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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
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Forty-second session

SUMMARY RECORD OF THE 469th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 10 October 1991, at 10 a.m.

Chairman: Mr. de RIEDMATTEN (Switzerland)

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Administration and Management

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The meeting was called to order at 10.30 a.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Mrs. LAFONTANT-MANKARIOUS (United States of America), speaking in exercise of the right of reply, said that the Executive Committee meeting was devoted to the needs and protection of the world's refugees. All statements made in the general debate had been dedicated to that noble cause without polemic or political attack, with the exception of the representative of the Government of Iraq, who had falsely and maliciously impugned not only her nation, but also the United Nations and the men and women who served under it in the cause of peace and humanitarianism. The public record clearly showed the roles that had been played by the United Nations and by Iraq throughout the Gulf crisis, which had been started as a result of Iraq's invasion of Kuwait. The United Nations had intervened at the request of the international community to counter that flagrant violation of international law. The unfortunate conflict had sparked an initial refugee crisis which the Iraqi Government had compounded by violent attacks in the north and south against its own people. The United Nations had responded quickly and compassionately to the dire humanitarian need caused by those actions. To suggest that the United Nations had used displaced persons for political reasons, or had allowed itself to be manipulated to use them to suit the political purposes of anyone else, was sheer folly. The business of the present meeting was the protection, care and maintenance of the world's refugees. In pursuing its tasks here in the spirit that characterized the statements of all other delegations, the Executive Committee could give the millions forced to flee their homes the hope that they might some day be able to return to them in safety and dignity, and to return to Governments that would respect their human rights.

2. Mr. AL-KADHI (Observer for Iraq), speaking in exercise of the right of reply, said that his delegation did not accept the protest just made by the United States. Iraq's statement had fallen within the terms of reference of the Executive Committee and within the scope of the 1951 Convention, which considered war a cause of displacement of persons. The United States aggression against Iraq had been the principal reason for displacement of peoples in the north and south of the country. Furthermore Iraq in its statement had neither denigrated the United States nor depreciated the United Nations. Iraq had been a member of the United Nations and the League of Nations since their inception; its representatives were familiar with and respected the diplomatic usages of such forums. The criticism made by Iraq had been of the position taken by the United States and of the hegemony it exercised over the United Nations, a fact no objective, peace-loving observer could deny. The United States claimed it had a mandate from the United Nations to liberate Kuwait. That mandate had not been to bomb or attack Iraq and had been so manipulated by the United States to provoke the displacement of Iraqi people.

3. Mrs. LAFONTANT-MANKARIOUS (United States of America), speaking in exercise of the right of reply, said that the Executive Committee was not the

proper forum for discussion of the issue. The correctness of her statement was easily verifiable by all peace-loving representatives as it had referred to matters of public record.

- (a) REVIEW OF UNHCR PROGRAMMES FINANCED BY VOLUNTARY FUNDS IN 1990-1991 AND ADOPTION OF THE PROPOSED PROGRAMMES AND BUDGET FOR 1992
- (b) STATUS OF CONTRIBUTIONS AND OVERALL FINANCIAL REQUIREMENTS FOR 1991 AND 1992
- (c) ADMINISTRATION AND MANAGEMENT (agenda item 5) (A/AC.96/773, A/AC.96/774 (Parts I-IV), A/AC.96/775, A/AC.96/776, A/AC.96/778 and A/AC.96/779 and Add.1; EC/SC.2/1991/CRP.15)

4. Mr. STAFFORD (United Nations Deputy High Commissioner for Refugees), introducing the item, said that 1991 had opened with an emergency, followed by others, which came hard on the heels of the joint efforts to make UNHCR more efficient and cost effective and strengthen its management. Those efforts were continuing; the year's events were testing them and their lessons were being absorbed. The favourable comments on improved management had been appreciated as had been the broad support given to the papers on emergency preparedness and funding for voluntary repatriation. Welcome indications of financial and in-kind support for emergency preparedness had been received. Discussions on funding for voluntary repatriation, including bringing such funding within general programmes, would be pursued in the Sub-Committee on Administration and Finance and it was hoped that as they progressed they would be heightened by voluntary return operations in South Africa, Cambodia, Western Sahara and Eritrea.

5. The mainstreaming of refugee women was likely to be a difficult task. To sustain progress in that area, he intended to maintain the post of the Senior Coordinator for Refugee Women, reporting to himself. Training was one of the keys to awareness and acceptance of the need to mainstream and would be extended to field staff and senior management from December. The guidelines on protection of refugee women and on refugee children had been acknowledged as important yardsticks with which to measure the success of programmes. It was hoped that major progress would be made with regard to refugee children by the appointment of a coordinator.

6. A number of representatives had called attention to the importance of evaluation. He was committed to increasing UNHCR's use of evaluation as a tool and to fostering what one delegation had called a culture of evaluation. The proposals made for joint UNHCR/donor evaluations were also an idea worth pursuing. UNHCR also attached considerable importance to statistics as a planning tool, in establishing the demographic profile of a caseload, in connection with the needs of refugee women and in support of evaluation.

7. In response to calls for greater clarity and transparency in reporting, he intended to put proposals regarding the format of Executive Committee documents to the spring session of the Sub-Committee. Certain delegations had stressed the importance of public information in UNHCR's activities; UNHCR was looking closely at the recommendations contained in the consultant's report on

the subject and had set up an internal working group to consider its recommendations. As plans advanced they would be submitted to the Sub-Committee for further discussion.

