



Statement by His Excellency Archbishop Silvano Tomasi, Permanent Observer of the Holy See to the United Nations and Other International Organizations in Geneva at the 62nd Session of the Executive Committee of the UNHCR
Geneva, 4 October 2011

Mr. Chairman,

In the past 60 years since the enactment of the 1951 Refugee Convention, the UNHCR, other relevant UN agencies, hosting States, faith-based and other organizations of civil society have undertaken tremendous efforts to ensure protection of refugees, to safeguard their human dignity and to provide for them a new start in life. In fact, the Convention has been receptive to new emergencies and has included in its protection new victims of persecution by non-State actors and of other forms of violence. The civilizing effect of a treaty giving rights to refugees, asylum seekers and other forcibly displaced persons, some 43 million of them, cannot be overestimated. However, there are still important gaps highlighted by recent dramatic events like the “people’s revolutions” in some parts of North Africa and the drought and conflict in the Horn of Africa that have sparked large refugee flows as well as by protracted refugee situations in the Middle East and elsewhere. Perhaps the most tragic evidence of an unfinished protection task comes from the more than 1,500 people who died while trying to cross the Mediterranean, others who drowned crossing the Gulf of Aden and the uncalculated numbers who have died walking out of Somalia in search for safety this year alone.

In its Preamble, the 1951 Refugee Convention sets as its purpose “to assure refugees the widest possible exercise of their fundamental rights and freedoms.” But today in many regions of the world millions of refugees are yet unable to enjoy these rights. The noble goal set by the Convention at the end of the devastating experience of World War II has lately been eroded. My Delegation would like to point out just a few areas of concern.

Public opinion and political expediency have impacted the need for protection of asylum-seekers in a negative way. Among these negative consequences, we note with deep regret that detention of asylum seekers and other people in need of protection is rising and it is no longer used as last resort for exceptional cases. These persons who are looking for protection or for ways of trying to survive are literally locked up and guarded as if they were criminal prisoners, and children too are placed in the same condition. Very often their living arrangements in detention lead to distinctively deteriorative effects upon the individual person. The prison-like environments existing in many detention centers, the isolation from the ‘outside world’, the unreliable flow of information and the disruption of a life plan, affect the physical and mental health of asylum-seekers and bring about psychological stress, depression and self-uncertainty,

decreased appetite and varying degrees of insomnia. The manner in how detainees see themselves is significantly impacted by detention. In this context, self-perception becomes an important indicator of the effects of detention because as an administrative measure, it should not bring such detrimental personal consequences. It is, therefore, urgent that alternatives to detention be further developed and promoted as, for example, would be expanding community based supervised programs, the introduction of monitoring and reporting mechanisms, the formation of support groups, of drop-in centers, adding to the capacity of open house projects so that at least families with children may reside in a safe living environment. In this way, administrative detention becomes the very last resort.

The policy of self-settlement outside camps has met with some success both with more educated and with poor refugees and these positive results seem to support trying it on a larger scale. Besides, the refugees warehoused in refugee camps are not necessarily more likely to repatriate than those who self-settle. Finally, although donors' solidarity is confronted with a more complex administrative task, it enhances the human development of refugees and gives them a better chance for their future.

Of concern to the Holy See and faith-based agencies are also the many refugees, asylum seekers and failed asylum seekers who find themselves trapped in situations of destitution. All over the world we can see people on the move who for good reasons cannot return to countries of origin and yet are completely excluded from social services in the countries where they are living. These persons are in limbo, in an impasse, without any perspective. It is not simply bad luck but policies of state authorities that completely exclude such groups of uprooted persons from any official assistance and leave them in distress and penury even though they need protection. Without access to housing, to health care, education, social assistance and work the situation of these people is especially worrisome. At present more than half of the refugee population is located outside camps and it is particularly vulnerable to destitution. National and local authorities should continue assuming responsibility for these refugees with the assured solidarity of international agencies. Positive developments have already been initiated by UNHCR through innovative methods to reach 'urban' refugees including mailing SMS messages concerning the distribution of assistance, internet access and videos on refugee rights, telephone hotlines to answer questions, and the distribution of bank cards to enable refugees to withdraw financial assistance at their convenience.

Hundreds of unauthorized lone boys from the Middle East and other places are making their way across Europe challenging the protection system of the countries they cross. In fact, unaccompanied minors are in the thousands. In 2008 a total of 11,292 applications for asylum were lodged by unaccompanied minors in 22 Member States of the European Union. Some even die hidden in containers or in the undercarriage of trucks. The increased visibility acquired by unaccompanied minors claiming asylum in developed countries calls for a renewed attention to their need of protection and to the development of practical measures to help them adjust to the new environment.

Unaccompanied minors must be treated first and foremost as children and their best interest must be a primary consideration independently of the reason for their flight. For this reason, detention and closed accommodations prove to be inappropriate for minors in particular, as does the mixing of children with adults in these facilities. Research has shown that as a source of motivation and support religion is considered important by these minors who desire the availability of spiritual advisors. In this context, processing children's applications for asylum should be given a greater priority with the possibility for the unaccompanied minors who become adults to continue benefiting from the same determination procedure as those who are under 18 years of age. At times, unfortunately, unaccompanied minors arrive under false pretences as forerunners to trigger family reunion or as victims of smuggling and trafficking and therefore care should be taken to prevent their exploitation.

Mr. Chairman,

The evolving political and humanitarian global situation raises continued challenges to the responsibility of the international community to protect the victims of forced displacement. New strategies and new policies are required that range from the understanding of root causes to border management and integration. Creative compassion becomes possible if there is a genuine sense of solidarity and responsibility toward the needier members of our human family. We should not forget these facts when discussing policies on refugee protection. Refugees are not anonymous numbers but persons, men, women and children with individual stories, with talents to offer and aspirations to be met.

Thank you, Mr. Chairman!