



**UNHCR**

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés



**Check against delivery**

**Statement by**  
**Ms. Janet Lim, UNHCR Assistant High Commissioner**  
**High Level Segment**  
**of the 16<sup>th</sup> Session of the United Nations Human Rights Council**  
**Geneva, 2 March 2011**

Mr. President,  
Madame High Commissioner,  
Excellencies,  
Distinguished Delegates,

It is a great pleasure for me to address the Human Rights Council today, at the beginning of its main session, which comes at a critical moment in history.

We are witnessing momentous upheavals in several countries in North Africa and the Middle East, accompanied in some cases with fundamental political changes initiating, hopefully, a new era of democracy in several countries. As we watch these events unfold, we are strongly reminded about the acute dangers and enormous risks and suffering that the people amidst these revolutions are facing, including the need to flee within and across national borders. The escalating violence in Libya stands out as being particularly worrying for UNHCR's persons of concern.

Libya has traditionally been a transit and destination country for refugees. Large numbers of foreigners in the country, including refugees and asylum-seekers, have reportedly been targeted by the violence. Sub-Saharan Africans seem to be particularly at risk, as they are being equated with foreign mercenaries. UNHCR is working at both the Tunisian and Egyptian borders to help those two governments manage a dramatic influx of thousands of people fleeing Libya. Over 160,000 people have crossed so far and thousands more are arriving by the hour. Most of those fleeing are Egyptian and Tunisian nationals, though small numbers of Libyans and other nationalities are also managing to escape. UNHCR is particularly concerned that only very few refugees have so far managed to flee Libya. UNHCR staff members in Tripoli are doing their best to help refugees who manage to reach or contact our office.

Whereas we are confident that the Tunisian and Egyptian governments will do their utmost to keep their borders open to all people forced to flee from Libya, it is clear that these countries require urgent assistance, following the profound upheavals they have undergone themselves only very recently and their own fragile processes of change. UNHCR is therefore appealing strongly to the international community to come to their aid and to provide support to these affected countries in a spirit of shared humanity, human dignity, solidarity and responsibility-sharing. All people leaving Libya should be granted access to territory without discrimination, irrespective of their background. The recent resolutions adopted by the Human Rights Council and the Security Council provide a good basis for further coordinated action.

UNHCR is also calling for a concerted effort by the international community, by means of resettlement, to share responsibilities in addressing the protection needs of refugees and other persons in need of protection currently caught in the violence in Libya. A strong multilateral response to resettlement would be a welcome expression of solidarity and burden sharing with countries neighboring Libya, and would support

these countries in keeping their borders open and providing immediate access and reception to those fleeing the violence in Libya.

The spotlight that the international community is rightly shining on the crisis in North Africa at the moment should not blind us to the on-going and serious humanitarian crises in other parts of the world. In particular, UNHCR remains gravely concerned about the deteriorating humanitarian situation in Côte d'Ivoire. The situation of civilians trapped in the Abobo district of Abidjan, where fighting has been raging now for several days, remains grim. Many have already fled, but armed groups are reportedly preventing others from leaving. UNHCR is particularly concerned about the risks for people who may have difficulties moving, including the elderly, the sick, pregnant women and persons with disabilities. Over the past days some 30,000 people have fled across the border to Liberia, joining the 40,000 Ivorian refugees already there. UNHCR is responding to this escalating influx with plans for an additional camp. The majority of refugees in Liberia are still hosted in more than 76 border villages, most of which are in remote, inaccessible locations. It is imperative that the fighting stop and that a political solution is reached. Humanitarian actors must be given access to the stranded population in the conflict area at this critical moment to help bring civilians out and to safety.

The deterioration in the human rights situations in Libya, Côte d'Ivoire and many other countries around the world, including long-standing and unresolved conflicts, illustrates very clearly the close interrelationship between the international protection of human rights, displacement and the protection mandate of UNHCR. Serious human rights violations are major causes of conflict and forced displacement. Clearly, greater respect for the human rights of all individuals is the best way of preventing future forced displacement. Moreover, the changing nature of armed conflict, including the scale, identity and methods of the actors to these conflicts, is increasingly limiting the space for humanitarian action.

Human rights lie at the heart of refugee protection. International human rights law contributes to the protection of refugees, for example by setting standards to define what can be considered persecution and by providing mechanisms to protect refugees and asylum-seekers against *refoulement* and expulsion; arbitrary detention; threats to life and physical security; lack of shelter, food, education, medical care; as well as sexual abuse or separation from family members.

Protection of stateless persons similarly relies on human rights norms, including those contained in the 1954 Convention relating to the Status of Stateless Persons, the 1961 UN Convention on the Reduction of Statelessness and various UN human rights treaties. Promoting the human right to nationality is crucial in the fight against statelessness. Many persons are at risk of becoming stateless owing to gaps in nationality legislation for example, which leave children stateless at birth, the exclusion of certain groups at the time of state succession or the arbitrary deprivation of nationality.

Human rights are applicable to all, everywhere. Persons in need of international protection are not only entitled to the rights contained in the 1951 Refugee Convention or the 1954 Convention relating to the Status of Stateless Persons – as human beings, they should also be able to enjoy all fundamental rights and freedoms. Yet, refugees and stateless persons are often perceived to have fewer rights than nationals.

It has become ever more difficult, for example, for people in need of international protection to have access to the territory of countries where they can obtain asylum. If they reach safe territory, they often face a diminishing protection space, characterized by discrimination, racism and xenophobia. Due to their specific protection needs and vulnerabilities, they can also suffer multiple forms of discrimination, and may become victims of rejection, stigmatization, exclusion, or

even violent attacks. Our societies are increasingly multi-ethnic, multi-cultural and multi-religious. Yet this reality is being contested by populist media and unscrupulous politicians. Many refugees and asylum-seekers live in deplorable conditions of poverty, including in some of the world's richest nations. The deteriorating state of asylum in many countries today is a human rights issue. Despite the efforts of some governments and many active civil societies, promoting tolerant, diverse and cohesive societies remains an enormous challenge.

This year marks the 60th Anniversary of the 1951 Convention relating to the Status of Refugees and the 50th Anniversary of the 1961 Convention on the Reduction of Statelessness. In commemorating these anniversaries, UNHCR is placing forced displacement and statelessness issues at the centre of its advocacy work. We would like to strengthen the protection regime by filling existing protection gaps and promoting recommitment to core values and principles. The commemorations will culminate in a Ministerial-level meeting that will be held in Geneva on 7 and 8 December of this year. The meeting will be an opportunity for States to make concrete pledges of commitment to address specific protection gaps and to reaffirm the enduring relevance and value of the international instruments for the protection of refugees and stateless persons. These pledges might include taking steps to improve the recognition and implementation of the human rights of refugees and stateless persons, to ratify relevant human rights treaties, or to remove reservations from these treaties.

The resolutions and decisions of the Council, including the recommendations adopted at the outcome of the Universal Periodic Reviews, are also contributing to the strengthening of the protection of persons under UNHCR's mandate. Our coordination of activities with several Special Procedures mandate holders has also been very fruitful. We look forward to the Council's continued engagement and consideration of the situation of refugees, stateless persons and internally displaced persons in its respective activities.

Ultimately, the Council and UNHCR share the same fundamental objective: promoting and protecting the safety and dignity of the individual.

Thank you.