8. He expressed his commitment to following up the issues in the Staff Council's report that needed attention. The Executive Committee's calls for progress on a comprehensive personnel strategy had been noted. It was clear that a consistently high level of commitment among staff must be met with dialogue and with a clear and constructive personnel policy. The main elements of such a policy should be ready for discussion before the end of the year.

9. UNHCR was most grateful for the Executive Committee's support for its 1991 financial targets. The concern that the 1991 level should neither be taken for granted nor create unrealistic expectations for 1992 had been noted. It should be remembered, however, that current needs were not being fully met. The 1992 projections were clear evidence that no unrealistic conclusions had been drawn from the 1991 funding levels. UNHCR was, moreover, committed to careful and sound budgeting. Early approval, and more importantly, early pledges, for the 1991 revised general programme targets did much to help UNHCR programme planning and management in 1991. The same level of support would be equally necessary in 1992.

10. Mr. MARKIDES (Observer for Cyprus) said that UNHCR had been involved in Cyprus since the 1974 invasion, which had uprooted 200,000 Cypriots, one-third of the island's population, and by forcing them to leave their homes and properties turned them into refugees. The UNHCR programme in Cyprus, which was fully financed by the United States, was aimed both at improving the general living conditions of refugees and displaced persons and at promoting bicomunal projects in various fields, in line with the official policy of the Cyprus Government to build bridges between the two communities and so promote unity instead of division. In addition, support was expected for other measures aimed at the reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities, representing 82 per cent Greek-Cypriots and 18 per cent Turkish-Cypriots (the proportion allocated to the Turkish-Cypriots out of UNHCR assistance being 19.05 per cent).

11. With regard to the refugee problem in general, it had been the firm conviction and declared policy of the Government of Cyprus that the best, most natural and most desirable solution was voluntary repatriation under conditions of safety. In the case of Cyprus, the Government of the Republic had been ceaselessly striving to achieve a solution to the Cyprus problem through a negotiated settlement based on United Nations resolutions, the High-Level Agreements and international law which would alleviate the plight of its refugees and displaced persons. Despite recent disappointments his Government continued to reiterate, its commitment to the promotion of a viable and lasting solution. In recent months, a solution to the Cyprus problem had appeared to be close. His Government had spared no effort in the quest for such a solution and had cooperated fully on the matter with the Secretary-General and his representatives. Unfortunately, that had not been

the case with all interested parties, as had been made abundantly clear by the recent withdrawal of Turkey from substantial commitments and a radical hardening of its position.

12. Mr. LACROIX (Belgium), paying a tribute to UNHCR's work over the past 40 years to alleviate the plight of refugees and applauding in particular the efforts of the High Commissioner and her staff during the troubled year of 1991 to succour the 17 million refugees now to be found throughout the world, said that Belgium was pleased to announce a special contribution of BF 50 million to UNHCR for 1991.

13. A number of amendments had recently been made to the Belgian law on the right of asylum with a view to improving the speed and efficiency of the procedure leading to recognition of refugee status. The general philosophy underlying the law on the right to asylum had not been affected; the new measures were intended to strike a balance between the rights of applicants to refugee status and the Government's wish to come to terms with the growing number of improper requests for asylum. The UNHCR representative in Belgium had been consulted during the drafting of the new provisions and his views taken into account. He would, in future, also be more closely associated with the work of the permanent commission of appeal on matters relating to refugees. His full membership of that Commission was an objective guarantee that the rights of refugees would be respected in the final appeal body ruling on requests for asylum in Belgium.

14. Mr. LYMAN (United States of America) said that the good work done by the current session of the Sub-Commission on Administrative and Financial Matters would have a positive impact not only on UNHCR programming and budgeting activities in 1992 but also well into the future. The constructive attitude of all delegations had been greatly appreciated. Within the General Programme budget figure approved for 1992, it was noteworthy that \$US 20 million had again been provided for the Emergency Fund and an increased programme reserve of 10 per cent had been made available to ensure that approved project objectives could be met despite unexpected cost increases. That flexibility was essential if the Africa programme budget was to meet the large requirements on that continent.

15. The High Commissioner's proposal for emergency preparedness in UNHCR had been endorsed without reservation by the Sub-Committee. The United States welcomed that support and had pledged \$US 1 million to the emergency preparedness programme. Another welcome development was the request from the Sub-Committee that UNHCR should explore the establishment of stand-by agreements with non-governmental organizations as an additional emergency preparedness measure.

16. It was evident from the general debate that 1992 could well see the repatriation in safety and dignity of a large number of refugees. The progress made to facilitate better preparation for refugee repatriation programmes was encouraging. The list of expected repatriation programmes for 1992 and associated costs which had been requested from UNHCR by the

Sub-Committee would give a better direction of the joint efforts of the Executive Committee and the major donors to the most promising repatriation opportunities.

17. The Executive Committee had a responsibility to ensure that basic refugee needs were assessed and budgeted for. The Sub-Committee had taken an important step towards that goal by calling upon UNHCR to define clearly in its budget documentation the priorities it set in each country programme and how the proposed budget would meet those priority refugee needs.

18. The Executive Committee had been particularly active on issues relating to refugee women and children and had reached a number of welcome conclusions that demonstrated clearly the need to focus the attention of UNHCR and the international community on the 80 per cent of the refugee population that were women.

19. It was gratifying that the Sub-Committee had also considered administrative issues and that in its discussions a clear consensus had emerged that should result in UNHCR's early promulgation of personnel policies in a number of areas.

