



## General Assembly

Distr.  
GENERAL

A/AC.96/SR.593  
21 October 2005

Original: ENGLISH

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### EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Fifty-sixth session

#### SUMMARY RECORD OF THE 593rd MEETING

Held at the Palais des Nations, Geneva,  
on Tuesday, 4 October 2005, at 3 p.m.

Chairman: Mr. MARTABIT (Chile)

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The meeting was called to order at 3.05 p.m.

STATEMENT BY THE HIGH COMMISSIONER AND GENERAL DEBATE (agenda item 4)  
(continued)

1. Mr. SAIDOV (Observer for Uzbekistan) said that Uzbekistan was committed to the promotion and protection of human rights and fundamental freedoms in accordance with international human rights treaties and cooperated with the Office of the High Commissioner for Refugees (UNHCR) mission in Tashkent, in particular recently by providing assistance to Afghan and Tajik refugees. He wished to explain his Government's position on UNHCR activity in Kyrgyzstan, which was a cause of great concern, and the grounds for its conclusions that the Uzbek citizens who had moved to Kyrgyzstan did not require international protection.
2. Firstly, UNHCR had violated and disregarded the rights and obligations of the two countries under the Charter of the United Nations, article 1 F of the 1951 Convention relating to the Status of Refugees, and the Minsk Convention on the provision of judicial assistance and legal relations in civil, family and criminal cases. Moreover, in the light of Security Council resolutions 1269 (1999), 1373 (2001) and 1624 (2005), he submitted that UNHCR activities in Kyrgyzstan with regard to so-called Uzbek refugees ran counter to the fight against terrorism by assisting persons involved in terrorist acts to escape justice.
3. Secondly, in accordance with article 14.2 of the Universal Declaration of Human Rights, paragraph 7 (d) of the Statute of the Office of the United Nations High Commissioner for Refugees, and extradition treaties, UNHCR competence did not extend to persons who there were serious reasons for considering had committed crimes. UNHCR had been officially informed that Uzbekistan questioned the return of only those persons who had committed criminal acts recognized as such worldwide, including terrorism, illegal possession of weapons and participation in banned organizations.
4. Thirdly, UNHCR had disregarded the applicability of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol in Kyrgyzstan, although that State had acceded to them, insofar as the status of the so-called Uzbek refugees had not been determined in accordance with Kyrgyz legislation.
5. Fourthly, UNHCR had not substantiated the reasons for and circumstances of the "humanitarian evacuation" requested. There were no substantive arguments or humanitarian grounds in favour of establishing a prima facie basis or the principle of non-refoulement with respect to the Uzbek citizens concerned.
6. Fifthly, he expressed bewilderment at UNHCR appeals to refrain from exerting pressure on Kyrgyzstan. On the contrary, UNHCR and other States had exerted pressure on Kyrgyzstan, and despite the indisputable evidence provided by Uzbekistan concerning the involvement of 15 Uzbek citizens in terrorist acts in the Andijan region, UNHCR had evacuated 11 of them secretly to a third country.

7. Through such action in Kyrgyzstan UNHCR had violated the principle of non-interference in the internal affairs of sovereign States and had exceeded its mandate. It had set a dangerous precedent by abusing the universally recognized principles of refugee and humanitarian law for political purposes. The Executive Committee should take the necessary steps to prevent the recurrence of such situations. To that end he proposed the establishment of a mechanism for monitoring the proper implementation of the High Commissioner's mandate and the transparency of his activities.

8. Mr. KUSSUMUA (Observer for Angola) expressed confidence in the new High Commissioner, whose professional and personal experience and knowledge would undoubtedly contribute towards the establishment of more effective international protection mechanisms. Angola welcomed UNHCR efforts to seek lasting solutions for refugees, most of whom were in Africa. However, that called for the commitment of the international community to sharing the burden and responsibility of humanitarian assistance. Of late there had been a considerable reduction in the resources available for refugee assistance programmes, particularly in some African countries, even those involved in repatriation operations. That had resulted in a deterioration of the living conditions of refugees and thus an additional burden on host countries.

9. One viable option in the context of durable solutions was to encourage resettlement schemes in countries of asylum allowing for the socio-economic integration of refugees and easier reintegration in countries of origin upon return. It was therefore imperative for all stakeholders, and particularly UNHCR, to promote resettlement schemes as a sustainable solution for countries with protracted refugee situations.

10. Since 2002, approximately 330,000 Angolans who had been forced into exile owing to the armed conflict had returned to their homeland under the voluntary repatriation programme. He commended UNHCR for its support during the operation and expressed appreciation to the donor community and humanitarian partners for providing the necessary resources to ensure the safe and dignified return of the refugees concerned. Although the repatriation operation was complicated by numerous, and mainly logistical problems, which had slowed the progress of its final phase, it could be considered a success and would be completed by the end of 2005.

11. However, despite the efforts of the Angolan Government and UNHCR support there was still widespread vulnerability in return areas owing to poor social services and food insecurity. Under a programme for the reintegration of populations directly affected by the armed conflict the Government would accord priority to the five areas with the highest number of repatriated citizens. In 2006, attention would be focused on the rehabilitation of educational and health infrastructures, drinking water supplies, roads and bridges and on furthering national reconciliation.

12. Sustainable development in Angola would not be possible without the lasting reintegration of thousands of demobilized soldiers, internally displaced persons (IDPs) and refugees in conditions that allowed them to contribute to the enormous task of national reconstruction. Angola was preparing for its second general elections in 2006, and universal participation would be a fundamental factor in the consolidation of the democratic process. However, in order to achieve that, all Angolans must enjoy minimum stability in their communities. He therefore appealed once again to the donor community to increase its support to Angola so that those objectives could be attained.

