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EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

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SUMMARY RECORD OF THE 441st MEETING

Held at the Palais des Nations, Geneva,
on Monday, 9 October 1989, at 10 a.m.

Chairman: Mr. DANNENBRING (Federal Republic of Germany)

CONTENTS

General debate (continued)

International protection

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The meeting was called to order at 10.30 a.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Ms. McSWEENEY (United Nations Volunteers) recalled that the United Nations Volunteers programme had been working closely with UNHCR since 1976, providing specialists and technicians at about one fifth to one fourth the cost of traditional international expertise. Currently, 27 UNVs were supporting large UNHCR programmes in Honduras, Hong Kong, Pakistan, Somalia and the Sudan. Other UNVs, among the 1,700 in the field, were supporting humanitarian programmes run by UNDRO in Thailand and by the World Food Programme in many countries.
2. UNVs assigned to UNHCR were integrated among the Office's staff as field monitoring, counselling and protection officers, as well as in administrative and technical functions. They provided an important link in the transition from relief assistance to durable solutions and development programmes, for example, in Somalia and the Sudan, where UNV specialists in community development, agriculture, health and education were supporting programmes to promote self-reliance among long-term refugee populations. UNVs were particularly effective in such programmes, owing both to their motivation and adaptability and to the high level of their professional skills.
3. In September 1989, UNV had held a Special Consultation on the appropriate use of volunteers which had been attended by 26 industrialized and developing countries, 17 volunteer-sending organizations and 19 United Nations specialized agencies and bodies, including UNHCR. There had been broad recognition of the shift in the current perception of volunteers and particularly of their professional qualifications as compared with earlier years. UNVs in general, including those serving with UNHCR, were on average 39 years old and had a master's degree and between 10 to 15 years of professional experience.
4. The issues discussed at the Special Consultation had included large new programmes for Afghanistan, Angola and Namibia, refugee aid and development questions and the use of volunteers in emergency, disaster relief, rehabilitation and other humanitarian programmes. The Special Consultation had reviewed linkages with the private sector and with non-governmental organizations, fund raising, greater contract flexibility and block recruitment to meet priority needs. There had also been suggestions concerning the establishment of rosters of short-term specialists and of roving or headquarters-based stand-by teams of UNV specialists to meet sudden needs.
5. The use of UNVs helped to stretch scarce financial resources, since the average annual cost of a UNV specialist was only \$18,500, as compared with an average of about \$70,000 for a comparable professional: that represented a saving for UNHCR of about \$1.4 million annually on the currently serving UNV specialists.
6. The UNV programme, the sole volunteer-sending organization of the United Nations system, had co-operative agreements with over 30 bilateral volunteer organizations and could channel qualified volunteers from over 100 countries. UNV could play an increasingly active supporting role with UNHCR in making available cost-effective skills and dedication from around the

world. In the coming weeks, it would be holding discussions with UNHCR and other partners in the United Nations system on further ways of responding to UNHCR's wish for even closer future UNV collaboration.

7. Mr. OMOREGIE (Office of the United Nations Commissioner for Namibia) said that his Office appreciated the attention which had been paid to the Namibian question and the assistance provided by member States for the implementation of the programmes for Namibian refugees, an issue on which there had always been complete unanimity in the international community.

8. In the belief that the best solution to refugee problems was to attack them at their source, his Office had consistently called for the implementation of United Nations Security Council resolution 435 (1978). It was pleased to note that the implementation of that resolution, which had begun on 1 April 1989, had already resulted in the successful repatriation by UNHCR of over 41,000 Namibian refugees and, thus, a significant reduction in the world's refugee population. However, those returnees could not be abandoned without further assistance. The majority had been out of Namibia for over two decades and many had been born in exile. The adjustment to their society would be very difficult. It was the wish of his Office that UNHCR and other interested United Nations agencies, such as UNESCO, UNICEF, WHO and FAO should be given the resources to provide the returnees with urgently needed emergency basic assistance during the transition period. That could not be done without the international community's full support.

9. The new government of independent Namibia would initially be concerned with the task of establishing an effective administration in Namibia. Full commitment was therefore required to ensure genuine independence for Namibia in all its ramifications. In that connection, funding for the Emergency Rehabilitation Programme, which covered the immediate needs of returnees and their socio-economic reintegration into their communities, was most urgent. There was also a shortfall of nearly \$US 9 million for the repatriation exercise undertaken by UNHCR. That must be rectified so that all the outstanding objectives of the Namibian repatriation operation could be achieved.

10. In conclusion, he paid a tribute to the many countries that had assisted Namibian refugees materially and morally for several years - in the case of the front-line States bordering Namibia, at the cost of unprovoked military attacks and serious strains on their limited resources. The Nordic countries also deserved recognition for their contributions.

11. Mr. TADESSE (Organization of African Unity) said that his organization much appreciated the work of the Executive Committee in its search for durable solutions, to which Africa, with its excessively large numbers of refugees, attached special importance. OAU also commended the fact-finding and needs assessment missions undertaken by UNHCR and the High Commissioner's efforts to establish personal contacts with other organizations and agencies as well as Governments involved in refugee work and, in particular, his visit to OAU headquarters earlier in 1989.

12. Many member States of OAU were currently resolved to take a fresh look at the question of refugees and the causes of asylum-seeking in Africa. Even though the continent continued to witness domestic and inter-State conflicts, all leading to new influxes of refugees, the past year could be described as a

period of peacemaking, negotiation and compromise, especially in the Horn of Africa and central, eastern and southern Africa, where, as a result of dialogue, many thousands of refugees had been voluntarily repatriated. OAU urged the international community fully to support all negotiations leading to peace in various parts of the world and it continued to promote such efforts on the part of its member States.

13. OAU's efforts to promote voluntary repatriation were perhaps best exemplified by its participation in the voluntary repatriation of Namibian exiles. At OAU's request, the Chairman of the OAU Commission of Fifteen on Refugees had visited southern Africa between 27 June and 8 July 1989 to assess the progress being made. The OAU Observer Mission in Windhoek had also been entrusted with the task of monitoring the repatriation operation. He expressed OAU's appreciation to UNHCR for the firm stand it had taken during the negotiations with the South African régime on the question of a general amnesty for Namibian exiles. The declaration of an amnesty by that régime could be attributed largely to the efforts made by UNHCR. In addition, OAU had been very satisfied with the excellent arrangements made by UNHCR for the registration, departure and reception of Namibian returnees. If thousands of returnees were now ready to exercise their right to self-determination by participating in the elections to be held in November 1989, that was because of the successful and, above all, expeditious repatriation carried out by UNHCR.

