

**ADDENDUM
TO THE
REPORT
OF THE
UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES**

GENERAL ASSEMBLY

OFFICIAL RECORDS: FORTY-FIRST SESSION

SUPPLEMENT No. 12A (A/41/12/Add.1)



UNITED NATIONS

**ADDENDUM
TO THE
REPORT
OF THE
UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES**

GENERAL ASSEMBLY

OFFICIAL RECORDS: FORTY-FIFTH SESSION
SUPPLEMENT No. 12A (A/41/12/Add.1)



UNITED NATIONS

New York, 1987

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The report of the United Nations High Commissioner for Refugees has been issued as *Official Records of the General Assembly, Forty-first Session, Supplement No. 12 (A/41/12)*.

[13 January 1987]

Report of the Executive Committee of the Programme of
the United Nations High Commissioner for Refugees on
the work of its thirty-seventh session*

(Geneva, 6 to 13 October 1986)

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
I. INTRODUCTION	1 - 20	1
A. Election of officers	4	1
B. Representation on the Committee	5 - 10	1
C. Adoption of the agenda and other organizational matters	11 - 12	3
D. Opening statement by the Chairman of the Executive Committee	13 - 20	4
II. GENERAL DEBAT*	21 - 123	6
A. "Root causes"	28	7
B. International protection	29 - 51	7
C. Principles of UNHCR assistance	52 - 61	12
D. Durable solutions	62 - 67	14
E. Refugee aid and development	68 - 70	15
F. Specific areas	71 - 96	16
1. Africa	71 - 78	16
2. Asia and Oceania	79 - 83	18
3. Europe and North America	84 - 85	19
4. Latin America and the Caribbean	86 - 89	19
5. Middle East, North Africa and South-West Asia	90 - 96	20
G. Reorganization of UNHCR/administrative issues	97 - 107	21

* Previously issued under the symbol A/AC.96/688.

CONTENTS (continued)

	<u>Paragraphs</u>	<u>Page</u>
H. Fund-raising	108 - 113	23
I. Non-governmental organizations	114 - 116	24
J. Inter-agency co-operation	117 - 119	24
K. Responses of UNHCR	120 - 122	25
L. Adoption of the draft agenda for the thirty-eighth session	123	26
III. DECISIONS AND CONCLUSIONS OF THE COMMITTEE	124 - 132	27
Decisions on general matters	124	27
International protection - general conclusions	125	28
Conclusions on accession to international instruments and their implementation	126	29
Geneva Declaration on the 1951 United Nations Convention relating to the Status of Refugees and the 1967 Protocol	127	30
Conclusions on detention of refugees and asylum-seekers ...	128	31
Conclusions on military and armed attacks on refugee camps and settlements	129	32
Decisions on assistance activities, durable solutions and refugee aid and development	130	33
Decisions on administrative and financial matters	131	36
Decision on the rules of procedure	132	39
<u>Annex.</u> Opening statement by the United Nations High Commissioner for Refugees to the Executive Committee of the High Commissioner's Programme at its thirty-seventh session		40

I. INTRODUCTION

1. The Executive Committee of the United Nations High Commissioner for Refugees held its thirty-seventh session at the Palais des Nations at Geneva from 6 to 13 October 1986. The session was opened by the outgoing Chairman, Mr. K. Chiba of Japan, who welcomed the High Commissioner to his first formal session of the Executive Committee.

2. In his introductory statement, Mr. Chiba recalled the major problems confronted by the Office during his tenure, in particular the African emergency. In this connection, he referred to his visit to Ethiopia and Somalia, where he had been able to witness the refugee situation at first hand. He commended the efforts of all involved in trying to resolve the problems facing refugees and displaced persons in the two countries, and paid tribute to the staff of the Office of the United Nations High Commissioner for Refugees (UNHCR), particularly those in the field.

3. The outgoing Chairman underlined the endeavours to strengthen the dialogue between members of the Committee and UNHCR and cited the Informal Working Group on Documentation as a positive example of the involvement of the Committee in the work of UNHCR. In concluding, he thanked everyone for the support that he had been given during his term of office.

A. Election of officers

4. Under rule 10 of the rules of procedure, the Committee elected the following officers by acclamation:

Chairman: Mr. H. Charry-Samper (Colombia)

Vice-Chairman: Mr. R. H. Robertson (Australia)

Rapporteur: Mr. E. von Schubert (Federal Republic of Germany)

B. Representation on the Committee

5. All members of the Committee were represented at the session:

Algeria	Iran (Islamic Republic of)	Sudan
Argentina	Israel	Sweden
Australia	Italy	Switzerland
Austria	Japan	Thailand
Belgium	Lebanon	Tunisia
Brazil	Lesotho	Turkey
Canada	Madagascar	Uganda
China	Morocco	United Kingdom of Great Britain and Northern Ireland
Colombia	Namibia (represented by the United Nations Council for Namibia)	United Republic of Tanzania
Denmark	Netherlands	United States of America
Finland	Nicaragua	Venezuela
France	Nigeria	Yugoslavia
Germany, Federal Republic of	Norway	Zaire
Greece		
Holy See		

6. The Governments of the following States were represented by observers:

Angola	Ghana	Peru
Bangladesh	Guatemala	Philippines
Bolivia	Honduras	Portugal
Botswana	Iceland	Romania
Burundi	India	Rwanda
Cameroon	Indonesia	Senegal
Chile	Iraq	Singapore
Costa Rica	Ireland	Somalia
Côte d'Ivoire	Libyan Arab Jamahiriya	Spain
Cuba	Jordan	Sri Lanka
Cyprus	Kenya	Swaziland
Democratic Kampuchea	Kuwait	Syrian Arab Republic
Djibouti	Luxembourg	United Arab Emirates
Egypt	Malaysia	Uruguay
El Salvador	Mexico	Viet Nam
Ethiopia	Pakistan	Zambia
Gabon		

The Sovereign Order of Malta was also represented by an observer.

7. The United Nations system was represented as follows: Centre for Human Rights of the United Nations Secretariat, Office of the United Nations Disaster Relief Co-ordinator (UNDRO), United Nations Centre for Human Settlements (Habitat), United Nations Development Programme (UNDP), United Nations Children's Fund (UNICEF), Office of the United Nations Commissioner for Namibia, World Food Programme (WFP), United Nations Office for Emergency Operations in Africa (OEOA), United Nations Research Institute for Social Development (UNRISD), International Labour Organisation (ILO), Food and Agriculture Organization of the United Nations (FAO), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Health Organization (WHO) and United Nations Industrial Development Organization (UNIDO).

8. The following intergovernmental organizations were represented by observers: Commission of the European Communities, Council of Europe, Intergovernmental Committee for Migration (ICM), League of Arab States and Organization of African Unity (OAU).

9. More than 80 non-governmental organizations were represented by observers, including the International Council of Voluntary Agencies (ICVA), the International Committee of the Red Cross (ICRC) and the League of Red Cross and Red Crescent Societies.

10. The African National Congress of South Africa (ANC), the Pan Africanist Congress of Azania (PAC), the South West Africa People's Organization (SWAPO) and the Palestine Liberation Organization (PLO) were also represented at the meeting.

C. Adoption of the agenda and other organizational matters

11. The Committee adopted the following decision under this item:

The Executive Committee,

Having examined the note on Executive Committee documentation and related matters (A/AC.96/681) submitted by the High Commissioner,

- (a) Endorses the recommendations of the Working Group on Documentation as outlined in paragraph 3, I and II, of the note, thereby, inter alia, rescinding the decision taken by the Executive Committee at its thirty-sixth session to incorporate the reports of the two Sub-Committees into the final report of the session (A/40/12/Add.1, para. 227);
- (b) Decides to adopt the following agenda as proposed by the Working Group:
1. Opening of the session.
 2. Election of officers.
 3. Adoption of the agenda and other organizational matters.
 4. General debate.
 5. International protection.
 6. Review of developments in UNHCR assistance relating to:
 - (a) Assistance;
 - (b) Durable solutions;
 - (c) Refugee aid and development.
 7. Review of UNHCR programmes financed by voluntary funds in 1985-1986 and adoption of proposed programmes and budget for 1987.
 8. Administrative and financial questions:
 - (a) Status of contributions and overall financial needs for 1986 and 1987;
 - (b) Administration and management.
 9. Consideration of the provisional agenda of the thirty-eighth session of the Executive Committee.
 10. Any other business.
 11. Adoption of the draft report of the thirty-seventh session.

12. The Committee also considered document A/AC.96/679 and Corr.1, in which amendments to the rules of procedure were proposed in order to reconcile them with current practice, and decided to adopt the proposed amendments without debate.

D. Opening statement by the Chairman of the Executive Committee

13. In his opening statement, the newly-elected Chairman, Mr. H. Charry-Samper, stated that election to the office of Chairman provided an opportunity to serve one of the organizations that were most representative of the solidarity that was the very essence of the Charter of the United Nations. He welcomed the newly-elected High Commissioner and sought the Committee's support to ensure that the High Commissioner's reorganization initiatives bore fruit.

14. In referring to the financing of UNHCR programmes, the Chairman pointed out that only 66 States Members of the United Nations had so far in 1986 contributed to UNHCR; efforts should be made to broaden sources of funding. He also stressed the importance of the granting of asylum. Solidarity was essential not only in terms of material resources but also in trying to resolve refugee problems with courage and clear-sightedness. It was also necessary to strengthen and improve the established legal principles.

15. Much had to be done to combat the tragedy of the "subworld" of refugees. It was agreed that UNHCR should act in an impartial, neutral and objective manner, but that was not enough. The proliferation of conflicts had tended to transform what was originally conceived as a temporary body into a permanent office. The fact that the developing countries were today the main scene of mass and involuntary exoduses showed that a great and concerted effort was needed in order to achieve more equity in reducing injustice in the situation of the third world. If we failed to do so, we would continue to be the prime producers of refugees. He said that it was essential to continue to strengthen the policy of linking assistance for refugees to support for the communities that received refugees in third world countries.

16. The Chairman stated that co-operation between agencies concerned with human displacement should be streamlined and that a system of consultation and information should be organized to detect and prevent involuntary mass movements.

17. As the first Latin American to preside over the Executive Committee, the Chairman reiterated his faith in the institutions and principles established in his region. Expressing his solidarity with refugees on other continents, the Chairman said that support for countries of first asylum, the connection between refugee assistance and development and a balance between the rights of States and individuals constituted a reaffirmation of the principles of UNHCR.

18. The Chairman expressed great concern over the subject of military attacks. He felt that the time had come to make a final, pragmatic and unideological effort through practical measures to ensure the effectiveness of protection. If a consensus on this subject proved impossible, he was inclined to seek a regional approach. The international community's condemnation of attacks must be unanimous, but above all, viable procedures had to be established in order to enable UNHCR to prevent inappropriate activities in refugee camps.

19. In conclusion, the Chairman stressed his conviction that Governments represented in the Committee could do even more to help the cause of refugees throughout the world, in pursuance of the principles of the United Nations in which they had placed their collective trust.

20. The High Commissioner's opening statement to the Executive Committee is reproduced in the annex to the present report.

II. GENERAL DEBATE

(Item 4 of the agenda,

21. Speakers extended their congratulations to the Chairman, Vice-Chairman and Rapporteur upon their election and expressed confidence in the positive contributions that they would make to the success of the session. These speakers also paid tribute to the outgoing Chairman, Mr. Chiba, and complimented him on his successful conduct of the affairs of the Committee during the past year.
22. A number of speakers welcomed the assumption of office of the High Commissioner, Mr. Jean-Pierre Hocké, recalled his long experience in the humanitarian arena and commended the energy and vigour with which he had embarked upon his functions. All speakers expressed appreciation of the High Commissioner's opening statement and the manner in which he had depicted the issues before the Committee. Some delegates felt that while they agreed with large parts of the statement, other portions remained to be discussed further. Several speakers referred positively to the High Commissioner's recent visits to their countries.
23. A large number of speakers reaffirmed their commitment to UNHCR as a reflection of their commitment to resolving the problems of the world's refugees. Delegations pledged the continued support of their Governments to UNHCR in meeting the challenges of protecting, assisting and finding durable solutions for refugees. Countries of first asylum, in the view of many speakers, particularly required the benefit of international solidarity and assistance. A number of developing countries had generously extended asylum to refugees, but that could not be construed as reflecting their ability to continue acting as hosts to significant numbers of refugees. They required additional assistance from the international community, particularly in redressing the negative impact of the presence of large numbers of refugees on their inherently fragile basic socio-economic infrastructure. One speaker stressed that those who had given the High Commissioner his mandate needed to be generous with their resources and their commitment to humanity, in their own best traditions.
24. Many delegations saw grounds for optimism in the current situation and in the High Commissioner's approach to major refugee problems. One speaker, however, mentioned that the horizon ahead gave cause for concern. A number of speakers endorsed the High Commissioner's prescription that UNHCR should seek to be effective, neutral and efficient. One delegate felt that given the tendency in the United Nations towards ineffective resolutions, the activities of organizations like UNHCR, which had a record of tangible success, should be the focus of all United Nations action. One observer urged the High Commissioner to raise, on purely humanitarian grounds, the issue of displaced persons in the United Nations General Assembly.
25. Some delegates welcomed the High Commissioner's description of the role of the Executive Committee and his own responsibility in this regard. Virtually all speakers stressed the vital importance of close co-operation between UNHCR and Governments and the pivotal role of the Executive Committee. One delegation spoke of the need to streamline the process of dialogue and systematically address specific issues. A number of delegations expressed the hope that this session of the Executive Committee would produce positive results.