13. Ms. ASTEMIROVA (Observer for Georgia) said that in Georgia there were 25,000 forcibly displaced persons from the regions of Abkhazia and South Ossetia, where aggressive separatist regimes that violated fundamental human rights flourished. For more than 13 years the people in question had been awaiting justice and the right to return to their homeland. However, despite the efforts of the international community no progress had been made. The political and military establishment of the Russian Federation openly supported the separatist regimes and thus the annexation of part of Georgian territory, in flagrant violation of international law.

14. The Georgian Government had been doing its utmost to provide the forcibly displaced persons with humanitarian assistance, in cooperation notably with UNHCR and other international organizations, to which it was most grateful. However, they had recently withdrawn their humanitarian assistance to focus on rehabilitation and development programmes. Without the support of the international community, the Georgian Government was unable to meet its objective of improving the living conditions of the forcibly displaced persons, 80 per cent of whom were currently living below the poverty line. UNHCR should take the lead in renewing and stepping up humanitarian activities for those people based on a realistic assessment of their needs. She was confident that with its considerable human resources potential and appropriate funding UNHCR would be able to take on that task. She therefore appealed for additional resources for the Office.

15. Despite its social and economic problems, in 1999 Georgia had taken in refugees from the Chechen Republic of Ichkeria who were now living in the Pankisi Gorge area. UNHCR and other international organizations were successfully dispensing humanitarian, medical, legal and other assistance. Nevertheless there were problems that warranted special attention, including the question of their asylum in a third country far from the borders of the Russian Federation, where there would be no fears for their safety. The media and Government of the Russian Federation were constantly whipping up tensions in the Pankisi Gorge by declaring it a hotbed of terrorism, thereby making it one of the most vulnerable regions of Georgia. The presence in the country of forcibly displaced persons and economic migrants and the repatriation of persons deported from Meskheta hampered the integration of refugees from Chechnya. The international community must make every effort to provide them asylum in a third country and to facilitate their integration.

16. In conclusion, she expressed her thanks to UNHCR for its commitment to the humanitarian cause and assistance provided thus far and the hope that it would step up its activities.

17. Mr. CHUMAREV (Russian Federation), speaking in exercise of the right to reply, recalled that the current forum was the Executive Committee of the Office of the United Nations High Commissioner for Refugees and that all States present must abide by the basic provisions of the Charter of the United Nations, which precluded their referring to States that did not exist or were not recognized by the United Nations.

18. Mr. BORG (Observer for Malta) said he would focus on illegal immigration in the Mediterranean and its serious effects on Malta. As was borne out by the statement of the Minister of Foreign Affairs of Malta at the sixtieth session of the United Nations General Assembly, Malta was committed to providing humanitarian assistance to those in need, with due respect for human dignity, and for the rule of law, including humanitarian law.

Illegal immigration represented the collapse of international legal order and must be unequivocally addressed by the international community. The countries of origin and transit must bear their responsibilities by endeavouring to clamp down on international criminal groups trafficking in human beings. If the issue was not addressed, it could prove prejudicial to the rights of genuine refugees and persons qualifying for protected status in accordance with international humanitarian law.

19. Malta's geographical location placed it at the centre of the unprecedented rise in illegal human trafficking across the Mediterranean. Its situation was exacerbated by the fact that it was the smallest and most densely populated country in the European Union. According to figures produced by UNHCR in September 2005, there had been an increase of 103 per cent in the half-yearly asylum requests in Malta, in contrast to a significant drop in comparable figures for the 10 new European Union member States. If the current trend continued, by the end of 2005 the number of illegal immigrants would represent approximately 45 per cent of Malta's birth rate.

20. Malta's ability to cope with a challenge of that magnitude was hampered by a lack of human and financial resources, which limited security, social, administrative and judicial facilities. Malta recognized its international and moral responsibilities towards genuine asylum-seekers and had been generous and humane by providing refuge and assistance in their resettlement to hundreds of East African Asians expelled from Uganda and to Iraqis fleeing Saddam Hussein's regime. The Maltese population's solidarity with those unfortunate people continued to be genuine and immediate. Fifty-three per cent of asylum applicants had been granted refugee or protected humanitarian status - the highest rate in the European Union.

21. However, Malta was no longer able to shoulder the burden alone, and was doing its utmost to attract international attention to the problem. At the national level, the Ministry of Justice and Home Affairs, the Ministry of Foreign Affairs and the Ministry for the Family and Social Solidarity were coordinating efforts to address the needs of refugees and asylum-seekers. At the international level, the Minister of Foreign Affairs had explained to all Member States of the United Nations and its specialized agencies that the problem had reached crisis proportions.

22. Moreover, Malta had been very vocal within European Union structures to ensure the cooperation of all partners in combating the criminal phenomenon of illegal immigration. A high-level meeting on illegal migration would be held early in 2006 in Tripoli and later in the year in Malta with the participation of countries of destination, transit and origin. Cooperation with the UNHCR Regional Bureau for Europe had also been strengthened. While the assistance provided by UNHCR thus far was much appreciated, the Office could do much more to help with the identification of third countries in resettlement and repatriation procedures. The Geneva Migration Group should also focus more on illegal immigration in the southern Mediterranean.

23. Malta reaffirmed the principle of solidarity and burden sharing in providing assistance to genuine refugee populations and their host communities. It intended to play an active role in the United Nations General Assembly High-level Dialogue on International Migration and Development scheduled for 2006. Meanwhile it would continue to work with UNHCR at all levels in the search for original solutions to the acute problem of illegal immigration it faced.

24. Mr. JUMALIEV (Observer for Kyrgyzstan) said that the current session of the Executive Committee, where extremely topical and important issues were being discussed, showed the international community's determination to strengthen cooperation to resolve refugee problems through a common approach.

