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EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

Thirty-eighth session

SUMMARY RECORD OF THE 413rd MEETING

Held at the Palais des Nations, Geneva,
on Monday, 5 October 1987, at 10 a.m.

<u>Temporary Chairman:</u>	Mr. CHARRY SAMPER	(Colombia)
<u>Chairman:</u>	Mr. ROBERTSON	(Australia)

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The meeting was called to order at 10.15 a.m.

OPENING OF THE SESSION (item 1 of the provisional agenda)

1. The TEMPORARY CHAIRMAN declared open the thirty-eighth session of the Executive Committee of the High Commissioner's Programme.
2. He noted that there were currently more refugees, originating from more countries, than ever before and that the situation was becoming alarmingly chronic. In addition, certain abuses in asylum-seeking were becoming apparent; for example, attempts were being made to organize groups of persons who would endeavour to avail themselves of the aid provided by the international community, to the detriment of genuine refugees. Then there was a growing tendency for refugees to try to stay where they were. It was therefore important that every effort should be made to ensure that as few persons as possible became long-term refugees, to strengthen inter-agency co-operation, and to prevent the Programme from becoming bureaucratized or unnecessarily politicized. A pragmatic, humanitarian approach was required. Many of the persons involved in mass movements across frontiers might not be refugees in strictly legal terms, but the immediate response was to care for them. Economic refugees were in a different category, and irregularities must be eliminated in order to protect genuine refugees, although the time was perhaps not right for a revision of basic legal instruments.
3. The situation with regard to burden-sharing was also disturbing. Of the 159 States Members of the United Nations, only 66 were regular contributors to the budget of the High Commissioner's Programme, and to a very unequal extent. The donors included not only those countries which voluntarily provided funds, but also countries which were very generously accepting refugees in what were often difficult domestic circumstances. They deserved particular support from the international community. A regional approach would be helpful, and the impact of the difference of population growth rates in the North and South should also be taken into account. It must be recognized that the developed countries, too, were experiencing difficulties in the form of unemployment and other problems. An atmosphere of fruitful dialogue and co-operation should be sought, in a spirit of interdependence and solidarity, in order to stop the doors from closing.
4. He was pleased to note, from the visits he had made to various refugee camps and other places, that relations with the countries with which UNHCR worked were very good and that Governments were satisfied with the performance of UNHCR's representatives. Moreover, the Sub-Committee of the Whole on International Protection had reached a consensus covering all essential points relating to the problems posed by refugees under full legal age, travel documents, and military or armed attacks on refugee camps and settlements. Thanks were due to all those who had made that possible.

ELECTION OF OFFICERS (item 2 of the provisional agenda)

5. The TEMPORARY CHAIRMAN invited the members of the Committee to nominate candidates for the offices of Chairman, Vice-Chairman and Rapporteur.
6. Mrs. RUESTA DE FURTER (Venezuela) nominated Mr. Robertson (Australia) for the office of Chairman.

7. Mr. HASSAN (Sudan) and Mrs. NORRBY (Sweden) seconded the nomination.
8. Mr. Robertson (Australia) was elected Chairman by acclamation and took the Chair.
9. Mr. HACENE (Algeria) nominated Mr. Jamal (United Republic of Tanzania) for the office of Vice-Chairman.
10. Mrs. TU Lifang (China) and Mr. BEESLEY (Canada) seconded the nomination.
11. Mr. Jamal (United Republic of Tanzania) was elected Vice-Chairman by acclamation.
12. Mr. FRANCESCHI (Italy) nominated Mr. Surapong Pohyananda (Thailand) for the office of Rapporteur.
13. Mr. TETTAMANTI (Argentina) seconded the nomination.
14. Mr. Surapong Pohyananda (Thailand) was elected Rapporteur by acclamation.

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS (item 3 of the provisional agenda) (A/AC.96/L.1)

15. The provisional agenda (A/AC.96/L.1) was adopted.

STATEMENTS BY THE CHAIRMAN AND VICE-CHAIRMAN

16. The CHAIRMAN said that at the present session the Executive Committee was faced with very particular responsibilities which would bear heavily on the ability of the international community to work for the betterment of the tragic lot of refugees. One of the greatest achievements of the session could be the adoption of principles concerning military and armed attacks on refugee camps. The fact that agreement had been reached in the Committee after six years of intense debate on a text condemning such attacks was directly attributable not only to the hard work of the Office but also to the intelligence, tenacity and negotiating skill of his predecessor in the Chair, Mr. Charry Samper.

17. The Committee was a forum in which all those immediately committed to solving the world's refugee problems reviewed the efforts of the past year and endeavoured to prepare the programme for the coming year. That programme represented a collective commitment to provide protection for, and assistance to, refugees in more than 90 countries. Its implementation required a constructive, fruitful and two-way exchange between UNHCR, whose mission was to seek durable solutions to all refugee problems, and States Members of the Committee. The High Commissioner depended on the full support of member States in his systematic and dynamic search for solutions, so that refugees need not be refugees indefinitely. Governments could not be passive partners in that joint enterprise. They must be ready to render political commitment and work on the root causes of refugee problems. Without that commitment no truly integrated policy could be achieved.

