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OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Report of the Third Committee

Rapporteur: Mrs. Ani SANTHOSO (Indonesia)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 18 September 1987, the General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item entitled:

"Office of the United Nations High Commissioner for Refugees:

"(a) Report of the High Commissioner;

"(b) Question of the continuation of the Office of the United Nations High Commissioner for Refugees;

"(c) Assistance to refugees in Africa: report of the Secretary-General"

and to allocate it to the Third Committee.

2. The Committee considered the item at its 45th, 47th to 50th, 52nd, 54th and 56th meetings, on 13, 16, 17, 19 and 20 November 1987. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/42/SR.45, 47-50, 52, 54 and 56).

3. The Committee decided to consider item 103 together with the relevant reports of the Secretary-General, the United Nations High Commissioner for Refugees and the

chapters of the report of the Economic and Social Council, submitted under item 12. 1/

4. In connection with item 103, the Committee had before it the following documentation:

(a) Report of the Economic and Social Council for the year 1987, chapter III, section I (A/42/3); 2/

(b) Report of the United Nations High Commissioner for Refugees; 3/

(c) Assistance to refugees in Africa: report of the Secretary-General (A/42/491);

(d) Letter dated 29 January 1987 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/42/112);

(e) Letter dated 2 February 1987 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/42/114-S/18647);

(f) Letter dated 4 May 1987 from the Chargé d'affaires a.i. of the Permanent Mission of Suriname to the United Nations addressed to the Secretary-General (A/42/270);

(g) Letter dated 5 June 1987 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/42/323-S/18899);

(h) Letter dated 29 June 1987 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/42/376-S/18959);

(i) Letter dated 3 July 1987 from the representatives of Australia, Belgium, Canada, the Federal Republic of Germany, Iceland, Japan, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretary-General (A/42/381-E/1987/117);

(j) Note verbale dated 6 July 1987 from the Permanent Mission of Burundi to the United Nations addressed to the Secretary-General (A/42/390);

1/ For the report of the Committee on agenda item 12, see A/42/803 and addendum.

2/ To be issued as Official Records of the General Assembly, Forty-second Session, Supplement No. 3 (A/42/3).

3/ Official Records of the General Assembly, Forty-second Session, Supplement No. 12 (A/42/12) and ibid., Supplement No. 12A (A/42/12/Add.1).

(k) Letter dated 9 July 1987 from the Chargé d'affaires a.i. of the Permanent Mission of Suriname to the United Nations addressed to the Secretary-General (A/42/393);

(l) Letter dated 13 July 1987 from the Chargé d'affaires a.i. of the Permanent Mission of Suriname to the United Nations addressed to the Secretary-General (A/42/398);

(m) Letter dated 13 August 1987 from the Permanent Representative of Thailand to the United Nations addressed to the Secretary-General (A/42/477-S/19048);

(n) Letter dated 1 September 1987 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/42/525-S/19092);

(o) Letter dated 23 October 1987 from the Permanent Representative of Zimbabwe to the United Nations addressed to the Secretary-General (A/42/681);

(p) General Assembly decision 41/428, by which the Assembly deferred until its forty-second session consideration of a draft resolution entitled "International procedures for the protection of refugees" (A/C.3/42/L.6);

(q) Letter dated 27 October 1987 from the Permanent Representative of Honduras to the United Nations addressed to the Secretary-General (A/C.3/42/L.27).

5. At the 45th meeting, on 13 November, the United Nations High Commissioner for Refugees and the Under-Secretary-General for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship made introductory statements (see A/C.3/42/SR.45).

