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INTERVENTO DELLA SANTA SEDE AL COMITATO ESECUTIVO DELL'ALTO COMMISSARIATO DELLE NAZIONI UNITE PER I RIFUGIATI (ACNUR)

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Si è tenuta a Ginevra, dall'1° al 5 ottobre 2001, la 52a Sessione del Comitato Esecutivo dell'Alto Commissariato delle Nazioni Unite per i Rifugiati (ACNUR).

S.E. Mons. Diarmuid Martin, Osservatore Permanente della Santa Sede presso l'Ufficio delle Nazioni Unite e delle Istituzioni Specializzate, ha pronunciato, il 2 ottobre scorso, l'intervento che pubblichiamo di seguito:

● INTERVENTO DI S.E. MONS. DIARMUID MARTIN

This meeting of the Executive Committee takes place at a moment when we are commemorating the 50th anniversary of the 1951 Geneva Convention on the Status of Refugees. The Convention, with its 1967 Protocol, is and remains the foundation of the international protection regime for refugees.

1. There must be no corrosion of the international protection regime

At the time of its publication, the 1951 Convention was undoubtedly an innovative and courageous document. It has been truly a lifeline for so many millions of persons in all parts of the world, who have been able to flee the horrors of persecution and to begin once again fully to realise their personal dignity, their inalienable rights and their rich talent. It is important that we celebrate its 50th anniversary with that same innovative spirit and courage with which it was launched.

It would be indeed be sad if, especially in parts of the world that have witnessed such widespread economic prosperity in the past fifty years, we were to witness a subtle move towards a narrower and more restrictive interpretation of the Convention. It would be sad if serious inadequacies in the application of the Convention were to be overlooked or tolerated or if a slow but constant erosion were to enter into the international protection system.

In speaking recently of this anniversary, Pope John Paul II noted "the right to asylum must never be set aside for those who require it" (Address on 29 July 2001). The concept of asylum constitutes a major acquisition of modern international legal culture. We must all work to safeguard, consolidate and, where necessary deepen the

regime of asylum and protection and to strengthen its application in the changing situation of our world.

The increase in today's world of internal conflicts has produced growing numbers of internally displaced persons, reaching now over 20 millions. A set of Guiding Principles on Internal Displacement has been introduced by the United Nations in 1998, outlining their rights, as well as the obligations of governments and insurgent groups towards these populations. But the lack of a truly effective international protection system for those people is more and more evident. An true international protection regime must cover all those who lack adequate legal protection. As the nature of conflict in today's world changes, so too must the nature of the international response.

2. The need for resources

An international culture which places the universality of human rights as one of its core principles, cannot remain indifferent to the fact that millions of refugees must still live in inhuman conditions. Millions of persons are still fleeing from persecution, war or because of their convictions. The number of those forcibly on the move is on the increase. The figures concerning the possible dimensions of the current Afghan refugee crisis are daunting.

In this broad context, the full application of the Convention will require a larger and more predictable financial resource base for the Office of the High Commissioner. My Delegation appreciates the efforts being made by the High Commissioner to ensure the most effective use of funds. There is, however, a limit to what can be achieved through efficiency measures. Going beyond that limit could mean wounding the very effectiveness of the organization and its capacity to carry out its mission. That mission is a non-negotiable.

The adequate application of the Convention today will also require a more just concept of burden sharing. A disproportionately high burden for the international protection of refugees falls on poorer countries that, very often at short notice, must play host to millions of persons displaced by conflict or insecurity. In some wealthier parts of the world, by contrast, new restrictions are making it ever more difficult for people even to have recourse to the legal framework of protection based on the Convention. Making access to legal protection ever more difficult means that, at times, people are being forced into the hands of unscrupulous networks of smugglers and to have recourse to means outside the law. The legal framework exists to come to the assistance of people who are enduring persecution. They have a fundamental right to access to its mechanisms.

3. Address the root causes of forced movements

While working to maintain the integrity of the protection system and sustain its functioning, we must also urgently address the root causes of forced movements of population. The community of nations must move towards a more coherent approach. The root causes of the instability which causes forced population movement must be addressed. Countries in all parts of the world and their citizens must be able to be protagonists of a common vision of development aimed at inclusion. Exclusion, in so many forms, is still a dramatic characteristic of a world that likes to consider itself global!

Only efforts that aim at overcoming such widespread exclusion and inequalities will in the long-term address the root causes of forced movement. This will require comprehensive programmes to create security for people through, *inter alia*, debt relief, increased and more effective development assistance, investment in people and their creative capacities, participative and democratic governance structures and the creation of those infrastructures which enable people to remain in their own land. Coherent efforts at reducing arms expenditures and at conflict prevention are ever more urgent.

4. Racism and intolerance

In speaking of the causes of forced movement of people the Delegation of the Holy See, would like to recall particularly the conclusions of the recent World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which concluded in Durban less than one month ago. The Durban Declaration noted how racial discrimination is one of the factors that contribute to forced displacement. The Programme of Action of the Durban Conference addressed those special forms of intolerance which refugees face as they endeavour to engage in the life of the societies of their host countries. It spoke of the need to take particular steps to protect refugees and internally displaced women and girls from forms of violence to which they are particularly exposed.

The Durban Conference produced a strong reaffirmation of the commitment of States to respect and implement humanitarian obligations relating to the protection of refugees, asylum seekers, returnees and internally displaced persons. It underlined the urgency of finding durable solutions, in particular through voluntary return in safety and dignity to their own countries, or through resettlement or local integration.

But if we try fully to understand the significance of the Durban Conference, we must realise that it was calling our attention to something even deeper. The Durban Declaration stresses the fundamental concept that all people and individuals constitute one human family. Within that one family there can be no place for theories of racial superiority. It is much more the question of finding a way to overcome divisions of culture, civilization and of religion, so that we can create

an inclusive family of humankind, which has a special concern for its weakest and most excluded brothers and sisters, the world's refugees.

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