20. Mr. KHAN (Pakistan) said that generous donations had come from donor countries, the World Bank and UNHCR for completion of the first and second phases of the Income-Generating Project for Refugee Areas in Pakistan. Although those phases of that useful and effective programme had been completed, phase III, its most important component, had been facing difficulties due to lack of funds. Phase III, due to start on 1 January 1992, had the twin objectives of repairing ecological damage and providing employment opportunities for Afghan refugees and the local population in areas affected by the presence of refugees. It included increased training opportunities for Afghans to acquire basic skills and experience that could be applied immediately upon their return home and gave greater emphasis than in other projects to training activities for women. Since it covered development as well as survival aspects, the project should receive the highest priority; disruption of income-generating activities should be avoided at all costs. He therefore appealed to donor countries to contribute generously so that Phase III could also be successfully launched and completed on schedule.

21. Mr. HOJERSHOLT (Denmark) said that funding was a natural area of concern for UNHCR in view of its recent financial difficulties. The paper on strategies and fund raising (EC/SC.2/1991/CRP.20), which had received widespread support in the general debate, appeared to provide a good basis for future work in that area. As a major donor to UNHCR, Denmark continued to press for progress on the question of burden-sharing which, it was hoped in view of the increasing recognition of the importance of that topic, could receive mention in the relevant decision.

22. UNHCR's proposals to strengthen its emergency preparedness had been well received. Denmark had consistently provided practical support to UNHCR in that field, in particular through making nearly 100 Danish field staff available to UNHCR in connection with the Kurdish refugee situation. An agreement between the Norwegian Refugee Council, the Danish Refugee Council

and the Office of the United Nations High Commissioner for Refugees had been signed in Geneva on 8 October 1991 to enable UNHCR to mobilize additional experienced field staff at short notice, a significant advance towards establishing an enhanced emergency response capacity in UNHCR.

23. He welcomed the increasing recognition given to voluntary repatriation as a durable solution to the refugee problem and one which reflected the profound change in the international political climate. A number of important ideas for strengthening repatriation and reintegration activities had been proposed by UNHCR to the present session. Denmark associated itself with the widespread recognition that such efforts would be given priority. He noted with interest the suggestion to consider the relationship between General and Special Programmes with a view to securing sufficient and stable funding for repatriation and reintegration and understood that such resource mobilization would be considered further by the Sub-Committee in future sessions.

24. Mr. BENHIMA (Morocco) said that it was generally agreed that UNHCR had displayed its ability to mobilize international public opinion and to cope serenely with the new situations that had arisen in 1991 without relaxing its endeavours to cope with pre-existent ones. Various kinds of international assistance had sustained the considerable effort made by the Programme, which had managed to overcome its financial difficulties, aggravated by the increase in the number of refugees, by setting up some very effective mechanisms. The policy of pursuing austerity at all levels without sacrificing the essential needs of refugees and the enlargement of the Office's resources had been important in that respect. The proposed budget for 1992 was only slightly higher than that for the previous year, despite the increase in the number of refugees and the implementation of new programmes. A commendable effort to seek efficiency through rigour had apparently been made.

25. At previous sessions of the Executive Committee suggestions, proposals and recommendations had been submitted for the restructuring of the Office. His delegation noted with satisfaction that the operation was continuing and hoped that the reclassification of posts would be based on the triple need to ensure that UNHCR functioned properly, to reduce the financial burden, and to seek greater efficiency. Experience had shown the usefulness of rotating staff between headquarters and the field. Mention should be made of the increasing role played by women in UNHCR's activities and of the reports on their devotion to the cause of refugees in often precarious circumstances. Their recruitment and promotion should be encouraged so as to achieve the target of 30 per cent established by the General Assembly. Competence and equitable geographical distribution would still, of course, be essential criteria.

26. The improvement in procedures for the periodic evaluation of UNHCR's programmes were of great importance, since they made it possible to secure efficiency and cost-effectiveness in operational programmes and to increase the well-being of refugees. In that context, he wished to draw attention to paragraph 5.1.1 of document A/AC.96/774 (Part V), where the figure of 165,000 was put forward for a refugee population newly termed "Western Saharan". His delegation had regularly contested that figure in objectively admissible arguments based on real and verifiable facts. Owing to the confusion inherent in any situation involving displaced persons and the impossibility of making

an accurate appraisal, it had not been possible to determine their precise numbers. However, according to the very broad estimate made by the United Nations Mission for the Referendum in the Western Sahara (MINURSO), the number of persons to be repatriated, including children, was 65,000. According to several other sources, that figure would be substantially reduced when the conditions for their proper identification had been established. There was a flagrant contradiction between the two figures, and the first figure, which had never been confirmed by UNHCR and which his delegation denounced as being inflated, was inaccurate.

27. Mr. DANNENBRING (Germany) said that the General Programme target of \$US 737 million for 1992 seemed to strike a good balance between needs and realistic income expectations. The programmes would have to be kept under constant review in order to ensure that priority refugee needs were met. Budgetary discipline and undiminishing donor support would be necessary to achieve that aim. It was gratifying to note that increasing needs could be accommodated in 1991 and that the target for 1991 was almost fully covered by income. The High Commissioner was to be congratulated on that success, which demonstrated that the efforts of the Temporary Working Group were bearing fruit. His delegation wholeheartedly welcomed that development and hoped that the process would retain its momentum.

