



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

UNHCR

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Notre/Our code: PR02/EXT/02/001

Re: **Secretary General's report on oceans and the law of the sea -
information on the impact of the Consultative Process**

Dear Mr. Golitsyn,

I write in reply to the Legal Counsel's letter of 10 December 2008, addressed to High Commissioner António Guterres requesting UNHCR's input to the Secretary General's annual report on oceans and the law of the sea, more specifically for its focus chapter on "the implementation of the outcomes of the Consultative Process, including a review of its achievements and shortcomings in its first nine meetings".

Most topics discussed in the Consultative Process on Oceans and the Law of the Sea (Consultative Process) have no or little bearing on UNHCR, nor do they fall under the mandate of the Office.

However, when refugees and other persons of concern to UNHCR take the maritime route to reach safety from persecution and human rights violations, they are often left with little choice for crossing the sea but using unseaworthy and overcrowded vessels. Distress situations have become an almost daily reality. The search and rescue of such vessels faces numerous problems and the death toll is high.

The Consultative Process proved as an excellent opportunity to raise such problems with the community of maritime experts to which UNHCR has generally little contact. During last year's Consultative Process which focused on maritime safety and security, UNHCR was invited as panelist and made a presentation on the protection of refugees at sea. Last year's process also provided UNHCR with the opportunity to introduce conclusions and recommendations from recent meetings the Office had convened on rescued at sea. Some of these recommendations were taken up in the UN General Assembly resolution A/63/L. 42 on oceans and the law of the sea of 25 November 2008.


UNHCR very much hopes that aspects related to the protection of refugees and asylum seekers at sea will continue to be brought to the attention of maritime experts, including through the Consultative Process and that practical solutions can be elaborated.

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Mr. Vladimir Golitsyn
Director Division for Ocean Affairs and
the Law of the Sea
Office of Legal Affairs
UN Secretariat
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Let me close by reiterating UNHCR's appreciation for the excellent cooperation between our Offices. We wish your team every success in finalizing the forthcoming report and we look forward to continued fruitful cooperation.

Yours sincerely,


for O. Andrysek

Chief, Protection Policy and Legal Advisor