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**Indian Council of World Affairs**

**Sapru House, Barakhamba Road**

**New Delhi**

## **Report**

on

## **Talk**

by

**Mr. António Guterres**

Former Prime Minister of Portugal and  
Former United Nations High Commissioner for Refugees

On

**“The International Situation and Present Challenges of Forced  
Displacements”**

Sapru House, New Delhi  
22 July, 2016

The talk was **chaired by Ambassador Nalin Surie**, Director General, Indian Council of World Affairs. While welcoming the guests and the speakers the chair introduced **Mr. António Guterres** as an European politician who has extensive experience in Portuguese politics, EU politics and the UN system and who is also a candidate for the post of UN Secretary General.

The chair stated that forced displacement is an important issue and it does not always engage the interests of international community in the manner it should. India is not unaware of this problem and has been grappling with it for several decades. It has serious humanitarian, political and economic implications. The most recent example is the flow of refugees from Syria and Afghanistan. How best forced displacements can be mitigated in the near future and how best it can be avoided in the medium to long term is the focal issue. For the UN system to be effective in the long run the leadership will have to willingly secure the support of other organizations and States.

### **Important Points of the talk by Mr. António Guterres**

- India is not a signatory to the International Convention on Refugees but the Indian State takes care of the refugees and has good tradition of refugee protection. In India refugees find open borders, open doors and open minds. Therefore, more important than the International Law that exists, is the tradition, culture, religion and the way the people are able to recognize the rights of other people.
- In recent past there is a huge surge in forced displacement, primarily caused by conflict and natural disasters. For example, globally 80% of the people are forced to move due to conflicts and 20% due to natural disasters.
- Migration in today's world is seen as a problem. However, migration also seen as a part of the solution. South to South migration is much bigger than the South to North. Bangladesh and India is an example of migration movement in the global South.
- The EU is in focus recently due to migration crisis and it is also linked to the notion of threat to the identity of the EU. Diversity is an asset and society needs to invest in inclusion, cohesion and be able to combat political populism, intolerance and violent extremism. Three things that are very useful in this context are;
  - If migration is a necessity, then it is better to have it organized, which means we need more opportunities for legal migration.
  - It is important that development polices and development cooperation polices in particular take into account human mobility. Polices should create conditions for human mobility rather than treating it as an option. The only country that managed to have some success in this aspect is Spain.
  - Controlling traffickers and smugglers through global cooperation is also important.
- Globalization is asymmetric because restrictions are placed on peoples' movement but goods can move freely depending on trade agreements and arrangements between States.

Asymmetric globalization is one of the reasons why global development is unfair. For instance, technology improvement did not address the equality issue in various States. It is in this context that the debate on migration is very often irrational.

- Multiplication of conflicts is causing forced migration. For example, in 2010, 11,000 people were displaced by conflict per day in the world and many of them stayed within the borders of their countries. In 2011, 14,000, in 2012, 26,000 and in 2014, 42,500 people were displaced per day due to conflict in the world.
- In contemporary times, the conflicts are more interconnected and connected to global security which is also causing staggering escalation of displacement. In this context, the capacity of international community to stop and prevent conflicts is considerably diminished. Some of the interventions by major powers in Iraq are also responsible for aggravating the conflicts.
- Displacement is also caused by natural causes and in effect also manmade causes. Population growth, climate change and urbanization are global trends interacting with each other and causing displacement.
- Those who are displaced by conflicts and cross borders are considered as refugees and protected by internationally organized system. But those displaced due to natural disasters stay within the boundaries of a country and do not have any protection regime available to them. In this context, there is a debate to change the 1951 UN Convention to include refugees of climate change. However, re-writing or introducing change in the existing Convention may not be a good idea in the present situation. Instead, international community should look for cooperation to address the humanitarian crisis. An example could be the “Nansen Initiative” by group of States namely, Norway, Switzerland, Mexico and Costa Rica. This is the first international cooperation to deal with displacement by natural causes.
- Security for people displaced by conflict is getting considerably difficult, in the last few months. All efforts in the past to put the refugee issue on the agenda by the UNHRC could not be fulfilled. But in the current scenario, for the first time a meaningful number of refugees came at the borders of Europe and media attention has also increased considerably on the issue. In Europe little more than one million refugees came by sea alone.
- Refugee flow to Europe, firstly, is the result of lack of preventive measures in place in countries facing conflict. Lebanon, Libya and Syria for instance needed much more support to improve the society. For example, 90% of the Syrians and Jordanians are below the poverty line. And secondly, lack of effective refugee protection measures such as proper reception facilities and refugee distribution in European countries based on the capacity of each State, is an issue that is coming in the way of refugee protection.
- People displaced by conflicts are moving from border to border which gave an impression that there is an invasion, which is a threat to identity of Europe. Therefore, due to the notion of threat in the developed world adequate protection to refugees has been rejected.