6. At the 50th meeting, on 17 November, the United Nations High Commissioner for Refugees made a concluding statement.

II. CONSIDERATION OF DRAFT RESOLUTIONS

A. Draft resolution A/C.3/42/L.6

7. At its forty-second session, the General Assembly, on the recommendation of the Third Committee, decided to defer until its forty-second session consideration of the draft resolution entitled "International procedures for the protection of refugees" (decision 41/428). The text of the draft resolution, which was before the Committee in document A/C.3/42/L.6, was as follows:

"The General Assembly,

"Deeply concerned by the plight of refugees in all parts of the world and in particular by the fact that traditional solutions to refugee problems, namely, voluntary repatriation, regional integration or resettlement in third countries, are still out of reach for a great number of refugees,

"Wishing to establish a set of procedures providing for an orderly management of the flows of refugees,

"Recognizing that the care for and the interest of the individual refugee must at all times be the primary concern,

"Believing that the achievement of durable solutions to the problems facing refugees should be based on the following guiding principles in that order of priority:

"(a) Voluntary repatriation,

"(b) Regional integration,

"(c) Resettlement outside the region,

it being understood that the order of priority may vary according to the concrete circumstances,

"Appreciating the burden that, according to these principles, falls upon the countries of a region that may be exposed to heavy flows of refugees,

"Emphasizing, therefore, the need to compensate those countries to the maximum extent possible through international assistance programmes, including the financing of the establishment and administration of regional United Nations processing centres,

"Realizing also the need to establish a global United Nations scheme for receiving those refugees who cannot be repatriated or integrated on a regional basis,

"Taking into account the views expressed during the debate on the report of the United Nations High Commissioner for Refugees,

"1. Urges all States to contribute to international assistance programmes, particularly in those countries most affected by heavy flows of refugees;

"2. Requests the Secretary-General, in co-operation with the Office of the United Nations High Commissioner for Refugees, to draw up a report evaluating the costs involved in setting up a sufficient number of United Nations refugee-processing centres to deal with the existing flows of refugees and indicating the number of refugees that each State Member of the United Nations, according to its population, population density and gross national product, might be able to receive;

"3. Further requests the Secretary-General to submit that report to Member States inviting their comments, including comments as to how many refugees registered by the Office of the High Commissioner each Member State is willing to receive on an annual basis;

"4. Decides to take up this matter on the basis of the report of the Secretary-General during the forty-second session of the General Assembly in connection with the report of the United Nations High Commissioner for Refugees."

8. At the 47th meeting, on 16 November, the representative of Denmark made a statement (see A/C.3/42/SR.47).

9. At the 54th meeting, on 20 November, following a statement by the Chairman (see A/C.3/42/SR.54), the Committee decided not to take action on the draft resolution.

B. Draft resolution A/C.3/42/L.67

10. At the 52nd meeting, on 19 November, the representative of Senegal, on behalf of the Chairman of the African Group and the sponsors, introduced a draft resolution (A/C.3/42/L.67) entitled "International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa".

11. At the 54th meeting, on 20 November, the representative of Malawi, on behalf of the States Members of the United Nations that are members of the African Group, orally revised the second preambular paragraph by replacing the words "their liberation movements" with the words "the liberation movements of South Africa and Namibia".

12. At the same meeting, draft resolution A/C.3/42/L.67, as orally revised, was adopted without a vote (see para. 26, draft resolution I).

13. After the adoption of the draft resolution, statements in explanation of position were made by the representatives of the United Kingdom of Great Britain and Northern Ireland, the Federal Republic of Germany and the United States of America (see A/C.3/42/SR.54).

C. Draft resolution A/C.3/42/L.68

14. At the 52nd meeting, on 19 November, the representative of Senegal, on behalf of the Chairman of the African Group and the sponsors, introduced a draft resolution (A/C.3/42/L.68) entitled "Second International Conference on Assistance to Refugees in Africa".

15. At the 54th meeting, on 20 November, draft resolution A/C.3/42/L.68 was adopted without a vote (see para. 26, draft resolution II).

