

CARNEGIE COUNCIL *for Ethics in International Affairs*

The UN's Peter Sutherland on the Migrant Crisis

Public Affairs

Peter Sutherland, Joanne J. Myers

Transcript

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JOANNE MYERS: Welcome to this podcast. I'm Joanne Myers, director of Public Affairs Programs at the Carnegie Council and a columnist for PassBlue, which is a digital publication offering in-depth journalism through the lens of the United Nations.

On September 19 the UN General Assembly will host a high-level [summit](#) for refugees and migrants. We are delighted to have the opportunity to speak to one of the principal participants, Peter Sutherland, who is our guest today.

Mr. Sutherland is special representative of the secretary-general for international migration. In this capacity he advises the [secretary-general](#) on issues related to international migration and development, leads initiatives to foster cooperation on critical issues, such as protecting migrants affected by crisis and ensuring that migration is considered in the follow-up to the [2030 Agenda for Sustainable Development](#).

In addition to this most important role, I would just briefly mention that Mr. Sutherland has also had a very distinguished career on the world stage, including past service as attorney general of Ireland, EU commissioner for competition policy, director general of the [General Agreement on Tariffs and Trade](#), and first director general of the World Trade Organization.

Thank you for taking the time out of your busy schedule to talk to us today.

PETER SUTHERLAND: Not at all. It's a pleasure.

JOANNE MYERS: The focus, Mr. Sutherland, of our discussion will be the high-level summit for refugees and migrants, which will be taking place in less than two weeks.

Before we begin, could you explain for our listeners the difference between refugees and migrants and whether the distinction is just political or is it a legal one?

PETER SUTHERLAND: The distinction is very definitely a legal one, and it is a very real one in terms of the legal responsibility of states.

Refugees are defined by a [convention](#), which very many of the global community of Member States of the United Nations have ratified. It was introduced in the post-[World War II](#) period, but was of course influenced in its genesis by the appalling history which had occurred in the preceding couple of decades, particularly in regard to refugees. It has placed an obligation on those who accepted the convention by its ratification to provide asylum to those who are escaping persecution. It was

amended subsequently in 1967. It basically provides an obligation to Member States of the United Nations who have signed the convention to provide sanctuary to those who are escaping from these mortal conditions.

All other migrants—and of course international refugees are themselves migrants—who are not within the definition do not enjoy the strict legal rights contained in the refugee convention. But they are still entitled to the human rights that are supported, *inter alia*, by the [Universal Declaration of Human Rights](#) in the [charter](#) of the United Nations.

JOANNE MYERS: And the challenges in meeting their needs, would they be the same or, because of the definition, would the challenges be different?

PETER SUTHERLAND: The challenges, in a sense, are distinguishable. As far as the United Nations is concerned, there is an overriding concern to provide sanctuary and rights to all international migrants, particularly vulnerable migrants. Whilst all refugees are by definition vulnerable migrants, there are others who are vulnerable migrants as well. For an example, those who are escaping a natural disaster, they are not refugees, but the United Nations, obviously, must have a particular concern to these vulnerable migrants and others who leave dreadful conditions which may not fall within the convention of 1951.

JOANNE MYERS: In the past year, there have been a few attempts to deal with the record-breaking numbers of [refugees](#) and [migrants](#) who are crossing international borders: in February there was a [Syrian donors conference](#) which focused on equitable responsibility; in March a [resettlement conference](#), which was convened by UNHCR (Office of the United Nations High Commissioner for Refugees); and in May there was the [World Humanitarian Summit](#), which focused on displacement. But this is the first time that the UN General Assembly will gather to deal with the issue of refugees and migrants.

How does this gathering differ from others that have taken place earlier this year?

PETER SUTHERLAND: This is the culmination, you properly say, of a series of conferences which were arranged in the light of the dreadful humanitarian crisis that we have in many parts of the world, particularly visibly in the Mediterranean, Syrian refugees and so on, to try to create the global response that this crisis demands.

I should point out that in the convention of 1951 it is made clear that the obligation to provide recourse to refugees is not simply an obligation for those in close proximity to the refugees; it's a global responsibility that should be shared.

At the moment it is not being shared. The vast bulk of refugees are coming to Lebanon, Jordan, and Turkey, the areas closest to the great source, which is as I said the [Syrian War](#). It is a global responsibility that should be shared, and the United Nations has been propagating that view.

