

34. Mr. WIJESINGHE (Sri Lanka) said that for 25 years the Palestinian Arabs who had been displaced from their homes after the termination of the British mandate over Palestine had been languishing in refugee camps, living on the charity of the international community, without homes, a State or a future; the United Nations was responsible for that situation. The Palestinians had been treated as a section of humanity whose rights to a homeland and a national identity had thus far been ignored, and those who had contributed to their maintenance for all those years were entitled to the highest appreciation for their generosity. It was still being maintained, however, that the Arab States—only because there were so many of them and because they belonged to the same ethnic group—were under the obligation to absorb the Palestinians into their lands and compensate them for the wrongs inflicted upon them, for which the Arab countries bore no responsibility. Their property had been expropriated and no attempt at obtaining compensation from the expropriators had yet been made. For the first time in the past 25 years, the United Nations had now dealt with the problem as it should have done—not as a refugee question, but as a problem of the restoration of the rights of the Palestinian Arab people—thanks to the inclusion of the item entitled “The Question of Palestine” as item 108 in the agenda of the current session. The plenary Assembly had already taken the necessary action by adopting two resolutions on that question (resolutions 3236 (XXIX) and 3237 (XXIX)).

35. Over the years, the word “refugee” had become a term of opprobrium. The United Nations and, in particular, those who were primarily responsible for the plight of those unfortunate people, had the continuing obligation to support them. His delegation expressed its admiration for the devotion and conscientiousness with which the United Nations High Commissioner for Refugees and the staff of his Office had discharged their heavy responsibility in the most difficult circumstances.

36. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the right of asylum, one of the questions dealt with in the report of the United Nations High Commissioner for Refugees, was a complex and controversial problem not only because legal solutions and State practice differed, but also because the lack of similarity between the concepts embodied in systems of national law made it difficult to find a common denominator. Asylum had

already been dealt with in international law and if, in such circumstances, States had not changed their position, a convention could not be expected to prompt them to do so. The question of territorial asylum was one which fell within the national competence of States. It was a problem which could not be dealt with in the abstract because it was not the same thing to give asylum to those persecuted for political reasons or to defenders of human rights and to give it to someone who had committed war crimes or crimes against humanity. It was not enough to refer to the humanitarian aspects of the problem because the main considerations were of a political nature. That was the main area in which there was disagreement on that matter. His delegation feared that the preparation of a convention would not only fail to eliminate differences, but would even increase difficulties and force States to adopt a more inflexible attitude.

37. In the Soviet Union, the right of asylum was embodied in the Constitution and those who had taken asylum enjoyed full rights in the USSR. The same was true in other States, but it was inevitable that practice should differ in that respect. In preparing a draft convention, there was the risk of establishing conditions to justify interference in the internal affairs of States. That was an aspect which should be given special consideration and there was no need to speed up the consideration of a draft convention of that kind because that would only make existing differences even more evident. Moreover, his delegation considered that it would be inappropriate to make innovations in the practice which had thus far been followed in the adoption of international instruments, under which those instruments had been prepared by United Nations bodies, not by groups of experts. It would be better to entrust the study of the draft convention to the Commission on Human Rights and then to decide on the convening of a conference of plenipotentiaries. The consideration of the question of convening such a conference could be postponed until the thirtieth session of the General Assembly.

38. The CHAIRMAN said that Cyprus, France, Honduras, Lesotho, Liberia, the Netherlands, the Niger, Togo, Tunisia and Zambia had joined the list of sponsors of draft resolution A/C.3/L.2136, and that Denmark and Honduras had become sponsors of draft resolution A/C.3/L.2139.

The meeting rose at 12.50 p.m.

2100th meeting

Tuesday, 26 November 1974, at 3.20 p.m.

Chairman: Mrs. Aminata MARICO (Mali).

A/C.3/SR.2100

AGENDA ITEM 59

Report of the United Nations High Commissioner for Refugees (continued) (A/9603, chapter I, chapter III, section F; A/9612 and Corr.1 and Add.1-3, A/C.3/L.2136, 2139)

1. The CHAIRMAN announced that Senegal and Zaire had become sponsors of draft resolution A/C.3/L.2136.

2. Miss CAO-PINNA (Italy) said that study of the report of the United Nations High Commissioner for Refugees (A/9612 and Corr.1 and Add.1-3) confirmed, as was the

case every year, that the confidence placed in his Office was well founded. In his opening statement at the 2098th meeting, he had stressed the process of adaptation to new situations on which his Office had embarked. Her delegation saw that process as a necessary response to the increasing measure of human suffering in the world.

3. The question of the special humanitarian tasks with which the High Commissioner was entrusted deserved careful consideration. Her delegation looked forward to the implementation of the decision taken by the Executive Committee of the High Commissioner's Programme (see A/9612/Add.1, para. 38), whereby he was invited to report to that Committee on his special tasks in the same manner as he reported on other activities financed from trust funds under his regular programme.

4. Italy was among the countries which had expressed their views on the question of concluding an international convention on territorial asylum. Her delegation had noted with interest the general feeling that such an instrument should be considered with particular care before convening a plenipotentiary conference. The situation faced by Italy, as a country of first asylum, was clearly expressed in the report of the Executive Committee on its twenty-fifth session (*ibid.*, para. 50). Her delegation therefore favoured the convening of a group of governmental experts to review the current text of the draft convention on territorial asylum (A/9612/Add.3, annex) and hoped that the experts would take into consideration the various problems referred to by Italy in the Executive Committee, of which it was a member.

5. Her delegation wished to associate itself with previous speakers who had expressed serious concern about violations of the rights of refugees and full support for the firm stand taken by the High Commissioner in respect of the strict application of the principles of asylum and *non-refoulement*.

6. She observed that Italy's long experience in the field of assistance to refugees as a country of first asylum was not mentioned in the High Commissioner's report. However, she had noted with interest the reference in paragraph 26 of document A/9612 to the fact that, in a number of countries, the establishment of procedures for the determination of refugee status similar to those followed by Italy was under active consideration. Lastly, she reiterated Italy's support for all the activities of the High Commissioner's Office.

