



SUMMARY RECORD OF THE 44th MEETING

Chairman: Mr. IRUMBA (Uganda)

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AGENDA ITEM 66: INTERNATIONAL CO-OPERATION TO AVERT NEW FLOWS OF REFUGEES (continued)

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The meeting was called to order at 3.15 p.m.

AGENDA ITEM 56: INTERNATIONAL CO-OPERATION TO AVERT NEW FLOWS OF REFUGEES
(continued) (A/36/582 and Add1 and Corr.1; A/SPC/36/6.27)

1. Mr. SINGH (India) said that his country had had a first-hand experience of the refugee problem in its gigantic magnitude, having had to face the influx and consequent rehabilitation of a huge mass of refugees as a sequel to its partition in 1947, during the Tibetan influx in the late 1950s and during the war in Bangladesh in 1971. It therefore looked upon the problem with the utmost sympathy.
2. In his delegation's view, the exodus of people seeking refuge in foreign lands was a symptom of a far deeper malaise afflicting the international system. In order to prevent a new surge of refugees, it was necessary to establish a new system of international relations based on respect for independence, equal rights and co-operation and for equal security, prosperity and development of all peoples.
3. His delegation believed that the international community had at its disposal adequate machinery for dealing with the fundamental causes for the exodus of refugees, namely, violation of human rights, economic disparities between nations and regions and internal or regional instability and foreign aggression. A number of United Nations organs had competence to deal with such issues
4. The international community also had more than adequate sets of guidelines for the prevention of situations which led to flows of refugees. They were contained in various international instruments, especially the Charter. In the context of any proposed establishment of machinery for the promotion of international co-operation to avert new flows of refugees, the fact should be borne in mind that, if the Security Council, with all the authority vested in it by the Charter, could not achieve a halt to aggression in certain parts of the world and could not restore the inalienable rights of peoples and nations under foreign occupation and domination, such as the Palestinian and Namibian peoples, a subsidiary organ of the General Assembly was unlikely to achieve that result.
5. In view of the magnitude and topicality of the problem, such a proposal merited serious consideration, any such consideration should, however, scrupulously abide by the provisions of the Charter concerning the inadmissibility of interference in the internal affairs of States.
6. He paid a tribute to the yeoman service which the Office of the United Nations High Commissioner for Refugees (UNHCR) had been rendering to displaced persons all over the world during the past three decades. Any possible additional role of the international community in that field should be complementary, not contradictory, to that of UNHCR. His country, which had extended all possible assistance to UNHCR, would continue to do so in future.
7. Mr. SABZALIAN (Iran) said that refugees existed because of oppressive political, social and economic systems maintained by force. That situation was prevalent where unpopular regimes were imposed by the super-Powers on the exploited masses, whose

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(Mr. Sabzalian, Iran)

choice was either to fight the colonial forces or to leave their ancestral homelands. The issue of homeless refugees, however, was only a small part of the problem of imperialism, and Islamic teachings held that the cause of a problem should be dealt with rather than its effect. Although material and moral support for refugees was useful, it was certainly not a decisive cure for the disease of oppression.

8. Refugees from Afghanistan and Iraq had sought shelter in other Moslem countries in order to preserve their independence, freedom and faith, and millions of other oppressed refugees had had to flee from Palestine, south-east Asia and elsewhere. It was the prophetic mission of the third-world countries to assist those people and expose the true nature of the regimes imposed upon them. A genuine popular government should emerge in Afghanistan and the nearly 4 million Afghani refugees should be allowed to return. In the Middle East, Iraq was the only country whose record of disregarding the fundamental rights of minorities predated that of Israel. Large groups of Iraqi citizens had had their belongings confiscated and had been summarily expelled from the country simply because of their racial and ancestral ties with Iranians. The American-supported Baathist regime of Iraq claimed that all those expelled, including thousands of women, elderly and infants, were terrorists, but it would be difficult for the regime to explain why each day more and more Iraqi soldiers were voluntarily joining their Iranian brothers to fight against the Iraqi army. The Iranian people would embrace their refugee brethren with open arms and share their misfortunes despite the additional economic and social burden involved, as had been pledged by Imam Khomeini, the founder of the Iranian Republic, but they were aware that the flood of refugees towards Iran was but another dimension of the world imperialist conspiracy against Iran. His delegation urged all freedom-loving nations to put pressure on all Governments responsible for the refugee problem.

