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EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

Thirty-fifth session

SUMMARY RECORD OF THE 381st MEETING

held at the Palais des Nations, Geneva,
on Thursday, 18 October 1984, at 10 a.m.

Chairman: Mr. NEBAZAA (Tunisia)

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Adoption of the draft report of the thirty-fifth session

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The meeting was called to order at 10.45 a.m.

ADOPTION OF THE DRAFT REPORT OF THE THIRTY-FIFTH SESSION (agenda item 16)
(HCR/EC/XXXV/CRP.1 to 14)

1. Mr. UUSITALO (Finland), Rapporteur, drew attention to a number of corrections to the draft report (HCR/EC/XXXV/CRP.1 to 14).
2. The CHAIRMAN invited the Executive Committee to adopt the Committee's draft report, section by section.

Section I - Introduction (HCR/EC/XXXV/CRP.1)

3. Section I was adopted.

Section II - General debate (HCR/EC/XXXV/CRP.2)

Paragraph 6

4. Mr. HEGNER (Switzerland) proposed that in the second sentence the comma should be replaced by a full-stop; a new sentence should then be added, reading: "There was general agreement on the need for the international community and the High Commissioner to combat the deterioration in the situation regarding the international protection of refugees". The words "but noted" should be replaced by "They noted however ...".

5. Mr. TRAUTTMANSDORFF (Austria) proposed that after the third sentence, before the words "Several speakers", the following sentence should be added: "Several proposals were made with regard to most appropriate steps which could be taken to assist the High Commissioner in the exercise of his international protection function".

6. Paragraph 6, as amended, was adopted.

Paragraph 10

7. Mr. DOWEK (Israel) proposed that the following sentence should be inserted in the paragraph in order to reflect the position adopted on the matter by his delegation: "One delegation referred to the obligation of countries of asylum to ensure that refugees did not engage in military activities; he stressed also that international protection included not only rights but also duties".

8. Paragraph 10, as amended, was adopted.

Paragraph 22

9. Mr. TRAUTTMANSDORFF (Austria) proposed that, at the end of the first sentence, the full-stop should be replaced by a comma and the following words added: "and commended the High Commissioner and his Office for the way in which this exercise was carried out".

10. Paragraph 22, as amended, was adopted.

Paragraph 32

11. Ms. FELLER (Australia) said that subparagraph (j) should be amended in order to bring it into line with the phraseology and suggestions contained in the Committee's decisions on refugee aid and development. In particular, her delegation proposed that, in the second line of the subparagraph, the words "refugee related development assistance" should be replaced by the words "development-oriented assistance to refugees". With regard to the second part of the subparagraph, some delegations had thought that the Principles for Action in Developing Countries were a valuable contribution, but that they might require further refinement. Her delegation therefore suggested the addition, at the end of the subparagraph of the words "as a basis for further consideration".
12. Mr. SCIALOJA (Italy) proposed the insertion, after the word "co-operation" in the last line of subparagraph (p), of the words "and co-ordination".
13. Paragraph 32, as amended, was adopted.

Proposed new paragraph

14. Mr. ROBERTSON (Australia) proposed that, at an appropriate point, a new paragraph should be added, reading:

"Several delegations noted the High Commissioner's account of the arrangements to provide assistance to the people who have sought sanctuary on Papua/New Guinea's border with Iryan Jaya".

15. The new paragraph proposed by the Australian delegation was adopted.

Proposed new paragraph

16. Mr. NGO HAC TEAM (Observer for Democratic Kampuchea) proposed that the following paragraph should be added at an appropriate point:

"A number of representatives expressed their deep concern at the attempt by the foreign forces occupying the country to change Kampuchea's demography, an attempt accompanied by repressive measures against the Kampuchean people and which was the cause of their continuing outflow to Thailand".

17. Mr. UUSITALO (Finland), Rapporteur, said that the details of the Kampuchean proposal could not properly be included in the report and were, in any event, reflected in the summary records.

18. Section II, as amended, was adopted.

Section III - Action taken on decisions by the Executive Committee (HCR/EC/XXXV/CRP.3)

19. Section III of the report was adopted.

Section IV - International protection (HCR/EC/XXXV/CRP.4)

Paragraph 8

20. Mr. PURCELL (United States of America) proposed that the word "definition", in the second and seventh lines of the paragraph, should be replaced by "concept".

He further proposed that, at the end of the third sentence, the words "the 1951 Convention in a restrictive manner" should be amended to read "the definition under the 1951 Convention".