26. Appreciation was expressed for the efforts already made by UNHCR to provide detailed information to members of the Committee, and for improvements in the quality of the documentation submitted. A number of speakers, however, believed that further efforts to rationalize and streamline the documentation produced by UNHCR were worth undertaking in co-operation with a working group of the Executive Committee, as had been recommended in the Sub-Committee on Administrative and Financial Matters.

27. Two speakers commended the award of the Balzan Prize for Humanity and Peace to UNHCR. Many other speakers saw in the award of this year's Nansen Medal a recognition of the contribution of the people, non-governmental organizations and successive Governments of Canada to the refugee cause.

A. "Root causes"

(Items 4 and 5 of the agenda)

28. Several speakers underscored the importance of tackling the root causes of refugee problems and of finding ways to avert new flows of refugees and felt that UNHCR could be a catalyst in that regard. One speaker deplored the failure of the international community to eliminate the root causes of refugee flows and expressed support for the High Commissioner's efforts in that area. Two delegations referred to the recommendations of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees as a suitable basis for action in that regard. One speaker stressed that refugees were the product of violations of human rights and underlined the importance of upholding human rights across the world. Other speakers also identified armed conflicts, the policies of apartheid and colonialism practised by the Government of South Africa, poverty and underdevelopment, drought, economic imbalances between the developed and developing worlds, and international political, social and economic contradictions as lying at the root of refugee flows. One of the speakers felt that a fundamental solution to refugee problems could only be found when just and reasonable political solutions were available. Some speakers saw a convergence of migration and refugee movements; one described the difficulty of distinguishing satisfactorily between "economic" and "political" refugees in many situations. Another delegation thought that such a distinction had to be established in the interest of genuine refugees themselves.

B. International protection

(Items 4 and 5 of the agenda)

29. At the request of the Chairman, Mr. Chiba (Japan), Chairman of the Sub-Committee of the Whole on International Protection, introduced the report of the 11th meeting of the Sub-Committee (A/AC.96/685). In regard to accession to and implementation of international instruments, the Sub-Committee had taken note of the fact that 101 States had acceded to the 1951 United Nations Convention relating to the Status of Refugees 1/ and/or the 1967 Protocol 2/ and had recommended that the Executive Committee should adopt a solemn declaration stating the importance of accession to international instruments, including a strong appeal to all States that had not yet adhered to those instruments to do so, and expressing the hope that by the fortieth anniversary of the 1951 Convention, all States Members of the United Nations would have acceded to those instruments.

30. The Sub-Committee had also considered the question of detention of refugees and asylum-seekers. The problem was acknowledged by all as being of a serious and urgent nature. In the time available, it had not been possible for the Sub-Committee to deal with all aspects of this question and a Working Group had been set up to examine the matter in detail with a view to seeking a consensus. The Chairman took the floor later in the session to present the draft conclusions of the Working Group (see para. 128 below).

31. Finally, the Sub-Committee had considered the question of military and armed attacks on refugee camps and settlements. A set of procedural draft conclusions had been drawn up (see para. 129 below) in which the importance attached by the Sub-Committee to that subject was stated and regret was expressed that after years of efforts, it had not been possible to arrive at a common position. In the draft conclusions, the Chairman of the Executive Committee and the High Commissioner were called upon to continue consultations on the matter, review developments and submit a detailed report to the Executive Committee at its thirty-eighth session.

32. The Director of the Division of Refugee Law and Doctrine then introduced the note on international protection (A/AC.96/680) and described some of the more fundamental trends in the area of international protection. There was an increased level of violence and violations of human rights giving rise in many parts of the world to large movements of persons seeking refuge and asylum. That constituted a serious humanitarian problem with which the international community had to concern itself. Such persons had to be protected from forceful return to areas where their life or physical integrity were threatened and should receive humane treatment until circumstances allowed for a return to their country of origin.

33. A second noteworthy phenomenon was the large number of persons involved in current refugee movements and the fact that for the great majority of those persons, there was no durable solution in sight. There was also the relatively recent phenomenon of refugees and asylum-seekers moving from countries in the developing world to industrialized States. The interregional movements gave rise to a variety of problems, since they were perceived by many as being, to a large extent, economic in character.

34. The search for durable solutions therefore constituted an integral part of providing international protection. The absence of durable solutions gave rise to restrictive practices, which in turn led to a weakening of established principles of international protection. Conversely, the existence of such solutions facilitated the maintenance of these same principles. For its part, in all refugee situations, UNHCR must, of course, undertake a simultaneous search for the three traditional solutions - voluntary repatriation, local integration and resettlement - in order to identify the most practicable course of action. The best durable solution was voluntary repatriation, to which UNHCR accorded special emphasis. The conclusions on voluntary repatriation adopted by the Executive Committee at its thirty-sixth session 3/ provided a valuable framework. It went without saying that repatriation had always to be voluntary. The Director also pointed out that some industrialized countries were facing particular problems due in large measure to an uneven distribution of refugees and asylum-seekers within their regions, which pointed to the need for more equitable burden-sharing arrangements. In conclusion, he stressed the importance of maintaining the principles of international protection, which formed part of a long-standing humanitarian tradition.

35. In the ensuing discussion, and in the general debate, there was unanimous recognition of the crucial importance of the High Commissioner's international protection function. The effective discharge of this function depended on the full support of Governments and the finding of appropriate durable solutions. In that regard, a number of speakers underlined the interdependence of protection and solutions.

36. Several speakers expressed satisfaction with recent accessions to the 1951 United Nations Convention and the 1967 Protocol and urged that additional States should accede. Some speakers referred to the geographical limitation and called upon States that still maintained it to consider its withdrawal. A number of speakers emphasized the need for the provisions of the international refugee instruments to be effectively implemented.

37. There was unanimous support for the conclusions on the item (see para. 125 below) and for the Geneva Declaration on the 1951 United Nations Convention and the 1967 Protocol relating to the Status of Refugees (see para. 127 below).

38. A number of speakers referred to the issue of detention, which had been examined by the Sub-Committee. All speakers considered that the detention of refugees and asylum-seekers should only be applied exceptionally. It was also stated that entry in search of asylum should not be regarded as an unlawful act. Several speakers expressed the view that fair and speedy procedures for determining refugee status and asylum applications would help to avoid unjustified or unduly prolonged detention. Reference was also made to the need for national legislation and/or administrative practices to make the necessary distinction between refugees and asylum-seekers and ordinary aliens.

39. There was consensus on the draft conclusions submitted by the Working Group on the detention of refugees and asylum-seekers (see para. 128 below), which left open the definition of the term "detention". At the time of adoption, the delegate of the Federal Republic of Germany stated that "the restrictions on 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 provisions of the Federal Republic of Germany are not inconsistent with these conclusions". An observer expressed the hope that when dealing with the subject of detention, States would take into account the special needs of refugee women and children. He also hoped that the conclusions would be applied in a liberal spirit, having regard to the first sentence of paragraph (b), and that States which already followed liberal practices in regard to detention would continue to do so.

40. Several speakers referred to the problem of irregular movements of refugees and asylum-seekers. Many of these speakers felt that in order to maintain the willingness of receiving States to accept and resettle refugees who could not return to their country of origin and who were not integrated into countries of first asylum, it was necessary to identify appropriate mechanisms for orderly onward movements. In their view, it was important to elaborate guidelines for the treatment of persons who were moving in an irregular manner. At the same time, these speakers expressed support for the High Commissioner's initiative of seeking practical solutions in relation to such movements.

41. Other speakers laid particular stress on the need for strict adherence to the principles of international solidarity and burden-sharing and expressed concern at the restrictive measures adopted by some States. One speaker stressed that the

difficulties of some asylum countries and the fact that there had been instances of abuse of the asylum procedure should not lead to the adoption of such measures. Another speaker expressed concern at the practice of some States of returning refugees and asylum-seekers to countries of first asylum or transit. He further considered that international co-operation should not be limited to providing financial assistance to refugees in those countries.

42. Referring to the High Commissioner's statement at the opening of the session, a number of speakers considered that the distinction between persons who were or who were not of concern to the international community as refugees was extremely complex, gave rise to a series of problems and should therefore be examined in greater detail. Other speakers indicated that the number of persons leaving their countries of origin for economic reasons and taking advantage of the asylum procedure for migration purposes - and, as mentioned by one speaker, in order to avoid criminal prosecution - had an adverse effect on the situation of real refugees.

43. Most speakers expressed deep concern at the continued occurrence of military and armed attacks on refugee camps and settlements and regretted that it had not yet been possible for the Executive Committee to arrive at a consensus on the matter.

44. Several delegations pointed out that the purpose of drawing up conclusions by the Executive Committee should be to condemn and prohibit military and armed attacks on refugee camps and settlements, to restrain attacking countries and to protect and provide support to those countries where the attacked refugee camps and settlements were situated and the innocent civilian refugees were located. In their view, any action taken by the Executive Committee in that regard should exclude the possibility of providing excuses to attacking countries. They believed that the views of countries having refugee camps and settlements facing military threat should be fully respected because their security and interests were at stake.

45. Several other delegations called for strong international action to eradicate military and armed attacks on refugee camps and settlements. These speakers underlined the need to ensure that such camps and settlements would never be used for military purposes and that their civilian and humanitarian character would always be maintained. They also felt that any set of conclusions should reflect both these concerns, namely respect for the right of refugees to live in peace and equal respect by refugees for their obligations towards peace. One speaker called for refugee camps and settlements to be situated well away from the border of the country of origin and for UNHCR to have permanent access to such camps and settlements in order to promote conditions that would ensure the safety of the refugees. Some speakers expressed concern about the stated intention of one country to relocate a refugee camp to the border with the country of origin.

46. There was unanimous support for the draft conclusions recommended by the Sub-Committee on military and armed attacks on refugee camps and settlements (see para. 129 below), in which continued consultations under the leadership of the Chairman of the Executive Committee and the High Commissioner were called for. Several speakers stressed the need for these consultations to be vigorously pursued so as to obtain rapid results. A few speakers expressed the hope that the detailed reports to be submitted to the Executive Committee at its thirty-eighth session in accordance with the draft conclusions would be an improvement on the report received on the matter in the note on international protection (A/AC.96/680). One

speaker requested that the report should strike a balance between the safeguarding of humanitarian principles and the obligations of States and refugees in respect of the maintenance of the civilian character of refugee camps and settlements. Two speakers requested that the report should take a balanced approach and contain a detailed historical account of the problem, region by region, its impact on the lives and physical and mental well-being of refugees and the adverse effects on UNHCR action on behalf of refugees and that the report should review the law, including humanitarian law, customary international law and General Assembly resolutions. One of these speakers also requested that a first report should be submitted in advance of the informal meeting of the Executive Committee planned for June 1987. Two other speakers, however, expressed the view that both the Chairman and the High Commissioner should have a free hand concerning the time and the mechanism required to deal with the matter.

47. Some speakers referred to the situation of the Palestine refugees and their need for international protection. These speakers believed that confusion should be avoided between material, medical and educational assistance, which was indeed provided by other United Nations agencies, and protection, which Palestine refugees had never received from any United Nations agency or organ. These speakers therefore called upon the High Commissioner to extend international protection to Palestine refugees within the context of his universal mandate and requested that the provisions of the 1951 Convention should be applied to them.

48. Several speakers recalled conclusion No. 39 on the protection of refugee women ^{4/} adopted by the Executive Committee at its thirty-sixth session. These speakers expressed concern at the continued violations of the safety and physical integrity of refugee women and requested UNHCR to continue and intensify its efforts to respond to their needs in order to ensure that their basic rights were respected and that they received the necessary protection. The High Commissioner was encouraged to continue reporting in as much detail as possible on the subject, and one speaker proposed that the subject should also be submitted for the consideration of the Sub-Committee of the Whole on International Protection at its 12th meeting.

49. A number of speakers similarly expressed concern at continued piracy attacks in South-East Asia. Some speakers spoke in support of the different rescue-at-sea programmes. One speaker stated that such programmes should not be used by asylum-seekers to obtain resettlement advantages. The same speaker looked forward to a review and evaluation of the Rescue at Sea Resettlement Offers (RASRO) scheme.

50. A number of speakers paid particular tribute to the work performed by voluntary agencies in the field of international protection and called for even closer co-operation between agencies and the High Commissioner. One speaker noted that the success of voluntary repatriation often depended on the assistance afforded to returnees. It was an area where voluntary agencies could make a considerable contribution towards international protection and the attainment of a durable solution.

51. In responding to the debate, the Director of the Division of Refugee Law and Doctrine expressed his gratitude for the concern and interest shown by everyone on the various protection issues discussed.

C. Principles of UNHCR assistance

(Items 4 and 6 of the agenda)

52. In introducing item 6 of the agenda, the Deputy High Commissioner stressed that instead of a piecemeal view of assistance, UNHCR was relating each activity to the defined phases of a refugee situation and taking an integrated view of protection and assistance. He described the four phases as: (a) early warning and contingency planning, based not only on UNHCR field reporting but also on information from the United Nations system and Governments, and which required the advance positioning of food and other relief supplies so as not to be caught unaware; (b) the emergency itself, where the need was for immediate and effective relief measures to reduce the mass casualties of the past; (c) post-emergency care and maintenance, the most demoralizing, costly and lengthy phase, which UNHCR wished to curtail by moving more quickly to the subsequent phase; (d) self-reliance activities, which would help restore a sense of dignity, teach lasting skills, keep alive a will to return and reduce dependence. While UNHCR was committed to income-generating activities in its own projects, it considered the early involvement of development agencies, especially UNDP, to be imperative and valued the support of Governments to ensure that. It was a challenge to improve the proportion of funds devoted to durable solutions. The rallying cry of the Second International Conference on Assistance to Refugees in Africa was "a time for solutions" (see A/39/402, para. 59); recalling the vital principles endorsed by this Conference, the Deputy High Commissioner stressed that UNHCR and UNDP were trying to put the Conference back on track. Over \$6 million of the \$7 million ICARA Trust Fund had been committed. (The discussion of the issue of refugee aid and development is reported under a separate subheading below.)

