

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

GENERAL ASSEMBLY

OFFICIAL RECORDS: FORTY-SECOND SESSION

SUPPLEMENT No. 12A (A/42/12/Add.1)



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[22 January 1988]

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

(Geneva, 5 to 12 October 1987)

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I. INTRODUCTION

1. The Executive Committee of the Programme of the United Nations High Commissioner for Refugees held its thirty-eighth session at the Palais des Nations at Geneva from 5 to 12 October 1987. The session was opened by the outgoing Chairman, Mr. H. Charry-Samper of Colombia.

2. In his introductory statement, Mr. Charry-Samper underlined the magnitude and complexity of the refugee problem. He said that a global approach should be adopted towards solving the refugee problem and pointed to the need to identify cause and effect. He stressed that inter-agency co-operation should be strengthened and should also aim at streamlining the use of resources and procedures. He also underlined the importance of support from non-governmental organizations.

3. Concerning financial contributions, he stressed the importance of an increase in the number of countries contributing to the work of the Office of the United Nations High Commissioner for Refugees (UNHCR). It was also important, he said, that UNHCR act within the context of the recommendations of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations. 1/

4. The outgoing Chairman had visited refugee camps in Central America and Mexico and had observed that the work of UNHCR in the area was well respected by all. He had also visited Thailand, where he had been impressed by the efforts of the Government and UNHCR.

5. Finally, he spoke of the conclusions concerning military and armed attacks; the text was not perfect but did contain all the essential elements and was a delicate balance of the principles supported by all concerned and also took into account the burden on each receiving country. He paid tribute to the efforts of Mr. Schnyder and his predecessors and added that it was very gratifying to him, as the first Latin American Chairman, to present the text, which was an example of the strengthening of the protection role of UNCHR. It showed that it was possible within the United Nations to attain positive results in spite of scepticism and difficulty.

A. Election of officers

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

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

Vice-Chairman: Mr. A. H. Jamal (United Republic of Tanzania)

Rapporteur: Mr. Surapong Poshyananda (Thailand)

B. Representation on the Committee

7. The following States members of the Committee were represented at the session:

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

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

Afghanistan	Guatemala	Qatar
Angola	Honduras	Romania
Bahrain	India	Rwanda
Bangladesh	Indonesia	Senegal
Bolivia	Iraq	Somalia
Botswana	Ireland	Spain
Burundi	Jamaica	Sri Lanka
Cape Verde	Jordan	Swaziland
Chile	Kenya	Syrian Arab Republic
Congo	Kuwait	Togo
Costa Rica	Libyan Arab Jamahiriya	Union of Soviet Socialist Republics
Côte d'Ivoire	Malawi	United Arab Emirates
Cuba	Malaysia	Uruguay
Cyprus	Mexico	Viet Nam
Democratic Kampuchea	Mozambique	Yemen
Democratic Yemen	New Zealand	Zambia
Djibouti	Pakistan	Zimbabwe
Dominican Republic	Paraguay	
Egypt	Peru	
El Salvador	Philippines	
Ethiopia	Poland	
Gabon	Portugal	

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

9. The United Nations system was represented as follows: United Nations Commissioner for Namibia, United Nations Volunteers (UNV), Office of the United Nations Disaster Relief Co-ordinator (UNDRO), United Nations Industrial Development Organization (UNIDO), United Nations Children's Fund (UNICEF), United Nations Development Programme (UNDP), World Food Programme (WFP), 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).

10. The following intergovernmental organizations were represented by observers: Intergovernmental Committee for Migration, Commission of the European Communities, League of Arab States, Organization of African Unity and the Islamic Development Bank.

11. Some 80 non-governmental organizations were represented by observers, including the International Council of Voluntary Agencies, the International Committee of the Red Cross and the League of Red Cross and Red Crescent Societies.

12. 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 session.

C. Adoption of the agenda and other organizational matters

(Item 3 of the agenda)

13. The Committee considered the note on Executive Committee documentation and related organizational matters (A/AC.96/697) and decided to adopt the proposals made therein.

14. While appreciating the efforts made to improve documentation submitted to the Executive Committee, some delegates recommended further efforts, especially in the provision of more analytical information. They also expressed concern that some documents were made available to Governments rather late and urged UNHCR to ensure their timely distribution in the future. Delegates were unanimous in requesting UNHCR to ensure that the draft agenda of the Sub-Committees and the Plenary are communicated to Governments well in advance to allow for adequate preparation.

15. The Executive Committee adopted the following agenda:

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 activities relating to
 - (a) Assistance;
 - (b) Durable solutions;
 - (c) Refugee aid and development.

7. Review of UNHCR programmes financed by voluntary funds in 1986-1987 and adoption of proposed programmes and budget for 1988
8. Administrative and financial questions:
 - (a) Status of contributions and overall financial needs for 1987 and 1988;
 - (b) Administration and management.
9. Consideration of the provisional agenda of the thirty-ninth session of the Executive Committee.
10. Any other business.
11. Adoption of the draft report of the thirty-eighth session.

D. Opening statement by the Chairman of the Executive Committee

16. In his opening statement, the newly-elected Chairman, Mr. R. H. Robertson, said that he was accepting the honour of presiding over a session that faced very particular responsibilities and that the Committee's response would bear heavily upon the capacity of the international community to work appropriately and selflessly for improving the tragic lot of refugees.

17. He emphasized that resolution of the world's refugee situation had to be a collective commitment on the part of UNHCR, Governments, non-governmental organizations and other interested agencies. While Governments relied on the leadership of the High Commissioner, the High Commissioner depended on member Governments for their active support.

18. He then alluded to the various stages for responding and seeking to solve refugee situations, which have all been applied during the past year: response to the emergency in Malawi; intermediate assistance/self-sufficiency programmes in Somalia and Pakistan and the search for lasting solutions in Central America, Africa and Asia. The Committee had fully supported those programmes and would continue to do so in the future.

19. The reorganization of UNHCR, designed to improve management methods, technical support and cost effectiveness, is taking place at a time when severe austerity measures are being applied to the whole of the United Nations system. The Chairman referred to the recent meeting of the Sub-Committee on Administration and Management, during which discussions on the reorganization had been detailed and at times difficult.

20. In referring to the Special Commission of the Economic and Social Council concerning co-ordination of assistance activities with other agencies, the Chairman said that he hoped the Committee would be able to agree on the terms of its submission and that it would be appropriate to urge UNHCR to ensure the maximum co-operation with other United Nations agencies, such as UNDP and WFP. This was particularly important in the development field, where success in the search for durable solutions often depends on co-ordination with agencies with such a mandate.

21. On the subject of international protection, the Chairman referred especially to the particular vulnerability of refugee children and refugee women. As far as children were concerned, he said that everything possible should be done to ensure effective protection for them. He also felt that the link between physical protection and assistance programmes geared to the specific needs of women refugees should be further developed.

22. In recent years, much attention has been paid to the increasing number of people seeking asylum, which has put great strains on the conventional practices of many States relating to the granting of asylum. The Chairman said that the response to this problem must be global and comprehensive. The working groups established under the auspices of UNHCR had already made progress on this subject and, with the full support of all Governments concerned, that process would continue.

23. The Chairman then drew the attention of the Committee to the question of membership of the Executive Committee. At its second regular session of 1987, the Economic and Social Council recommended the enlargement of the Committee by two members. The Chairman pointed out the need to protect and strengthen the humanitarian mandate of UNHCR when the issue of membership is presented to the General Assembly in November. He also drew attention to the invitation by the Council to consider means of enhancing observer participation at sessions of the Executive Committee.

24. In closing, the Chairman said that he felt it would be appropriate for the Committee to reiterate its support of the High Commissioner's active approach to his mandate and also commended the dedication of UNHCR staff, at Headquarters and in the field.

II. GENERAL DEBATE

(Item 4 of the agenda)

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

26. Speakers extended their congratulations to the Chairman, Vice-Chairman and Rapporteur upon their election. They also paid tribute to the outgoing Chairman, Mr. Charry-Samper, and a number of them made specific reference to his contributions to the consultations on the question of military and armed attacks on refugee camps and settlements.

27. All speakers reaffirmed their commitment to the humanitarian work of UNHCR, to the need to meet the serious challenges faced by the Office in pursuing its mandate and the need for all States to work closely with the High Commissioner in the successful pursuit of his tasks. A number of speakers also thanked the High Commissioner for his candid and thorough opening statement, including his clear references to the challenges confronting the Office. Many speakers reaffirmed their commitment to UNHCR and pledged their continued support for the search and attainment of durable solutions, and some emphasized the need for Governments to also do their part. A number of delegations noted with satisfaction the recent visits by the High Commissioner to their countries. A large number of speakers also referred to the need for an ongoing dialogue with the Office and appreciated efforts in that regard.

28. One delegation expressed its general support for the initiatives taken by the High Commissioner in the various sectors of the activities of the Office.

29. Most speakers expressed their concerns about the serious protection problems throughout the world. A large number of speakers reflected their concerns on issues of administration and finance, especially personnel matters and cost developments.

30. One delegation stated that it was not against a reinforcement of the rights of observer delegations, but stressed that this should not prejudice the question of the legitimate wish of some countries to become new members of the Executive Committee, a matter that was the subject of a decision by the Economic and Social Council at its second regular session of 1987.

A. "Root causes"

(Items 4 and 5 of the agenda)

31. Several speakers emphasized the need to tackle and remove the root causes of refugee flows in order to stem and hopefully avert future refugee situations. It was felt that, while the international community continued to show generosity in providing assistance to large numbers of refugees, every effort should be directed at the causes of the problem. A number of speakers stated that that could be achieved by resolution of regional conflicts and that initiatives for dialogue and negotiation should be encouraged. Other speakers identified internal political conflicts as a principal source of refugee situations. In this connection, one

speaker stated that the respect of democratic principles and basic human rights, including a genuine effort to achieve an acceptable level of prosperity, constituted the framework for internal peace necessary to avoid creating refugee situations. One delegation stated that, as proposed earlier to the Executive Committee, the recommendation of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees should be used as a guide for tackling causes. Other speakers referred to the policies of apartheid practised by the Government of South Africa, drought, global economic imbalances, general armed conflicts, and foreign occupation as being at the heart of refugee flows. Some speakers stated that, in determining the origin of refugee situations, it was also necessary to distinguish economic migrants from genuine asylum-seekers and refugees, the latter category deserving international protection and humanitarian assistance. It was noted that Governments were concerned about the migratory nature of exodus in some parts of the world and that the pressure of movement of those elements who are not refugees in terms of the 1951 Convention criteria may create a negative perception about claims to asylum and lead to compassion fatigue. For those reasons also it was necessary to intensify analysis of the causes of exodus in order to determine long-term solutions to all aspects of the problem.

B. International protection

(Items 4 and 5 of the agenda)

32. At the request of the Chairman, Mr. Charry-Samper (Colombia), Chairman of the Sub-Committee of the Whole on International Protection, introduced the report of the twelfth meeting of the Sub-Committee (A/AC.96/700). He commended the Sub-Committee for the contribution it had made since 1975 to assist and intensify the protection activities of the High Commissioner. He then detailed the contents of the Sub-Committee's report, paying particular attention to the conclusions adopted on the three items. As to the text on military and armed attacks, he explained that it was a consensus, transactional text, which balanced opposing points of view. Delegations had resolved their objections to the text, although some reservations and certain preferences remained. The differences were not of a conceptual nature but related rather to how the concepts were presented in the text. Overall, the conclusions on military attacks should be regarded as one of the best contributions of the thirty-eighth session of the Executive Committee. The Chairman thanked all delegations for the spirit of co-operation and open-mindedness they had shown during negotiations. He also noted with appreciation all the efforts that had been put into this negotiating exercise by his predecessors. Finally, he drew attention to the fact that the text had been negotiated in English and that the other language versions may contain some nuances in their translation.

33. The Director of the Division of Refugee Law and Doctrine, Mr. Arnaut, then introduced the note on international protection (A/AC.96/694). He stressed that the international protection function was at the core of all UNHCR activities. Keeping pace with the rapidly-changing character of refugee flows worldwide, protection problems confronting the Office were increasingly complex. Without wishing to underestimate positive developments, the Director said he wished to turn attention to the more significant preoccupations of the Office. He was aware that the perspectives of UNHCR and of States would on occasion differ, but he was confident that both shared the same fundamental, humanitarian commitment to protect refugee rights.

34. The Director stressed the global nature of the refugee problem and the continuing relevance of international solidarity and burden-sharing. The increasingly restrictive approach of some refugee-receiving countries, manifesting itself, in part, in the erection of legislative and administrative barriers against entry, was regretted. The Director noted the complicating factors of inadequately documented or undocumented arrivals and waves of economic migration, but said it was not the appropriate response to irregular migration to erect barriers against entry, which blocked the access of genuine asylum-seekers, not only to sanctuary, but even to procedures for the proper determination of their status. Refugees, with their special protection needs, should not be penalized as if they were illegal immigrants. It was worrying to be confronted by a situation where such minimum standards, which have for some time enjoyed international endorsement and compliance, were being eroded by restrictive measures, such as carrier sanctions legislation or stricter and discriminatory visa requirements.

35. The Director then drew attention to continuing concerns in the area of refugee security as set out in the note on international protection. In this connection, he welcomed the conclusions of the Sub-Committee on military and armed attacks, which he hoped would contribute concretely to reducing the likelihood or occurrence of those attacks.

