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EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

Thirty-third session

SUMMARY RECORD OF THE 347th MEETING

held at the Palais des Nations, Geneva,  
on Thursday, 14 October 1982, at 9.45 a.m.

Chairman:

Mr. KHARMA

(Lebanon)

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International protection (including consideration of the report of the  
Sub-Committee of the Whole on International Protection)

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

INTERNATIONAL PROTECTION (INCLUDING CONSIDERATION OF THE REPORT OF THE SUB-COMMITTEE OF THE WHOLE ON INTERNATIONAL PROTECTION) (agenda item 5) (A/AC.96/609/Rev.1 and Corr.1, and 613)

1. The CHAIRMAN invited Mr. Marshall, Chairman of the Sub-Committee of the Whole on International Protection, to introduce the report on its seventh meeting (A/AC.96/613).
2. Mr. MARSHALL (United Kingdom), Chairman of the Sub-Committee of the Whole on International Protection, said that the report of the Sub-Committee on its seventh meeting was self-explanatory. It had dealt with three main items: the report of the Working Group on problems relating to the rescue of asylum-seekers in distress at sea; military attacks on refugee camps and settlements in southern Africa and elsewhere; and follow-up to earlier conclusions of the Sub-Committee on definition of refugee status and the role of UNHCR in national determination proceedings. Following the precedent of previous years, the report on each item took the form of a record of the discussion and concluded with the recommendations of the Sub-Committee regarding the conclusions which the Committee might wish to draw. Those recommendations were to be found in paragraphs 12, 21 and 39 respectively. In considering each item, the Sub-Committee had been conscious of the relationship between its own work on a standard definition and the wider questions relating to refugees with which the Committee had to concern itself, with due regard to its mandate. That was particularly true of the second item, when the Sub-Committee had had the recent tragic events in Lebanon particularly in mind.
3. Mr. MOUSSALLI (Director, Protection Division) drew attention to the note on international protection submitted by the High Commissioner (A/AC.96/609/Rev.1). Of the many achievements recorded in that note, he would comment on three which had been a source of particular satisfaction.
4. The first was the adoption in 1981 of the conclusions on the protection of asylum-seekers in the case of large-scale influxes. Those conclusions marked a turning-point in the history of the universal protection of refugees in that they: (a) set forth the essential principles and minimum standards of treatment for refugees; (b) adopted the definition of a refugee as set forth in the 1951 Convention and 1967 Protocol, but also incorporated into it the definition embodied in the OAU Convention; (c) strengthened UNHCR's protection function by recommending that States should authorize UNHCR to have access to asylum-seekers and to supervise their well-being; and (d) advocated that, so far as possible, asylum-seekers should be settled at a reasonable distance from the frontier of their country of origin and should not engage in subversive activities against that country or any other.
5. The second achievement was the conclusion in June 1982 of an agreement to combat piracy on the South China Sea, between Thailand and UNHCR on behalf of 12 countries which had decided to contribute to the financing of that programme. It was, however, a modest programme, and broader international action would be needed before piracy could be eradicated.

6. The third significant event had been the accession of China to the 1951 Convention and 1967 Protocol. With the accession of Bolivia, Chad, Japan and the Philippines, there were now 93 States parties to those instruments and it was hoped that the number would reach 100 by the next session.

7. However, there had also been a number of developments which gave cause for serious concern. There had been too many instances of the principle of non-refoulement being infringed, with the result that the lives of the refugees concerned had been endangered. Some countries had refused even temporary asylum to persons desperately seeking refuge and fleeing from persecution and armed conflict. Others had resorted to legal niceties in order to hold that such persons were not refugees entitled to international protection but were illegal or economic immigrants who could be forcibly returned to their country of origin. Moreover, to discourage influxes of refugees, or to make it clear that the sympathy of the authorities in the receiving country lay with the country of origin, intolerable measures had been adopted which had made the refugee camps a living hell. In some cases the ill-treatment to which they had been subjected had had fatal results, and anybody who had tried to help them had immediately been executed. Military measures, too, had been taken, often in co-operation with the country of asylum, to prevent refugees from fleeing. But what was even more horrible was the bombardment of, and attacks on, refugees aimed at their extermination. Recent events had unfortunately confirmed that the Nigerian representative and others had been only too right in including the item on the Committee's agenda.