9. Mr. WARD (New Zealand) recalled that, speaking under the same item the previous year, the New Zealand representative had welcomed the timeliness of the initiative of the Federal Republic of Germany in bringing the item before the General Assembly. It provided an important stimulus to international efforts to find effective ways of dealing with the world's present, and regrettably, growing refugee problems.

10. Particularly in Asia and Africa, an intolerable economic and social burden had been placed on the neighbouring States which had provided havens for the massive flows of refugees which had crossed their borders. No country had the infrastructures and facilities to cope with a large influx of refugees. The developing countries were least of all in a position to bear the resulting additional burdens, but, in almost every case, it was precisely such countries that had become the refuges for those flows. Inevitably, that situation increased regional tensions, imposed additional strains on international co-operation and had implications for the maintenance of international peace.

11. Recognizing that refugee flows had their origin in complex sets of circumstances, New Zealand supported the idea of a comprehensive and objective study aimed at identifying measures of international co-operation to avert massive

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(Mr. Ward, New Zealand)

refugee flows at their inception and at facilitating agreement among Member States on steps to be taken to that end. Accordingly, his delegation was pleased to see that objective being brought closer by the proposal in draft resolution A/SPC/36/L.27 to set up a group of governmental experts. He hoped that the Group of Experts would focus its attention on the specific aspects addressed by the title of the item and not be diverted by other related problems which would more appropriately be handled in other United Nations organs.

12. Mr. RAHANTALLA (Sudan) said that, in view of the fact that the Sudan was host to vast numbers of refugees, and in view of its liberated policy with regard to the situation of refugees and its membership in the Executive Committee of the High Commissioner's Programme, it was natural that the Sudan should follow the affairs of refugees in the world with deep concern. For those same reasons, the Sudan had voted in favour of General Assembly resolution 35/124. The refugee problem in the world had reached tremendous proportions in the past few years, and his delegation therefore welcomed the efforts of the international community towards finding radical solutions to the problems of refugees. That required, firstly, the finding of political solutions to those problems. However, that did not mean that humanitarian assistance aimed at resolving the social and economic problems of refugees, relieving their daily sufferings and helping host States to provide them with the necessary services should be curtailed. In that connexion, his delegation welcomed the High Commissioner's response to resolution 35/124.

13. His delegation shared the view that the international community had the responsibility to tackle the main causes of new flows of refugees. Foremost among those causes arising from violations of human rights were the policies and practices of apartheid, racial discrimination and oppressive colonialist regimes. Other causes were policies of foreign aggression, occupation and foreign domination, in addition to economic and social causes.

14. The effects of those policies and practices transcended national boundaries and affected good-neighbour relations and, therefore, international peace and security. What were the true reasons why the Security Council, with all the authority invested in it under the United Nations Charter, remained idle and was unable to counter aggression, eliminate foreign occupation or enable colonized peoples to exercise their inalienable rights to self-determination, freedom and independence?

15. With regard to the move towards the development of guidelines for the conduct of States and practical measures to prevent the occurrence of new flows of refugees, he noted that the international community already had many such guidelines in the form of legal instruments, including the Charter and the Universal Declaration of Human Rights. At the regional level, the charters of such bodies as the League of Arab States and the Organization of African Unity also contained relevant guidelines and principles. It might therefore be better, before proceeding to establish a new body, to draw attention to the need for full respect for and commitment to the provisions of the United Nations Charter and other relevant

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(Mr. Rahamtalla, Sudan)

existing international instruments.