53. The Deputy High Commissioner also explained the manner in which UNHCR was to be considered "fully operational" and described the strengthening of the Material Support Services of UNHCR, in particular the creation of the Supplies and Food Aid Service (which undertook procurement and the global planning of food aid and monitored the shipping of UNHCR relief goods) and the Technical Support Services (which provided "life-cycle support" to the regional bureaux in each sector of a refugee relief operation). He reiterated that the priorities of UNHCR were preparedness, a prompt and flexible response to emergencies, precision and rigour in assistance planning and implementation, the promotion of self-reliance, early involvement of development agencies and, above all, accelerated movement towards solutions and the avoidance, wherever possible, of situations that perpetuated dependency and relief.

54. A large number of speakers reiterated the principle of equitable burden-sharing in supporting refugees. Several speakers also endorsed the three-pronged approach to refugee crises described in the High Commissioner's opening statement: combining effective emergency response, the prompt establishment of basic services (health, sanitation and education) and early action to promote refugee self-reliance in the interests of both refugees and host countries. Some delegations referred to the interaction between assistance, refugee aid and development and durable solutions; one delegate stated that he would have preferred the Committee to treat the three topics separately and requested a review of that question during the session.

55. Several speakers spoke of the importance of promoting self-reliance in refugee camps pending the attainment of durable solutions. It was emphasized in particular

that that was essential to relieve the burden on asylum countries, especially in the developing world. Two speakers described the commitment that countries to self-sufficiency programmes for refugees, a commitment that continued to be implemented despite great difficulties. These delegations also felt that spontaneously settled refugees should benefit from UNHCR assistance under the General Programmes.

56. Two speakers stressed that UNHCR should implement its programmes of assistance in the best possible conditions and in closer consultation with the States concerned. Another underlined the need for a direct correlation between current and planned programmes and the primary objectives of UNHCR, within the framework of the limited resources available. One delegation stressed that planning of programmes in relation to existing funds must start at the earliest stage of the programming cycle. Two speakers felt that implementing agencies should be involved at a very early stage in the planning of projects.

57. The reorientation of UNHCR assistance, in particular the emphasis on greater precision and rigour in planning and implementation, was generally welcomed. One speaker, however, stressed that that should lead to the alleviation of the heavy burden on developing countries hosting refugees, particularly in Africa; it was regrettable that such countries were not spared the effect of UNHCR programming cuts. This delegate felt that UNHCR projects should not be brought to a premature conclusion by lowering the standards of implementation, which would increase the burden on host countries and eventually on UNHCR itself. Another delegate expressed the view that the term "operational" applied to UNHCR could prove misleading, but accepted its meaning as defined by the Deputy High Commissioner.

58. A number of speakers stated that attention had to be paid to the evaluation of assistance activities. Several speakers welcomed the establishment of a UNHCR Evaluation Committee under the Deputy High Commissioner. One delegation suggested that the Committee should focus on the overall regional responsibilities of UNHCR rather than on specific projects. The same delegation called for greater analytical information on evaluation to be made available to the Executive Committee. Another speaker saw evaluation and technical reports as an important working tool for Governments and indicated the willingness of his Government to participate in technical field missions. One speaker stressed the importance of involving host countries in the evaluation of programmes.

59. Several speakers stressed the importance of encouraging the participation of refugees in programmes that concerned them. Such programmes, one stated, should not be imposed on refugees.

60. A number of speakers stressed the importance of paying increased attention to the needs of refugee women in respect of both protection and the promotion of self-reliance for them through assistance programmes that heeded their interests and prerogatives and in which they were able to participate fully. Some of these speakers also alluded to the needs of refugee children, particularly the provision of appropriate education and social and religious instruction. Some speakers welcomed measures already taken by UNHCR on behalf of refugee women and children. One delegate called for enhanced reporting by UNHCR on refugee women in terms of the totality of their needs.

61. One speaker underlined the need for Governments to understand the Office's proposed programmes in relation to its objectives. The response to last year's

Executive Committee decision in that respect had been, he felt, a useful first step. Several delegations welcomed the prospect of further consultations on the issue in January.

D. Durable solutions

(Items 4 and 6 of the agenda)

62. All speakers stressed the need for durable solutions to refugee problems. One delegation recalled the High Commissioner's statement that the persistence of a number of refugee situations with no hope for a lasting solution was the biggest refugee problem in the world today. Others welcomed the "solution orientation" of the High Commissioner, the Office's awareness of the need to plan for solutions at the outset of a problem and the increased share of resources being devoted to the pursuit of such solutions. Some speakers stressed the importance of a regional approach to durable solutions. A number of speakers echoed the view that it was not enough for the industrialized nations to make financial contributions to the Office; they too had to share the burden of accepting refugees on their soil. One speaker felt that there was a need to develop comprehensive guidelines on durable solutions that would lead to a more active approach towards their realization.

63. All speakers agreed that voluntary repatriation was the best solution to refugee situations and welcomed the High Commissioner's emphasis on that solution. A large number stressed that the voluntary character of a repatriation movement would have to be carefully established and the refugees consulted before steps were taken by UNHCR. Several delegations pointed out that the conditions conducive to voluntary repatriation were not available in some of the major contemporary refugee situations and that assistance and resettlement programmes were therefore still necessary. Another felt that repatriation movements were sometimes blocked by the lack of political will of certain States.

64. Some speakers, including observers, welcomed voluntary repatriation movements in their regions and particularly to and from their own countries, and called for adequate UNHCR assistance to facilitate the reintegration of returnees. One delegation, however, stated that the return of large numbers of refugees to his country, apart from posing an insurmountable problem of absorption, could prove to be a source of insecurity. None the less, each repatriation request would be examined by his Government in conformity with international legal instruments relating to refugees and the regulations in force in his country. The solidarity of the international community, particularly that of neighbouring countries, in the permanent settlement of those refugees in host countries could help resolve the problem.

65. A number of speakers noted the different proportion of resources devoted to each of the three durable solutions. One delegation stated that while it was not surprising that nearly 90 per cent of such resources were allocated to local integration, the proportion devoted to voluntary repatriation should increase. The same delegation, supported by three others, called for more analytical data on durable solutions to facilitate assessment of UNHCR achievements in that area. Many speakers expressed the view that a "hierarchy of solutions" should not be established; local integration, one stated, was not an easier or more appropriate solution than resettlement. Two other delegates felt that local integration should be pursued whenever and wherever appropriate. One speaker proposed the creation of

a consultative body including other intergovernmental and non-governmental organizations to provide advice and co-ordination on durable solutions.

66. A number of delegations reaffirmed the commitment of their Governments to providing resettlement opportunities for refugees. One speaker announced a doubling of his country's resettlement quota; another mentioned his Government's acceptance of handicapped refugees under the "Twenty or More" plan. A third announced that his country's revised resettlement ceiling for its current fiscal year was 70,000. The success of the RASRO scheme was hailed by two speakers, who felt that its continuation was important. Another speaker emphasized that the scheme should benefit genuine rescue cases. One delegate expressed appreciation of efforts by other Governments since the last session of the Executive Committee to resettle refugees from Hong Kong and appealed for further action. Some speakers stated that resettlement no longer sufficed as the only solution to the Indo-Chinese refugee problem; in one delegation's view, it had become part of the problem.

67. Two delegations reiterated the view that resettlement should remain a solution of last resort. A number of other delegations questioned that view. Two speakers stated that such a concept should not be allowed to diminish the responsibility of the industrialized world to share the refugee burden. Another delegation was of the opinion that resettlement should be applied not solely by the traditional countries but by all countries concerned with solutions to refugee problems. In one speaker's view, resettlement outside Africa was applied in an unduly restrictive manner. One delegation felt that if resettlement was not available as an option, it could provoke a restrictive attitude on the part of countries that happened to border refugee States.

E. Refugee aid and development

(Items 4 and 6 of the agenda)

68. The reiteration by the High Commissioner and his Deputy of the commitment of UNHCR to linking refugee aid to the socio-economic development of host countries was welcomed by several speakers. A large number of speakers affirmed the importance of that principle; the needs of refugees, one stated, should not be isolated from the needs of the local population. One delegate was struck by the fact that over 9 million of the world's 11 million refugees had found asylum in developing countries. Another pointed out the inadequacy of emergency survival assistance to alleviate the strains on countries of asylum. Several speakers expressed interest in, and some support for, the creation of an internationally accepted list of "refugee-affected countries" entitled to special treatment in terms of international development assistance. Several other speakers felt that the idea required further discussion; two asked the High Commissioner to explore the concept further. Two others expressed reservations or misgivings about the utility of such a list.

69. Support was expressed by several speakers for the conclusions of the Second International Conference on Assistance to Refugees in Africa, (see A/39/402), in which it was recognized that the African refugee problem was an international responsibility. One speaker described the burden placed by refugees and returnees on the fragile socio-economic infrastructure of African countries and called for increased UNHCR assistance for Africa. Another appealed to the High Commissioner

to identify and revive, together with other United Nations agencies and the World Bank, selected projects identified by the Conference which responded to persistent needs to reinforce the socio-economic infrastructure of asylum countries in Africa. Two speakers expressed appreciation for the funding of two projects in each of their countries. A large number of delegations felt that UNHCR should take the necessary steps, together with the donor countries, to execute unimplemented projects identified by the Conference and called for the greater involvement of the international community in that regard. Another speaker called for the extension of the principles of the Conference beyond Africa.

70. The vital importance of collaborating with UNDP and the World Bank in appropriate projects was underlined by several speakers. One speaker stressed that appropriate UNHCR projects should be transferred in due course to development agencies. Some delegations, however, questioned the feasibility of including refugee projects in national development plans; two speakers disagreed with the concept in principle. While many delegations urged greater co-operation among multilateral agencies to link refugee aid and development, one speaker reiterated support for bilateral projects. Another speaker expressed concern at the lack of support from UNHCR for settlements that had been "handed over". A number of remaining costs remained to which the principles of international burden-sharing ought to apply. One delegation suggested the implementation of a consortium approach with a number of development agencies in order to avoid the problem. Another speaker offered to share with the Office his country's experience in development-oriented self-sufficiency and resettlement programmes.

F. Specific areas

(Items 4, 6 and 7 of the agenda)

1. Africa

71. In introducing UNHCR programmes in his region, the Head of the Bureau for Africa reiterated the principles on which UNHCR programmes in the continent were founded. He summarized major recent developments with regard to the programmes in the Central African Republic, Chad, Djibouti, Ethiopia, Somalia, southern Africa, the Sudan, Uganda and Zaire, stressing that none would have been possible without the hospitality of African States and individuals towards refugees.

72. A number of speakers expressed grave concern about the situation in southern Africa and in particular the destabilizing policies followed in the region by the Government of South Africa. Several delegations welcomed UNHCR preparedness measures in that respect and urged further action within the United Nations system to improve co-ordination and contingency planning for a potential influx into southern Africa. The observer of OAU sought UNHCR support in setting up an ad hoc preparatory committee for an international conference on the southern African refugee situation. The observers of SWAPO and ANC described the problems of refugees assisted by their movements and requested support for the maintenance and extension of projects aimed at ensuring refugee self-sufficiency. Another observer urged UNHCR to promote protection of Mozambicans in South Africa. One delegation expressed concern over the growing number of refugees from Mozambique in Swaziland, particularly in the strained economic situation. He expected the problem to worsen and called for UNHCR assistance. Similar calls for assistance were made in respect of Zambia and Zimbabwe.

73. One speaker, referring to the refugee situation in the United Republic of Tanzania, pointed out the level of assistance provided by the Government and identified priority areas for UNHCR attention. Another speaker contested the UNHCR figures for refugees in Ghana and called upon the High Commissioner to request a new census and registration of refugees and asylum-seekers in western Africa, especially in Ghana. He also reiterated the call made in 1984 by the Government of Ghana for all Ghanaian refugees and asylum-seekers to return home without any pre-conditions.

74. One speaker expressed admiration for the effective work of UNHCR in the countries of the Sahel. A number of speakers, including observers, took the floor to describe the refugee situation in their own countries and the refugee policies of their Governments. One speaker lauded the humanitarian solidarity of African peoples and Governments with refugees.

75. One delegate called for increased assistance to the Sudan and pointed out that spontaneously settled refugees in that country, whom he estimated at 50 per cent of the total case-load, did not receive UNHCR help. Another delegate announced that his Government was setting up an integrated project in eastern Sudan that would benefit both refugees and locals. One speaker expressed concern about the situation in southern Sudan and appealed for the unhindered passage of relief supplies to civilians there. Another welcomed the voluntary repatriation of large numbers of Ugandans in recent months. One speaker, describing the evolution of the refugee situation in Uganda, called for urgent UNHCR assistance to that country. He mentioned that hospitality had been extended to asylum-seekers from southern Sudan, who he hoped would return to their homes one day. As to the returnees, he felt that contingency planning had to be carried out in anticipation of other potential returnees.