8. Furthermore, so far as the basic principles of humanitarian law and the protection of refugees were concerned, restrictive tendencies had become more marked. While a certain weariness in the face of repeated appeals for generosity was understandable, UNHCR was very much afraid that the result would be the destruction of the legal structure for the protection of refugees which had been carefully built up over the years. Certain basic principles had been called in question with a view to controlling more effectively or discouraging population movements. Also, it had been said that too many people were using the right of asylum to better themselves economically, and that that right should therefore be reviewed. He trusted, however, that the international community would be able to manage the critical period through which it was passing without jeopardizing the bases of an undertaking which rested upon the solidarity of mankind. While UNHCR fully agreed that the problems at the root of mass exoduses did not fall within its competence, it welcomed the courageous measures taken by certain countries in bodies outside the United Nations system and trusted that humanitarian solutions would be worked out by the international community in that regard.

9. So far as the right of asylum and admission procedures were concerned, the former, of course, was not open to question. However, more rapid and effective admission procedures should be implemented in order to separate those who were refugees from those who were not. UNHCR was not suggesting that economic immigrants or others seeking to live outside their country for personal convenience should be recognized as refugees or that the procedures should be long and complex. It was merely suggesting that the procedures should be just and conform to the recognized rules of law.

10. With regard to durable solutions, voluntary repatriation was a priority objective of UNHCR, as laid down in chapter I, article 1, of its Statute, and in current situations of armed conflict or internal upheaval, it was the ideal solution. Efforts should therefore be redoubled in an attempt to promote that solution, although matters obviously depended to a large extent on conditions obtaining in the country of origin. The establishment of a relationship of trust with the country of origin and the fostering, where appropriate, of a dialogue between the country of origin and the country of asylum were essential means of encouraging measures likely to facilitate the return of refugees.

11. Apart from the developments to which he had alluded, there were a host of daily occurrences in connection with which UNHCR always had to be ready to approach the authorities concerned. Its success or failure on such occasions could be a matter of life or death for many innocent persons. In an otherwise cynical world, it was encouraging to be able to count on so much devotion from people of goodwill and to be able to draw on the valuable assistance of many charitable and governmental organizations. Thanks to such assistance UNHCR was able to make its voice heard. In order to merit such confidence, it had to be above all discreet, its role being to act strictly in accordance with its humanitarian and non-political mandate.

12. Lastly, a course on the law on refugees, mainly for national officials responsible for refugees, was to be organized in co-operation with the International Institute of Humanitarian Law in San Remo towards the end of 1982. If it was successful, such courses would be held on a regular basis.

13. Mr. MAHALLATI (Iran) said that, although its work was humanitarian and non-political in character, UNHCR should never lose sight of the fact that the refugee problem was basically a political problem. Accordingly, in seeking to do everything possible for refugees, the main objective should be the elimination of the political root causes of the problem. Moreover, the problem was highly complex and, at best, countries of asylum could deal with only one or two of its aspects. Quite clearly, the best durable solution was voluntary repatriation - an objective which, again, could be achieved only if the political causes that had compelled the refugees to leave were eradicated.

14. Iran had witnessed the most serious refugee problem of modern times with the exodus of refugees from Afghanistan, its neighbour. The influx of Afghan refugees into Iran had started with the coup in Afghanistan in 1978 and had increased dramatically following the aggression by the Soviet Union. More than one fifth of the population of Afghanistan was now living outside the country and thus constituted the largest concentration of refugees in the world. The influx of more than 1.5 million refugees into Iran had, of course, imposed a heavy burden on the country and had distorted its demographic equilibrium. With the Iraqi aggression, the Government of Iran had had to provide basic facilities for over 2 million war refugees as well as 100,000 expelled Iraqis. In keeping with the tenets of Islam, Iran had received all refugees to the best of its ability but in Iran, as in other countries, the only effective course would be to ensure that the burden - in terms of both financial assistance and the creation of the necessary conditions for voluntary repatriation - was, if necessary, shared by the international community. His Government had accepted UNHCR's assistance programme for 50,000 Afghan refugees with gratitude but on the understanding that the programme should be followed by other essential programmes.