25. Since 2000 the number of refugees in Kyrgyzstan had been halved, thanks to the stabilization of the situation in Tajikistan and post-war reconstruction in Afghanistan. An important role had also been played by Kyrgyzstan's policy towards refugees. Current legislation relating to asylum-seekers allowed them to be granted refugee status. Real progress had also been made in finding lasting solutions for them with the assistance of UNHCR, including their voluntary repatriation or integration in Kyrgyzstan. Since 2002, 6,000 Tajik refugees had been granted Kyrgyz citizenship under an agreement on simplified procedures for acquiring citizenship, and by the end of 2005 a further 2,000 persons could benefit. There had also been significant progress in the transfer of refugees to third countries: between 2004 and 2005 the Canadian Government had transferred 500 Afghan refugees from Kyrgyzstan. Such progress could not have been made without the support of UNHCR and its country office, which he hoped would be continued in the future.

26. One serious problem had been the arrival in Kyrgyzstan in May 2005 of around 500 Uzbek refugees in the wake of the Andijan events. In compliance with its international obligations, Kyrgyzstan had provided shelter for the refugees for two months until their evacuation to a third country by UNHCR. The lesson to be drawn from that experience was the importance of having the necessary financial and material resources to provide for the urgent needs of such a large influx of people until the arrival of mass assistance. It was also essential to increase staff in the services concerned to cope with such situations. In that connection Kyrgyzstan planned to draw up a plan of action for emergency situations.

27. While recognizing the paramount importance of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol and the Statute of the Office of the United Nations High Commissioner for Refugees, he suggested that those legal instruments needed to be amended and certain provisions rendered more specific. For example the Office's right to accord refugee status and transfer refugees to third countries should be reflected in one of those instruments. Likewise amendments were required to UNHCR procedures and criteria for determining refugee status. A person's fate should not depend on the shortcomings of a legal instrument and decisions should not be interpreted in varying ways.

28. In conclusion, he pledged his Government's commitment to complying with its international obligations, not least those relating to refugees, and its readiness for the broadest possible cooperation to that end.

29. Mr. AMIRBAYOV (Observer for Azerbaijan) expressed his agreement with the orientations outlined by the High Commissioner, particularly the focus on protection of women, children and other vulnerable groups. The former High Commissioner's visit to Azerbaijan in 2004 had reinforced the commitment of UNHCR to assessing and responding to the needs of the most vulnerable sectors of the IDP population in the country. A joint UNHCR-OCHA (Office for the Coordination of Humanitarian Affairs) mission had identified a number of gaps in

IDP protection and had recommended that UNHCR should continue supporting the Government to provide housing and employment. While Government-led temporary integration initiatives had improved the standard of living of the displaced population, the number of IDPs had remained unchanged for almost four years.

30. UNHCR should cooperate with United Nations agencies and other organizations to ensure better coordinated protection of IDPs. Azerbaijan commended the High Commissioner on his commitment to helping IDPs, and recalled that UNHCR had valuable experience that should be turned to account to improve those people's situation. While recognizing that individual States were responsible for their IDP populations, Azerbaijan emphasized that the international community had an obligation to respond to requests for assistance, particularly in protracted mass displacement situations. The principle of burden sharing was fundamental in that regard, and a selective approach was unacceptable. The United Nations should clarify its role and response when humanitarian crises shifted from emergency to development situations.

31. Azerbaijan needed to develop further its asylum system and national protection procedures. UNHCR had a clear role to play in that process, and in assisting the Government in capacity-building. The Government appreciated the assistance and support it had received from UNHCR in the field of refugee and IDP protection and looked forward to strengthening that cooperation in future.

32. Mr. ISLAMOV (Observer for Turkmenistan) said that, since refugee protection was one of the most urgent issues on the global agenda, Turkmenistan's cooperation with UNHCR had been of great importance since the country's independence. It had been among the first countries in the region to respond to the refugee problem, hosting citizens of Tajikistan, Azerbaijan and Afghanistan, among others. The Government had striven to ensure that refugees led as normal a life as possible, and had provided them with services such as housing, employment, education and health care.

33. After the regional UNHCR office in Turkmenistan had opened in 1995, the Government had worked to develop standards and principles for refugee protection. Legislation guaranteeing the rights of refugees and establishing the procedure for granting refugee status had been adopted in 1997. The Government had ratified the 1951 United Nations Convention relating to the Status of Refugees and the 1967 Protocol, and had established a centre for humanitarian law. In 1998, a State service had been set up for the registration of foreign citizens in Turkmenistan, with responsibility for registering refugees and providing them with identity documents. With technical assistance from UNHCR, a programme for the registration of Tajik refugees had also been developed in 2004. In 2005, more than 16,000 refugees had been granted Turkmen citizenship and given permanent resident status.

34. Mr. VARELA QUIRÓS (Observer for Costa Rica) commended the High Commissioner on his perceptive analysis of the future challenges for UNHCR, and emphasized the need to prioritize the treatment of IDPs in Latin America.

35. Relative to its domestic population, Costa Rica hosted one of the largest refugee populations in the world. Despite the limited resources available to the Government, it made every attempt to guarantee the rights of refugees, especially the right to adequate housing and education. Since most refugees in Costa Rica came from Colombia, it would be more appropriate for UNHCR and the international community to consider Costa Rica in conjunction with the Andean region rather than Central America and Mexico.

36. He thanked UNHCR for its support and cooperation with local NGOs and other civil society bodies on projects such as local integration through microcredit, training for local public sector staff on the rights of refugees, employment opportunities for refugees, childcare and resettlement programmes.