36. Turning to positive developments, the Director referred to success with voluntary repatriation programmes and their continued support by the international community. He also mentioned the recent peace accord in Sri Lanka and progress in negotiations on the Afghan problem.

37. Finally, the Director gave a brief explanation of how UNHCR currently carries out its protection responsibilities. He pointed out that the daily operational protection functions were now the responsibility of the regional bureaux, while the legal, normative aspect of protection work was carried out by the Division. Through its promotional activities and its work to clarify and further develop existing legal principles, the Division functioned as the repository and, in a sense, the guardian of the basic principles of refugee protection.

38. In the debate on the note on international protection, many concerns were expressed on the protection situation in the world, the exercise of the Office's protection function and certain aspects of the note.

39. In the ensuing debate, most delegations commended the Sub-Committee on its work. There was general acceptance of all three sets of conclusions put to the Executive Committee for adoption. Many delegations welcomed particularly the conclusions on military attacks after years of effort and complimented the Chairman of the Sub-Committee, his predecessors, the High Commissioner and his staff for all the effort that had preceded adoption of the text. Several delegations pointed to the text as evidencing the willingness of Executive Committee members to put aside differences to arrive at consensus on at least a minimum platform on such an important humanitarian issue.

40. A number of delegations underlined the compromise nature of the conclusions on military attacks and the fact that they did not necessarily meet all their preoccupations in a satisfactory way. Several speakers stressed that the essential elements of the conclusions are to condemn military attacks on refugee camps. They expressed the hope that the international community would continue its efforts to ensure the implementation of the conclusions and to prevent occurrence of such

military attacks. One delegation proposed that the conclusions should more appropriately be titled "Principles on the prohibition of military and armed attacks on refugee camps and settlements". That same delegation, in reiterating its proposal during the Sub-Committee meeting that the principles in the conclusions should be developed into more concrete measures, suggested that it would eventually be necessary to draw up an international instrument on the physical safety of refugees. Such an instrument should clarify and consolidate specific international legal principles applicable to refugee safety. Another delegation, commenting on the proposed name change, said the title of the conclusions should remain as agreed.

41. Some speakers noted that the English text of the conclusions on military attacks was the authoritative text in the event of interpretation problems. One of those speakers said his delegation had joined the consensus on the text, as it represented a balance between complementary and interrelated principles. He suggested in this context that, where the inviolable character of refugee camps and settlements was taken advantage of to allow the carrying out from them of hostile or terrorist acts, such acts constituted no less a violation of the physical security of camps than attacks themselves. Civilians and non-combatants must be protected but the distinction between combatant and non-combatant should not be blurred and civilians must not be deprived of their non-combatant status.

42. Several delegations stressed as particularly important in relation to the conclusions the emphasis on the civilian and humanitarian character of the camps and the High Commissioner's need for free and regular access to camps and settlements of his concern. Some speakers felt that the formula on access in the conclusions did not go far enough to ensure such access. Those speakers also stated that the conclusions did not sufficiently stress the obligation of States to ensure their civilian character and to protect such camps.

43. Many delegations noted with satisfaction that the Executive Committee had finally agreed to condemn military attacks against refugee camps and settlements. Those same delegations expressed the wish that the appeal to prohibit such attacks be heard and respected.

44. Many delegations welcomed the Sub-Committee conclusions on refugee children. The particularly vulnerable position of that group of refugees was emphasized, as was the physical suffering and abuse and the psychological damage endured by them. Several speakers encouraged UNHCR to develop a fuller understanding of the specific needs of children and to reinforce co-operation with agencies and bodies specialized in the field. Several delegations noted the importance of linking the work of UNHCR on behalf of refugee children with the work being carried out in connection with an international convention on the rights of the child.

45. One observer, while welcoming the conclusions on refugee children, felt that there were issues in addition to the above that required stronger recognition. They included the right of every child to a nationality and the need for universally-agreed rules to eradicate statelessness, the importance of recognizing each child as an individual, of taking due account of individual experiences in assessing needs, as well as of allowing children to participate directly in this process, the right of children not to be detained and the key role to be played by international and national voluntary agencies. The observer also stressed the importance of expediting status claims of unaccompanied children and of adults who had left their children behind. One delegation called for those observations to be noted.

46. A number of delegations felt that greater attention should be shown to the specific problems of refugee women. The guidelines of UNHCR on refugee women were welcomed. Several delegations called for a report on their application in the field to be submitted to the Executive Committee at its thirty-ninth session. Concern was expressed that the Working Group on Refugee Women had been dissolved. One delegation emphasized the need for a mechanism to co-ordinate the Office's activities for women. Others recalled the Executive Committee's conclusions on women and felt that the reference to women's problems in the note on international protection was too brief and evidenced a lack of concrete action, which was not commensurate with the gravity of the problem. One speaker called upon UNHCR, in its report on the subject to the Executive Committee at its next session, to identify practical steps it had taken to increase awareness of, and respond to, the problems of both refugee women and children. Another speaker drew attention to a national organization in his country entrusted with seeing to the needs and integration of refugee children and suggested that the organization would be happy to share its experience with UNHCR. Several speakers said that they were generally not in favour of distinguishing between categories of refugees.

47. With regard to travel documents, many speakers agreed on the importance of their issuance for the freedom of movement of refugees. One delegation reported that rules of procedure for the issue of travel documents had recently been prepared in his country and would soon be approved.

48. Many speakers, in commenting on issues raised in the note on international protection, expressed their appreciation for its comprehensive coverage of the topics. Much support was given to the activities of UNHCR to promote accession to international instruments and to disseminate information on refugee law, including case law. One delegate noted, with approval, the plans to resume the refugee law course at the International Institute of Humanitarian Law in San Remo. The important role of the Institute in the field of development and dissemination of refugee law was underlined.

49. Many speakers noted that effective protection of refugees depended on the fullest co-operation in a collective effort under the leadership of the High Commissioner. Protection must be pragmatic, not expedient, and activities should be dynamic, responding to specific needs as they arise. They underlined that protection was inextricably linked to the other activities of the Office and was rightly part of a new integrated approach. There was now a need for closer co-ordination and co-operation between the field and Headquarters, as well as, at Headquarters, between the Division and the bureaux. The latter point was also made by several other delegations, one of which queried whether, in the recent past, UNHCR had responded in a sufficiently timely or effective manner to large-scale refoulements, suggesting that the bureaux may not be working closely enough with the Division.

50. Many delegations stressed the fundamental and essential character of the protection function of UNHCR. One delegation emphasized the Office's apolitical, neutral character, which ensured for it a main role in the protection of refugees and their human rights regardless of politics or ideologies. Many delegations drew attention to the responsibility of asylum countries to guarantee the basic human rights of refugees and identified the promotion of human rights as an important weapon in combating refugee problems. One delegation said that, rather than being the last resort on international protection, the High Commissioner and his Office were the first resort, and that any further development of the Office should make

it clear that protection was a primary concern. A number of delegations called for enhanced training of UNHCR staff to improve the Office's protection capacity. Other speakers underlined the important protection role played by non-governmental organizations.

51. Several delegations noted that protection was a continuum. They stressed the need to tackle root causes and commended UNHCR for highlighting that need in the note on international protection. It was suggested that action, not words, was now needed. Several speakers referred in this connection to the recent peace accords signed in Central America and Sri Lanka.

52. A number of delegations referred to the grave protection situation facing refugees in southern Africa, which they said merited the concern of the High Commissioner at the present session. Some delegations expressed serious concern that UNHCR had not responded in a timely or effective way to recent large-scale refoulements in southern Africa.

53. Many delegations reaffirmed that Palestinian refugees fell within the protection mandate of UNHCR. They condemned attacks against Palestinian refugee camps and expressed the hope that the Executive Committee conclusions on military attacks would be extended to these refugees.

54. Other delegations drew attention to attacks on camps in Pakistan and on the Thai/Cambodian border. Two observers contested the assertions made in respect of these situations. Other speakers, exercising their right of reply, expressed disagreement with those observers.

55. In commenting on current problems facing asylum-seekers in the granting of asylum, some delegations differentiated between asylum as a temporary situation and a legal notion of temporary asylum. Both were different and the latter led to situations detrimental to the protection of refugees, such as the establishment of closed camps. Another speaker emphasized that temporary asylum did not justify limiting protection to refugees. Full protection must continue to be provided.

56. Many speakers supported the principles in the note concerning voluntary repatriation, emphasizing that any repatriation must be voluntary. One delegation said it should only be pursued where the concerned Governments and security forces could guarantee the physical security of the returnees and their freedom to settle where they wished. One delegation stated that in all regions, the withdrawal of foreign troops is a pre-condition for voluntary repatriation. Many speakers encouraged UNHCR to pursue voluntary repatriation actively. One delegation, while endorsing the principles in the note, stressed that [any] repatriation should not be premature and should not be politically misused. Another speaker felt that conditions of security in the country of origin must be such as to allow full integration of the returnees without fear of persecution.

57. As regards durable solutions generally, there was widespread support for the collective approach and the process of consultations initiated by the High Commissioner. One speaker suggested that resettlement should only be pursued as the durable solution of last resort and in the context of an internationalization of the burden. Another delegation stressed the necessity of resettlement, particularly in the case where the security of refugees was in danger, and called upon States to provide resettlement for such cases. One delegation suggested that the availability of resettlement places and the magnitude of the problem of

irregular movements were interrelated and called for recognition that lack of resettlement places and strict immigration controls exacerbated the problem of irregular movements. A few delegations commented that there should not be undue emphasis on regional solutions, considering the heavy burden on neighbouring countries.

58. Reference was also made to programmes facilitating the durable solution of local integration or rural settlement and to a need for them to be supported by the international community. A further speaker, in commenting on local integration, suggested that it should be sought in the region of the country of origin, particularly in the case of those fleeing situations of violence rather than persecution in the sense of the 1951 Convention. There was widespread support for regional solutions but, in the context of the High Commissioner's process of consultations, one delegation felt that the impression should not be given of favouring the concerns of one group of States. Another delegation said that a formula that favoured regional or local integration without sufficiently elaborating on resettlement possibilities would be inequitable and would have little chance of being followed.

59. One speaker felt the note was unbalanced in its emphasis on the European and North American response to irregular movements of people. A number of delegations explained generally, and/or in relation to the prevailing situation in their own countries, their position that immigration, entry and visa controls were a sovereign right, were justified and indeed assisted the more effective application of existing asylum and refugee status determination procedures. In this connection, they drew attention to the high percentage of manifestly unfounded and abusive applications for asylum. They condemned unscrupulous traffickers in human misery, as well as those who enticed asylum-seekers or asylees to move from the country of first asylum to third countries in the hope of a better future. One speaker noted that such problems associated with irregular movements were not specifically European but global, and that persons involved were not only from the third world. Another speaker identified a need to seek solutions to specific refugee problems on a global level. One observer, however, wished to underline that harmonization had both its advantages and dangers. The comment was also made that, if the policies on a global level were successful, the European response could in turn become more restrictive. One delegation observed that measures applied by one State could lead to a diverted flow to another.

60. Other speakers drew attention in this context to the importance of international solidarity and burden-sharing. In the view of several delegations, developing countries should be considered as "donor countries", because they provide their territory and in this way contribute to sharing the burden.

61. In the context of the subject of irregular movements, raised by many speakers, one delegate said that problems for States arising out of destruction of identity documents included: resulting admission of persons posing security threats to the refugee community; difficulty of distinguishing genuine from unfounded applications and a resulting loss of public faith in the institution of asylum; and interference with the legitimate right of persons wishing to live within their boundaries. One delegation reiterated the importance it attached to the maintenance of judicial procedures for the determination of refugee status.

62. One delegate referred to the magnitude of the refugee problem in his country, which had required the introduction of regulatory measures and emphasized that, as

a result of the increase in migratory elements, the recognition rate in his country had dropped enormously. Another delegate, while noting that restrictive policies could adversely affect refugees, felt that it was not realistic to say that the fundamental tools of immigration control should be abandoned. Rather, he suggested, it was better to approach the problem by asking how to ensure that immigration controls do not affect refugees in improper ways. Efforts should be redirected to the identification of such safeguards. There had already been some progress in this regard in his country.

63. Several other Delegations called for greater flexibility on the part of asylum countries in the criteria to be applied in status determination and for admission. Many stressed non-refoulement as a corner-stone of refugee protection and a fundamental principle of international law. One speaker felt that quicker decisions on status would reduce the likelihood of refoulement, while another called in this context for simplified and accelerated resettlement procedures. The former speaker also suggested that there was a need for asylum States to act to suppress negative public reaction to refugees and to encourage public solidarity and respect for refugees. Another speaker drew attention to the happy, or privileged, position of developed asylum States, urged them to maintain protection principles and, as required, to make the necessary sacrifices.

64. A number of speakers welcomed the document circulated by the European Consultations on Refugees and Exiles concerning an asylum policy for Europe. They said that, while it was not likely that all States would or did agree with all suggestions in it, the document was a helpful basis for further dialogue on the fundamental issues. The content of the document was outlined by one observer, who described the proposals in it as an alternative to the deteriorating situation and as being designed to maintain the institution of asylum in Europe. Several speakers also complimented the activities of the UNHCR Co-ordinator for Intergovernmental Consultations on Asylum-Seekers in Europe and North America.

