

(vi) **Statement by Dr. Augustine Mahiga, Representative of UNHCR, on behalf International Organizations**

Mr. Chairman, the Secretary General of the Asian African Legal Consultative Organisation, Distinguished Excellencies, Ladies and Gentlemen,

Since I am speaking for the first time, I extend greetings and gratitude to all Governments that are participating in the fortieth session of the Asian African Legal Consultative Organisation. The new name of Asian African legal Consultative Organisation is a title that reflects the Institution's broad mandate and tested experience. I also would like to thank my friend and colleague Dr. Bari who has again come from Dhaka as a consultant for UNHCR. We value very much his services.

It is also my duty and pleasure to thank the Government of India for having this AALCO meeting for the second time in less than six months. The first meeting was in February this year when we had the open-ended Working Group Meeting to refine the Revised Version of the Bangkok Principles Concerning the Treatment of Refugees. A great deal was accomplished at that meeting. The second meeting is this fortieth session of the AALCO, which encompasses all the different issues of concern to the Organisation. This speaks for itself about India's good track record on the protection of refugees and its support to the AALCO, which India has hosted in New Delhi for many years.

My expression of gratitude would be incomplete without mentioning the superb organisational work of the AALCO under the stewardship of Dr. Wafik Kamil, the Secretary General. The scope of the agenda, the excellent documentation and the hospitality that has been accorded to us shows how Dr. Kamil and his team have been working hard to make this session another success.

Mr. Chairman, I do not intend to comment on the various agenda items which have been discussed at this session, but as Head of a Refugee Agency in India. I have to say something about the Revised Bangkok Principles Concerning the Treatment of Refugees which are for adoption at this Session.

The Principles are declaratory and non-binding on States, but the fact that member states have consistently shown interest on the Principles, is testimony of their continuing concern over the refugees problem in the two continents. The Principles show that the refugee's problem is an international humanitarian problem that continues to be with us in the 21<sup>st</sup> century. The principles bring added value to the international protection regime of refugees. Any forum that offers an opportunity to deliberate on the refugees problem like to AALCO is an asset in addressing the refugees problem in all its manifestation from asylum seeking, protection, assistance and the search for durable solutions. In short the Principles enhance the international protection regime for refugees.

It was a good and an unusual coincidence that the inaugural session of this fortieth session of the AALCO coincided with the first ever World Refugee Day on 20 June declared by the UN General Assembly. The declaration is an expression and an embodiment of the world consciousness on the growing refugees problem and it will be an annual and an on-going reminder

that despite advances in many areas of science and technology, the international community is still lagging behind in resolving the root causes of the refugees problem and in addressing the pressing protection and assistance needs of the refugees. I trust that the AALCO will continue to guide us in promoting refugee awareness in Asia and Africa in particular and the whole world in general.

The recent statement by the new High Commissioner for Refugees Mr. Rud Lubbers on the first World refugee Day, correctly pointed out that “this first World Refugee Day would be a time for all of us especially decision-makers around the globe, to pause and think about the loneliness and sense of abandonment that many refugees must be feeling today. And we must ask ourselves what can we do about it”. The High Commissioner went on to urge affluent nations to do much more to support humanitarian work because it is still the poorest nations that host most refugees and which bear a disproportionate burden of hosting them.

Mr. Chairman, several countries in the Asia Region are not party to international Conventions on refugee, their response to influxes of asylum seekers and the protection and assistance to refugees has been commendable. Although the Bangkok Principles Concerning the Treatment of Refugees are non-binding on States, they reinforce long-standing spirit of compassion and hospitality to refugees that the countries of this region have demonstrated. With the growing problem of mixed flows of persons across international borders, it is imperative to find appropriate responses to such mixed flows because each group may require a different policy, administrative and legal response to deal with it. I wish to take this opportunity to thank the Asian and African countries for continuing to be seized by the refugees problem and coming with creative ideas like the Bangkok Principles Concerning the Treatment of Refugees.

UNHCR has been associated with the AALCO for a long time and that association resulted in the Bangkok Principles Concerning the Treatment of Refugees in 1966. These Principles have remained the only formal declaration of States in the Asian region although I must admit that there are some countries represented here that have acceded to International Instruments such as the 1951 Convention and its 1967 Protocol.

The need to revise the Bangkok Principles Concerning the Treatment of Refugees of 1966 at the thirtieth anniversary of the Bangkok Principles in Manila was recognised due to the changing circumstances in the Asia and Africa regions and the evolution in refugee protection principles since 1966. As we all know, after 1966, the African nations have moved forward to expand the refugee definition through the 1969 OAU Convention Governing the Specific Aspects of Refugees Problems in Africa. Various other issues have arisen in the deliberations on refugees since 1996 to the last meeting in February 2001. The reactivated discussions spanning the past five years have taken substantial time and resource of the member states, the AALCO and UNHCR. I am glad that finally an agreed document has emerged from these lengthy deliberations.

It is heartening to note that States have dealt with the refugee protection issue in an appropriate and serious manner and I must say practically each and every principles in the Bangkok Declaration has been deliberated upon in depth by the Member States. It was imperative to go

through this process to ensure the interests of States and to strike an adequate balance with the need for protection of refugees.

Even though all the issues which were discussed did not find full consensus for inclusion in the body of the text, there was sufficient interest among States to ensure that a revised and progressive document is produced which incorporates the key reservations by some States in the footnotes of the document. We are happy that States have agreed not to insist on inclusion of the reservations in the main text, which would have made it difficult to reach an agreed document.

Mr. Chairman, on behalf of UNHCR, I should like again to commend the AALCO, in particular His Excellency, Dr. Wafik Kamil and his predecessor, Mr. Tang Chengyuan for their extremely positive support and immense effort to push forward the Bangkok Principles process and the progressive revision of the Bangkok Principles over the past five years.

I should also like to congratulate all member States for their unrelenting efforts to arrive at an agreeable document. I do hope that one day we will be able to arrive at further consensus to withdraw even the remaining footnotes. Your efforts and commitment to the refugee cause are sending positive and encouraging messages on refugees to other parts of the world.

Thank you for your kind attention.