UNIT 18 WHAT IS THE ROLE OF UNITED NATIONS HIGH COMMISSIONER OF REFUGEE (UNHCR)?

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18.1 INTRODUCTION

If we think current decades, Asia, has been a munificent host to millions of refugees. Yet, the human condition of refugees in the region is far from supreme.

UNHCR’s primary purpose is to safeguard the rights and well being of refugees.

UNHCR’s efforts are mandated by the organisation’s Statute.


UNHCR offers protection and assistance to refugees and others in an impartial manner, on the basis of their need and irrespective of their race, religion, nationality, political opinion or gender.

Now, we examine the principle of non refoulment.

The principle of non refoulment is not always respected. Detention is a reality of life. The camps in which refugees are hosted often lack basic amenities. And, the right to education and employment are available only to some refugee groups.

In brief, refugees in the region are not given the opportunity to live and reconstruct their lives with dignity.
A comprehensive approach at the regional level is not feasible, it is not altogether difficult to identify the common problems, which prevent more humane and rights-based treatment of refugees.

We propose to identify these problems and make a set of recommendations.

These inter alia include establishing national legal regimes on the status of refugees, emphasizing durable solutions other than voluntary repatriation, addressing the problem of statelessness, stressing the need for international burden sharing, and making the UNHCR responsible in law for its acts of omission and commission.

However, I would like to begin by delineating, albeit briefly, the governing idea of inter-state relations in the matrix of which refugee issues are addressed in the region, including the particular concerns of post-colonial states.

But, there are ways of improving the human condition of refugees in Asia. UNHCR’s approach towards the Asia is crucial.

We discuss ways of improving the human condition of refugees in Asia and the role of UNHCR in South Asia.

18.2 OBJECTIVES

After reading this unit, you should be able to:

- discuss the main Approach of South Asian States to the refugee problem;
- describe the Human Rights Regimes and institutions; and
- evaluate the role of UNHCR for welfare of Refugees.

18.3 WELFARE OF REFUGEES AND UNHCR

UNHCR’s programmes, its protection and other policy guidelines, are approved by an Executive Committee of 72 member states which meets annually in Geneva.

A second ‘working group’ or Standing Committee meets several times a year. The High Commissioner reports on the results of the agency’s work annually to the UN General Assembly and the Economic and Social Council.

As we know, the governing paradigm of inter-state relations in the region is known worldwide by the name of political realism.

Let us identify four of its features that have direct relevance to the status and welfare of refugees.

First, it sees international politics as ‘a struggle for power’; indeed, power doubles as both means and end. Morality has, only a marginal bearing on the conduct of foreign policy. Instead, refugees are most often seen as a resource, or a bargaining chip, to secure ‘national interests’. Therefore, the final determinant of the fate of refugees is not their concerns and problems but the role that they can play in enhancing the power of the host state.

Second, it examines all issues in the matrix of an omnibus concept of ‘national security’. This cause state policy to be particularly suspicious of all alien groups present on its territory.
Those given refuge are expected to be satisfied with the assistance provided and to return home as soon as the host state decides.

Third, the overwhelming concern with enhancing ‘power’ makes states ‘wary of accession to international instruments on human rights for fear of accountability at the international level’. When states do sign these instruments, ‘human rights considerations are secondary to political expediency’. It follows that membership of humanitarian organizations is often used to pursue the power agenda.

Thus, we can say, the membership of the Executive Committee of the UNHCR does not necessarily mean for Bangladesh, India, Pakistan, and Thailand the pursuit of the welfare of refugees in the region but the securing of its geopolitical interests.

Forth, the paranoia the realist approach engenders makes states limit the interaction of civil society with refugees.

Thus, states often deny non-governmental organizations access to refugee camps, as they are worried about the impact of any negative reporting on its international image.

### Self Assessment Question

1) What are the guiding principles of UNHCR?

2) What rights does a refugee have? And what is the role of UNHCR?

### 18.4 UNHCR AND STRESS-RELATIVE AUTONOMY OF HUMANITARIAN ISSUES

As a humanitarian, non-political organisation, UNHCR has two basic and closely related aims – to protect refugees and to seek ways to help them restart their lives in a normal environment.

International protection is the cornerstone of UNHCR’s work. In practice that means ensuring respect for a refugee’s basic human rights and ensuring that no person will be returned involuntarily to a country where he or she has reason to fear persecution.