15. Representatives of UNHCR had already visited the more than 70,000 Iraqi refugees driven into Iran as a means of exerting pressure against the Government of that country. Some 30,000 Iraqi Kurds had also found refuge in Iran after the Algiers Treaty of 1975, and more recently, about 1,000 Iraqi military personnel had sought asylum. His delegation officially requested a special assistance programme for the increasing numbers of Iraqi refugees in Iran.
16. The barbarous killing of Palestinians at the Sabra and Chatila camps called for a full report by UNHCR on the question of protection. His delegation proposed the establishment of a working group for the protection of Palestinian victims of attacks.
17. Unlike in past centuries, refugee problems had become an important issue in international law and to international organizations. The people of developing countries had learned that for the imperialist Powers material benefits outweighed any moral and humanitarian considerations, and had concluded that if they did not co-operate in solving refugee problems they would encounter the same fate. That was better understood in the light of the attitude of the Superpowers and some Western countries, which were directly responsible for aggravating differences between third world countries and for creating instability within States or regions.
18. The CHAIRMAN called the representative of Iran to order and requested him to address himself only to humanitarian questions.
19. Mr. MAHALLATI (Iran) went on to say that the 1983 assistance programme for 165,000 Sahrawi refugees represented only 3 per cent of their needs; only part of the 1982 programme had been allocated to them while the assistance programme for 1981 had been suspended.
20. In connection with a reference made at the previous meeting to Iranian refugees, he pointed out that Iran had accepted more than 1.5 million refugees for many years without help from any organization.
21. Mr. KOJANEC (Italy) said that the statement by the Director of the Protection Division underlined the importance of reinforcing the principle of protection, trying to cope with new situations and preventing the principles of humanitarian law from being undermined by contingencies. The attitude which should be adopted towards protection was succinctly outlined in the last sentence of paragraph 27 of the note on international protection (A/AC.96/609/Rev.1). The reference to international protection in the High Commissioner's mandate was essential and should remain unchanged.
22. With regard to matters dealt with by the Sub-Committee on International Protection, it had not been possible to develop legal principles regarding asylum-seekers at sea apart from the fundamental obligation to rescue them; a practical approach should be adopted in order to find a solution and UNHCR should be called upon to examine the feasibility of suggestions made in the Working Group on the problem. Further study by the Office would lead to a balanced solution of the problems encountered by asylum-seekers, coastal States and flag States and to new arrangements to facilitate the rescue of asylum-seekers.
23. The final report on military attacks on refugee camps could be used as basis by the Sub-Committee to devise further measures of protection. With regard to the determination of refugee status, it was essential to afford the necessary guarantees to genuine refugees. Guarantees should not be diminished because of practices such as the seeking of asylum by non-refugees.

24. His delegation endorsed the conclusions of the Sub-Committee and stressed the importance of establishing legal provisions with a universal impact, not subject to contingencies.

25. Mr. WEIS (United Kingdom) reiterated the importance which his Government attached to the fundamental task of the international protection of refugees by UNHCR. While his delegation agreed with the conclusions of the Sub-Committee, on the negative side the note on international protection referred to the "compassion fatigue" which had set in in some countries. There was no doubt that the admission policy of developed countries was affected by the economic recession, but increasingly strict application of the refugee criteria was to be regretted. That was not the policy of the United Kingdom. His delegation agreed with the High Commissioner that the increase in the number of unfounded applications must not affect the position of bona fide asylum-seekers.

26. His delegation greatly regretted the physical attacks on refugees and hoped that the agreement concluded with the Government of Thailand would help to combat piracy. Other negative aspects were cases of refoulement, even massive refoulement, and the frequent detention of asylum-seekers.

27. The Government of the United Kingdom depended largely upon the voluntary agencies and paid tribute to their activities in favour of refugees.

28. Mr. DESY (Belgium) said that steady progress had been made in international protection over the years. In the past, refugees had been dependent on the goodwill of the countries of asylum and it was Nansen who had drawn the attention of the League of Nations to their fate. After the Second World War the United Nations had continued the task, creating the Office of the High Commissioner and drawing up the 1951 Convention and the 1967 Protocol. Work had also taken place at the regional level within the Council of Europe and other bodies, and his own country had been honoured to take part in those initiatives in a spirit of international solidarity.

