

Cooperate with UNHCR, govt urged

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PETALING JAYA: The government should appreciate the functions of the United Nations High Commissioner for Refugees (UNHCR) and grant it the fullest cooperation to ensure a fair and proper management of the refugee issue, Bar Council chairman Yeo Yang Poh said yesterday.

It should not have formed a view that the office of the UNHCR gets in the way of enforcement agencies, namely the Immigration Department and Rela.

"The UNHCR's role in the management of refugees and asylum seekers is crucial in any country. It applies a

set of internationally accepted guidelines for status determination," he said.

"It does not rubber-stamp applications for refugee status but in fact, in the interest of the security of the host country, assists in separating genuine refugees from other categories of undocumented persons."

He was responding to Home Minister Datuk Seri Radzi Sheikh Ahmad's remark that enforcement agencies faced difficulties in exercising their duties as they were sometimes at loggerheads with the UNHCR.

"Malaysia, like other UN member countries, accepts UNHCR's presence but not their powers," Radzi was

quoted as saying when commenting on the detention of 176 Myanmar nationals during an operation at an abandoned orchard in Dengkil last week. Forty-five of them had UNHCR documents.

Former UN Special Rapporteur on the Independence of Judges and Lawyers Datuk Param Kumaraswamy said the government should work closely with UN agencies and not be seen to be undermining them.

"Malaysia should not be seen as taking pride over its 'culture' of non-ratification of the major international treaties on human rights. Instead, it should begin to take positive measures to ratify them," he said.

"In the meantime, if the cabinet is

called upon to endorse a guideline on asylum seekers and status of refugees in the country, it should comply with international norms on refugee protection.

Param said Radzi's statement placed Malaysia in a bad light.

In a statement yesterday, UNHCR said it shared the government's concern to preserve the humanitarian space for refugees within the broader and complex context of dealing with irregular migration in the country.

It said it would look forward to continue an open and constructive dialogue with the authorities on this matter.

Other groups also expressed regret over Radzi's remarks. Amnesty

International Malaysia executive director Josef Roy Benedict said Malaysia's non-signatory status to the 1951 Refugee Convention was no excuse for it to ignore human rights and humanitarian commitments.

"As a member of the UN Human Rights Council and a signatory to the UN conventions, the Malaysian government has a binding obligation and must adhere to international customary laws," he said.

WAO executive director Ivy Josiah said: "Immigration authorities and the UNHCR should begin constructive dialogue to clarify their respective roles and seek a just and practicable solution so that lives of refugees living in Malaysia are not at risk."