18. The High Commissioner had planned a three-phase action in responding to refugee situations: the provision of an effective emergency response, in co-ordination with all relevant parties; intermediate assistance - including emphasis on self-sufficiency programmes; and the vigorous pursuit of durable solutions from the start of a refugee situation. Practical examples of that action during the past year had been the Office's response to the emergency in Malawi, intermediate assistance/self-sufficiency programmes in Somalia and Pakistan, and the search for durable solutions to refugee situations in Central America, Africa and Asia, all of which had enjoyed the full support of the Committee. UNHCR's relations with its implementing parties were also crucial to its operational effectiveness, since the latter could often offer expertise, experience and human resources beyond those of UNHCR.

19. UNHCR was itself undergoing extensive reorganization aimed at deriving maximum advantage from modern management methods and technical support, reorganization which had been greatly complicated by the severe austerity measures imposed on the whole United Nations system. The recommendations of the Group of 18 had to be taken into account in the social and humanitarian fields, too, and efforts to improve cost-effectiveness had been clearly reflected in the debate at the recent session of the Sub-Committee on Administrative and Financial Matters. Many of the streamlining and rationalizing measures referred to in recommendation 8 of the report by the Group of 18 had already been put into effect, and he hoped that at future sessions Members would be able to concentrate their energies on broader, policy issues. Measures had already been initiated on the co-ordination of assistance activities with other United Nations bodies such as UNDP and WFP, as recommended by the Group of 18. Co-ordination was particularly important in the development field, and UNHCR success in seeking durable solutions often depended on consultation and co-ordination with agencies having a development mandate. The ICARA II programme was of special concern in that connection.

20. Under UNHCR's Statute, the fundamental task of the Office was to provide international protection to refugees and seek permanent solutions to their problems. Those responsibilities were linked in many important ways, and a strong body of protection principles and practice had been evolved, reflecting the leadership role of the Office. Effective protection in the field - depending, of course, on the fullest co-operation of the international community - covered the whole refugee situation from the causes of flight to the refugee's eventual establishment in a permanent situation. Efforts to protect the physical security and integrity of refugees had a wider implication. Collective programmes had been formulated, and many instances of individual and group protection were the everyday responsibility of UNHCR officers throughout the world.

21. Although it was difficult to define degrees of vulnerability, vulnerable groups of refugees certainly existed and required special protection. During the previous week, the Sub-Committee of the Whole on International Protection had considered the problems of refugee children, against the background of the horrifying abuses to which refugee children were often subjected and by which they might be scarred for life. A related question was that of the security of refugee women. The Office had recently issued guidelines to its field staff, emphasizing preventive measures in ensuring effective protection. The link between physical protection and assistance programmes geared to the specific needs of female refugees had been referred to in the note on international protection (A/AC.96/694); it should be further developed.

22. The question of asylum had attracted world-wide attention in recent years and the ever-increasing numbers of people seeking asylum had imposed a strain on the conventional practices of many States granting asylum. To be truly effective, the response must be global and comprehensive, seeking permanent solutions based on the co-operation of all relevant parties and on the principle of international burden-sharing. He welcomed the emphasis in the High Commissioner's note on the re-establishment of refugees in their original communities, a solution which reflected the right, as well as the will, to return to one's own country and also the responsibility of Governments towards their citizens. No one underestimated the difficulties involved in voluntary repatriation and the paramount condition must always be the safety and well-being of potential returnees. It was most important that UNHCR should have the support of Governments for both monitoring and assistance on return.

23. One important question which had arisen during the past year was that of the membership of the Executive Committee and a resolution had been adopted at ECOSOC's second regular session of 1987 recommending enlargement of the Committee by two members. It would be well to bear in mind the need to protect and strengthen the humanitarian mandate of the Office when that issue came before the General Assembly at its forty-second session in November 1987. ECOSOC had also invited the Committee to consider means of enhancing the role of observer delegations.

24. In his view, it would be fitting for the Committee to reiterate its support for the High Commissioner's active approach to his mandate, an approach which emphasized the systematic and dynamic pursuit of durable solutions. The dedication of all UNHCR staff - at headquarters and in the field - was to be commended. If full use was to be made of that highly motivated staff, there would perhaps be a need for better communication than had apparently obtained in the recent past.

25. Mr. JAMAL (United Republic of Tanzania), Vice-Chairman, expressed appreciation for the honour conferred on his country through his election to the Office of Vice-Chairman. The Committee had thus paid tribute to his country's modest contribution to the burden-sharing efforts of the international community in regard to refugee problems. It had been no accident that members of OAU had found it necessary to define a refugee. There was no reason to suppose that refugees and refugee situations would not continue to exist for a long time. In the final instance, policy-making within UNHCR was circumscribed by policy decisions at the national and regional levels. Commitment to the humanitarian treatment of refugees, on the other hand, was a cause in which one either believed or one did not; there was no room for lip service. UNHCR embodied that belief and put it into practical effect.

