



SALA STAMPA DELLA SANTA SEDE **BOLLETTINO**

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INTERVENTO DELLA SANTA SEDE ALLA 58MA SESSIONE DEL COMITATO ESECUTIVO DEL PROGRAMMA DELL'ALTO COMMISSARIO DELLE NAZIONI UNITE PER I RIFUGIATI (ACNUR)

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PROGRAMMA DELL'ALTO COMMISSARIO DELLE NAZIONI UNITE PER I RIFUGIATI (ACNUR)

Si è tenuta a Ginevra, dall'1° al 5 ottobre corrente, la 58ma Sessione del Comitato Esecutivo del Programma dell'Alto Commissario delle Nazioni Unite per i Rifugiati (ACNUR).

S.E. Mons. Silvano M. Tomasi, Osservatore Permanente della Santa Sede presso l'Ufficio delle Nazioni Unite e delle Istituzioni Internazionali a Ginevra, il 2 ottobre scorso ha pronunciato l'intervento che pubblichiamo di seguito:

• INTERVENTO DI S.E. MONS. SILVANO M. TOMASI

Mr. Chairman,

1. Forcibly displaced people continue to be subjected to human rights violations. Regrettably, the number of refugees has increased again to some ten million persons and internally displaced people to well over 24 million. The statistical trend shows that uprooting people from their homes is a major injustice caused by persisting conflicts that trigger this dehumanizing condition. Other forms of violence force people to leave their homes and native countries: these include extreme misery, environment degradation, religious intolerance and persecution, lack of freedom, lack of respect for advocacy activity on behalf of human rights. Millions of normal, ordinary human beings are thrust into situations of incredible humiliation and suffering. The frustration of the international community in trying to cope with the plight of refugees, internally displaced people (IDPs), stateless persons and asylum-seekers, finds expression in the public anxiety and in the emotional political reactions about options for resettlement and for provisions of an adequate financial solidarity to meet emergencies and then enable the return of such uprooted people to a normal life back home with a minimum of dignity. Frustration, however, cannot be allowed to dictate the pace of the action required to protect the rights of the displaced.

2. An approach that opens to new commitments and that leads to practical measures of assistance and protection is based on rethinking the central place that human dignity and human rights should hold in refugee and asylum policies. On balance, among political considerations, institutional requirements, sudden crises and security mechanisms, priority should be given to uprooted people as persons with a claim on the international

community. In fact the protection due to forcibly displaced people has been the motivation for the juridical instruments already developed by the international community. The respect of the rights of all displaced persons leads to a comprehensive response and protection so that a globalisation of protection results from a globalisation of rights. In this way, a more coordinated and effective implementation of existing protection instruments is possible while new instruments can be developed to remedy existing gaps, especially regarding vulnerable groups like women and girls, children, the elderly. The recent reflection in the preparation of new ExCom 'Conclusions' has been moving in this direction.

3. The perspective of human rights emanating from the dignity of every person offers a twofold advantage. First, a human rights approach means that the duty to protect reaches beyond the narrow national interest of single states and beyond the fear that it may be a disguised form of domination. A human rights-based approach to protection requires that the international community should respond actively to the needs of the displaced in ways that respect people displaced from their home nations and cultures as persons with equal dignity. Second, the human right to protection means that governments and other social groups have a duty not to drive people from their homes by denying them the possibility to survive there but to respond instead to the challenges of protection in a timely and effective way.

Some of the well-known challenges facing the forcibly displaced have been the subject of long debates, but they still remain of concern because no substantive solutions have been reached. Uprooted people have to flee because their rights are not recognised. In this exodus, their rights are again violated. Protection gaps and challenges still exist in the whole process, from the moment a person becomes a refugee to the moment of access to one of the durable solutions. State security is emphasized over the protection of persons; financial contributions are channelled elsewhere. The end result is human suffering. The evidence is given by the fact that access to asylum procedures has increasingly become difficult or even impossible to secure, sometimes leading to restricting access or leading to *refoulement*. The policy of detention is enforced beyond strictly necessary measures, while people are forced, more or less permanently, to stay in camps, without having their right to freedom of movement and access to work guaranteed, a situation that too often results in chronic malnutrition. Donor fatigue and insufficient funding lead to reduction in food rations in camps and in failure to provide the necessary minimum basic essentials to address needs. The combined effect of this situation impacts the individual and the family and leads to a breakdown of values. Reintegration programmes should be in line with the national recovery programme in post-conflict situations and should proceed smoothly from emergency assistance to development aid, and so guarantee a sustainable return of forcibly displaced people.

A comprehensive human rights perspective can indicate appropriate criteria and means that would apply from the moment a person is forced to leave home and to apply for asylum to the moment a durable solution is reached. In particular, renewed emphasis should be accorded to prevention and to peace-building, dialogue and reconciliation. The prevention of conflicts, which always are a source of human rights violations and of massive forced displacement, must become the main road in the efforts of the international community to eradicate the tragedy of forced displacement. Such a moral imperative is also pragmatically cost-effective. Moreover, the previously-mentioned task of strengthening the institutional capacity to fulfil the protection mandate should encourage creative thinking, as has been the case in the cluster approach and in the ongoing restructuring within the U.N. system and some of its agencies. In this manner, the international community can succeed in developing a comprehensive instrument that embraces all forcibly uprooted persons. In this regard, the search for some monitoring mechanism or expert technical group could arrive at practical ways for a more effective implementation of the rights recognized to refugees in the 1951 Convention and its related Protocol as well as for a more convergent interpretation of these basic statutes.

Mr. Chairman,

4. Around the world, crises leading to the movement of refugees and displaced people in the Middle East, in Africa and elsewhere are reported as a routine dimension of daily existence. Public opinion tends to accept almost as normal the fact that millions of fellow human beings are so uprooted and relegated to miserable and painful conditions. But welcoming refugees and giving them hospitality is, for every one, a vital gesture of human solidarity in order to help them feel less isolated by intolerance and disinterest. The Delegation of the Holy See is happy to see that the UNHCR continues to witness such welcome and that it recognizes the welcome provided

by representatives of the civil society, as is the case this year with the Nansen Refugee Award, given to a member of Jesuit Refugee Service (JRS). Pope Benedict XVI constantly appeals that these our brothers and sisters, so badly tested by suffering, should be guaranteed asylum and the recognition of their rights, and that public authorities should offer them protection in such delicate situations of need.

In conclusion, addressing the problem of uprooted people from their own perspective, and that of their dignity and rights, will lead the international community to search for more comprehensive and humane solutions and to find the motivation for undertaking bold steps for their implementation.

Thank you, Mr. Chairman.

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