D. Draft resolution A/C.3/42/L.77

16. At the 56th meeting, on 23 November, the representative of Denmark introduced a draft resolution (A/C.3/42/L.77) entitled "Continuation of the Office of the

United Nations High Commissioner for Refugees", sponsored by Australia, Austria, Bangladesh, Belgium, Canada, Costa Rica, Cyprus, Denmark, Djibouti, the Dominican Republic, Finland, France, Germany, Federal Republic of, Iceland, Japan, Malaysia, the Netherlands, Norway, Rwanda, Spain, the Sudan, Sweden, Thailand, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

17. At the same meeting, draft resolution A/C.3/42/L.77 was adopted without a vote (see para. 26, draft resolution III).

E. Draft resolution A/C.3/42/L.78

18. At the 56th meeting, on 23 November, the representative of Denmark introduced a draft resolution (A/C.3/42/L.78) entitled "Office of the United Nations High Commissioner for Refugees", sponsored by Australia, Austria, Bangladesh, Belgium, Canada, Costa Rica, Cyprus, Denmark, Djibouti, the Dominican Republic, Finland, France, Germany, Federal Republic of, Greece, Iceland, Italy, the Netherlands, New Zealand, Norway, Portugal, Rwanda, Senegal, Somalia, Spain, the Sudan, Sweden, Thailand and the United Kingdom of Great Britain and Northern Ireland.

19. At the same meeting, the representative of the United States of America made a statement in explanation of vote before the vote (see A/C.3/42/SR.56).

20. At the same meeting, the representative of Pakistan orally proposed to amend operative paragraph 14 by adding the words "together with the competent fora of the United Nations" after the words "to strengthen their mutual co-operation".

21. At the same meeting, following an oral proposal by the representative of Australia, the representative of Denmark, on behalf of the sponsors, revised operative paragraph 14 by adding the words "in accordance with their respective mandates" after the words "urges the High Commissioner and those organizations and agencies".

22. At the same meeting, draft resolution A/C.3/42/L.78, as orally revised, was adopted without a vote (see para. 26, draft resolution IV).

23. At the 58th meeting, the representative of Malaysia made a statement in explanation of vote after the vote (see A/C.3/42/SR.58).

F. Draft resolution A/C.3/42/L.80

24. At the 56th meeting, on 23 November, the representative of Honduras introduced a draft resolution (A/C.3/42/L.80) entitled "Assistance to returnees, refugees and displaced persons in Central America", on behalf of Argentina, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Italy, Mexico, Nicaragua, Pakistan, Panama, Paraguay, Peru, Spain, the United States of America, Uruguay and Venezuela, and orally revised the title of the draft resolution to read "Assistance to refugees, returnees and displaced persons of Central America".

25. At the same meeting, draft resolution A/C.3/42/L.80, as orally revised, was adopted without a vote (see para. 26, draft resolution V).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

26. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa

The General Assembly,

. Gravely concerned at the deteriorating situation in southern Africa arising from the continued domination and oppression of the peoples of South Africa and Namibia by the minority racist régime of South Africa,

Conscious of the need to provide increased assistance to the peoples of the region and the liberation movements of South Africa and Namibia in their struggle against colonialism, racial discrimination and the policies of apartheid,

Conscious also of its responsibility to provide economic, material and humanitarian assistance to independent States in southern Africa in order to assist them in coping with the situation resulting from the acts of aggression and destabilization committed by the apartheid régime of South Africa,

Aware that apartheid in South Africa, the illegal occupation of Namibia and acts of destabilization carried out by South Africa and its surrogate elements continue to be the main causes of refugee flows and the displacement of persons in the southern region of Africa,

Taking note of the decision by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-third ordinary session, held at Addis Ababa from 27 to 29 July 1987, to convene an International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa and to enlist the active support of the international community, in particular the United Nations, the United Nations High Commissioner for Refugees and the Southern African Development Co-ordination Conference, to that end,

Taking note also of the decision of the Executive Committee of the Programme of the High Commissioner to endorse the proposal for the convening

of an international conference to address the specific situation of refugees and displaced persons in southern Africa, 4/

Appreciating the current efforts of the international community to provide humanitarian assistance to refugees and other persons displaced by armed conflict in the countries of southern Africa,