16. With regard to the proposal for the establishment of a group of governmental experts to undertake a comprehensive review of the problem in all its aspects, with a view to developing recommendations on appropriate means of international co-operation in that field, his delegation considered that the proposed Group, in its review, should take into account existing bodies, in order to define their role in preventing new flows of refugees. It should also consider the means of achieving the exercise of the refugees' right to return to their homes and the means of strengthening guarantees in order to remove the difficulties of those returning and to ensure their compensation.

17. The Group's work, which should be based on consensus, must not hinder the assistance provided by the Office of the United Nations Commissioner for Refugees or other relevant organizations. The Group must include experts from the developing world, particularly from those States directly concerned by the problems of refugees. To that end, the United Nations should bear the expenses of their participation, as in the case of many similar groups.

18. Although his delegation largely supported draft resolution A/SPC/36/L.27, he hoped that the sponsors would take his observations into account in future negotiations on the draft resolution.

19. Mr. SASORITH (Lao People's Democratic Republic) said it was generally agreed that the refugee problem had extremely complex political, economic and humanitarian implications which concerned the entire international community. The Committee had before it a proposal to establish as a preventive measure a group of governmental experts whose task would be to study all aspects of the refugee problem. The causes of the flows of refugees were more fundamental than mere violations of human rights: at the root of the problem were the inequalities that existed between developed and developing countries as a result of decades of colonial and neo-colonial exploitation, the terrorist and violent policies of the apartheid and Zionist regimes in the territories they were illegally occupying, the imperialist war of aggression against the peoples of certain South-East Asian countries, and the economic blockade and acts of destabilization carried on by those same circles against Governments which had chosen to pursue an independent national course.

20. To eliminate such manifold causes of the refugee problem would require international co-operation in good faith, particularly by those primarily responsible for the tragic exodus of refugees throughout the world. Such co-operation would require scrupulous adherence to the principles of the Charter and to pertinent United Nations resolutions, and respect for international obligations. It would also require the developed countries to take steps towards the establishment of a new international economic order to create the equitable conditions that would diminish flows of refugees. Justice demanded that those primarily responsible should contribute most to redressing the ills they had caused. Instead, the countries responsible were using every means to block the development of the countries they had victimized by using secret agents, provoking a drain of trained

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(Mr. Sasorith, Lao People's Democratic Republic)

professionals and blocking aid funds for their development projects.

21. In addition to the flows of refugees in southern Africa and the Middle East, the Lao People's Democratic Republic, itself a victim of imperialist aggression, had been faced with the exodus of part of its population, an exodus which his Government had done its utmost to prevent. Its domestic policy was one of national unity and harmony, and it had always declared that Lao refugees could return without fear to the country; indeed, several thousands had done so since 1976. The United Nations High Commissioner for Refugees was now assisting the Government to resettle the repatriated refugees and help them return to a normal life in society. The process of repatriation was not a simple one, however, since the official circles of certain countries wished to keep the refugee problem alive to serve their selfish interests. Thus, if international co-operation in the matter was to be effective, the issue should be totally depoliticized and should be approached from the humanitarian angle alone. His delegation would give its full support to such an approach.

22. Mr. MI Guojun (China) said that his delegation shared the view that in order to prevent recurrent flows of refugees the root causes of the refugee problem must first be ascertained. Such causes were many: some refugees were victims of natural disasters, while others were displaced as result of internal upheavals or of conflicts among States. Yet the most intolerable cause was aggression by a foreign Power, such as had been committed by certain countries in pursuit of their policies of imperialism, colonialism, racism and hegemonism. The question then became an important political issue in addition to being a humanitarian one.

23. The Committee's discussion should focus on such forced exile of refugees in the Middle East, in Africa, and in Asia, where masses of Afghan and Indo-Chinese refugees had been rendered homeless by foreign invasion. In continuous mass flows, those refugees were seriously affecting not only the economy of the societies in the regions concerned, but also international peace and security. Consequently, the international community should take steps to force the countries which had invaded and enslaved others to cease all acts of aggression and comply with the relevant United Nations resolutions. World public opinion should be mobilized with a view to condemning the Governments concerned, and appeals should be made to all countries which upheld justice to refrain from rendering economic assistance to the countries that had created the refugee problem. All necessary measures should be taken, including the dispatch of United Nations fact-finding and supervision teams, to force the countries concerned to stop expelling refugees and ensure the safety of those who were willing to return home. The United Nations Commission on Human Rights should also take appropriate action.