14. He had been informed by the OAU Observer Mission in Windhoek that there was a shortfall of about \$US 9 million for the repatriation exercise: the Executive Committee had approved an original budget of \$US 38.5 million and, as at 31 August 1989, contributions had amounted to \$US 30.2 million. UNHCR had, moreover, incurred unforeseen expenditure because, as a result of the unfortunate events of 1 April and the subsequent intimidatory activities, the repatriation operation could not be carried out as originally scheduled. He appealed to the Committee to give sympathetic consideration to UNHCR's request for the necessary funds to offset the shortfall.

15. The OAU Observer Mission had also drawn attention to the inter-agency mission report on the rehabilitation phase of the repatriation exercise. There was a pressing need for health, educational, agricultural and water facilities, as well as accommodation for the returnees. He noted with satisfaction that the International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa, held in Oslo in August 1988, had helped to sensitize international public opinion to the plight of the Namibian returnees and he had no doubt that the Committee would approve UNHCR's budget estimates to meet their needs.

16. As part of OAU's efforts to tackle the root causes of refugee movements in Africa, he referred to the African Charter on Human and Peoples' Rights, which had entered into force on 21 October 1986 and whose primary purpose was to regulate human rights situations in Africa. The African Commission on Human and Peoples' Rights had been set up by the OAU Assembly of Heads of State and Government in 1986 and, in June 1989, the Commission's headquarters had been established in Banjul, Gambia. It was hoped that, as a result of the establishment of that Commission, Africa's human rights performance would considerably improve and thus help to avert continued outflows of refugees.

17. In conjunction with UNHCR and other co-operating agencies, OAU was implementing the Oslo Declaration and Plan of Action on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa. The Declaration had, inter alia, identified apartheid as the main cause of asylum-seeking in southern Africa. OAU continued to be alarmed at the degree of intransigence exhibited by the racist South African régime. The so-called commitment of the new leadership in South Africa to the reform of apartheid was meaningless, for apartheid could not be reformed; it must be eradicated and Africa expected no less. He therefore called on the South African régime to accept the proposals contained in the Harare Declaration for a peaceful solution of the South African problem, which had recently been adopted by the OAU Ad Hoc Committee of Heads of State and Government on Southern Africa and had been endorsed by the Ninth Summit Meeting of the Non-aligned Countries held in September 1989.

18. With regard to the activities of the OAU Commission of Fifteen on Refugees, he recalled that, between 1987 and 1988, it had undertaken fact-finding missions to a total of 29 member States of OAU in order to assess the refugee situation first hand. The Commission's report, together with its recommendations, had been endorsed in full by the OAU Council of Ministers at its July 1989 session.

19. OAU's relationships with other international organizations and voluntary agencies involved in refugee work in Africa had been strengthened during the past year through regular correspondence, exchanges of visits and participation in various meetings and conferences. In particular, OAU had continued to enjoy the excellent co-operation of UNHCR but, given the dynamics of the African refugee situation, the areas of co-operation between them could be strengthened even further.

20. Mr. WHITTLESEY (Intergovernmental Committee for Migration) recalled that, since 1951, assistance to refugees for resettlement or voluntary repatriation had been an integral part of ICM's work, which it had carried out in close co-operation with UNHCR. Since some 3 million of the more than 4 million migrants assisted by ICM in the past 38 years had been refugees, it was clear that UNHCR and ICM were obliged to work together and, indeed, their mandates and activities complemented one another.

21. Over the past year, collaborative efforts had included: UNHCR/ICM action in Turkey, to activate a stalled resettlement programme; in the Federal Republic of Germany, to assist Sri Lankan asylum-seekers voluntary returning home; in Latin America, to arrange for the voluntary repatriation of Chileans; logistical support in arranging flights for Namibians returning home from Europe and elsewhere; and the traditional ICM processing and transport assistance to over 100,000 refugees accepted for third country resettlement. That was the solid basis on which inter-agency co-operation world wide could develop further.

22. The High Commissioner had drawn attention in his overview of UNHCR activities (A/AC.96/729, para. 177) to ICM's agreement to expand its activities in co-ordinating travel arrangements within the Orderly Departure Programme of Vietnamese from Viet Nam. As a result of the visit by the Director General of ICM to that country, the Committee was increasingly convinced that, as the Orderly Departure Programme expanded, the co-ordination

of transport and medical processing would be critical to its success. ICM and UNHCR were also jointly carrying out activities to improve and expand opportunities for the voluntary repatriation of Vietnamese. In those areas, ICM's operational experience dovetailed with UNHCR's activities to ensure the smooth implementation of programmes under the Comprehensive Plan of Action for South-East Asia.

23. Such inter-agency co-operation required mutual respect for the competence of the organizations concerned. Recent amendments to ICM's Constitution related specifically to that essential element; they were expected to enter into force within a few weeks and ICM would then become IOM, the International Organization for Migration. Whatever its name, however, the organization would continue to be firmly committed to providing assistance to refugees in accordance with its broader migration mandate.

24. Mr. SZYNALSKI (World Food Programme) said that food aid to refugees had become a major WFP activity that was programmed in increasingly close co-operation with UNHCR staff. For many years, there had been regular joint assessment missions to study the food needs of refugees, but, now, supplies were managed by an integrated computer information system shared between Geneva and Rome so that all data inputs were immediately available to both organizations. They thus had much fuller information on levels of stocks, food shipment schedules and expected arrival dates. Such an information system did not necessarily guarantee the availability of food for refugees, but it did indicate when supplies might run out.

25. With regard to food aid resources, a very important change had recently taken place in WFP's procedures. At its twenty-seventh session in the spring of 1989, the Committee on Food Aid and Policies had accepted the recommendation that food supplies for all refugees and internationally displaced persons should in future be funded from a new subset of the Programme's regular resources. The result was not a new facility for the funding of refugee operations, but a more logical approach whereby donors would contribute to a subset specifically targetting refugees as beneficiaries. Contributions would be separate from what had so far been the major funding resource for refugee feeding operations, namely, the International Emergency Food Reserve. The Committee had also agreed to allocate \$30 million from WFP's regular resources to supplement the new subset. Finally, it had agreed that refugee feeding operations should be presented to the Sub-Committee on Projects for consideration and to the Governing Body for approval. The new arrangements would be introduced on 1 January 1990 and a total of about 20 projects were being prepared for submission to the Committee in November 1989. The changes he had outlined had been dictated primarily by WFP's concern that the previous approach had treated refugee situations as very short-term phenomena. Accordingly, food contributions and hence deliveries could never be planned sufficiently far in advance to guarantee continuity in refugee feeding operations.