29. With regard to the report of the Sub-Committee, his delegation supported the expansion of the notion of protection to cover the problem of refugee safety and considered that the forthcoming General Assembly should appeal to the international community to take measures in favour of "boat people", with due emphasis on burden-sharing. His delegation also supported the measures to be taken with regard to military attacks on refugee camps and the important role of UNHCR in national procedures for determining refugee status. The work of the High Commissioner was of particular importance in the current climate of economic recession and unemployment, in which refugees were liable to be affected by restrictive measures. On the other hand, all past measures for the benefit of refugees had been adopted when the countries concerned had already been suffering economic crises.

30. Mr. MOLLOY (Canada) said that his Government welcomed China's accession to the 1951 Convention and 1967 Protocol.

31. The note on international protection (A/AC.96/609/Rev.1), through its thoughtful and frank approach, made a solid contribution to understanding the forces at play. His delegation had already outlined the ways in which UNHCR had assisted the Canadian authorities in gaining a better understanding of refugees and those in need of protection. The note did not, however, mention the symposium on the promotion, dissemination and teaching of the fundamental human rights of refugees held in Tokyo in December 1981, the report of which contained useful recommendations on the teaching of refugee rights. He hoped that UNHCR would give the report wide distribution.

32. The note rightly pointed out the problems which had been aggravated by the current economic crisis. Countries had naturally sought to protect their labour markets by restrictions on immigration. The same crisis had led to increased numbers of persons seeking to better their lot by migrating; as the normal channels for migration had been restricted, individuals had increasingly sought to gain admission by claiming to be refugees and asylum-seekers. That had prompted States to clarify procedures for dealing with manifestly unfounded claims in order to prevent refugee-status determination machinery from being overwhelmed and to ensure that the claims of genuine asylum-seekers were not lost. Further study by the Sub-Committee of manifestly unfounded claims and procedures to deal with them must be carried out in a spirit of protecting the institution of asylum and not undermining it.

33. Miss CARTA (France) said that the report of the Sub-Committee (A/AC.96/613) appeared to reflect its discussions satisfactorily; it had done useful work, and her delegation endorsed its conclusions. Her delegation also endorsed the appointment of Mr. Schnyder to carry out a survey of the various aspects of the problem of military attacks on refugee camps and settlements of concern to UNHCR. Lastly, her delegation supported the Sub-Committee's further conclusions regarding the basic requirements for procedures relating to the determination of refugee status.

34. Mr. LANG (Federal Republic of Germany) said he was happy to inform the Committee that the conclusions relating to the determination of refugee status were already being fully implemented by his Government. A new law on asylum procedures, which had come into effect in August 1982, had been worked out in conjunction with UNHCR, and his Government was grateful to the Office for the advice given in that respect.

35. He stressed his Government's firm commitment to the fundamental principle of non-refoulement. His country faced a number of problems with regard to persons seeking refuge there owing to its geographical location and history.

36. The world-wide economic crisis constituted an enormous challenge to the existing principles of international refugee law. In view of the difficulties experienced by many countries, the Committee should stress the need to resist any deterioration of the international legal instruments relating to refugees.

37. The problem of physical protection for refugees could not be confined to a particular area. It was general in nature and, so far as UNHCR was concerned, it must be dealt with exclusively from the humanitarian standpoint. His Government would always support reasonable and necessary measures leading to increased security for refugees of concern to the High Commissioner. Special attention should be paid to refugees in border areas. It was clear that great discretion was needed to deal successfully with the complex situations that frequently arose in that connection.

38. His delegation welcomed the appointment of Mr. Schnyder to carry out a survey of the various aspects of the problem of military attacks on refugee settlements of concern to UNHCR.

39. Mr. FAERKEL (Denmark) said that the report before the Committee (A/AC.96/613) accurately reflected the discussion held in the Sub-Committee and his delegation had no difficulty in endorsing its conclusions.

40. Referring to the issue of asylum-seekers in distress at sea, he said it was a source of great concern to his Government that fewer ships were stopping to rescue such refugees. There might be many reasons for that situation, including disembarkation problems. One such problem was the requirement to proceed to the next scheduled port of call for disembarkation, even though that port might be far away. Rescue at sea created problems not only for ships and ship-owners, but also for refugees, who found themselves on board ships which were not equipped for additional "passengers". Furthermore, that practice, which had no foundation in international law, led to discrimination between ships whose next scheduled port of call happened to be nearby and other ships. When resettlement guarantees within a time-limit were offered by the flag State or another relevant entity before disembarkation, his delegation found such discrimination difficult to understand.