Recognizing that the task of caring for refugees is a matter of international concern and solidarity in keeping with the Charter of the United Nations, international and regional instruments, in particular the 1951 Convention 5/ and the 1967 Protocol 6/ relating to the Status of Refugees, as well as the 1969 Convention of the Organization of African Unity Governing the Specific Aspects of Refugee Problems in Africa, 7/

Convinced that there is an urgent need for the international community to extend maximum and concerted assistance to southern African countries hosting refugees, returnees and displaced persons and also to highlight the plight of the refugees, returnees and displaced persons in southern Africa,

1. Welcomes the decision taken by the Organization of African Unity to convene in September 1988 an International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa;
2. Reiterates its appreciation to the Secretary-General for his efforts, on behalf of the international community, to organize and mobilize special programmes of economic assistance for those African States facing grave economic difficulties, the front-line States and other independent States of southern Africa to help them to withstand the effects of the acts of aggression and destabilization committed by the apartheid régime of South Africa;
3. Welcomes the decision of the Executive Committee of the Programme of the High Commissioner on the International Conference;
4. Requests the Secretary-General of the United Nations, in close co-operation with the United Nations High Commissioner for Refugees, to give all possible assistance to the Secretary-General of the Organization of African Unity in the preparation and organization of the International Conference;

4/ See Official Records of the General Assembly, Forty-second Session, Supplement No. 12A (A/42/12/Add.1), para. 209.

5/ United Nations, Treaty Series, vol. 189, No. 2545, p. 150.

6/ Ibid., vol. 606, No. 8791, p. 267.

7/ Ibid., vol. 1001, No. 14691, p. 45.

5. Appeals to all Member States, the specialized agencies of the United Nations system and regional, intergovernmental and non-governmental organizations to provide all the necessary support and resources needed for the convening and success of the International Conference;

6. Calls upon the international community to provide increased assistance to the countries of southern Africa to enable them to strengthen their capacity to provide the necessary facilities and services for the care and well-being of refugees, returnees and displaced persons in their countries;

7. Requests the Secretary-General to apprise the Economic and Social Council at its second regular session of 1988 and to report to the General Assembly at its forty-third session on the implementation of the present resolution.

DRAFT RESOLUTION II

Second International Conference on Assistance to Refugees in Africa

The General Assembly,

Recalling all its resolutions, particularly resolution 41/122 of 4 December 1986, relating to the Second International Conference on Assistance to Refugees in Africa,

Having considered the report of the Secretary-General on assistance to refugees in Africa, 8/

Mindful that the fundamental purpose of the Declaration and Programme of Action adopted by the Second International Conference on Assistance to Refugees in Africa, held at Geneva from 9 to 11 July 1984, 9/ was to launch collective action by the international community aimed at achieving lasting solutions,

Gravely concerned at the persistent and serious problem of large numbers of refugees on the African continent,

Aware of the heavy burden borne by African countries of asylum on account of the presence of these refugees and its consequences for their economic and social development, and of the heavy sacrifices made by them, despite their limited resources,

8/ A/42/491.

9/ A/39/402, annex.

Deeply concerned that the refugee situation has been severely affected by the critical economic situation in Africa, as well as by drought and other natural disasters,

Bearing in mind the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, 10/ adopted by the General Assembly at its thirteenth special session, the special session devoted to the critical economic situation in Africa, which refers in particular to the need for the speedy implementation of the recommendations of the Second International Conference on Assistance to Refugees in Africa,

Recognizing that the efforts of the countries of asylum require the concerted support of the international community to meet the needs for emergency relief, and for medium-term and long-term development aid,

Taking note of the declarations, decisions and resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-third ordinary session, held at Addis Ababa from 27 to 29 July 1987, 11/ and of the resolutions adopted by the Council of Ministers of the Organization of African Unity at its forty-sixth ordinary session, held at Addis Ababa from 20 to 25 July 1987, 12/ on the situation of refugees in Africa,

