



General Assembly

Distr.
GENERAL

A/AC.96/SR.423
16 October 1987

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

Thirty-eighth session

SUMMARY RECORD OF THE 423rd MEETING

Held at the Palais des Nations, Geneva,
on Monday, 12 October 1987, at 11 a.m.

Chairman: Mr. Robertson (Australia)

CONTENTS

Adoption of the draft report of the thirty-eighth session

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, room E.6108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 11.30 a.m.

ADOPTION OF THE DRAFT REPORT OF THE THIRTY-EIGHTH SESSION (agenda item 11)
(A/AC.96/XXXVIII/CRP.3)

1. Mr. POHYANANDA (Thailand), Rapporteur, said that the draft report (A/AC.96/XXXVIII/CRP.3) followed the format adopted at the thirty-seventh session, in which the narrative part had been kept to a minimum. Views expressed had accordingly not been included in full, but reference could be made to summary records where appropriate.
2. The CHAIRMAN said the draft report had been arranged according to the subjects discussed in the general debate, with the aim of producing a coherent picture. He had been asked to announce two additions which should be made to the text. Firstly, at the end of paragraph 14 the Committee's agenda would, of course, be inserted in the final version. Secondly, members would note that the outgoing Chairman's and his own statements had been summarized, whereas that of the High Commissioner had not. The intention had been, quite correctly, to include it verbatim as an annex to the report, but since numerous references were made to it in the report, it had been decided to include it in the body of the report under a short heading.
3. He hoped it would be possible to deal concisely with the draft report, which he would go through paragraph by paragraph. There would appear to be no need for political discussions, since the records adequately reflected the various positions adopted. He invited the Committee to consider the draft report.

Paragraphs 1-12

4. Paragraphs 1-12 were adopted.

Adoption of the agenda and other organizational matters (paras. 13 and 14)

5. Paragraphs 13 and 14 were adopted, subject to inclusion of the Committee's agenda.

Opening statement by the Chairman of the Executive Committee (paras. 15-23)

6. Paragraphs 15-23 were adopted.

General (paras. 24-28)

7. Mr. NAKAMURA (Japan) proposed that the first sentence in paragraph 24 should be shortened by deleting the part beginning with the words "... and expressed".
8. The amendment proposed by the representative of Japan was adopted.
9. Paragraphs 24-28 as amended were adopted.

"Root causes" (para. 29)

10. The CHAIRMAN said it had been proposed that in the eighteenth line the words "imbalances and general armed conflicts" should be replaced by "imbalances, general armed conflicts and foreign occupation".

11. The proposal was adopted.

12. Paragraph 29, as amended was adopted.

International protection (paras. 30-64)

13. Mr. van den BERG (Netherlands) proposed that a change should be made in the order of the paragraphs in that section. In his view, it would be preferable to deal with the main subject of international protection before specific issues discussed in the Sub-Committee. He accordingly proposed that paragraphs 45-64, reflecting the debate on the note on international protection (A/AC.96/694) should be included as paragraphs 36-55 and that the existing paragraphs 36-44 be renumbered accordingly. No changes were required in the wording of the paragraphs apart from paragraph 36, where the words "In the ensuing debate ..." should read "In the debate ...".

14. Mr. JAMAL (United Republic of Tanzania) felt that there was insufficient reason to change the order of the paragraphs. It appeared, in fact, that the reference to armed attacks on refugee camps was being put at the end, in other words, downgraded. He preferred the existing order.

15. The CHAIRMAN explained that paragraphs 45-64 contained matters of a general nature referring to the note on international protection. There was no question of making a relative judgement on the importance of the general debate and the conclusions on armed attacks.

16. Mr. DUPONT (Argentina) and Mr. HACENE (Algeria) supported the views expressed by the representative of the United Republic of Tanzania.

17. Mr. TLILI (Tunisia), also supported the views of the representative of the United Republic of Tanzania and pointed out that paragraphs 45-64 did not in fact all deal with the general debate. Paragraph 50, for example, referred to military attacks on refugee camps and settlements.

18. Mr. van den BERG (Netherlands) said that it had never been his intention to belittle the conclusions on military and armed attacks on refugee camps and settlements. He had merely wished to make it clear that the Committee was primarily concerned with the problem of protection.

19. Mr. JAMAL (United Republic of Tanzania) observed that the previous speaker's words appeared to imply an expression of judgement on the two items.

20. The CHAIRMAN said that the adoption of the conclusions on armed attacks on refugee camps and settlements was probably the dominant theme under the subject of protection and the main weight of opinion appeared to incline in that direction. He accordingly took it that the Committee preferred to retain the existing paragraph order.