41. Resettlement schemes were, of course, an important part of the protection issue. Several suggestions had been discussed, including a suggestion to replace existing guarantee arrangements by a system under which flag States assumed responsibility for resettlement of a specified number of cases. In addition, other States, and possibly also flag States, should place at the disposal of UNHCR a number of unconditional resettlement places. Special funding arrangements could also be included in such a scheme. Besides securing more equitable burden-sharing, that scheme would expedite the disembarkation procedure and the situation of asylum-seekers would be eased. His delegation looked forward to receiving the feasibility study by UNHCR on that and other proposed schemes.

42. With regard to the determination of refugee status, he said that in discussing important technical, legal and procedural problems, it was essential to keep in mind at all times the fact that a refugee was a person to be protected. Attempts to establish various categories of refugees which might lead to differentiated levels of protection must be avoided. The Danish authorities were particularly interested in the section of the report on that question because Danish legislation concerning aliens and procedures for determining refugee status were currently under review. The discussions held in the Sub-Committee and the Committee, together with their recommendations and decisions, would be studied attentively by those responsible for amending his country's legislation and administrative practice in that field.

43. Mr. TRAUTTMANSDORFF (Austria), supporting the views expressed by the representative of the Federal Republic of Germany at a previous meeting, said he hoped that the problems faced by many countries which had reached the limits of their capacity to accept refugees would not undermine established international principles, particularly the principle of non-refoulement.

44. Mr. KOTELO (Lesotho) said that Angola, Botswana, Mozambique, Swaziland, Zambia, Zimbabwe and his own country had been subjected to rampant aggression and that refugees had been massacred, in some cases by the thousand. Lebanon, too, had recently witnessed one of the most horrible massacres of innocent and defenceless persons.



45. His country's strategy in the area of protection had been and remained that of inaccessibility. To make that strategy possible, his Government had built no refugee camps and allowed refugees to move freely about the country and to mix with the local population. In that way, the possibility of massacres had been reduced. However, murderers had spared no effort in developing new tactics and had resorted to kidnapping, assassination, bombing and other forms of terrorism. Refugees were not the only ones threatened, and his country's own citizens had been subjected to harassment because of Lesotho's liberal asylum policies. Nevertheless, his Government's resolve to accept refugees remained unchanged; it was determined at all times to assist South Africans who had been forced to flee because of their colour in finding places of refuge in Lesotho.

46. The growing number of refugees had been related, inter alia, to the question of human rights. In his delegation's opinion, however, the matter concerned the exercise of national rights. In southern Africa and the Middle East, for example, entire nations were being denied the right to exist.

47. In conclusion, he expressed the gratitude of his Government and people to UNHCR and all peace-loving people for the assistance which they had accorded his country to enable it to fulfil its humanitarian obligations to refugees.

48. Mr. DAVEREDE (Argentina) said that his delegation endorsed the conclusions contained in the report under consideration (A/AC.96/613) and hoped that they would be adopted by the Committee.

49. The discussions in the Sub-Committee concerning the rescue of asylum-seekers in distress at sea had shown that a number of major difficulties were still preventing the eradication of that scourge which caused so much suffering. It was not a widespread phenomenon, and the results achieved in programmes such as that of orderly departure from the country of origin had led to a reduction in the number of "boat people". But much remained to be done from the standpoint of international solidarity. His country co-operated in that field and had rescued many persons in distress at sea who might otherwise have perished. Countries with greater resources should make every effort to find a solution to the problem.

50. With regard to military attacks on refugee camps and settlements, the discussion in the Sub-Committee had resulted in a number of recommendations which could help to solve the problem and he hoped that they would be adopted by the Committee. It was a matter of applying to a particular case existing norms of international humanitarian law which imposed specific obligations on States. The principles identified at the recent round table at the International Institute of Humanitarian Law in San Remo clearly revealed that UNHCR, although non-political in its objectives, should not be politically insensitive to the duties of States in the matter. His delegation welcomed the measures taken by the High Commissioner to deal with the deplorable phenomenon of armed attacks and was looking forward to receiving Mr. Schnyder's final report on the question.