The word “protection” has a very specific meaning for UNHCR. It includes material and other assistance to refugees, so that basic needs are met. It includes ensuring that refugees are able to avail their rights. It includes the three durable (long-term) solutions – voluntary repatriation, local integration and resettlement (discussed in detail later). Guided by the Universal Declaration of Human Rights (1948), the 1951 Convention and its Protocol, and bolstered by internal initiatives such as the Agenda for Protection, UNHCR carries out its mandate of protection in a manner that reflects changing global reality.

The substance of UNHCR protection, including the groups of people:

Questions generally arise, and UNHCR oblige to reply. We will discuss these questions here.

What rights does a refugee have? And what is a role of UNHCR?
In certain circumstances when adequate government resources are not immediately available, including the sudden arrival of large numbers of uprooted persons, UNHCR and other international organisations provide assistance such as financial grants, food, tools and shelter, schools and clinics. With projects such as income generating activities and skills training programs, UNHCR makes every effort to ensure that refugees become self-sufficient as quickly as possible.

**How are refugees protected? And what is a role of UNHCR?**

Governments normally guarantee the basic human rights and physical security of their citizens. But when civilians become refugees this safety net disappears. UNHCR’s main role in pursuing international protection is to ensure that states are aware of, and act on, their obligations to protect refugees and persons seeking asylum. However, it is not a supranational organisation and cannot be considered as a substitute for government responsibility.

Countries should not forcibly return refugees to a territory where they face danger or discriminate between groups of refugees.

**Who decides who is a refugee? And what is a role of UNHCR?**

Governments establish status determination procedures to decide a person’s legal standing and rights in accordance to their own legal systems based on international criteria. UNHCR may offer advice as part of its mandate to promote refugee law, protect refugees and supervise the implementation of the 1951 Refugee Convention. The agency advocates that governments adopt a rapid, flexible and liberal process, recognising how difficult it often is to document persecution. UNHCR’s Executive Committee sets non-binding guidelines and the agency’s “Handbook on Procedures and Criteria for Determining Refugee Status” is an authoritative interpretation of the 1951 Convention.

In countries which are not party to international refugee instruments but who request UNHCR’s assistance, the agency may determine a person’s refugee status under its mandate and offer its protection and assistance.

**Are there asylum guidelines on stowaways or people rescued at sea? What UNHCR says?**

There is no binding international convention relating to stowaway asylum seekers and their reception varies widely. UNHCR advocates that, wherever possible, stowaways should be allowed to disembark at the first port of call, where their refugee status may be determined by the local authorities. If a port state does not allow a stowaway to disembark, and the ship’s next port of call is in a state where the stowaway’s life is threatened, then the action is tantamount to forcible return (refoulement).

In this regard, there needs to be concerted action by individuals concerned, NGOs, and the UNHCR to drive home the point that humanitarian issues should be given their proper place in the domestic and foreign policies of states.

**Self Assessment Question**

2) What are the two basic aims of UNHCR?

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18.5 STRENGTHENING HUMAN RIGHTS REGIMES AND INSTITUTIONS

UNHCR alone could not meet the goals.

It requires the assistance of the other body or agency, who works on the humanitarian issues and the ideology.

There are independent human rights institutions, both at the governmental and non-governmental levels to take up their concerns.

Thus, for example, the National Human Rights Commission of India took up in 1995 the cases of 65,000 “Chakma” refugees settled in Arunachal Pradesh in India since 1965 and successfully sought the intervention of the supreme court of India to safeguard their life and freedom.

In deciding that, it was the duty of the state of AP to protect the life and liberty of the “Chakma” refugees’ the Supreme Court did not give any weight to the argument that the settlement of such large numbers of them would disturb ‘it’s ethnic balance and destroy its culture and identity’.

The Supreme Court unequivocally affirmed that ‘the state is bound to protect the life and liberty of every human being, be he a citizen or otherwise’.

And at last, there is a need for the international community to devise policies which help to combat poverty and institutionalize the principle of burden-sharing, a point to which we shall return later.

Self Assessment Question

3) Discuss the role of Human Rights Institution for strengthening the UNHCR.

18.6 NATIONAL REFUGEE REGIMES: A NEED

Local Integration

For refugees who are unable to return to their home country or those who have stayed for years in the host country (country of asylum) local integration is an appropriate durable solution. In some situations, it is a permanent solution that is when refugees become naturalised citizens of the host country.