65. A number of delegations supported the suggestion that had been made by one speaker during the meeting of the Sub-Committee of the Whole on International Protection, that the issues of organized irregular movements and destruction of travel documents should be put on the agenda of the next meeting of the Sub-Committee in 1988. One delegation suggested that there was a need to study the causes generating irregular movements which, in themselves, indicated that local integration or resettlement were not functioning properly as durable solutions. Several delegations expressed their appreciation for the willingness of UNHCR to participate with countries concerned in the search for practical solutions to the problem of irregular movements. In the longer term, an agreed common approach to practical measures would have to be reached. In this context, reference was made to the draft conclusion on irregular movements, which the High Commissioner submitted to the Executive Committee in 1985. Another delegation expressed serious doubts on the possibility of treating the problem as an isolated case under a separate agenda item and in abstraction from the elements which give rise to it.

66. One speaker called for Executive Committee members to be informed well in advance of the subjects that would be on the agenda of the Sub-Committee.

67. Several delegations felt that there was a need for UNHCR to establish a clear focal point for discussion of protection matters with interested Governments and non-governmental organizations, including those that were controversial. Other delegations suggested that the protection function of UNHCR, both at Headquarters

and in the field, should be strengthened. One delegation emphasized the importance of the Executive Committee as a focal point for the discussion of all protection matters.

C. Principles of UNHCR assistance

(Items 4 and 6 of the agenda)

68. In introducing agenda item 6, the Deputy High Commissioner stressed the need to relate the assistance philosophy and programme priorities of UNHCR to the accomplishment of the essential functions of the Office - namely, the protection of refugees - which in turn works for lasting solutions to their problems. Protection and assistance actions are therefore inextricably linked. At the same time, he stressed the operational character of UNHCR, which should be seen as distinct from the traditional implementation role of host Governments and non-governmental agencies. He noted that the operational character of UNHCR, as reflected in its activities to date, derives from its responsibility and accountability to the international community for the provision of effective services to refugees, notably through non-governmental organization partners.

69. The Deputy High Commissioner also explained that the human resources and management tools required to meet the challenges of UNHCR, including enhanced technical support services, professional procurement procedures, improved food logistics and modern financial management methods, must be applied at each of the four phases of refugee programmes, characterized as: (a) the early warning and contingency planning phase; (b) the emergency phase; (c) the post emergency care and maintenance phase; and (d) the self-reliance phase. In this manner, through an integrated protection and assistance approach, the ultimate objective of achieving durable solutions for refugees can be attained. In addition, those measures averted prolonged relief and dependency on international assistance while restoring a sense of dignity, self-confidence and hope to refugees.

70. The Deputy High Commissioner also reported that UNHCR was achieving increased precision in the evaluation of refugee needs, credibility in the formulation of programmes and vigour in the implementation of projects. In support of this, he noted that steps taken to enhance the capacity of UNHCR for effective planning and programme delivery had been commended by the Board of External Auditors. In this regard, it was indicated that additional support to this process would be welcomed by UNHCR. He went on to focus on the question of durable solutions for refugees in the developmental context, which was becoming a major thrust of the approach of UNHCR to refugee assistance generally, in close co-operation with other members of the United Nations family (see sect. E on refugee aid and development).

71. In commenting on the Deputy High Commissioner's presentation, some speakers stressed that UNHCR should implement its programmes in close consultation with host Governments. In this connection, the speaker noted that the needs of the host country should be carefully considered. At the same time assistance levels should be determined by one consideration: the concern for human misery and need, taken in the context of the host country. Many delegations referred to the logical linkage between the assistance principles of UNHCR, durable solutions and refugee aid and development. A delegation underlined the Board of Auditors assessment that there was ample scope for improvement and cost-saving in planning and delivery of intermediate assistance.

72. Several delegations welcomed the High Commissioner's opening statement, in which he indicated that UNHCR intends to go beyond the delivery of emergency aid and to apply in its emergency response to refugee crises, the establishment of basic services and timely action to promote self-reliance through, inter alia, the implementation of income-generating activities. Others underlined the need to implement equitable burden-sharing to alleviate the strains placed on developing countries with limited resources.

73. A number of speakers drew attention to the needs of two special categories among refugees - women and children. Various representatives proposed that the Consultative Working Group on Women Refugees in UNHCR be revived and requested that a report on the situation of refugee women and assistance measures benefiting them be prepared for the next session of the Committee. Another speaker also suggested a further study of the problem of refugee women in line with the Nairobi Forward-looking Strategies for the Advancement of Women 2/ and the ensuing Programme of Action.

74. Some speakers strongly underlined the specific needs of refugee children, estimated at more than 50 per cent of the total refugee population. It was noted that, while an analysis of UNHCR programmes revealed that there were nine types of assistance, comprising some 746 projects worldwide, the resources devoted to refugee children were still vastly limited and should be reviewed.

75. The importance of staff training in social aspects relevant to assistance programmes as well as the elaboration of guidelines related to these matters, especially with regard to refugee women and children, were noted.

76. A number of delegations addressed the increasing emphasis placed by UNHCR on an integrated approach to assistance and protection. However, one speaker expressed doubts about that development, noting that that approach may not do justice to the primordial protection function of the Office.

77. Raising the question of people from Western Sahara, one delegation deplored the fact that the assistance accorded to this group was becoming institutionalized over the years, with none of the generally envisaged solutions in view, especially as decisions of the Executive Committee link the granting of assistance to the promotion of durable solutions. After stating that the estimated number was inflated, he recalled that the census carried out by Spain in 1974 indicated that the population of the Western Sahara did not exceed 74,000. In this regard, the representative stated that for 10 years, his country had been seeking a census and identification of those living in camps in Tindouf.

78. The representative referred to reports in the international press that spoke of a strict control of persons in the camps of Tindouf, of the conscription and paramilitary training given to children. His delegation felt that UNHCR should be able to have free and permanent access to these camps to assure itself of proper use of its assistance and that the camps are not being used for military purposes.

79. According to another delegation, the refugee status of the Sahrawi refugees is indisputable, having been recognized for many years. That status justifies UNHCR's assistance, through its General Programmes, as well as international assistance in favour of those refugees. The proper use of this assistance has been checked regularly.

80. His delegation referred, moreover, to the agreement between his Government and UNHCR, an agreement which has fully proved its usefulness as witnessed by the exemplary co-operation existing between his Government and the many UNHCR missions which have visited the Sahrawi refugee camps.

81. As far as the evaluation of the programme in favour of Sahrawi refugees was concerned, his delegation underlined its justification and modest scale, given the real needs of these refugees.

D. Durable solutions

(Items 4 and 6 of the agenda)

82. All delegations emphasized that the search for, and the attainment of, durable solutions to refugee problems remained one of the primary tasks of UNHCR. A number of delegations expressed their appreciation for the Office's continued commitment to the search for durable solutions. They were particularly pleased to note the references to this by the High Commissioner in his opening statement. Many speakers expressed satisfaction that the High Commissioner had also mentioned the need for durable solutions to be pursued from the outset of refugee situations, that UNHCR would vigorously continue the search for durable solutions, and that in fact this effort would be made simultaneously and in complementarity with the Office's other pursuits.

83. Many delegations welcomed the increase in the UNHCR General Programmes budget for 1987-1988 devoted to durable solutions activities, and expressed the hope that the percentage of overall resources allocated to this sector would continue to increase, particularly for voluntary repatriation and local integration.

84. The delegations felt that, while financial support from the international community was important in the emergency and care and maintenance phases, a realistic approach to durable solutions had to be undertaken at the very outset, bearing in mind the need of first asylum countries.

85. All delegations confirmed that voluntary repatriation was the most desirable durable solution and took particular note of the Office's recent efforts and successes in that respect, in view of the 250,000 refugees who had voluntarily repatriated during the past year. Particular note was taken of voluntary repatriation successes in Africa and Central America.

86. A few delegations stated that, while they agreed that voluntary repatriation was ideally the most desirable solution, it was not feasible and practical in some situations. One delegate stressed that a durable solutions formula that was not balanced could have adverse effects on future actions by first asylum or transit countries. A few delegations noted with concern that many refugees had waited for a durable solution for a long time and that voluntary repatriation was not feasible for them in the immediate future.

87. Many delegations stated that, as voluntary repatriation was the best solution to refugee situations, efforts had to be intensified to achieve it more extensively. A few delegations welcomed voluntary repatriation within their region. Many delegations referred to the advantages of voluntary repatriation, which would allow refugees to be reintegrated in their own societies. One

delegation felt that the training of UNHCR staff in promoting voluntary repatriation would be helpful. The same delegation felt that voluntary repatriation would also be cost-effective and would also reduce the burden on first asylum countries. A number of delegations emphasized that due care should be taken to ensure the voluntary nature of the solution, under conditions of dignity for the refugee.

88. With respect to Indo-Chinese refugees, one delegation stated that special groups should be identified who could be voluntarily repatriated to their country of origin. The speaker provided the example of children of a certain age group who might be repatriated in order to be reunited with their parents. Two delegations referred to screening of arrivals as a factor in the attainment of durable solutions for bona fide refugees.

89. A number of delegations also referred to the advantages of local integration in a regional context, commenting that earliest self-reliance could help to relieve the burden on the host country, and requested UNHCR to enhance its efforts in this area.

90. One delegation suggested that UNHCR should endeavour to benefit from the experience of States, in particular developing ones, providing for work programmes of self-sufficiency and self-reliance for their own population. He referred to his country's experience in this context.

91. One speaker requested a review of the concept of handing over refugee rural settlements, leading to policy and implementing measures and the continuing role of UNHCR. He pointed out that, in many developing countries, even if such settlements were self-sufficient in food, they still required assistance in the areas of education, health, water supply, maintenance of infrastructure etc., and this was a challenge that Governments of most developing countries were unable to meet. In this context, one delegation asked that more attention be given to the development of human resources in settlements - refugee participation in creating employment opportunities and improved productivity was a vital ingredient.

92. One speaker described the increasing collaboration of the Commission of the European Communities with UNHCR especially in self-sufficiency oriented projects in Africa, Asia, Central and South America, as an increasing focus on voluntary repatriation programmes. He indicated that further support and resources for similar refugee and returnee programmes were available.

93. The role of the Technical Support Service in planning rural settlements was praised by several speakers, and one in particular recommended immediate short-term investments to strengthen and develop the Service.

94. A number of speakers stressed the need for international burden-sharing and solidarity with first asylum countries by the provision of resettlement opportunities when it was clear that other durable solutions were not feasible. Those speakers emphasized that, as the vast majority of the world's refugees are in first asylum countries, continued burden-sharing was of great significance. Several speakers expressed concern at the decreasing number of global resettlement places. Many speakers referred to resettlement as being the durable solution of last resort or preference. A few speakers stressed that resettlement should be pursued when it has been firmly established that it is the only possible solution. A few speakers referred to resettlement as a means of ensuring the protection of

refugees. A number of delegations emphasized that resettlement entailed difficult social and cultural adjustments for the refugees and that, in the absence of other solutions, resettlement in a more familiar regional setting would be preferable. A number of delegations reaffirmed their commitment to continue to provide resettlement opportunities in accordance with humanitarian considerations and in conformity with their respective criteria. A few speakers called for a broadening of the burden-sharing effort by non-traditional resettlement countries.

95. With respect to Indo-Chinese refugees, a few delegations felt that continued resettlement without the pursuit of other solutions would encourage the outflow of refugees and would not contribute to the continued securing of first asylum. One delegate drew attention to a significant increase in arrivals in Hong Kong from Viet Nam during 1987 as well as a dramatic decline in resettlement off-take. He said the resultant increase in the refugee population was giving rise to considerable public disquiet and a growing sense of frustration in Hong Kong. He urged the international community to look urgently for an effective method of tackling the continuing arrival in Hong Kong of economic migrants from Viet Nam, many of whom were not considered by resettlement countries as genuine refugees. One speaker expressed concern over stringent resettlement criteria based on immigration criteria.

96. A few delegations announced their general global resettlement places and called upon others to introduce similar general quotas. One delegation cited document A/AC.96/696 and noted that resettlement places made available to African refugees by European countries were limited to exceptional cases.

97. Several speakers addressed a proposal presented by one delegation aimed at a comprehensive approach towards the attainment of durable solutions. The proposal seeks to provide UNHCR with resettlement places from all States with a view to bringing about more equitable burden-sharing for those refugees in need of resettlement in third countries. The proposal envisages an increased role for UNHCR in that respect. As a consequence of the proposal, additional financial assistance should be provided to countries of first refuge, in particular, those countries with limited resources of their own.

98. A number of speakers expressed reservations to this proposal, which they found to be impractical and to infringe on the sovereign rights of States. The majority of those speakers said that they could not support the proposal. A few delegations expressed interest in the ideas contained in the proposal, which they found merited further consideration. One delegation stated that the proposal did not give the impression of taking into account, in a balanced manner, the difficulties encountered by countries of all categories, notably those of first asylum and transit countries. The speaker added, however, that, with certain modifications, the proposal could become balanced.

99. One speaker stated that international protection is vital to the Sahrawi refugees who await conditions favourable for their voluntary repatriation in accordance with the relevant resolutions of the General Assembly and of the Organization of African Unity. While awaiting such conditions, his delegation reaffirmed its commitment to a policy of solidarity, hospitality and assistance, in close collaboration with UNHCR. He said that it was within that framework that UNHCR deployed efforts to assist Sahrawi refugees under its General Programmes. It was his delegation's wish that UNHCR continue and reinforce that assistance, whose

usefulness and timeliness had been underlined many times, both by the Executive Committee and by representatives of the High Commissioner.

