

**Statement by Hon'ble Mr. P.M. Tripathi, Member of Parliament and
Member of the Indian Delegation on Report of the UN High
Commissioner for Refugees, questions relating to refugees, returnees
and displaced persons and humanitarian questions (Agenda Item 112)
at the Third Committee of the 58th Session of the
UN General Assembly on November 4, 2003**

Mr. Chairman,

We thank the Secretary General for his reports under this agenda item. We also thank the High Commissioner for Refugees, Mr. Ruud Lubbers, for his introductory statement to the Third Committee as well as his informative reports.

We recall that during the 57th session of the General Assembly, the High Commissioner had presented several initiatives for enabling the organisation to deal with ongoing and new situations of refugees with innovative and more effective approaches. These included the 2004 Process, the 4-R's approach, and the 'Convention Plus'. In principle, we welcome efforts of the UNHCR to adapt itself to the changing demands of our times and to make a perceptible difference on the ground.

Last year, one of the new initiatives presented by the High Commissioner, the 4-R's approach - of Repatriation, Reintegration, Rehabilitation and Reconstruction, was welcomed by my delegation since it appeared to hold considerable promise. Pilot programmes had been initiated in four countries. My delegation would have liked to see an assessment of the pilot programmes and the feasibility of the 4-R's approach in the report of the High Commissioner. We urge the High Commissioner to provide Member States with an evaluation of the results of the several new initiatives undertaken by him. This would enable Member States to respond more effectively to the challenges posed by the continuing situation with regard to the world's refugees.

The UNHCR reported last year that the number of persons of concern to the organisation had declined from 22 million to 20 million. This year, UNHCR's estimates continue to be the same, which indicates that over the past year, little progress has been achieved in finding effective solutions in addressing the situation of the world's refugees. This is a matter of some concern, with sizeable new outflows being reported in Africa by the UNHCR.

Mr. Chairman,

In his comment on 'Responding to challenges of modernity', the High Commissioner's report states that while the primary role of his Office has not changed, new categories of persons of concern have been added to the responsibilities of his Office. We would like to urge caution while taking upon itself new tasks. In the face of competing demands and limited resources, prioritisation of UNHCR's activities is a hard and inescapable reality. The UNHCR should maintain its focus on those persons of concern who have the first charge on its mandate and even more, on its limited resources - the refugees.

We have listened with interest to the High Commissioner's remarks in the interactive dialogue in the Third Committee on the UNHCR's role with regard to internally displaced persons. It is the view of my delegation that IDPs are first and foremost the responsibility of member States. UNHCR's role in situations involving internally displaced persons should be on the basis of explicit requests by the Member State concerned. It is also necessary to ensure that there is no duplication in the responsibilities in this area between the different humanitarian pillars of the UN which should function within their existing mandates.

Mr. Chairman,

The fundamental characteristic in refugee movements today is that they occur primarily in the developing countries in different parts of the world. These are also the very countries that bear the maximum burden of hosting and protecting refugees at great cost to their limited resources. Therefore, their concerns need to be recognised and addressed to a far greater degree than has been permitted by the existing structure.

The link between poverty and refugee flows is well recognised, and the search for durable solutions will remain elusive as long as the fundamental factors that give rise to refugee movements remain unaddressed by the international community. It is in this context that the realisation of the development goals, including the Millennium Development Goals, assumes special importance. We, therefore, agree with the High Commissioner that the UNHCR's mission must be based on the principles of solidarity, responsibility and burden-sharing.

Mr. Chairman,

The 1951 Convention and the 1967 Protocol do not cater to the phenomena of massive flows and mixed migration. In the absence of appropriate adjustments to match these realities, countries such as India will continue to find it difficult to accede to the present legal framework, their commitment to hosting refugees notwithstanding. We urge the High Commissioner to take this into account, particularly in the light of his stated "ambition to promote universal accession to these instruments."

Mr. Chairman,

We welcome the priority attached by the High Commissioner to enhancing the accountability and transparency of the UNHCR's working methods. It is vital for the UNHCR to preserve impartiality in its operations, and its non-political character. This has become all the more necessary following the proposal to remove the time-limitation on the continuation of his Office.

Finally, Mr. Chairman, solutions cannot be foisted on countries, nor can they be applied in the abstract. UNHCR should carefully consider the consequences of a proactive role in a given situation and how such a role will impact on the ground. The success of UNHCR in achieving the goals of protection and solutions depends entirely on its ability to work in close cooperation with and the consent of the concerned States.

I thank you, Mr. Chairman.

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