24. Mr. MAHMOOD (Pakistan) said that the necessity and importance of alleviating the sufferings of refugees could not be gainsaid, and it was a task which the Office of the United Nations High Commissioner for Refugees had performed with distinction. It was, however, being increasingly realized that the problem could not be treated only from the humanitarian and human rights point of view. In the last decade the number of refugees had swelled to some 12 million, and the flow was unabated. The influx of refugees imposed an intolerable economic and social

(Mr. Mahmood, Pakistan)

burden on the receiving countries, usually the least able to bear such a burden, and the brunt fell on the State of first asylum, seriously endangering its political and social stability and its economic development. The resultant pressure became a source of internal discontent and posed a threat to regional and even international peace and security. As a country currently saddled with the enormous responsibility of providing for nearly 2.5 million refugees escaping from the foreign military occupation of Afghanistan, Pakistan had experienced all the crippling effects of such a burden, the economic burden alone amounting to some \$200 million in 1981.

25. While the humanitarian care of refugees must continue, it was necessary to tackle the causes which had resulted in the uprooting of large segments of humanity. The treatment of the problem had to be supplemented by political action to prevent new massive flows of refugees.

26. In the case of Afghan, Palestinian and South-East Asian refugees, the cause of the problem was foreign military intervention, occupation and repression, and the denial of the right of the people to determine their own future. In South Africa the cause was colonialism, racial discrimination and apartheid. The problem of refugees in Somalia, the Sudan, Djibouti, Ethiopia and other parts of Africa owed its origin to diverse factors. The solution for the 2.5 million Afghan refugees lay in the withdrawal of foreign forces and the creation of conditions that would enable the refugees to return voluntarily to their homes in safety and honour. The solution for the nearly 1.8 million Palestine refugees would be the restoration of their inalienable rights, including the right to establish a State of their own, together with total Israeli withdrawal from the occupied territories, including Jerusalem.

27. There was clearly an urgent need to develop appropriate means of international co-operation to cope with the political aspects of the international refugee situation, and his delegation supported the initiative taken by the Federal Republic of Germany. It would also be of immense value to synthesize and possibly develop the existing body of knowledge, which consisted of a number of scattered legal instruments and patchy experience, on the pattern of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations. The responsibility of States should also be defined more clearly and ways found for improving the existing United Nations machinery for dealing with refugee situations. His delegation therefore supported the proposal to establish a group of governmental experts to study means of improving international co-operation to avert new flows of refugees and had, accordingly, become a sponsor of draft resolution A/SPC/36/L.27.

28. Mr. LA ROCCA (Italy) said that it was only in the light of the grim picture provided by the report of the United Nations High Commissioner for Refugees that one could fully appreciate the importance of considering means to prevent or regulate massive exoduses of refugees rather than relying on remedial measures after the fact.

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(Mr. La Rocca, Italy)

29. It was clear that the root causes were of a political or economic nature and that there would be no solution to the refugee problem without a solution to the underlying situations. While the remedial approach had been consistently and generously followed, the full potential of the preventive approach had not yet been explored. The fact that the current discussion of the question had been far more constructive and less controversial than at the previous session of the General Assembly was of great importance, since meaningful achievements would require full international co-operation and a broad measure of support within the international community.

30. Even so, the work of the proposed group of governmental experts would be far from easy, since the group would have to strike a balance between concrete proposals and respect for the principle of non-intervention in the domestic affairs of sovereign States. However, the suggestions already made by a number of Governments, as contained in document A/36/582, showed that the practical application of the principles embodied in a number of United Nations resolutions and declarations would alone provide ample means for advancing international co-operation to avert new flows of refugees.

