

STATEMENT BY MR. RAJEEV SHUKLA, MEMBER OF PARLIAMENT AND MEMBER OF THE INDIAN DELEGATION, ON AGENDA ITEM 39 – REPORT OF THE UN HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS AT THE THIRD COMMITTEE OF THE 63RD SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY ON NOVEMBER 04, 2008



Mr Chairman,

We thank the UN High Commissioner for Refugees for his report under Agenda item 39 and also the statement made in the Committee.

Mr. Chairman,

The UNHCR was founded in 1950 with the objective of leading and coordinating international action to protect refugees and resolve refugee related problems, including their rights, globally. It hoped that the refugee problem would be temporary and localised. Over the years, UNHCR has helped settle more than 50 million people to

restart their lives and are currently present in 110 countries. However, even after more than five decades, the refugee problem remains unresolved and growing. The latest report indicates that the number of refugees worldwide has increased to 11.4 million. Additionally, latest statistics indicate that the number of asylum-seekers remained at 0.74 million and the number of refugees who were repatriated voluntarily was at 0.73 million.

Mr. Chairman,

UNHCR, which is guided by the 1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol, strives to protect and promote the rights of refugees and asylum seekers to find safe refuge in another State, with the option to return home voluntarily, integrate locally or to resettle in a third country. In addition, international refugee law provides a framework of principles for UNHCR's humanitarian activities. However, with the change in ground realities since the end of the Second World War, UNHCR has expanded its involvement with other groups of people and situations, like settlement of migrants and internally displaced people, including those affected by conflict, climate change or economic reasons.

In partnership with other entities within and outside the UN, UNHCR has assumed a lead role in providing succour to the conflict-induced internal displacement situations in the areas of protection, camp management & coordination and emergency shelter. There is a need for greater clarity with respect to UNHCR's renewed focus on internally displaced peoples. UNHCR maintains that refugees would have the first charge on UNHCR's mandate and its limited resources. However, UNHCR's role in situations involving internally displaced peoples should be on the basis of explicit requests made to it by the States concerned. It should also take into account the complementarities of mandates and expertise of other relevant organizations. After all, the first and foremost responsibility of taking care of internally displaced persons rests with member states.

Mr. Chairman,

The source and destination of a majority of refugee movements lies primarily in developing countries. This is borne out by the fact that in 2007, 43 industrialised countries had only 0.3 million asylum seekers out of a total of 11.4 million. This large number of refugees invariably burdens the strained economy and limited resources of a developing country. Therefore, their concerns need to be recognised and addressed to a far greater degree than at present. The development agenda, including achievement of the Millennium Development Goals, has to buttress international efforts to ensure not only prevention but also address the needs of relief and rehabilitation of refugees. In the context of refugee populations, international solidarity and burden sharing are the foundations on which refugee protection rests. UNHCR's mission, therefore, ought to be

based on the principles of responsibility and burden-sharing. These new challenges deserve greater attention from the international community.

Mr. Chairman,

With greater integration of international economies, there is a growing trend of economic migration over and above the movement of people on account of well-founded fear of persecution, who qualifies to be categorised as a refugee. This has resulted in irregular mixed migration movements. There is an enormous problem in not just catering to their needs but also to identifying them. We must therefore develop capacities to differentiate refugees from economic migrants so as to better address their protection needs.

Mr. Chairman,

Voluntary repatriation remains the best durable solutions to the problem of refugees. Developing countries of origin should be given necessary assistance to facilitate such repatriation, particularly by creating economic opportunities, where required, for returning refugees. Resettlement, especially in countries with requisite economic means, is also a possibility. As regards local integration, 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.

Mr. Chairman,

India is not a signatory to the 1951 Convention on Refugees as the Convention does not address the problem of massive refugee flows or factors such as mixed migration that accompany such flows. However, India's record in dealing with refugees has been exemplary. India stands steadfast in its commitment to provide humanitarian assistance to them. India continues to host a large number of refugees and our programmes for them are managed entirely from within our own resources. Our protection regime is based on the fundamental rights guaranteed by the Indian Constitution and other relevant legal provisions. We have clearly demonstrated our abiding commitment to the principles of protection and non-refoulement. However, we will continue to work closely with the international community to address this major challenge.

Mr. Chairman,

We welcome the recent structural and management reform of the UNHCR to make it more flexible, effective and result-oriented. The ongoing efforts to enhance the accountability and transparency in UNHCR's working methods must continue. The organisation must preserve its impartiality in operations as well as its non-political

character and work in close cooperation with the concerned States in achieving its goals.

While UNHCR has been tirelessly implementing its mandate, its activities suffer either because of lack of political will in some parts of the world or lack of means in others. Mere existence of international legal provisions would not suffice to tackle this major unresolved problem, unless states play a major role with complimentary support from UNHCR. The cycle of hopelessness, despair and deprivation of refugees continues to be real and unsettled and needs to be broken. The international community should address this re-emergent and worrisome challenge in a spirit of compassion, solidarity and burden-sharing. We believe that prevention of humanitarian crises, which leads to refugee problem, through investment in long term development in developing countries is the most cost effective approach available to the international community.

Thank you, Mr. Chairman.

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