100. Another speaker deplored the unusual situation upheld for 10 years concerning the status of the "Sahrawi refugees" and the character of the camps, whose use for military purposes need not be established, and the fact that the situation was in violation of international conventions. After stating that only a minority of those people truly originated from Western Sahara, the delegation expressed its solidarity with them, while pressing for their return to their homes, in conditions of security and dignity, with all guarantees that the High Commissioner could so request. In the mean time, the speaker appealed for UNHCR protection for the people, especially since the testimony of many deserters from the so-called Polisario who were constantly received in his country was enlightening on the extortions, pressure and treatment inflicted upon them.

E. Refugee aid and development

(Items 4 and 6 of the agenda)

101. The Deputy High Commissioner spoke of the efforts by UNHCR to pursue durable solutions within a developmental context through the specialized agencies of the United Nations family and within the national development priorities of host countries. The cost-effectiveness of such co-ordination was stressed. The efforts assisted refugees but also involved the local population in refugee-hosting areas and contributed to the overall development efforts of countries of asylum. He cited a number of examples.

102. In the opinion of all the concerned parties, the success of the first phase of the income-generating project in refugee areas of Pakistan had led UNHCR to enter into a second phase with the World Bank, this time involving 91 sub-projects in the sectors of forestry, irrigation, watershed management, fisheries and rural roads, at a total cost of \$40 million. A memorandum of understanding had been signed, also with the World Bank, which set out co-operative arrangements for an agricultural project in Somalia, which will include a considerable number of refugees among the beneficiaries, and a joint mission will visit the country early next year to identify other such possibilities. In eastern Sudan, plans were well advanced for co-financing an agriculture/income-generating project geared to smallholders in refugee-affected areas with the International Development Agency (IDA). Joint projects with the International Fund for Agricultural Development (IFAD) were under preparation in a number of countries, including the Islamic Republic of Iran, Somalia, the Sudan and Uganda. Agreement had now been secured with the United Nations Development Programme (UNDP) on revised guidelines with regard to development activities affecting refugees. UNHCR was not a development agency and, to remain within its mandate, had to pass the baton on to agencies such as UNDP once its task was done. UNHCR would, in fact, like to see co-operation between UNDP at both ends of the refugee programme, beginning at the initial or emergency stage of a refugee influx when UNDP could act as a guide in identifying the long-term implications of a new refugee situation.

103. Regarding the Second International Conference on Assistance to Refugees in Africa, UNHCR still accorded high priority to the principles of actions and to these projects which could and should be re-energized if recipients, donors and international organizations all returned to the original process of the Conference

and accepted the challenge of "additionality". The Deputy High Commissioner believed that the international community could count on additional funds being available over and above economic development inputs and beyond general programme contributions to UNHCR - this had been convincingly proved by the enthusiasm for the income-generating project for refugee areas in Pakistan.

104. Most speakers welcomed the High Commissioner's efforts towards increased collaboration between UNHCR and the developmental agencies of the United Nations system in the context of refugee aid and development and voiced the hope that the collaboration could be further augmented, improved and implemented as well as widened to include co-ordination between all those agencies working in assistance and development. Several delegations commented that such co-ordination led to a better and more cost-effective utilization of the resources available. One speaker stated that a balanced improvement in living conditions and earning capacity for both refugees and host-country populations in the refugee-hosting area could be pursued simultaneously. One speaker endorsed the concept of integrated development in refugee-affected areas as long as the refugees were considered as an additional population not catered to within the national development plans of the host country, and that additional financing would be needed to cover that component.

105. Surprise was expressed by one speaker at the fact that UNHCR was not yet automatically included in all UNDP round-table meetings and consultative groups as well as World Bank consortia for refugee hosting developing countries. He urged Governments to ensure that the High Commissioner had access to these meetings, thereby facilitating the process of systematic transition of programmes from UNHCR to the development agencies of the United Nations system, within the development planning mechanisms of countries with large refugee populations or returnee communities. A number of other speakers endorsed the recommendation.

106. The inauguration of a second phase of the UNHCR/World Bank income-generating project in refugee areas of Pakistan was welcomed by most speakers and interest was shown by several delegations in the joint initiatives under way for other refugee-related development projects in a number of countries, both with the World Bank and the International Fund for Agricultural Development (IFAD). One speaker expressed interest in the evaluation of the Pakistan project and the lessons to be learned from it.

107. The role of UNHCR as catalyst and co-ordinator for projects linking refugee aid to development was emphasized by many speakers and several delegations requested that UNHCR also approach bilateral agencies and non-governmental organizations for possible co-financing and implementation of such projects.

108. A number of speakers from countries hosting refugee populations welcomed the approach outlined in the Deputy High Commissioner's statement and mentioned specific practical possibilities in their countries where such an approach might be adopted.

109. One speaker spoke of the need for developmental agencies to adapt their projects to incorporate refugees, where appropriate, and recommended that Governments who were members of UNDP and other developmental organizations should promote co-operation between those agencies and UNHCR in the governing bodies of those agencies.

110. The important role played by the Technical Support Service with regard to development-related activities, inter-agency co-operation and the involvement of implementing partners was noted by several speakers.

111. One delegation mentioned the special needs of women refugees. In its view, women should participate fully in all development programmes, not only as beneficiaries but also as agents so that, through income-generating and employment activities, they will be enabled to build a new life for themselves and their families. For those reasons, income-generating and employment activities played an important role. The speaker requested that UNHCR produce for the next session of the Executive Committee a summary of its activities aimed at helping women.

112. The importance of the role of non-governmental organizations in implementing refugee-related development projects was highlighted by one speaker, who referred to the fact that the mandates of many non-governmental organizations applied equally to nationals and refugees and covered both humanitarian aid and development co-operation. The same speaker made a plea for a fund to be set up at the international level for implementation by suitable non-governmental organizations to support projects of a developmental nature in areas affected by refugees and returnees. In the speaker's view, such a fund would provide more equitable burden-sharing, reduce donor costs, enable the refugees/returnees to become productive and facilitate regional solutions.

113. One speaker mentioned the intention of a number of voluntary agencies to present a detailed proposal to the High Commissioner on possible practical mechanisms to link humanitarian aid to development co-operation at the consultations with non-governmental organizations on UNHCR operations in early 1988.

114. A number of speakers referred to the importance of continuing the process begun at the Second International Conference on Assistance to Refugees in Africa; one delegation commented that despite the designation of UNDP by the General Assembly, little had happened in terms of development-oriented projects in Africa. The High Commissioner was requested to continue to solicit and secure further development-oriented refugee assistance - the Second International Conference should be put back on track. Speakers requested an updated report on projects such as the Conference for the next session of the Executive Committee.

115. In the view of several speakers, spontaneously settled refugees should also benefit from development-oriented projects at an early stage. Such projects would benefit both refugees and nationals and would function as a kind of pre-investment for the development of a refugee-affected region. Early participation of bilateral and multilateral agencies should be invited, together with follow-up investment, particularly in the field of agriculture, but also for the establishment of services and infrastructural development in the areas concerned. Such activities could help prevent local resentment towards refugees.

116. The improvement of the economic and development prospects in countries of origin could, according to several speakers, reduce the push factors underlying some of the current outflows of refugees. In this context, support was expressed by several delegations for the efforts by UNHCR to promote development activities benefiting both refugees and returnees in co-operation with the developmental agencies.

Responses by UNHCR (Item 6)

117. In responding to comments made under the item, the Deputy High Commissioner noted the need to redefine the concept and policy of self-sufficiency of refugee settlements in asylum countries in the developing world, and indicated that UNHCR shared the concerns expressed. He reassured delegations that those problems would be re-examined in order to put the programmes in the right perspective implying real and sustainable self-reliance.

118. Referring to one delegation's request that UNHCR also assist internally displaced persons in some countries, the Deputy High Commissioner stated that UNHCR was already studying ways in which such persons could be assisted.

119. The Deputy High Commissioner thanked representatives for their encouragement concerning the Office's efforts to translate its co-operation with developmental organizations into concrete operational arrangements, especially in refugee-related developmental programmes, which would also benefit local communities. He urged Governments to support that kind of inter-agency co-operation in other relevant forums, such as the governing bodies of development agencies. Regarding refugee women, he acknowledged the need to revive the working group within UNHCR, which would focus on their specific needs and design related programmes. UNHCR would ensure that a report on activities for women refugees was made available to the next session of the Executive Committee.

120. In referring to the Second International Conference on Assistance to Refugees in Africa, he indicated that UNHCR, together with other members of the Steering Committee, would strive to get the Trust Fund reconstituted and ensure the effective implementation of approved projects. He urged Governments to inform UNDP of projects that would fall under category 5 (c).

121. He reaffirmed that the operational role and increased monitoring capacity of UNHCR did not signify the latter's intention to become a substitute for non-governmental organizations or local implementing partners and be directly involved in the implementation of programmes, but was an assertion of its responsibility and accountability to the international community in ensuring the effective attainment of objectives set by the Executive Committee. The only area where UNHCR was involved in direct implementation was that of protection. Regarding the apparent decrease in allocations for programmes in Africa mentioned by one speaker, he indicated that the phasing-out of several special programmes in the Sudan and Somalia had brought the activities of UNHCR to the level reflected in the target presented to the Committee.

122. Commenting on the announcement by one delegation that a project using Lomé III funds in the sectors of health for joint implementation by the local donor representative, UNHCR, and the Commissioner for Refugees or the country concerned, was nearing definition, the Deputy High Commissioner said that, in his view, development constituted a challenge for other countries that wished to attract those funds.

F. Specific areas

(Items 4, 6, and 7 of the agenda)

1. Africa

123. The Head of the Bureau for Africa introduced UNHCR programmes in his region highlighting one of the main objectives of the Office, namely, the promotion of durable solutions, including voluntary repatriation. He also stressed the fact that there have been serious security problems, which have hampered the implementation of assistance programmes (delays in relief deliveries) and placed refugees, as well as staff members of humanitarian organizations, in jeopardy. This had added new burdens to situations already affected by protection problems, such as the physical security of refugees and returnees, forced recruitment, abusive detentions or expulsions and refoulement.

124. He said that the number of refugees had increased considerably in Malawi, where, according to the Government, there are 296,000 persons seeking refuge. Fortunately, there have also been numerous voluntary repatriation movements, involving notably Chadian, Ugandan and Ethiopian refugees. The Regional Bureau, together with the Technical Support Service, have intervened in several countries (such as Ethiopia and Malawi) in order to establish a sound basis for an efficient operation. In Ethiopia, Mozambique, Somalia, the Sudan and Uganda, they participated in joint missions with the World Bank, IFAD or UNDP in search of development-oriented solutions. That was done in the light of a comprehensive approach, including development requirements of the local population, which should also be taken into consideration.

125. Some delegations, as well as the Head of the Bureau, referred to problems created by the handing-over to local governments of old refugee settlements, the maintenance of which appeared to be far too expensive for the limited resources of those countries. The difficulties faced to ensure an appropriate follow-up to the Second International Conference on Assistance to Refugees in Africa were underlined, while some delegations manifested disappointment after the great hope inspired by the Conference.

126. One delegation thanked UNHCR for assistance provided to Namibian refugees, although approved projects were running behind schedule because of financial difficulties and not because of inadequate technical and organizational capacity of the operational partner, as mentioned in document A/AC.96/693 (Part I).

127. One speaker, in referring to the recent development of international assistance on behalf of displaced persons from Mozambique, expressed his country's gratitude, but underlined the importance of spontaneous assistance provided since the influx by the local population and by governmental bodies because local resources were insufficient to cope with the magnitude of the problem.

128. One delegation referred to the high population density and lack of arable land in his country, which made it difficult for both refugees and the local population to reach an acceptable level of self-sufficiency. UNHCR had to take that into careful consideration when reporting on its assistance activities, particularly as it related to refugee self-reliance.

129. Another speaker requested information on non-governmental organizations that had been asked to leave one country, and in particular on how their departure would affect the implementation of assistance programmes. The reply confirmed that one of three non-governmental organizations concerned was a UNHCR operational partner and that it was yet too soon to evaluate the impact of its eventual departure. In replying to a series of questions from another delegation, the Head of the Bureau said that discussions geared towards the solving of the exchange rate problem were soon to take place; UNHCR hoped to reduce considerably the existing reporting burden of all concerned through the introduction of its new reporting procedures; an investigation was to be undertaken on the problem of the 1986 overdue procurement; UNHCR had taken due note of the request for additional funding for the strengthening of the existing infrastructure for programmes for 1988; concerning the request for larger support on behalf of four refugee settlements in the country, UNHCR, together with the authorities, would carefully study the Technical Support Service report and the report prepared following a mission undertaken by a University of the country concerned. Any budgetary revision would be undertaken on realistic grounds. Several of these points were to be further discussed during bilateral meetings.

130. One delegation stressed the need for UNHCR to intervene urgently with appropriate means on behalf of thousands of Mozambican refugees who had recently crossed the southern border of its country.

131. The representative of the Organization of African Unity and several other speakers drew the attention of the Committee to the serious situation in southern Africa created by the destabilization activities pursued by the South African régime against its neighbours and the need to convene an international conference on the situation of refugees and war victims in the southern African region.

132. Those speakers welcomed the High Commissioner's participation in the convening of such a conference and called upon the international community for support to make it a success.