76. Two speakers welcomed the dialogue between the Governments of Ethiopia and Somalia leading to voluntary repatriation of refugees to the former country. One delegation expressed satisfaction at the agreements between UNHCR and Somalia in respect of the exchange rate and the transfer of the case-load from Tug Wajale camp to a more appropriate site. Another expressed concern regarding the repatriation programme in Djibouti and urged that those who did not wish to be repatriated should not lose UNHCR assistance. Another delegate mentioned his country's proposal to hold a regional summit to find durable solutions to refugee problems in eastern Africa and urged the High Commissioner to take the matter up seriously and urgently.

77. Two speakers welcomed the transfer of African emergency programmes from the Special to the General Programmes of UNHCR. One felt that the time had come to shift the emphasis of UNHCR work in Africa from emergency relief to durable solutions. Two other speakers, however, questioned the incorporation of the UNHCR Special Programmes in the Sudan into the UNHCR General Programmes. One delegate welcomed the increase in the percentage of UNHCR resources devoted to Africa, but felt that more burden-sharing was necessary.

78. The extensive discussion on the Second International Conference on Assistance to Refugees in Africa is reported under "Refugee aid and development" (see para. 69 above). One speaker stressed that to prevent the recurrence of the African emergency it was necessary to respond fully to the Programme of Action of the International Conference on Assistance to Refugees in Africa (see A/39/402, annex)

and to implement the conclusions of the special session of the General Assembly on the economic crisis in Africa.

2. Asia and Oceania

79. In introducing UNHCR programmes in his area, the Head of the Bureau for Asia and Oceania focused on recent developments relating to Indo-Chinese asylum-seekers and in particular to the situation in Thailand. He reiterated the High Commissioner's call for a more vigorous pursuit of all classical durable solutions. The problem of "long-stayers", the anti-piracy arrangement, the recent understanding between UNHCR and the Government of the Lao People's Democratic Republic on repatriation and orderly return of "screened-out" asylum-seekers, the phasing out of assistance to Filipino refugees in eastern Malaysia, and the situation of refugees and displaced persons in Papua New Guinea were also described.

80. Two speakers expressed concern over the situation in Papua New Guinea and supported the efforts of the High Commissioner to attend to the serious refugee problems in that country. One speaker called for more information in the Executive Committee documentation about UNHCR programmes in that country.

81. One speaker described at length the refugee situation in Thailand and explained the concerns and policies of the Royal Thai Government in that area. Following a reiteration of the announcement of the closure at year's end of the Khao-i-Dang refugee camp, one Government declared its willingness to accept as many refugees from that camp as possible in order to reduce the risk of transfers of refugees to the frontier. The Head of the Bureau stated the High Commissioner's reassertion during his visit to Thailand that the Khao-i-Dang population was of concern to the Office and his hope that an understanding compatible with the positions of the two sides could be worked out. One observer felt that a comprehensive strategy was needed to address the problems of Khmer refugees in Thailand and on the Thai-Kampuchean border. Another observer expressed grave concern at events in Kampuchea, which he described as being under a new form of colonization. This speaker also entered a reservation in respect of the use of the title "Kampuchean Red Cross" in UNHCR documentation.

82. Several speakers expressed concern that a definitive solution to the Indo-Chinese refugee problem appeared remote, and welcomed the renewed efforts of the High Commissioner to tackle the problem. Efforts to resolve the difficulties of "long-stayers", particularly in South-East Asia, were commended by a number of speakers; one stated that resettlement criteria for such cases should be relaxed. One speaker, describing Hong Kong's refugee policies and resettlement efforts (see para. 66 above), saw a contradiction between the willingness of Hong Kong and various States to grant asylum to Indo-Chinese and the refusal of some resettlement countries to consider such persons as refugees. One speaker expressed support for a thorough review of the Indo-Chinese refugee situation with a view to identifying suitable solutions.

83. One speaker referred to the 280,000 Indo-Chinese refugees settled in his country and stated that despite some difficulties and shortcomings, most of the refugees were satisfied with their lives there. One speaker described the situation of refugees in the Philippines and the policies of the Government in that regard.

3. Europe and North America

84. In introducing UNHCR activities in her area, the Head of the Bureau for Europe and North America focused on the threat to the traditionally liberal asylum policies in the region and described the need for fundamental solutions through concerted action. She also referred to a review of UNHCR assistance activities and the importance of maintaining public opinion in favour of refugees.

85. A number of speakers addressed the problem of the increasing numbers of asylum-seekers in Europe; several described the position and policies of their own Governments in that regard. One delegation stated that the current number of refugees in the Federal Republic of Germany was 673,000 and that the impression conveyed by UNHCR documentation that the majority lived in unacceptable community housing was incorrect. Several speakers alluded to the difficulty of finding a balance between dissuading abusive requests and preserving refugee rights. UNHCR efforts in this area were widely welcomed. An observer saw the need for greater UNHCR involvement in protection concerns in North America.

4. Latin America and the Caribbean

86. The Head of the Bureau for Latin America and the Caribbean introduced the programme in his region, recalled its general objectives and touched on the major developments in the area since the preparation of the Committee's documentation.

87. A number of delegations from the region described the refugee situation and policies in their countries, expressed their appreciation of the efforts and the co-operation of UNHCR and urged that assistance programmes should be further extended and enhanced. One delegation pointed out that attention should be drawn to the problem of nationals living close to refugee camps and, in particular, to problems of development. Several delegations also expressed concern about the reduction of funds allocated for assistance to countries in Central America. One delegate found the situation of refugees in Central America preoccupying, while another speaker also referred to the situation in Mexico. The accelerating pace of voluntary repatriation in the area was commended by many speakers, who, inter alia, expressed support of UNHCR efforts to assist with the repatriation of Haitians from the Dominican Republic. Another delegate expressed appreciation of the work of the two Tripartite Commissions, composed of countries of asylum, countries of origin and UNHCR, whose objectives were to facilitate voluntary repatriation.

88. The delegate of Costa Rica sought the allocation of more funds for Central American refugees, especially in his country, in view of the influx of refugees from Nicaragua as a result of human rights violations in that country. The delegate of Nicaragua objected to that statement, denying the existence of such violations, and stated that the external aggression against his country was the principal cause of the instability of the region and consequently of refugee movements. The delegate of the United States of America regretted that political elements had been introduced into this humanitarian forum.

89. One speaker pointed out certain insufficiencies in figures and estimates submitted in UNHCR documentation and expressed the fear that that might lead to a reduction in the indispensable activities of UNHCR in Latin America. Responding to the debate, the Head of the Bureau assured delegates that UNHCR allocations would be constantly reviewed to meet programme needs wherever necessary.

5. Middle East, North Africa and South-West Asia

90. The Head of the Bureau for the Middle East, North Africa and South-West Asia introduced the situation in the region and outlined a number of common themes in UNHCR programmes of assistance in the region, including the areas of relief, basic services, self-reliance activities, relations between refugees and locals, and programme implementation and follow-up.

91. A number of speakers alluded to the problem of Afghan refugees and expressed the view that voluntary repatriation was the only solution to their plight. Two speakers described the specific situation of Afghan refugees in their countries. Another speaker, describing the problems of Afghan refugees, pointed out that three fourths of the world's refugees were Muslims.

92. One speaker expressed appreciation of the dedicated efforts of the High Commissioner and his staff in Lebanon and hoped that these efforts would be maintained and amplified in relation to the events in the country. Another spoke of the situation in Cyprus and the work of UNHCR in that country and expressed the view that the voluntary return of the 200,000 Cypriot refugees to their homes was the only durable solution to their plight. One observer described current attempts to draft an Arab refugee convention.

93. Referring to the problem of Palestine refugees in the region, one delegate pointed out that the United Nations had created the problem and should be responsible for its solution.

94. One speaker sought closer and more intensified co-operation between UNHCR and the Government of the Islamic Republic of Iran for the refugee programme in that country, particularly in respect of long-term self-sufficiency activities. He alluded to the situation of non-Afghan refugees in that country, whose needs he felt should not be overlooked. An observer delegation took the floor to deny the existence of the refugee group in question.

95. One speaker referred to the problem of the Sahrawi refugees in Algeria and stressed the importance of providing adequate assistance measures, particularly in order to promote self-sufficiency until such time as voluntary repatriation was possible. A later speaker contested the figures provided and the status of the persons in the camps at Tindouf. He urged that a census should be conducted among that group and that the persons concerned should be given the opportunity to pronounce themselves freely on their possible return in dignity and security with all the guarantees that the High Commissioner could demand and to which Morocco was prepared to subscribe. Exercising the right of reply, the first speaker reaffirmed the refugee character and the number of Sahrawi refugees in his country, which totalled 165,000. Referring to the guarantees offered by the other delegation, he urged it to implement OAU resolution AHG/Res.104 (XIX) (see A/38/312, annex) and the relevant General Assembly resolutions, and he recalled that assistance to this group had been inscribed in the General Programmes of UNHCR since 1980. Replying to his statement, the first speaker expressed surprise that his original statement, which did not name any specific country, should have provoked a right of reply, and urged the Executive Committee to confine itself to the humanitarian issues before it.

96. The Moroccan delegation expressed a reservation in respect of the programme for persons in the Tindouf camps in Algeria. The Algerian delegation welcomed the continuing progress in the implementation of this programme.

G. Reorganization of UNHCR/administrative issues

(Items 4, 6 and 8 (b) of the agenda)

97. In introducing agenda item 8 (b), the Deputy High Commissioner expressed gratitude for the general support that he had heard for the restructuring of UNHCR and the constructive suggestions made in that regard. He noted that the major portion of the increases in the administrative costs arose from exchange rate variations and the inclusion in the budget of training funds. In their report, the Board of Auditors had criticized various aspects of UNHCR activities in 1985. The most significant point was that those criticisms duplicated comments on shortcomings in 1984 and before. There was little evidence of efforts to break that cycle of error and criticism. However, the High Commissioner had placed a high priority on efforts to alter that unfortunate pattern. Such efforts were of a long-term nature, and while some improvements could be noted in the auditors' report on activities in 1986, the positive effects of current efforts should be seen fully in the auditors' reports covering 1987 and 1988.

98. Addressing the Committee under the same item, the Chairman of the Staff Council stressed the willingness of the staff to accept changes in the interests of refugees, and that such changes should be formulated and implemented in full consultation with the staff. He emphasized the need for improvements in conditions of service in the field and urged Governments to support efforts to improve those conditions. Referring to the efforts of local and international field staff, he paid homage to four colleagues who had lost their lives in the past year. He called for greater decentralization and delegation of authority and urged the administration to respect and strengthen the institutions and processes that involve the staff in their own management. He also laid emphasis on enhancing and extending the training of staff and the role of women in UNHCR and expressed support for a review of the staff performance evaluation system. He concluded by stating that the UNHCR Staff Council would always place the interests of refugees above the interests of UNHCR staff, and the interests of UNHCR staff as a whole above the interests of any individual. The Staff Council shared with the High Commissioner and the Committee the objective of helping to ensure that those who worked for UNHCR were able to fulfil their responsibilities effectively. He appreciated the interest that members of the Committee had taken in issues of staff welfare and hoped that future Staff Councils could count on their active support.

99. A large number of speakers welcomed the new thinking and mechanisms that were being introduced in UNHCR. Support was expressed for the High Commissioner's efforts to adapt the organizational structure of UNHCR to its objectives and for his programme reforms and administrative initiatives to ensure the effective and efficient deployment of available resources. The majority of speakers gave strong support to the High Commissioner's focus on the field reflected in his statement.

100. Many delegates welcomed the statements of the High Commissioner and the Deputy High Commissioner on the restructuring of the Office. The positive response of UNHCR to the recommendations of the Board of Auditors was particularly appreciated, as were the improvements in procurement. Most speakers laid emphasis on financial

control and programme management as being essential to permit the more effective utilization of limited resources. One speaker expressed the hope that changes, whether of a managerial nature or otherwise, would not be made at the expense of refugee protection.

101. One speaker saw the reorganization process as part of a long-term strategy. Others thought it too early to evaluate the process, but stated that they shared its underlying assumptions and supported its purposes. While many speakers saw the reorganization as leading to greater cost-effectiveness, one delegation accepted that immediate economies were unlikely to result immediately from the process and that it might result in increased administrative costs in the short term. Some speakers felt that the reorganization should take place within the context of zero growth, and that it would be difficult to accept net upward regradings or additional posts. Another speaker stated that the Executive Committee should support steps towards greater efficiency even if it meant revising some of its own earlier decisions.

102. A large number of speakers expressed the hope that the reorganization would lead to the strengthening of UNHCR field operations. Support was expressed by one speaker for improvements in the management capacity of UNHCR field representatives. One speaker asked how the emphasis on voluntary repatriation would be reflected in the structure of the Office and its operations. One delegate welcomed the reorganization, in particular, of the new Bureau for Latin America and the Caribbean, which he felt would facilitate the closer consideration of refugee problems in his region.

103. Almost all speakers welcomed the prospect of a more detailed discussion of the restructuring of the Office at the informal meeting of the Committee in January, for which one delegate hoped there would be sufficient preparation in the form of documentation and prior dialogue. One speaker added that only the formal Executive Committee had a mandate to assess the reorganization in its final form and that decisions by the Executive Committee at its thirty-eighth session would be needed in respect of the level of resources required. Another speaker urged the High Commissioner to consider how the recommendations of the Group of High-level Intergovernmental Experts that had studied the structure of the United Nations could be applied to the reorganization of UNHCR.

104. Some delegations recalled the Office's commitment to a wider geographical distribution of staff and sought the application of that principle. Some speakers expressed the view that staffing of the Office, particularly at Headquarters, should adequately reflect, both in number and level, recruitment from first-asylum developing countries hosting large numbers of refugees. One speaker expressed particular concern at the imbalances in the recruitment of staff, noting that certain developed countries continued to be represented at a high level while other countries remained unrepresented. Two speakers welcomed the prospect of an increase in the number and level of women staff members. One delegate called for the submission of up-to-date and realistic staffing tables taking into account the results of the reorganization. Overall levels of "P" and "L" staff should be kept in step with the Office's budget for operations.