26. In addition, emergencies continued to be regarded by donors as sudden situations which required a response only in the form of foods such as cereals or emergency food rations, which might be high in protein, but were not necessarily balanced. In most cases, WFP dealt with very long-term refugee situations, some lasting for over 10 years. The refugees in such situations required a food basket that was adequately balanced to provide energy, protein, fats and essential vitamins. No change in attitudes was expected to

take place overnight, but WFP hoped that donors' contributions to the new subset would include commodities which provided a better balance in food intake. He recalled that, at the Conference on Nutrition in Times of Disaster, held in Geneva in September 1988, the Sub-Committee on Nutrition had drawn attention to the inadequacy of the rations provided in many refugee situations and had recommended that a minimum daily intake of 1,900 calories should be guaranteed by organizations such as WFP and UNHCR. The Executive Director of WFP was grateful to UNHCR for its assistance in making the necessary procedural changes to ensure better support to refugees.

27. The agreement under which donors channelled all their food contributions to Pakistan, Iran and Somalia through WFP had functioned well since 1988 and Ethiopia had been added to the list in 1989. The provision of food to the two large refugee groups in that country was complex and the difficulties encountered had led to a special memorandum of understanding on the extension of WFP responsibilities for the delivery of food to various camps in Ethiopia. Under the new arrangements, the management of food supplies in Ethiopia had improved considerably. With regard to food supplies for Afghan refugees, he expressed his organization's full support for the Office of the United Nations Co-ordinator for Afghanistan. WFP had worked jointly with UNHCR in establishing transport facilities and had helped to implement several small food projects in Afghanistan. It continued to channel food aid to Afghan refugees in Pakistan and in Iran at the level of about 484,000 tonnes for the two countries in 1989.

28. Much had been said about the need for restraint as a pre-condition for continued support for United Nations agencies. There was no question that restraint was essential, but the agencies might reflect on the amount and quality of support which the international community had been providing to refugees so far. There had been great difficulty in the operations with which WFP had been associated in reaching the minimum level of nutritional support, which was 1,900 calories a day, because of the shortage of commodities. Even at that level, cases of malnutrition had arisen: they had been corrected, but, in order to achieve that result, the daily ration had had to be increased to 2,300 calories, a level that was inconceivable as a universal standard at the present time. He reminded donors that refugees had to be fed daily and that cuts in the food budget resulted directly in increases in malnutrition. Savings were thus artificial and temporary. Human lives were at stake, moreover, particularly among the most vulnerable groups.

29. In conclusion, he said that co-operation with UNHCR was the cornerstone of WFP's refugee feeding operations. The two organizations depended on each other for mutual support and the success of relief programmes depended on their determination to work better together. WFP expected to build on the current relationship and hoped to conclude an updated memorandum of understanding with UNHCR in early 1990.

30. Mr. STENBÄCK (League of Red Cross and Red Crescent Societies) said that the unprecedented funding crisis affecting UNHCR's 1989 and 1990 programmes must not distract attention from the purpose of the High Commissioner's Office, namely, the absolute humanitarian necessity for the international community to provide the means for the world's 15 million refugees to live in good health, security and dignity. Despite current critical problems, the moral imperative of the High Commissioner's mandate must be squarely faced. He therefore appealed to Governments to meet the essential food, health, shelter and educational needs of refugees.

31. During his first 18 months as Secretary-General of the League, efforts had been made to seek ways and means by which it could carry out its humanitarian mission more effectively. In that connection, a strategy for the 1990s was to be discussed shortly; one of its important objectives would be to strengthen the League's capacity to work together as a federation.

32. Refugee relief actions were a major part of the League's work in every part of the world. Within the League, the resources of the National Societies, which had the advantage of being on the spot, could be used by other Societies and the League thus had access to outside funds, material goods and experienced and able field delegates. In the current crisis situation, the National Societies and the League Secretariat had a role to play in assisting UNHCR to meet the critical needs of refugees, as, for example, in Honduras.

33. In seeking ways of solving UNHCR's financial problems, it should be borne in mind that several non-governmental organizations which had considerable operational experience and dated back to even before UNHCR's establishment, were ready to work together as partners and to combine their sources of financing with those of UNHCR, while respecting the important protection mandate of that Office. He therefore recommended that UNHCR should give consideration to a new model of delegation to and partnership with non-governmental organizations.

34. The League was giving consideration to ways of meeting refugees' longer-term and special needs. Two years previously, it had convened a meeting of specialists from European and North American National Societies, non-governmental organizations and Governments to discuss the psychological needs of refugees and asylum-seekers in the industrialized countries. At its forthcoming General Assembly, it would focus its attention on the critical situation of refugee children and how it could work with non-governmental organizations to help meet those children's needs. With co-operation from UNHCR and non-governmental organizations, it would no doubt be possible to develop new insights and ways of assisting the millions of refugee children whose health and well-being had been severely affected by violence, separation from their families and extreme hardship.

35. Mr. VEUTHEY (International Committee of the Red Cross) said that the International Committee of the Red Cross, which had been carrying out its humanitarian activities for many decades in all parts of the world, shared concern about the state of the world's refugees, as described in the documents submitted to the current session of the Committee and, in particular, in the Note on international protection (A/AC.96/728). The problems still frequently encountered with regard to asylum included violations of the principles of non-refoulement and voluntary repatriation; attacks on the physical safety of asylum-seekers; and the detention of refugees in conditions that were contrary to humanitarian principles. ICRC was determined to continue to discharge the mandate entrusted to it by the international community and to provide protection and assistance to refugees and displaced persons in time of armed conflict. Refugees were entitled to benefit from protection under some of the provisions of international humanitarian law and, in particular, the Fourth Geneva Convention. The applicability of that Convention did not rule out that of the United Nations Convention relating to the Status of Refugees and the protection activities provided by UNHCR and ICRC had to be complementary.

36. With regard to refugee children, ICRC noted with satisfaction that UNHCR shared its concern about compulsory recruitment. Additional Protocol I to the 1949 Geneva Conventions provided that children under 15 years of age should not take a direct part in hostilities or be recruited into the armed forces of a party to a conflict; where persons between 15 and 18 years of age were recruited, priority should be given to those who were oldest. Where children under 15 years of age took a direct part in hostilities and were captured, they would continue to benefit from the special protection accorded by the Additional Protocol. ICRC thanked the High Commissioner for his comments on article 38 of the draft Convention on the Rights of the Child relating to the recruitment of children. The text as it now stood was a matter of concern to ICRC because it undermined existing norms of international humanitarian law.