28. UNHCR's most valuable capital was its human resources. He wished to join those delegations that had praised UNHCR's staff for its dedication and commitment, especially in emergency situations. UNHCR should be encouraged to finalize its position and presentation on major personnel policy issues, as recommended by the Temporary Working Group and endorsed at previous sessions of the Executive Committee. Progress in the discussion of matters such as rotation policy, the headquarters-field ratio and the status of women had apparently slowed down because of the impact of emergencies. A comprehensive and coherent strategy would certainly add to staff morale and to the effectiveness of the Office. The proposal to increase the level of senior posts must be considered in the overall context of that future strategy.

29. Guaranteeing human rights and alleviating human distress were concerns of particular importance for the foreign policy of Germany. That was clearly reflected in Germany's contributions to humanitarian relief organizations such as UNHCR, where it had ranked among the 10 largest donors in 1990, with total contributions amounting to approximately \$US 35 million. Germany's very substantial contributions to mitigate the plight of the refugees from Iraq was another example.

30. Germany's commitment to human rights was, of course, also reflected within its legal framework. The German Constitution stipulated a legal right of asylum in Germany for politically persecuted aliens. That meant that the granting of asylum to political refugees was not subject to political discretion. Thus the German Constitution went further than general international law and further than the law of most other States.

31. However, the implementation of the law entailed major challenges for Germany, which was the main country of asylum in Europe. For instance, from 1983 to the end of 1990 more than 700,000 asylum seekers had arrived in Germany, including some 190,000 in 1990 - the highest number in the post-war

period. That trend was continuing in 1991, when Germany had had to cope with an additional number of 170,000 asylum seekers up to the end of September, a figure which was expected to rise to 220,000 by the end of the year. In fact, two thirds of the total applications for asylum within the European Community were registered in Germany, which had also had to cope with almost 400,000 German resettlers from Eastern Europe, a flow that would most certainly continue in future. The present level of arrivals gave rise to the expectation that for 1991 the total number of German resettlers would reach between 200,000 and 250,000.

32. In financial terms, Germany had spent the equivalent of almost \$US 3 billion on board and lodging and other assistance for asylum seekers and recognized refugees in 1990. At present only about 7 per cent of all asylum seekers in Germany were recognized as refugees under the 1951 Convention. That showed quite clearly that there was a considerable amount of abuse of Germany's liberal asylum policies, and that abuse, unfortunately, operated very often to the detriment of real refugees. Against that background, the German Government had already taken measures to speed up asylum procedures, especially for those immigrants from countries where political persecution was practically non-existent. Further improvements in the processing of asylum seekers were being considered. While Germany would have to draw a clearer line between the right to asylum and its abusive invocation, it would, nevertheless, continue to grant asylum to the victims of political persecution who stood in need of its protection.

33. Ms. INGRAM (Australia), commenting on the part of the programme and budget for Asia and Oceania which related to the implementation of the Comprehensive Plan of Action, noted that the proposed budget for 1991 was of the order of \$US 100 million. It was significant that the General Programme budget, which provided for those ascertained to be refugees was dwarfed by the budget estimate for Special Programmes, for those already screened out or still awaiting status determination.

34. Only a small minority of those awaiting status determination were likely to be found to be refugees, and most of them would be screened in on the basis of family connections with people already resettled in third countries. Thus the decision was made on the basis of a very liberal application of the family unity principle and not on the basis of an individual claim of persecution.

35. The human cost of the Vietnamese outflow also called for comment. Camp populations were at a higher level than at any time in the past; people were simply piling up and wasting their time in camps, ineligible for resettlement but unwilling to return home. Sadly, many of them were young people who should be building their lives, not marking time in the fetid social environment of the camps. Yet they continued to hang on, coerced by a powerful informal leadership in the camps and encouraged by the false hope that the international community would change its policy towards them.

36. There would be no change of policy. The Steering Committee which oversaw the implementation of the Comprehensive Plan of Action had made that very clear at its latest meeting in Geneva five months previously, when it had restated unequivocally its commitment to the implementation of the Comprehensive Plan of Action in its entirety. The central logic of the

Comprehensive Plan of Action hinged upon the return of those found not to be refugees. Yet they were not being returned in any comprehensive way. Much effort had been invested in encouraging voluntary return, but only the surface of the camp population had been affected. The Comprehensive Plan of Action made it clear that those found not to be refugees had no alternative but to return, and without the systematic implementation of that policy it could be increasingly difficult to maintain the other interlocking arrangements made under the Plan.

37. His delegation hoped that the vexed issue of return was moving closer to a solution and had noted the recent discussions in Hanoi between the United Kingdom, Hong Kong, Viet Nam, UNHCR and IOM. The prospect that progress might be made reinforced the important need for an early meeting of the Steering Committee to allow further discussion of the important issues involved.

38. Mr. LUMBANGA (United Republic of Tanzania) noted with concern the total absence of provision for the local settlement of Somali refugees in his country as well as for the repatriation of Burundi refugees. Some 94,000 Burundi refugees were expected to be repatriated, but no provision had been made for that exercise. Tanzania had admitted more than 1,000 Somali asylum seekers, to whom it expected to grant refugee status and asylum. However, in accordance with its policy of installing them in organized settlements, provision had to be made for the creation of a basic infrastructure as well as for their care and maintenance. UNHCR was therefore urged to take immediate action on that point.

39. UNHCR might also wish to consider raising the number of education project beneficiaries from the present 25 indicated in the High Commissioner's programme, as well as making provision for other higher educational institutions in response to the needs of the large number of refugees aspiring to higher education. Other countries of asylum in the African region with far fewer refugees or asylum seekers had larger quotas than Tanzania, whose Government had generously exempted refugees from paying the educational fees normally charged to foreigners and aliens.