105. A number of delegations welcomed the statement of the Chairman of the Staff Council and urged that the concerns expressed by him should be given due attention. Several speakers expressed concern about conditions of service in the field. One delegation, referring to the comments of the Chairman of the Staff

Council in that respect, urged UNHCR to make specific proposals to Governments to redress the problem, if possible at the informal meeting to be held in June 1987. Two other speakers supported him, while indicating that any changes should be made within the framework of the United Nations common system.

106. Some delegations expressed support for greater decentralization and delegation of authority and hoped that the present situation would only prove temporary. One speaker expressed the hope that one regular and representative consultative mechanism would be established to deal with all aspects of the career development of staff; that was also necessary to create confidence in the field.

107. Many speakers placed on record their admiration for the hard-working and dedicated staff of UNHCR, both at Headquarters and in the field. Two delegations joined the Chairman of the Staff Council in paying tribute to those UNHCR colleagues who had lost their lives in serving the refugee cause in the past year.

H. Fund-raising

(Items 4 and 8 (a) of the agenda)

108. The Head of Fund Raising Services outlined the current financial situation and urged Governments to pledge the greatest level of support possible for the 1987 programmes at the next UNHCR Pledging Conference in order to assure sufficient funds at the start of the programme year.

109. Several delegations described their levels of financial assistance to UNHCR, pledged continued support and announced new contributions to UNHCR. One speaker expressed concern that the percentage of "earmarked" contributions had risen to 43 per cent and felt that that jeopardized the Office's effectiveness. Two speakers stressed that a significant part of their contribution was "unearmarked" in order to give UNHCR the flexibility to use available funds where they were most needed. One donor Government stated that it placed greatest priority on the General Programmes of UNHCR.

110. One speaker welcomed what he saw as the improved financial situation of UNHCR in the current year; two others expressed concern at the Office's funding difficulties and the size of the current shortfall. Two other speakers were anxious that UNHCR should not develop a condition of chronic financial shortfalls. One urged UNHCR to develop contingency plans in case full funding was not available for all projects. Another wished that UNHCR might provide more information on expenditure to complement future papers on the funding situation.

111. The importance of the non-governmental organizations in fund-raising was stressed by a number of speakers. One delegate pointed out that only 56 non-governmental organizations were listed among UNHCR donors, of which 26 were Japanese; efforts should be made to broaden the sources of contributions of non-governmental organizations. A number of speakers referred in positive terms to the "Refugee '86" campaign that had been undertaken in the Nordic countries.

112. Many speakers urged better "burden-sharing" among donors. Some speakers suggested that UNHCR explore new sources of funding, particularly in the private sector. One observer felt that expenditure on public information should be seen by UNHCR as an investment that would be amply recovered in increased contributions to

UNHCR programmes. In the view of one delegate, UNHCR should make optimum use of the mass media for fund-raising purposes.

113. The representative of the Commission of the European Communities stated that every effort would be made to integrate aid to refugees within the five-year development programmes agreed by the European Community and the developing States signatory to the Lomé Convention.

I. Non-governmental organizations

(Items 4, 5, 6 and 8 of the agenda)

114. A large number of speakers expressed support for the role of voluntary organizations in promoting the refugee cause across the world and welcomed the High Commissioner's commitment to enhance the Office's close co-operation with non-governmental organizations. One pointed out that non-governmental organizations were closer to the "man in the street" than the other interlocutors of UNHCR and their importance should therefore not be minimized. Another urged the High Commissioner to mobilize non-governmental organizations and world public opinion to achieve solutions to the root causes of refugee problems.

115. The President of ICVA pointed out that non-governmental organizations worked in partnership with UNHCR by virtue of their own identity and commitment to refugees. The role of UNHCR as the lead agency on behalf of the international community was one that the voluntary agencies had long supported; inherent in that was the responsibility of UNHCR for protection and durable solutions even after assistance programmes had been handed over to other agencies. In his view, the growing number of non-governmental organizations was a demonstration of popular involvement and concern; non-governmental organizations mobilized millions of dollars and thousands of volunteers who facilitated the task of Governments and intergovernmental agencies such as UNHCR. These views were later echoed by three other delegates.

116. The representative of ICRC expressed the view that ICRC and UNHCR had complementary mandates and stressed the importance that both organizations attached to respect by Governments for fundamental humanitarian principles and treaty obligations. He welcomed the co-operation between the two organizations in the field and at Geneva. The Secretary-General of the League of Red Cross and Red Crescent Societies described the activities of his organization in favour of refugees, in particular its support for the work of national societies.

J. Inter-agency co-operation

(Items 4, 5, 6 and 8 of the agenda)

117. A number of speakers urged enhanced co-operation and better information flow between UNHCR and other agencies engaged in related work.

118. A large number of speakers sought enhanced operational collaboration between UNHCR and UNDP, the World Bank, ICRC and ICM. One delegation expressed reservations in respect of ICM.

119. Representatives of UNDP, UNESCO, WFP and ICM took the floor to describe the current situation and future prospects of their co-operation with UNHCR. Reviewing his agency's co-operation with UNHCR, the UNDP representative noted that durable solutions for refugees could not be divorced from general development plans and reiterated the commitment of UNDP to the implementation of the recommendations of the Second International Conference on Assistance to Refugees in Africa. He had taken careful note of the many comments of delegates urging enhanced co-operation between UNDP and UNHCR.

K. Responses of UNHCR

(Items 4, 6 and 8 of the agenda)

120. Responding to the general debate, the High Commissioner expressed his appreciation and that of his staff, particularly those in the field, for the comments made thus far. He felt that there was still a long, hard road ahead, but said that the discussions had testified to the will of Governments to confront the problems of refugees. He was aware that a certain number of questions and doubts remained, but that was a natural part of the process of democratic debate, which he welcomed. The discussions had offered encouragement and support to the countries of first asylum, particularly in the developing world, which he hoped would enable them to continue their generous policies of asylum and hospitality to refugees. Dignity and security in the search for durable solutions were vital. The discussion on detention and military attacks not only revealed the preoccupations of delegates but also reflected their determination to arrive at a consensus. The High Commissioner also welcomed the emphasis placed on the problems of refugee women. With regard to the reorganization, he looked forward to the opportunity for Member States to pronounce themselves on the Office's new plan of action in January 1987. As for financing, UNHCR had not needed to cut its programmes significantly in 1986, but hoped to have sufficient funds at the beginning of 1987 to permit the planned implementation of projects. The High Commissioner also welcomed the expression of support by the non-governmental organizations in the work ahead.

121. Responding to the discussion on assistance, durable solutions and refugee aid and development, the Deputy High Commissioner noted the general support for the Office's framework of action in the assistance arena and for an activist role in pursuing solutions, especially voluntary repatriation. He also took note of the general agreement on considering the three issues together under one agenda item, the appreciation for the form and content of UNHCR documentation and the positive statement by UNDP. He was grateful that his definition of the concept of operationality, which was not a new idea for UNHCR, had been accepted; a Repertory of Practice of United Nations Organs as far back as 1955 had classified UNHCR as an operational agency. He explained the transfer of the Sudan programme to the General Programmes by stressing that with the passage of the emergency, UNHCR had resorted to its traditional approach; there were no "grey areas" in the case-load assisted. He concluded by expressing appreciation of the major contribution of first-asylum countries that harboured large refugee populations despite the resulting difficulties.

122. Responding to the debate on administration and management, the Deputy High Commissioner expressed his appreciation of the support that had been expressed for the general orientation of the Office, the organizational changes, improvements in

budget control and reporting, and the attempts to break out of the negative cycle of audit reports. He welcomed the statement that zero growth should not be allowed to impede the Office in the accomplishment of its basic tasks and stated that the number of project ("L") posts, which were essential to UNHCR response capacity, would continue to expand and contract in accordance with changing refugee situations. He also stated that the Ad Hoc Advisory Board was an exceptional measure taken in the context of restructuring and in order to respond to the challenge to place staff in new positions in a timely manner. The Office wished to restore the traditional process of postings, but decisions on certain key posts would have to be the inherent responsibility of the head and the management of the organization.

L. Adoption of the draft agenda for the thirty-eighth session

(Item 9 of the agenda)

123. One delegate felt that the merging of three crucial items - assistance, durable solutions and refugee aid and development - in one agenda item affected the possibilities for constructive debate, given the time limitations on interventions. He therefore proposed that the item should again be broken up into two or more items, or that a greater amount of time should be allocated to those who wished to address all three issues in depth. Two other speakers expressed sympathy with his concerns, but stated that the advantages to the Committee of reducing the overlap and duplication inherent in separating those items militated against such a step. They urged that speakers should be given adequate time under the topic to state their concerns on those important issues. One of them suggested that the Chairman could be entrusted with the responsibility of organizing the debate and possibly of arranging further discussions inside or outside the meeting on such topics. The Chairman took note of the ideas but stated that since the first session with the revised agenda had proved successful, he would prefer to retain the agenda, while examining the problem before the next session in order to find a satisfactory way to address the first delegate's concerns. On that basis, the Committee adopted the draft agenda for its thirty-eighth session contained in document A/AC.96/637.

III. DECISIONS AND CONCLUSIONS OF THE COMMITTEE

Decisions on general matters

124. The Executive Committee:

(a) Congratulated members of the Bureau on their election and paid tribute to the outgoing Chairman for his stewardship of the Committee during the past year;

(b) Expressed appreciation of the introductory statement of the High Commissioner, in which he had outlined his approach to the crucial problems confronting his office; commended the High Commissioner on the energetic and positive steps that he had taken to discharge his functions in the course of his first months of office and for the considerable effort that he had personally made to visit major countries and situations of concern to his Office;

(c) Endorsed the High Commissioner's commitment to seeking durable solutions to long-standing refugee problems and called for the fullest co-operation of the international community in his efforts; in that connection, welcomed the increased share of UNHCR budgetary resources devoted to durable solutions;

(d) Recalled with appreciation the significant contributions made by countries of asylum in accepting, often despite serious difficulties of their own, large numbers of refugees, and urged other Governments, in a spirit of international solidarity and equitable burden-sharing, to provide assistance and facilitate refugee self-reliance;

(e) Endorsed the emphasis placed by the High Commissioner upon closer consultation with the Executive Committee and with Governments and regional groups concerned with refugee issues, and encouraged further efforts to mobilize broader international support for the refugee cause;

(f) Welcomed the improvements in the documentation and reports submitted to members of the Executive Committee and urged continuing efforts by UNHCR, in co-operation with the Committee, to streamline and improve such documentation and reporting;

(g) Noted with appreciation the continuing co-operation between UNHCR and the various agencies and programmes of the United Nations system, as well as with other intergovernmental and non-governmental organizations, with a view to the rational, efficient and co-ordinated use of their resources and energies for the benefit of refugees and displaced persons;

(h) Commended the High Commissioner and the staff of UNHCR for the invaluable work performed by the Office on behalf of refugees in often difficult conditions throughout the world, and paid tribute to the four staff members who had lost their lives in the course of their duties during the past year.

International protection - general conclusions

125. The Executive Committee:

(a) Recognized that the exercise of the High Commissioner's international protection function had become increasingly complex due to the growing number and changing composition of current movements of refugees and asylum-seekers;

(b) Recognized that in view of the nature of contemporary refugee problems, the provision of solutions must be considered as an important aspect of the High Commissioner's international protection function;

(c) Recognized the importance for Governments to provide their full support in making available durable solutions for refugee problems, whenever possible in regions of origin, in order to facilitate the effective exercise of the High Commissioner's international protection function; noted with appreciation the efforts undertaken by the High Commissioner since the thirty-sixth session of the Executive Committee to arrange for consultations between concerned Governments in order to deal with problems relating to specific refugee groups and, in particular, the problem raised by the movement of refugees and asylum-seekers from one region to another;

(d) Reiterated the crucial importance of voluntary repatriation as a solution to present-day refugee problems and welcomed the continuing efforts of the High Commissioner to promote voluntary repatriation taking into account conclusion No. 18 5/ and conclusion No. 40 3/ adopted by the Executive Committee at its thirty-first and thirty-sixth sessions respectively;

(e) Recognized that the search for durable solutions included the need to address the causes of movements of refugees and asylum-seekers from countries of origin and the causes of onward movements from countries of first asylum;

(f) Welcomed the recent accessions of Equatorial Guinea, Tuvalu, Papua New Guinea and Venezuela to the 1951 United Nations Convention relating to the Status of Refugees 1/ and the 1967 Protocol, 2/ thereby bringing to over 100 the number of States parties to these basic humanitarian instruments, and welcomed the efforts of the Office to promote further accessions to these instruments, to which, it was hoped, all States Members of the United Nations would in due course become parties;

(g) Reiterated the importance of national legislative and/or administrative measures to ensure the effective implementation of the standards defined in applicable international refugee instruments and welcomed the efforts of the High Commissioner to promote the further adoption of such measures;

(h) Reaffirmed the importance of the Office's efforts to promote the development and strengthening of international refugee law through the organization or support of round tables, seminars and discussion groups in different areas of the world and to ensure that the principles of international refugee law were as widely disseminated as possible;

(i) Recognized the value of international instruments defining standards for the treatment of refugees at the regional level and noted with appreciation the progress achieved in that field through the efforts of the League of Arab States, the Asian-African Legal Consultative Committee, the Council of Europe, the

Organization of African Unity, the Organization of American States and the Organization of the Islamic Conference;

(j) Noted with concern that in different areas of the world, the basic rights of refugees and asylum-seekers had been seriously violated and that refugees and asylum-seekers had been exposed to physical violence, acts of piracy and forcible return to their country of origin in disregard of the principle of non-refoulement;

(k) Noted with concern that since the thirty-sixth session of the Committee, refugee camps and settlements had continued to be the subject of military or armed attacks and expressed the hope that ongoing efforts to find a solution to the problem would lead to positive results in the near future;

(l) Recalled its conclusion No. 39 3/ on refugee women and international protection and called upon the High Commissioner to continue to give due attention to the specific protection needs of refugee women and to continue to report to the Executive Committee on the matter;

(m) Noted that the situation of refugee children also required special consideration and called upon the High Commissioner to report regularly to the Executive Committee on the needs of refugee children and on existing and proposed programmes for their benefit;

(n) Recognized the valuable contribution of the non-governmental organizations in supporting the High Commissioner's efforts in the field of international protection;

(o) Noted the importance of promoting a favourable climate of public opinion in order to facilitate the exercise of the High Commissioner's international protection function; stressed the necessity for the special situation and needs of refugees and asylum-seekers to be brought fully to the attention of the public; and welcomed UNHCR efforts in that regard, which should be fully supported by governmental authorities and concerned non-governmental organizations.

