



SUMMARY RECORD OF THE 39th MEETING

Chairman: Mr. HAMER (Netherlands)

later: Mr. MUGUME (Uganda)

CONTENTS

AGENDA ITEM 99: OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

(a) REPORT OF THE HIGH COMMISSIONER

(b) ASSISTANCE TO REFUGEES IN AFRICA: REPORT OF THE SECRETARY-GENERAL

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The meeting was called to order at 10.10 a.m.

AGENDA ITEM 99: OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (A/41/3 (chap. III, sect. G), 12 and Add.1, 264, 338 and Corr.1, 380 and Add.1, 385, 391, 397, 452, 460, 477, 499, 514-516, 520, 531, 553, 572, 695, 701, A/41/782-S/18436)

(a) REPORT OF THE HIGH COMMISSIONER

(b) ASSISTANCE TO REFUGEES IN AFRICA: REPORT OF THE SECRETARY-GENERAL

1. Mr. FARAH (Under-Secretary-General for Special Political Questions), introducing three of the reports before the Committee (A/41/572, 264 and 531), recalled some of the important features of the Declaration and Programme of Action adopted by the Second International Conference on Assistance to Refugees in Africa (ICARA II), including the need for international responsibility, co-operation and assistance. ICARA II had offered hope that adequate funds would be raised to meet refugee and returnee needs and strengthen the capacities of countries of asylum to receive, sustain and shelter them while durable solutions for their future were being sought. Yet drought and famine in many parts of Africa had made it necessary to divert energies and resources from development-related schemes to emergency relief.

2. Commenting on the report concerning ICARA II (A/41/572), he emphasized the close co-operation between his own Office, UNDP, UNHCR and the Organization of African Unity (OAU) in seeking to implement the recommendations of ICARA II, expressing gratitude to OAU for its contribution. He also stressed the need to refocus attention on the problem of refugees in Africa. The drought-related emergency situation had abated, but the problems of recovery and development were no less urgent. As recognized by the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, the plight of 5 million refugees and returnees together with the adverse effects of the refugee burden on the frail economies of host countries were matters of high priority for many African States. There was consequently a need for accelerated implementation of the recommendations of ICARA II, requiring an increased effort by donor countries and organizations and concrete measures at the national, regional and international levels to promote stability and development.

3. Commenting on the report of the inter-agency mission to the Sudan (A/41/264), he said that the overwhelming burden which the refugee presence had imposed on the fragile economy of the Sudan was difficult to overemphasize. Refugees now made up more than 10 per cent of Sudan's population, and were estimated to total well over 1 million. Sudan was facing massive economic difficulties, and it was unrealistic to expect its Government to continue to bear the greater proportion of that burden alone.

4. The mission's report had identified a number of priority areas for international assistance and had made recommendations leading to specific projects and programmes. The Government had expressed its overall agreement with the findings and recommendations and was considering convening a meeting of the donor

(Mr. Farah)

community to review the various issues. It had also reaffirmed its commitment to its international obligations with regard to the refugees, subject to the availability of resources. The Secretary-General strongly urged that the donor community should respond in a timely and effective manner to the urgent needs of the Sudan in dealing with the refugee situation.

5. As indicated in the report on refugees and displaced persons in Chad (A/41/531), the country continued to face the serious problem of their rehabilitation. Certain nomadic populations still needed emergency assistance. Furthermore, during the first half of 1986, at least 80,000 persons had returned to Chad and another 60,000 were still awaiting repatriation. In the circumstances, the Secretary-General hoped that the international community would continue to support, by timely and generous contributions, Chad's efforts to assist and resettle the voluntary returnees and displaced persons.

6. Mr. ESSAAFI (United Nations Disaster Relief Co-ordinator) said that recent experience had clearly shown that when properly implemented, General Assembly resolutions, which provided a satisfactory and comprehensive set of basic guidelines for United Nations humanitarian activities, resulted in an efficient, swift international response. That was partly because it was recognized that the response of the many partners in the humanitarian assistance process was enhanced if properly mobilized and co-ordinated. Within the United Nations system, multi-sectoral assistance implemented through cohesive and concerted relief programmes mitigated the effects of many complex and large-scale emergencies.

