

**Commemoration of
the Anniversary of the 100th Session of the Human Rights
Committee (Statement by UNHCR)**

Chairperson, Distinguished members of the Committee,

UNHCR very much appreciates this opportunity to address the Human Rights Committee orally on the Commemoration of the Anniversary of its 100th Session. It is a personal pleasure for me as Deputy Director of UNHCR's Division of International Protection to have the honour and privilege of doing so, as my first assignment to DIP some 14 years ago now was as the Human Rights Liaison Officer, and I have fond memories of presentations of comments and information to the Committee from that time. Let me congratulate you for this special session – it is a great pleasure for UNHCR to take part in such an important event. I believe that our discussions today will help to build on our longstanding cooperation and further our shared goals.

Cooperation with the Committee is important to UNHCR for numerous reasons:

- a) From the perspective of UNHCR, the 1966 International Covenant on Civil and Political Rights and its Optional Protocols, together with the other human rights instruments, form an integral part of the legal framework on the basis of which we carry out our protection mandate on behalf of asylum-seekers, refugees, stateless persons and internally displaced persons.
- b) As you are aware, UNHCR has institutionalized a practice of sharing with the Committee information and its concerns about risks and procedural gaps that may expose persons in need of international protection to violations of their fundamental human rights, including risks of refoulement and /or risks of statelessness. Accession to the international statelessness conventions and the establishment of safeguards against statelessness in nationality law is of central importance to full enjoyment of every child's right to acquire a nationality under the ICCPR. UNHCR greatly appreciates the inclusion of issues and recommendations aimed at strengthening the implementation of the ICCPR to the benefit of persons of concern to UNHCR in the Committee's concluding observations of its country reviews.
- c) UNHCR has intensified its cooperation with the Human Rights Committee over the years. UNHCR uses the Committee's Concluding Observations, recommendations and case law as protection advocacy tools. The Committee's observations have gained in importance for UNHCR also in the context of the Universal Periodic Review, since treaty body conclusions and recommendations of relevance to our mandate and persons of concern are often included in OHCHR Compilation Reports. Moreover, as UNHCR Offices throughout the world use the Concluding Observations of Treaty Bodies in its advocacy and lobbying efforts, you may view UNHCR as an operational partner in the field. And I can assure you from personal experience in my own field assignments that these Concluding Observations can be

extremely useful in our advocacy with States regarding persons of our concern.

In the context of the commemorations in 2011 of the 60th Anniversary of the 1951 Convention on the Status of Refugees and the 50th Anniversary of the 1961 Convention on the Reduction of Statelessness, UNHCR is redoubling its efforts to promote accession to the international refugee and statelessness instruments. The Committee can play a vital role in enhancing the international protection framework for refugees and stateless persons by systematically recommending State parties, in the context of its periodic country reviews, to accede to these Conventions and to implement them effectively through adoption of national legislation.

UNHCR will also continue, particularly in the Commemorations of the anniversaries but also more systematically going forward, its engagement with the broader themes of racism, xenophobia and hate crimes within the framework of the Human Rights Committee.

We would also like to encourage the Committee to take up other key issues raised in our confidential comments, but not always discussed during the constructive dialogue with States, such as:

- Respect for the principle of non-refoulement, especially at all border points;
- The right of freedom of movement for refugees, IDPs and stateless persons;
- The conditions of detention for persons in need of international protection, including at airports;
- The issue of family reunification;
- Effective access to birth registration;
- Recommending safeguards in nationality legislation to prevent statelessness among children" (art 24.3 - concretely states should implement the "otherwise stateless" safeguard)
- The protection of unaccompanied children seeking asylum and their access to asylum procedures;
- Combating trafficking in human beings and sexual exploitation of women and children and granting protection to victims of trafficking, including referral mechanisms to the asylum procedure;
- Strengthening opportunities for refugee women and girls' education and employment;
- The security and protection of Internally Displaced Persons (IDPs) and contribution to the creation of conducive environments to the implementation of durable solutions;

Finally, in 2011, UNHCR would like to develop a joint General Comment on the right to acquire a nationality with the Human Rights Committee and the Committee on the Rights of the Child. We hope to further discuss this initiative with both Committees in more detail.