37. In conclusion, he drew attention to the fact that it was the duty of the States parties to respect and enforce the provisions of the relevant international instruments. Only with the political and financial support and confidence of Governments would humanitarian organizations, and UNHCR and ICRC, in particular, be able to carry out their protection and assistance tasks.

38. Mr. NELDNER (International Council of Voluntary Agencies) said that non-governmental organizations were particularly concerned about UNHCR's serious financial problems. They had received disturbing reports that refugees were suffering as a result of budgetary shortfalls, which were affecting programmes for education, employment and income-generating projects. Shortfalls were also having direct effects on non-governmental organizations, since refugees were turning to them for more help.

39. The financial crisis also raised broader questions about UNHCR's management style and its lack of consultation with non-governmental organizations. Those organizations mobilized resources for refugee work that were at least comparable to those of UNHCR and genuine co-operation with them was therefore essential in order to counter the financial crisis. UNHCR programmes must be evaluated in a professional manner which involved partners and beneficiaries. In some countries, UNHCR had begun to seek funds from the general public, the traditional source of support for the activities of non-governmental organizations. Competing for such funds was, however, unlikely to produce additional funds. Moreover, as such fund raising was becoming increasingly complex and UNHCR had little experience in that field, its limited personnel resources might be put to better use in direct work for refugees and in fund raising from Governments.

40. Non-governmental organizations were also disturbed by some of the implications of the proposal by the Sub-Committee on Administrative and Financial Matters for a further reduction in the budgets for 1989 and 1990, for limitations on commitments to one half-year and for placing budget administration under the control of a governmental committee. The proposal would not permit planning for durable solutions and, as a result, refugees would be likely to suffer. In the long run, the proposed course of action would be less cost effective and did not address the real problems.

41. ICVA commended UNHCR on its efforts to help refugee children and welcomed its report on refugee women and the progress being made to ensure that that issue was incorporated into all aspects of UNHCR's work. ICVA was, however, concerned about the erosion of the asylum principle and standards of

protection in European countries. It welcomed the increasing acceptance of the linkage between refugee aid and development and was ready to share ideas on the subject and possibly to work together with UNHCR in an informal working group.

42. With regard to regional activities, he referred to the positive impact of the International Conference on Central American Refugees. In the Africa region, he drew attention to the successful repatriation of Namibian refugees and commended UNHCR for ensuring that an amnesty was declared to safeguard the security of the returnees. He hoped that a way could be found for UNHCR and the non-governmental organizations concerned jointly to evaluate the repatriation operation. In Asia, Burmese students seeking asylum in Thailand were a new matter of concern. There was a need for the establishment of a fair and equitable screening system in South-East Asia and Hong Kong, for the absence of such a system might mean taking part in *de facto* refoulement. He noted that ICVA had sent a mission to Viet Nam to discuss the possibility of establishing non-governmental organization programmes to assist communities receiving returnees.

43. Partnership, to which non-governmental organizations attached considerable importance, must once again become a guiding principle of the High Commissioner's work and in that connection, he particularly appreciated the statement made by the Secretary-General of the League of Red Cross and Red Crescent Societies. Non-governmental organizations mobilized substantial resources and genuine co-operation was essential in order to solve financial problems. Fund-raising efforts would be unnecessarily complicated if UNHCR gave the impression that the funds it was seeking for a particular programme constituted the total amount required. It had already been suggested on several occasions that it would be wise to summarize the contributions made by operational partners in the financial schedules prepared for the Executive Committee, even though the financial resources did not actually flow through UNHCR's accounts.

44. Non-governmental organizations wanted to re-establish relations with UNHCR on a partnership basis, which they understood as meaning involvement from the outset in programme design rather than being called upon to carry out pre-packaged programmes after they had been planned. Such a relationship would contribute to better services to refugees and would be more cost effective. At the international level, non-governmental organizations and UNHCR must work together to analyse evolving international mechanisms to protect and assist refugees and develop ways of responding to present and future needs. The structures created in the post-war period were inadequate to meet the changing needs of the 1990s. Neither non-governmental organizations nor UNHCR or Governments on their own could devise the necessary solutions. That was what partnership was all about.

45. Mr. ELARABY (Observer for Egypt) said that solutions to the refugee problem called for greater co-operation, solidarity and burden-sharing among the family of nations. Recent peace settlements and events, including the repatriation of Namibians in which UNHCR had played such an active role, had given fresh hope to refugees all over the world.

46. Africa was particularly affected by the plight of displaced persons and refugees as nearly all African countries hosted refugees. Refugee movements had severely strained the resources and services of such countries, whose

ability to shoulder the burden had been diminished by economic difficulties. It was therefore necessary and timely for the international community as a whole to take account of the reality in third world countries. Greater financial aid was needed to solve the refugee problem. Traditional donors were to be thanked, but, at the same time, they must be asked to contribute more and new donors must be sought. Those who were rich in generosity but poor in resources must not be penalized. The financial burden should be regarded as the collective responsibility of the entire international community.

47. Significant developments in and the realities of refugee situations must be taken into account by adding new principles and ideas to the existing recognized principles of refugee law and doctrine. Special attention should be paid to the study of the definition of the term "refugee" and any person compelled to leave his country should be considered as such. Not only political persecution, but also military occupation and natural disasters should be regarded as grounds for fleeing a country. In that connection, he noted that article 1 of the OAU Refugee Convention made a major contribution by defining the term "refugee" as a person compelled to leave his own country.

48. While the prevention of new flows of refugees was a vital task, it should not be perceived as the sole effective remedy to the refugee problem. Prevention entailed changes in the economic or political conditions that had compelled persons to leave their countries of origin. The High Commissioner should continue to take initiatives to promote dialogue with a view to finding and implementing solutions in that respect. Refugee aid and development could contribute to prevention and development policies could ensure that returnees would not face poverty and unemployment in their countries. Early warning systems could also have preventive effects. The Office for Research and Collection of Information should be strengthened, particularly with regard to the formulation of policy guidelines and options.

49. The most viable and durable solution for refugees was voluntary repatriation. However, the eradication of the root causes of refugee flows could be long and complicated and refugees should not be left to live in inhumane conditions, dependent upon assistance provided by host countries alone. Humanitarian assistance for refugees and returnees must be linked with development, thereby reducing the burden imposed on host countries and countries of origin, strengthening the capacity of host countries and enhancing the contribution made by refugees to local communities. Refugee aid projects should also benefit the local population. In conclusion, he stressed the urgency of such projects and the need for increased co-operation and co-ordination between UNHCR and development agencies.