133. Several delegations underlined the necessity to address needs in countries where refugee influxes often have a negative influence upon their development process and mentioned the efforts made in order to support the Plan of Action of the Second International Conference on Assistance to Refugees in Africa. Another observer expressed concern over a shift in the form of assistance provided to the liberation movement of his country and sought to renegotiate a particular project.

2. Asia and Oceania

134. The Head of the Bureau for Asia and Oceania said that there were two areas of significance in the region. First, the humanitarian problem in South-East Asia, where some 1.6 million people had sought asylum during the last 13 years, of whom some 140,000 still remained in refugee camps, and where the outflow and resettlement continued without interruption. Second, the situation in South Asia where, following the recent accord between the Governments of India and Sri Lanka, significant developments were taking place.

135. In reporting to the Executive Committee on those issues, the Head of the Bureau also wished to underline the situation of individual asylum-seekers who find

themselves victims of harsh deterrent measures, including detention, and therefore, presented a plea on behalf of those victims.

136. Reverting to the situation in South-East Asia, he stated that, currently, the well-established structure of temporary asylum allowed for the transit of asylum-seekers but excluded local integration as all solutions to date had been resettlement-oriented. He therefore referred to the key role played by resettlement countries, such as, Australia, Canada, China, the United States of America and the European Economic Community (EEC) countries, as well as by countries and territories within the region, i.e., Hong Kong, Indonesia, Malaysia, the Philippines, Singapore and Thailand.

137. He said that the time had come to intensify efforts in search of a long-term solution for all aspects of the problem, which should be compatible with humanitarian norms and the imperatives of the mandate entrusted to UNHCR and should include voluntary repatriation, even though that had so far remained an elusive goal. The resolution of the procedural problems, which had slowed down the Orderly Departure Programme and the efforts made towards finding solutions to the problem of asylum-seekers from Laos, were also among the main issues addressed by UNHCR in the region, as well as the positive effects of the Anti-Piracy Arrangement, which was implemented by the Royal Thai Government and which had been renewed for another year.

138. Finally, it should be noted that in South Asia, between January and April 1987, some 5,000 Sri Lankan Tamils had found their way back from India to northern Sri Lanka. Since the signature of the accord, 4,000 additional people had returned. Therefore, in response to an appeal made by the Government, a memorandum of understanding had been signed with the Sri Lankan authorities, whereby UNHCR provided \$2 million towards the assistance of returnees and displaced persons in Sri Lanka. From the beginning, the programme has been co-ordinated with other United Nations agencies as well as with financial institutions, such as the World Bank and the Asian Development Bank.

139. One delegation referred to the situation in South-East Asia, as described above, and stressed serious signs of "fatigue", which may have unpredictable consequences. He said that the time had come to tackle all aspects of the problem and to engage concerned Governments in an effort to find solutions. Voluntary repatriation efforts should be pursued and UNHCR had an important role to play in such efforts. The same delegation underlined recent developments in Sri Lanka and supported UNHCR activities in this country.

140. One speaker stressed the fact that his country hosts the vast majority of the refugee population in South-East Asia, and therefore commended UNHCR assistance to all countries concerned in the region. He was also concerned by the need for appropriate solutions and called for additional efforts that would increase resettlement opportunities. He finally mentioned the implementation of screening procedures for newly-arrived Lao, which should permit the identification of "economic migrants" who would be returned to their country. However, none have so far been allowed by the authorities of the country of origin to return home.

3. Europe and North America

141. The Head of the Bureau for Europe and North America noted that, while material assistance needs in the region were relatively limited, owing to the role played by Governments and non-governmental organizations, the concerns of UNHCR were fundamentally the same as elsewhere: international protection and sustained movement towards solutions for refugees. In this context, she underlined that virtually no country in the region had remained immune to continuing spontaneous arrivals of asylum-seekers from other continents. While Governments at national and regional levels understandably sought to preserve the integrity and credibility of asylum procedures against abuses, UNHCR remained concerned that measures taken may impair legitimate rights and interests of asylum-seekers and refugees. Harmonization efforts in this respect were under way in a growing number of intergovernmental forums. Within these forums, considerations relating to the need for international protection of refugees and to the need for a global approach to the world refugee problem did not appear to be fully taken into account. She urged, beyond respect for the fundamental principle of non-refoulement, that: asylum-seekers in need of international protection should not be prevented from gaining admission to a country of asylum; asylum-seekers should have access to a fair procedure, which incorporates the necessary guarantees; and measures taken by receiving countries should not result in such persons being unable to leave their country of origin at all.

142. She said that UNHCR and Governments in the area had devoted particular attention to the process of informal consultations, begun in 1985, and that the working groups established last year had met regularly to examine an approach to possible solutions for specific groups of refugees and asylum-seekers. In this context, UNHCR had urged Governments to lend all possible support to Sri Lanka's rehabilitation efforts and to refrain from any premature action, which could have serious negative consequences for the current process.

143. In the midst of these complex problems and multiple initiatives, it was of the greatest importance that distinctions among the various categories of aliens seeking admission to countries in the region - often blurred in the public mind - be brought into sharper focus. The unique character of the need for international protection of genuine asylum-seekers and refugees must be clearly recognized, and thus elicit the humanitarian response that it deserves. To this end, Governments, UNHCR and non-governmental organizations could, and should, play their role.

144. Regarding the document circulated by the European Consultation on Refugees and Exiles (ECRE) entitled "A Refugee Policy for Europe", she stated that UNHCR considered it to be a commendable initiative representing a global approach. Further contacts between ECRE and UNHCR in this regard were envisaged.

145. One speaker wished to stress the excellent working co-operation existing between his Government and UNHCR and noted that although there had been fewer recognitions in his country in 1987, the recognition rate, at 33.8 per cent, remained relatively high.

146. One delegation stated that the refugee population in its country, as indicated in document A/AC.96/693 (Part III), did not reflect the whole situation. Many asylum-seekers who were not granted refugee status were none the less granted permission to remain on humanitarian grounds. UNHCR took note of the clarification.

4. Latin America and the Caribbean

147. The Head of the Bureau for Latin America and the Caribbean introduced the programme in his region and recalled that most South American refugees had returned home, while the number of refugees in Central America was about 312,000, of which 120,000 benefited from UNHCR assistance programmes. In addition, he stated that there were undetermined numbers of illegal exiles who had no official status but who faced problems similar to the caseload of recognized refugees. During the past years, thanks to the political will and efforts of Governments, the work of UNHCR-sponsored Tripartite Commissions (representatives of UNHCR as well as countries of asylum and origin), and because of the increasing anxiety and stress of refugees living in closed camps for many years, repatriation movements had sent a larger number (6,000) of refugees back home than in 1986. UNHCR had, therefore, opened offices in El Salvador, Guatemala and Puerto Cabezas in Nicaragua, to ensure that the best possible repatriation conditions were offered to refugees.

148. In this context, the Head of the Bureau referred to the meeting of a group of experts convened by the High Commissioner in May 1987, and to their recommendations, which proposed the organization of a regional conference in 1988. Finally, he pointed to the recent signing by five Heads of State of Central America of a "Peace Plan" in which the refugee problem was given an important place.

149. One representative described the complexity of the refugee situation in Central America. He recalled steps taken to achieve durable peace in the region, including the efforts of the Contadora Group and its Support Group and the provision of the Regional Peace Accord, which also highlighted the impact of the refugee problem in the regional conflict as reflected under section 8 of the Accord. The speaker noted that the Accord, together with the parallel efforts of the Tripartite Commissions for voluntary repatriation, were creating an improved climate for resolving the refugee problem. He underlined the role of UNHCR in the process and appealed to the international community to increase its support for ongoing refugee assistance and protection in Central America, in conformity with a similar appeal under the Peace Accord. The delegate then presented a draft declaration on paragraph 8 of the Accord relating to the refugee problem for consideration by the Executive Committee.

150. Several delegations supported the proposal, while a number of speakers recalled their interest in the implementation of the Peace Pact and in the convening of an international conference in 1988 on refugees. Other speakers commended the assistance efforts of UNHCR in the region. One speaker appealed to UNHCR to accelerate the implementation of a reforestation programme in his country, aimed at offsetting the impact of the refugee presence (on the ecological balance) in their area of settlement. The Head of the Bureau assured the Committee that relevant steps were being taken in that respect.

151. In a statement to the Committee, one delegate requested that his country, as host to a relatively high number of Central American refugees, be associated with the various regional initiatives aimed at resolving the refugee problem. Another representative expressed similar interest in participating in regional efforts described under the Peace Accord in view of the substantial number of Central American refugees living in his country, as well as its role in the peace-searching process of the region.

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

152. Introducing the programme for this region, which hosts the largest refugee population, the Head of the Bureau for the Middle East, North Africa and South-West Asia informed the Committee of three new operations in Iraq, the Islamic Republic of Iran and Yemen, and described the main protection and assistance issues of concern to his Bureau. He stated that the adoption by the Sub-Committee of the Whole on International Protection of Conclusions on Military and Armed Attacks could not be more welcome in a region seriously affected by that type of problem. While welcoming the adhesion by the Islamic Republic of Mauritania to the 1951 Convention and 1967 Protocol, he expressed regret that some countries had hardened their asylum policy. He stated that assistance activities had focused increasingly on the needs of women and children, especially in the fields of health and education, which have top priority in programmes in the region. After the successful completion of the first phase of the World Bank/UNHCR income-generating project in Pakistan, a second project had started on 1 October with a budget double the size of the first one. In the Islamic Republic of Iran similar types of projects were being considered, in co-operation with IFAD. Furthermore, UNHCR had benefited from the support of organizations such as the Islamic Development Bank or Arab Gulf Programme for the United Nations organizations and are endeavouring to reach working agreements with the Organization of the Islamic Conference, the Arab League for Education, Culture and Science, as well as the League of Arab States.

153. The Head of the Bureau concluded by calling upon delegations to establish a more generous asylum policy for resettlement to third countries for those who only enjoyed temporary asylum, and for access by UNHCR to all refugees. Finally, he sought more adhesions in the region to the international instruments and for the conclusion of the draft regional refugee convention.

154. One speaker requested that his serious reservations regarding assistance to persons in Tindouf in Algeria be placed on record.

155. Another delegation 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. Another delegation stated that it continued to place confidence in UNHCR to ensure equitable assistance to the two existing communities in Cyprus, adding that it intended to avoid politicization of humanitarian issues and would not wish to deal with an issue of a political nature which is not within the competence of the Executive Committee and the mandate of UNHCR.

156. One speaker described the situation of Afghan and Iraqi refugees in the Islamic Republic of Iran, noting that the UNHCR contribution was very small in relation to the refugee population and urged that additional resources be provided to adequately support refugees, including, for instance, extension of income-generating projects and development schemes. In his reply, the Head of the Bureau indicated that comparisons between the funding of programmes could be dangerous, as each one was established with due consideration given to specific conditions. In the case of the Islamic Republic of Iran, he noted that there was a commendable policy of spontaneous integration, which averted the need for establishing care and maintenance camps. At the same time, he noted that there had been a gradual increase of the UNHCR Programme in the Islamic Republic of Iran since its inception in 1983, while co-operation with other United Nations-related

agencies, e.g., the World Food Programme (WFP) and the World Health Organization (WHO), had supplemented international assistance to refugees.

157. One speaker underlined the symbolic importance of the UNHCR presence in Lebanon and expressed the hope that assistance would continue and increase, given the tragic circumstances of the country and the large number of displaced persons. In commenting on that point, the Head of the Bureau stated that UNHCR had maintained an uninterrupted presence in Lebanon since the beginning of events in 1976. In that regard, he also noted that, regrettably, UNHCR had not been invited to participate in the recent United Nations inter-agency mission to Lebanon.

158. One speaker referred to the problem of Iranian refugees in Iraq where they were under the protection of the International Committee of the Red Cross and were assisted by the Government of Iraq.

159. Requesting the right of reply, another speaker expressed the hope that this group would not be utilized for subversive acts and military purposes. Replying to that statement, the earlier speaker stated that his delegation did not wish to politicize the debate, but challenged that the evidence of the assertion be brought before the Committee.

160. One speaker described the situation in the People's Democratic Republic of Yemen, adding that there was an increasing number of returnees. Another speaker outlined the difficulties facing that country in assisting refugees, as a result of economic problems and natural disasters. He asserted that his country continued its efforts and contacts with the authorities in the southern part of Democratic Yemen with a view to ensuring the speedy, safe and voluntary return of the displaced persons. He stated, however, that co-operation with UNHCR was increasing. In commenting on the subject, the Head of the Bureau stressed the humanitarian character of UNHCR assistance, noting that UNHCR would provide assistance for voluntary repatriation provided that all the conditions for the process were met.

G. Administrative and financial questions

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

161. The Chairman opened discussion on item 8 (b) of the agenda, remarking that complete and frank discussions had taken place in the meetings of the Sub-Committee. He expressed the hope that the guidelines which had been adopted by consensus in the Sub-Committee could be converted to conclusions of the Plenary without need for further extensive discussions. He emphasized, however, that each delegation was free to express its views in the discussion to follow. The Chairman expressed his hope that it would be possible to adopt the report of the Sub-Committee and the conclusions it contained by consensus.