37. Costa Rica's greatest challenge was to find lasting solutions for the refugees who had arrived in the previous four years. The Government needed support from the international community and other Latin American countries to implement the Mexico Plan of Action and particularly to develop effective local integration and resettlement programmes. He thanked Argentina, Brazil, Chile, Canada and the United States of America for their support.

38. The international community should focus attention on the issues of internal displacement and widespread migration from poor countries to more developed ones. Poverty in the form of uneven distribution of wealth and opportunities would continue to create serious problems if it was not addressed. Hence the need for UNHCR to strive continuously for effective cooperation with other agencies working in the areas of humanitarian aid, migration and human rights protection.

39. Mr. SLABÝ (Observer for the Czech Republic) thanked UNHCR and the Government of Romania for their efforts to find a successful solution to the plight of Uzbek refugees. The Czech Republic had offered to accept a group of Uzbek refugees in its asylum system in order to contribute to their safe onward transfer. It had also set up a pilot project in cooperation with UNHCR to assess the Czech Republic's capacity for resettlement of refugees, and was willing to discuss with UNHCR the possibility of signing a resettlement agreement.

40. UNHCR participation in European Union regional protection programmes would strengthen refugee protection in countries of origin and countries of transit and help to find sustainable solutions. Pilot projects in Africa and Eastern Europe, soon to be adopted under that framework, were supported by the Czech Republic.

41. The ongoing changes in the regional UNHCR structures would provide greater resources for strengthening capacity to develop national asylum systems and migration bodies, particularly in western Commonwealth of Independent States countries.

42. Ms. FORERO UCROS (Colombia) thanked UNHCR for the humanitarian work it had carried out in her country. The Government had established a national action plan for IDPs, which had improved coordination of measures to increase the social and economic stability of displaced families. Legislation had been enacted establishing the criteria for IDPs' eligibility for benefits. Other improvements included ensuring that all IDPs had access to health care, and the integration of over 100,000 IDP children in the public education system in 2004. While the problems of displacement would continue, they should diminish with the return of stability as a



result of the Government's security policy. Colombia welcomed the support of UNHCR and called for greater harmonization between the Government, UNHCR and NGOs in data collection. Once accurate statistics on IDPs had been gathered, more effective and targeted policies on IDP protection could be implemented.

43. She thanked the Governments that had welcomed Colombian citizens as refugees and those that had enabled them to resettle, and emphasized the importance of the Mexico Plan of Action in that context.

44. Mr. LEHOHLA (Lesotho) said that local integration was one viable, durable solution to the problem of protracted refugee situations. Lesotho shared its limited resources with the refugee population, ensuring that all refugee children had access to the education system and granting citizenship to refugees who wished to reside permanently in the country.

45. Efforts should be made to establish sound democratic structures in Africa in order to avoid further refugee crises. The large-scale voluntary repatriation operations in many parts of the world, particularly Africa, were very encouraging. Lesotho called for development assistance both for returnees and for countries of origin, in order to avoid renewed conflicts and to ensure that refugees returned in dignity.

46. Mr. SINGH PURI (India) said that the decline in the number of refugees worldwide and the increase in voluntary repatriation over the past year were particularly encouraging. The international community must endeavour to strengthen those trends, and the link between relief and development was particularly relevant in that context. Insufficient attention had been paid to the broader context of widespread and abject poverty and deprivation in which refugee movements often took place. UNHCR advocacy of refugees as agents of change was thus not only timely but also essential. India wished to see UNHCR become a forceful advocate of poverty alleviation and economic prosperity, and supported the Office's efforts to increase cooperation with development actors.

47. Although positive results had been achieved in reducing the number of refugees, many challenges remained and solutions must be found, in particular to reduce the strain on the refugee protection regime and the principle of non-refoulement. Increasing reference was being made to "asylum fatigue", and States that had been at the forefront of refugee protection should make efforts to counter trends in public opinion that threatened international protection. Asylum issues must on no account be confused with migration issues, or vice versa. It was also important to protect the integrity of individual asylum systems, and refugee status determination should take place in accordance with the law. Refugee status determination by UNHCR should conform strictly to the Office's mandate and Statute, and UNHCR should work closely with States to ensure that persons guilty of terrorist and criminal acts were unable to abuse national asylum systems and the international protection framework.

48. The bulk of the world's refugee movement took place in the developing world, and UNHCR should show greater sensitivity in understanding the reasons behind refugee movements, as well as proposing durable solutions tailored to the countries in question. Apparently voluntary repatriation continued to be the preferred solution. In general, a greater role for developing countries in UNHCR's governance structures would add to its effectiveness.

49. UNHCR had faced many challenges in its work, and India welcomed the efforts that were being made to conduct management reforms. Since the Office was highly dependent on voluntary financial contributions, it was particularly necessary to maintain high standards of impartiality, transparency and accountability in all activities. The prioritization of activities was a particularly difficult task, and UNHCR should remain focused on refugees. Policies and programmes for assistance to internally displaced persons (IDPs) should be implemented at the specific request of the State concerned, unless that State was unable or unwilling to fulfil its responsibility to its people. UNHCR must work in close cooperation with concerned States in order to achieve the goals of the agenda for protection. India was committed to working with the international community to face challenges in a spirit of solidarity, international responsibility and burden sharing.

50. Mr. DA COSTA PEREIRA (Observer for Portugal) said that Portugal welcomed the High Commissioner's proposals to restructure his Office in order to strengthen coordination between the different departments and improve interaction between the Office in Geneva and operations in the field, and to establish a post for an Assistant High Commissioner for Protection. His delegation believed that the evaluation conducted could contribute to improvements in the provision of protection and assistance to refugees and the strengthening of efforts in respect of IDPs.