STATEMENT BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

26. Mr. HOCKE (United Nations High Commissioner for Refugees) said that the experience gained during the past year had reinforced his perception of many of the issues in the refugee field, perceptions which he had been glad to share informally with members of the Executive Committee. He remained convinced that informal exchanges on refugee matters were extremely useful, permitting an ongoing dialogue at different levels on a range of issues of common concern.

27. Four of the major issues so discussed related to particular difficulties facing refugees at the present time: firstly, refugees were increasingly obliged to reside and wait in first-asylum countries for longer periods; secondly, old and new crises continued to swell the number of refugees; thirdly, refugees and asylum-seekers were knocking at the doors of an increasing number of countries in all continents; and fourthly, there was a growing tendency for refugees to be confused with economic migrants.

28. The combination of those four factors had resulted in a "fear" of refugees and increasing hostility and mistrust toward them, leading in turn to the adoption of restrictive and unilateral measures and to the real danger of continuing erosion of the principle of asylum which, if unchecked, would paralyse every possibility of international co-operation and burden-sharing. To reverse that trend and end stagnation, UNHCR should vigorously pursue the search for durable solutions - voluntary repatriation, local integration and resettlement - and at the same time go beyond emergency aid for "long-stayers" in first-asylum countries.

29. Within the context of voluntary repatriation, some 250,000 refugees had returned home during 1986 and 1987, either with UNHCR assistance or spontaneously. That figure included mass returnee movements to Chad, Ethiopia and Uganda, which had to some extent offset new challenges in Africa, in particular the serious situation in southern Africa. It was to be hoped that the proposed convening of an international conference under the auspices of OAU, the Secretary-General of the United Nations and UNHCR would lead to concrete action to alleviate the plight of refugees in that region.

30. The global voluntary repatriation effort had also included the return, under UNHCR auspices, of a few thousand refugees to El Salvador, Guatemala and Nicaragua, where the total number of refugees repatriated during the first nine months of 1987 already exceeded the overall total for 1986. The recent opening of new and additional UNHCR offices in those three countries would further facilitate the monitoring of reintegration programmes and promote the well-being of repatriates. Those accomplishments were important since they underlined the viability and the reality of voluntary repatriation, even after years of temporary residence in countries of first asylum. Although the number of repatriates was still modest by comparison with the total refugee population in the world, the success of voluntary repatriation emphasized above all the need for political will on the part of the Governments concerned to achieve that vital solution.

31. It should also be borne in mind that a peaceful solution to the conflicts in Afghanistan and Kampuchea would enable 5 million to 6 million refugees to return home under the same conditions of security and dignity. In the Afghan situation, the largest single caseload of refugees in the world had been facing an uncertain future for nearly eight years. The hospitality and generosity with which the Governments of Pakistan and the Islamic Republic of Iran had received those refugees were highly commendable. Although assistance and self-sufficiency programmes continued to be implemented satisfactorily, the urgency and necessity of meeting all the needs of Afghan refugees could not be overemphasized. Those refugees, the majority of whom were women and children, urgently needed the political settlement that would enable them to return home. He continued to hope that the ongoing efforts of the Secretary-General of the United Nations would lead to a political resolution of the Afghan conflict.

32. Another concrete illustration of UNHCR's readiness to assist in voluntary repatriation, assuming the necessary political commitment on the part of Governments, was the processing in Thailand of refugees from Laos, who comprised almost half the entire refugee caseload in South-East Asia under UNHCR care. Although voluntary repatriation had not been the exclusive durable solution adopted so far, it would clearly have to be a major activity in the future. Another related issue, which would have to be addressed by the two Governments concerned, was that of the so-called "screen-out" persons from Laos. It must be understood, of course, that once both Governments had reached an understanding on the return of those persons to their country of origin, the same condition of a dignified and safe return would apply to them also.

33. A variation of UNHCR's contribution to voluntary repatriation was evident in a nearby region, namely south Asia. Following the signing of an accord between Sri Lanka and India in July 1987, a memorandum of understanding had been signed in Colombo between UNHCR and the Government of Sri Lanka on 31 August, under the terms of which UNHCR would provide an initial \$US 2 million for emergency assistance to Sri Lankan Tamils who had returned home from India and also to some internally-displaced persons. Although it might be premature to predict the effect of current events on Sri Lankan Tamil asylum-seekers in other countries, UNHCR was ready to play a constructive part, within the terms of its mandate, whenever invited to do so.

34. The brevity of his comments on local integration should not be taken to indicate a reduced commitment to pursue that durable solution when and where feasible. The fact remained, however, that except in a number of African countries, China and Mexico, where it had been applied in an exemplary manner, local integration had been the least widely used of the durable solutions. He was, of course, aware of the political, economic and social difficulties facing receiving countries and refugees alike.

35. Resettlement as a durable solution almost automatically brought to mind the 13-year refugee legacy in South-East Asia. Resettlement had undeniably been the "success story" of the international community's commitment to find a lasting solution to the plight of Indo-Chinese fleeing war, conflict and persecution. A remarkable 1.4 million Indo-Chinese had found new homes through resettlement, an almost unparalleled achievement by the international community. Unfortunately there was another side to the picture, the unfulfilled hopes of thousands of others still languishing in harsh camps, many for nearly a decade. At present, about 130,000 Indo-Chinese refugees under UNHCR care were still waiting in countries of transit in South-East Asia, with a steady stream of new arrivals continuing to join them.

