 years ago.

Strengthening implementation of the 1951 Convention

The pivotal role of the 1951 Convention and the need for universal implementation was reiterated; in this regard the adoption of national refugee legislation was referred to as essential to promoting refugee protection. A number of States informed the plenary session of the enactment of national legislation. Several references were made to the principle of *non-refoulement*

being a principle of customary law, and, as such, binding on all States irrespective of whether or not they are parties to the Convention.

Some delegations emphasised the need for political will in order to put in place, at national level, measures to protect persons in need of international protection. Many States, including those which have poor social and economic conditions, reaffirmed their strong and continuous support for the 1951 Convention. It was, however, noted that tough economic conditions make it difficult for States to uphold the standards set out in the Convention. One delegation suggested the need to analyse further sensitive issues like the role of the 1951 Convention and the new migration policies, with a view of dispelling confusion between the two issues.

Global Consultations on International Protection

Delegations expressed appreciation for and commitment to the Global Consultations process as an essential forum to discuss the mounting challenges to international protection. They also look forward to the Agenda of Protection which will emerge from the Global Consultations.

Challenges of today

The changing environment of refugee protection (economic migrants, trafficking, smuggling, return of rejected cases, and preserving the civilian character of asylum) was highlighted, as was the need for a holistic approach to these challenges to prevent abuse of the asylum system. The need to combat racism and xenophobia was stressed by many delegations.

Internally displaced persons

Many delegations raised the need to expand UNHCR's mandate to include the protection and reintegration of IDPs, who often live side by side with refugees but receive no assistance.

Mass influx and burden and responsibility sharing

Reference was made by several States to mass influx and protracted refugee situations. States were encouraged, in a spirit of international solidarity, to contribute to global burden and responsibility sharing to assist recipient countries. One delegation requested that UNHCR develop guidelines providing minimum standards of reception with special emphasis on women, children and vulnerable groups. States were encouraged to expand the concept of protection to include rehabilitation programmes and empowering refugees technically and vocationally to achieve self-sufficiency, thereby, enabling them to contribute to the economies of host communities.

Many delegations stressed the need for a co-ordinated approach to finding durable solutions to large-scale refugee situations.

Security

The new challenges to the asylum regime as a consequence of the September 11 attacks were raised. Many delegations encouraged the “joining of hands” to prevent the abuse of the asylum regime by terrorists. A number of delegations recalled that criminals and terrorists represent a small fraction of those seeking asylum.

Staff who have lost their lives

Many delegations paid tribute to UNHCR staff members who have lost their lives in various parts of the world.

Prevention and root causes

Many delegations referred to the need to address the root causes of refugee movements if durable solutions are to be effective. Many called for UNHCR to be more actively involved in conflict resolution and prevention, and in tackling the root causes of flight by co-ordinating dialogue to improve governance and the alleviation of poverty.

Adequate financial means to UNHCR/refugee hosting countries

The international community was encouraged to provide financial support to UNHCR to enable it to carry out its mandate effectively.

Partnerships

Some States were very appreciative of the co-operation among neighbouring countries in the field of migration, and expressed the wish to consolidate and expand partnerships with other countries.

ADOPTION OF THE DECLARATION ON INTERNATIONAL PROTECTION

The Declaration was adopted without amendment.

The delegation of Azerbaijan made a statement in relation to the CIS Programme of Action which is referred to in paragraph 3 of the Preamble of the Declaration.

REPORTS ON THE ROUNDTABLES

The chairs of the three roundtables held over the lunch break summarised the discussions on the following themes:

- The 1951 Convention and 1967 Protocol Framework: Strengthening Implementation (roundtable 1)
- Upholding Refugee Protection to Protect Masses in Flight (*inter alia*, mass influx, burden and responsibility sharing, security, additional instruments) (roundtable 2)

- Upholding Refugee Protection in the Face of Mixed Flows, *inter alia* asylum systems (roundtable 3)

The detailed reports of the roundtables are annexed.

CLOSING REMARKS BY THE HIGH COMMISSIONER

The High Commissioner said that the 1951 Convention was very much alive and remains the cornerstone of international refugee protection. Emphasis must be put on its full implementation. He mentioned in particular the idea launched by one roundtable to reconstitute a reformed Sub-Committee on International Protection. In closing, he thanked everyone for the successful outcome of the meeting.