51. Although there had been positive developments in the overall refugee situation across the world, particularly in Angola and Afghanistan, some appalling situations remained. In that regard, he commended the efforts of UNHCR personnel, who often worked in dangerous conditions. Portugal had always paid particular attention to the situation in Africa, and shared the High Commissioner's concern regarding the ongoing problems in Darfur, where UNHCR operations were facing particularly difficult challenges. All parties involved in the situation should commit themselves to concluding and implementing peace agreements that would contribute to stability in the region, facilitate the work of UNHCR and other humanitarian organizations, and enable refugees and IDPs to resettle and resume their lives. Portugal would contribute 1 million euros to UNHCR operations in Sudan. Portugal had submitted an application for membership of the Executive Committee, and hoped soon to be working closely with it.

52. Mr. ACHARYA (Observer for Nepal) said that Nepal supported the High Commissioner's initiatives for the reform of his Office. Protection and the search for lasting solutions were two of the most fundamental objectives of UNHCR and must be the basis on which all refugee situations were addressed in a spirit of global partnership, tolerance, understanding and burden sharing. Although over the past year a significant number of refugees had been able to return to their countries of origin, thus leading to a decrease in the global number, many were still languishing in refugee camps or fleeing conflict, intolerance and hatred. The international community must therefore proceed with renewed resolve and optimism to find solutions.

53. He welcomed the High Commissioner's proposals for the consolidation of protection for refugees and other persons of concern in the context of the Agenda for Protection. Such efforts would help to strengthen protection and give further impetus to the search for durable solutions to protracted refugee situations, provided there was effective implementation and timely follow-up to identify possible shortcomings or challenges.

54. As host to over 100,000 Bhutanese refugees, Nepal was making every effort to ensure safety and security in refugee camps, and particularly for women, children and other vulnerable groups. The ongoing situation had placed a considerable burden on Nepal's already fragile economy. The Government remained committed to resolving the issue through bilateral negotiations, and in that connection the Foreign Ministers of Nepal and Bhutan had recently had talks while attending the General Assembly session in New York. Nepal hoped that swift progress would be made in the resolution of the Bhutanese refugee issue, and wished to see a return to stability and prosperity in Bhutan. He thanked UNHCR for its consistent assistance and support for the refugees, in partnership with the World Food Programme (WFP), the donor community and international and national NGOs. He urged them to continue to provide such assistance until the situation was fully resolved.

55. Mr. MAMA SIKI (Observer for Benin) said that his delegation associated itself fully with the statement made by the representative of Nigeria on behalf of the African Union.

56. For decades, Africa had been a theatre of violence, massive human rights violations, civil war and ethnic or religious conflict, which had often led to large-scale displacement. In recent years, the violence in some of the traditional hotbeds had subsided, but new crises had arisen, in particular in Darfur and Togo. The violence that had erupted following the announcement of the election results in April 2005 in Togo had forced thousands into exile and many had sought refuge in neighbouring Benin. With the support of the international community, provision had been made to receive over 26,000 Togolese refugees in addition to the 6,000 of various origins in residence since 1991. Since the outbreak of the crisis, a specially created committee composed of representatives from various ministries and national institutions had ensured the provision of basic services to the refugees. However, the influx had had a negative impact on health-care services and education in host communities. Outside support was required to build capacities in the health sector, particularly in the event of protracted refugee presence.

57. His Government welcomed the initiative launched by the Togolese Government to repatriate its nationals and restore peace and security to that country. Poverty, economic underdevelopment and high unemployment rates were serious challenges for Benin nationals and asylum-seekers alike. Assistance for refugees could not be ensured through political will and commitment alone; meeting refugees' daily needs required the support of the international community. Such support would strengthen efforts to integrate refugees into local communities by providing access to housing, work, education and health care.

58. Despite the aforementioned difficulties, Benin would continue to host and protect refugees. The Government also envisaged formulating coherent asylum and civil protection policies and was participating in efforts to identify protection gaps for refugees, in cooperation with UNHCR, non-governmental organizations and partner institutions as part of the Convention Plus programme. In September 2005, regional consultations with development partners, refugees and NGOs working in the field had resulted in a number of proposals for improved practices: applicants should be granted recourse against refusals of refugee status; a permanent secretariat should be created to oversee application procedures; and efforts should be stepped up to grant refugees access to education, health care and employment. The international community was called upon to support the implementation of those recommendations.

59. Consistent with its humanitarian commitments and in the desire to participate more actively in the work of UNHCR, Benin wished to join the ranks of fully-fledged members of the Committee and hoped that its request would be granted.

60. Mr. JAZAIRY (Algeria) welcomed the High Commissioner's proposals for improving the efficiency of his Office's activities. UNHCR continued to be faced with an increasing number of vulnerable persons, and persistent situations of tension across the world. The measures taken by the High Commissioner to improve the management of funds and ensure that they had maximum impact on the ground must be encouraged. Considerations on methods of optimizing voluntary repatriation procedures should also receive firm support from States. Funding issues, and the adoption of the revised programme for 2005 and programme budget for 2006 were particularly important in view of the constraints faced by countries with large-scale refugee inflows. Those countries often already had a wide range of development problems, which resulted in imbalances in their socio-economic infrastructures and made sustainable population transfers extremely difficult. UNHCR should once again appeal to donors for assistance in the implementation of its programmes, to enable it to give its full attention to resolving the pressing issues affecting refugees.

61. Burden and responsibility sharing in cases of large-scale refugee movements was one of the most important issues to be discussed during the current session of the Executive Committee, and improvements in partnerships with other United Nations humanitarian agencies and NGOs would allow a more targeted response to be provided to the needs of populations affected by conflict situations. Efforts should be made to improve the coordination of activities in the field in order to improve organization and strengthen response capacities in humanitarian emergencies. Steps must be taken to protect refugees, particularly women and children, against violations of their dignity.