21. It was so decided.

22. Paragraphs 30-36 were adopted.

23. The CHAIRMAN said it had been proposed that the following two new sentences should be inserted after the first sentence in paragraph 37, in order to reflect points made in the discussion: "Several speakers stressed that the essential elements of the conclusions were to condemn military attacks on refugee camps. They expressed the hope that the international community would continue its efforts to ensure the implementation of the conclusions and to prevent recurrence of such military attacks."
24. That proposal was adopted.
25. Paragraph 37, as amended, and paragraph 38 were adopted.
26. In response to a point raised by Mr. van den BERG (Netherlands), concerning paragraph 39, Mr. Pohyananda (Thailand), Rapporteur, said that in the last sentence of the paragraph the words "That speaker" should be amended to read "Those speakers".
27. Paragraph 39, as amended, and paragraph 40 were adopted.
28. The CHAIRMAN, referring to the last sentence of paragraph 41, said that the words "international instrument on the rights of the child" should be replaced by the words "international convention on the rights of the child".
29. Mrs. RUESTA de FURTER (Venezuela) suggested that in the same paragraph the words "One speaker" at the beginning of the third sentence should be replaced by the words "Several speakers".
30. Those amendments were adopted.
31. Paragraph 41, as amended and paragraph 42 were adopted.
32. Mrs. RUESTA de FURTER (Venezuela), referring to the third sentence in paragraph 43, said that since several delegations had called for the report in question, the French text should be brought into line with the English version.
33. The CHAIRMAN assured her that that would be done.
34. Paragraphs 43-45 were adopted.
35. The CHAIRMAN said that in the penultimate line of paragraph 46, the word "may" should be replaced by "might".
36. Paragraph 46, as amended, and paragraphs 47-50 were adopted.
37. Mr. VIEIRA de MELLO (Secretary of the Committee) read out the following text, which had been proposed by an observer and, if adopted, would become paragraph 51 (a): "One observer considered the comments concerning attacks on camps on the Thai/Cambodian border to be unwarranted and drew attention to the violations of the rights of refugees in those camps."

38. Mrs. POC Mona (Observer for Democratic Kampuchea) said that the sufferings of thousands of Kampuchean refugees were deeply felt by all Khmer people. If the observer's proposal was retained, her delegation would like the report to refer to its own statement in the debate in order to ensure that the report reflected reality. Her delegation had said that the victims, including women and children, who had been killed by bombings in the refugee camps were unfortunately not present to testify to the reality of those attacks.

39. Mr. VACHARASINTHU (Thailand) considered that the report should accurately reflect the Committee's debate without raising political issues. He opposed the insertion of a new paragraph as had been proposed. The statement by the observer in question would be reflected in the summary records of the meeting. If that observer pressed his proposal, the delegation of Thailand would feel obliged to request that the rights of reply exercised subsequently should also be reflected.

40. Mr. VAN SON (Observer for Viet Nam) agreed that the report must not raise political issues. However, in order to convey equitably all the points of view that had been expressed, a new paragraph 52 should be inserted to cover more accurately the debate on agenda item 4. Alternatively, paragraph 51 should be deleted, especially since the words "Other delegations" were inaccurate.

41. The CHAIRMAN suggested that the sentence "One observer contested the assertions made in respect of the latter situation." should be added to paragraph 51. As to the accuracy of the formulation "Other delegations", it could not be challenged because more than one delegation had referred to attacks on camps.

42. Mrs. POC Mona (Observer for Democratic Kampuchea) said that it would be unfair to the victims of the attacks to end the paragraph with a reference to a contestation of the facts; reference should also be made to the rights of reply exercised thereafter.

43. The CHAIRMAN, taking account of the point made by the observer for Democratic Kampuchea, suggested that a further sentence might be added to paragraph 51 reading "Other speakers, exercising their right of reply, expressed disagreement with that observer."

44. Mr. VACHARASINTHU (Thailand) said he was prepared to endorse the amendments suggested by the Chairman.

45. Mrs. TU Lifang (China) supported the views expressed by the observer for Democratic Kampuchea and agreed to the amendments to paragraph 51 suggested by the Chairman.

46. Mr. VAN SON (Observer for Viet Nam) expressed regret that his delegation was being discriminated against. However, he was willing to support the amendments suggested by the Chairman provided that his delegation's comments on the matter were accurately reflected in the summary record.

47. Mrs. POC Mona (Observer for Democratic Kampuchea) said she would support paragraph 51 as amended by the Chairman in order to ensure consensus and in the interests of the work being done by UNHCR to alleviate the plight of the refugees in question. However, the facts of the situation remained unchanged.

48. Mr. NAKAMURA (Japan) considered that the report should be kept as short as possible. No political issues must be raised in it and the views of the delegations concerned should, if necessary, be reflected elsewhere. Paragraph 51 should remain as it stood.
49. The amendments suggested by the Chairman were adopted.
50. Paragraph 51, as amended, and paragraph 52 were adopted.
51. The CHAIRMAN said it had been proposed that in paragraph 53 the following new sentence should be inserted after the second sentence: "One delegation stated that in some regions the withdrawal of foreign troops was a pre-condition for voluntary repatriation."
52. Mr. NAFFAH (Lebanon) proposed that in the new sentence the word "some" should be replaced by "all".
53. The two proposals were adopted.
54. Paragraph 53, as amended, was adopted.
55. The CHAIRMAN said it had been proposed that at the end of paragraph 54 the following sentence should be added, "A few delegations commented that there should not be undue emphasis on regional solutions, considering the heavy burden on neighbouring countries."
56. That proposal was adopted.
57. Paragraph 54, as amended, was adopted.
58. Mr. HASSAN (Sudan) proposed that the words "or rural settlement" should be inserted after the words "local integration" in the second and penultimate lines of paragraph 55.
59. Mr. AKINCI (Turkey) drew attention to an error in the last sentence of the French version of paragraph 55, the words "d'installation" should be replaced by "de réinstallation".
60. The proposal made by the representative of the Sudan was adopted.
61. Paragraph 55, as amended, was adopted.

The meeting rose at 1 p.m.