- What is the solution? First there is a need to increase the level of prevention in a comprehensive way. Comprehensive prevention is related to poverty, inequality, development, human rights and development of institutions. Secondly, there is a need to increase the levels of support to displaced population. Recently, World Bank accepted to provide soft loans to countries facing the refugee crisis which is positive development. Much more international support is needed for resettlement of refugees. Thirdly, in many countries refugee protection is difficult to deliver as public opinion may go against it. Therefore States will have to develop effective mechanisms to deal with refugees. Finally, providing conditions for integration can be another solution. The issue requires political will and economic resources. For example, focus on Islam and propaganda about the positive aspects of the religion can be an answer to Daesh propaganda of Islam.

## Q/A

1. To a question on what should be the capacity of UNHRC or ideal charter to deal with the refugee crisis, the speaker said that migration issue cannot be solved alone by UNHRC which is playing a very important role in advocacy and coordination. Today's problems require collective response and not just the UN. The World Bank, regional organizations and countries themselves have to be involved for mobilization of resources. For instance, Lebanon needs massive investments in sanitation, education and health. Terrorists' organizations are also interlinked. So High Commissioner for Refugees can be a member in the collaboration and can mobilize resources in order to design strategies to be able to confront problems and to address root causes.
2. To a question on whether, appointing high profile actors or ambassadors to UN posts will help in addressing the refugee problem, the speaker opined that the UNHCR is rather selective in appointing the people for posts. Other organizations have lots of goodwill ambassadors. The appointments proven to be quite effective, primarily in relation to two aspects; awareness and fund rising.
3. To questions regarding the migration aspect in Islamic perspective in Europe; major powers responsibility in creating refugee crisis; UN reforms and India's claim for UNSC, the speaker responded that, there is a general notion among the developed countries that, terrorism can be stopped if the States take measures to stop the inflow of refugees. However, terrorists may not want to enter any country as a refugee, because he/she can be screened and included in a system of verification. There are much easier ways to enter European territory. In UNHCR, there is anti-terrorism cell that is working with governments to avoid the risks. The bulk of the problem is home grown terror. Currently, there are 25 to 30 million Muslims in the European continent. They face discrimination and alienation, due to general perceptions about the community and this also leading to

lone wolf attacks. Therefore, Islamic leaders will have to engage the community to denounce teachings of terrorist organizations. Misleading information of Islam by the terrorists groups also needs to be tackled by the religious leaders. Civil society organizations have to work among the community to make them feel they belong to the same society.

Major Powers US, Russia, Turkey and Iran understand that no one is winning the war. So they are realizing that it is better to put the differences aside. Reforms of the UN are of two kinds; the reforms of the UN by Security Council and other UN Charter reforms. Security Council reforms are most discussed. Reforms requires vote of two thirds in the General Assembly, including the five permanent members of the Security Council. Therefore, the UNSC reform is not an easy process.

4. To a question on whether India should have domestic refugee law to solve the problem effectively and whether the national security considerations and protection of local population take precedence over protection of refugees, the speaker stated that it is better to have systems in place that can protect refugees. Several systems are in place within Europe and a good example is Canada. Migrants are also human beings and have rights. Therefore, regularized migration process can be effective in this context. States will have full control of the human movement if the same is legalized.
5. To questions on why the EU failed to deal with refugee problem particularly Germany and the incentive and motivation to seek the job of UN Secretary General, the speaker responded that meaningful distribution of people to all European countries in relation to their population would have worked. For example, Portugal took around 20,000 people based on its capacity. In Germany system was not in place to receive refugees which led to the problem. Germany took more than a million last year and Chancellor Merkel had to pay a political price. It is difficult to know the motivation to aspire for the post of Secretary General of UN because there are number of reasons such as upbringing, education and posts held in the past.
6. To questions on East Pakistan crisis during which India received little international support and whether the member countries need to pay certain amount every year to take care of the refugee problem, the speaker stated that India did not receive much support during the time of East Pakistan Crisis. Total global humanitarian aid is between 20 to 30 billion dollars. Political will is the problem not the money and investment in preventive measures is also needed.
7. To a question on India's criticism that the 1951 UN Convention is very Euro centric and how can the UNHCR solve this problem, the speaker responded that refugee protection in

the world did not start with the 1951 Convention. It is not Euro centric but the problem is more linked with the period. There is scope to enlarge the scope of the Convention. UNHRC looks into each State's refugee protection laws based on its societal context to provide adequate protection to refugees.

8. To a question on climate refugee issue whether it should be addressed through new international mechanisms or through regional laws or through case specific studies, the speaker answered that there is no political will to deal with climate refugees at the international level or through international law. Countries can have consensus on what could be the guiding principles i.e, soft law, based on which countries can improve their regulations and mechanisms. Regional cooperation is essential in this aspect.
9. To a question on the role of international organizations in the prevention of displacement, the speaker answered that prevention needs to be undertaken by the all organizations which include UN along with other national and international organizations and States. Collective effort is required.
10. To a question on what should be the balance between responsibilities of rich developed countries and developing countries when it comes to climate change, the speaker responded that the Paris Agreement is in place, which is a major step forward. Countries need to concentrate on three elements; firstly its ratification on time; secondly implementation of issues agreed upon are put into practice; and thirdly financial targets that were defined for 2020 will have to be reached. The amount to support developing nations should be additional. What is agreed in Paris does not solve the problem. There are further commitments required through pressure and advocacy to address the climate change.

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