36. The whole situation pointed to the pressing need to undertake renewed and decisive efforts to address the root causes of the continued outflow of refugees and to explore other situations. Otherwise, resettlement opportunities would continue to diminish and perhaps at some stage dry up altogether. His recent mission to South-East Asia had further strengthened his conviction that countries of resettlement, transit and origin would have to agree urgently on a "package" in which each would shoulder its proper responsibilities in the attainment of a durable solution. During the past year, UNHCR had conducted extensive consultations with countries belonging to

each of those three groups. The need now was for a global consensus of views and strategies if present achievements were to be consolidated and indeed bettered. On a recent visit to Viet Nam he had been pleased to note the commitment to the Orderly Departure Programme, which he regarded not merely as a channel for legal departures but as a context for a dialogue on broader humanitarian issues.

37. Informal consultations had been held during the year with European Governments, for example on the granting of asylum to persons arriving directly in Europe and North America, resettlement from countries of transit, and finally the modalities of possible repatriation. UNHCR's views on those subjects were clear. Firstly, Governments should not attempt to solve the problem of refugees by means of laws to control immigration. Secondly, it was essential to distinguish clearly between persons fleeing persecution and violence and other migrants. Thirdly, the rules and procedures applicable to asylum-seekers should be maintained intact. Fourthly, measures on immigration should have the flexibility to safeguard the rights of asylum-seekers and refugees. Fifthly, co-ordination with other efforts to control immigration and implement common immigration standards was essential.

38. Encouraging progress had nevertheless been made in the context of the European consultations. First and foremost, there had been a general recognition of the complexities of the present situation. In addition, it had been realized that a collective approach would create the necessary conditions for solutions and that unilateral action created a bottleneck or merely passed the problem to a neighbour. That point was further reflected in related deliberations taking place in other European forums. Moreover, it was widely accepted that the delicate situation of countries of transit, whose burden continued to increase, must be taken into consideration.

39. All that work must now rapidly lead to concrete action which would underline the principle of burden-sharing with first-asylum countries and which would allow the transit countries of South-East Asia and the Middle East to continue to play their part. Concerted action by all concerned would be required in order to negotiate further progress beyond that already obtained through the European consultations. UNHCR would continue energetically to play its proper role. The accord concluded in Sri Lanka in July demonstrated once again that any asylum being sought could very well be of a temporary nature.

40. With respect to the larger issue of international protection, while it was recognized that the character of the present-day protection problem was increasingly fluid and complex, UNHCR remained alert to the need to respond to any undermining of its primordial task of international protection. Its consultations with Governments and other partners had been predicated on the humanitarian and universal nature of the Office's competence and the body of relevant international law.

41. During the recent meetings of the Sub-Committee of the Whole on International Protection, there had been some vivid and memorable examples of the international community's ability to reach consensus on a number of significant protection concerns, notably the vital question of military and armed attacks on refugee camps and settlements. He wished to congratulate all

those who, through their efforts over the years and particularly during the past few weeks, had helped to make that possible. He was confident that with the endorsement of those conclusions at the plenary session, a giant step would have been taken in the vital task of protecting refugees who found themselves in zones of conflict or in situations of great vulnerability.

42. It was his intention to work closely with Governments in order to enhance their protection capacities, without losing sight of the High Commissioner's unique responsibility to look beyond narrow considerations to global humanitarian ones. The consensus on refugee children reached by the Sub-Committee was one example of the Office's ability to work successfully towards such goals.

43. One illustration of UNHCR's willingness to assume the physical protection of refugees in areas of conflict through active consultation with Governments and timely, solution-oriented assistance was to be found in Central America. UNHCR's efforts in that region had received a significant boost with the renewed willingness on the part of Governments to take humanitarian considerations into account. That had now culminated in the signing of the Peace Agreement of Guatemala by the Heads of five States in the region on 7 August 1987. It was gratifying to note the agreement's numerous references to the fate and well-being of refugees, including their protection, and the specific recognition of UNHCR's necessary role in the process. He had recently convened a consultative group of six personalities in Geneva to discuss solutions to the problems of refugees in Central America and was pleased to note that their recommendations, including a regional conference in 1988 to formulate concrete solutions, had been well received by Governments of the area.

44. In describing the range of the Office's current protection concerns and actions, he was aware that questions had been raised over the years regarding the scope, nature, extent and means of carrying out UNHCR's international protection function. That was only natural since answers to those questions related to the specific needs of persons seeking asylum or refugee status. Just as those needs varied, so must the solutions. The content of international protection could not be static. It should be noted that the Office's constant endeavours to attain solutions for refugees formed an integral part of its overall protection effort.

45. UNHCR was aware of the fact that, while solutions were found for some refugees, new refugee problems continued to arise across the world. Over 600,000 new refugees had arrived on the scene during the past 12 to 18 months, joining the existing 12 million or so in first-asylum countries.