7. Mrs. HEANEY (Ireland) said that the High Commissioner's report reflected the human misery on a massive scale which was the by-product of war and political repression. In such situations, the Office of UNHCR might be the only lifeline of hope for those who had lost everything or were subjected to persecution in their homelands. Her delegation greatly appreciated the work done on behalf of the human family by the High Commissioner. It noted with satisfaction the success of his efforts, in co-operation with the Governments concerned, in bringing to a conclusion the repatriation operation in the South Asian subcontinent, under which more than 200,000 persons had been returned to their homes.

8. Her delegation also noted that there were still an estimated 1 million refugees in Africa. The completion of the United Nations relief programme in the southern Sudan and the return of 100,000 Sudanese to their homes was evidence of how even situations involving massive numbers of refugees could be dealt with through co-operation between Governments and the High Commissioner. A major project in the immediate future would be the voluntary repatriation of refugees from former Portuguese colonial Territories. Her delegation noted with satisfaction that consultations had already begun between the High Commissioner, the Organization of African Unity and the countries directly affected and it felt confident that those consultations would facilitate the speedy repatriation of the refugees concerned.

9. In Cyprus, a new and urgent refugee problem had arisen, since almost one third of the island's population had been displaced and left homeless. Once more the High Commissioner, as United Nations co-ordinator of humanitarian assistance, was faced with a formidable task for which he would need the material and moral support of the entire international community. The Irish Government had contributed to the material relief of the Cypriot people through the International Committee of the Red Cross, the Council of Europe and the European Economic Community.

10. Unfortunately, the problem of Chilean refugees, following the coup of September 1973, continued to exist. The Irish people had shown their concern for the sufferings of Chileans by receiving refugees for permanent resettlement. She noted from the report of the High Commissioner (A/9612, para. 21) that assurances had been received from the Government of Chile that the provisions of the Convention relating to the Status of Refugees of 1951 and the 1967 Protocol thereto, to which Chile was a party, would be respected and she hoped that that would continue to be the case.

11. In his statement to the Committee, the High Commissioner had pointed out that the most important function of his Office was that of protection. The Convention of 1951 and the 1967 Protocol, to which Ireland was a party, were the cornerstone of the multilateral structure for the protection of refugees. Her delegation noted with satisfaction additional accessions to those instruments during the reporting period. Another important development over the past year had been the deposit of the sixth instrument of accession to the 1961 Convention on the Reduction of Statelessness, which would enable it to come into force in December 1975. The report of the High Commissioner (*ibid.*, para. 30) explained some of the benefits of that Convention.

12. Her delegation was a sponsor of draft resolution A/C.3/L.2140 on the question of the establishment, in accordance with the Convention on the Reduction of Statelessness, of a body to which persons claiming the benefit of the Convention may apply, submitted under agenda item 99, which it hoped would be adopted unanimously. It was also a sponsor of draft resolution A/C.3/L.2136 which, if adopted, would further the admirable work of the Office of the High Commissioner in a most helpful way.

13. Mr. ELTAYEB (Sudan) expressed appreciation to the High Commissioner for his lucid introductory statement and his detailed report, which gave a systematic outline of the High Commissioner's ceaseless efforts on behalf of refugees all over the world. The Commissioner's Office was a model of administrative efficiency. Thanks to its scientific and pragmatic planning, the greatest airlift in modern history, involving 250,000 Bengalis and Pakistanis, had been executed in an unusually short time.

14. Wherever the colonialists went, it was their wont to sow the seeds of dissension among the people of the same country. Thus, when the Sudan had become independent, it had found itself burdened by a colonialist legacy born of the colonialists' hopeless attempts to separate the south from the north. That problem had continued to deplete the material and human resources of the country until the victorious revolution of May 1969. Thanks to the ability of the leader of the revolution, President Nimeiry, a solution had been found to that problem, as set forth in the Addis Ababa Agreement of March 1972, which had marked a new birth for the Sudan. Pursuant to that Agreement, the High Commissioner had greatly helped in the task of repatriating many Sudanese from neighbouring countries and in building up basic services in the Sudan. His delegation was grateful to the High Commissioner and to all the countries and organizations which had contributed to the repatriation and settlement operations. The High Commissioner had also co-operated effectively in projects for the settlement in the Sudan of refugees from neighbouring countries.

15. His delegation supported the emphasis placed in the High Commissioner's report on the need to intensify refugee training and education. Most refugees tended to live in cities and professional and vocational training would facilitate their absorption in the labour market and help them contribute to the eventual development of their countries when the causes of their emigration had disappeared.

16. The colonialist and Zionist régimes, which forced citizens to leave their homes, must be condemned and isolated until such time as they collapsed.

17. His delegation supported the recommendation of the Executive Committee to the effect that a meeting of governmental experts should be held to review the current text of the draft convention on territorial asylum.

18. The Sudan was one of the sponsors of draft resolution A/C.3/L.2136 and attached great importance to the continuation of the humanitarian tasks which the High Commissioner was performing in co-operation with various States, United Nations organs and voluntary organizations. It hoped that the draft resolution would have the full support of the Committee.

19. Miss HARELI (Israel) said that the human problems faced by the High Commissioner were among the most difficult and baffling anywhere in the world. She commended the resourceful and efficient manner in which he and his staff tackled those problems. The High Commissioner's report reflected the impressive results he had achieved over the years, which in turn inspired confidence that solutions might also be found for the current burning refugee problems which fell within his mandate.

20. Given the experience of the High Commissioner in dealing with human problems resulting from political upheavals, it was natural that he should have been entrusted from time to time with additional functions, such as the co-ordination of humanitarian assistance programmes in Cyprus. The inclusion of such additional activities within the over-all programme budget of UNHCR was a sensible measure, consistent with the administrative streamlining of the total range of UNHCR's operations.

21. Her delegation agreed with the emphasis placed by the High Commissioner on the need for constructive, immediate solutions to refugee problems. For example, the establishment of training programmes and rural communities in countries of asylum had led to the early economic independence of whole groups of refugees. The human and psychological value of that approach was no less important than its economic value.