7. Such programmes must take into account the fact that those emergencies involved different categories of victims with different needs. Whereas sudden natural disasters required immediate search, rescue and assistance operations but did not necessarily require prolonged external assistance if the stricken country could undertake rehabilitation and reconstruction, there were no quick solutions for the millions of persons displaced by drought, civil strife or a deteriorating environment. Longer-term, carefully designed assistance programmes, reinforced by political solutions, were needed. When populations crossed international boundaries, it was the responsibility of the High Commissioner for Refugees to come to their rescue, but when they did not, relief assistance had to be organized differently. Whereas United Nations specialized agencies might provide sectoral assistance, it was for UNDRO to mobilize and co-ordinate the overall relief effort, which it had done without ever departing from the two basic conditions that assistance must be based on a request formulated by the Government concerned and must be delivered in consultation with the agencies and organizations already operational in the country concerned.

8. In practice, UNDRO's mandate had proved flexible enough to encompass such complex situations, and the Office had been able to provide assistance to Ethiopia, the People's Democratic Republic of Yemen, Lebanon, Angola, Chad and Mozambique - to name but a few examples. A recent UNDRO evaluation indicated that about one third of the 96 disaster situations dealt with by the Office in the two previous years had involved longer-term displacement of affected populations. Further details were available in the report of the Secretary-General on UNDRO (A/41/295). He assured the Committee that he would keep it informed of future developments.

9. Mr. HOCHE (United Nations High Commissioner for Refugees) said that the refugee problem had become a major global phenomenon, inseparable from the problems affecting the political, social, cultural and economic development of the third world. Those problems had caused mass migration between developing States, and, in turn, from those States to the industrialized world. The majority of the world's refugees found asylum in developing countries, where they received an exemplary welcome. At the same time, in the industrialized world, Governments were reacting to the refugee situation with policies of deterrence.

10. It was not enough for refugees to be received in the countries of first asylum in the developing world. The countries of the "North" must also share the burden; it was no longer sufficient for them to contribute generously to the programmes of UNHCR. What was needed was the political will to tackle the root causes of refugee movements.

11. Forced exile was a universal problem which must be confronted directly. UNHCR should not become bogged down in controversies over the definition of who was, or was not, a "real" refugee. Currently, the vast majority of refugees did not always correspond to the formal definition. Rather, they belonged to the wider category of persons who left their countries because their lives or security were endangered by armed conflicts or other forms of violence. The main criterion for the High Commissioner, therefore, should be the existence of a need for international protection. In his view, that was the most natural way to develop humanitarian law.

12. UNHCR assistance, however, must not become an end in itself, or a pretext for not addressing the root causes of refugee flows. Instead, UNHCR assistance and the breathing-space it provided should be used constructively in the pursuit of lasting solutions. To that end, UNHCR would remain impartial toward the refugees, independent from Governments and neutral in all political controversies.

13. UNHCR must follow two major lines of action in handling the world's refugees. Firstly, it must combine effective emergency response, provision of basic services, such as health and education, and early action to place refugees in income-generating activities. Secondly, and almost simultaneously, it must engage in a dynamic search for solutions to end the problem. That approach was entirely consistent with the concerns about improving infrastructure in asylum countries. His Office would seek to reinforce the connection between refugee aid and development. It was already working with UNDP in Uganda, and with the World Bank in Pakistan.

14. UNHCR must accord the highest priority to voluntary repatriation of refugees who would otherwise subsist on charity indefinitely. The refugee's will to return must be kept alive. Where repatriation was not possible, UNHCR favoured three other solutions: local integration in the country of first asylum, which had worked successfully in Africa; resettlement, from which many Indo-Chinese and Latin Americans had benefited; or, pending one of those two solutions, a degree of self-reliance in the countries of first asylum.

15. Reviewing the work of UNHCR during the past year, he said that the military attacks on refugee camps and centres in southern Africa were causing grave

(Mr. Hocke)

concern. While programmes of assistance to African refugees remained a major priority, UNHCR was looking beyond the emergency phase to promote refugee self-reliance. The largest single refugee problem in the world remained that of the Afghans in Pakistan and in the Islamic Republic of Iran. There, too, UNHCR had shifted the emphasis from relief to self-reliance, and in that context, was planning a number of rural settlements, and vocational training projects. In South-East Asia, voluntary repatriation was being explored, although resettlement was still the main durable solution there. Although the Orderly Departure Programme from Viet Nam had suffered a set-back in 1986, discussions the week before with a high-level delegation from that country had been encouraging. The economic situation in Latin America had impeded the integration of Nicaraguan refugees and returnees. UNHCR was attempting to facilitate the voluntary repatriation of Guatemalans from Mexico. It was also extending help to Haitians who wished to return home. In Europe, some countries had taken unilateral decisions to control the admission of refugees arriving without visas. UNHCR was closely monitoring that development.