162. The Deputy High Commissioner then introduced item 8 (b), calling attention to the relevant document and the assurances and commitments made during discussions in the Sub-Committee and the Plenary by the High Commissioner and himself. The report and the conclusions of the Sub-Committee reflected the serious and thorough examination by Member States and the Office of the important questions before the Executive Committee. The changes made since 1986 were necessary, addressing recurrent problems identified by the auditors, Executive Committee members and

UNHCR staff. The restructuring of the Office was aimed at a more efficient delivery of an integrated protection/assistance programme in the field, with trained professional support at Headquarters. Efforts continued to ensure clearer job descriptions and statements of responsibility, improved operational procedures, a fair and objective personnel evaluation system, improved training and better conditions in the field. The need to apply with renewed vigour basic principles of leadership and to maintain an effective dialogue with the staff was fully accepted. The temporary bulge in staffing levels would be eliminated over the next three years, returning to staffing levels of 1 January 1986, with further reductions beyond that figure if possible. Steps were being taken to reduce travel costs. Finally, both the Advisory Committee on Administrative and Budgetary Questions and the Board of External Auditors had supported the management reforms undertaken by the Office and the Advisory Committee had recommended approval of the financial targets for 1987 (revised) and 1988. As was known, those targets had been reduced during the course of the session and he hoped that the revised targets would be adopted by the Committee.

163. The Chairman of the Staff Council recalled that it had been his duty to deliver a statement of sober tone on behalf of the staff to the Sub-Committee on Administrative and Financial Matters. It had been an extraordinarily difficult year for staff, resulting in, inter alia, a serious problem of staff morale, the reasons for which were unnecessary. What was necessary was to affirm that the staff of UNHCR in the field and at Headquarters were dedicated to the humanitarian cause of the Office. Despite the difficulties faced, the UNHCR staff in the field had continued to spare no effort in their defence of the protection and welfare of refugees. High staff morale was indispensable to the effective performance of UNHCR for refugees.

164. One might well recall the cornerstone of the Charter of the United Nations: "to save succeeding generations from the scourge of war". The pursuit of peace was a difficult calling. In its humanitarian endeavours on behalf of refugees, UNHCR may in its way contribute to the cause of peace. The Office had been awarded the Nobel Peace Prize twice, and the staff's dedication and loyalty were nourished by ample inspiration.

165. The causes of low staff morale lay in the approach to change in the Office since 1986, and in personnel policies and issues. The message from the staff was threefold: first, they were ready to contribute with enthusiasm to such changes as might be credibly needed. Second, an effective UNHCR response to present challenges must build upon recognition of achievements of the past and of those who contributed to them. Third, the best basis for progress was participation of the staff and their representatives in the elaboration of plans for the Office; established staff-management bodies and procedures should be respected.

166. The Report of the Sub-Committee stated: "the commitment was noted of the Chairman of the Staff Council to contribute with enthusiasm to changes needed to enhance UNHCR's performance for refugees". This commitment was not new and should be seen in the context of the message from the staff. It was necessary to recognize the hard work, courage and devotion of international and local staff members in the field. Tribute should also be paid to those who lost their lives while performing their duties.

167. The staff had been much encouraged by the positive reactions of so many delegations to its message, and by the statements of the High Commissioner and

Deputy High Commissioner. The staff hoped to be able to work together on concrete measures to improve the situation and to report to the Executive Committee in 1988 on progress achieved.

168. The Chairman, on behalf of the Executive Committee, joined in the tribute paid to the UNHCR staff members who had lost their lives in the past year while performing their duties in the interest of refugees, and expressed sympathy to their families. He expressed the complete confidence of the Executive Committee in the staff of UNHCR. Turning to the text of the report of the Sub-Committee on Administrative and Financial Matters and the conclusions contained therein, the Chairman noted a few textual amendments to be made in paragraph 75 of the report. He then opened the floor to discussion.

169. Several delegations stated that both the letter and the spirit of the recommendations of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations and subsequent decisions by the General Assembly must be applied to all activities of UNHCR. Even while recognizing the humanitarian nature of the Office, there could be no exceptions to the application of the decisions arising from the work of the Group of High-level Intergovernmental Experts. In this regard, a few delegations stated that the reduction in the number of posts decided by the Secretary-General and mandated by the General Assembly should be applied to the staffing levels that existed as at 1 January 1986. It was not possible to ignore the constraints upon the United Nations system at the present time.

170. Several delegations expressed their concern over the increase of support costs in the 1988 target figures. One speaker noted that the costs increased both in absolute terms and as a percentage of the total budget and, noting that a major portion of the increase was in the form of staff costs, stated that the growth in staffing levels could not be convincingly explained in terms of work-load measurements.

171. Several speakers expressed their concern over the recent increase in staffing levels and stated that it had to be reduced. They welcomed the assurances given by the High Commissioner and the Deputy High Commissioner that the temporary increase in staff would be eliminated by early 1990, when staff levels would return to that of January 1986. Several delegations emphasized that further review of the possibilities for staff economies should be made, with a view to reductions below the level of January 1986. It was important to some delegations that attention be devoted to the establishment of priorities within UNHCR, with a view to meeting new requirements for human resources in protection and assistance to meet refugee needs by redeployment of existing staff.

172. One delegation emphasized that, while it supported in principle the return to staffing levels of January 1986, or further reductions if possible, it was necessary to interpret the commitment of the High Commissioner to return to previous staffing levels as being undertaken in a relatively stable refugee situation and that any development of a major new refugee situation would have an effect on the commitment. Many speakers stated that their Governments were committed to ensuring that the High Commissioner had the resources available to meet essential refugee needs.

173. Several delegations welcomed the revised levels of the 1988 targets. One speaker accepted the reduced amounts even though his delegation would have wished

to see greater reductions. Two delegations accepted the revised formula for calculating the level of the Programme Reserve for 1988, but noted that it was an experiment and would have to be reviewed at the next session of the Executive Committee in the light of experience gained.

174. Virtually every speaker expressed support for the guidelines agreed upon by consensus in the Sub-Committee on Administrative and Financial Matters. Some stated, however, that they were not completely in agreement with all the provisions of the text adopted by the Sub-Committee, but that they joined the consensus in a spirit of co-operation. Several speakers called attention to the need for the Office to heed the contents of the guidelines. One delegation emphasized that the adoption of the guidelines should not imply a reduction of the authority conferred on the High Commissioner by the General Assembly of the United Nations to carry out his tasks of protection and assistance.

175. One speaker, while supporting the adoption of the report of the Sub-Committee and the conclusions arrived at by consensus, noted that the Sub-Committee did not normally adopt conclusions. Those adopted at the current session of the Executive Committee had a specific focus on issues on the agenda of the session and should not be regarded as a shift in the relative responsibilities of the Executive Committee and the High Commissioner. It would be unfortunate, in the view of the speaker, if the Executive Committee became involved too closely in the management of the Office.

176. Several speakers expressed support for open communications between the members of the Executive Committee and the High Commissioner.

177. A number of speakers expressed appreciation for the statements by the Chairman of the Staff Council and emphasized the need for a dialogue within UNHCR between administration and staff to assure that the skills and experience of the staff were fully utilized in the reorganization and operations of the Office, and to improve staff morale, which was an important factor in the effective operation of UNHCR. In this regard, several delegations expressed their satisfaction with the statements by the High Commissioner and Deputy High Commissioner, which demonstrated their commitment to good relations and open communications within UNHCR.

178. Many speakers expressed support for the objectives of the reorganization of the Office and others expressed their support for the measures taken to date. They welcomed initiatives undertaken to improve the efficiency of UNHCR, notably the introduction of improved management tools, such as the Financial Management Information System and the creation of a Training Service. Several delegations stated that such an important reorganization should have been supported by a general consensus of the Executive Committee's member States before its implementation, stressing the particular importance of close dialogue between UNHCR and the Member States. One delegation stressed the need to complete the process of reorganization to provide the Office with the necessary means to respond adequately to the increasing complexity of its tasks. One delegation noted that the field was the focus of the activities of UNHCR and stated that delegation of authority to the field and staff rotation policy should be pursued more rigorously. Another delegation noted the absence of objective elements to measure the work-load of the Office with a view to establishing the levels of human and financial resources needed to accomplish its activities in the interests of refugees. Two delegations requested reports in the future on the improvements in the operations of UNHCR.

arising from the reorganization and implementation of management improvements. One delegation requested that consolidated information on the results of the reorganization be submitted as intended, including definitions of the core staff of UNHCR and operational and non-operational costs.

179. One delegation drew attention to the importance of the social services provided to refugees, especially women and children, and expressed concern that, in the context of the reorganization of the Office, the Social Services Unit might be merged with another Service. The speaker questioned whether adequate staff resources were being devoted to providing social services in the field and to supporting those activities at Headquarters, as was foreseen by the preparatory Conference for the 1951 Convention.

180. Two delegations noted the efforts that had been made to improve the geographical distribution of the staff of the Office and to increase the number of women in the Professional category and above. Both speakers stated that further efforts in those matters were required, paying particular attention to under-represented countries.

181. One speaker emphasized the importance of continued attention to measures to improve the conditions of work and life of UNHCR staff serving at field duty stations.

182. One delegation welcomed the fact that the use of the Revolving Fund would be limited to hardship duty stations.

183. Several delegations referred to the reports of the Board of Auditors and of the Advisory Committee on Administrative and Budgetary Questions. The recommendations of the Auditors were regarded as being important and realistic and UNHCR was asked to keep the Executive Committee informed of progress made. One delegation stated that the Auditors' findings were of concern to his Government.

184. One delegation supported efforts to improve the quality of documentation produced by UNHCR while reducing its quantity; more analytical texts were needed. The speaker also urged Governments to reduce their requirements for individual reports from UNHCR as a way of reducing both documentation and the staff resources required to produce it. General reports should be used to the extent possible for reporting to Governments.

185. One delegation announced the implementation of a new Junior Professional Officer agreement between his Government and UNHCR.

186. In responding to the statements, the Deputy High Commissioner noted the general support that existed for the objectives of the reorganization and management changes undertaken by UNHCR. He reminded speakers that the need for better monitoring and more precision in developing programmes were also the arguments for new management tools and the temporary bulge in UNHCR personnel. Those arguments had been fully aired in the proceedings, and spoke for themselves. He stated that the conclusions adopted by consensus provided a framework for the activities of UNHCR in the coming year. He also underlined the view expressed by one delegation that the adoption of such restrictive guidelines for UNHCR's conduct of operations should not need to be repeated in the future.

187. The Committee then proceeded to adopt the draft report of the Sub-Committee and its Conclusions, as well as proposals set out in Schedule A of document A/AC.96/696/Add.1 and 2.

188. One delegation recalled the reservation it had expressed in the Sub-Committee about the high level of the target for 1988 since, in its view, the 10 per cent increase over the 1987 target was not realistic under the present financial constraints of United Nations organs, and the increase was largely due to the increase in programme support and administration costs, mostly as a result of a reorganization it did not fully support. However, because of the High Commissioner's proposals to reduce that target by some \$10 million and in a spirit of co-operation, it would join the consensus on the understanding that the commitments made by the High Commissioner would be upheld in the coming year.

H. Fund-raising

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

189. The Head of Fund-Raising Services described the prevailing financial situation as being healthier than that of the corresponding period in the previous year. This was mostly due to larger contributions at the 1986 Pledging Conference and an improved flow of information between the Office and donor Governments on programme developments and funding requirements. He thanked all donors for their continued generosity and appealed for a timely response to meet the remaining General Programmes requirements for 1987.

190. He also referred to the Office's efforts to identify new sources of income and appealed to Governments to respond generously to the forthcoming Pledging Conference.

191. A few delegations announced their latest financial contributions for UNHCR programmes. A few delegations urged that UNHCR widen its donor base, which would include greater private sector participation. One speaker also appealed to traditional donors to maintain their contributions at 1986 national currency levels.

I. Non-governmental organizations

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

192. A large number of speakers expressed support and recognition for the role of voluntary organizations in promoting the refugee cause and ameliorating the plight of refugees. One pointed out the importance of using the non-governmental organizations in implementing refugee aid and development projects and highlighted the wide scope of their mandates, which enabled them to bridge the gap between humanitarian assistance and development activities. Some speakers welcomed the initiative of the European Consultation on Refugees and Exiles on asylum policies and procedures in Europe.

193. The representative of the International Council of Voluntary Agencies reaffirmed the commitment of non-governmental organizations to partnership with UNHCR in providing assistance to refugees and stressed the primary importance of protection. The agencies viewed protection as the fundamental task of UNHCR and

regarded the High Commissioner as the refugees' consul. He detailed the current concerns of the voluntary agencies with regard to what they viewed as the global crisis of refugee protection. He expressed the voluntary agencies' appreciation for the dedication and commitment of the UNHCR staff and stated that the former stood ready to work with UNHCR on the development of new management and monitoring systems relevant to their relationship as operational partners. The voluntary agencies urged the High Commissioner to focus more on refugee women in the coming years and called upon him to reconstitute the working group on refugee women within UNHCR. He welcomed the initiatives being taken by UNHCR to identify and respond to the needs of refugee children, which he hoped would lead, inter alia, to a more comprehensive and less ad hoc education component to refugee assistance programmes.

194. The representative of the International Committee of the Red Cross (ICRC) gave a description of his organization's activities related to refugee protection and assistance, which he saw as complementing those of UNHCR. In addition, he made reference to efforts made by his organization to improve and strengthen the basic instruments governing its action in favour of refugees. He also expressed his wishes for an even closer collaboration between ICRC and UNHCR. The Secretary-General of the League of Red Cross and Red Crescent Societies, in an appeal to Governments to respect human rights in refugee and asylum-seeker situations, noted the movement's assistance to refugees and continuing collaboration with UNHCR.