50. Mr. BANDIAL (Pakistan) said that his delegation had been deeply impressed by the statement made by the High Commissioner for Refugees, who had effectively highlighted the crucial issues in the world refugee situation. His delegation fully appreciated the immensity and complexity of the High Commissioner's task and hoped that the alarm that he had raised would evoke prompt and positive responses, especially with regard to financing, which had to be sustained in order to improve refugee conditions and to alleviate the burdens of the countries hosting refugees. Adequate staffing was another vital factor and his delegation hoped that the High Commissioner would be allowed to retain some flexibility in determining the size of his staff.

51. Pakistan had the largest refugee case-load in the world. Year after year since 1980, his delegation had faithfully reported on their plight, increasing numbers and expanding requirements, as well as on Pakistan's mounting burdens. The response of donors had been prompt and generous and great efforts had been made by them, the host country, the United Nations system and the voluntary organizations.

52. Of late, however, there had been a different trend, characterized by low pledges and short deliveries. For example, in 1988, the volume of wheat pledged had been 430,276 tonnes, of which only 313,659 had been delivered. The amount of dried skimmed milk pledged had been 5,500 tonnes, of which only 2,596 had been delivered. In 1989, out of a total of 373,757 tonnes of wheat pledged, only 295,500 had as yet been delivered. There had also been shortfalls in edible oils and dried skimmed milk. There was a very substantial shortfall in deliveries of kerosene oil.

53. Such diminishing assistance for the refugees would inevitably lead to the inference that the primary concern had been the withdrawal of foreign troops. However, it would be unfortunate if such a narrow perception were to prevail. The commitment made by the Executive Committee, by UNHCR and by Pakistan was to the voluntary repatriation of the Afghan refugees in safety and dignity. Nevertheless, over 4 million, including 700,000 new-born babies and a fresh influx of over 60,000 refugees in the course of 1989, were still on Pakistani soil. In monetary terms alone, Pakistan was spending \$30 million annually, mainly on inland transportation of refugee relief goods. There had been colossal damage to the ecology and pressure on the infrastructure as a result of the Afghan refugees' presence, for which an independent economic reconstruction programme was being envisaged. To date, Pakistan had provided over 600,000 tonnes of wheat to meet the annual shortfalls in WFP wheat supplies.

54. The story did not end there. A new dimension, rather debilitating for Pakistan's fragile economy, had been added in the form of an irregular trade involving the outflow of food and other items, thus depleting Pakistan's markets and raising prices. It was difficult to control such trade because of geographical contiguity and the porous border between Pakistan and Afghanistan. Even with a bumper crop of 14.5 million tonnes of wheat in 1989, Pakistan found itself with a wheat deficit, obliging the Government to import 1.8 million tonnes for domestic consumption. It was also having to import sugar and to step up its imports of dried skimmed milk.

55. His Government wished Operation Salam every success in the rehabilitation and reconstruction of Afghanistan. His Government was confident that the existing transportation problems would be solved, but, in the meantime, it strongly recommended flexibility so that prepositioned supplies could also be used for Afghan refugees in Pakistan.

56. The economic recovery and reconstruction programme for areas affected by the Afghan refugee presence was an issue of great concern to Pakistan. His Government had submitted a draft programme at the "Aid to Pakistan" consortium meeting held in April 1989, in Paris, where it had been decided to field a UNDP assessment mission. Pakistan was waiting to see it in action, so that, when the time was ripe, the programme, as approved by the donors, could be launched without delay in areas vacated by the Afghan refugees. In any case, it was to be hoped that Pakistan's concerns and apprehensions would be answered in a positive manner.

57. Mrs. MUTAMBIRA (Observer for the African National Congress) noted that, since the thirty-ninth session of the Executive Committee, South Africa had gone through unprecedented upheavals affecting millions of persons. The level of confrontation between the racist régime and the oppressed majority had risen to new heights and the oppression meted out had forced many persons to leave the country, thus imposing enormous responsibilities on the African National Congress (ANC), which had sought to raise the educational standards of its people, to create a core of skilled personnel and to open up possibilities of fuller participation by all South African refugees under its care in development activities so that self-reliance could eventually be achieved.

58. UNHCR had made, and was still making, positive and practical efforts in support of ANC's self-help projects. ANC had benefited from UNHCR-funded multi-purpose assistance since 1979 and was currently implementing project 89/AT/ZAM/CM/206/ANC. UNHCR's commendable work in assisting refugees fleeing from the brutality of the apartheid régime in South Africa was greatly appreciated. Unfortunately ANC's own ranks had been penetrated by agents of the South African régime, who spied on it and tried to sow disunity. In many instances the agents had been discovered, but it had not been possible to take appropriate action against them because they had turned to UNHCR for protection, using its good offices for their own ends.

59. ANC expected the international community to extend more assistance to it in its efforts to aid and rehabilitate refugees from South Africa. People in southern Africa rightfully expected that the decisions and resolutions adopted in the Executive Committee would help to shorten their agony. Merely to reiterate abhorrence of apartheid and to denounce it as a crime against humanity was not enough.

60. Mr. DEMIRALP (Turkey), speaking in exercise of the right of reply, said that the representative of Bulgaria had, in his statement, tried to divert attention from the root causes of the mass movement resulting from the conditions created by his Government. His statement had reflected nothing less than his Government's determination not to find a settlement for the humanitarian issue in question. It was alarming to note that Bulgaria continued to deny internationally recognized rights to its citizens of Turkish ethnic origin. The Bulgarian representative had even claimed that there was no Turkish minority in his country. In view of such a denial, it would be interesting to know who the persons were who had been referred to as Bulgarian citizens of Turkish origin in so many official documents, including documents submitted to the United Nations Human Rights Committee and the Committee on the Elimination of Racial Discrimination, and why they had gone to Turkey. The Bulgarian representative had alleged that all Bulgarian citizens who went to Turkey were either simple travellers or had left Bulgaria on Turkey's provocation.

61. Such an explanation was an affront to human intelligence. A mass movement involving more than 300,000 persons could hardly be characterized as a travel group and Turkey's readiness to offer asylum to Bulgarian citizens of Turkish origin could not be described as a provocation. The Bulgarian Government had had the audacity to express concern at the fate and well-being of its citizens of Turkish ethnic origin whom it had compelled to leave Bulgaria. It should have shown that concern before they had left, not afterwards.

