



General Assembly

Distr.
GENERAL

A/AC.96/SR.410
16 October 1986

Original, ENGLISH

EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

Thirty-seventh session

SUMMARY RECORD OF THE 610th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 10 October 1986, at 3 p.m.

Chairman: Mr. CHARRY-SAMPER (Colombia)

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The meeting was called to order at 3.15 p.m.

ADMINISTRATIVE AND FINANCIAL QUESTIONS (continued)

(b) ADMINISTRATION AND MANAGEMENT (agenda item 8) (continued) (EC/SC.2/29, A/AC.96/678, A/AC.96/677, A/AC.96/683)

1. Mr. TICHY (Austria) considered that the Executive Committee had taken a very positive initiative in inviting the President of the Staff Council to address the meeting and to inform delegations of how the staff of UNHCR viewed their functions and the problems of their service.
2. His delegation wished to take up the question of the need for providing incentives for field service. The issue had already been discussed in the Sub-Committee on Administrative and Financial Matters. His delegation thought it necessary to remedy a system which penalized those who accepted challenges in the field. It wished to request the High Commissioner to give consideration to that important question and it would welcome specific proposals on improving the current situation so that they might be submitted to the next informal session of the Executive Committee. The Revolving Fund was important, but just one aspect of that question.
3. His delegation was well aware that the issue must be considered in the context of the regulations governing the United Nations system. As many aspects of the entire system were at present being reconsidered, it was precisely the time to address that particular issue. It was important for the members of both the Executive Committee and the Fifth Committee of the General Assembly to be informed of UNHCR's precise views and proposals.
4. Mr. STAUER (Denmark) said that his delegation concurred with the High Commissioner's wish to discuss the subject at the informal meeting of the Executive Committee in January 1987. His delegation hoped that the discussion would be well prepared both with regard to possible documentation, including the consultants' reports, and with regard to the dialogue between the Office and the members of the Executive Committee prior to the informal meeting. It was hoped that the institution of the "open house" would be used fully and that a first discussion in that framework might be possible in December.
5. Several speakers had referred to the problem of the remuneration of field personnel as compared with staff at Headquarters. His delegation appreciated the problems involved and their effects on mobility from Headquarters to the field but would urge a note of caution. The current system, based on the Noblemaire principle, was extremely valuable and should not be departed from in order to assist a single entity in the United Nations system. The problem must be dealt with on a system-wide basis.
6. His delegation also fully agreed with the remarks made at the 409th meeting by the representative of Norway on the role and importance of the non-governmental organizations in the field of public opinion, in assisting refugees and in the search for durable solutions.
7. Mr. BOLDUC (Canada) said that the Board of Auditors had identified serious shortfalls in some aspects of UNHCR programme delivery and financial control. His delegation considered it vitally important that all necessary

measures should be taken to rectify those shortfalls as rapidly as possible. It was equally important to draw the necessary lessons for the future from that situation in the climate of good will which prevailed in UNHCR. His delegation wished to express satisfaction at the initiatives already taken, and particularly the improvement in procurement procedures.

8. His delegation also wished to express its admiration for personnel directly involved in work in the field, where working conditions were particularly difficult. More generally, his delegation endorsed the comments made by the delegates of Norway, the Netherlands and Denmark with regard to the consultations on the Plan of Action scheduled for January 1987, and was also interested in an improvement in documentation. Although the comments made in the Executive Committee often seemed to be critical, his delegation was, in fact, much encouraged by the general policy adopted by the High Commissioner.

9. Mrs. HÖGLUND (Sweden) said that her Government was following with interest the current restructuring exercise and looked forward to the submission of a Plan of Action at the Executive Committee's informal meeting in January 1987.

10. The reorientation of UNHCR towards the field was important and it was hoped that there would be some delegation of authority to the field as well as improvements in programme implementation and reporting.

11. Her delegation had been interested to hear the statement by the representative of the Staff Council. In view of difficult living conditions for field personnel, it would support measures to improve conditions and a study of the question, provided that such a study was conducted within the framework of the United Nations system.

12. Mr. DEWEY (Deputy High Commissioner for Refugees) said that he appreciated the support expressed for UNHCR's general orientation towards the field, for organizational changes, improved budget control, and for the attempts to break out of the cycle of reiterated deficiencies.

13. With reference to staffing, the problem of the project "L" posts was to have the flexibility to expand or contract as conditions required. Numbers had stabilized in recent years although there had been an increase due to the crisis in Africa. As long as emergencies existed, the "L" staff could not be retracted although that was the long-term intention. The Ad Hoc Advisory Board was an exceptional measure to meet the requirements of restructuring, which meant putting the right people in new positions in a timely manner. While there was a desire to return to a more routine system of postings, decisions on key posts must be left to the discretion of the head of the Office.

14. A long-term reform process would eventually bring results, but there must also be short-term and intermediate results. UNHCR was a body which must keep on the move despite its need for repairs which could not always be effected quickly in the short term.

15. The CHAIRMAN said that the Executive Committee had completed its discussion of agenda item 8 (b). If there was no objection, he would take it that the Executive Committee wished to adopt document A/AC.96/677 (Part I), as amended, in document A/AC.96/677(Part I)/Add.1.