22. Her delegation shared the view that the protection of each individual refugee remained the central function of the High Commissioner's Office. Human rights were indivisible; the extent of their observance in any community or State could be measured by the status of its weakest groups. Refugees were the most defenceless residents of any country and needed to be accorded more than the rights of the ordinary citizen. The High Commissioner's programme therefore deserved full support, both financial and in kind.

23. Israel was a party to the Convention relating to the Status of Refugees of 1951 and the 1967 Protocol thereto and the 1954 Convention relating to the Status of Stateless Persons. Her Government would continue to contribute financially to the UNHCR programme.

24. Her delegation was prepared to vote for draft resolution A/C.3/L.2136, of which operative paragraph 2 of part A it especially appreciated. With regard to part B of the draft resolution, she pointed out that the doubling of allocations to the Emergency Fund meant less than a doubling of real resources; it was, however, a step in the right direction. Her delegation would also vote in favour of draft resolution A/C.3/L.2140.

25. Mr. EL-SHIBIB (Iraq) expressed appreciation to the High Commissioner and his staff for their dedicated efforts to alleviate the suffering of refugees in various parts of the world. The humanitarian tasks of UNHCR were onerous and often had political implications.

26. Both the High Commissioner and the representative of Iran, in their statements to the Committee (2098th meeting), had referred to the question of Kurdish refugees from Iraq. He noted that the Government of Iran had invited a representative of the High Commissioner to visit the refugees. However, the High Commissioner had been asked merely to view the situation and report on it, not to provide any assistance. The motives of the Iranian Government in making such a request could only be guessed. The High Commissioner had duly reported to the Executive Committee, which had also been informed by the Iraqi observer of the Iraqi Government's position on the issue (see A/9612/Add.1, paras. 12 and 31). That position was that Iraq was willing at any time and at any place on the border with Iran to receive, resettle and rehabilitate the

Kurdish refugees currently in Iran. Those refugees would be covered by the amnesty which had recently been declared.

27. He pointed out that the question of the Kurdish refugees was not a new issue. He himself had been the head of an Iraqi delegation which had conducted negotiations with Iran the previous August in Istanbul. He had informed the Iranian delegation to those negotiations of the Iraqi position he had just outlined. However, no satisfactory reply had been received to the overtures of his Government and of the Red Crescent Society of Iraq. He noted that there were some who were not beyond exploiting situations of human suffering for their own purposes. He attributed to an oversight the fact that the High Commissioner, in his statement, had failed to mention the Iraqi Government's position on the issue. He had every confidence that the High Commissioner would not allow his Office to be used for propaganda purposes.

28. Representatives of Iran, in statements to the Committee and elsewhere, had said that there were 100,000 or 105,000 Kurdish refugees in Iran. The High Commissioner had not been in a position to check the accuracy of those figures, and his delegation placed little credence in them. The Iranian Government also claimed that it had spent \$100 million on relief works for Kurdish refugees. The altruistic motives of such expenditures might well be questioned. It was clear that an attempt was being made to use the issue of Kurdish refugees as an excuse for interfering in the internal affairs of Iraq. His delegation was opposed to any attempt to use humanitarian issues for political purposes. His Government would properly fulfil its humanitarian responsibilities towards all peoples who were in jeopardy.

29. Mr. SPEEKENBRINK (Netherlands) associated himself with the general expression of appreciation for the activities of the High Commissioner and his staff in providing legal protection and material assistance to refugees under his mandate and in accordance with relevant resolutions of the General Assembly or other pertinent decisions.

30. The report of the High Commissioner demonstrated that major refugee problems continued to exist. It was tragic that new situations had arisen which had required the international community to entrust the High Commissioner's Office with new tasks. It was essential that the international community should support the High Commissioner's efforts, which were largely directed to the assistance of individuals who suffered as a result of political tensions.

31. For many years the High Commissioner had assisted countless refugees from Angola and Mozambique and neighbouring countries. His delegation was pleased to note that those efforts would in the foreseeable future result in the addition of valuable human resources to newly independent African nations. The successful conclusion of UNHCR's operations in Asia was yet another illustration of the contributions the High Commissioner could make to just and lasting solutions of refugee problems and to economic and political stability. The assistance in the resettlement of about 3,000 foreign refugees in Chile, the special programme currently being carried out in Cyprus

and the programme undertaken to assist in the rehabilitation of displaced persons in the Indo-China peninsula were further examples of the adaptability of the High Commissioner's Office to specific situations, each with its own political dimension. His delegation supported the High Commissioner's efforts to promote lasting solutions through the voluntary repatriation, integration or resettlement of refugees. It was regrettable, however, that the reduction of the number of refugees by such measures was often offset by new events which gave rise to new refugee problems. The appearance of new refugee situations could only be prevented if the international community was able to control and avoid the tensions, conflicts and prejudices which lay at their root.

32. His delegation shared the High Commissioner's concern at the erosion of the concept that the granting of asylum could not be regarded as unfriendly by any other State, since it was a peaceful and humanitarian act. That concept should be recognized and respected, for it largely determined the scope of the humanitarian assistance extended to individual refugees. In that connexion, he took note of the statement by the Director of Protection at the twenty-fifth session of the Executive Committee (*ibid.*, para. 39), in which the latter had emphasized that the questions of asylum and *non-refoulement* continued to be a main preoccupation of the Office. The positive response of the great majority of States to the proposal that steps should be taken to complete a convention on territorial asylum was encouraging. The Netherlands representative on the Executive Committee had expressed the view that a conference of plenipotentiaries should be convened as soon as possible for that purpose, but had also pointed out that the current text of the draft might be usefully improved by first submitting it to a group of governmental experts. It followed that his delegation fully supported draft resolution A/C.3/L.2139, which called for the establishment of such a group.

33. Mr. EVANS (Australia) joined with previous speakers in expressing appreciation to the High Commissioner for the effective manner in which he and his Office had again fulfilled the mandate entrusted to them by the United Nations in a year of exceptional activity. His delegation particularly appreciated the comprehensiveness, thoroughness and clarity of the report and the three addenda thereto (A/9612 and Corr.1 and Add.1-3), which represented a clear reaffirmation of a total commitment to humanitarian ideals.

