



**SOUTH AFRICAN NATIONAL STATEMENT
ON AGENDA ITEM 4**

**HIGH COMMISSIONER'S NOTE ON INTERNATIONAL PROTECTION
AT THE 74TH PLENARY SESSION OF THE EXECUTIVE COMMITTEE OF THE
UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES**

TO BE HELD ON

12 OCTOBER 2023

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Chairperson

1. From the onset, my delegation appreciates the focus of the High Commissioner's Note on international protection and thanks the Assistant High Commissioner for her presentation. Indeed, it is important to locate international protection of refugees within International Human Rights Law, since 2023 marks the 75th Anniversary of the Universal Declaration of Human Rights. Notwithstanding, South Africa wishes to highlight the importance of the rights articulated on article 1 on dignity, article 2 on non-discrimination, article 3 on the right to life and articles 4, 5, and 9 on freedom of security of persons, as these articles are emphatic on the responsibilities of states as duty-bearers. The full and effective implementation of these provisions will go a long way in reducing and preventing forced displacement and end asylum seeking.
2. South Africa understands international refugee law from a perspective that everyone has a right to life, liberty and security of person as articulated in article 3 of the UDHR. My country comes from an era of institutionalized discrimination which was predominantly racially biased and had multiple and intersecting forms of discrimination such as age, gender and diversity.
3. My delegation maintains that addressing root causes of forced displacement remains of central importance in ending asylum seeking and we should therefore not be complacent and comfortable with "the inability to resolve conflicts" across the world. **Root causes of displacement** should be tackled from a perspective of understanding the nexus between peace and stability, development, respect for human rights and humanitarian assistance. As such, this calls for the international community to support and empower countries of origin to implement peaceful processes that include dialogue among communities and parties in conflict, allow for a return to stability, peace and measures to rebuild their own countries. Furthermore, these should include creation of conditions for safe and sustainable voluntary return.

Chairperson,

4. The Note refers to comprehensive and collaborative approaches to tackle the challenges of **mixed movement of persons**. South Africa agrees that capacity building towards development and strengthened border management and asylum

systems is necessary. In this regard, South Africa recently launched a Border Management Authority as part of the broader vision of strengthening border management, to combat human trafficking amongst others, whilst ensuring that those who need international protection receive it.

5. Chairperson, it is equally important to reflect on the responsibilities of countries of origin in facilitating the return of their nationals who are no longer in need of international protection in collaboration with the UNHCR. It is also in the best interest of the UNHCR to guard against the weakening and misuse of international refugee law by economic migrants to gain unlawful access to entry and refuse return to their countries of origin. This misuse prevents the deserving persons from gaining international protection.
6. South Africa is one of the **middle-income countries** with a fragile economy, with declining living conditions of host communities and local municipalities that are battling to provide services to the people. However, we remain committed to improving the livelihoods of those living in the Republic. We understand and appreciate that people will always move between countries as articulated in article 13 of the Universal Declaration of Human Rights. We also believe that the exercise of the right to freedom of movement should not be used to encourage States to abdicate their responsibilities towards their nationals in respect of the enjoyment of all economic, social and cultural rights.
7. Within the context of our Constitution, the South African Government continues to provide access to education, healthcare and livelihood opportunities to asylum seekers, refugees and other persons of concern. This is despite the ever changing and constrained fiscal environment. Furthermore, my country continues to implement various social cohesion programmes aimed at promoting peaceful co-existence in communities. This is also done within the ambit of the United Nations Protection Working Group which brings together various stakeholders including government departments, UN agencies, civil society organisations and the refugee and migrants' representatives.
8. In conclusion, South Africa remains committed to providing international protection to those who need it and in the spirit of responsibility and burden-sharing will continue to support the work of UNHCR including through making voluntary contributions.

I thank you