62. Since 2000, UNHCR, in cooperation with WFP, had provided basic support to 155,000 Saharan refugees in Algeria, and that figure had increased to 158,000 in 2004. He was therefore surprised to learn that the estimated number of Saharan refugees had fallen to 90,000 according to a recent evaluation, particularly since there had been no real change in the situation since 2004. UNHCR must re-evaluate that situation so as to remain faithful to its protection mission, and avoid endangering the lives of those populations and discriminating between eligible individuals. Algeria therefore welcomed the imminent country visit of a joint UNHCR and WFP delegation. The Saharan refugees must on no account become hostages of Morocco's refusal to conform to United Nations resolutions. The registration of that population was a political stage that was inextricably linked with the rest of the self-determination process.

63. The accusations made by the representative of Morocco the previous afternoon had been denied by the Algerian Government on several occasions and in international forums. Morocco had represented the return of the Saharan refugees to Western Sahara as the return of Moroccans to their native land. That attitude made the refugees particularly cautious, since they wanted to return to their homeland, not to Morocco. Their misgivings had been increased by the fact that, according to Amnesty International, Morocco would ensure their protection only if they agreed to cease advocating Western Saharan independence and publicly denounce in the Moroccan media the Saharan authorities and the human rights situation in the Tindouf camps. Their fear was further added to by the fact that the release of 408 Moroccan detainees by the Polisario had not led to the release of the 37 Saharan political prisoners, who were human rights activists and

protesters for Saharan independence, and were languishing in Moroccan jails, not to mention the 151 Saharan military prisoners and 500 missing persons. The situations of the Saharan and Afghan refugees could not be compared, since there was a fundamental difference between the internal conflict that had taken place in Afghanistan and the decolonization of Western Sahara. Lastly, Algeria refuted all allegations that food aid was being diverted away from the refugee populations.

64. The humanitarian sentiments expressed in the statement made by the Moroccan representative were dubious, since it had represented the Saharan refugees as Moroccan citizens being held hostage in Algeria, yet paradoxically had called for a reduction in food aid for that very population. Recent reports, resulting from investigations on the ground commissioned by WFP and UNHCR, showed that 76.2 per cent of the pregnant women in the Tindouf camps were anaemic, as were 68.4 per cent of children between the ages of six months and five years; 39 per cent of children under the age of five were suffering from malnutrition and 28.6 per cent severely underweight.

65. Mr. ROMODANOVSKY (Russian Federation) said that resolving refugee issues was a responsibility incumbent on the whole international community and all international organizations. In 2005, the Russian Federation had made a voluntary contribution to the UNHCR programme budget, and would continue to make such contributions, taking into account the requirements and interests of the Office and the Russian Government's priorities in respect of international protection.

66. Statistics showed a gradual decrease in the number of refugees and other persons under the UNHCR mandate, and his delegation hoped that such a positive trend would enable targeted programmes to meet the needs of refugees more effectively and lead to durable solutions to refugee situations. The existence of a large number of refugee camps was a significant burden for some developing countries; it could lead to the destruction of normal economic life, and to refugees becoming dependent on local populations. On the other hand, many developed countries suffered from the mass abuse of the asylum system by economic migrants. Of the hundreds of thousands of asylum-seekers in Europe, the United States and other countries, only a small percentage met the requirements of the International Convention relating to the Status of Refugees. Abuse of asylum wasted resources that could be more effectively used, devalued international protection and undermined the authority of UNHCR. The Russian Federation did not believe that the proposal to resolve that issue through the establishment of filtration camps would be effective. UNHCR should make efforts to depoliticize asylum and strengthen monitoring in countries of origin. Certain situations linked to the movement of asylum-seekers received disproportionate coverage in the media, and too much attention from international organizations and NGOs. His Government hoped that all asylum-seekers were granted equal rights to fair asylum procedures. Although States were entitled to rely on the assistance of UNHCR and other international organizations, that assistance should not enable anyone to take on the role of State services, unless the State itself requested it. It was particularly important that international solidarity should be based on strict respect for international law.

67. Terrorism was a serious threat to human rights and freedoms and sustainable development, and in that regard, the International Convention relating to the Status of Refugees clearly stated under what circumstances a person was entitled to international protection. Strict respect for the UNHCR mandate was important in all situations, irrespective of their scale and political significance. His delegation considered it intolerable that activities for political or any other gain were used to regulate crisis situations, and wished to underscore the importance of adequate evaluation of situations leading to large-scale refugee flows.

68. He would appreciate more detailed information from UNHCR on the status of Uzbek refugees who had been evacuated from the country, and on the Office's plans for their relocation or voluntary repatriation in Uzbekistan.

69. The Russian Federation appreciated the assistance of UNHCR in work with refugees and IDPs in Georgia, and his delegation had been surprised by the statement made by the representative of that country, who did not appear to have understood the situation and had not mentioned the positive developments that had taken place. The process of voluntary repatriation of Chechen refugees had not been limited, nor would it be in future. The representative of Georgia should bear in mind that UNHCR was an apolitical organization with a humanitarian mandate, and that the Executive Committee was not a forum for exercises in rhetoric.

70. The concluding meeting of States participating in the 1996 Conference on Refugees and Migrants in the Commonwealth of Independent States (CIS) was due to be held in the near future, and would mark the end of 10 years of collaborative work to update refugee protection in the post-Soviet environment. Many tasks had been completed, and new challenges had arisen. The Russian Government supported the idea of establishing a permanent secretariat to organize a wide range of activities on migration and was prepared to provide contribute to its funding.