J. Inter-agency co-operation

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

195. While some delegations underlined the need to secure close co-ordination between UNHCR and other international organizations in cases of emergency, a large number of participants endorsed the efforts of UNHCR to strengthen its contacts with development-related United Nations agencies. Collaboration with UNDP and the World Bank was particularly praised. Support was expressed for the efforts of UNHCR to participate in the "round-table process" so that the transition of assistance from UNHCR to other United Nations agencies could be facilitated.

196. Several speakers mentioned the importance of the effective links between UNHCR and WFP, ILO and IFAD, while many others stated that UNHCR should pursue its efforts towards greater co-ordination and co-operation with other international organizations and non-governmental organizations.

K. Adoption of the draft agenda for the thirty-ninth session of the Executive Committee

(Item 9 of the agenda)

197. During consideration of the proposed draft agenda for the thirty-ninth session of the Executive Committee, one delegate indicated that, in view of the importance of the three themes under item 6 (assistance, durable solutions and refugee aid and development), he wished to be assured that the agreement reached during the March 1987 informal meeting of the Executive Committee was now well established, and that, accordingly, more time would be afforded to delegates for a meaningful discussion of the issues under item 6.

198. The Chairman confirmed that that arrangement had been accepted and would be complied with in future sessions of the Executive Committee.

L. Any other business

(Item 10 of the agenda)

(a) Observer participation in the Executive Committee, pursuant to Economic and Social Council resolution 1987/89

199. In his introductory statement, the Chairman referred to Economic and Social Council resolution 1987/89 of 9 July 1987 which concerns ways and means of improving possibilities for observer delegations to participate in the work of the Executive Committee, and he asked the Committee to reflect on that request. In view of time constraints, it had been impossible for the Committee to consider this matter. It was, therefore, decided to establish a working group of the Executive Committee, which would make proposals to be considered at the thirty-ninth session.

(b) Reconsideration of the need for summary records

200. The Committee considered document A/AC.96/XXXVIII/CRP.1, which provided background information relating to the need for summary records at sessions of the Executive Committee. It concluded that there was a strong justification to maintain summary records, but that a possible reduction in their length could be considered.

(c) Submission of the Executive Committee to the Special Commission of the Economic and Social Council on the in-depth study of the United Nations intergovernmental structure and functions in the economic and social fields

201. An open-ended working group met during the session to examine the above-mentioned matter. The working group prepared a paper, which was submitted to the Executive Committee as its proposed submission to the Special Commission of the Economic and Social Council. The paper was approved by the Committee, which requested the High Commissioner to transmit its response to the Special Commission.

(d) Draft medium-term plan for the period 1990-1995

202. The Head of Financial Services introduced the document concerning the medium-term plan (A/AC.96/XXXVIII/CRP.2) and referred to a note by the Secretary-General to the General Assembly describing its purposes. He also stated that the plan was intended exclusively for budgetary rules and requirements of the regular budget of the United Nations, and did not imply any expansion or alteration to UNHCR activities. He said that the draft medium-term plan was submitted to the Committee for review and comment before being transmitted to the Committee for Programme and Co-ordination (CPC), the Economic and Social Council and the General Assembly.

203. In view of the late distribution of the relevant document, a number of speakers, including the Chairman, considered that the Committee was regrettably not in a position to review, comment on or endorse the medium-term plan in the very short time available to it. It was therefore agreed that interested Governments would transmit their comments informally to UNHCR in due course. The comments

would be properly reflected in the final version to be sent to CPC, and other competent organs, explaining also that the Executive Committee had not been in a position to endorse it.

III. DECISIONS AND CONCLUSIONS OF THE COMMITTEE

General conclusions on international protection

204. The Executive Committee,

(a) Recognized that the increasing complexity of the present-day refugee problems throughout the world underlines the fundamental importance of the High Commissioner's protection function, his primary task;

(b) Recognized that the changing nature and elements of the contemporary refugee problem required greater understanding on the part of the international community of the special needs and circumstances of asylum-seekers and refugees and the full support of all States for the efforts of the High Commissioner on their behalf;

(c) Noted with particular concern the continued violation of the principle of non-refoulement in various parts of the world;

(d) Noted with serious concern the deteriorating situation of refugees and asylum-seekers in southern Africa;

(e) Expressed concern about the lack of adequate international protection for various groups of refugees in different parts of the world, including a large number of Palestinians, and hoped that efforts would be undertaken within the United Nations system to address their protection needs;

(f) Reiterated the High Commissioner's leading role in respect of the protection of refugees and called upon him in particular to continue to take, alone or in co-operation with concerned States and agencies, all possible measures to ensure their physical security, inter alia, with respect to physical violence, piracy, military and armed attacks, and arbitrary detention;

(g) Took into account that refugee women have special protection and assistance needs as well as special resources which can be utilized for the benefit of all refugees, reiterated the need to give particular attention to their situation, with a view to improving existing protection and assistance programmes, and called upon all States and concerned agencies to support the High Commissioner's efforts in this regard;

(h) Recognized the need to collect reliable information and statistics about refugee women, to increase awareness about their situation and to incorporate information about their needs in the Office's training programmes and called upon the High Commissioner to report in detail at the thirty-ninth session of the Executive Committee on the particular protection and assistance problems and needs of refugee women and on the concrete measures taken to meet them;

(i) Noted with concern the growing phenomenon of refugees and asylum-seekers who, having found protection in one country, move in an irregular manner to another country, and called upon the High Commissioner to implement paragraph (j) of conclusion No. 36 (XXXVI);

(j) Called upon States that have adopted a number of measures aimed at discouraging abusive use of asylum procedures to ensure that these measures have no detrimental effect on the fundamental principles of international protection, including on the institution of asylum;

(k) Stressed the close link between durable solutions and root causes and called upon the international community to do its utmost to address the causes of movements of refugees and asylum-seekers from countries of origin as well as from countries of first asylum;

(l) Reaffirmed the importance of voluntary repatriation as the most desirable durable solution, particularly in the context of many of today's mass-influx situations, emphasized the need for States to respect the fundamental principles that must always guide action in this area and called upon the High Commissioner and States to continue their efforts in achieving this solution whenever appropriate;

(m) Called for the strengthening of the Office's international protection function, both in Headquarters and in the field, in particular through increased co-ordination between the Division of Refugee Law and Doctrine and the Regional Bureaux, and through enhanced training for UNHCR staff in discharging the Office's protection function;

(n) Recognized that international protection is best achieved through an integrated and global approach to protection, assistance, and durable solutions, and invited the High Commissioner to develop further his efforts in this regard, including the collection of statistics on refugee populations, with the co-operation of States concerned;

(o) Reiterated the importance of promoting a wider knowledge and understanding of refugee law and noted with satisfaction the efforts of the Office in this regard, in particular the training programmes instituted for UNHCR staff as well as government officials;

(p) Noted with satisfaction that, despite difficulties connected with the continued influx of refugees and asylum-seekers into their territories, States have, by and large, respected the internationally recognized standards for their treatment;

(q) Welcomed the further accessions by States to the 1951 Convention and the 1957 Protocol relating to the Status of Refugees, and requested the High Commissioner to continue his efforts to promote accessions to these and other relevant instruments, in particular, by States confronted with large-scale refugee problems;

(r) Welcomed the recent adoption by a number of States of national administrative and legislative measures to implement effectively the provisions of the international refugee instruments, including the establishment of appropriate procedures for the determination of refugee status;

(s) Noted with renewed appreciation the contribution of non-governmental organizations in actively supporting the High Commissioner's efforts in the field of international protection;

(t) Emphasized the need for all concerned, including States, intergovernmental, national and non-governmental organizations, to sensitize public opinion to the special circumstances and needs of refugees and asylum-seekers to help generate a feeling of empathy and respect for refugees with a view to developing a more positive attitude towards them.

Conclusions on refugee children

205. The Executive Committee,

(a) Expressed appreciation to the High Commissioner for his report on refugee children (EC/SCP/46), and noted with serious concern the violations of their human rights in different areas of the world and their special needs and vulnerability within the broader refugee population;

(b) Recognized that refugee children constitute approximately one half of the world's refugee population and that the situation in which they live often gives rise to special protection and assistance problems as well as to problems in the area of durable solutions;

(c) Reiterated the widely-recognized principle that children must be among the first to receive protection and assistance;

(d) Stressed that all action taken on behalf of refugee children must be guided by the principle of the best interests of the child as well as by the principle of family unity;

(e) Condemned the exposure of refugee children to physical violence and other violations of their basic rights, including through sexual abuse, trade in children, acts of piracy, military or armed attacks, forced recruitment, political exploitation or arbitrary detention, and called for national and international action to prevent such violations and assist the victims;

(f) Urged States to take appropriate measures to register the births of refugee children born in countries of asylum;

(g) Expressed its concern over the increasing number of cases of statelessness among refugee children;

(h) Recommended that children who are accompanied by their parents should be treated as refugees if either of the parents is determined to be a refugee;

(i) Underlined the special situation of unaccompanied children and children separated from their parents, who are in the care of other families, including their needs as regards determination of their status, provision for their physical and emotional support and efforts to trace parents or relatives; and in this connection, recalled the relevant paragraphs of conclusion No. 24 (XXXII) on family reunification;

(j) Called upon the High Commissioner to ensure that individual assessments are conducted and adequate social histories prepared for unaccompanied children and children separated from their parents, who are in the care of other families, to facilitate provision for their immediate needs, the analysis of the long term as

well as immediate viability of existing foster arrangements, and the planning and implementation of appropriate durable solutions;

(k) Noted that, while the best durable solution for an unaccompanied refugee child will depend on the particular circumstances of the case, the possibility of voluntary repatriation should at all times be kept under review, keeping in mind the best interests of the child and the possible difficulties of determining the voluntary character of repatriation;

(l) Stressed the need for internationally and nationally supported programmes geared to preventive action, special assistance and rehabilitation for disabled refugee children and encouraged States to participate in the "Twenty or More" plan providing for the resettlement of disabled refugee children;

(m) Noted with serious concern the detrimental effects that extended stays in camps have on the development of refugee children and called for international action to mitigate such effects and provide durable solutions as soon as possible;

(n) Recognized the importance of meeting the special psychological, religious, cultural and recreational needs of refugee children in order to ensure their emotional stability and development;

(o) Reaffirmed the fundamental right of refugee children to education and called upon all States, individually and collectively, to intensify their efforts, in co-operation with the High Commissioner, to ensure that all refugee children benefit from primary education of a satisfactory quality that respects their cultural identity and is oriented towards an understanding of the country of asylum;

(p) Recognized the need of refugee children to pursue further levels of education and recommended that the High Commissioner consider the provision of post-primary education within the general programme of assistance;

(q) Called upon all States, in co-operation with UNHCR and concerned agencies, to develop and/or support programmes to address nutritional and health risks faced by refugee children, including programmes to ensure an adequate, well-balanced and safe diet, general immunization and primary health care;

(r) Recommended regular and timely assessment and review of the needs of refugee children, either on an individual basis or through sample surveys, prepared in co-operation with the country of asylum, taking into account all relevant factors, such as age, sex, personality, family, religion, social and cultural background and the situation of the local population, and benefiting from the active involvement of the refugee community itself;

(s) Reaffirmed the need to promote continuing and expanded co-operation between UNHCR and other concerned agencies and bodies active in the fields of assistance to refugee children and protection, including through the development of legal and social standards;

(t) Noted the importance of further study of the needs of refugee children by UNHCR, other intergovernmental and non-governmental agencies and national authorities, with a view to identification of additional support programmes and reorientation as necessary of existing ones;

(u) Called upon the High Commissioner to develop further, in consultation with concerned organizations, guidelines to promote co-operation between UNHCR and those organizations to improve the international protection, physical security, well-being and normal psycho-social development of refugee children,

(v) Called upon the High Commissioner to maintain the UNHCR Working Group on Refugee Children at Risk as his focal point on refugee children, to strengthen the Working Group and to inform the members of the Executive Committee, on a regular basis, of its work.