Conclusions on accession to international instruments and their implementation

126. The Executive Committee:

(a) Recalled that in numerous earlier conclusions, the Executive Committee had appealed to States to accede to the 1951 United Nations Convention relating to the Status of Refugees 1/ and the 1967 Protocol 2/ and that similar appeals had also been addressed to Governments in various resolutions of the United Nations General Assembly;

(b) Noted with satisfaction that more than 100 States had now become parties to the 1951 Convention and/or the 1967 Protocol;

(c) Recognized that these instruments incorporated fundamental principles of refugee law, including the principle of non-refoulement, and laid down minimum standards for the treatment of refugees and thus constituted the corner-stone of international protection;

(d) Stressed that accession to the 1951 Convention and the 1967 Protocol implied a commitment to and a reinforcement of the fundamental principles that these instruments embodied, underlined the importance attached by each acceding State to international efforts to solve refugee problems and reflected the universal character that the refugee problem had assumed;

(e) Recognized that widespread accession to these instruments reaffirmed their universal applicability, served to reinforce the international legal framework for the protection of refugees and thereby facilitated the exercise of the High Commissioner's international protection function;

(f) Called upon States not having acceded to the 1951 United Nations Convention relating to the Status of Refugees and the 1967 Protocol to accede to those instruments;

(g) Recommended consideration of the withdrawal of the geographical limitation and reservations to those instruments by those States that still maintained them;

(h) Recalled that the 1951 Convention and the 1967 Protocol were complemented by various international instruments of relevance to refugees adopted at the universal level and by a number of standard-setting instruments adopted at the regional level and called upon States to consider acceding to such additional universal instruments and to such other instruments as were applicable to their region;

(i) Noted that accession to the various international refugee instruments, whether of a universal or regional character, was of utmost importance in view of the magnitude and the seriousness of the contemporary refugee problem and requested the High Commissioner to continue his efforts at the highest level to promote further accession to the international refugee instruments;

(j) Recommended to States that had not yet done so to consider adopting appropriate legislative and/or administrative measures for the effective implementation of the international refugee instruments, making the necessary distinction between refugees and other aliens.

127. Geneva Declaration on the 1951 United Nations Convention relating to the Status of Refugees and the 1967 Protocol

Whereas serious and large-scale refugee problems continue to exist in many regions of the world;

Whereas accession to the United Nations 1951 Convention relating to the Status of Refugees and the 1967 Protocol is of importance in strengthening the legal situation of refugees and in facilitating the exercise by the High Commissioner of his international protection function;

Whereas accession to these basic humanitarian instruments defining the legal status of refugees by a large number of States in different regions of the world reflects the fundamental importance, often recalled in resolutions of the General Assembly, of the principles that they contain and assists in establishing their universal applicability;

Whereas recent accessions to the Convention and the Protocol have brought the number of States parties to these instruments to one hundred and one;

Now therefore,

The Executive Committee, recalling the need for universal accession to these instruments,

1. Solemnly calls upon all States that have not yet become parties to these basic humanitarian instruments to accede to them so that they can acquire a truly universal character;
2. Expresses the hope that by the fortieth anniversary of the adoption of the 1951 Convention relating to the Status of Refugees, all Member States of the United Nations will have acceded to these instruments;
3. Stresses that, in addition to accession, effective application of the principles and provisions of the 1951 Convention and the 1967 Protocol is of the utmost importance;
4. Calls upon the Chairman and States members of the Executive Committee to assist the High Commissioner in his efforts to promote further accessions to the 1951 Convention and the 1967 Protocol.

Conclusions on detention of refugees and asylum-seekers

128. The Executive Committee,

Recalling article 31 of the 1951 Convention relating to the Status of Refugees, 1/

Recalling further its conclusion No. 22 (XXXII) 6/ on the treatment of asylum-seekers in situations of large-scale influx, paragraph (e) of its conclusion No. 7 (XXVIII) 7/ on the question of custody or detention in relation to the expulsion of refugees lawfully in a country and paragraph (e) of its conclusion No. 8 (XXVIII) 8/ on the determination of refugee status,

Noting that the term "refugee" in the present conclusions had the same meaning as that in the 1951 Convention relating to the Status of Refugees 1/ and the 1967 Protocol, 2/ and was without prejudice to wider definitions applicable in different regions,

(a) Noted with deep concern that large numbers of refugees and asylum-seekers in different areas of the world were currently the subject of detention or similar restrictive measures by reason of their illegal entry or presence in search of asylum, pending resolution of their situation;

(b) Expressed the opinion that in view of the hardship that it involved, detention should normally be avoided. If necessary, detention might be resorted to only on grounds prescribed by law to verify identity; to determine the elements on which the claim to refugee status or asylum was based; to deal with cases where refugees or asylum-seekers had destroyed their travel and/or identification documents or had used fraudulent documents in order to mislead the authorities of

the State in which they intended to claim asylum; or to protect national security or public order;

(c) Recognized the importance of fair and expeditious procedures for determining refugee status or granting asylum in protecting refugees and asylum-seekers from unjustified or unduly prolonged detention;

(d) Stressed the importance for national legislation and/or administrative practice to make the necessary distinction between the situation of refugees and asylum-seekers and that of other aliens;

(e) Recommended that detention measures taken in respect of refugees and asylum-seekers should be subject to judicial or administrative review;

(f) Stressed that the conditions of detention of refugees and asylum-seekers must be humane. In particular, whenever possible, refugees and asylum-seekers should not be accommodated with persons detained as common criminals and should not be located in areas where their physical safety was endangered;

(g) Recommended that refugees and asylum-seekers who were detained should be provided with the opportunity to contact the Office of the United Nations High Commissioner for Refugees or, in the absence of such office, available national refugee assistance agencies;

(h) Reaffirmed that refugees and asylum-seekers had duties to the country in which they found themselves, which required in particular that they should conform to its laws and regulations and to measures taken for the maintenance of public order;

(i) Reaffirmed the fundamental importance of the observance of the principle of non-refoulement and in this context recalled the relevance of conclusion No. 6 (XXVIII). 9/

Conclusions on military and armed attacks on
refugee camps and settlements

129. The Executive Committee,

Recalling the continuous efforts undertaken by the Executive Committee to draft a set of principles or conclusions on the subject of military and armed attacks on refugee camps and settlements,

Commending the Chairman of the Executive Committee and the High Commissioner for their efforts to promote agreement on a draft set of conclusions on the subject,

Regretting that after so much debate it had not been able to arrive at a common position,

Noting that the General Assembly had by consensus adopted resolution 39/140, of 14 December 1984, of which paragraph 3, inter alia, related to military and armed attacks on refugee camps and settlements,

Gravely concerned that despite the development and further strengthening of established standards for the treatment of refugees, the basic rights of refugees in different areas of the world had continued to be disregarded, as evidenced, in particular, by the large number of victims and material damage occasioned by the various military and armed attacks on refugee camps and settlements that continued to occur,

(a) Stressed the urgency and importance of the question of military and armed attacks on refugee camps and settlements being kept under constant review by the Executive Committee with a view to reaching agreement on a set of principles or conclusions in order to reinforce the international protection of refugees;

(b) Requested the Chairman and the High Commissioner to continue consultations on this matter, review developments and submit detailed reports in accordance with their respective mandates on the various aspects of the subject to the Executive Committee at its thirty-eighth session.

Decisions on assistance activities, durable solutions
and refugee aid and development

130. The Executive Committee:

A

General

- (a) Took note of the progress achieved by the High Commissioner in the implementation of his General and Special Programmes in 1985 and the first five months of 1986, as reported in document A/AC.96/677 (Parts I-VII);
- (b) Took note of the allocations made by the High Commissioner from his Emergency Fund during the period from 1 July 1985 to 31 May 1986;
- (c) Took note of the observations made by the Advisory Committee on Administrative and Budgetary Questions, submitted in document A/AC.96/683;
- (d) Took note of the report of the Joint Inspection Unit on the role of UNHCR in Africa (A/41/380) and the response of the Secretary-General (A/41/380/Add.1);
- (e) Reviewed schedule A of document A/AC.96/677 (Part I) and approved the following:
- (i) The proposals for "new and revised" allocations under the 1986 General Programmes for both operations and programme support and administration, as summarized in table III, column 12, of document A/AC.96/677 (Part I), as amended by document A/AC.96/677 (Part I)/Add.1;
 - (ii) A revised financial target of \$315,626,700 (not including the \$10 million Emergency Fund) for 1986 General Programmes;
 - (iii) The country and area programmes and the overall allocations for 1987 General Programmes, as summarized in column 13 of table III of document A/AC.96/677 (Part I), pertaining to operations and to programme support and administration, as amended by document A/AC.96/677 (Part I)/Add.1;

- (iv) The financial target of \$360,378,000 (not including the \$10 million for the Emergency Fund) for 1987 General Programmes, as shown in column 13 of table III of document A/AC.96/677 (Part I), as subsequently amended by document A/AC.96/677 (Part I)/Add.1;
- (v) The proposal set out in paragraph 1.18.5 of schedule A of document A/AC.96/677 (Part I), as amended by document A/AC.96/677 (Part I)/Add.1;
- (f) Noted with appreciation that the report on UNHCR activities financed by voluntary funds during the period 1985-1986 and proposed programmes and budget for 1987 provided information requested by the Executive Committee at its thirty-sixth session and encouraged the High Commissioner to pursue his efforts to further rationalize and improve this report;
- (g) Welcomed the High Commissioner's assurance that UNHCR would try to ensure precision in the evaluation of needs, credibility in the formulation of programmes and rigour in the implementation of projects and urged the High Commissioner to develop procedures to ensure that programme management, programme delivery and financial control were guided by these principles;
- (h) Took note with appreciation of the report on UNHCR evaluation of assistance activities (EC/SC.2/31) and reiterated its full support for the strengthening of the quality and scope of evaluation activities, particularly in respect of assistance policy, areas of major spending, relevance to durable solutions and essential needs;
- (i) Recommended that the experience gained and lessons learned by UNHCR from programme evaluations should be further refined to enhance their value in the planning of future assistance programmes and training activities;
- (j) Commended the efforts made by the High Commissioner to introduce modern management systems, planning methods and revised procedures for the purchases of supplies and food aid and to further improve and strengthen the capacity of his Office to provide technical support services for the planning and implementation of assistance programmes;
- (k) Welcomed the measures taken by the High Commissioner to improve and strengthen the management of projects by implementing partners and encouraged the development and application of guidelines and procedures and the organization of training in order to assist such partners;
- (l) Considered it advisable for Governments to grant the High Commissioner the most favourable legal rate of exchange for all financial transactions relating to his humanitarian operations in favour of refugees and returnees;
- (m) Called upon the High Commissioner, in accordance with the relevant resolutions of the General Assembly and in conformity with the usual practice of the High Commissioner, to continue assistance to refugees under the care of national liberation movements recognized by OAU and the United Nations;

The role of UNHCR in promoting durable solutions

(a) Welcomed the High Commissioner's integrated approach to refugee problems through each phase in the life cycle of a refugee situation; beginning from early warning, emergency preparedness, contingency planning, emergency relief operations, post-emergency care and maintenance, intermediate self-support and self-sufficiency activities and leading as rapidly as possible to a durable solution, through voluntary repatriation, local integration in countries of first asylum or resettlement in third countries;

(b) Took note of the relevant sections of document A/AC.96/677 (Part I) relating to the search for durable solutions; commended the High Commissioner's initiatives in that area; and reaffirmed its strong support for the measures undertaken to give renewed impetus and coherence to the promotion of durable solutions, in particular voluntary repatriation;

(c) Appealed to Governments to continue providing all possible support to the High Commissioner by taking concrete measures to create and promote conditions conducive to the attainment of durable solutions;

(d) Noted with satisfaction the growing interest shown by non-governmental organizations in the promotion and implementation of durable solutions, in co-operation with concerned Governments and the High Commissioner, and appealed to non-governmental organizations to increase their involvement in such programmes;

(e) Took note of the relevant sections of document A/AC.96/677 (Part I) on the resettlement of refugees and encouraged UNHCR to promote resettlement when neither voluntary repatriation nor local integration was a feasible durable solution;