34. Australia was pleased to note the success of the repatriation operation in the South Asian subcontinent and to learn of the expansion of UNHCR programmes in Africa and South-East Asia and of the continuing success of the Office's involvement in Latin America. However, while praising the efficiency of the programmes of UNHCR, his delegation was gravely concerned at the continuing need for such programmes. It was alarmed to see the workload of the Office increasing rather than decreasing. Its concern was increased by the reference in the report to "the deterioration of certain existing situations". It was perhaps a vain hope to expect permanent solutions in the near future to all the current refugee problems, but it was nevertheless important to concentrate efforts on ensuring that the current facilities of UNHCR were strong and flexible

enough both to cope with the increasing strains and to respond quickly and effectively to sudden and unpredictable crises. To that end, both national and international legislation should be strengthened. His Government believed that the Office of the High Commissioner could not adequately fulfil its primary function of protection until more States acceded to the international instruments relating to the status of refugees. Accordingly, in December 1973 Australia had become a party to the Protocol extending the scope *ratione personae* of the Hague Agreement relating to Refugee Seamen of 1957 and had acceded to the 1967 Protocol relating to the Status of Refugees, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. Australia regretted that some 70 Governments were not yet parties to either the Convention of 1951 relating to the Status of Refugees or the 1967 Protocol thereto, but was pleased to note that further accessions were expected. It welcomed the fact that the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa and the Convention on the Reduction of Statelessness could now both enter into force.

35. His Government's support for measures to complete a draft convention on territorial asylum was further evidence of its commitment to the strengthening of international co-operation in that field. The elaboration of a draft convention would be an important development in the field of humanitarian law and a major advance in the regulation of political asylum. Australia was therefore one of the sponsors of draft resolution A/C.3/L.2139. His delegation would have been willing to accept the draft convention (A/9612/Add.3, annex) prepared at the Colloquium on the Law of Territorial Asylum, held in Bellagio in 1971, and at the meeting of experts held in Geneva in 1972, as a basis for the work of a conference of plenipotentiaries. It felt strongly that the international community should now proceed as quickly as possible to the conclusion of an international convention. It was not entirely convinced that a further meeting of experts was really necessary since their work would largely duplicate the work of the Colloquium. However, it was prepared to accept such a meeting on the understanding that the experts would take full advantage of the work already done and would conclude their deliberations at their meeting next year. That meant that the preparatory work for a conference of plenipotentiaries would be completed before the next session of the General Assembly. His Government would be pleased to nominate an expert to assist in the further preparation of a draft convention. He hoped that the General Assembly, at its thirtieth session, would recommend that the conference of plenipotentiaries should be convened in 1976.

36. The success of United Nations work in the field of territorial asylum encouraged delegations to believe that progress would also be achieved in the related areas of extraterritorial or diplomatic asylum. Diplomatic asylum had much in common with territorial asylum, and the achievement of progress in one field necessarily facilitated the solution of problems in the other. He noted that the problem of diplomatic asylum which had been included in the agenda of the twenty-ninth session of the General Assembly as the result of an Australian initiative¹ was

¹ See *Official Records of the General Assembly, Twenty-ninth Session, Annexes*, agenda item 105, document A/9704.

currently being discussed in the Sixth Committee. In his Government's view, asylum was a noble institution deserving the careful and sympathetic interest and support of the entire international community as a means of securing international co-operation on humanitarian problems affecting the well-being of large numbers of individuals.

37. The drafting of international legislation was only one approach to the problems of refugees. The legislative system could not function unless Governments were willing to provide the necessary material assistance to UNHCR for its endeavours. The Australian Government had contributed regularly to the United Nations refugee programmes since their inception. In previous years its annual contribution had been \$A175,000; in 1973, that amount had been increased to \$A200,000, and for 1975 it was proposed to increase the contribution further to \$A320,000—approximately \$US420,000. In addition to those regular funds, his Government had responded to the appeals to the High Commissioner for additional assistance to help finance projects in various parts of the world.

38. The statements that had been made on the item had focused attention on the hardships and personal miseries suffered by refugees. It should not be forgotten, however, that where there was life, there was hope. In that connexion, he expressed his personal shock and sorrow at recent reports he had read of the tragic deaths in Ethiopia of many of that country's former leaders.

39. Miss DUBRA (Uruguay) thanked the United Nations High Commissioner for Refugees for his clear introduction of his most valuable report (A/9612 and Corr.1 and Add.1-3). Her delegation welcomed the importance given by the High Commissioner to the right of asylum. It therefore supported the proposal to establish a group of governmental experts, which should meet before the proposed conference of plenipotentiaries. She welcomed the fact that the Australian delegation was introducing a draft resolution on the right of asylum in the Sixth Committee.² There was no doubt that the long and noble tradition of Latin America in that respect, which had been given form in specific conventions, would be very valuable.

40. Turning to draft resolution A/C.3/L.2139, she said that her delegation supported in principle the proposal to call a conference of plenipotentiaries, but it had some doubts about operative paragraph 2. Although it was in favour of establishing a group of experts, which should meet before the conference of plenipotentiaries, it did not agree that the members of the group should be designated by the Chairman of the Third Committee. That duty would more properly devolve upon the Secretary-General, and it should be for the Sixth Committee rather than the Third Committee, to decide. Her delegation could not support the draft resolution as it stood.

41. Mrs. BERTRAND DE BROMLEY (Honduras) congratulated the High Commissioner on his valuable report. The activities undertaken by the High Commissioner to alleviate the sufferings of refugees were most heartening, and her delegation therefore supported the UNHCR programmes. In addition to the regular programme of his

² *Ibid.*, document A/9913, para. 4.

Office, the High Commissioner had been called upon to undertake assistance and emergency aid programmes for refugees in Bangladesh, Pakistan, Uganda, Viet-Nam and Latin America. Her delegation therefore fully supported part B of draft resolution A/C.3/L.2136, by which the General Assembly would authorize the High Commissioner to allocate up to \$2 million annually from the Emergency Fund for emergency situations.

42. Her delegation welcomed a conference of plenipotentiaries on territorial asylum, which was particularly pertinent in the present world situation. It would be advisable for that conference to be preceded by the meeting of the group of experts referred to in operative paragraph 2 of draft resolution A/C.3/L.2139.