Within the European Union, those refugees are also landing, particularly in Greece and in Italy. Why should a responsibility of Greece and Italy be such that it excludes a sharing of that responsibility within the European Union and more generally?

JOANNE MYERS: But the question then is, how do you get countries to work closer together and enact a more robust and humane sense of sharing the responsibility?

PETER SUTHERLAND: That's exactly what has to be done, and that's what this conference seeks

to achieve on the 19th of September, to set out a general series of principles which will be agreed in a negotiated outcome, and also to indicate a track to a 2018 international conference on migration which will make hopefully concrete much of what has been expressed in general statements in UN resolutions, not merely the negotiated outcome, but also in the post-2030 Development Goals which have already been agreed and which relate also to migrants in part.

JOANNE MYERS: Are there specific mechanisms that are needed to create this more responsible and predictable system for dealing with these challenges?

PETER SUTHERLAND: I think there are a number of mechanisms.

First of all, I think that institutions, and the United Nations in particular, have an obligation to create and to develop the arguments for specific commitments and obligations. The UN conference on the 19th and the [Obama conference](#) which immediately follows it hopefully will bring forward more commitments in these areas.

Then, we will move into a series of other discussions and developments, including in the month of November the [Global Forum on Migration and Development](#), which will take place in Dhaka, hosted by the Bangladesh government. I have been doing a report myself on the future of migration leading up to that where we will hopefully help to develop on the impetus provided by the 19th of September conference towards developing more and more specific commitments, obligations, and ideas.

JOANNE MYERS: I guess the challenge is to make sure that this conference is more than just a photo op.

PETER SUTHERLAND: The challenge is precisely that. What is unacceptable is a simple repetition of general expressions of concern and good intent which are not effectively carried out in terms of practical realization. Whilst the conferences we've already had this year looking for commitments of a financial kind or in terms of resettlement have had some results, they are nothing like adequate to deal with the problem which we have at a global level.

This conference, I think, will have the effect of highlighting, particularly through the involvement of heads of governments or states, the commitments at a very visual level; it will have specific concerns expressed through the document which will be the agreed negotiated settlement; and it will lead into a further period of development of obligations leading up to the 2018 conference; and it will deal with both questions, the obligations to those who are refugees and to international migrants more generally.

JOANNE MYERS: How do you think the receiving countries can better convey the positive aspects of migration and refugee flows to citizens so that it can allay their tremendous anxieties and fears about "the Other"?

PETER SUTHERLAND: Well, they can do it, first of all, by articulating a humanitarian concern linked to the factual evidence, which there is, that migrants in general contribute to society, contribute to growth, and are a desirable part of society, not something to be rejected.

There are various governments, particularly in Central and Eastern Europe, but elsewhere as well, and various [political candidates](#), including in the United States, who are expressing very negative views on migrants, which to my mind are utterly unacceptable in terms of the realities of the world in which we live and the obligations which are incumbent on us all to protect the dignity of the human person and the equality of man as expressed in the Charter of the United Nations.

Yesterday the [high commissioner for human rights](#) expressed these views and obligations in relation to individual heads of government who should be providing leadership very forcibly in a [statement](#) issued in The Hague. I absolutely commend what he has said.

I believe that there is a time now where we have to express forcibly our concern and we can no longer accept without criticism the statements which some are making that they will, for an example, [refuse to give refugees sanctuary if they are of a particular religion](#). This is an outrageous response to human suffering.

JOANNE MYERS: Yes, I agree. But are there any concrete measures that one can take other than just sort of outing them?

PETER SUTHERLAND: Well, the only concrete measures one can take are through the mechanisms of the United Nations, the obligations to comply with those obligations, and to have particular incidents examined, discussed, and articulated by the relevant authorities, including the high commissioner for refugees and for human rights, and indeed the secretary-general, who has made the same points in the last 24 hours. This is a period where we are seeing unacceptable behavior, unacceptable statements, and contraventions of the spirit of the United Nations in dealing with the problem of providing sanctuary and help for those who are most distressed in global society.

JOANNE MYERS: Yes. You say it so eloquently. I wish others would take up your speech and say the same things you're saying.

But from what you have seen, what are the most positive and effective measures that receiving countries have undertaken that could serve as an example for other countries so that they won't be so fearful?

PETER SUTHERLAND: Well, there are countries that have led by example, and their leading by example is something to be applauded. In Europe, Germany and Mrs. [Merkel](#) have taken the courageous route and political cast for herself of accepting responsibilities, which are considerable, and numbers of refugees. So have some others. Sweden has been a leading force, and there are others. But there are many EU states who have not taken up their responsibilities.