71. In former Soviet countries, there was still a large-scale problem of non-citizenship. The Russian Federation was continuing to take measures to register persons affected by that phenomenon in the Russian Federation and other countries of the CIS. In Latvia and Estonia, owing to discriminatory laws on citizenship, hundreds of thousands of people had been deprived of many of their citizens' rights on grounds of statelessness. His delegation supported UNHCR efforts in the naturalization process of so-called non-citizens in those two States.

72. One of the most important tasks before the Russian Government was the further development of legislation on migration and refugees, which would require the expert assistance of UNHCR. The Russian Federation received on average 5,000 asylum applications per year. The most complex refugee issues were resolved with the support of international organizations, including UNHCR. Such cooperation facilitated the creation of the necessary conditions for implementing legislation, and guaranteeing fundamental rights and freedoms while protecting national security, and enabled the Russian Federation to fulfil its international obligations. His delegation expressed its gratitude to UNHCR for its assistance in regulating the IDP situation in the northern Caucasus.

73. Mr. KIRIDI BANGOURA (Guinea) said that his delegation fully endorsed the comments made by the Commissioner for Political Affairs of the African Union and the statement made by the representative of Nigeria on behalf of the African Group.

74. His country had considerable experience with managing the outcome of the various crises that had hit the subregion, in particular with regard to the massive influx and protracted presence of refugees, and was therefore glad that the violence had somewhat subsided in recent times. The international community's contribution to the restoration of peace to Sierra Leone and Liberia and to substantial progress made in the disarming and demobilization of the various factions were commendable.

75. Although those positive developments gave reason to be optimistic, the growing insecurity resulting from the proliferation, trafficking in and illicit sale of light weapons was cause for grave concern. The consolidation of peace and stability in the subregion required the implementation of a strategy to repress that phenomenon, which was the only way to foster ongoing dialogue and cooperation.

76. For humanitarian action to be more effective, it must be underpinned by a collective approach based on strong strategic inter-agency partnerships and predictable financial support through the regular UNHCR budget. Humanitarian operations must take into consideration the needs and aspirations both of refugees and IDPs and of host States. The donor community should mobilize to close the current US\$ 185,000 gap in the UNHCR budget to ensure that the organization could discharge its responsibilities effectively.

77. The hosting and protection of a large number of refugees from Liberia, Sierra Leone, Guinea Bissau and, more recently, Cote d'Ivoire had placed a heavy burden on his country. As part of its efforts to promote stability in the subregion and to strengthen international refugee protection, his Government had signed a tripartite agreement with Liberia and Sierra Leone facilitating the voluntary repatriation of refugees. In cooperation with UNHCR, a government-sponsored survey was currently being carried out of all refugees living in urban areas.

78. His delegation endorsed the proposal to create the post of Assistant High Commissioner for Protection in support of the main objectives of the Agenda for Protection.

79. In fulfilment of its international commitments respecting the protection of refugees, his Government would grant citizenship to all refugees wishing to take up permanent residence in Guinea, in conformity with existing legislation, and implement a programme to facilitate their integration.

80. While welcoming the repatriation of large numbers of refugees, he would draw the attention of the High Commissioner and other partners to the difficulties of post-emergency reconstruction. It was important to take account of the situation of former host populations and address their needs.

81. The High Commissioner's unrelenting efforts to assist refugees through humanitarian operations were truly commendable. However, greater international assistance was required to tackle remaining areas of concern. He called on the international community to lend its support to the convening of a solidarity meeting with Guinea, which had been host to a large number of refugees for many years, to formulate a plan for the rehabilitation and reconstruction of former host communities, which were currently in a dire state. Also, a plan of action should be drawn up to link relief and development more effectively, thus ensuring the success of durable solutions

on the ground. Finally, a subregional conference on collective security should be organized to identify common concerns and discuss appropriate measures to promote and consolidate peace, cross-border security and stability in West Africa.

82. Mr. MNATSAKANIAN (Observer for Armenia) said that his delegation fully subscribed to the message conveyed by the High Commissioner, whose unwavering commitment to tackling what he had called “the symptoms of a disease” was truly praiseworthy. It also welcomed the initiative to reform the United Nations humanitarian response system. Mainstreaming, labour-sharing, effective coordination and avoiding duplication would improve the quality of humanitarian response and policy implementation.

83. The recent proposal of the Inter-Agency Standing Committee concerning cooperation in addressing internal displacement was encouraging, since it would enhance both the international response to internal displacement and operational activities on behalf of IDPs. Taking a lead role in the areas of protection, camp coordination and management, and emergency shelter would not undermine but rather complement the refugee mandate of UNHCR. States, which bore primary responsibility for addressing internal displacement, should create effective prevention and awareness-raising mechanisms; establish national legal and institutional frameworks; and provide support for durable solutions. Asylum, protection, physical security and food security remained matters of concern requiring further in-depth analysis and debate.

84. The plight of refugees and IDPs must never be exploited for political ends. Consistent with its commitment to finding durable and viable solutions for internal displacement, Armenia had recently launched a project to re-evaluate the number of refugees and placements to ensure that efforts to protect that population group yielded tangible results. Despite the downward trend in international aid, his Government continued implementing its naturalization programme, which was currently funded through the State budget. However, the support of international agencies and donors remained an important component in facilitating and expediting the process and his Government would welcome UNHCR’s continued assistance in securing support from the donor community.

85. Unless they were supported by other measures, there was a danger that the naturalization and integration of refugees might lead to an increase in the local indigent population. Therefore, refugees who had acquired citizenship status must be integrated in the country’s development process. Also, integration policies for refugees must take account of their specific needs. Interlinking the development agenda and refugee policies could contribute to finding durable solutions and would remain the backbone of Armenia’s cooperation with UNHCR.