21. Paragraph 8, as amended, was adopted.

Paragraph 12

22. Mrs. KSINTINI (Algeria) proposed that a new sentence should be added after the first sentence, reading: "One delegation recalled Conclusions 14 (XXX), 20 (XXXI), 21 (XXXII), and 27 (XXXIII) in which the Executive Committee had denounced and condemned military attacks on refugee camps and settlements".

23. Mrs. COSTA de BEAUREGARD (France) said that, in her delegation's view, the conclusions adopted at the Executive Committee's session in 1979 should be stated in their entirety, so as to refer not only to the Executive Committee's condemnation of the attacks in question but also to the adoption of the necessary measures. In other words, both elements should be either included or omitted.

24. Mrs. KSINTINI (Algeria) said that reference had been made solely to the Executive Committee's condemnation since paragraph 12, in which the proposal would be inserted, if adopted, dealt with the Executive Committee's concern on that score. She would, however, be happy to leave it to the Rapporteur to reflect the Algerian delegation's statement in the general debate in the report in a suitable manner.

25. Mr. UUSITALO (Finland), Rapporteur, said that an appropriate form of wording would be found on the basis of the discussions held in the Executive Committee.

Paragraph 13

26. Mr. CHRAÏBI (Morocco) proposed that the following new paragraph should be added to the draft report in connection with paragraph 13:

"Several delegations considered that if it was necessary to establish clearly the responsibility of the countries or groups of individuals guilty of military or armed attacks on refugee camps and settlements, it was also necessary to define equally clearly the responsibilities of countries of asylum and refugees themselves. Indeed, these delegations considered that countries of asylum should ensure that refugee camps and settlements were used exclusively for civilian and humanitarian purposes. In the view of these delegations, it was the duty of the host countries to prevent refugees from becoming implicated in acts which could give rise to armed attacks in the guise of reprisal. They stated, moreover, that it was important to settle refugees a reasonable distance from the frontier areas of States where such armed attacks could originate. Lastly, they emphasized the need for UNHCR to have complete and permanent access to refugee camps and settlements in order to help promote conditions which would guarantee the safety of the persons in them".

27. Mr. UUSITALO (Finland), Rapporteur, said that the proposal was unacceptable since its inclusion would disrupt the balance of the text. Private and individual statements would be covered in the summary records.

28. Mr. CHRAÏBI (Morocco) said that the present text was not at all balanced since it discussed only attacks on refugee camps and did not broach the responsibility of host countries and the refugees themselves.

29. Mr. UUSITALO (Finland), Rapporteur, thought that as currently formulated, the Moroccan proposal was too long and suggested that perhaps its main ideas could be boiled down to one sentence and inserted into the discussion of military and armed attacks.

30. Mr. CHRAÏBI (Morocco) said that he would be happy to leave that task to the Rapporteur.

31. Mr. PURCELL (United States of America) said that the Moroccan proposal should be given more than one sentence, as it reflected the views of many countries and would provide the necessary balance in paragraphs 13 and 14. He pointed out, in that connection, that the whole of paragraph 14 represented the view of one delegation only.

Paragraph 23

32. Mr. van SCHAIK (Netherlands) proposed that the words "one representative" in the ninth line should be replaced by "several representatives". He further proposed that in the fifth sentence, "He proposed" should be changed to "They proposed".

33. Paragraph 23, as amended, was adopted.

Paragraph 24

34. Mr. LOPEZ NOGUEROL (Argentina) proposed that, in the second sentence, the words "supported by others" should be added after "One speaker".

35. Paragraph 24, as amended, was adopted.

Paragraph 25

36. Mr. ROBERTSON (Australia) proposed that the words "more appropriate" before "durable solutions" in the last sentence should be deleted, as they tended to imply that temporary refuge was a durable solution. He further proposed that the word "while" at the beginning of the same sentence should be replaced by "in".

37. Paragraph 25, as amended, was adopted.

Paragraph 32

38. Mrs. RUESTA DE FURTER (Venezuela) proposed the addition, at the end of the first sentence, of the following phrase: "and the co-ordination between UNHCR and the International Committee of the Red Cross in this connection". She further proposed that, in the second sentence, inverted commas should be placed around the title of the colloquium (Colloquium on international protection issues in Central America, Mexico and Panama); that the words "in November" should be

replaced by "next November"; and that the following words should be added before the words "under the auspices of ...": "in the context of the statement of objectives adopted by the Contadora Group in September 1983".

39. Paragraph 32, as amended, was adopted.

40. Section IV, as amended, was adopted.

Section V - Refugee aid and development (HCR/EC/XXXV/CRP.5)

Paragraph 8

41. Ms. FELLER (Australia) proposed that the phrase "and urges continuing co-operation with these bodies" should be added at the end of subparagraph (d). She further proposed that the words "in accordance with" in subparagraph (e) should be replaced by "bearing in mind" and that the words "and their further refinement" should be added at the end.