Emphasizing the collective responsibility of sharing the urgent and overwhelming burden of the problem of African refugees through effective mobilization of additional resources to meet the urgent and long-term needs of the refugees and to strengthen the capacity of countries of asylum to provide adequately for the refugees while they remain in those countries, as well as to assist the countries of origin in rehabilitating voluntary returnees,

Reiterating once again the vital importance of the complementarity between refugee aid and development assistance,

Noting once again with deep concern that many of the projects submitted to the Second International Conference on Assistance to Refugees in Africa have yet to be funded and implemented,

Desirous of ensuring the speedy implementation of the recommendations and pledges made at the Second International Conference on Assistance to Refugees in Africa,

10/ Resolution S-13/2, annex.

11/ See A/42/699, annex II.

12/ Ibid., annex I.

Noting the initiative taken by the Secretary-General to promote increased and effective co-operation between the United Nations Development Programme and the Office of the United Nations High Commissioner for Refugees through the signing of an agreement on co-operation, as well as the measures he has taken to revitalize the Trust Fund of the Second International Conference on Assistance to Refugees in Africa,

1. Expresses its deep appreciation to African host countries, which are the biggest donors, for their generous contribution and continuous efforts to alleviate the plight of refugees in spite of their critical economic situation;

2. Reiterates its appreciation to all donor countries, the organizations and specialized agencies of the United Nations system, regional organizations and intergovernmental and non-governmental organizations for their initial support and response to the projects submitted to the Second International Conference on Assistance to Refugees in Africa; 13/

3. Urges the international community to maintain the momentum created by the Conference and to translate into reality the projects submitted as well as the principles of the Declaration and Programme of Action agreed upon by the Conference;

4. Emphasizes the vital importance of the complementarity of refugee aid and development assistance and of achieving durable solutions to the problem of refugees in Africa and the necessity of providing assistance for the strengthening of the social and economic infrastructures of African countries receiving refugees and returnees;

5. Expresses its appreciation to the Secretary-General, the United Nations High Commissioner for Refugees and the Administrator of the United Nations Development Programme for their concerted action aimed at revitalizing and further strengthening the mechanisms of implementation of the Second International Conference on Assistance to Refugees in Africa;

6. Requests the United Nations High Commissioner for Refugees to continue to keep the situation of refugees in Africa under constant review so as to ensure that adequate assistance is available for care and maintenance and for bringing about durable solutions;

7. Requests the United Nations Development Programme to increase its efforts to mobilize additional resources for refugee-related development projects and, in general, to promote and co-ordinate with the host countries and the donor community the integration of refugee-related activities into national development planning;

13/ See A/41/572, annex.

8. Calls upon all Member States and organizations of the United Nations system concerned, as well as relevant regional, intergovernmental and non-governmental organizations, to intensify their support for the speedy implementation of the recommendations and pledges made at the Conference;

9. Again requests the Secretary-General, in accordance with the Declaration and Programme of Action, to monitor, in consultation and close co-operation with the Organization of African Unity, the United Nations High Commissioner for Refugees and the United Nations Development Programme, the effective follow-up to the Conference;

10. Further requests the Secretary-General to report to the General Assembly at its forty-third session, through the Economic and Social Council, on the implementation of the present resolution.

DRAFT RESOLUTION III

Continuation of the Office of the United Nations High Commissioner for Refugees

The General Assembly,

Recalling its resolution 37/196 of 18 December 1982, in which it decided to review, not later than at its forty-second session, the arrangements for the Office of the United Nations High Commissioner for Refugees with a view to determining whether the Office should be continued beyond 31 December 1988,

Recognizing the need for concerted international action on behalf of the increasing numbers of refugees and displaced persons of concern to the High Commissioner,

Considering the outstanding work that has been performed by the Office of the High Commissioner in providing international protection and material assistance to refugees and displaced persons as well as in promoting permanent solutions to their problems,

Noting with deep appreciation the effective manner in which the Office of the High Commissioner has been dealing with various essential humanitarian tasks entrusted to it,

1. Decides to continue the Office of the United Nations High Commissioner for Refugees for a further period of five years from 1 January 1989;

2. Decides to review, not later than at its forty-seventh session, the arrangements for the Office of the High Commissioner with a view to determining whether the Office should be continued beyond 31 December 1993.