86. Mr. BEKE DASSYS (Côte d’Ivoire) paid tribute to the former Assistant High Commissioner, Mr. Morjane, for his outstanding work. His departure placed the issue of Africa’s underrepresentation in UNHCR decision-making posts back on the agenda and Côte d’Ivoire firmly supported the efforts made by the African Group to remedy the situation. His delegation fully associated itself with the statement made by the representative of Nigeria on behalf of the African Union. His analysis of the Convention Plus initiative which, as he had rightly pointed out paved the way to South-South and North-South partnerships to improve the protection of refugees worldwide, was particularly pertinent.



87. His delegation shared the African Group's concern about UNHCR's financial situation. The drastic budget cuts had had a devastating effect on the already unstable social and security situation in Africa and should be addressed as a matter of urgency. UNHCR should adopt a biennial budget, forecast budgets more efficiently, and link refugee-related activities with the attainment of the Millennium Development Goals.

88. The global success of UNHCR efforts to facilitate the voluntary repatriation of refugees could be cancelled out by the growing number of IDPs. According to data provided by OCHA, Côte d'Ivoire had currently over 600,000 IDPs in need of assistance, which undermined social cohesion and reconciliation. International support was crucial to addressing that situation and his delegation welcomed the High Commissioner's commitment to making IDPs a priority. In Côte d'Ivoire, greater support for the decommissioning of weapons could contribute substantially to restoring peace and facilitating the return of IDPs to their communities.

89. As a result of a survey of refugees carried out in early 2005, Liberian refugees had benefited from safe and dignified voluntary repatriation and refugees from other countries had been resettled in the United States, Sweden and Canada. His Government was deeply grateful to those countries for sharing the refugee burden. The challenge now was finding a durable solution for the many refugees who wished to remain in Côte d'Ivoire.

90. Despite the current crisis, Côte d'Ivoire remained a destination for asylum-seekers and refugees. It was thus important for UNHCR to finalize there the installation of data-sharing software that would facilitate the exchange of information between the Government and the Office and would enhance his country's capacity to monitor the progress made in the repatriation of Liberian refugees and to devise effective protection and assistance mechanisms for refugees remaining in Côte d'Ivoire. Given the current crisis, the success of such efforts depended heavily on international support.

91. His country would continue to host refugees and a speedy return to peace was crucial to protecting all residents. His Government, jointly with UNHCR, was drafting a bill to enshrine the civil and humanitarian nature of asylum together with specific framework legislation.

92. Mr. LA Yifan (China) commended the High Commissioner on his commitment to the cause of refugees, as reflected in his repeated visits to refugee camps in Africa. At the 2005 World Summit, the international community had stated its commitment to finding a durable solution to the refugee problem and had recognized its shared responsibility in that regard. That declaration would, it was hoped, give new impetus to relevant humanitarian efforts. Participants in the World Summit had also acknowledged that the achievement of the Millennium Development Goals (MDGs) was crucial to finding a durable solution; there could be no peace without development. In that connection, UNHCR efforts to bridge the gap between relief and development were commendable.

93. Reform had been the main theme in the United Nations in 2005 and UNHCR was no exception. With respect to the proposal to create the post of Assistant High Commissioner for Protection, he stressed that the mandate and responsibilities of such a post must be consistent

with the statute of UNHCR and the provisions of General Assembly resolutions. Under no circumstances must the refugee mandate of UNHCR be weakened through the reforms. He urged the Office to adopt a cooperative approach in the exercise of its international protection mandate.

94. In July 2005, the Chinese Government had hosted a workshop of the Intergovernmental Asia-Pacific Consultations (APC) on Refugees, Displaced Persons and Migrants on “Regional Capacity Building for Durable Solutions”; in October 2005, it would host the APC annual conference. China was committed to strengthening its cooperation with other countries of the Asia-Pacific region in the area of refugees and IDPs.

95. International refugee protection mechanisms were liable to abuse or exploitation for political ends. Terrorists and other criminals often used asylum to escape prosecution. Double standards and the politicization of asylum had undermined the international refugee protection regime. It was therefore important for all parties concerned to abide strictly by the pertinent international instruments, thus safeguarding the neutral and non-political nature of the international protection regime.

Statement made in exercise of the right of reply

96. Mr. KARKLINS (Latvia) said that in his statement the representative of the Russian Federation had once again misled the Executive Committee by referring to “hundreds of thousands” of stateless persons in Latvia. The true number of stateless persons residing in Latvia did not exceed 200; all of them had acquired statelessness status through individual application procedures provided for in the 1954 Convention relating to the Status of Stateless Persons.

97. Latvian non-citizens were a special category of the Latvian population created after the collapse of the Soviet Union and falling within the scope of article 1, part 2 (ii) of the Convention. On 7 March 2005, the Latvian Constitutional Court had ruled that non-citizens of Latvia were indeed a special category of persons, previously unknown in international law, who enjoyed special rights unlike any other population group covered by international instruments. They were not citizens, aliens or stateless persons, but rather persons with “a special legal status”. Latvian legislation stipulated that persons who were former citizens of the Soviet Union and who were not citizens of Latvia or any other State could not be recognized as stateless.

98. The matters discussed in the Executive Committee pertained to the mandate of UNHCR. His delegation hoped that, in the future, the delegation of the Russian Federation would refrain from raising political issues that did not belong to that forum.

REPORTS ON THE WORK OF THE STANDING COMMITTEE (agenda item 5)

Draft report on the fifty-fourth session of the Standing Committee (CRP.25)

99. The CHAIRMAN introduced the draft report on the fifty-fourth session of the Standing Committee contained in document CRP.25.

100. The draft report of the fifty-fourth session of the Standing Committee was adopted.

The meeting rose at 6 p.m.