(f) Appealed to Governments to facilitate the admission of refugees by providing adequate resettlement quotas with flexible selection criteria and by clearly distinguishing between refugees in need of resettlement and ordinary immigrants;

(g) Requested UNHCR to consult with interested Governments in order to facilitate the admission and resettlement of individual refugees whose presence affected national security in the country of first asylum and refugees whose safety or freedom was jeopardized;

(h) Commended Governments that provided "emergency" resettlement places at short notice at the request of UNHCR and urged other Governments to consider providing such places;

(i) Expressed concern about the number of so-called "long-stayers" among the Indo-Chinese refugees in camps in South-East Asia, and called on Governments that were not yet doing so to participate in the resettlement effort on a regular basis by, inter alia, applying criteria that would allow the admission of refugees who did not have links in any third country;

(j) Considered favourably the admission of larger numbers of disabled refugees in need of resettlement and renewed its appeal to Governments that had not yet increased their participation in the "Ten or More" plan to make it a "Twenty or More" plan and to Governments not already participating to join the plan;

(k) Noted the valuable support for the Disembarkation Resettlement Offers (DISERO) scheme and for the Rescue at Sea Resettlement Offers (RASRO) scheme and recommended that Governments should continue their participation or join in those efforts to provide resettlement places in a spirit of burden-sharing;

(l) Took note of and commended the continuing efforts of UNHCR to promote the Orderly Departure Programme from the Socialist Republic of Viet Nam;

C

Refugee aid and development

Having considered the relevant sections of document A/AC.96/677 (Parts I-VII) submitted by the High Commissioner and his oral report on the progress made and future plans for promoting development projects for refugees and returnees,

(a) Emphasized the essential role of development-oriented organizations and agencies in the implementation of programmes that benefited refugees and returnees and urged them to strengthen their co-operation with the High Commissioner, inter alia, by increasing their direct financial and administrative contributions in support of such programmes and by seeking the most cost-effective methods in their implementation;

(b) Called upon Governments to bear in mind the additional burden on low-income countries that had received large numbers of refugees or returnees when considering, in the governing bodies of the developmental organizations in which they were represented, and on the bilateral level, the programmes and projects of these organizations in the countries affected by the problem;

(c) Requested Governments of countries of asylum to give consideration to the formulation and the implementation, with the assistance of the international community, both multilaterally and bilaterally, and in co-ordination with UNHCR, of development-oriented programmes addressed to refugees and local populations in their regional or national development plans;

(d) Urged the High Commissioner to intensify his efforts to promote actively development activities benefiting refugees and returnees, in co-operation with the World Bank, UNDP and other international, regional and governmental organizations specialized in development assistance, and with non-governmental organizations with experience and expertise in this field.

Decisions on administrative and financial matters

131. The Executive Committee:

A

Took note with appreciation of the report of the Sub-Committee on Administrative and Financial Matters (A/AC.96/686);

B

(a) Took note of the administrative and programme support sections of the report for 1985-1986 on UNHCR activities financed by voluntary funds and proposed programmes and budget for 1987 (A/AC.96/677 (Part I) and Add.1);

(b) Noted further the report of the Advisory Committee on Administrative and Budgetary Questions (A/AC.96/683) and the comments contained therein;

(c) Called for a review of the quantity and quality of the documentation submitted to members of the Executive Committee in the course of the year, and requested the High Commissioner to make proposals to be examined by a working group of the Executive Committee in due course;

C

(a) Expressed concern about the continuing financial difficulties of UNHCR, noting the current preoccupying shortfall of \$46.8 million under the General Programmes and of \$15.7 million for the Special Programmes, thus totalling \$62.5 million as at 1 October 1986; emphasized the need for realistic programme and budget planning, coupled with careful periodic review of the approved financial target; and endorsed UNHCR commitment and efforts to that end;

(b) Called upon Governments to make adequate funds available to ensure that the needs of refugees and displaced persons of concern to the High Commissioner were fully met;

(c) Recommended that UNHCR should adopt a more vigorous approach to new and supplementary sources of funds;

(d) Recognized that a high incidence of earmarking in contributions, although bearing a positive indication of specific support to programme areas, made it difficult for UNHCR to respond with flexibility to changing situations and to act impartially for the benefit of refugees throughout the world;

(e) Welcomed the UNHCR review of donor reporting procedures and expressed the hope that simplified arrangements would satisfy all donors' needs for accurate information;

(f) Called upon Governments to do their utmost to announce financial support to UNHCR at the annual Pledging Conference and to make payments early in the new programme year;

D

(a) Took note of the accounts for the year 1985 and the report of the United Nations Board of Auditors thereon (A/AC.96/678) and the observations of the High Commissioner (A/AC.96/678/Add.1);

(b) Noted the report of the Advisory Committee on Administrative and Budgetary Questions in respect of the report of the United Nations Board of Auditors on the audit of the accounts of the voluntary funds administered by UNHCR for the year 1985 (A/AC.96/678/Add.2);

(c) Expressed appreciation and encouragement for the High Commissioner's efforts to improve financial control and management of programme implementation through reform of internal administrative systems and procedures, welcomed the increased emphasis on staff training and evaluation of activities as essential tools for the improvement of internal management, and anticipated more favourable reports from the Board of Auditors as the reforms were implemented;

E

Considered the note on the Revolving Fund for Field Staff Housing and Basic Amenities (EC/SC.2/30) and requested the High Commissioner to continue to report annually on its functioning through the Sub-Committee on Administrative and Financial Matters;

F

(a) Expressed support to the High Commissioner for the initiatives that he had taken to reorganize UNHCR in order to improve the efficiency and effectiveness of the Office, particularly with respect to activities in the field;

(b) Looked forward to a further report, including a plan of action, being submitted and discussed at the informal session of the Executive Committee in January 1987 and at the thirty-eighth session, on the progress made in the continuing efforts, assisted by external consultants, to improve the organization and working methods at Headquarters in support of field activities;

(c) Noted the intention of the High Commissioner, in the context of the reorganization of the Office, to submit proposals for reclassifications of posts in the professional and higher categories to the Executive Committee for posts financed by voluntary funds and to the General Assembly for posts financed from the regular budget;

G

(a) Invited the High Commissioner to pursue a personnel policy that emphasized the broadest possible geographical representation of States based on the highest standards of competence and integrity;

(b) Urged the High Commissioner to take special measures to increase the number of women in the professional and higher categories and at policy-making levels and to report on this matter to the Executive Committee;

(c) Expressed support for the maintenance of the principle and practices of staff rotation;

(d) Invited the High Commissioner to take all possible measures within the spirit of the Revolving Fund to improve conditions of service for staff at difficult field duty stations, to report to members of the Executive Committee in that respect and to make proposals to the Executive Committee for further improvements.

Decision on the rules of procedure

132. The Executive Committee,

Having considered document A/AC.96/679 and Corr.1, in which amendments to the rules of procedure were proposed in order to reconcile them with current practice,

(a) Adopted the proposed amendments;

(b) Requested the High Commissioner to issue the rules of procedure, duly amended, in all the official languages of the Committee.

Notes

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

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

3/ Official Records of the General Assembly, Fortieth Session, Supplement No. 12A (A/40/12/Add.1), para. 115 (5).

4/ Ibid., Fortieth Session, Supplement No. 12A (A/40/12/Add.1), para. 115 (4).

5/ Ibid., Thirty-fifth Session, Supplement No. 12A (A/35/12/Add.1), para. 48 (3).

6/ Ibid., Thirty-sixth Session, Supplement No. 12A (A/36/12/Add.1), para. 57 (2).

7/ Ibid., Thirty-second Session, Supplement No. 12A (A/32/12/Add.1), para. 53 (5).

8/ Ibid., para. 53 (6).

9/ Ibid., para. 53 (4).

ANNEX

Opening statement by the United Nations High Commissioner for
Refugees to the Executive Committee of the High Commissioner's
Programme at its thirty-seventh session

1. It is a great pleasure for me to welcome you today on this, my first opportunity to address a regular session of the Executive Committee. I have greatly enjoyed our informal exchanges in January and June with Permanent Representatives of member States, and look forward with anticipation to our discussions in this more formal setting.

2. During my first nine months in office, I have come to value the constructive role of the Executive Committee in UNHCR's work. This has been a period characterized by close co-operation and frequent contact with member States, a process which I intend to continue and reinforce. A regular interchange of ideas with Governments is, I am convinced, essential for my Office - both in order to develop the confidence that is essential for the smooth progress of our work, and to promote a common search for solutions at a time when refugee problems are acquiring an unprecedented degree of magnitude and complexity. I have therefore sought to maintain close ongoing relations throughout the year, not only with Executive Committee members as a whole, but also - through bilateral contacts and group meetings - with all Governments that have an interest in refugee issues, including many that are not members of this Committee but are present as observers today. My senior colleagues and myself have complemented these contacts by extensive visits to the field where we have met with the authorities of countries dealing directly and tangibly with the problems of refugees.

3. In the course of such efforts, I have arrived at an understanding of the nature of UNHCR's role and responsibility to the Executive Committee, which I should like to share with you. I see UNHCR as fundamentally an operational agency that is accountable to the international community through you for the effective implementation of solution-oriented assistance programmes on behalf of refugees in the field. The Executive Committee sets the High Commissioner's overall programme objectives within the mandate conferred upon him by the United Nations General Assembly, approves the financial targets of the Office and reviews UNHCR's programmes with a view to ensuring that the funds placed at the disposal of the Office are wisely and correctly spent. In addition, in areas touching upon the statute of the Office, it has, in Bagehot's famous words about the English Crown, "the right to be consulted, the right to encourage, the right to warn". Within the general limits set by the decisions and the advice of the Committee, it is the High Commissioner's task to define the methods and the means by which he seeks to attain his objectives, and to take humanitarian initiatives to further these objectives in an effective, neutral and efficient manner.

4. I use these adjectives advisedly, for it is my view that UNHCR must be judged by them. Whether the Office is effective must be measured by our results; neutral, by our refusal to participate in any controversy of a political nature; efficient, by the costs of our personnel and programmes and the result-oriented use of the resources placed at our disposal by the international community. It is my understanding that the Executive Committee will let me know if the Office diverges from these standards, while leaving it to me, as High Commissioner, to define the principles and the processes that would best attain the desired results.

5. It is 35 years since UNHCR was founded. The nature of the High Commissioner's function has changed remarkably in the 3 1/2 decades since the Office came into existence: in the number of refugees, in their origin, in the geograph, and character of the refugee problem itself. When UNHCR was established, refugees were largely a European concern - a legacy of the Second World War and of the political transformations that followed it on the continent. Today, refugees are a major global phenomenon of our times, often inseparable from the range of problems affecting the political, social, cultural and economic development of the third world. These problems have all too frequently erupted into violence and contributed to a number of mass migrations within and between developing States, and from these States to the developed world. But the problem of refugees remains a specific and distinctive aspect of such mass movements. Out of a total of 11,613,300 refugees in the world as at the end of 1985, 9,467,400 - or 82 per cent of the global figure, an overwhelming majority of refugees - have found asylum in developing countries. Their problems are added to those already existing in these countries. Yet they receive an exemplary welcome from some of the world's least prosperous States, which extend hospitality from an empty table. Assisting these refugees to achieve a modest degree of self-reliance is an economic, infrastructural and human challenge for the international community as a whole and calls for the appropriate participation of each member of that community.

6. At the same time, the mass movement of asylum-seekers from developing nations to the industrialized world has jolted existing refugee law and practice, and created a situation in which Governments that traditionally have upheld refugee rights are now reacting with policies largely defensive in nature and determined by the imperatives of deterrence. The concept of individual persecution, which underpins the refugee definition in the Statute of the Office and in the Convention and Protocol on the status of refugees, has been overtaken by situations of forced mass exodus across frontiers, oceans and continents. In the eyes of the world at large, the "land people" of the 1950s have been succeeded by the "boat people" of the 1970s and the "jet people" of the 1980s.

7. This is occurring when the dimensions of the problem have also moved my Office beyond the classic verities of the past into an increasingly broad and ill-defined role vis-à-vis large numbers of persons whom I am bound to consider to be of my concern on the basis of the universal humanitarian principles underlying the 1951 Convention and the 1967 Protocol. Assisting these persons in the countries of first asylum in the developing world is essential, but it is not enough. The industrialized world must also share the burden of accepting those among them who seek asylum outside their regions, at least long enough to gain time pending the attainment of natural solutions to their plight. It is no longer sufficient for States to consider they have fulfilled their obligations by contributing generously to UNHCR programmes. UNHCR needs more than just your humanitarian support. We need your collective political will to explore solutions to refugee problems.

8. In our earlier informal meetings, I have spoken of the need for action and law to interact in practice, and for States to resist the temptation to entrench themselves behind the existing texts. In the same breath, I have reaffirmed the vital importance of preserving and defending the universal humanitarian principles behind the High Commissioner's mandate. I accept the need for States to identify genuine refugees and to distinguish them from those leaving for socio-economic reasons or reasons of personal convenience; but they should not take steps that could affect both groups indiscriminately. Refugees and asylum-seekers who are the concern of my Office should not be the victims of measures taken by Governments against illegal immigration or threats to their domestic security, however

justifiable these may be in themselves. A look at our daily newspapers reveals the extent to which such problems are increasingly acquiring prominence. Governments must react to the preoccupations of their publics; but humanitarian issues must not be imprisoned by narrow political walls. While acknowledging the legitimate concerns of Governments in these areas, their responses should not threaten their long-standing humanitarian traditions in defence of refugees.