16. It was so decided.

ANY OTHER BUSINESS (Agenda item 10)

17. Mr. CHIBA (Japan) recalled that when introducing the report of the Sub-Committee of the Whole on International Protection, he had stated that a working group had been established to continue discussions on the detention of refugees and asylum seekers. He was pleased to inform the Executive Committee that it had agreed on a draft set of conclusions which had been circulated in document EC/SCP.2(XXVII)/WP/CRP.1.

18. Mr. VON SCHUBERT (Federal Republic of Germany) said that his delegation regarded it as a shortcoming that the text left open the definition of "detention", which should include the idea of confinement in a closed building. His delegation wished to state that the restrictions on the freedom of movement of asylum seekers to the district of the competent aliens' office or accommodation in communal housing facilities based on the relevant legal provision of the Federal Republic of Germany were not inconsistent with the conclusions under discussion.

19. Mr. JAEGER (International Council of Voluntary Agencies) said that the ICVA agencies and the non-governmental organizations had devoted considerable attention to the question and were glad that a consensus had been reached. Although there was no question of amending the text, he would nevertheless wish to make a few comments. With reference to paragraph (a), no mention was made of detained women and children, two categories which were more sensitive to hardship than others. With reference to paragraph (b), it was hoped that the conditions under which detention might take place would not incite Governments which had not practised detention in the past to initiate detention practices, or incite other Governments which had practised detention to increase such practices. He attached great importance to the first sentence of paragraph (b) which stated that "in view of the hardship which it involves, detention should normally be avoided".

20. The CHAIRMAN said that if there was no objection, he would take it that the Executive Committee wished to adopt the set of draft conclusions on the detention of refugees and asylum seekers.

21. It was so decided.

22. Mr. de MELLO (Secretary of the Executive Committee), referring to the amendments to the Committee's Rules of Procedure contained in documents A/AC.96/679 and Corr.1, recalled that the Rules of Procedure had been revised as a whole in 1985. On the present occasion, amendments had been mainly technical in nature.

23. The CHAIRMAN said that if there was no objection, he would take it that the Executive Committee wished to adopt the amendments to the Rules of Procedure contained in documents A/AC.96/679 and Corr.1.

24. It was so decided.

CONSIDERATION OF THE PROVISIONAL AGENDA OF THE THIRTY-EIGHTH SESSION OF THE EXECUTIVE COMMITTEE (agenda item 9) (A/AC.96/687)

25. Mr. MTANGO (United Republic of Tanzania) said that the five-minute time-limit on statements on any item was much too short in respect of the three subitems of agenda item 6 of the draft agenda. The subject of durable solutions in itself was very wide-ranging and his delegation wondered if it might be appropriate to give refugee aid and development a separate identity in the context of the agenda as a solution to the problem of the time-limit.

26. Mr. ANDRES (Switzerland) said that although he considered that the Executive Committee had been admirably successful in reducing the number of agenda items in the context of the rationalization of its work, he would be in favour of allowing speakers to have adequate time to express themselves on topics of vital importance.

27. Mr. MTANGO (United Republic of Tanzania) said that he had already pointed out in the Working Group that the combination of the three subitems in a single agenda item might be a limiting factor. All the subitems were important and it was not a question of choosing one or another among them. That was particularly difficult in the light of the problems faced by his country and he believed that the agenda item should either be divided into two in order to give speakers more time to address its component parts or that an agreement should be reached on an extension of time for the individual subitems. His country had been dealing with hundreds of thousands of refugees for the past 20 years and he felt that the Executive Committee should provide an opportunity for those services to continue.

28. Mr. van SCHAIK (Netherlands) said that he understood the position of the Chairman in view of the question of time constraints, and sympathized with the concerns expressed by the representative of Tanzania. He suggested that the draft agenda for the thirty-eighth session should be retained as it stood and that the Committee should leave it to the Chairman next year to examine the matter, in consultation with the High Commissioner, and to decide on how to organize the debate on item 6 of the agenda.

29. The CHAIRMAN said that, on the basis of the statements made during the discussion, he wished to draw the following conclusions. The Committee had made an effort to implement the recommendations of the Working Group and the first session with the revised agenda had proved successful. He would therefore prefer the draft agenda to be adopted in its present form. With regard to the point raised by the representative of Tanzania, he suggested that flexibility should be shown in granting time to speakers in the debate on agenda item 6 at the thirty-eighth session.

30. Mr. MTANGO (United Republic of Tanzania) proposed that the Committee should adopt the draft agenda as it stood, on the understanding that during the intersessional period the Chairman would look into the question of the organization of the debate on item 6 of the agenda.

31. The CHAIRMAN said that if heard no objection, he would take it that the Committee decided to adopt the draft agenda on that understanding.

32. It was so decided

33. Mr. de MELLO (Secretary of the Committee) said that the shortened session, due to the financial crisis confronting the Organization, had cut down the time available for the preparation and consideration of the draft report. To avoid duplication, the Working Group had recommended a single narrative format, which meant that the report could be drafted only that evening and that it could not be submitted to the Committee for consideration before Monday, 13 October.

34. Finally, as recommended by the Working Group and approved by the Committee, the Rapporteur would hold consultations with a number of interested delegations over the weekend. Other delegations with specific points to raise would also be able to contact the Rapporteur.

The meeting rose at 4.10 p.m.