51. The Sub-Committee's discussion on the determination of refugee status had shown clearly the impossibility of establishing rigid and uniform procedures for all countries. In his delegation's opinion, that was a matter that should be left to the internal jurisdiction of every country since it was related to the exercise of national sovereignty. For those reasons, the discussion had resulted in practical recommendations, based on the extensive experience of UNHCR in the matter. In many instances, the maintenance of a satisfactory modus vivendi between the Government concerned and the High Commissioner might be preferable to the imposition of a rigid procedure that was not in accordance with the particular conditions in the country in question at a given moment.

52. Mr. MATIKO (United Republic of Tanzania) observed that the Sub-Committee had devoted considerable time to the issue of military attacks on refugee camps and settlements. His delegation noted that a number of measures had been taken with respect to pirate attacks at sea and hoped that similar measures would in due course be taken against military attacks on camps and settlements.

53. The report before the Committee was a fair reflection of the discussion in the Sub-Committee and his delegation endorsed that body's recommendations. It hoped that Mr. Schnyder's final study would be available shortly and welcomed the proposal to hold courses in refugee law at the Institute in San Remo.

54. Mr. OYAKE (Japan) said that his delegation generally endorsed the conclusions contained in the report before the Committee (A/AC.96/613). He drew particular attention to paragraph 25 of that report, which referred to Japan's accession to the 1951 Convention and 1967 Protocol. In addition to the new laws and procedures referred to in paragraph 25, his Government had introduced procedures for allowing persons in refugee-like situations temporary refuge. His delegation also endorsed the conclusions in the report concerning the rescue of asylum-seekers at sea.

55. With regard to the note on international protection (A/AC.96/609/Rev.1), Japan agreed that the principle of non-refoulement should be applied and that there should be more extensive dialogue with UNHCR. It welcomed the trend towards increased implementation of procedures for the determination of refugee status and supported the principle of burden-sharing in cases of large-scale exoduses. However, his Government felt that there was some merit in the so-called "humane deterrent" policy in that it could dissuade people from leaving their country for merely economic reasons. Although Japan recognized the obligation to accept refugees on a temporary basis, further consideration should be given to the case of some refugees in Indo-China who had now been in that situation for eight years. His delegation felt that the tendency to link temporary asylum with guarantees for resettlement came within the understandings reached at the 1979 Geneva Meeting on refugees and displaced persons in South-East Asia and that international burden-sharing had been taken into consideration since then. His Government endorsed the need to accelerate voluntary repatriation and felt that further consideration should be given to the possibility of voluntary repatriation of Vietnamese refugees. Perhaps UNHCR would consider sending a fact-finding mission to various countries in South-East Asia to see whether any Vietnamese refugees wished to be repatriated, with a view to establishing a programme of voluntary or orderly repatriation to Viet Nam. Japan continued to support the anti-piracy project and had pledged a contribution to it during the current year.

56. Ms. GUO YUANHUI (China) said that the note on international protection contained in document A/AC.96/609/Rev.1 promoted a better understanding of the problems involved.
57. Referring to China's recent accession to the 1951 Convention and 1967 Protocol, she expressed satisfaction that other countries had also acceded to those instruments during the past year.
58. Her delegation endorsed the conclusions concerning the rescue of asylum-seekers in distress at sea contained in document A/AC.96/613. China had instructed its vessels to give prompt assistance to asylum-seekers in distress, who could choose either to remain in China or to take temporary refuge there. Coastal States, flag States and States of resettlement should discuss ways to solve the very complex problems of rescue at sea. Although her delegation supported the concept of equitable burden-sharing, some coastal States had serious economic problems which should be taken into consideration. UNHCR and the Working Group on the question should mobilize international public opinion to prevent the refugee-exporting countries from driving refugees to take to the sea.
59. She was pleased to note the progress referred to in paragraph 26 of document A/AC.96/609/Rev.1 concerning the reaffirmation of the basic principles of international protection and hoped that it would continue.
60. Mr. SOLA VILA (Observer for Cuba) said that the protection of refugees was a matter of concern to all mankind. Refuge was of little interest to those fleeing imperialism, colonialism, zionism and apartheid if there could be no guarantee of their safety in refugee camps. Not only should their lives and property be guaranteed, but they should receive education, work and minimum health care to enable them to start a new life. The humanitarian work of UNHCR should not be distorted for political purposes by those whose interests had caused refugee situations in the first place. Mankind had recently condemned the massacres in the Lebanese camps by Haddad's murderous bands after Israeli troops had created the necessary conditions by occupying west Beirut. The genocide in the camps was the direct result of a policy of force, violence and oppression that was an indication of the complicity between the Israeli regime and imperialism.
61. The situation with regard to the camps in Angola and Mozambique was similar. The best way to protect refugees was to condemn the murderers and their accomplices. His delegation welcomed the active role played by UNHCR in protecting refugee camps and refugees individually, but it must be recognized that those who had attacked the camps had caused the flow of refugees in the first place, and then objected to press campaigns and expressed simulated horror at the crimes encouraged by their action. Better protection of refugees was needed not only in Africa and the Middle East but also in central America and the Caribbean for Salvadorian, Guatemalan and Haitian refugees. For the past three years the Committee had heard statements on the same theme consistently aimed at internationalizing a bilateral situation. Such statements did nothing to help the humanitarian work of UNHCR and should be stopped. All efforts must be devoted to adequate protection of refugees under the provisions of the Charter and international law.