43. Her delegation had become a sponsor of draft resolutions A/C.3/L.2136 and A/C.3/L.2139.

44. Mrs. MASSON (Canada) said that the High Commissioner was to be congratulated on his activities and on his report. Her delegation noted with satisfaction that UNHCR had been able to assist more refugees in the past year (285,000) than in the previous year (230,000). Her delegation greatly appreciated the work of the High Commissioner and his efforts to solve the problems of refugees by local settlement, resettlement or repatriation, education and training and counselling with a view to their better integration in the society in which they were called upon to live. Her delegation was interested to note the co-operation between the Office of the High Commissioner and other United Nations bodies and with many non-governmental organizations. The goodwill of Governments was also a positive factor which made for the solution of refugee problems. The best way in which the international community could assist the thousands of refugees was by combining all efforts on their behalf.

45. It was to be hoped that the flow of refugees would eventually diminish and that, ultimately, there would be no need for an Office of the United Nations High Commissioner for Refugees. In Africa, for instance, there were grounds for hoping that the changes in the former and present Portuguese Territories would substantially diminish the number of African refugees. It was Africa, nevertheless, which produced the largest number of refugees. According to the High Commissioner's report, the number had been estimated at approximately 1 million as of 31 December 1973.

46. Referring to the UNHCR regular programme, she said that her Government had closely followed developments in Chile since the events of September 1973, and one of its main concerns had been to assist those who felt that they had to seek a new life outside Chile. Her Government had taken special measures to assist those Chilean and non-Chilean refugees, in and outside Chile, who wished to settle in Canada. For instance, it had speeded up the immigration procedures, provided language training and placement services, assisted with transport costs, and provided financial aid for housing, winter clothing and any other assistance required for rapid settlement. Those measures had helped to facilitate the solution of the problems faced by the 700 refugees from Chile who had already reached Canada. Her Government was continuing to give the

situation its close attention and would do its best to provide more assistance if that proved necessary.

47. In Africa, the constant flow of refugees from Burundi and other countries still demanded attention from the High Commissioner. Her delegation welcomed the fact that the United Nations immediate relief programme in the southern region of Sudan and the programme of assistance to Uganda Asians of undetermined nationality had been successfully completed thanks to the efforts of UNHCR. Canada had contributed \$500,000 to the former, and it had taken in 5,000 Uganda Asians under the latter. In Asia, her delegation was happy to note that the vast subcontinent repatriation operation, which had involved moving more than 200,000 people, had been crowned with success. The Canadian people had been specially concerned by the tragic events in Cyprus. As a member of the United Nations Peace-Keeping Force in Cyprus, Canada had direct experience of the situation on the island. The fact that the High Commissioner had been called upon to co-ordinate assistance to displaced persons in Cyprus was a tribute to the efficiency of his Office.

48. Her delegation understood why the High Commissioner had proposed the preparation of an international convention on territorial asylum. Her Government supported the recommendation of the Executive Committee that a group of experts should review the text of the draft convention before the conference of plenipotentiaries on territorial asylum.

49. Canada would continue to support the High Commissioner's programmes; subject to parliamentary approval, it would increase its contribution to \$600,000 in 1975.

50. Mr. FALL (Senegal) congratulated the High Commissioner on his clear introduction of his report. He paid a tribute to the compassion and understanding with which the High Commissioner and his colleagues were carrying out their task. His delegation was particularly concerned because so many of the activities of UNHCR were carried on in Africa, where 1 million refugees came within its mandate. The African virtues of tolerance and generosity were reflected in the support and hospitality given to the refugees by many African countries, which had taken in thousands of displaced persons.

51. Unfortunately, the problem of refugees was not confined to Africa. There was therefore every reason that the financial goal for contributions in 1975 should be set at \$12,656,000, an increase over 1974 which was justified by fresh tragedies, particularly in Latin America.

52. In view of such events, there was every reason for the High Commissioner to be authorized to allocate up to \$2 million annually from the Emergency Fund for emergency situations. His delegation supported the Executive Committee's proposal to that effect and would vote for draft resolution A/C.3/L.2136. It had confidence that the High Commissioner would use those funds with effectiveness and prudence. His delegation also had confidence that the High Commissioner would use the funds contributed for the special programmes in southern Sudan, South-East Asia, Cyprus, Viet-Nam and for the nomads of the Sahel with equal prudence. Senegal had made a large

contribution to the programme for persons made homeless by the drought. The number of refugees in Senegal had reached 84,000 by the end of 1973, and most of them had settled in the Casamance region in the south of the country. Senegal had set up a National Committee for Aid to Refugees which was working with the High Commissioner's Office to provide material and financial assistance for refugees wishing to settle in Senegal. However, as was pointed out in paragraph 89 of the High Commissioner's report (A/9612), the number of refugees at Dakar had increased to 8,000 owing in part to the drought and that influx had caused new hardship in view of the lack of employment opportunities for refugees already living in urban areas. Those new difficulties had been solved with the co-operation of UNHCR. His Government had great hopes of the new events that had occurred in Africa with the liberation of former Portuguese territories. Some of the refugees from Guinea-Bissau were already returning to their homes, but assistance was needed for their resettlement and their reintegration in the social and economic life of their countries. In collaboration with the High Commissioner, Senegal and Guinea-Bissau would discuss possible measures to facilitate the voluntary repatriation of the refugees from Guinea-Bissau and their reinstallation in their country of origin. The active and concrete support of the international community would be vital to the success of that operation.

53. One of the primary functions of UNHCR was the international protection of refugees. Senegal was a party to the Convention on the Status of Refugees of 1951 and the 1967 Protocol thereto. It had also been one of the initiators of the OAU Convention of 1969 Governing Specific Aspects of Refugee Problems in Africa, which was the regional counterpart of the 1951 and 1967 instruments.

54. Since Act. No. 68-27 on the status of refugees had been adopted in 1968, new measures had been taken in Senegal. A qualifying committee had been established in 1972 to decide whether or not the status of refugee should be granted to individual applicants. No refugee could be expelled without the consent of the committee, and refugees could appeal against its decision if the committee abused its power. Travel documents were issued to displaced persons who qualified for the status of refugee under the Convention of 1951; about 500 had been issued so far. Such actions reflected his country's determination to contribute, however modestly, to the protection of human rights by ensuring effective legal protection of refugees based on the principle of *non-refoulement*.