DRAFT RESOLUTION IV

Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office, 14/ as well as the report of the Executive Committee of the Programme of the High Commissioner on the work of its thirty-eighth session, 15/ and having heard the statements made by the High Commissioner on 13 and 17 November 1987, 16/

Recalling its resolution 41/124 of 4 December 1986,

Reaffirming the purely humanitarian and non-political character of the activities of the Office of the High Commissioner, which are undertaken in the common interest of humanity,

Noting with satisfaction that, following recent accessions, one hundred and three States are now parties to the 1951 Convention 17/ and/or the 1967 Protocol 18/ relating to the Status of Refugees,

Deeply concerned that refugees and displaced persons of concern to the High Commissioner continue to face, in certain situations, distressingly serious problems in various parts of the world,

Particularly concerned that in various regions the safety and welfare of refugees and asylum-seekers continue to be seriously jeopardized on account of military or armed attacks and other forms of violence, and noting that further efforts should be made in dealing with the problem of rescuing asylum-seekers in distress at sea,

Stressing the fundamental importance of the High Commissioner's function to provide international protection, particularly in the context of the increasing complexity of the contemporary refugee problem, and the need for States to co-operate with the High Commissioner in the exercise of this essential function,

14/ Official Records of the General Assembly, Forty-second Session, Supplement No. 12 (A/42/12).

15/ Ibid., Supplement No. 12A (A/42/12/Add.1).

16/ Ibid., Forty-second Session, Third Committee, 45th meeting and 50th meeting.

17/ United Nations, Treaty Series, vol. 189, No. 2545, p. 150.

18/ Ibid., vol. 606, No. 8791, p. 267.

Noting the efforts of the High Commissioner to continue to address the special problems and needs of refugee and displaced women and children, who in many cases are exposed to a variety of difficult situations affecting their physical and legal protection as well as their psychological and material well-being,

Emphasizing the need for States to assist, on as wide a basis as possible, the efforts of the High Commissioner to promote durable and speedy solutions to the problems of refugees,

Realizing in this context that voluntary repatriation or return remains the most desirable solution to the problems facing refugees and displaced persons of concern to the High Commissioner, and welcoming the fact that in various parts of the world it has been possible for significant numbers of them to return voluntarily to their countries of origin,

Commending States that, despite severe economic and development problems of their own, continue to admit large numbers of refugees and displaced persons of concern to the Office of the High Commissioner into their territories, and emphasizing the need to share the burden of these States to the maximum extent possible through international assistance in accordance with the conclusions on refugee aid and development adopted by the Executive Committee of the Programme of the High Commissioner at its thirty-eighth session, 19/

Stressing the need for the international community to continue to provide adequate resettlement opportunities for those refugees for whom no other durable solution may be in sight, with particular attention given to refugees who have already spent an inordinately long time in camps,

Welcoming the valuable support extended by Governments to the High Commissioner in carrying out his humanitarian tasks, as well as the continuing and increasing co-operation between the Office of the High Commissioner and other bodies of the United Nations system, and with intergovernmental and non-governmental organizations,

Noting the High Commissioner's continuing efforts to reorganize and improve the efficiency and effectiveness of the Office, particularly with respect to activities in the field,

Commending the High Commissioner and his staff for the dedicated manner in which they discharge their responsibilities, and paying tribute to those staff members who lost their lives in the course of their duties,

