



Statement by H.E. Archbishop Ivan Jurkovič, Permanent Observer of the
Holy See to the United Nations and Other International Organizations in Geneva
78th Standing Committee - Executive Committee of the High Commissioner's Program
United Nations High Commissioner for Refugees
Statement on the "Note on International Protection"
Geneva, 7 July 2020

Mr. Chairperson,

The appalling scale and nature of displacement today, as outlined in the latest Global Trends Report¹, is yet another alarming indicator of the violence, persecution and conflicts that bedevil our age. It is not just numbers and statistics: it is 80 million people with a name, a face, a dramatic personal story, and aspirations.

The disconcerting causes of displacement, aggravated by the pandemic, have grown in complexity over time and have become intertwined with many factors, including the increasing impact of natural disasters and climate change. In such circumstances, extraordinary solidarity and the galvanizing of effective multilateralism are called for, including in the promotion of a more generous resettlement policy and a stronger commitment to responsibility sharing. This is particularly important as developing countries continue to bear the brunt of caring for the large majority of refugees.

On the occasion of the World Refugee Day, Pope Francis affirmed that "the crisis caused by the coronavirus has shed light on the need to ensure the necessary protection to refugees too, in order to guarantee their dignity and safety"², and he invited the world to join him in calling "for a renewed and active commitment to the protection of every human person, especially those who have been forced to flee due to situations of grave danger to them or to their families."³

Mr. Chairperson,

The Holy See Delegation wishes to express its concern over the fact that the pandemic has also challenged fundamental norms of refugee law, particularly the right to seek asylum and the cardinal principle of non-refoulement. Refugees and displaced persons are not merely the objects of assistance. They are subjects of rights and duties as all human beings.

In this regard, it is regrettable that the pandemic has also become a crisis of protection. We need only think of how refugees and migrants in camps and, much worse, in detention centers, struggle to respect social distancing and other measures. In this regard, the Holy See is grateful to the UNHCR for the measures it has been taking to mitigate the impact of Covid-19 in refugee camps.

¹ UNHCR, 2020 Global Trends Report.

² Pope Francis, Words after Angelus, 21 June 2020.

³ *Ibid.*

The securing of borders and the wellbeing of refugees and asylum seekers should not be considered mutually exclusive priorities but rather mutually reinforcing and, indeed, beneficial. Among the legitimate concerns for public health, we have witnessed some impressive examples where it is possible to address both public health concerns and the right to request asylum together.

Indeed, one of the best lessons that can be drawn by the pandemic is future preparedness. It could perhaps be helpful and useful for the UNHCR to compile a list of best practices in the response to refugee protection during the pandemic so that the current emergency can become an opportunity to refine the implementation of protection mechanisms in the future.

Mr. Chairperson,

The Holy See Delegation agrees that the evolution over the years of political and humanitarian circumstances have necessitated a wider interpretation of the definition of a refugee, especially as the traditional distinctions among categories of people on the move are increasingly blurred. The primary and rightful concern should be to protect and promote the fundamental rights and human dignity of those who are forcibly displaced, regardless of their status.

However, to ensure the relevance and effectiveness of interventions related to protection, assistance, and durable solutions, it is critical that the UNHCR maintains a holistic and integrated approach to its activities. This is the only way to ensure that all those who are in need of protection receive it, and to avoid the risk of stigmatizing particular individuals or populations, whether they be from majority or minority communities.

In this regard, the Delegation of the Holy See wishes to place on record its disagreement with the assertion in paragraph 11 of the Note on International Protection (EC/71/SC/CRP.9), that “refugee law now recognizes that those facing persecution on the grounds of age, gender and sexual orientation or gender identity may be refugees”⁴. The categories “sexual orientations” and “gender identity”, used in the text, find no clear and agreed definition in international law and risk the introduction of new forms of discriminatory categories within the international humanitarian community. The inclusion of these terms is not necessary to ensure that anyone seeking protection because of persecution, for any reason, receives protection.

Mr. Chairperson,

There is no doubt that priority should be given to addressing the root causes of displacement and to preventing them. Prevention, protection, and solutions are strongly interlinked, to the extent that if one fails, the others will be even more difficult to deliver. The unprecedented situation that we live today sheds a renewed light on the interdependence and interconnectedness of people and between States. In this regard, the Holy See wishes to reiterate its urgent appeal for political and multilateral efforts to confront the root causes of large movements and forced displacement of populations. Thank you, Mr. Chairperson.

⁴ UNHCR, Note on International Protection, paragraph 11 (Doc. EC/71/SC/CRP.9), 24 June 2020.