31. Another important aspect of the work of the proposed group of experts would be a study of ways to enhance the responsiveness of the United Nations to emergency situations involving massive exoduses of refugees. The Commission on Human Rights had extensively debated a closely related issue, that of devising the means to ensure urgent action whenever it was required by situations involving gross violations of human rights. A rapid reaction by the United Nations to such situations was crucial to the moral authority of the Organization and to continued support by world public opinion.

32. The adoption of draft resolution A/SPC/36/L.27, which Italy was co-sponsoring, would give direction to the Committee's work on the question, and Italy looked forward to a stage in which the Committee would be considering practical suggestions on the means to prevent or minimize the consequences of one of the most tragic problems of the times.

33. Mr. LAKHMIRI (Morocco) said that the increase in flows of refugees in many parts of the world was a cause for deep concern. According to statistics, there were 5 million refugees in Africa alone. He paid a tribute to the work of UNHCR in relieving the plight of refugees. The problem of refugees increased human suffering, affected order and stability, threatened whole areas and endangered international peace and security. His delegation valued the initiative taken by the Federal Republic of Germany in bringing the item before the General Assembly.

34. His delegation, in invoking the principle of international co-operation to solve the refugee problem, believed that adherence to the Universal Declaration of Human Rights, the Statute of the Office of the High Commissioner and other international instruments would suffice to protect the rights of refugees.

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(Mr. Lakhmiri, Morocco)

35. It might be useful to stress once again the principles set forth in those instruments by drawing up guidelines for the conduct of States in the form of a declaration. It was necessary also to take practical preventive measures. That might require the establishment of a special body. A comprehensive review of the problem in all its aspects should clarify the practical steps that needed to be taken.

36. There were a number of principles conducive to the creation of the appropriate atmosphere for averting the problems of migration and its sufferings. They included the peaceful settlement of disputes, non-intervention in internal affairs, respect for the right of every individual to leave any country, including his own, and to return, non-deprivation of inhabitants of the minimum political, economic, social and cultural requirements necessary for life and the principle of non-discrimination on grounds of nationality, origin, race, religion or language.

37. An investigation of the causes of mass migration, whether ideological, cultural, economic or natural disasters, would clarify the nature of international measures to be taken. There might be a need for new machinery; however, the powers of the Secretary-General or the Security Council might suffice.

38. The Office of the United Nations Disaster Relief Co-ordinator urged the adoption of measures to alleviate the effects of natural disasters or measures to prevent them through scientific and technical advances; however, such action was not always within the capacity of small States. He noted also the observations of the Food and Agriculture Organization of the United Nations regarding alleviation and prevention of drought, famine, and other such causes of migration.

39. Those evils could be removed only in a world where the contradictions had been resolved. The adoption of tangible measures for the establishment of a new international economic order would contribute to that end. Measures to avert or overcome drought were extremely important and must form part of a strategy to guarantee food self-sufficiency, which must be achieved within a framework of effective international co-operation, in order to avert flows of refugees. The countries receiving flows of refugees were often among the weakest and the poorest, as was the case in Africa, and the initiative to FAO to provide assistance would be extremely valuable.

40. However, as the Director-General of FAO had indicated, FAO and the World Food Programme would require more resources if they were to help stem the flows of refugees through the provision of assistance to specific countries suffering from food shortages due to natural or man-made disaster.

41. Sir Anthony PARSONS (United Kingdom of Great Britain and Northern Ireland) said that his delegation, as a sponsor of draft resolution A/SPC/36/L.27, wished to state that the reference to colonialism in the fifth preambular paragraph had absolutely nothing to do with the relations between the United Kingdom and its few remaining dependent Territories.

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42. Mr. SALAMI (Togo) said that his country supported the initiative of the Federal Republic of Germany with regard to draft resolution A/SPC/36/L.27. Since it shared the concern of the international community to find better ways of averting new flows of refugees, it was co-sponsoring the draft resolution.

43. The CHAIRMAN announced that Australia, Egypt, Luxembourg and Rwanda had also joined the sponsors of draft resolution A/SPC/36/L.27.

The meeting rose at 4.40 p.m.