62. Turkey was doing its best to cope with the sudden and massive influx of refugees. The recent introduction of a visa requirement was a means of keeping the ongoing movement under control. Since then, tens of thousands of Bulgarian citizens of Turkish ethnic origin had applied for visas. The feeling of compulsion to leave Bulgaria was undoubtedly as alive as ever among them.

63. Every human being was entitled to enjoy basic human rights in his or her home country. In line with that belief, Turkey had always advocated that Bulgarian citizens of Turkish ethnic origin should be permitted to live and enjoy human rights in their homeland. It was his Government's profound desire to see the ethnic Turkish minority living in peace in Bulgaria and constituting a bridge of friendship between the two countries. Unfortunately, the Bulgarian Government did not share that sentiment. Clearly, Turkey would not remain silent about Bulgaria's present policy of forcibly assimilating its Turkish minority and of expelling those who resisted assimilation. The Bulgarian Government had to restore the legitimate trust of the Turkish minority and to allow those who desired to immigrate to Turkey to do so within the framework of an emigration agreement.

64. Turkey was ready to engage in meaningful discussions with Bulgaria on the humanitarian issue without further delay. The Ministers for Foreign Affairs of the Organization of the Islamic Conference had recently discussed the flight of the Turkish minority from Bulgaria and had noted with appreciation Kuwait's invitation to Turkey and Bulgaria to hold a meeting in Kuwait on 30 October 1989 to discuss Turkish/Bulgarian bilateral relations, including the situation of the Bulgarian Muslim minority of Turkish origin. Turkey had immediately responded positively. In view of what the Bulgarian representative had said about dialogue and moderation, it was to be expected that his Government would respond positively, too. If the Bulgarian Government's reply was negative, the Turkish Government would continue to pursue the issue in the Executive Committee and in all other humanitarian forums.

65. Mr. ANDREEV (Observer for Bulgaria), speaking in exercise of the right of reply, said that the Turkish representative's statement contained no new elements. The main argument of the Turkish Government was that there was a Turkish minority in Bulgaria. There was, however, no Turkish minority, only a Muslim minority. There was also a Bulgarian minority in Turkey. Bulgaria was ready to negotiate without preconditions. His Government saw no need to negotiate an emigration agreement with Turkey. Humanitarian issues needed to be resolved separately. If any new elements emerged, his delegation would be ready to discuss them.

66. Mr. DEMIRALP (Turkey), speaking in exercise of the right of reply, denied the Bulgarian representative's affirmation that no new elements had emerged. In his previous statement, he had referred to Turkey's positive response to the call for negotiations made by the Organization of the Islamic Conference. In any case, Turkey would wait to see whether Bulgaria would continue to deny the existence of a Turkish minority or whether it would take constructive action.

67. Mr. HARUN-UR-RASHID (Observer for Bangladesh), speaking in exercise of the right of reply, recalled that, during the general debate, the representative of India had made a reference to Bangladesh. Some of the facts stated did not correspond to the actual situation and he wished to set the record straight.

68. Some time previously, members of the tribal population from the Chittagong Hill Tracts adjoining India had been the victims of false propaganda and senseless atrocities by terrorist elements and had fled across the border. The total number of persons who had crossed the border from Bangladesh had been 29,920, and not 67,000, as mentioned in the Indian representative's statement. Once those displaced persons had found that they had been grossly misled, they had decided to return to Bangladesh. Ten thousand had already returned and more were returning every day to their homes. On return, they were immediately provided with cash grants and land by the Bangladesh Government for their resettlement.

69. All the displaced persons would already have returned to Bangladesh if it had not been for the threats and violent physical attacks to which they had been subjected by terrorist elements on their way to Bangladesh. That fact had been corroborated by independent observers, such as a New York Times correspondent.

70. The Government of Bangladesh had, from time to time and at the highest level, reiterated its commitment to take back all displaced persons of Bangladesh origin. That had again been conveyed to the Indian delegation by the Bangladesh delegation at a meeting held in May 1989 to finalize the arrangements for the displaced persons' safe return to Bangladesh.

71. His Government had taken many steps to create favourable conditions in the area for the return of the displaced persons. One such step had been the introduction of local self-government through legislation. As a follow-up, direct elections had taken place in June 1989 in the Chittagong Hill Tracts, in the presence of foreign observers and journalists, and had led to the establishment of district councils in which the chairmen and the majority of the elected members were from the tribal populations. Those local government institutions had been given broad administrative, legal, quasi-judicial and fiscal powers.

72. His Government's record in respect of the treatment of tribal populations was exemplary and the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities had acknowledged that record in a decision taken on 31 August 1989, in which it had expressed satisfaction and thanks to the Government of Bangladesh for its treatment of its tribal populations.

73. In view of the foregoing, it was clear that the displaced persons had demonstrated their full confidence in the normal conditions and peace prevailing in the area by returning to their homes. Thus, to urge the Government of Bangladesh to create conditions conducive to their return was to ignore the realities of the situation. In keeping with the open-door policy of the Bangladesh Government, many foreign journalists and diplomats stationed in the country had visited the area to see for themselves what the situation was. Amnesty International and an ILO mission had also visited the area. The UNHCR resident representative who had recently been appointed in Dhaka might have the opportunity to do so as well.

74. Mr. SHARMA (Observer for India), speaking in exercise of the right of reply, said that the refugees were not yet returning because they were still not convinced that conditions were right. The matter was being discussed between the Governments of Bangladesh and India and he hoped that a speedy solution would be found and that confidence would be restored. Bangladesh must convince the refugees to return voluntarily. In his statement, he had given the figure of 67,000 refugees. Over 23,000 had arrived in the past few months.

75. Mr. HARUN-UR-RASHID (Observer for Bangladesh), speaking in exercise of the right of reply, said that he categorically rejected the statement made by the Indian delegation. There had been only 29,000 refugees, of whom 10,000 had already returned and others were returning. His Government had created favourable conditions for their return and they would have all returned but for the threats and violence of terrorist elements.

76. Mr. SHARMA (Observer for India), speaking in exercise of the right of reply, said that he was sure that the precise figure could be arrived at in mutual consultations between the two Governments concerned. However, what was at issue was not the number of refugees, but the conditions needed to create confidence among them so that they could return.