40. Finally, UNHCR was aware that Tanzania had a number of asylum seekers to whom it had granted "temporary" asylum pending the Office's efforts to resettle them in a third country. Such "temporary" asylum had, however, been continuing for several years and no signs of a solution were in sight. Worse still, there was no provision for their resettlement in the High Commissioner's programmes. He trusted that steps would be taken to resolve that long-standing problem.

41. Mr. CEDERBERG (Sweden) noted that the work done within CIREFCA was showing good progress in many respects. Apart from successful repatriations from Costa Rica and Honduras to Nicaragua and El Salvador, CIREFCA had functioned as a necessary confidence-building mechanism. However, there still were crucial issues which needed to be responded to and which ought to receive priority attention by all involved.

42. CIREFCA's work was now entering a new phase, with a necessary focus on such outstanding matters as the tens of thousands of Guatemalan refugees in Mexico who wished to return to their country and the approximately 1,700 Salvadorian refugees who still found themselves in Mesa Grande in Honduras. Furthermore, within the framework of CIREFCA the problems and deficiencies affecting the tens of thousands of displaced persons in El Salvador and Guatemala ought to be treated with urgency and goodwill.

43. There were two innovative aspects of CIREFCA. One was concerned with the inclusion of the many displaced persons in the Central African countries, while the other was the emphasis on dialogue between all relevant actors and partners in the process, including not least the refugees and displaced persons themselves as well as non-governmental organizations working with refugees, returnees and displaced people. There were, indeed, some positive signs. The latest tripartite meeting between UNHCR and the authorities of Guatemala and Mexico was an example. One constructive aspect was the fact that representatives of the Guatemalan refugees in Mexico would be invited to the next tripartite meeting in December and that the mediating commission for which the refugees had asked now seemed to have started work with full recognition by both the Guatemalan authorities and the refugees.

44. Yet there were several challenges and unresolved matters. Apart from the situation of the Guatemalan refugees in Mexico, the most urgent one was the situation of the displaced persons in Guatemala and El Salvador, who had had to confront exceptionally harsh conditions, especially as they lived in conflict-ridden areas. Their fundamental human rights had to be respected, and one step forward would be to have more dialogue between representatives of those groups and the authorities in the two countries.

45. His delegation welcomed the forthcoming humanitarian actions to be undertaken by the International Committee of the Red Cross with regard to the so-called "resistance villages" in the mountains and jungle areas of Quiche, Guatemala. His Government was confident that such humanitarian action would receive the necessary acceptance and support from Government authorities and that the guerrillas would not interfere with it.

46. It was to be hoped that the Government and guerrilla military forces in El Salvador would refrain from actions which disturbed normal civilian life for the returnees and displaced persons. His Government urged the civilian and military authorities to facilitate the work of national and international NGOs dealing with returnees and displaced persons. It was equally important that the process of documentation, long overdue, was finally being carried out so that the personal safety of tens of thousands of Salvadorians could be increased.

47. Given the shift of focus towards the more northern countries of the Central American region, his delegation suggested that the dynamic CIREFCA support unit be moved from San José to Guatemala City in order to facilitate and strengthen its work.

48. Having been involved for many years in southern Africa through its support to victims and opponents of the apartheid system in South Africa, his Government had followed with great interest UNHCR's efforts to take part in

the repatriation of South African refugees. Such repatriation was a very crucial step towards dismantling apartheid. Progress towards a non-racial, democratic South Africa could not continue unless the tens of thousands of that country's citizens who had been forced to live abroad for decades were afforded the possibility and means to return home. His Government appreciated the efforts made by UNHCR representatives during the long negotiation process which had made it possible for the important agreement between UNHCR and the Government of South Africa to be signed. Sweden was prepared to make a considerable contribution to the repatriation of South African exiles.

49. Mr. GIGUERE (Canada) expressed his delegation's concern about the situation in Haiti, where the economic sanctions adopted by the international community were likely further to worsen the already precarious economic and social situation, and force many Haitians to undertake the dangerous sea voyage to exile in neighbouring countries. He called upon UNHCR, international humanitarian organizations and other delegations to devote particular attention to the evolution of the situation in Haiti, which might require the Office to act beyond the scope of the special programme for Haiti described in paragraph 4.6.24 of document A/AC.96/774 (Part IV).

50. Mr. SEMICI (Algeria) said that his delegation had not intended to speak on the agenda item under consideration because it had been satisfied with the documentation submitted and the arrangements made. However, since another delegation had now questioned that situation, his delegation considered it necessary to make a clarification. Algeria had 165,000 refugees in its territory. UNHCR acknowledged helping 80,000 of them. That was quite normal, since UNHCR assisted only about one half of the refugees in the world. The Office was certainly aware of Algeria's substantial 15-year-old contribution to the protection of refugees, which should be recognized. In addition to Western Saharan refugees, Algeria hosted 4,500 others, mainly Palestinians. It did not seek to profit from the situation. If there was a political problem, his delegation would not deal with it, since humanitarian issues should be kept separate from political issues.

51. Mr. BENHIMA (Morocco), speaking in exercise of the right of reply, said that Morocco had participated in a consultation with UNHCR in order to find a compromise solution, which had proved impossible, a failure that could not be solely attributed to Morocco.