9. The High Commissioner's competence is, of course, considered to be universal, and the concept of his mandate has been extended of necessity in recent years by successive General Assembly resolutions, expanded regional definitions such as that adopted by OAU and applied by UNHCR in Africa, and a variety of other regional initiatives. While these have the merit of responding to varying social and political realities across the globe, they give rise to a tendency to apply different definitions and standards in different areas, which increasingly complicates the Office's international protection function. I have clearly stated in our earlier encounters that the 1951 definition, while still so usefully applicable in a number of situations, no longer fully matches the realities of the present everywhere. But it is this definition that lays down the basic humanitarian rules of action for the international community. This does not mean that we should attempt to rewrite the law, or to reconcile the irreconcilable. It means instead that we should interpret the law humanely and responsibly. I would suggest that this was already the case when the principles of 1951 were first applied, for after all, European refugees in the Second World War and the first turbulent decade after it were recognized as refugees and resettled even though they were victims of violence and conflict and not just individual persecution.

10. We must be humane, but we must also be responsible. It is not, and it will not be, UNHCR's intention to assume responsibility for all the trans-frontier movements of the present day. But when conflict and violence can be identified as being an important factor in the decision to flee, when human beings are made outcasts by their societies, when to become a refugee is the only way to avoid death or injury, UNHCR cannot stand back and cite the Convention. The High Commissioner's basic task of providing international protection and upholding fundamental principles of international law would mean nothing if he could not consider such persons to be of his concern.

11. Concern, yes; indefinite aid programmes, no. It is vital that UNHCR assistance does not become an end in itself; that humanitarian problems are not exploited for political purposes; that refugee aid is not used to anaesthetize the consequences of conflicts and to deflect or avoid the obligation to address the root causes of refugee flows. Instead, UNHCR assistance and the breathing-space it provides should be used constructively to pursue fundamental solutions to the problems themselves. It is a major challenge for UNHCR and the international community to look beyond simple palliatives to an overall global strategy that is both humanitarian and politically responsible. The international community must re-examine all mass movements and go beyond mere assistance to real solutions through tackling the root causes of these movements. The fundamental responsibility here is that of States. But UNHCR's humanitarian action in the field, by achieving even partial solutions for specific portions of major case-loads, can contribute to the creation of a favourable climate for the resolution of more fundamental differences. In this vital search for real and lasting solutions, UNHCR stands ready, without compromising its non-political stance, to play an appropriate role.

12. In many of today's large-scale influxes, where entire communities of groups have fled, voluntary repatriation is the only realistic alternative to indefinite subsistence on charity. To my mind, UNHCR must place the highest priority on voluntary repatriation, which remains the natural solution to any refugee problem. I welcome the reiteration of this principle in the conclusions of the thirty-sixth session of this Committee, and pledge that UNHCR will play its part by promoting conditions which could permit voluntary repatriation by keeping alive the will of the refugees to return. This emphasis is reflected, for instance, in our revised approach to programme planning, whereby UNHCR projects will no longer be designed in a manner that might discourage eventual repatriation. Where repatriation is not possible, or not voluntary, UNHCR must and will defend the refugees' right to remain in exile. If asylum-seekers have valid reasons for not wanting to return to their countries of origin, they must receive humanitarian treatment. Here UNHCR must attach equal importance to the three other solutions possible in these situations: local integration in the country of first asylum (the solution which has been applied in so exemplary a fashion in Africa), resettlement (the solution which has benefited from so many remarkable humanitarian efforts for Indo-Chinese in the last decade) and, until one of these is viable, a degree of self-reliance in the countries of first asylum.

13. I have already shared with you in June my belief that UNHCR must react to existing and new refugee crises with a three-pronged approach that combines effective emergency response, the prompt establishment of basic services (health, sanitation, education), and early action to establish income-generating activities which will promote refugee self-reliance. These measures have to be initiated as rapidly as possible and, to the extent practicable, simultaneously, in the interests of both refugees and host countries. For emergency survival assistance alone contributes little of durable value to the country of asylum and barely alleviates the strains imposed by the presence of refugees - yet it remains the most expensive kind of assistance. This approach is entirely consistent with the concerns about infrastructure and related development in asylum countries which have been voiced in recent years, most notably at the Second International Conference on Assistance to Refugees in Africa. My Office will seek to reaffirm and reinforce the connection between refugee aid and development. One means of doing so is to further develop our co-operation with UNDP - with which we are involved, for instance, in joint efforts in Uganda - and with the World Bank, which has recently extended its refugee income-generation project in Pakistan. We are engaged in discussions with both these agencies as well as with bilateral development agencies regarding possible co-operation in a number of additional projects for developing countries affected by the presence of large numbers of refugees. Such co-operation would also help UNHCR to plan its programmes more rationally.

14. I do not want to move from the topic of lasting solutions without taking heart from the noteworthy progress we have witnessed lately in this area. One hears so much these days about the ever-increasing phenomenon of refugee flows and the apparently perpetually mounting numbers. Yet not enough is said about the spontaneous repatriations from the Sudan both to Uganda and to the Ethiopian province of Tigray, nor about the beginnings of repatriation from Somalia to Ethiopia, nor indeed about the return of Latin Americans from their exile to Argentina, Uruguay and, even to some extent, to Chile. I myself have just returned from a visit to East Asia, and I could not help being struck by the remarkable fact that though some 150,000 refugees remain on our hands in that region, over 1 million others have found new lives.

15. It is of course a tribute to the international community that it placed the means and the resources at UNHCR's disposal to achieve such solutions. I can only urge you, and Governments in general, to continue to extend assistance to UNHCR in relation to the needs of refugees and the demonstrated efficacy of our functioning. The Office must not be deprived of the means to implement the approaches I have defined to you today - whose objective is, after all, to solve problems rather than to sustain them. I believe that the confidence of Governments has to be earned, but I also believe that good performance must be backed by contributions. Let us - UNHCR, Governments and beneficiaries - embark on a continuing dialogue on our needs and on what has been achieved in each programme. We shall not ask you to pour funds in indefinitely; we shall ask you to finance action. Contributions to solutions now will help avoid stagnation later.

16. The reorganization of the Office has been a major theme of our contacts in recent months, and I know you have paid some attention to this in the Sub-Committee on Administrative and Financial Matters. The primacy of the regional bureaux in the new UNHCR structure is a reflection of the Office's reorientation to the field. The support services have been regrouped under the Deputy High Commissioner and have been, or are being, considerably reinforced. The task of improving the relations between the bureaux and the support services remains our next priority. An expert team of management consultants has been examining UNHCR's methods of work and procedures in order to improve delivery of our programmes and services to the field. We have concentrated on what I consider essential to obtain concrete results: the assessment of refugee needs, the establishment of budgets, the control of programme implementation and the preparation of reports for internal and external use. As I have stated in the past, I have embarked upon this reorganization in an attempt to equip the Office with the administrative and managerial tools to achieve our objectives. The reforms proposed will enable administrators to have the necessary information to follow, on a daily and monthly basis, the progress of our operations - and to make the necessary corrections when problems occur. A number of refinements are still being introduced. This is a process that will take time, but early in 1987, I expect to be able to present you with a plan of action, linked to a concrete calendar. I look forward to a more exhaustive discussion of this plan when I meet with representatives of members of this Committee more informally in January 1987.

17. The question of savings is one to which we all attach importance. It is too early to speak with any precision of the savings that may result from the reorganization as a whole, but it is worth noting that the savings already identified in the fields of procurement, public information and telecommunications are of the order of \$2.4 million, an amount which covers several times over the cost of the study. Similarly, we have established that we could reinforce the obvious weaknesses in the support structure within the existing staffing levels of the Office. As a consequence of the changes at headquarters and in the field, a total of 101 posts at all levels have been discontinued, of which four fifths have been redeployed to compensate for evident weaknesses. The remaining posts will be redeployed shortly to further reinforce the bureaux and in particular the field. A number of the new posts of specialists created at Headquarters will in fact be occupied by officers spending the bulk of their time in the field. I am making every effort to ensure that these changes take place within the context of zero growth in staffing levels, but it is clear that to create a new, dynamic UNHCR we shall need adequate - and that may mean additional - resources. Resources, may I add, which may be required just to respond to new and increasing refugee crises which have arisen in the three years since the concept of zero growth was accepted.

18. The thrust towards acquiring specialist skills does not mean that UNHCR will henceforth do everything itself. In attempting to enhance our technical competence, we do not seek to substitute ourselves for other agencies with a longer history of experience and involvement in specialized assistance to refugees in the areas of, for instance, health or agricultural settlement. Indeed, I would go further and reassert my commitment to improving - in very concrete terms - our co-operation with other agencies and the United Nations system as a whole. You are aware of the exemplary co-operation between UNHCR and the World Food Programme (WFP), which I intend to maintain and develop. I also believe that UNHCR's collaboration with the Office for Emergency Operations in Africa (OEOA) was mutually beneficial. My Office has contributed actively to the conclusions of a Working Group that has made specific recommendations to ensure that the gains of the OEOA experience are retained and re-used in the United Nations system. We will make every effort to ensure that UNHCR benefits from a greater rationalization and co-ordination of the resources of the United Nations system in our activities, particularly at the two ends of the assistance spectrum - emergencies and development.

19. This is, of course, in keeping with the spirit of partnership that already governs the participation of Governments and non-governmental organizations in UNHCR's work. The non-governmental organizations are our vital partners, in the field and in asylum and donor countries, in implementing programmes, raising funds, persuading Governments and sensitizing public opinion. I greatly value their role and fully intend to strengthen UNHCR's collaboration with them. At the same time, one must take note of the rather astonishing proliferation of non-governmental organizations in the refugee field. There are over 1,000 organizations on UNHCR's rosters and we have worked with over 250 of them. I do not think this can lead to particularly meaningful co-operation. UNHCR must identify a reasonable number of non-governmental organizations that share our humanitarian principles and possess the vision and the know-how to help UNHCR meet its objectives in the interests of refugees. These non-governmental organizations would be our obvious - but not our only - partners in our common endeavours on behalf of refugees.

20. This partnership, so vital to our success, would, of course, be impossible without the support and involvement of ordinary people across the world who express their solidarity with the refugee cause. And when I speak of solidarity I do not think only of dollars and cents, but of hearts and minds. I think, for instance, of ordinary people who have welcomed refugees into their homes and communities - a concrete gesture that does more to reinforce the political will of Governments than a hundred speeches. It is in recognition of this kind of human solidarity that the Nansen Committee has made the unusual decision of awarding this year's Nansen Medal to an entire people rather than to an individual or organization. In tribute to their outstanding contribution to the refugee cause, the Nansen Medal for 1986 will be awarded to the people of Canada, whose Governor-General, Mrs. Jeanne Sauvé, will receive it on their behalf in a ceremony to be held in Ottawa on 13 November. I am sorry that delegates here have thus been deprived of the pleasure of participating in the ceremony, but I am sure you will all join me in congratulating the Nansen Committee on their excellent choice.

21. May I conclude, Mr. Chairman, with a reiteration of the importance I attach to this, our first formal dialogue on UNHCR's new orientations. What I have stated today is nothing more than an introduction to the themes that will animate your debate and on which I hope we can all agree. I am greatly looking forward to the next six days of intensive and productive discussion and decisions. However

difficult the subject before you - and you have at least two on which agreement has proved elusive, military attacks and detention - I hope you will come to a constructive understanding and not postpone your conclusions year after year. The gravity of the problems before this Committee and the real human suffering that motivates our efforts demand that the Executive Committee of UNHCR not fall prey to what may be acceptable practice in political forums. All of us here have an obligation to work for humanitarian solutions to the tragic problems of refugees across the world. My colleagues and I join you in pledging our best efforts in this endeavour. More than 11 million refugees are entitled to expect that from us.

22. Your outgoing Chairman, Mr. Chiba, who has been such a pillar of strength and wisdom to the Office in the last year - and to me personally in my first nine months in office - expressed the hope last week that I would find this session stimulating and worth while. I am confident that, with your co-operation, and under the leadership of our new Chairman, Mr. Charry-Samper, this Committee will indeed meet my expectations.

كيفية الحصول على منشورات الأمم المتحدة

يُمكن الحصول على منشورات الأمم المتحدة من المكتبات ودور التوزيع في جميع أنحاء العالم. استعلم عنها من المكتبة التي تتعامل معها أو اكتب إلى: الأمم المتحدة، قسم البيع في نيويورك أو في جنيف.

如何购取联合国出版物

联合国出版物在全世界各地的书店和经销处均有发售。请向书店询问或写信到纽约或日内瓦的联合国销售组。

HOW TO OBTAIN UNITED NATIONS PUBLICATIONS

United Nations publications may be obtained from bookstores and distributors throughout the world. Consult your bookstore or write to: United Nations, Sales Section, New York or Geneva.

COMMENT SE PROCURER LES PUBLICATIONS DES NATIONS UNIES

Les publications des Nations Unies sont en vente dans les librairies et les agences dépositaires du monde entier. Informez-vous auprès de votre libraire ou adressez-vous à : Nations Unies, Section des ventes, New York ou Genève.

КАК ПОЛУЧИТЬ ИЗДАНИЯ ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ

Издания Организации Объединенных Наций можно купить в книжных магазинах и агентствах во всех районах мира. Наводите справки об изданиях в вашем книжном магазине или пишите по адресу: Организация Объединенных Наций, Секция по продаже изданий, Нью-Йорк или Женева.

COMO CONSEGUIR PUBLICACIONES DE LAS NACIONES UNIDAS

Las publicaciones de las Naciones Unidas están en venta en librerías y casas distribuidoras en todas partes del mundo. Consulte a su librero o diríjase a: Naciones Unidas, Sección de Ventas, Nueva York o Ginebra.