42. Paragraph 8, as amended, was adopted.

43. Section V, as amended, was adopted.

Section VI - UNHCR assistance activities (HCR/EC/XXXV/CRP.6)

Paragraph 8

44. Mr. KEBEDE (Observer for Ethiopia) said that his delegation had emphasized throughout the need to use a common denominator for calculating numbers of refugees and suggested that the registration of refugees should be applied in the broad sense. The second sentence of paragraph 8 did not in his view reflect the substance of the discussion or of the statements made by his delegation. He therefore proposed that it should be reworded as follows:

"The observer for Ethiopia drew attention to the lack of a common denominator, since UNHCR was using its own planning figures, figures supplied by Governments and figures derived from registrations, when providing assistance to different countries of asylum. That state of affairs permitted unrestricted manipulation of figures on political grounds, thereby progressively diminishing the humanitarian objectives of UNHCR and deceiving the international community. He therefore suggested that registration by independent bodies be applied in the provision of international assistance for refugee and returnee programmes".

45. He believed that so important a subject, which had been raised by many delegations, should be reflected in the decisions of the Executive Committee.

46. Mr. UUSITALO (Finland), Rapporteur, said that it might be possible to incorporate the first sentence of the proposed amendment by the observer for Ethiopia, omitting the subsequent more detailed matter.

47. Mr. ABDULKARIM (Observer for Somalia) said that the proposed amendment reflected only the statement by the observer for Ethiopia in the general debate and not the deliberations of the Committee. It was therefore ineligible for inclusion in the Committee's report.

48. The CHAIRMAN said that if the proposal was submitted in writing, it would be examined by the Rapporteur.

Paragraph 9

49. Mrs. RUESTA DE FURTER (Venezuela) proposed replacement of the word "presented" in the first sentence by "enumerated".

50. Mr. TRAUTTMANNSDORFF (Austria) proposed that the second sentence in paragraph 9 should appear as a separate paragraph numbered 10, subsequent paragraphs being renumbered as appropriate. He also proposed replacement of the words "called for" by "recalled the continuing need for ...".

51. Paragraph 9, as amended, was adopted.

Paragraph 10

52. Mr. ADAMS (United Kingdom) proposed rewording the second sentence to read as follows:

"Hong Kong alone could absorb only those few refugees with close family links with Hong Kong; for the remainder, resettlement was still urgently required."

53. Paragraph 10, as amended, was adopted.

Paragraph 20

54. Mr. JURKOVICH (Canada) proposed that the speaker referred to should be identified as the representative of Canada, in conformity with paragraphs 21, 22 and 23.

55. Paragraph 20, as amended, was adopted.

Paragraph 22

56. Ms. SJOLANDER (Sweden) proposed rewording the first two sentences as follows:

"The representative of Sweden acknowledged that there was a continuing need for resettlement. Although an increasing number of asylum seekers, who presented themselves at the borders, were accepted as refugees, Sweden would continue to accept refugees on the basis of recommendations by UNHCR and would maintain its annual quota at 1,250."

57. Paragraph 22, as amended, was adopted.

Paragraph 24

58. Mr. JURKOVICH (Canada) proposed the insertion of a new subparagraph (d) under section A, worded as follows, with the subsequent subparagraphs relettered accordingly:

"(d) asked the High Commissioner to include on the agenda of the Sub-Committee on Administrative and Financial Matters at its October 1985 meeting an item providing for discussion of the most appropriate procedural measures for ensuring fuller consideration of the general assistance programme by the Committee and particularly the proposed budget for the following year."

59. Mrs. KSENTINI (Algeria) pointed out that, although individual delegations were entitled to make proposals, it was the Committee's function to formulate decisions. Acceptance of the Canadian amendment at the present stage might create a precedent.

60. Mr. HARTLING (High Commissioner for Refugees) said that, before the Sub-Committee for Administrative and Financial Matters had been established, there had been some discussion in the Executive Committee as to whether assistance should also come within the competence of the Sub-Committee. Several delegations had expressed the very definite view that assistance should be reserved for plenary meetings of the Executive Committee. He himself would accordingly prefer the subject to be discussed in the Sub-Committee or in the Executive Committee in October 1985, without pre-judging the issue in an Executive Committee decision at the present time. Any delegation would of course be entitled to propose the insertion of an item in that sense in the Sub-Committee's agenda.

61. The CHAIRMAN, agreeing with the High Commissioner, said that the Canadian proposal could certainly be raised at the Sub-Committee meeting in October 1985, but not at the present stage when the Executive Committee was adopting its report.

The meeting rose at 1 p.m.