52. It was hard to draw the line between humanitarian and political issues, and he would be the first to recognize that Algeria had shown great generosity in accepting, since 1972-1973, thousands of refugees from Mali and the Niger. He would have no objection to the figure of 165,000 refugees given in document A/AC.96/774 (Part V)/Corr.1, provided it was made clear that not all of them were from Western Sahara. The region was at a critical point in its history and it was important that there should be no ambiguity about the figures provided by official sources. If the document gave the figure of 165,000 refugees requiring assistance, without specifying their origin, he would have no objection to it.

53. Mr. SAENZ CARRETE (Observer for Mexico) drew attention to two points in document A/AC.96/774 (Part IV) that were of concern to Mexico. Paragraph 4.4.13 of the document referred to the "secure settlement" policy.

He clarified that within the context of CIREFCA, a more extensive programme, known as the Integral Project in Support of Self-Sufficiency in Chiapas had been drawn up, of which the "secure settlement" programme was but a part. The second point concerned paragraph 4.4.17 of the same document which stated that the number of applications for voluntary repatriation had remained at the same level as in 1990. However, as had been mentioned in the general debate, the actual figure was in fact double the 1990 figure. Accordingly, he suggested that provision should be made for a greater number of voluntary repatriations to Guatemala and that the proposed appropriations should be increased. Lastly, he noted that, pursuant to a suggestion made by Mexico, representatives of refugees would be invited to attend the next tripartite meeting in December.

54. Mr. ISHTAK (Chairman, UNHCR Staff Council) was gratified that the loyalty and devotion of UNHCR's staff had been repeatedly praised by speakers at the current session of the Executive Committee.

55. As the Executive Committee was aware, the Sub-Commission on Administrative and Financial Matters had received a report from the Staff Council on issues of concern to the staff (EC/SC.2/49). That report had been submitted in response to the resolution on staffing matters adopted at the forty-first session of the Executive Committee. The staff was satisfied that its report had provided delegates with an opportunity to acquaint themselves with the views and concerns of the staff, and that it had drawn attention to important aspects of UNHCR's human resources management system and its impact on staff capabilities, performance and welfare.

56. The report addressed a wide range of topics which had to be seen against the background of the perhaps unnecessarily difficult experience of the previous Staff Council.

57. One year previously, the UNHCR staff had been in the midst of a major retrenchment exercise, a traumatic experience which had been completed in the record time of one year. Although the material cost of the exercise might be known, the cost in the human dimension remained unknown.

58. UNHCR and its staff were currently facing new challenges and they were gratified by the support and confidence shown by the international community in the work of UNHCR. The High Commissioner had told the Executive Committee that she saw 1992 as the year for voluntary repatriation, and the Office was actively pursuing the prospects for the voluntary repatriation of more than 7 million refugees. The emergence of those prospects for durable solutions would undoubtedly have a bearing on UNHCR's human resource base. It was a critical period for UNHCR staff, but one filled with opportunities for them to realize their full capacity. On behalf of the UNHCR staff, he pledged their readiness to face those new challenges with dedication, a sense of purpose and resilience in the face of changing circumstances.

59. Although the report of the Staff Council might be seen as striking a somewhat discordant note, he emphasized that the Staff Council's purpose had not been to present a litany of complaints. Past experience made it necessary to take a sober view of the organization's life and explained the staff's desire for a human resources management system that incorporated effective

checks and balances, exhibited transparency in respect of career development and provided for due process, a more meaningful review of performance and accountable controls on recruitment. At the same time the staff believed that there was a chance to develop broad-based staff-management consensus around those issues and thus achieve real progress on the range of issues detailed in the report.

60. The Staff Council was duty bound to express concern about the very limited extent to which the joint staff-management machinery, which had been established to ensure that staff were fairly treated and effectively utilized, had been activated. The joint bodies included the promotion and appointment boards as well as the Joint Advisory Committee, whose role had been specifically defined in the United Nations Staff Rules and set up in UNHCR pursuant to a specific recommendation made by the Executive Committee in 1989. It would be worthwhile evaluating the Joint Advisory Committee's work and why it had not been used constructively to address the many pending issues, such as the promotion and career development of general service staff and the report on the situation of women in UNHCR. Nevertheless, the staff were greatly encouraged by the High Commissioner's determination to take a comprehensive look at staff issues that had gone unattended.

61. However, even more than mechanisms and procedures, it was confidence in UNHCR's staff and in its motivation and capabilities that were essential to building staff morale. Accordingly, fullest regard should be paid to internally available experience and competence, through the development of a skills profile system and performance-related career planning methods. The concern recently expressed by the staff about a tendency to resort hastily to external recruitment should not be perceived as a lack of support for the principle of placing the right person in the right post, which was of central importance in a field-oriented organization such as UNHCR. However, even when carried out with the maximum flexibility required in emergency situations, the procedure called for checks and balances, as provided for by the Staff Rules and Regulations. The Staff Council was aware of the need for rapid decision-making mechanisms and UNHCR could take a lead role in developing an emergency staffing capacity that could ultimately become a model for a United Nations system-wide approach. Speed and accountability were not mutually exclusive, but went hand-in-hand.

62. The Staff Council had followed closely the discussions within the Sub-Committee on Administrative and Financial Matters on the decline of the average grade of posts in the field, which contrasted markedly with the steady increase at Headquarters. It was of vital importance to the staff that the reclassification process be systematically applied to the field. If the declining level of field posts was to be taken as an indication that promotion prospects were likely to be reduced when serving outside Headquarters, that would not give the right encouragement to serve in the field, let alone improve staff morale. He appealed to the Executive Committee to consider a review of the classification level of posts in the field, along the lines of the similar exercises carried out in 1984 and 1988. Such a review would be fair recognition that grade levels of posts were not static and that the grading should reflect the responsibility and authority required of staff serving in the field, in order to produce a more functional and task-oriented structure.

