

STATEMENT OF THE INTERNATIONAL DEVELOPMENT LAW ORGANIZATION

THE YOUTH ASSEMBLY AT THE UNITED NATIONS

“ADDRESSING THE GLOBAL REFUGEE CRISES”

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Delivered by Federica Scala, Legal Officer, IDLO

Excellencies,
Ladies and Gentlemen,

It is an honor for me to be here today and have the opportunity to discuss with you refugees and the important role that the rule of law plays in preventing and addressing refugee crises.

The International Development Law Organization is the only intergovernmental organization exclusively devoted to advancing the rule of law and development.

Secretary - General Kofi Annan defined the rule of law as a “principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency.”

It becomes therefore clear that human rights and rule of law have to go hand in hand. Without the rule of law, human rights are just paper promises and without human rights, the rule of law becomes rule by law and, sometimes, even a system for repression.

IDLO believes that the rule of law, when properly comprehended and applied, is fundamental for ensuring the rights of all those in need of protection, including refugees, other displaced persons, and migrants.

The international legal framework that we, as the international community, have built establishes a strong international legal regime for the protection of refugees. This regime includes the 1951 Refugee Convention and its 1967 Protocol, along with important regional agreements concerning refugees, such as those in Africa (OAU Convention) and Latin America (Cartagena Declaration).

Thus, the challenge today in ensuring the protection of refugees on the ground is less about the content of international law, and more about its application and adherence, and governments helping each other and sharing responsibility in admitting refugees to their countries.

While most refugees are hosted by neighboring countries in their immediate regions (think of Turkey, Lebanon and Jordan as just three examples) and many countries in conflict continue to accept refugees, other states, including much wealthier ones, are not stepping up in solidarity.

Whether they arrive using regular or irregular channels, with or without documents, refugees and migrants are human beings whose rights must be respected. The rule of law ensures that all people are equal and entitled to equal protection, no matter who they are and where they are.

Investing in the rule of law and the justice sector – and the 2030 Agenda for Sustainable Development stresses it - is one of the best decisions a State can make, for at least three reasons:

- Firstly: Rule of law and access to justice play a key role in preventing war and conflict, persecution, and the inequalities and severe economic deprivation that drive people to leave home and seek protection, survival and a better life elsewhere.
- Secondly: Investing in a culture of rule of law can help to ensure that international refugee and human rights law are integrated into national and local laws and can be applied to protect refugees, internally displaced persons and migrants, wherever they may be, whether in countries of origin, transit or destination.

The rule of law is also an essential ingredient of sustainable development- as it is clearly stated in the 2030 Agenda for Sustainable Development - as it promotes good governance, transparent, accountable institutions and equal access to justice and other key rights, from the right to education to water and sanitation, from good health to decent work.

- Thirdly, a strong, independent judiciary and properly trained police, prosecutors and border officials, backed by laws and regulations in line with international obligations, mean that in times of crises there are well-established institutions to sustain international law and humanitarian norms and address impunity. Developing the capacity of legal and justice systems is critical for effective humanitarian response. All we need to do is look at the news this past year – killings and abductions of civilians and humanitarian workers, bombings of hospitals, lack of respect for emblems like the Red Cross and Red Crescent – to know that much more needs to be done to ensure compliance with international humanitarian law.

Capacity building is just one side of the coin – the other side is represented by people’s empowerment. People must be made aware of their rights. Only if they are, they can claim them. That is why, alongside its capacity development programs, IDLO also works to promote legal empowerment strategies and legal services for refugees, migrants, poor people, women, indigenous peoples and other marginalized groups.

Now we know that the rule of law transcends paper and translates into reality in many different ways, but let me give you a simple example: separately from the 65 million refugees and internally displaced persons in the world today (the highest number of displaced since

World War II), some ten million people in the world, many of them children and young people, are without a nationality – in other words stateless. How many of you here today travelled to NY without a passport? can you imagine how difficult that would be, and also to access basic human services - including education - without having a nationality or identity papers? Today more than 25 countries have laws that do not allow nationality to be passed from a mother to her child. Although highly political and cultural, law is at the center of both the problem and solution to statelessness.

Within this context what is the role that IDLO plays?

As an organization that works in some of the most insecure parts of the world, IDLO commits to assist governments to integrate international humanitarian norms and standards in their domestic laws and institutions. We commit to empower refugees, displaced persons and other vulnerable populations to claim their rights. We commit to building gender sensitive laws and institutions to eradicate sexual and gender based violence in conflict and post-conflict situations, to strengthen women's economic empowerment and to increase their participation in the justice sector.

Successful peace-building strategies need investment in institution-building, including transparent and accountable justice institutions like courts, prosecutors, and legal aid societies. This is also what IDLO is doing in Afghanistan, Myanmar, Ukraine, Tunisia, Somalia, Central Asia, Horn of Africa and West Africa.

At the UN, on this specific issue of refugees and migration, IDLO is engaging closely with the intergovernmental processes to develop the Global Compact for Refugees and the Global Compact on Migration.

Today, we are gathered in this room not just to discuss refugee crises but also to understand what youth can do to address this issue. As I was looking for the perfect words to voice this unique power that you – the future – have, I came across a statement made by Secretary-General Guterres and I realized that there was no better way to express that concept:

“You inspire change [...] you have the talent, energy and ideals to prevent conflicts, defend human rights, secure peace and realize the 2030 Agenda for Sustainable Development, creating a safer and more stable world for all.”

So how can we do that?

- Know your stuff: Issues relating to refugees are incredibly complex and constantly evolving. To address a problem, you need to understand it. Do your research, understand the numerous challenges refugees face from the moment they flee their homes, through their difficult journeys, to settling into a host country, being resettled or returning home.
- Talk about it: Including, or even especially, with people who don't share your views. Really listen to their perspective, try to understand where they are coming from and share your thoughts. Often people don't really know or understand the refugee crisis,

and the best way of addressing the current negative narrative and even xenophobia surrounding refugees is by discussing the situation.

- Volunteer: The challenges refugees face do not end with the scenes of chaos that you see on TV or in newspapers. Whether someone has finally obtained refugee status or their application is still pending, integration is essential for asylum seekers and local communities alike. Integration - be it in a neighbouring country or another continent - is not easy. Lending a helping hand to one of the thousands of NGOs and charities work around the world can really make a difference to individual refugees.

So, my suggestion for you today is: be different, think outside the box, take action, be a powerful proponent of a culture of justice; and as you do all that and take ownership of your future, look around you and make sure that no one is left behind.

Thank you.

The International Development Law Organization (IDLO) enables governments and empowers people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.