Local integration can be broken into three steps:

First, it is a legal process where refugees are granted a progressively wider range of rights and entitlements by the host state similar to those enjoyed by its citizens. Second, local integration is an economic process where refugees become progressively less reliant on state aid/humanitarian aid, becoming self reliant and being able to contribute to the economy of the host country. In many countries, UNHCR helps refugees to become self reliant by providing vocational skills training, job placements and so on.
Third, local integration is a social and cultural process that enables refugees to live amongst the local host population without discrimination where they can then contribute actively to the social life of the host country.

Let get one clarification that, the status of refugees in these South Asian countries is precarious. More often than not, it is subject to executive discretion, bolstered by claims of national security and foreign policy considerations. Law for the protection of refugees is the exception rather than the rule in the majority of Asian Countries.

As a result of above, despite Asia having been host to hundreds and thousands of refugees there is the absence of any formal legal regime. Refugees’ issues are dealt with at the political and administrative levels. The absence of national legal regimes poses a major obstacle to improving the human condition of refugees. As ‘Muntarborn’ notes, ‘A perennial problem facing all asylum-seekers in the region has been uncertainty of their rights upon arrival, pending the search for long-term solutions.’

Another example. Thailand has no domestic legislation covering the treatment of refugees. The 1979 immigration Act is the only relevance piece of legislation, and under this law all undocumented asylum-seekers are considered ‘illegal immigrants’ and liable to summary deportation. Appeals by asylum-seekers against deportation are rare since, although such appeals can generally be made to the Ministry of Interior, they are not allowed in the case of those without passports, equivalent identification documents, or visas.

While legal regime does not necessarily ensure that refugees secure the conditions in which they can reconstruct their lives with dignity, and is not a precondition for the expression of solidarity. Its lake can become a serious hurdle in the pursuit of a favourable environment.

For example, in the absence f the right of refugees to refuse to be repatriated, the state can easily substitute its own decision for that of the refugee. In implementing the rights of refugees the refugee community must be consulted at all states’ refugee representation should be required in all decisions, which crucially affect their lives.

1951 convention: need for constructive linkage

The passage of national laws can be secured only through a campaign which, as earlier stressed, emphasizes the distinctive essence of humanitarian problems.

However, be confused with the separate question of persuading states to become part to the 1951 convention, or the 1967 protocol.

No country in Asia, other than Cambodia, china, Japan and Philippines, is party to the 1951 convention, or the 1967 protocol.

In my view, any talk of accession to the 1951 convention or the 1967 protocol should be linked to the withdrawal of the non entree regime established by the affluent north.

That is to say, the countries of the region should collectively argue that they would consider acceding to the convention or protocol only if the western world was willing to withdraw those measures which violate the principle of burden sharing and instead practice burden shifting.

Asian members states of the Executive Committee of the UNHCR must make this case in that forum to place in perspective the refusal of states in the region to become parties to the existing international instruments.
Ameliorative Mechanisms

Principle of Non-Refoulement: Non-Rejection at the Frontiers and Ratification of CAT

One of the problems that identified is that, border guards and officials are trained essentially to turn people back rather than accept their explanation for presenting themselves without proper papers. It is therefore important that any domestic legislation on the subject ensures that the principle of non-refoulement include non-rejection at the frontiers. There is a precedent in this regard in the Bangkok principles adopted by the Asian African Legal Consultative Committee in 1966.

There is also need for the countries in the region to ratify the convention against torture for it offers a wider legal basis for respecting the principle of non-refoulement.

As of May 1998 only six Asian countries had become party to it.

Self Assessment Question

4) Discuss the needs for the local integration of refugees.

18.7 ROLE OF UNHCR IN PREVENTING UNLAWFUL DETENTION

In 1986, the Executive Committee of the UNHCR adopted conclusion No. 44 that clarifies the situations in which detention may be deemed appropriate:

If necessary, detention may be resorted to only on grounds prescribed by law to verify identity; to determine the elements on which the claim to refugee status or asylum is based; to deal with cases where refugees or asylum-seekers have destroyed their travel or identity documents, or have used fraudulent documents in order to mislead the authorities of the state in which they intend to claim asylum; or to protect national security, or public order.

This understanding should be included in any national law on the status of refugees. It may be added that international human rights law goes much further in offering protection against arbitrary arrest and detection.

Under human rights law, as Goodwin-gill has pointed out, 'arbitrary embraces not only what is illegal, but also what is unjust'.

In the case of mass influx of refugees a key question is whether keeping refugees in closed or restricted camp conditions amounts to detention.