16. Voluntary contributions were still needed for the 1986 General Programmes of UNHCR. In the meantime, the Office was being restructured with a view to improving programme delivery and field services. In addition, it would expand co-operation with other United Nations agencies, such as the World Food Programme. UNHCR collaboration with non-governmental organizations would also be strengthened.

17. Mr. BIRCH (United Kingdom), speaking on behalf of the European Economic Community and its 12 member States, said that prevention of new refugee flows was obviously the best course of action. In its report, the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees had identified human rights violations as a principal cause of the problem. The Twelve strongly supported the Group's appeal to all States to comply with their obligations under the international human rights instruments. Compliance would prevent many new flows of refugees, and would also foster the conditions that would allow refugees to return home.

18. Together, the Twelve were the largest donors to UNHCR, and they would continue to fulfil their obligations under the 1951 United Nations Convention relating to the Status of Refugees and the 1967 Protocol. The Community had provided food and emergency aid to refugees in Asia and Latin America, and had taken steps to promote their self-sufficiency. In addition, it was a party to the third Lomé Convention, with its 66 African, Caribbean and Pacific States. That Convention assisted States which took in refugees and returnees, and sought to address acute needs not covered by emergency aid. Its purpose was twofold: to demonstrate the Community's support for the principles enunciated at ICARA II, and to extend the range of Community instruments in the field of refugee aid, particularly emergency and food aid.

19. UNHCR financial targets had to be kept at a realistic level, and the criticisms of financial management in the Board of Auditors' report were cause for concern. Therefore, the Twelve welcomed the UNHCR's commitment to rectify the situation. Improved management and monitoring of assistance programmes would do much to rationalize the Office's work.

(Mr. Birch, United Kingdom)

20. The Twelve welcomed the generosity of many countries of first asylum, and in particular, the emphasis currently placed on self-reliance among refugees. Where large refugee populations were concerned, the link between refugee aid and development was very important. The Community strongly supported the efforts to increase co-ordination between UNHCR and other United Nations bodies, especially UNDP. Voluntary repatriation was the best solution and the High Commissioner should promote it more actively.

21. UNHCR assistance must not become an end in itself; refugee aid must not be used to avoid addressing root causes, or to provide States with an excuse to neglect their own responsibilities toward the refugees in their territories.

22. Another problem was the increasing abuse of asylum procedures by persons with economic or other motives who often destroyed documentation in order to mislead the authorities. Still another problem was the use of refugees virtually as hostages in order to apply political pressure. The Twelve also supported the High Commissioner's efforts to deal with irregular flows of refugees from countries where they had already found protection to other countries.

23. Mr. TICHY (Austria) welcomed the information provided in the introductory statements on international co-operation and co-ordination in so important a field. Since the Third Committee had last discussed the refugee question, a number of important developments had taken place both at the Office of UNHCR and in the world refugee situation. Since the beginning of the year, the High Commissioner had introduced numerous reforms and had indicated that UNHCR was being restructured. Maximal efficiency of the Office was indeed needed at a time of scarce resources and growing problems. While the situation in Africa and in certain parts of Asia continued to be UNHCR's major concern, the arrival of large numbers of asylum-seekers and refugees in Europe was becoming an increasingly central concern of many States in the region, in addition to that of the more traditional patterns of refugee movements in Europe.

24. The work of the recent session of the UNHCR Executive Committee, of which Austria was a member, might well serve as an example for other United Nations bodies. More efficient working procedures had enabled it to conduct a useful and focused debate in a shorter time. Austria's position was that UNHCR protection functions were the core of its activities; he therefore welcomed the adoption by the Executive Committee of a Geneva Declaration on the 1951 United Nations Convention relating to the Status of Refugees, and the 1967 Protocol and joined in the appeal to all States that had not yet done so to become parties to those instruments. Austria was gratified that conclusions on detention of refugees and asylum-seekers had been adopted, but regretted that no real progress had been made on the issue of armed attacks on refugee camps. The Executive Committee should define UNHCR's mandate with regard to preventive action in that field. The question of the exclusive use of those camps for civilian purposes should not divide, but unite, the international community.

25. He thanked UNHCR for its humanitarian action in Austria, which continued to play its role as a traditional country of first asylum. He also expressed his delegation's gratitude to the large resettlement countries, which continued to

(Mr. Tichy, Austria)

accept, even under difficult circumstances, the immigration of asylum-seekers and refugees who had found first asylum in Austria.

26. Mr. MOORE (United States of America) said that the problem of refugees, who could be found everywhere in the world, often under conditions of great suffering, affected all nations. Given the virtually universal character of the problem, his delegation strongly endorsed the UNHCR Executive Committee's appeal to all States that had not already done so to accede to the 1951 Convention and the 1967 Protocol. His country also fully endorsed the principle that refugees should be treated impartially and that the response to their needs should be politically neutral.