55. In that connexion, he welcomed the fact that 76 of the 91 Governments which had responded to the High Commissioner's letter regarding the desirability of concluding a convention on territorial asylum had been in favour of it. Senegal had suggested that the preparation of such a convention should be entrusted to the Sixth Committee. However, it was in favour of calling a conference of plenipotentiaries, as recommended by the Executive Committee. It was also favourable to the convening of a group of experts to review the draft before the conference opened. The text would then be an acceptable basis for discussion.

56. Mr. NYAKAIRU-WAAKO (Uganda) commended the High Commissioner for the activities undertaken by his

Office and for the services it extended to all the agencies and Governments concerned with assistance to refugees. He welcomed the fact that permanent solutions were being found for the Sudanese refugees, many of whom had been repatriated to their country of origin. Emphasis had been laid on voluntary repatriation, and on the role of the High Commissioner. Uganda believed that, with the co-operation of all concerned, the work would be satisfactorily completed. Refugees in Uganda enjoyed the same benefits as Ugandans. Those living in refugee camps had enough land for animal husbandry. Before the refugees had been settled, the Government of Uganda had undertaken a costly scheme of clearing the settlement areas of the tsetse fly, and the settlers were now able to breed animals there. In addition, his Government had built schools, medical centres and other facilities basic for human well-being.

57. Mr. FIRN (New Zealand) said that, whatever doubts there might have been about the viability of the Office of the United Nations High Commissioner for Refugees, they had been banished over the past 25 years, during which the High Commissioner and his staff had engendered confidence by the way in which they had sought and found decent and humane solutions to the problems of dispossessed persons. The High Commissioner had become a central catalyst and co-ordinator of refugee work in all areas of the world.

58. In its approach to the refugee problem, New Zealand was motivated solely by humanitarian considerations. Earlier in the year, his Government had carried out a major review of New Zealand immigration policy on permanent entry. There now existed a sufficiently flexible provision for the entry into New Zealand of refugees and other persons in comparable circumstances.

59. As the High Commissioner's report indicated, his Office had been far from inactive during the past year. The extensive programme to repatriate and resettle displaced persons in the South Asian subcontinent had now been successfully concluded. It had been a vast operation involving the movement of some quarter of a million people by ship and aircraft. The High Commissioner and his staff were to be congratulated on the expeditious and humane manner in which the operation had been handled. New Zealand, which had contributed \$200,000 to the programme, felt that it had substantially added to the present spirit of reconciliation and stability in the area.

60. As a result of the events which had occurred in Chile in September 1973, a large number of Chileans had begun to leave the country, and persons who had fled to Chile from possible detention in their home countries had also become refugees once again. The High Commissioner was to be commended on the efforts he had made to relieve their plight. New Zealand had responded positively to his appeal for help in the resettlement of those refugees in agreeing to accept up to 36 families; some of them had already arrived in New Zealand and were being assisted to adapt themselves to new conditions.

61. New Zealand had acceded to the Convention relating to the Status of Refugees of 1951 and the 1967 Protocol thereto. It had also decided to become a party to the Hague Agreement relating to Refugee Seamen of 1957, which supplemented those two instruments.

62. New Zealand was a sponsor of the two-part draft resolution, A/C.3/L.2136, which should meet with unanimous agreement. As it supported the idea of a convention on territorial asylum, New Zealand would vote in favour of draft resolution A/C.3/L.2139.

63. In conclusion, he expressed the hope that the need for vast refugee operations would not arise again, but if it did, New Zealand had confidence in the ability of UNHCR to deal with it. The High Commissioner could count on continued New Zealand support for his efforts.

64. Mr. IPSARIDES (Cyprus) said that while the High Commissioner's report painted a tragic picture of refugees, it gave a heartening account of international assistance based on compassion. It described both the tragedy and the response to it of Governments and peoples. The High Commissioner and his staff were to be commended on their admirable efforts.

65. The people of Cyprus had reason to be grateful to the High Commissioner's Office for its efforts to ease the plight of the 220,000 of the island's inhabitants who had been forced to leave their homes because of the latest Turkish invasion. He wished to thank the High Commissioner and those Governments and organizations which had contributed to the High Commissioner's programme co-ordinating the humanitarian assistance to Cyprus. The magnitude of the problem could be judged from the fact that one third of the entire population had become refugees.

66. The High Commissioner should receive every support in his humanitarian task, but the speedy solution of the basic problem should be the ultimate aim, and that solution was voluntary repatriation. In Cyprus, as elsewhere, the ultimate solution was not the provision of food, medicines, clothing and shelter; it lay in an altogether different direction, a direction which had been indicated in the General Assembly resolution 3212 (XXIX) on the question of Cyprus adopted on 1 November 1974 to the effect that the solution was the speedy repatriation of all refugees to their homes. All the inhabitants of Cyprus, whether Greek, Turkish or Armenian, had a common desire to live together and build their future; the assistance in that task which the United Nations could provide would be extremely precious.

67. Mr. ELHOFARI (Libyan Arab Republic) expressed his delegation's appreciation to the United Nations High Commissioner for Refugees and his staff for their humanitarian work, which had greatly contributed to the alleviation of the sufferings of the many human beings who had been forced to leave their homes. The refugee problem had various aspects; on the one hand there were the injustice and persecution which could force people to leave their homes and on the other hand there was man's adherence to the principles of freedom and self-determination which sometimes led him to leave his home in order to live in freedom. The refugee problem would remain as long as injustice persisted and would continue to encompass both evil and mercy: while some practised domination and persecution and evicted people from their homes, others welcomed those refugees and tried to alleviate their suffering.

68. The reason for the existence of over 1 million refugees in Africa was the prevalence of colonialism, racial discrimi-

nation and *apartheid*. The two minority régimes in southern Africa continued to practise their hateful racist policies and to oppress and persecute the indigenous majority population. Refugees would continue to exist until the Africans who were engaged in struggle regained their right to self-determination. The policy of the new Portuguese régime in recognizing the right of the African peoples to self-determination was a very favourable development which had enabled thousands of Africans to return to their homes.