While much would appear to depend upon the circumstances of the particular case and the nature of the restrictions which have been imposed on the freedom of movement of refugees, the keeping of refugees in camps should in general be avoided, other than for reasons of national security.
Yes, one of the problems in giving meaning to the rights of refugees in the region is the arbitrary determination of what constitutes minimum material assistance which should be provided to refugees.

Consequently, the fate of refugees can differ even within the same country with one refugee group getting better treatment than another group. Without being entirely insensitive to the general standard of living of the local population, there needs to be some effort at defining at the governmental level the material assistance which must be given to all refugee groups.

An issue is the extent to which certain assistance and facilities made available to refugees could also be accessed by the local populace. It is usual in a poor country to hear the complaint that refugees are using resources meant for nationals of the country. For example, despite that fact that Bihari refugees in Bangladesh live below sub-human levels it is said that their care 'puts an enormous burden on Bangladesh economy'.

Likewise, in the instance of Rohingya refugees in Bangladesh, the local people have expressed their dissatisfaction over the refugee day labourers whose presence and involvement almost halved labourers' salaries in the region and called for their repatriation. These sentiments are reflected in most countries of the region.

If this problem can be dealt with it would raise the possibility of states in the region to lift the prohibition on refugees taking up employment in the host state.

At present, nearly all states do not allow refugees the right to employment. This prohibition greatly reduces the chances of refugees to escape the syndrome of dependence on external agencies, which often encourage the situation for their own ends.

**Providing access to camps**

A key problem in the region relates to the frequent denial of access to camps to NGOs and the UNHCR.

Some countries like India deny access to both to refugee camps. Others do so from time to time depending on the political perception of the refugee problem. While a country may have legitimate concerns that motivated NGOs and states may indulge in disinformation to embarrass it before the international community, the problem can be handled through establishing more effective communicative channels and diplomacy.

**Self Assessment Question**

5) What are the minimum standards of material assistances of UNHCR?
Special problems of refugee women

No state in the region has addressed the concerns of women and children refugees. The result is often a complete insensitivity towards their special concerns.

For example, as has been pointed out in the case of Afghan refugees in Pakistan, women have suffered much more than any other group due to their identity as women, both at the hands of the state and donor agencies policies and of their own men at the family level.

Ranging from the right to make decisions about their own lives to personal security, to the right of education a deployment have all eroded the case of Afghan women.

The organizational structure of camps, the conservative ideologies of those who dominate the politics of Afghan refugees, and the overall environment in which cold war politics dictated refuge politic, have all contributed to the oppression of Afghan refugee women.

This situation prevails despite fact that a range of international human rights instruments prohibit discrimination against women and the UNHCR has issued guideline which focus on how to best protect and assist refugee women. These provisions need to be integrated into the official refugee policy, and in some form, the proposed national law dealing with the status and rights of refugees.

Refugee children

Refugee children are confronted with a range of distinct problems, especially in relation to the registration of their birth, the security of their person, and education.

Nearly all countries in the region are parties to the convention on the Rights of Child, 1989 (CRC), which contains a special provision on the refugee child (Article 22).

Yet, there is little done at the level of implementation with particular reference to the refugee child. To take the example of Afghan refugee children in Pakistan, “their special needs and rights have not received much attention from Pakistani policy makers”.

It is also crucial to remove threats to the security of the person of the child and guarantee the right of children to education, adequate food, and the highest attainable standard of health. These are rarely ensured.

In 1997, UNHCR Executive Committee adopted conclusion No. 84 (XLVIII), which, listed some of these measures. These should be given serious consideration by states in the region.

Environmental degradation

One of the concerns that host states have is the environmental degradation, which results from the activities of refugees. The concern is real and needs to be addressed. In this regard the national law can place certain duties on the local administration, aid agencies, and on the refugee community.

Often simple measures can avoid causing harm to the environment. For example, in Bangladesh the UNHCR has distributed compressed rice husks as cooking fuel to all families in the refugee camps in order to minimize the collection of firewood and militate against deforestation around the camps.

Since 1996, kerosene used for the ignition of the compressed rice husks is also being
Voluntary repatriation

Voluntary repatriation is normally a refugee’s preferred long-term solution. Most refugees prefer to and do return home as soon as circumstances permit, generally when a conflict has ended, a degree of stability has been restored and basic infrastructure is being rebuilt. In such conditions, UNHCR encourages voluntary return by providing transportation, material incentives and practical help such as seeds, farming equipment and building materials. When quick impact projects (QIPs) are approved, they are designed not only to help returning refugees, but also members of local communities which, in developing countries, are often as poor and deprived as the returnees themselves.