27. The United States had always been generous in providing asylum and would continue to be, despite the difficulty of trying to separate combatants from innocent persons in insurgency situations. The High Commissioner, recognizing the complexity of the refugee situation, had rightfully supported a strong role for UNHCR in South-east Asia and had stressed voluntary repatriation and the integration of legal protection with material assistance. His Government welcomed the High Commissioner's plan to eliminate deficiencies in the management of its limited funds, a task which required more accurate refugee counts and better assessments of refugee needs. Since UNHCR lacked the technical competence to carry out all support activities, his delegation welcomed the strengthening of links between it and organizations that had such competence.

28. Ultimately, long-term solutions to the refugee problem had to be found, and that required new ideas, political will and more imaginative diplomacy, as opposed to exclusive concentration on immediate crises.

29. Mr. LEHMANN (Denmark) said that his Government had reached the conclusion that economic and financial measures alone were no longer enough to solve the world's refugee problems. What was needed was the mobilization of the collective political will of the international community to seek long-term and equitable solutions. Denmark believed that the international community, basing itself on the principles of solidarity and burden-sharing, could take a major step by establishing a mechanism for solving the refugee problems. The key elements in such a mechanism would be voluntary repatriation, regional integration, increased United Nations presence in different regions of the world, and allocation of quotas for resettlement in third countries based on a United Nations scheme.

30. It followed from the solemn undertaking under the Charter that when human rights violations forced people to leave their country of origin and become refugees, then all other countries had a dual obligation to take steps to alleviate the sufferings of those people and to secure respect for their human rights. Refugee problems could not be solved by any country alone. Later on, the bill might be presented to the countries of origin which had caused the refugee situation and had thereby shifted the burden of care and maintenance for their own citizens to countries of asylum. The challenge required more than ad hoc arrangements wherever the refugee situation was regarded as most acute. A comprehensive approach was called for, keeping in mind that the primary objective must be the achievement of durable solutions.

(Mr. Lehmann, Denmark)

31. Voluntary repatriation was the most desirable solution, but too often that solution was not immediately within reach in so far as it required removal of the root causes giving rise to refugee flows. Experience had shown that, to the extent to which voluntary repatriation could not be obtained within a foreseeable future, the second-best solution was integration in the countries of the same region where both environment and people might be similar. That settlement might be termed an "intermediate" durable solution and it had already been applied in many parts of the world between voluntary repatriation and third-country resettlement.

32. The third element of a durable solution was resettlement of refugees in third countries outside the region of origin when it had been determined that neither voluntary repatriation nor regional integration was feasible. There might be ethnic, political or economic reasons why assimilation in an intermediate country might seem desirable in theory but was impracticable in fact. It would be necessary for years to come to have available international resettlement programmes sufficiently large in scope and flexible in character to cope with those cases where third-country resettlement was required.

33. The goal must be to establish mechanisms by which all contributed towards solving the problems in an orderly manner. To that end, the international community must first of all continue and strengthen its aid to the countries in the region which happened to be exposed to heavy flows of refugees. Those countries must be compensated to the maximum extent possible through international assistance programmes comprising care and maintenance as well as promotion of refugee self-reliance. Also necessary would be an increased United Nations presence in the form of processing centres. UNHCR should be the focal point for such processing. That approach had the advantage of developing a coherent and consistent policy in deciding who could qualify as a refugee. Countries interpreted that term in various ways, ranging from liberal to strict. That situation could be diminished if it was left to the United Nations processing centres alone to decide who could be classified as a genuine refugee.

34. Such an increased international effort would require additional contributions from donor countries, and his Government would be ready to increase its aid as part of an intensified international effort. In addition, there should be resettlement efforts by all Member States. A global pool of resettlement places should be established by the Secretary-General in co-operation with UNHCR. The idea was that each Member State should indicate to the Secretary-General how many United Nations-registered refugees it was willing to receive. A universal approach along those lines would secure resettlement places to guarantee an orderly management of the residual resettlement situation. At the same time, it would be a strong indication of the willingness of the international community to honour its pledge under the Charter to promote respect for human rights.

35. Mr. Mugume (Uganda) took the Chair.

36. Mr. MONTAÑO (Mexico) said that the refugee problem was one of great human suffering that could not be solved without a firm commitment from an international community prepared to accept its financial as well as moral responsibilities, particularly given the current international economic situation. In the countries