69. The Office of the High Commissioner had carried out a great humanitarian task in airlifting prisoners of war and refugees between Bangladesh and Pakistan. The Libyan Arab Republic extended moral and material support to the Office, in addition to its assistance to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and to national liberation movements. It would announce its contribution to the Office in 1975 at the meeting to be held for that purpose.

70. He drew attention to the fact that his Government had submitted a reply on the question of elaborating a convention on territorial asylum, proposing the addition of a new paragraph.

71. Mr. SIMBA NDOMBE (Zaire) congratulated the United Nations High Commissioner for Refugees on the tireless efforts he was making to find solutions to the many problems of refugees throughout the world. At the same time his delegation vigorously condemned those pressures which caused human beings to flee their homelands and to become refugees, with all the difficulties and suffering which the status of refugee entailed. Zaire was well aware of the magnitude of the refugee problem, for it was sheltering more than a million refugees, including 627,000 Angolans, and it accordingly advocated lasting solutions to the refugee problems. It was not easy for a State to share its schools, hospitals, goods and arms with refugees, and he paid a tribute to the effective action of the Office of the High Commissioner in assisting the refugees in Zaire. With regard to refugees from Zaire, following the advent of the Second Republic the Government of Zaire had proclaimed a general amnesty as part of its policy of national union and concord, and refugees from Zaire had thus been able to return to their country and had been reintegrated into society.

72. His Government had expressed its appreciation of the activities of the Office of the High Commissioner, particularly with regard to the repatriation of Angolan refugees. His delegation welcomed the new policy of the Government of Portugal, which had put an end to the colonialism that had given rise to that situation. His delegation reiterated the wish expressed at the previous session that the High Commissioner's Office should take a new census of refugees and study the priority needs in the receiving areas so as to make it possible to obtain assistance from the Office in improving the economic and social infrastructure.

73. Mr. DIEZ (Chile) said that his delegation agreed with the principles expressed by the High Commissioner and believed that humanitarian assistance to refugees and diplomatic asylum could never be considered as interference in a country's internal affairs. It felt that it was for the

refugee himself to decide whether he was being forced to leave his home because of physical danger or persecution of any kind, and therefore anything that was done to help such persons could not be considered as an infringement of the sovereignty of a country. That principle had long been observed in the Latin American countries and Spain and Portugal.

74. Chile was in favour of the elaboration of a convention on territorial asylum, and agreed with the representative of the Soviet Union (2099th meeting) that it was a complex and delicate matter. However, such a convention would only be the beginning of the road towards establishing new practices. It shared some of the reservations of the delegations of Australia and the Soviet Union on the procedure set forth in draft resolution A/C.3/L.2139, but it recognized the competence of the Executive Committee and in case of doubt would prefer to accept its ruling. His delegation noted the close links between the factors involved in diplomatic asylum and territorial asylum, and therefore also supported the draft resolution on diplomatic asylum which the Australian delegation had introduced in the Sixth Committee. The institution of asylum needed the necessary legal form to develop into a normative institution and would contribute much to the protection of human rights. He recalled that many international conventions on diplomatic asylum and on refugees existed in Latin America, including the Convention on Asylum signed at Caracas in 1954, the Convention on Political Asylum signed in Montevideo in 1933, and others. His delegation would therefore support draft resolutions A/C.3/L.2136 and A/C.3/L.2139. However, he requested the sponsors and the Office of the High Commissioner to take into consideration the view of the representative of Uruguay that it was for the Sixth Committee to decide on the matter. His delegation would abide by the decision of the Office of the High Commissioner.

75. With regard to the concern of the representative of Ireland regarding Chile's compliance with the Convention relating to the Status of Refugees of 1951 and the 1967 Protocol thereto, he recalled that a few weeks previously when Mr. Blanchard, the representative of the High Commissioner, had left Chile, he had publicly expressed appreciation for the co-operation shown by the Chilean Government and had stated that while he had been there it had fully complied with its obligations under the Convention of 1951.

76. Mrs. WATANABE (Japan) expressed great appreciation for the noble humanitarian task which the United Nations High Commissioner for Refugees and his staff were accomplishing. The High Commissioner's visit to Japan in the previous September had provided the Japanese Government and people with a good opportunity to learn more about the world refugee problem. In addition to the news coverage of his visit, an informative film on the situation of refugees and the activities of the High Commissioner had been broadcast on a nation-wide television network, and that had proved very effective in stimulating the interest of the Japanese people in the problem and in increasing their sympathy for refugees. That kind of presentation would be most useful in enabling peoples throughout the world to understand the reality of refugee problems and the activity of UNHCR on their behalf.

77. Her delegation was firmly convinced that the High Commissioner's Office would meet the increasing challenge of the refugee problem, and her Government would continue to extend its full support to its activities.

78. Mr. GROS (France) expressed appreciation of the efficiency with which the United Nations High Commissioner for Refugees and all those who assisted him were accomplishing the task of extending aid to all refugees without distinction as to race or origin; there could indeed be no distinction where human suffering was concerned. It particularly praised the High Commissioner for the remarkable way in which he had carried out the operations entrusted to him by the Secretary-General, whether in the Sudan or in Asia.

79. His delegation was in agreement with the views expressed on asylum and *non-refoulement* and was prepared to consider any solution which might facilitate the application of those principles, taking into account the necessary limitations of hospitality. He was pleased to announce that, excluding the costs of maintaining Chilean refugees, which amounted to 9 million francs that year, France would contribute 2.5 million francs in 1975 to the work of UNHCR. France was a liberal country and intended to remain so, particularly with regard to asylum.

80. Mr. SINARINZI (Burundi), speaking in exercise of the right of reply, recalled that the representative of Canada had said that there was a constant flow of refugees from Burundi. However, since 1972 there had been an increase in the number of refugees in Burundi as a result of imperialist machinations. The Government of Burundi had accorded a general amnesty to all refugees wishing to return to Burundi and a number had already returned.