63. Some 75 per cent of UNHCR staff were currently serving in the field. During the past year, many staff members had faced extremely dangerous situations while others had been evacuated under difficult circumstances. Eight staff members had lost their lives and he extended condolences to their families.

64. It had been very appropriate that the Executive Committee had placed special emphasis on the improvement of working conditions in the field and had initiated a process which had led to the introduction of a number of measures and incentives for staff serving in the field. The strong support given by the Executive Committee had allowed UNHCR to spearhead a campaign which had ultimately led to a system-wide review and to the endorsement of the measures and incentives contained in the Comprehensive Review, adopted by the General Assembly in 1989. He urged UNHCR to continue to play a leading role in that area by promoting initiatives that could receive system-wide acceptance. He suggested that the operation of the Fund for Housing and Basic Amenities, which had a direct bearing on staff welfare, should be reviewed in order to enhance its impact on working conditions in the field. Lastly, locally-recruited staff also had special problems and needs, and a systematic review of issues of concern to them would be an important step.

UNHCR activities financed by voluntary funds: Report for 1990-1991 and proposed programmes and budget for 1992 (A/AC.96/774 and Corr.1)

Part I. Africa

65. Mr. BWAKIRA (Director, Regional Bureau for Africa) replying to the question raised by the representative of the United Republic of Tanzania, said that there were approximately 1,000 Somali refugees in Tanzania, most of whom had settled in urban areas. Bilateral consultations would be held between the Regional Bureau for Africa and Tanzania. With regard to the repatriation of Burundi refugees from Tanzania, he informed the Tanzanian and Burundi delegations that an initial allocation of \$170,000 had been made from the contingency funds and that an assessment mission would shortly be visiting Tanzania to assess the situation.

66. Part I was adopted.

Part II. Asia and Oceania

67. Part II was adopted.

Part III. Europe and North America

68. Part III was adopted.

Part IV. Latin America and the Caribbean

69. Mr. FRANCO (Director, Regional Bureau for Latin America and the Caribbean) said that UNHCR shared the concern about the situation in Haiti and was following it closely. The Dominican Republic had given the assurance that its frontier remained open to refugees, although so far there had been no reports of refugee flows.

70. As far as the CIREFCA process was concerned, he expressed his appreciation of the constant support of Sweden and other countries. In reply to the question put by Sweden concerning the participation of refugees in the Tripartite Commission comprising UNHCR, Mexico and Guatemala, he said that Mexico had already given its approval. He took note of the clarification provided by the Mexican delegation regarding the "secure settlement" programme, and said that the report had been prepared before the Mexican Government had made its clarification. With regard to the number of applications for voluntary repatriation, indicated in paragraph 4.4.17 of the report, he said that there too, the report had been prepared before the final figures had been known. The Regional Bureau was aware of the new impetus for return to Guatemala and was working on a plan of action to facilitate that trend.

71. Part IV was adopted.

Part V. South-West Asia, North Africa and the Middle East

72. Mr. BENHIMA (Morocco) referring to paragraph 5.1.1. of the document, said that in the case of repatriation in anticipation of a referendum which was of importance for the future of the entire region, it was particularly desirable that the figures used should be accurate. He asked whether the figure of 80,000 for a "vulnerable population" in the corrigendum to that paragraph (A/AC.96/774 (Part V)/Corr.1) was an estimate which had been made by the World Food Programme or by UNHCR and WFP jointly. In either case, he would like to know on what it was based. Secondly, in paragraph 5.1.9, the proposed total budget for 1992 was \$US 900,000, which was only 26 or 27 per cent of the 1991 figure. It appeared that figure covered assistance to Western Saharans remaining in Algeria who did not want to be repatriated. He wondered however whether account had been taken of persons whose place of origin had been established as being other than the Western Sahara.

73. Mr. MORJANE (Director, Regional Bureau for South-West Asia, North Africa and the Middle East) appealed to donors to assist in the third phase of the joint UNHCR/World Bank project.

74. Turning to the questions asked by the Moroccan representative, he said that the figure of 165,000 persons, mentioned in both the initial paragraph 5.1.1 and in the corrigendum to that paragraph, was, as was the case with all such figures, that provided by the Government of the country hosting the refugees. The Moroccan representative had inquired why only 80,000 were assisted. The answer was that UNHCR did not help all the refugees in a country: it endeavoured to focus on vulnerable groups. The figure of 80,000 persons to be assisted in Algeria had been agreed between UNHCR and WFP after a mission several years previously dealing primarily with food assistance. As was the case in the majority of programmes, the figure was an approximate one based on the criteria usually applied in villages and refugee camps.

75. The figure of 65,000 for voluntary repatriation had been officially adopted as a planning figure after discussions with MINURSO (the United Nations Mission for the Referendum in Western Sahara, paragraph 5.1.5). UNHCR had proposed to MINURSO to budget repatriation costs

by modules of 10,000 and multiply up as required after the Identification Commission had recognized refugees as being of Western Saharan origin and after consulting with the persons so recognized as to whether they agreed to be repatriated under the MINURSO arrangements. It was impossible to predict numbers in advance but in order to be able to present a budget to donor countries, an approximate figure had to be agreed upon. With regard to the Moroccan representative's further question about responsibility for those who refused to be repatriated or those who were not recognized as Western Saharans, it would be necessary to await events. The 1992 budget documents had been prepared in April and May 1991 and it was impossible to foresee what would happen in the exceptional circumstances under consideration. Security Council resolution 690 (1991) called for the repatriation exercise to be finished by 31 December 1991. As explained in paragraph 5.1.10, the 1992 budget had accordingly been calculated to cover the residual caseload after voluntary repatriation. The figures could, if it proved necessary, be reconsidered.