46. In order to tackle those challenges, efforts had been made during 1986-1987 to go beyond the provision of emergency aid. He had stated on numerous occasions that UNHCR must react to refugee crises with a strategy that combined effective emergency response, the establishment of basic services, and timely action to pursue income-generating activities. That approach, applied rapidly, would address the needs of both refugees and the receiving country. Accordingly, the Office had sought to reinforce the connection between refugee aid and development schemes. It had maintained

close contact with both multilateral and bilateral development agencies active in countries hosting refugees in order to integrate, wherever possible, the refugee population into the mainstream of national development activities. In that way, a gradual phasing-out of UNHCR assistance could take place as the baton was effectively grasped by development agencies.

47. The Office's collaboration with the World Bank had continued, with the inauguration of the second phase of the successful income-generating project for refugee areas in Pakistan. A number of new initiatives with the Bank were under way in Somalia and the Sudan. In 1987, for the first time, the Office had explored possibilities of collaboration with the International Fund for Agricultural Development in the Islamic Republic of Iran, Somalia and Uganda. Within the context of UNHCR co-operation with UNDP, an agreement had been reached on guidelines between the two agencies to cover returnee programmes and an orderly phasing-out of relief in favour of development schemes. The ICARA II process remained a high priority for the Office, and he hoped that some of the assistance which, during the past few years, had been absorbed by drought and famine-related programmes would now revert to ICARA II-type projects.

48. It was not because the Office sought an easy way out that it requested the simultaneous contribution of all; it was rather because experience had shown that it was only through such efforts that progress could be made in the implementation of solutions and that a few countries could avoid gaining the impression that they were the only ones shouldering the burden. What was involved, therefore, was a matter of confidence and solidarity.

49. The generous support of donor countries bore testimony to the solidarity of the international community in providing UNHCR with the financial means to carry out its tasks. He was indebted to the donor community for its response to the Office's appeals for contributions. As at 28 September 1987, general programmes had shown a total income of some \$297.8 million against a revised target of \$348.9 million, thus leaving a shortfall of \$51.1 million or 14 per cent of the budget. As far as the special programmes were concerned, almost all 1987 activities had been entirely financed. Since May, the Office had adjusted the budgets according to the actual rate of implementation and had kept members regularly informed of its changing funding requirements. Referring to some concerns expressed about the level of the projected general programme budget for 1988, he reiterated that, firstly, recent efforts to assess as accurately as possible the actual needs of refugees were reflected in those figures, and secondly, the review mechanisms now in place would enable the Office to carry out a thorough target review in early 1988. Members were aware that the United Nations auditors had been insisting for years on greater precision on UNHCR's part in addressing a number of management deficiencies, and their current report reflected their appreciation of the progress being made. UNHCR's assessment and control capacity had been greatly enhanced and he was pleased to confirm that in 1987 the Office anticipated a much higher level of obligation vis-à-vis the budget than had been achieved in recent years. It should therefore be possible to reduce by a few million dollars the amount required for the 1988 programme reserve. Any attempt to propose further cuts on the basis of dollar figures rather than on that of assessed refugee needs would be particularly unfortunate at the present time, when the link between UNHCR planning and its implementation was so much stronger.

50. Steps had been taken to ensure the most co-ordinated and effective use of UNHCR travel funds. As a result, it had been possible for the Office to reduce its travel budget for 1987 by an estimated \$400,000. He wished to stress, however, that travel to and from the field was vital to UNHCR's ability to protect refugees and formed an integral part of its capacity to be fully responsible and accountable to the international community. He confirmed that the mandate of the management consultancy firm would be fulfilled at the end of the current year.

51. While the relationship between UNHCR and Governments was natural, necessary and ongoing, it was not exclusive. As everyone was aware, the community of non-governmental organizations had for many years played an increasing role in the implementation of UNHCR assistance programmes. The Office's recent efforts to enhance UNHCR technical capacity were aimed simply at forging a meaningful partnership with its friends and enabling it to assume fully its own responsibility for leadership, co-ordination and accountability. It had never been the intention of UNHCR to take on tasks which had traditionally been entrusted to its operational partners. Moreover, in many industrialized countries, voluntary agencies actively participated in the search for viable solutions for asylum-seekers, in accordance with the principles and procedures of refugee law. Non-governmental organizations played an important role, to which UNHCR must pay tribute, in increasing public awareness of refugee problems. Their contribution to the constant dialogue that must be maintained with national authorities could not be underestimated.

52. For their part, non-governmental organizations must bear in mind the basic principles of impartiality, independence of action and political neutrality that served to guide UNHCR in its efforts. To ensure the safeguarding of refugee rights, those efforts often needed to be exerted with discretion and the utmost care.

53. At the same time, UNHCR reaffirmed its commitment to continue to assume the leadership role entrusted to it by the international community. In order to succeed, it must receive the full and generous support of Governments and non-governmental organizations.

