STATEMENT BY MR GOPINATH PANDURANG MUNDE, MEMBER OF PARLIAMENT, ON AGENDA ITEM 61 – REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS AT THE THIRD COMMITTEE OF THE 65TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY ON NOVEMBER 03, 2010

Mr. Chairman,

At the outset, let me thank the United Nations High Commissioner for Refugees for his report as well as presentation under this agenda item.
Mr. Chairman,

Sixty years ago, when UNHCR was created for a period of three years, it might not have been anticipated that the institution which was to handle a transient problem of refugee following the World War II, would become a permanent institution. This is a sad indicator of the fact that the situation of refugees has remained protracted. Even today, we continue to remain concerned at these protracted refugee situations. This issue has become increasingly challenging with the numbers of ‘populations of concern’ rising and the UNHCR is unable to adequately access the very people it is supposed to protect.

Nevertheless, let me take this opportunity to commend the UNHCR for the commendable work done since the last 60 years. They have been delivering under extremely difficult and dangerous conditions protection as well as quick emergency response to refugees. We endorse the UNHCR’s advocacy of the approach of repatriation, reintegration, rehabilitation and reconstruction to bring together humanitarian and development actors and funds to ensure allocation of greater resources for conducive environment for sustainable repatriation and returnees.

It is worth noting that the refugees and stateless persons are a particularly vulnerable group, forced to leave the country of their nationality or origin for various reasons. We have long held that adequate attention has not been paid to the widespread and abject poverty and deprivation in which the refugee movements in the developing countries have and continue to take place. We would urge a better analysis and understanding of the underlying reasons that impede durable solutions.

Mr. Chairman,

The latest UNHCR report indicates that at the end of 2009, there were 36.5 million ‘people of concern’ to UNHCR, including around 10.4 million refugees. As per the same report, the number of internally displaced people has increased to 27.1 million, out of which 15.6 million benefit from UNHCR in some manner. Regrettably, the number of returned refugees (251,000) has steadily decreased since 2004, with 2009 being the lowest level in the last two decades. Yet another alarming statistics has been that in 2009, nearly 0.9 million individuals claimed for asylum or refugee status to various Governments or UNHCR offices, which is an increase of 5 percent compared to last year. This is a pointer to the enormity of the challenge.

In this context, we would also like to acknowledge the changing nature of conflict with the emergence of the role of non-state actors in situations of armed conflict. The international community must address the issue of accountability of these non-state actors, and the limited leverage that the international human rights and humanitarian framework and machinery have over non-state actors. Further, it is
equally imperative that the determination of refugee status should conform strictly to UNHCR’s mandate to ensure that those guilty of terrorist and criminal acts do not abuse the national asylum systems and the international protection regime.

It is a well-recognized fact that the challenges posed by internal displacement is well beyond the capacity of any single organization to handle. We also believe that the primary responsibility to look after the IDPs lies with national authorities. The UNHCR’s involvement, therefore, can only complement the efforts of national authorities and cannot substitute them. We would, once again, underline that UNHCR’s involvement in IDPs should only be with the concurrence of national authorities. Further, such involvement should be based on due consideration of its mandate, modality of intervention, availability of resources and careful examination of all implications before mainstreaming such activities.

UNHCR represents our collective endeavour to address global refugee concerns. Given the importance and significance of this mandate, it goes without saying that UNHCR must remain a non-partisan and impartial humanitarian actor. We commend it for being one.

A large number of developing countries with limited resources continue to honour their humanitarian obligations, often risking their delicate economies. As is well known, it is predominantly developing countries that constitute countries of origin as well as asylum. Their problems deserve particular attention. In this context the relationship between UNHCR and Member-States must be strengthened further to recognize and acknowledge the in-kind contribution and services of the States hosting refugees.

We are aware of a body of opinion, which places an overwhelming importance on States acceding to Conventions and Protocols as a measure of their commitment to the refugee issue. This is a narrow and restrictive way of looking at this global challenge. We are convinced that the international solidarity and burden sharing are the foundations on which refugee protection rests. The essence of partnership on this issue is in having a shared objective, in accepting the humanitarian dimension of the issue and the need for a global response.

India is not a signatory to the 1951 Convention on Refugees. This is because we believe that this Convention does not address the problem of massive refugee flows or factors like mixed migration, which accompany such flows. Nevertheless, our commitment to humanitarian issues is second to none. We host a large number of refugees, and our programmes relating to them are managed entirely from our resources. At all times, India has demonstrated its abiding commitment to the principles of protection and non-refoulement. Also, the refugees in India have been enjoying full protection of the rule of law, based on the principle of fundamental rights guaranteed by the Indian Constitution.
Mr. Chairman,

India remains committed to working in concert with the UNHCR and the international community to address the international protection agenda for refugees in the region and beyond in a spirit of solidarity. The challenge of ending displacement is inseparable from the challenge of establishing and maintaining peace. The time has also come, to move away from narrow, legalistic approaches, to comprehensive practical solutions, from rhetoric to meaningful action.

Thank you Mr. Chairman.