1. Strongly reaffirms the fundamental nature of the function of the United Nations High Commissioner for Refugees to provide international protection and the need for Governments to co-operate fully with his Office in order to facilitate the effective exercise of this function, in particular by acceding to and implementing the relevant international and regional refugee instruments and by scrupulously observing the principles of asylum and non-refoulement;
2. Notes with particular concern the continued violation of the principle of non-refoulement in certain situations, and stresses the need to strengthen measures to protect refugees against such action;
3. Appeals to all States that have not yet become parties to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees to consider acceding to these instruments in order to enhance their universal character;
4. Condemns all violations of the rights and safety of refugees and asylum-seekers, in particular those perpetrated by military or armed attacks against refugee camps and settlements and other forms of violence;
5. Endorses the conclusions on military and armed attacks on refugee camps and settlements adopted by the Executive Committee of the Programme of the High Commissioner at its thirty-eighth session, 20/ and calls upon all States to observe these principles;
6. Endorses the conclusions on refugee children adopted by the Executive Committee of the Programme of the High Commissioner at its thirty-eighth session, 21/ and urges States to extend their full co-operation to the High Commissioner in ensuring that the special needs of refugee children are met;
7. Urges the High Commissioner to continue his efforts to identify and meet the special needs of refugee women;
8. Recognizes the importance of fair and expeditious procedures for determining refugee status and/or granting asylum in order, inter alia, to protect refugees and asylum-seekers from unjustified or unduly prolonged detention or stay in camps, and urges States to establish such procedures;
9. Recognizes the importance of attaining durable solutions to refugee problems and in particular the need to address in this process the causes that force refugees and asylum-seekers to flee their countries of origin in the

20/ Ibid., para. 206.

21/ Ibid., para. 205.

light of the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, 22/

10. Urges all States to support the High Commissioner in his efforts to achieve durable solutions to the problem of refugees and displaced persons of concern to his Office, primarily through voluntary repatriation or return, including assistance to returnees, as appropriate or, wherever appropriate, through integration into countries of asylum or through resettlement in third countries;

11. Expresses deep appreciation for the valuable material and humanitarian response of receiving countries, in particular those developing countries which, despite limited resources, continue to admit, on a permanent or temporary basis, large numbers of refugees and asylum-seekers;

12. Urges the international community, in accordance with the principle of international solidarity and burden-sharing, to assist the above-mentioned countries in order to enable them to cope with the additional burden that the care for refugees and asylum-seekers represents;

13. Recognizes with appreciation the work done by the High Commissioner to put into practice the concept of development-oriented assistance to refugees and returnees, as initiated at the Second International Conference on Assistance to Refugees in Africa, 23/ and urges him to continue that process, wherever appropriate, in full co-operation with appropriate international agencies, and further urges Governments to support these efforts;

14. Emphasizes the essential role of development-oriented organizations and agencies in the implementation of programmes that benefit refugees and returnees and urges the High Commissioner and those organizations and agencies, in accordance with their respective mandates, to strengthen their mutual co-operation towards the attainment of durable solutions, and calls upon the High Commissioner to continue to promote such co-operation;

15. Calls upon all Governments to contribute, in a spirit of international solidarity and burden-sharing and in every way feasible, to the High Commissioner's programmes with the aim of ensuring that the needs of refugees, returnees and displaced persons of concern to the High Commissioner are met.

22/ A/41/324, annex.

23/ See A/41/572, annex.

DRAFT RESOLUTION V

Assistance to refugees, returnees and displaced persons of
Central AmericaThe General Assembly,

Bearing in mind its resolution 42/1 of 7 October 1987 on the current peace initiatives undertaken in connection with the "Procedure for the establishment of a firm and lasting peace in Central America", signed at Guatemala City on 7 August 1987 by the Central American Presidents, 24/ and in particular section 8 thereof concerning refugees and displaced persons in the region,

Recalling the report of the United Nations High Commissioner for Refugees 25/ and the decision taken by the Executive Committee at its thirty-eighth session concerning refugees in Central America, 26/ in which the Executive Committee, inter alia, reaffirmed the importance of continuing to apply regional approaches for the consideration of this problem and the initiative to organize a conference on this question in 1988,

