

## **Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali II)**

**29 - 30 April 2003**

### **Statement by the United Nations High Commissioner for Refugees**

Thank you Dr. N. Hassan Wirajuda, Minister of Foreign Affairs of Republic of Indonesia, Hon. Alexander Downer, Minister of Foreign Affairs of Australia for hosting and inviting UNHCR to this important Conference.

Let me say a few words about the relation between the purpose of this Conference and my work as High Commissioner for Refugees.

1. People smugglers, traffickers and organised networks involved in transnational crime profit from the lack of solutions for victims of violence and discrimination.
2. History: From the inception of the United Nations in the wake of the Second World War, it was understood that conflicts and continued instability would produce movements of people fleeing violence and persecution.
3. The whole idea was that there would be a need for international protection i.e. protection by the state to which one was fleeing. This would begin with temporary protection, and from there permanent solutions by either repatriation or assimilation in other nationalities.
4. There are many positive examples, including in this region. To mention one; the Indochinese refugees were given access to protection and durable solutions through a practical, comprehensive arrangement. The problem of a large number of refugees moving irregularly in the region was solved, although some countries felt that the burden sharing was not completely fair.
5. We must, however, be aware that even where protection is allegedly available for refugees, there is too often a lack of permanent solutions. As a result, many seek to move on in search of their own solutions.
6. Therefore, I promote together with the 1951 Convention Relating to the Status of Refugees – this is about not rejecting persons who flee to your countries but treating them properly - the concept of Convention Plus. This is about protection in the context of solutions, effective repatriation and burden sharing which should help to reduce secondary flows, assisting countries near the origin of the refugees to allow people to stay there. Convention Plus is about sharing responsibilities and to spread the burden of refugees. Convention Plus can assist also countries who are not yet signatories to the 1951 Convention, to include them in pragmatic arrangements to offer solutions to the benefit of all.
7. If Convention Plus – durable solutions and burden sharing – is really practiced it will result in a reduction of people smuggling, trafficking in persons and related transnational crime.
8. Of course providing durable solutions is only a part, a segment of your challenge, which is much broader. But Convention Plus is very relevant as an approach. Promoting access to proper protection and solutions would indeed reduce crime and irregular flows.

9. We share a commitment, with you, to see crime successfully fought. In that sense we are in the same business: Fighting crime and going for legal solutions.
10. But to be effective in fighting crime, it is not sufficient to increase border control and attack criminal networks. You have been engaged in this for many years, but the problem is still with us. One needs to limit "the oxygen" of this crime, to reduce the number of victims available to be exploited by criminal networks. You must therefore not only live up to the spirit of the 1951 Convention, but also engage in comprehensive solutions – in Convention Plus. Solutions for refugees and burden sharing is not only a humanitarian and political challenge. It is also about fighting crime.
11. I want to commend you for your regional efforts and your engagement in international cooperation. Exactly this I promote also, through Convention Plus on solutions and burden sharing in relation to refugees.
12. Here in Indonesia we have proved to be a successful partner of Indonesia and Australia together with IOM to address mixed flows of people of which only a limited number are really refugees.
13. To give another example, in 2002 UNHCR brought 1.5 million Afghans home. This makes a significant difference when it comes to irregular flows.
14. As the situation improves in Iraq, again another example is our role in preparing to facilitate the return of some 500 000 persons - over half of the Iraqis who are today living in refugee like situations. A large number of Iraqis who fled earlier have settled permanently in other countries.

#### **Concluding remarks:**

15. Sustainable repatriation requires reintegration, rehabilitation and reconstruction efforts – an approach I have labeled as the 4 R's. It is imperative to make use of the productive potential of refugees and to discourage them to move on.
16. Providing support to host-countries of refugees to give effective temporary protection and allow integration can make an enormous difference in terms of stabilizing populations and preventing them from moving on.
17. Sharing the responsibility and the burden through effective resettlement schemes is another key instrument to reduce irregular/secondary flows.
18. The High Commissioner for Refugees has a global responsibility, 19 million persons are of my concern. Some 12 million are refugees, and 7 million IDPs, asylum-seekers and stateless people. At its peak some few years ago there were 26 million persons of concern to UNHCR. We are successful in reducing the numbers.
19. All states claim to have special circumstances, and of course there are regional differences. However, there are also remarkable similarities throughout Asia and indeed in other areas of the world. The movement of people from, say, Iraq to this region and beyond, is not much different from the movement of people through Turkey or Central Europe to Western Europe. Officials at airports and other entry points in Hong Kong, Sydney, or Singapore face similar challenges to those faced by staff in London, Chicago or Paris.
20. My impression is that the similarities far outweigh differences and that common solutions are appropriate. I ask for your help and support in formulating and implementing these. It is important to go for burden sharing -

not burden shifting - and to ensure that the desire of individual states to reduce the number of asylum-seekers is not pursued at the expense of neighbours or the international community.

21. Your Excellencies,

Let us be practical. Let us fight crime together. And let us be generous and effective in giving refuge to real refugees and preventing secondary movements. Promoting international protection and permanent solutions by burden sharing can reduce irregular flows of people. Together we can do a lot.