More globally, particular credit has to be given to Canada in terms of what it is taking by way of resettlement and its attempts to integrate. I think that they are to be publicly applauded.

The more that join this group and the greater the numbers that they accept, the better.

Funnily enough, in some respects, in the time, for an example, of the [Vietnam problems](#) in 1979 and 1989, in many ways the world community responded more effectively to the distribution of refugees than is taking place today. I think that we in the United Nations system—and this is being done, particularly by [Filippo Grandi](#) and [Zeid Ra'ad Al-Hussein](#) of the Human Rights Commission; the secretary-general of course and [deputy secretary-general](#); I hope myself—who are being forceful in what we say and we are not ducking issues, and won't, at the conference on the 19th of September.

JOANNE MYERS: The secretary-general has said that this is a crisis of not only numbers but of solidarity. So I guess he's hoping to mobilize countries to work together.

I notice that in Canada what has been particularly effective is that people band together to adopt a refugee family so that hockey moms, dog-watching friends, book club members, brokered by decent lawyers, have formed circles to take in Syrian families. That has been very successful. *[Editor's note:*

For more on Canada's response to the refugee crisis, check out this recent Carnegie Ethics Online article.]

PETER SUTHERLAND: Yes, this has been excellent, as of course there has been political leadership in Canada.

There is political leadership also now in the United States in the [Obama administration](#), who have been very helpful in various schemes and movements, including the [Migrants in Countries in Crisis initiative](#), which the United Nations has been developing.

And we have to articulate our support for those countries, the fact that they are an example that others should follow, and they could do more. The United States could certainly do more when you look at the total number of refugees accepted in the context of the total population of the United States. Though I'm not saying anyone is by any means doing all that they should do. But there are the beginnings of movement which I think have to be applauded.

Equally, there are those who are making absurd and almost obscene remarks about migrants who deserve to be condemned.

JOANNE MYERS: Yes. That brings me to the question about the media, because it has been almost a year now that the picture of that little boy, [Aylan Kurdi](#), the five-year-old who drowned after the boat bearing him from Turkey to the Greek island of Kos capsized. At the time this picture captured the imagination and focused our attention on the horrific refugee crisis. But since then there seems to be little that has galvanized the public outcry in the same way.

So I guess the question is whether the media could be doing better. Would you agree?

PETER SUTHERLAND: Of course it could. The media can be an extremely negative force in stirring up anti-immigrant behavior and responses in society. I've seen that in many places. It is particularly evident in parts of Europe. This is unacceptable.

Equally, the media, in highlighting, for an example, the dreadful loss of life in the Mediterranean and the condition of camps, for an example in Calais, the difficulties in dealing with migrants who are passing through Central America, often highly vulnerable, some elements of the media haven't disclosed it. So the media is a crucial part of this.

But the media are in the end of the day an instrument of communication. The instruments of leadership that are demanded are political leadership.

JOANNE MYERS: I guess it all comes down to leadership. So I would ask as a closing question, if you had one message to governments regarding this crisis, what would that be?

PETER SUTHERLAND: The time has come for concrete realization of the obligation to deal with a global crisis globally and not to leave the responsibility to those who are geographically placed closest to it. Eighty-six percent of migrants are in fact to be found in developing countries. Many of the refugees are to be found in the immediate proximity, as I've said, of the events which drove them from their homes. The obligation has to be taken by heads of government, not merely to show up at a conference and the General Assembly, but to deliver concrete suggestions and actions which can be mirrored and reflected subsequently in the assessment of what they have done.

We are not going to simply have a conference, walk away from it, and not see what the results may

be.

JOANNE MYERS: In conclusion, I have to say then what you're saying is whether the summit meets the desired goals is not going to be up to the migrants, refugees, smugglers, or human traffickers, but moving meaningfully ahead on the global issues of international migration is clearly the responsibility of government.

Thank you, Mr. Sutherland, for taking the time to speak to us today.

PETER SUTHERLAND: My great pleasure. Thank you very much.

Audio

In the run-up to the UN Summit for Refugees and Migrants, Joanne Myers talks with Peter Sutherland about the challenges of implementing the 1951 Refugee Convention, which states that the obligation to provide for refugees is not simply an obligation for countries in proximity to the refugees. It's a global responsibility that should be shared.

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