77. Mr. KAMARA (Observer for Mauritania) expressed regret at the attitude of the Senegalese delegation, which, considering its leader's broad experience, was unexpectedly trying to turn a humanitarian forum into one of controversy. At no point in his delegation's statement had it attacked Senegal or taken the Senegalese authorities to task. That attitude was not due to any fear of opening a debate on the crisis that Senegal was currently imposing on his country, but rather to respect for UNHCR's activities and for the mediation efforts currently in progress.

78. His delegation was fully prepared to give the Executive Committee evidence that there were Senegalese refugees in Mauritania, as well as evidence of the suffering of Mauritians in Senegal. Everyone hoped the current regrettable situation would improve rapidly. To that end, however, Senegal must stop using United Nations forums to make statements which, with regard to his country, contained more flights of oratory than rigorous and objective reasoning.

79. In any event, his Government had already indicated to the UNHCR representative in Nouakchott that it was willing to participate in the statistical survey leading to the establishment of a plan for the refugees' reintegration. Such an attitude of clarity and transparency came easily to his Government, which did not have the competence to use human suffering to obtain financial assistance and was not in the habit of doing so.

80. His delegation would have occasion to speak further about the budget estimates for Mauritania and Senegal when discussing the specific programmes for those countries. For the time being, however, he drew the Executive Committee's attention to the fact that the Senegalese authorities recognized the presence of at least 500,000 Mauritians in that country. Only 200,000 had returned to date. He repeated his Government's request to UNHCR and the International Committee of the Red Cross to appeal to the Senegalese

authorities to allow those hostages - for that was the right word - to return home. Despite the financial problems which UNHCR and other international bodies were facing, there could, in the interests of justice and efficiency, be no double standard where refugees were concerned.

81. The Senegalese delegation was headed by a senior diplomat who, in accordance with African values, was entitled to respect. He therefore doubly regretted that, in the interest of the truth, he had had to depart from the tone of his earlier statement.

82. Mr. SENE (Observer for Senegal) expressed surprise at the Mauritanian representative's evaluation of his delegation's statement, which had simply contained references to the serious and distressing situation of the Mauritanian refugees, as described in the UNHCR report (A/AC.96/724(Part I)/Add.1). Section 1.21, paragraph 2, of that document estimated that the number of those refugees had stood at 43,000 in mid-August 1989 and paragraph 4 referred to a census of the refugees begun by the Government of Senegal, as well as to a UNHCR technical mission which was carrying out a detailed review of the emergency programme and needs. He would have occasion to speak in greater detail on those developments when the country programmes were discussed.

83. On another matter, paragraph 2 of document A/AC.96/724(Part V)/Add.1 referred to the Mauritanian Government's decision to grant refugee status to Senegalese refugees in that country, the present population of which numbered "some 22,000 living in 34 sites in the country". His delegation eagerly awaited the conclusions of the missions to the two countries and, in particular, the results of that census, since, as he had said earlier, Senegal had no knowledge of those refugees. He hoped that the secretariat would reply to those questions, for his country wished to comply with article 13 of the Universal Declaration of Human Rights on the right of everyone to leave any country.

84. As the representative of ICRC had said earlier, it was the duty of the States parties to international instruments to respect and enforce their provisions. Those comments were of essential importance, coming as they did from the representative of an organization that played a major role in humanitarian action throughout the world on the basis of neutrality and independence. He therefore invited UNHCR and ICRC to help Mauritania and Senegal establish any data that would lead to the truth. Now was not the time for polemics or rhetoric. His delegation shared the hope expressed in paragraph 5 of document A/AC.96/724(Part I)/Add.1 that the results of current mediation efforts would allow an early durable solution to the problem of refugees in both countries. It also hoped that that goal would be achieved with objectivity, transparency and respect for the African values of wisdom and brotherhood.

85. The CHAIRMAN said that, if he heard no objection, he would take it that the Executive Committee had completed its consideration of agenda item 4.

86. It was so decided.

INTERNATIONAL PROTECTION (agenda item 5) (A/AC.96/734, A/AC.96/728)

87. The CHAIRMAN, in the absence of the Chairman of the Sub-Committee of the Whole on International Protection, gave a brief introduction of the Sub-Committee's report (A/AC.96/734). He drew the attention of the members of the Committee to the fact that the draft conclusions reached by the Sub-Committee on the three substantive agenda items were being recommended for adoption by the Committee.

88. Mr. ARNAOUT (Director, Division of Refugee Law and Doctrine) said that two important aspects of international protection were its social significance and the general purposes and principles of international co-operation in extending it.

89. Following the Second World War, the United Nations had adopted as one of its main principles the proposition that the basic welfare of each human being was properly the concern of the international community. That principle of common concern had been held to be universally applicable without discrimination as between aliens and citizens. It was to underly the entire theoretical structure of law and doctrine for the protection of refugees, as well as for human beings in general.

90. That principle was linked integrally with the concept of an international community according to which the United Nations was a true community of peoples and their Governments that recognized common interests and rights and obligations in respect of one another. That concept of an international community transcended earlier concepts, such as that of the family of nations, which had essentially been regional entities lacking a universal dimension.

91. That development inevitably had major implications for transfrontier movements, for any concept of a community, in any physical or geographical sense, had to include some measure of freedom of movement across borders. The reality of an international community emerged only with the growth of transfrontier movement for such purposes as commerce, cultural exchanges, education, recreation, work, settlement and, of course, refuge.

92. While an imperfect, or embryonic community - such as the present international community - inevitably entailed restrictions on freedom of movement, given the reality of differences within the community, there was none the less an irreducible core of freedom which must exist by virtue of the very concept of a community. A part of that irreducible core must include, as the earliest international jurists were to recognize, the right of every human being, by virtue of a common humanity, to receive refuge in another country in times of grave and urgent distress. The denial of such a right could only amount to a denial of the existence of an international community, as well as a denial of the existence of a common humanity.

93. It was for that reason that the right of refuge or of asylum should be considered in the light of the Charter of the United Nations as a general principle of international law and an elementary consideration of humanity; and the treatment of the refugee should be considered as related directly to a sense of common interests and of mutual rights and obligations. Furthermore, the principles of refuge or asylum and of humanity were to be seen as an integral part of that foundation of freedom, justice and peace in the world which was human rights.

94. As a step towards greater international integration, the growth of regional integration could only be welcomed, but it must not lead to a weakening of the larger international community. At the present moment of impending moves of historic significance in regional integration, notably in Western Europe, it was timely to proclaim once again that the right of refuge or asylum was possessed by humanity as a whole and must not be impaired by a process of regional integration. Rather, the regional integration process must continue to keep that larger universal perspective unimpaired and also firmly maintain the attachment of peoples and States to the general principles of refuge or asylum and of humanity.