81. Mr. Fazlul KARIM (Bangladesh), speaking in exercise of the right of reply, said that he had been encouraged to hear the Pakistan representative state at the 2098th meeting that the issue of the remaining Pakistanis in Bangladesh who wished to return to Pakistan could be resolved through negotiations between the two Governments. The Government of Bangladesh had always been in favour of negotiations. The latest round of talks had been held at the summit meeting of the two Prime Ministers in June 1974, but to the disappointment of his Government no substantive results had been achieved. However, it was prepared to meet representatives of Pakistan at any time for further talks.

82. Mr. HOVEYDA (Iran), speaking in exercise of the right of reply, expressed surprise that the representative of Iraq had seen fit to exercise the right of reply in the course of his statement and had not commented on the report of the High Commissioner for Refugees. He himself had briefly mentioned the question of the Kurdish refugees in his statement at the 2098th meeting because the High Commissioner had referred to the problem in his report and because the Committee should know of the existence of refugees in any part of the world. He had tried to avoid speaking of any aspect apart from the purely humanitarian side of the problem, but unfortunately the representative of Iraq had seen fit to enter into an acrimonious diatribe which revealed a great deal about his motives. As usual, the representative of Iraq was short of arguments, and therefore had nothing better to say to excuse the inhuman actions of

his Government than that Iran was pursuing propaganda purposes. Yet it was not Iran which had provoked the events which had led the Iraqi Kurds—women, children and old people—to seek refuge in Iran. He recalled that he had replied at the 2265th plenary meeting of the General Assembly to the Iraqi representative's accusation that Iran had incited Iraqi Kurds to go to Iran.

83. It was the humanitarian duty of any State to receive refugees and take care of them; the Iraqi representative surely did not expect that Iran would close its frontiers to the flow of refugees and ignore their appeals. Iran had received the refugees and had informed the High Commissioner and the International Committee of the Red Cross about them, for it felt that a new refugee situation should not be hidden from the world. Iran had not requested material assistance because it had sufficient means for the time being, but if the flow of refugees continued, the appropriate international bodies would have to take full responsibility.

84. The representative of Iraq had mentioned his Government's readiness to receive the refugees back into Iraq, but had overlooked the fact that the return of the refugees depended on their own wishes. He recalled that his Government on several occasions had declared that it was prepared to facilitate the voluntary repatriation of the refugees in co-operation with the Red Crescent Society of Iraq and the Iranian Red Lion and Sun Society, under the supervision of the competent international bodies. In all justice the desire of the refugees themselves should be determined, and the High Commissioner or the International Committee of the Red Cross were in the best position to do that. Iraq, by refusing to recognize the role of the international bodies, was seeking to hide the truth.

85. In saying that his Government was prepared to grant total amnesty to the refugees, the representative of Iraq had admitted that the refugees were considered as criminals—yet they were children, women and old people.

86. As to the number of refugees, the representative of Iraq had not questioned the figure of 100,000 stated by the Iranian delegation in the plenary Assembly; there were now more than 105,000 refugees, because the bombing of the civilian population was continuing and women and children were being forced to flee. If there were any doubt on the matter, the High Commissioner should send out a team to count the number of refugees who had arrived in Iran so far.

87. Iran had immediately assisted the refugees, because it was a humanitarian matter; it could not have left them to suffer and die while waiting for international assistance, and there were precedents for such action, for instance in the establishment of refugee camps for Palestinian refugees in 1967.

88. As to the Iraqi representative's claim of interference in his country's internal affairs, the movement of over 100,000 refugees from Iraq to Iran was hardly a domestic problem; it concerned not only Iran, but also the entire international community.

89. Mr. EL-SHIBIB (Iraq), speaking in exercise of the right of reply, said that in his statement he had commented

mainly on the report of the High Commissioner for Refugees and on the High Commissioner's statement. He had referred to comments made by the representative of Iran because they related to the report and to matters of importance to his country. He did not wish to enter into an acrimonious debate, although that seemed to be the purpose of the representative of Iran, who had not added a single new point about the issues involved. The Iranian Government had, furthermore, ignored the offer of the Iraqi Government to meet at any time to arrange the repatriation of the refugees who wished to return to Iraq, and his Government would make every effort and go to any expense to make that possible.

90. The Iraqi Government guaranteed full amnesty to all the refugees in Iran, not only women and children; that action therefore represented a positive and humanitarian attitude, despite all the propaganda of the Iranian representative. He called on the Government of Iran to co-operate with his Government in solving the problem. The Iranian Government was trying to perpetuate the problem and was using the suffering of unfortunate people to play a political game. Iran's interference in the internal affairs of Iraq, and its assistance to the Kurds, were well known and had been mentioned in recent articles in *The New York Times*. It was the sincere desire of his Government to find a fair solution to the problem, and it had indicated to the High Commissioner and to the International Committee of the Red Cross that it was willing to proceed to immediate repatriation and resettlement of the people concerned.

91. Mr. BALOCH (Pakistan), speaking in exercise of the right of reply, recalled that at the 2098th meeting his delegation had expressed surprise and regret that the delegation of Bangladesh had seen fit to speak of the people in Bangladesh whom the Government of that country wished to evacuate to Pakistan. The Government of Pakistan had agreed to receive certain categories of persons, such as hardship cases, and had so indicated at the talks referred to by the representative of Bangladesh. However, it would be asking too much to expect his Government to repatriate every non-Bengali domiciled in Bangladesh.

92. Mr. HOVEYDA (Iran) asked the Committee to judge whether he had wanted to engage in polemics when he had merely quoted passages from the Report of the United Nations High Commissioner for Refugees in his statements. As to the newspaper articles referred to by the representative of Iraq, he could quote articles from newspapers all over the world concerning the genocide and systematic oppression of the Kurds being carried out by the Iraqi Government. The Iraqi representative had stated that his Government was prepared to settle the problem through consultations; his Government was prepared to do the same, under the supervision of the competent international bodies and of the International Committee of the Red Cross; therefore, if the Iraqi Government was in earnest, the two Governments should go ahead.

93. Mr. EL-SHIBIB (Iraq) said that his Government had made an offer which it would stand by; as he did not wish to enter into polemics, he would leave it to the Committee to judge the matter.

The meeting rose at 6.15 p.m.