62. Mr. AL-BADRAN (Observer for Iraq), speaking in exercise of the right of reply, said that the representative of Iran had told a series of lies. He had referred to Iraqis, whereas in fact the people concerned were Iranians who had been received by Iraq and given a good standard of living. However, since 1980, the Iraqi authorities had become convinced that those Iranians were carrying out all kinds of terrorist acts inside Iraq, such as throwing bombs at innocent citizens, blowing up buildings and poisoning the water supply.

63. The CHAIRMAN said that a right of reply did not permit the observer for Iraq to enter into details concerning matters which did not concern humanitarianism.

64. Mr. AL-BADRAN (Observer for Iraq) said that he was attempting to clarify facts which were linked to humanitarian matters. Following the attacks by Iranian refugees, Iraq had had no alternative but to exercise its right of self-defence to protect its vital installations. It had therefore repatriated the Iranians after paying them fair compensation in cash for their property in Iraq. The international community had been aware of the consequences of the aggression against his country; that aggression represented just one phase in a plan to dominate the entire area.

65. The CHAIRMAN asked the observer for Iraq to confine himself to the matter under discussion; otherwise he would have to conclude that he had completed his statement.

66. Mr. AL-BADRAN (Observer for Iraq) pointed out that his country had been subjected to an immoral attack and he had the right to clarify the facts.

67. The CHAIRMAN said that the observer for Iraq was referring to political matters which did not fall within the competence of the Committee.

68. Mr. AL-BADRAN (Observer for Iraq) said the representative of Iran had alleged that Iraqi prisoners-of-war had asked for political asylum in Iran. It was only ethical to stop such lies and distortion of facts. The prisoners-of-war would never ask for political asylum from the enemy. The truth was that they had been exterminated in large numbers and thrown into mass graves. The truth should also be known about the Kurds, who had been subjected to genocide because they had claimed their legitimate rights after having experienced self-rule. There were many other facts which should have been brought to the attention of the Committee, but what he had said was sufficient.

69. Mr. MAHALLATI (Iran), speaking on a point of order, said that under the rules of procedure he had a right to reply to the allegations made, which had no relevance to the Committee's discussions.

70. The CHAIRMAN considered it obvious that there was no need to reply.

71. He drew the attention of the Committee to the conclusions contained in paragraphs 12, 21 and 39 of the report of the Sub-Committee. If there was no objection, he would take it that the Committee approved the report and its conclusions.

72. It was so decided.

73. The CHAIRMAN suggested that the Committee should request UNHCR to consider the possibility of an informal meeting of the Sub-Committee to consider the report by Mr. Schnyder or constructive action concerning the protection of refugee camps within the framework of international legislation. It was commendable that the Office should take the initiative of holding a course on international refugee law, an area in which principles were still too loosely defined and international will was lacking. If there was no objection, he would take it that the Committee agreed to his suggestion.

74. It was so decided.

75. Mr. HARTLING (United Nations High Commissioner for Refugees) thanked the Chairman for his suggestion and said that his Office would make arrangements with the Chairman and the Bureau for holding the informal meeting of the Sub-Committee in 1983.

The meeting rose at 12.50 p.m.