54. All that UNHCR had achieved would not have been possible without the untiring efforts of UNHCR colleagues in the field and at headquarters. On his numerous visits to the field, he had been repeatedly struck by the staff's exemplary dedication to their work, which he had found a great source of pride and satisfaction. In the joint effort to help refugees, there was no place for conflict between the old and the new. It should be recalled that senior positions of responsibility in UNHCR's new structure had been filled by staff with the considerable experience that only many years of service with the Office could bring. It had never been envisaged that the office should make a clean sweep and start from scratch. The progress of an organization like UNHCR was dependent on the continued and patient search for a convergence between constantly-changing refugee needs and the capacity to respond instantaneously and effectively with a minimum of human and material resources. It was therefore necessary to safeguard what had been successful. It was also necessary to have the courage to trim and shape. That was the responsibility of everyone who worked for UNHCR.

55. He could therefore only welcome the statement by the Chairman of the Staff Council reaffirming without reservation that UNHCR staff remained ready to contribute with enthusiasm to such changes as might be credibly needed to enhance its performance for refugees, thus preserving the unique identity of UNHCR within the United Nations system.

56. It should be remembered that management colleagues worked in exactly the same spirit. The detailed presentation by the Deputy High Commissioner before the Sub-Committee on Administrative and Financial Matters on reorganization of staffing levels showed that goals and priorities established in 1986 had been maintained and become clearly defined. In fact, their implementation was conducted in a systematic and planned fashion.

57. Commenting on the question of staffing levels, he said that, firstly, the 149 project posts had been created in accordance with established practice before the Office had received instructions from the Secretary-General on the number of regular budget cuts required by the Group of 18. Secondly, it had always been and always would be UNHCR's policy to follow the recommendations of the Group of 18, as well as the relevant directives of the Secretary-General. UNHCR had never sought special exemption in that regard. UNHCR had been requested by the Secretary-General to abolish 46 posts, which had been identified. The recently-created Post Review Group had identified additional posts for discontinuation and would make further recommendations to the High Commissioner with a view to reaching by early 1990 the staffing level that had existed on 1 January 1986. He wished to stress, however, that only a combination of the temporary reinforcement of human resources and a systematic search for post reductions would allow UNHCR to succeed in its mission while the organization was overhauled and staff reduced within the three-year period available. To spread the reorganization over a longer period would eventually rob it of its effectiveness.

58. Much of the blueprint for change in UNHCR had emerged in essence from the ideas of UNHCR's staff and from the thoughts and hopes expressed by the Staff Council. There was no question that the staff were indispensable partners in his efforts to lead UNHCR. Proof of that partnership was to be found in the achievements of the past year to which he had referred. It seemed that the objectives, and the timetable and methods adopted to attain them, had not been properly understood by his staff. He would therefore continue to listen to the staff at large, while reinforcing the process of consultation with the Staff Council so that he could count on the full commitment of the staff in the vital challenges facing the Office as a whole. At the same time, it went without saying that dialogue must take place in the spirit of the code and ethics of the international civil service and with full respect for the basic principles of institutional loyalty.

59. During the past two years, a number of UNHCR staff members had lost their lives while performing their duties. While words could not compensate for the debt owed to those noble men and women, he nevertheless wished to pay a heartfelt tribute to them.

60. He expressed his deepest gratitude to the Balzan Foundation for having awarded its 1986 prize for Humanity, Peace and Fraternity among Peoples to UNHCR. The award invited everyone to do their utmost to bring the plight of refugees to an end.

61. The efforts currently being made in many regions of the world to promote the peaceful settlement of disputes should help UNHCR to identify and meet humanitarian opportunities, however limited, which would allow refugees to find a solution to their plight.

62. He assured members that the results achieved during the past few months, while in some respects still modest, had triggered among the staff at UNHCR a renewed will to persevere and amplify their efforts. That drive should engage with the commitment of those States which, in one way or another, were able to help to alleviate the refugees' plight throughout the world. The important thing was to accelerate the momentum which had begun to gather force during the past year. It was not possible to wait any longer. What was at stake was the future of men, women and a multitude of children who asked only to take their destinies back with their own hands.

GENERAL DEBATE (agenda item 4)

63. Mr. BIRBAUM (Austria), recalling the great importance that Austria attached to the work of UNHCR and its close co-operation with the High Commissioner and his staff, said that although efforts had been made to explain the changes proposed in connection with the reform of UNHCR, such as the presentation of the "Plan of Action" in January, there had been a deplorable lack of transparency. His delegation was in favour of improving the effectiveness of UNHCR, but had been surprised by the actual cost of the exercise, especially in the light of the recent decisions aimed at reducing the staff of the United Nations as a whole. However, his delegation had been assured that the increase in UNHCR personnel was a temporary measure, and it would follow with interest developments in the implementation of the "Plan of Action" and in UNHCR staffing levels.

64. The proper function of the Executive Committee was to ensure the regular supervision of UNHCR's activities and to approve its projects, but it should not become involved in the day-to-day business of UNHCR and the running of assistance programmes, which was the responsibility of the High Commissioner. In order to fulfil its function, the Committee needed adequate information and documentation, including summary records.

65. Regarding the effective participation of observer delegations in the work of the Committee, as recommended in Economic and Social Council resolution 1987/89, information on UNHCR's activities should be made available not only to the Committee's members, but also to observers and countries interested in international humanitarian efforts to help refugees. Indeed, observers should become more actively involved.