The decision to return home (repatriate) is entirely the refugee’s. UNHCR shares information about the conditions in the country of origin - i.e., the place where the refugee is returning to, so that the decision to return is an informed one. In any repatriation operation, UNHCR has the following role:

Verify the voluntary character of refugee repatriation. (That is, to make sure that the refugee is not being forced or threatened to return, that the decision is not made under duress)

- Promote the creation of conditions that are conducive to voluntary return in safety and with dignity
- Promote voluntary repatriation once conditions are conducive to return
- Facilitate the voluntary return of refugees when it is taking place spontaneously, seeking to ensure protection monitoring throughout
- Organise, in co-operation with NGOs and other agencies, the transportation and reception of returnees, provided that such arrangements are necessary to protect their interests and well being
- Monitor the status of returnees in their country of origin and intervene on their behalf if necessary.

At the end of 2006, the largest repatriation movement was to Afghanistan where 388,000 Afghan refugees chose to return home from neighbouring countries. The next largest repatriation movement was to Liberia where 108,000 refugees returned home.

The increasing emphasis of the UNHCR in the last decade on voluntary repatriation as a solution has meant those refugees are often returned against their will.

For instance, take the case of the repatriation of Rohingya refugees from Bangladesh. It has raised a good deal of controversy. In 1992, ‘beatings and other forms of abuse were used to encourage the refugees to change their intransigent attitude towards repatriation’. The allegations of coerced repatriation have been confirmed by independent observers.

The national law should, therefore, provide that no refugee would be returned against his or her will.

Where return has been voluntary there needs to be thought given to devising effective mechanisms to ensure that the state of origin live up to the promises which it had made.
Ameliorative Mechanisms

in order to persuade refugees to return. Thus, the “Chakma” refugees who returned from India to the Chittagong hill tracts in Bangladesh found that the government did little to give them back their lands, or to provide them with enough resources to guarantee a minimum standard of life.

While UNHCR has in the past played an important role in monitoring the welfare of returnees, it is no longer effective given its policy preference of encouraging repatriations.

Allowing Local integration

The solution of local integration is unpopular with states in the region. According to Muntarbhorn this was out of the question in most countries of the Asian region unless there were specific ethnic and religious links.

This was also hampered by the local population, who were affected by mass influxes and who took offence at the material assistance accorded to asylum-seekers which was at times of a higher standard than that received by the local population.

The solution needs greater attention of researchers, the UNHCR, and the international community of states in order to identify situations in which local integration is an appropriate solution and in defining the conditions in which meaning of ‘local integration’ may be said to have been realized.

The concept of open relief centres (ORCs)

Under the protection of UNHCR open relief centre established in Sri Lanka.

As on 1st January, 1997 20,429 internally displaced persons were accommodated in the two acre in northern Sri Lanka.

The centres operate on the principle that basic necessities such as shelter, food, sanitation, and medical care are provided for displaced persons, who are free to move in and out at will.

The open nature of the centres means that the surrounding population can seek safety whenever it feels threatened, and leave when the situation improves.

The problem of statelessness

An important question which needs to be addressed concerns the problem of stateless persons in the region. For, among other things, the problem of disputed nationality is a major obstacle in the process of repatriation.

For example, there are four large groups of stateless persons in the South Asian region: Rohingyaas from Myanmar, Bihari Refugees from Bangladesh, Lhotsampa refugees from Bhutan, and “Chakma” refugees in India.

A stateless person has been defined in international law as one ‘who is not considered as a national by any state under the operation of its law’. But this definition is confined to what are termed dejure stateless person.

No country of Asia is a member of these conventions. They should be persuaded to become parties, as the UDHR puts it, ‘everyone has a right to a nationality’ and that ‘no one shall be arbitrarily deprived of his nationality’.

In addition states in the region need to respond to the call of the Executive Committee of the UNHCR which in 1995 adopted conclusion No. 78 (XLVI) requesting states ‘to adopt nationality legislation with a view to reducing statelessness, constituent with
fundamental principles of international law, in particular by preventing arbitrary deprivation of nationality, an by eliminating provisions which permit the renunciation of a nationality without the prior possession of another nationality.

Resettlement

Some refugees cannot or are unwilling to return home, usually because they would face continued persecution.

Many are also unable to integrate locally for a variety of reasons. In such circumstances, UNHCR helps to permanently resettle refugees in a third country. On resettlement, the refugee normally becomes a citizen of that country after having fulfilled the criteria for naturalisation. Resettlement as a permanent solution means refugee status ceases.