76. Mr. BENHIMA (Morocco) said that the corrigendum to paragraph 5.1.1 stated "all the children were attending school". He asked what the number of children was.

77. Mr. MORJANE (Director, Regional Bureau for South-West Asia, North Africa and the Middle East) said he would let the Moroccan representative have the information in the course of the day. He added that it had been observed during a visit to the Tindouf area that all the children were regularly attending school.

78. Part V was adopted.

Part VI. Overall allocations

79. Part VI was adopted.

80. Document A/AC.96/774 was adopted.

Report of the Sub-Committee on Administrative and Financial Matters
(A/AC.96/782)

81. The report of the Sub-Committee on Administrative and Budgetary Matters
(A/AC.96/782) was adopted.

82. Mr. ILICAK (Turkey) said that Turkey had intervened in Cyprus by virtue of its obligations under the Guarantee Treaty of 1960 to protect Turkish Cypriots and preserve the independence of the island. He was unwilling to embark on a political discussion when purely humanitarian matters were under consideration. However, it must be recalled that in 1958, again in 1963 and as late as 1974, in spite of the presence of the United Nations peace-keeping forces in Cyprus, Turkish Cypriot villages and urban areas had been attacked and in some cases destroyed. Turkish Cypriots had been dispersed in over 40 enclaves in all parts of the island but which covered only 3 per cent of the territory. The persistently hostile attitude of one side had meant that the only possible solution was to divide the two populations into two separate zones. However, the Greek Cypriot representatives never mentioned

the voluntary exchange of populations in 1975 whereby the problem of displaced persons was fundamentally resolved - they remained displaced but certainly not ill-placed. It was claimed that the agreement was contrary to Security Council resolution 649 (1990) but that resolution proclaimed that all the elements of the situation in Cyprus formed a whole which could not be dissociated.

83. When it came to the allocation of humanitarian assistance, to take into account only the demographic element, instead of the real needs of the persons concerned, was neither equitable nor a rational use of available resources. In the name of economic truth, his delegation could not accept that 81 per cent of the funds allocated went to Greek or bi-communal activities when Greek Cypriots had an average per capita income of \$US 10,000. The Turkish Cypriots were in much greater need of help in view of the difference in development levels between the north and the south. To continue the current method of allocating resources would have political consequences and make reunion in a federal State even more difficult.

84. Mr. MARKIDES (Observer for Cyprus) speaking in exercise of right of reply, said that 17 years after the Turkish invasion, it was remarkable to hear the claim that it had taken place in order to protect the independence of Cyprus. The Turkish representative was obviously trying to hide his country's grave responsibility for creating and maintaining the refugee problem in Cyprus. That problem stemmed from the illegal invasion, the occupation and the eviction by Turkish military authorities of 200,000 persons from their ancestral homes followed by the institution of artificial dividing lines. The allegations about the oppression of Turkish Cypriots had been refuted repeatedly. Turkey, a country under constant international scrutiny for human rights violations should be more cautious in unjustly accusing others. It had been held responsible by the Commission for Human Rights of the Council of Europe for gross violations of human rights in Cyprus.

85. The claim that the 1975 agreement provided for exchange of population was refuted by the actual contents of the agreement and by the violation of the rights of Greek Cypriots under the Fourth Geneva Convention. It was significant that the emblem recently adopted by the Turkish governing party was a map showing Cyprus as part of Turkey. He wished to remind the Turkish representative that the people of Cyprus were one nation, 82 per cent Greek and 18 per cent Turkish, who had lived happily together until the invasion. With regard to the reference to Security Council resolution 649 (1990), it had been authoritatively stated that the concept of separate sovereignty, rather than of one sovereign State of Cyprus comprising two communities, would fundamentally alter the nature of the agreement affirmed by that resolution.

86. Mr. ILICAK (Turkey) said there was no such thing as a Cypriot nation. There were two different peoples with different languages, traditions, culture and ethnic origins. They had always existed in Cyprus within a dual social structure. The "green line" had been drawn to protect the Turks who had been subjected to armed attack in 1963. He would not pursue the political argument any further.

87. Mr. MARKIDES (Observer for Cyprus), speaking in exercise of the right of reply, said that the argument there were two peoples in Cyprus was against international law, United Nations resolutions on Cyprus and the Constitution of Cyprus itself. It was an attempt to divert attention from Turkey's responsibilities with regard to Cyprus and also to the international community. Turkey's illegal invasion had been condemned by 50 United Nations resolutions, yet it still occupied 37 per cent of the territory of Cyprus from which it had expelled virtually all the Greek Cypriots. They had been deprived of their rights to return to their property which had been handed over to settlers from Turkey. Turkey was refusing to cooperate in negotiating a settlement leading to the reunification of the island. The international community should send a clear message to Turkey as its anachronistic attitude could no longer be tolerated and the artificial division of Cyprus - the last in Europe - could not be accepted.

88. Mr. STAFFORD (United Nations Deputy High Commissioner for Refugees) thanked the Executive Committee for giving the Secretariat a clear lead as to the direction in which it wished the latter to head.

The meeting rose at 1.15 p.m.