66. UNHCR's primary function was to provide protection - a point that should be fully taken into account in the current reform. Accordingly, it was very important that the international standards on refugee protection set out in the 1951 Convention and 1967 Protocol should be accepted not only for guidance, but also as legally binding on as many countries as possible. Although the accessions of Mauritania and Cape Verde to those instruments were welcome, there were still too many countries, including countries of asylum and Committee members, which were not parties. Austria welcomed all the contacts that the High Commissioner had had in order to improve the dissemination of international refugee law, especially those mentioned in paragraph 234 of document A/AC.96/696.

67. His delegation was pleased to note that a consensus had been reached on conclusions concerning the question of military and armed attacks on refugee camps and settlements, and wished to underline the importance of free and regular access of the High Commissioner to camps and settlements.

68. As was indicated in document A/AC.96/693 (part III), there had been a sharp increase in the number of asylum-seekers in Austria in recent years and the overall figure for 1987 was likely to be in the region of 10,000. None the less, Austria remained firmly committed to its humanitarian tradition and liberal asylum policy. Restrictive admission policies, if temporarily unavoidable, should be kept under constant review and liberalized whenever possible. Austria appreciated the consultations on asylum issues being held under the auspices of UNHCR, the Council of Europe and interested Governments, and especially the common search for durable solutions. Lastly, his delegation wished to express satisfaction at the award of the 1987 Nansen Medal to the King of Spain.

69. Mr. KIVIMAKI (Finland) said that although there had been no major new refugee flows in the recent past, there had been no political solutions to conflicts that had persisted for years. Finland supported all efforts aimed at settling conflicts by peaceful means, but pending peaceful solutions that would enable displaced persons to return to their homes, it was necessary to provide assistance to refugees, notably by supporting countries of first asylum, whose resources were usually limited. Finland's humanitarian aid had increased substantially in the past few years and its financial support for UNHCR was due to increase still further. Its contribution to the programmes, which had been considerably higher than in the previous year, had been made in order to share the burden of the countries that provided asylum to people in need of a new home, despite their economic difficulties.

70. In order to facilitate the resettlement of refugees who could not return to their countries, UNHCR, as the global refugee organization, might set up a global resettlement scheme based on voluntary quota offers. Only a few countries had announced quotas. Finland's quota for 1987 would be approximately 200 persons, but his Government was planning to increase its capacity for receiving refugees.

71. In view of the problems posed in Western Europe by the inflow of large numbers of asylum-seekers, the proposal made by Denmark at the most recent session of the General Assembly deserved special consideration.

72. Finland, which had played an active role in the formulation of General Assembly resolution 39/140, was satisfied with the consensus reached in the Sub-Committee of the Whole on International Protection concerning the conclusions relating to military and armed attacks on refugee camps and settlements. It was to be hoped that that condemnation of the violation of the rights of refugees would have the desired effect.

73. Although the reorganization process under way in UNHCR was promising and held out hopes of improving cost-effectiveness, implementation of the Plan of Action and its eight components was disturbingly slow. Furthermore, it had entailed an excessive increase in staffing at UNHCR headquarters. However, it had been reassuring to learn that 93 posts had been identified for reduction

during 1987 and the next three years, that UNHCR staffing was continuously under review and that UNHCR was prepared to abide by the spirit of the report of the Group of 18. Lastly, it was gratifying to note the increased dialogue with the staff, because staff motivation was essential for the functioning of the organization. The Government of Finland reiterated its support for UNHCR.

74. Mr. SANKEY (United Kingdom) said that his Government, which remained firmly committed to the 1951 Convention and the 1967 Protocol, had provided £10,170,000 to UNHCR in 1986 and £9.2 million so far in 1987, including £3.5 million for Afghan refugees in Pakistan. He was pleased to announce a further contribution of £500,000 for Ethiopian returnees from Somalia, the Sudan and Djibouti.

75. His Government welcomed the Indo-Sri Lankan agreement and hoped that its implementation would lead to the normalization of the situation in Sri Lanka, with the co-operation of all concerned. although much remained to be done, there was considerable goodwill in the troubled areas for the success of the agreement and his country would consider sympathetically contributing to UNHCR's special appeal for a rehabilitation programme for returnees.

76. In Hong Kong, there were some 9,200 Vietnamese refugees awaiting resettlement. Sixty per cent of them had been in Hong Kong for over three years and 12 per cent for over seven years; the situation had been exacerbated by a 45 per cent increase in new arrivals and a 48 per cent decrease in the resettlement rate, as compared with the same period in 1986. The United Kingdom authorities were in the process of accepting a further 468 refugees with relatives already in the United Kingdom, and Hong Kong itself had offered over 250 places to long-staying refugees since April 1986. His Government was most grateful to all the countries that had provided assistance in that matter, especially those which had resettled long-stayers but in view of the rising population of refugees in Hong Kong, it urged UNHCR to continue its efforts in that regard and hoped that other countries would be able to accept more refugees from Hong Kong. However, the international community must find long-term solutions which would remove the cause of that refugee flow because resettlement alone was not a viable remedy.

