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COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-fourth session
Agenda item 6

SPECIFIC HUMAN RIGHTS ISSUES

**Mr. Bengoa, Ms. Betten, Mr. Decaux, Mr. Dos Santos Alves, Mr. Eide, Mr. Guissé,
Mr. Kartashkin, Ms. Koufa, Ms. Motoc, Ms. O'Connor, Mr. Ogurtsov, Mr. Park,
Mr. Preware, Ms. Rakotoarisoa, Mr. Sorabjee, Ms. Warzazi, Mr. Weissbrodt,
Mr. Yimer, Mr. Yokota and Ms. Zerrougui: draft resolution**

2002/... International protection for refugees

The Sub-Commission on the Promotion and Protection of Human Rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind,

Recalling the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, and article 14 of the Universal Declaration of Human Rights, which reaffirm that everyone, without distinction of any kind, is entitled to the right to seek and to enjoy in other countries asylum from persecution, as well as the right to return to one's own country,

Reaffirming the importance of the Convention relating to the Status of Refugees of 1951 and the Protocol thereto of 1967, and the critical role that they continue to play in protecting the rights of refugees throughout the world,

Noting that the United Nations High Commissioner for Refugees is charged with the task of supervising international conventions providing for the protection of refugees, and recognizing that the effective coordination of measures taken to deal with this problem will depend upon the cooperation of States with the High Commissioner,

Applauding the endeavours of the United Nations High Commissioner for Refugees in upholding the principles of humanitarian law and implementing the 1951 Convention relating to the Status of Refugees as well as its 1967 Protocol,

Recalling its resolution 2000/20 of 18 August 2000 on the right to seek and enjoy asylum,

Concerned that the plight of refugees around the world remains of serious concern, and that refugees face a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion,

Concerned also at the plight of women and girl refugees, who face the added risk of gender-based persecution and violence during the process of fleeing their home country and during the process of resettlement, as well as in the situation they face when they are forced to return to their home country,

Further concerned that the root causes which have resulted in the flight of refugees remain to be fully addressed,

1. *Reaffirms* the importance of the fundamental principle of non-refoulement contained in the Convention relating to the Status of Refugees of 1951 and the Protocol thereto of 1967;

2. *Expresses its concern* over the fate of persons who have risked their lives fleeing from their homes to escape persecution and by other factors such as starvation or destitution, motivated in part by unfair international economic relations, and reaffirms that their human rights should be protected in accordance with international human rights instruments, in particular the 1951 Convention relating to the Status of Refugees and its 1967 Protocol;

3. *Notes with alarm* that the situation of women and girl refugees has been grossly exacerbated, to the extent that it requires the urgent attention of the international community, and urges States and both the United Nations High Commissioner for Refugees and the United Nations High Commissioner for Human Rights to intensify their efforts to provide women and girl refugees with adequate protection in accordance with international human rights instruments;

4. *Urges* the international community to make greater efforts to address the needs of such persons by, inter alia, allowing access to them by the Office of the United Nations High Commissioner for Refugees in order that it may determine their status;
5. *Encourages* States to avail themselves of technical assistance from the Office of the United Nations High Commissioner for Refugees and the Office of the United Nations High Commissioner for Human Rights, both with regard to the criteria to be applied and to the status determination process;
6. *Urges* the States concerned to halt the forced return to their country of origin of refugees who have a well-founded fear of being persecuted upon their return for reasons of race, religion, nationality, membership of a particular social group or political opinion;
7. *Recommends* that States disputing the refugee status of a particular affected population cooperate with the Office of the United Nations High Commissioner for Refugees and other interested parties to facilitate verification of the status of those who assert they are refugees, through an impartial and fair process, and that a solution be pursued which is consistent with international human rights standards;
8. *Decides* to consider this matter at its fifty-fifth session under the same agenda item.