Resettlement is also an important protection tool, addressing the protection and special needs of a refugee that cannot be met adequately in the country of asylum. A categorisation of such needs include women-at-risk, family reunification needs, unaccompanied or separated children, and refugees with medical needs. Under normal circumstances refugees cannot request for resettlement to a particular country. But in the interests of family reunification, refugees may request resettlement in countries where their immediate family members are living. Less than 20 nations world-wide participate in UNHCR resettlement programs and accept quotas of refugees on an annual basis. UNHCR submits cases (refugees) for resettlement based on its own criteria – protection needs, or most appropriate durable solution – but the final decision of whether or not to accept a refugee for resettlement, is made by the resettlement country, not UNHCR. Countries that have traditionally participated in the resettlement program include Australia, Canada, Denmark, Finland, New Zealand, Norway, Sweden, the Netherlands and the USA. Newer resettlement countries include the UK, Chile, Benin, Burkina Faso, Brazil, Ireland and Iceland. Other countries may consider submissions from UNHCR on a case by case basis, normally because of family reunion or strong cultural links. People facing particular problems or continued threats to their safety in their first asylum countries are foremost among those who can benefit from resettlement. In some cases it is an essential life-saving option - or the only way to save a particular refugee from having to resort to desperate measures (one unfortunately common example is the rape victim who has been rejected by her family and society, and has nowhere else to turn).

Some very specific refugee populations are also on occasion beneficiaries of group resettlement programmes. In 2006, refugees from Myanmar were the largest group globally to benefit from resettlement with 5,700 being transported to a new life outside their first asylum countries, followed by Somalis (5,200), Sudanese (2,900), refugees from the Democratic Republic of the Congo (2,000), and Afghans (1,900).

Burden sharing

Principle of burden sharing should given a global and not a regional interpretation.

The additional principles adopted are:

The refugee phenomenon continues to be a matter of global concern and needs the support of the international community as a whole for its solution and as such the principle of burden sharing should be viewed in this context.

The principle of international solidarity and burden sharing needs to be applied progressively to facilitate the process of durable solutions for refugees whether within or outside a particular region, keeping in perspective that durable solutions in certain
situations may need to be found by allowing access to refugees in countries outside the region due to political, social, and economic considerations.

The principle of international solidarity and burden sharing should be seen as applying to all aspects of the refugee situation, including the development and strengthening of the standards of treatment of refugees, support to states in protecting and assisting refugees, the provision of durable solution and the support of international bodies with responsibilities for the protection and assistance of refugees.

International solidarity and cooperation in burden sharing should be manifested whenever necessary, through effective concrete measures in support of states requiring assistance, whether through financial, or material aid, or through resettlement opportunities.

18.10 MAKING UNHCR RESPONSIBLE IN LAW

There have been charges, both in the region and elsewhere that the UNHCR has often acted in a manner which has led to the violation of the rights of refugees in the region.

For example, it has been accused of promoting the involuntary repatriation of Rohingya refugees from Bangladesh to Myanmar. It has also been charged with reducing the assistance given to refugees under its charge. Thus, for example it is said to have reduced assistance to Afghan urban refugees in New Delhi who now face difficult times.

Further study of these situations would be necessary before it can be stated with certainty whether these charges are correct. Where such charges are found to be well founded however, the UNHCR needs to be made responsible for its acts of omission and commission.

Thus, UNHCR should be held responsible if it "incorrectly declares that a source state is safe for return, closes a camp and permits or facilities the repatriation of the refugee population who suffer persecution on return."

18.11 SUMMARY

- Concluding, it would be fair to say that UNHCR's promotional activities are wide-ranging and attempt to reach out to a diverse population, with the intention of creating an awareness on refugees concerns, promoting refugee law and refugee protection that are guided by international standards and norms

18.12 TERMINAL QUESTIONS

1) Evaluate the Protection given to refugees by UNHCR.

2) What is the need to have a National refugee regimes in every country in South Asia?

18.13 ANSWERS AND HINTS

Self Assessment Questions

1) Refer to Section 18.3

2) Refer to Section 18.4

3) Refer to Section 18.5

4) Refer to Section 18.6

5) Refer to Section 18.8
Terminal Questions

1) Refer to Section 18.3 and 18.4
2) Refer to Section 18.5 and 18.6

18.14 GLOSSARY

**Non refoulement**: no return to domicile country. It is a principle of refugee law.