77. The conclusions adopted by the Sub-Committee of the Whole on International Protection represented a timely and important reaffirmation of the fact that military attacks on refugee camps and settlements were illegal and that all refugee camps should be solely humanitarian and civilian in character. Most importantly, the conclusions had been adopted by consensus.

78. The Executive Committee was required to report to the Special Commission of ECOSOC, in accordance with the General Assembly resolution on the report of the Group of 18. Firstly, the existing timetable of meetings was satisfactory, but the biennialization of sessions of the Executive Committee would not be appropriate. Secondly, the present length of the Committee's session was also satisfactory, but certain agenda items might be biennialized or dropped so that more time could be devoted to more important issues. Thirdly, although documentation should be further rationalized, summary records must be retained for the Committee. Fourthly, co-ordination with other United Nations bodies should be developed in order to avoid duplication. Fifthly, the number of annual "country resolutions" on refugees

at the General Assembly could usefully be reduced because, although a resolution at the outset of a new refugee crisis was helpful in focusing attention, annual resolutions calling for yet more reports to the General Assembly merely duplicated the information already available in UNHCR's "Report on UNHCR assistance and proposed programmes".

79. With regard to the question of staffing, although some new posts had been necessary in the interests of more efficient management, staffing levels must return to the pre-October 1986 levels by 1990 at the latest, and efforts to achieve further savings must continue thereafter.

80. Mr. DANNENBRING (Federal Republic of Germany) observed that the internal restructuring of UNHCR which was still under way might prove to be much more complex and lengthy than had been expected. He wished to commend the dedication and excellent work of UNHCR staff throughout the world. His Government would continue to co-operate with UNHCR in the interests of refugees. However, it was concerned about the high increase in the organization's personnel and administrative costs - an issue which would call for further discussion in due course. Despite the importance of the aims underlying the reorganization initiated by the High Commissioner two years earlier with a view to delegating management, strengthening field activities and improving administrative cost-effectiveness, expenditure must remain within clear limits, especially in view of the efforts currently being made throughout the United Nations system to streamline work and cut costs. His delegation therefore urged the High Commissioner to reverse the trend of rising administrative costs, and took due note of his intention to revert to pre-reorganization staffing levels by early 1990.

81. The continued stagnation of the major refugee situations and the further deterioration of others, such as that in southern Africa, were sources of concern. His delegation therefore reiterated the importance of finding political solutions, of addressing the root causes of refugee movements in order to prevent or reverse such movements. Special attention should be given to the suggestions made by the "Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees", which could bring into sharper focus the political difficulties underlying refugee movements.

82. Lastly, it was encouraging to note that for the first time in many years UNHCR appeared to be in a fairly secure situation with regard to the funding of its programmes - a definite reflection of the unwavering support of governmental and private donors for UNHCR's efforts.

83. Mr. THUYSBAERT (Belgium) drew attention to UNHCR's vital role in the international protection of refugees, which remained an indisputable priority stemming from its very mandate. His delegation supported UNHCR's systematic efforts to promote voluntary repatriation, especially in respect of refugees from Mozambique, Chad and Ethiopia, and was gratified by efforts to develop collaboration with the other specialized agencies and with certain donor countries. The aim was to devise longer-term solutions, focusing on the development of the countries experiencing misfortune. The salutary results of that approach were already becoming apparent in Central America and Africa.

His delegation also welcomed the initiatives taken by UNHCR with regard to the irregular movements of asylum-seekers in Western Europe, which posed an enormous problem and worried public opinion in those countries. The work done by Mr. Widgren and his team should be encouraged, and the consultations initiated were useful.

84. His Government was following very closely the far-reaching reform of UNHCR aimed at improving the effectiveness of administrative and financial management and making genuine savings. That process was bound to take time, but the staffing measures adopted by the High Commissioner were still causing his delegation concern, in view of the need to reduce personnel as provided for in the recommendations of the Group of 18.

85. His delegation had taken due note of the recommendations and conclusions of the auditors, and was convinced that the High Commissioner and his staff would make every effort to give effect to those recommendations in order to remedy the shortcomings identified.

86. It was somewhat disturbing that the issue of military and armed attacks on refugee camps and settlements had not yet been settled after five years of fruitless debate.

87. In the summer of 1986, the Belgian Parliament had passed a new law concerning the determination of refugee status in Belgium. That law was due to enter into force on 1 February 1988 and established administrative and jurisdictional machinery for determining refugee status. That procedure, in which the UNHCR representative in Belgium was to play an important part, superseded the old system which had been in force since 1952. The aim of the law was to accelerate consideration of the admission of refugees to Belgium, while guaranteeing to the fullest possible extent the rights of those qualifying under the criteria set out in the 1951 Convention. The law also provided for a procedure for recognition of refugee status and guaranteed refugees full rights. To that end an "Office of the General Commissioner for Refugees and Stateless Persons" had been set up, and a new administrative body known as the "Standing Recourse Commission for Refugees" had been established to consider appeals against the decisions of the General Commissioner.

88. His Government would continue to support the High Commissioner in his efforts to provide protection and assistance to refugees throughout the world.

The meeting rose at 1.05 p.m.