95. The remarkable recent developments in respect for human rights and for the principles of democracy, as well as in the growth of international détente, had opened up major new possibilities for international co-operation with regard to the refugee problem. A shared commitment to justice and peace inevitably broadened the scope for co-operation, to include carefully the country of origin, especially in respect of prevention and voluntary return. Above all, it conferred on the individual greater freedom of movement in relation to his or her country of nationality.

96. Those developments raised pertinent questions concerning the general purposes and principles of co-operation. In the context of a broad approach to the refugee problem, the notion of solution must be seen in a comprehensive and balanced manner which gave due value to the concerns of prevention and of voluntary return. That just and humane approach to the refugee problem was ultimately conducive to the promotion of peace and security. From a human rights perspective, therefore, exile was not in itself a true solution to the refugee problem if it was not accompanied by a proper concern for the preservation or restoration of the basic freedom of movement of the individual in relation to his or her country of nationality.

97. The foregoing in no way contradicted the fact that the refugee situation was essentially an exceptional or disturbed situation and that principles of refugee protection were of fundamental importance. The concerns for prevention and voluntary return must relate only to the rights and freedoms of the individual and not to the desire to prevent transfrontier movement or to compel a return movement regardless of circumstances in the country of nationality. They must relate to the desire to prevent conditions arising or continuing in the country of nationality which would compel departure and/or exile abroad. Thus seen, prevention and voluntary return were undeniably fundamental aspects of the preservation or restoration of justice and peace in the world.

98. In the complex and difficult circumstances of life, however, it was often the case that it took two to make a quarrel. That underlined the importance of an approach which gave due weight to the concerns of reconciliation and the peaceful settlement of disputes. In such an approach, separation and alienation in cases of enforced or involuntary movement were to be seen as acts of last resort where there was no reasonable prospect of reconciliation and of normal life in common and where the individual had freely chosen to acquire a new nationality.

99. The international community must be ready to take initiatives to seek solutions in a positive and constructive way and to promote, wherever possible, a dialogue between all the parties concerned. It must also be ready

to uphold basic human rights, including the right to refuge or asylum. Most importantly, the international community must be ready to go beyond a merely post factum approach and to address the important and legitimate concerns of causes and prevention. Exile, or asylum, was by itself an inadequate response to the modern refugee problem.

100. He had been very gratified by the outcome of the Sub-Committee's discussion of solutions and the protection of refugees, which had served to underline the importance of solution and to stress the basic link between solution and protection. It remained for the open-ended Working Group recommended by the Sub-Committee to draw out more fully the practical implications of renewed emphasis on solutions and on the basic link between solution and protection. The work of that Group would be of considerable significance in the progressive development of the international approach to the refugee problem.

101. The subject of causes, especially of mass movements of refugees or of asylum-seekers, was one requiring further study. A valuable contribution, on the initiative of the Canadian Government, had already been made in the United Nations Commission on Human Rights and the General Assembly. Valuable work had also been done in that regard, on the initiative of the Government of the Federal Republic of Germany, by the General Assembly Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees. However, more work was needed to consolidate and build upon what had already been done in order to give the international community further assistance in responding as humanely and effectively as possible to the problems posed by those movements.

102. In either a human rights or a practical approach to the basic aspect of causes, it was necessary to address not only the immediate causes, but also the root causes. Extreme poverty and deprivation, as well as the denial of elementary economic and political rights, were good examples of root causes that might give rise to such problems as social instability, violence, repression and armed conflict, which were the immediate causes of refugee movements. Recognition of the relevance of root and immediate causes could lead to beneficial consideration of the whole range of human rights applicable to the refugee problem, including "collective" rights and as the rights of "individuals" and economic, social and cultural rights, as well as civil and political rights. In practical terms, it would entail acknowledging the fundamental importance of international solidarity in economic and social development.

103. He stressed that the foregoing referred to international action generally and was without prejudice to the question of the particular competence of individual international entities, such as UNHCR.

104. The Division of Refugee Law and Doctrine had been closely and actively following the discussions in the Sub-Commission on Prevention of Discrimination and Protection of Minorities, which was currently engaged in drawing up a draft declaration on the right of anyone to leave any country, including his or her own, and return to his or her country. It was to be hoped that, when finalized, an international declaration on that fundamental human right would persuasively underpin efforts to secure the admission of refugees to asylum States, their voluntary return to their countries of origin and the reunion of their families. The declaration would also contribute

positively to international efforts to deal with the causes of refugee flows. Restrictions on the right to leave or to return were in themselves a key element in a number of refugee situations.

105. As he had had cause to explain to the Sub-Commission during its recent session in August, individuals might even become refugees by virtue of their unauthorized departure and their consequent inability to return without fear of harsh recriminations. Restrictions on departures were themselves, in such situations, a cause of flows of refugees. He encouraged all members of the Committee to examine the Sub-Commission draft carefully from the refugee viewpoint, taking into account its significance for averting new refugee flows and facilitating solutions for existing refugee populations.

106. Such standard-setting exercises were a fundamental element in any human rights approach to solutions to refugee problems. What was required was not the abandonment of basic values and principles, but the progressive development of thinking and action to supplement and complement them.

107. That viewpoint appeared to be widely shared by the international community. One example was the action taken by the Round Table of experts on current problems of international humanitarian law, which had been held at the International Institute of Humanitarian Law in San Remo, Italy, from 12 to 16 September. To mark Refugee Day on 12 September, the Round Table had adopted the Declaration on the Protection of Refugees, Asylum-Seekers and Displaced Persons, which, *inter alia*, encouraged UNHCR to pursue the efforts it was making to develop refugee law.

108. The Declaration was in every respect a realistic document. It was clear that the refugee conventions in force at the international and regional levels, if fully implemented and applied in the spirit in which they had been drafted, would serve to protect many persons who had left their homes and required international protection. However, it was equally true that there were individuals, or groups of individuals, who were in grave and urgent need of protection, but who did not meet the definitional criteria contained in the 1951 Convention and the 1967 Protocol. The recognition in the recent San Remo Declaration that such persons could not be considered to be outside the framework of international law and protection was therefore particularly heartening. The general principles of international law, including fundamental human rights principles, required the international community to assume responsibility for such persons and to offer them its protection.

109. He concluded by repeating his deep conviction that the time had come for the progressive development of the international approach to the refugee problem, an approach which broadened the traditional scope to include the co-operation of all parties in seeking a solution to the problem.

The meeting rose at 1.05 p.m.