Bearing in mind further the principles contained in the Cartagena Declaration on Refugees of 1984 and the conclusions and recommendations of the colloquium held in Mexico in 1981 on asylum and international protection of refugees in Latin America,

Recognizing the generous efforts made by the countries receiving Central American refugees despite the enormous difficulties facing them, especially the present economic crisis,

Aware of the complexity and seriousness of the situation of the refugees and displaced persons in the Central American region and its effects on the social and economic development of the area,

Considering that voluntary repatriation constitutes the most appropriate solution to the problem of refugees, provided that it is on the basis of individual volition and with the collaboration of the Office of the United Nations High Commissioner for Refugees, and that the repatriation is carried out under conditions of complete safety and preferably to the country of origin,

24/ A/42/521-S/19085, annex.

25/ Official Records of the General Assembly, Forty-second Session, Supplement No. 12 (A/42/12).

26/ Ibid., Supplement No. 12A (A/42/12/Add.1), para. 208.

Keeping in mind also the means of co-operation established in the region through the setting up of tripartite commissions, composed of representatives of the country of origin, the country of asylum and the Office of the United Nations High Commissioner for Refugees, to facilitate and co-ordinate activities relating to the repatriation of refugees,

Recognizing the urgent need to co-operate with the countries of Central America and Mexico in the various phases involved in the repatriation, relocation, local integration and resettlement of refugees within the framework of lasting solutions,

Aware also of the adverse situation of persons displaced within their own country and of their need for assistance in order to reintegrate them in their places of origin,

Underlining the paramount importance of the humanitarian and apolitical aspect of the treatment of the problem of refugees and displaced persons, and the need to ensure that that aspect is strictly observed by the authorities of the countries of origin and of asylum, and of all participating agencies,

Taking note that the Executive Committee of the Agreements of Esquipulas II decided to establish a sub-commission on refugees and displaced persons, composed of representatives of the Central American countries, in order to study and propose formulas for promoting and facilitating voluntary repatriation and to propose machinery for regional co-operation as well as joint activities with the international community,

1. Expresses its satisfaction at the commitments made by the Presidents of the Central American countries in point 8 of the Esquipulas II document to protect and aid refugees and displaced persons;

2. Commends the valuable humanitarian work carried out by the Office of the United Nations High Commissioner for Refugees, governmental and non-governmental organizations and countries of asylum and also the important contribution of the donor countries in solving the most critical problems involved in rendering assistance to Central American refugees and displaced persons;

3. Also commends the important initiative taken by the Central American countries, the Contadora Group and the Support Group on the refugee question as part of the efforts made to restore peace in the region;

4. Appeals to the international community and governmental and non-governmental organizations to draw upon their humanitarian and apolitical character and to provide and increase co-operation and assistance to Central American refugees, returnees and displaced persons;

5. Invites Member States to co-operate with the countries of the region in solving the social and economic problems arising from the streams of refugees and displaced persons;

6. Appeals to the international community to intensify its co-operation in the process of voluntary repatriation that is taking place as well as the rehabilitation of returnees in their country of origin, and also urges it to facilitate the resettlement or transfer of refugees within the framework of lasting solutions and, while that process is taking place, to continue international humanitarian co-operation for the benefit of the refugees;

7. Stresses the need to co-ordinate humanitarian assistance projects with the national development plans of the countries of the region and emphasizes that the assistance provided for projects related to refugees must be considered special in character and independent of co-operation for the development of the countries of the region;

8. Requests the Secretary-General, in co-operation with the competent agencies of the United Nations system, to take the necessary measures for preparing programmes of assistance to persons displaced in their own country and for facilitating the reintegration and rehabilitation of returnees;

9. Also requests the Secretary-General, in co-operation with the United Nations High Commissioner for Refugees and competent bodies, to report to the General Assembly at its forty-third session on the implementation of the present resolution.