Conclusions on military and armed attacks on
refugee camps and settlements

206. The Executive Committee,

Gravely preoccupied with the continuing incidence of unlawful attacks on refugees and asylum-seekers in different areas of the world, including military or armed attacks on refugee camps and settlements and, in view of the tragic and indiscriminate consequences of those attacks, resulting in untold human misery for the refugees and asylum-seekers, believed it was necessary and timely at the current session to express its humanitarian concern and condemnation in the strongest terms,

Noting with appreciation those resolutions of the General Assembly, adopted by consensus, in particular resolution 39/140 of 14 December 1984, which condemned all violations of the rights and safety of refugees and asylum-seekers, in particular those perpetrated by military or armed attacks against refugee camps and settlements,

Predicating this Conclusion on the assumption, inter alia, that refugee camps and settlements have an exclusively civilian and humanitarian character and on the principle that the grant of asylum or refuge is a peaceful and humanitarian act that is not to be regarded as unfriendly by another State, hoping to assist in guaranteeing the safety of refugees and asylum-seekers, as well as to reinforce their rights, obligations and responsibilities and those of States and international organizations pursuant to relevant rules and principles of international law; and underlining that the rights and responsibilities of States pursuant to the Charter of the United Nations and relevant rules and principles of international law, including international humanitarian law, remained unaltered,

1. Condemns all violations of the rights and safety of refugees and asylum-seekers and in particular military or armed attacks on refugee camps and settlements;
2. Strongly urges States to abstain from these violations, which are against the principles of international law and, therefore, cannot be justified;
3. Calls upon States and competent international organizations, in accordance with the principle of international solidarity and in order to alleviate the burden of the country of refuge, to provide, according to their means, all necessary assistance to relieve the plight of the victims of such military and armed attacks on refugee camps and settlements if ever they occur;

4. Urges States and other parties to be guided by the following considerations in promoting measures to enhance the protection of refugee camps and settlements:

(a) Refugees in camps and settlements have, together with the basic rights they enjoy, duties deriving from the refuge and protection granted or afforded to them by the country of refuge. In particular, they have duties to conform to the laws and regulations of the State of refuge, including lawful measures taken for the maintenance of public order, and to abstain from any activity likely to detract from the exclusively civilian and humanitarian character of the camps or settlements;

(b) It is essential that States of refuge do all within their capacity to ensure that the civilian and humanitarian character of such camps and settlements is maintained. All other States are called upon to assist them in this regard. To this end, relevant organs of the United Nations, within their respective terms of reference, are also called upon to co-operate with all States in providing assistance whenever necessary;

(c) UNHCR and other concerned organs of the United Nations should make every effort, within their respective terms of reference and in keeping with the principles of the Charter of the United Nations, to promote conditions which ensure the safety of refugees in camps and settlements. For UNHCR this may include maintaining close contact with the Secretary-General of the United Nations and providing liaison, as appropriate, with all the parties concerned. It may also involve making appropriate arrangements with States of refuge on methods of protecting such refugee camps and settlements, including, whenever possible, their location at a reasonable distance from the frontier of the country of origin;

(d) States have a duty to co-operate with the High Commissioner in the performance of his humanitarian protection and assistance functions, which can only be effectively accomplished if he has access to camps and settlements of his concern.

Conclusions on travel documents for refugees

207. The Executive Committee,

Reaffirming the importance of the issue of travel documents to refugees for temporary travel outside their country of residence and for resettlement in other countries;

Recalling its conclusion No. 13 (XXIX) on travel documents for refugees;

Recalling further article 28 of the 1951 United Nations Convention relating to the Status of Refugees and the Schedule and Annex thereto;

(a) Welcomed the note of the High Commissioner on follow-up to the earlier conclusion of the Executive Committee on travel documents for refugees (EC/SCP/48);

(b) Expressed satisfaction that the great majority of States parties to the 1951 United Nations Convention and/or the 1967 Protocol follow or sometimes exceed the above-mentioned provisions of the 1951 Convention and conclusion No. 13 (XXIX) concerning the issue of travel documents to refugees;

(c) Noted, however, that in some countries problems concerning Convention travel documents continue to exist as regards arrangements for their issue, their geographical and temporal validity, the return clause, their extension or renewal, the transfer of responsibility for their issue and the obtaining of visas;

(d) Urged all States parties to the 1951 United Nations Convention and/or the 1967 Protocol that have not yet done so to take appropriate legislative or administrative measures to implement effectively the provisions of these instruments concerning the issue of Convention travel documents (art. 28, Schedule, Annex), including the giving of clear instructions to national authorities competent to issue, renew and extend travel documents and grant visas to holders of Convention travel documents;

(e) Urged all States not parties to the 1951 United Nations Convention and/or the 1967 Protocol that have not yet done so to take appropriate legislative or administrative measures to ensure that refugees are issued with appropriate travel documents under conditions as similar as possible to those attaching to the Convention travel document;

(f) Expressed appreciation for the various types of assistance that the High Commissioner provides to Governments with respect to the issue of travel documents for refugees and requested him to continue his efforts in this regard, in particular by examining the possibility of modernizing the format of Convention travel documents.

Decisions under general debate

The Central American refugees and the "Procedure for the establishment of firm and durable peace in Central America"

208. The Executive Committee,

(a) Reiterates the complexity and gravity of the refugee situation in the Central American area;

(b) Welcomes the initiative taken by the High Commissioner to establish a Consultative Group on possible solutions to the problems of refugees in Central America and takes note, with particular interest, of the report that this Group produced during the meeting held at Geneva, from 25 to 27 May 1987;

(c) Reaffirms the importance that the High Commissioner and the authorities of the asylum-giving countries and countries of origin, affected by the presence of the Central American refugees, continue in applying regional approaches for the consideration of such problems. Within this context, attention is called to the initiative taken by the Consultative Group and the High Commissioner to organize in 1988 a regional conference on this question;

(d) Welcomes the relevance of the initiative on refugees taken by the Central American countries, the Contadora Group and its Support Group, in the framework of their efforts aimed at establishing peace in the region;

(e) Supports the commitment assumed under point 8 of the "Procedure for the establishing of firm and durable peace in Central America", signed by the five Central American Presidents on 7 August 1987 in Guatemala City, that urgent attention should be given to refugee flows and displacement that the regional crisis has provoked;

(f) With the aim of taking into account the assumed commitment, which has been undertaken by the Presidents of Central America, calls upon the international community to widen its co-operation for protection and assistance, especially in respect to health, education, labour and security, as well as to facilitate their voluntary repatriation, resettlement or relocation in the framework of durable solutions.

International conference on the situation of refugees and
war victims in the southern African region

209. The Executive Committee,

1. Welcomes the proposal for the convening of an international conference to address the specific situation of refugees and war victims in the southern African region;
2. Expressed the hope that the international community and the United Nations, intergovernmental organizations and the non-governmental organizations would give all possible support to this conference to enable it to achieve its objectives;
3. Invites the High Commissioner to intensify his efforts to provide required assistance to refugees (including those displaced outside their country because of war) as a result of conflict in the countries of the southern African subregion, so as to alleviate their suffering;
4. Welcomes the High Commissioner's commitment to provide adequate human and material support for the successful organization of the conference within existing resources.

Conclusions and decisions on assistance activities,
durable solutions, refugee aid and development

210. 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 1986 and the first five

months of 1987, as reported in documents A/AC.96/693 (Parts I to V) and A/AC.96/696, as well as related addenda and corrigenda;

(b) Took note of the allocations made by the High Commissioner from his Emergency Fund during the period 1 June 1986 to 31 May 1987;

(c) Took note of the observations made by the Advisory Committee on Administrative and Budgetary Questions submitted in document A/AC.96/698;

(d) Reviewed schedule A of document A/AC.96/696 and approved the following:

- (i) The proposals for new and revised allocations under the 1987 General Programmes for both operations and programme support and administration, as summarized in table III, column 12, of document A/AC.96/696, as amended by documents A/AC.96/696/Add.1 and 2;
- (ii) A revised financial target of \$338,919,200 (not including the \$10 million Emergency Fund) for 1987 General Programmes;
- (iii) The country and area programmes and the overall allocations for 1988 General Programmes, as summarized in column 13 of table III of document A/AC.96/696, pertaining to operations as well as to programme support and administration, as amended by documents A/AC.96/696/Add.1 and 2;
- (iv) The financial target of \$367,552,300 (not including the \$10 million for the Emergency Fund) for 1988 General Programmes as shown in column 13 of table III of document A/AC.96/696, as subsequently amended by documents A/AC.96/696/Add.1 and 2;
- (v) The establishment of an overall allocation for multi-purpose assistance, as described in paragraph 2 of annex A (glossary of assistance measures) and paragraph 239 of document A/AC.96/696;
- (vi) The inclusion of all UNHCR assistance in secondary education in the Annual Programme as from 1989 onwards, as proposed in paragraph 198 of document A/AC.96/696;
- (vii) The transfer of \$500,000 from the General Programme Reserve to the Revolving Fund for staff housing;
- (viii) The proposal set out in paragraph 258 of schedule A of document A/AC.96/696;

(e) Noted with appreciation that the report on UNHCR activities financed by voluntary funds during the period 1986-1987 and proposed programmes and budget for 1988 provided the qualitative and quantitative improvements in information requested by the Executive Committee at its thirty-seventh session; and further commended the excellent quality of these documents and thus encouraged the High Commissioner to pursue his efforts to further rationalize and improve the report;

(f) Welcomed the High Commissioner's assurance that UNHCR would continue to enhance its capacity for effective planning and programme delivery, in particular, its efforts in increasing precision in the evaluation of refugee needs, in

selecting and training appropriate staff, credibility in the formulation of programmes, and rigour in the implementation of projects;

(g) Expressed satisfaction with measures taken by UNHCR during the past year to improve evaluation efforts and reiterated its full support to the strengthening of the quality of evaluation activities and the expansion of their scope;

(h) Recommended that the experience gained and lessons learned by UNHCR from programme evaluations should be refined further to enhance their value in planning of future assistance programmes and training activities;

(i) 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 improve and strengthen further the capacity of his Office to provide technical support services for planning purposes and implementation of assistance programmes, including social services;

(j) Welcomed the measures taken by the High Commissioner to improve and strengthen the management of projects by implementing partners, and appreciated the encouraging initiatives in the development and application of guidelines and procedures and the organization of training in order to assist such partners;

(k) 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 the Organization of African Unity (OAU) and the United Nations;

(l) Welcomed the proposal for the convening of an international conference on the situation of refugees and war victims in southern Africa, under the auspices of OAU, the Secretary-General of the United Nations and UNHCR.

B

UNHCR's role 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) Recognizing the difficult problems confronting many asylum countries, particularly developing countries, as well as the essential need for ensuring the well-being of refugees and the viability of infrastructure located in organized rural settlements; called upon the international community and UNHCR, in co-operation with development agencies, to review and redefine the concept of refugee self-sufficiency and to devise an appropriate mechanism for providing financial support to host countries to enable them to meet the cost of refurbishing such infrastructures or sustaining their basic viability;

(c) Took note of the relevant sections of documents A/AC.96/696 and A/AC.96/693 (Parts I-V) relating to the search for durable solutions; commended the High Commissioner's initiatives in this 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;

(d) 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;

(e) 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 all concerned to increase the involvement of non-governmental organizations in such programmes;

(f) Commended the activities of UNHCR relating to the implementation of voluntary repatriation, which is the preferred durable solution wherever possible, and expressed full support for the Office's priority concern to promote actively this solution, and called for a greater proportion of UNHCR resources to be devoted to voluntary repatriation, if circumstances so permit;

(g) Took note of the relevant sections of documents A/AC.96/696 and A/AC.96/693 (Parts I-V) on the resettlement of refugees, and encouraged UNHCR to promote resettlement when neither voluntary repatriation nor local integration is a feasible durable solution;

(h) 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;

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

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

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

(l) Recommended the admission of larger numbers of disabled refugees and those medically at risk, including victims of torture in need of resettlement, and renewed its appeal to Governments that have 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, or at least to offer similar opportunities;

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

C

Refugee aid and development

Having considered the relevant sections of documents A/AC.96/696 and A/AC.96/693 (Parts I-V) submitted by the High Commissioner and his oral report on the progress made and future plans for promoting development projects helping refugees and returnees,

(a) Took note of the High Commissioner's firm commitment to pursue vigorously the search for durable solutions - voluntary repatriation, local integration and resettlement - for refugees and encouraged him to continue to promote co-operation among countries and agencies that ought to contribute resources towards the achievement of this goal as well as the practical link between refugee aid and development;

(b) Emphasized the essential role of development-oriented organizations and agencies in the implementation of programmes which benefit 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;

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

(d) Called upon the international community at large and the United Nations system, in particular UNDP and UNHCR to pursue vigorously the practical establishment of the link between refugee aid and development in the actual follow-up to the Second International Conference on Assistance to Refugees in Africa through, inter alia:

- (i) Unqualified support of the concept of "additionality" (i.e. provision of additional funding over and above resources earmarked for normal economic development and beyond planned contributions towards UNHCR's General Programmes);
- (ii) Co-ordination of humanitarian aid and development assistance agencies in donor countries with special attention to the granting of priority to the needs of countries hosting refugees and the integration of projects benefiting refugees into national development plans;
- (iii) Designing of refugee-related projects undertaken in such a manner as to encourage their integration into the national development plans in close co-ordination with the United Nations system, notably UNHCR and UNDP;

(e) 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 and national development plans;

(f) Urged the High Commissioner to intensify his efforts to promote a lively development activities benefiting refugees and returnees, in co-operation with the World Bank, UNDP, IFAD, EEC and other international, regional and governmental organizations specializing in development assistance, as well as with non-governmental organizations with experience and expertise in that field.

Decisions on administrative and financial matters

211. The Executive Committee,

A

(a) Took note with appreciation of the report of the Sub-Committee on Administrative and Financial Matters (A/AC.96/701);

(b) Adopted the following conclusions proposed by the Sub-Committee:

Conclusions relevant to the issues of management, programme support and administration on the agenda of the thirty-eighth session of the Executive Committee

The Executive Committee,

In order to encourage the Office, in accordance with its humanitarian mandate and in consultation with interested parties, to intensify efforts to identify priorities within its overall activities in a way that allows for a flexible and effective use of available resources for the benefit of refugees,

Adopts the following conclusions relevant to the issues of management, programme support and administration debated at its thirty-eighth session:

(a) Endorses the High Commissioner's commitment that the austerity measures decided upon by the General Assembly and the Secretary-General that are applicable to the regular budget of the United Nations should, where possible, also be applied in the same spirit to the voluntarily funded total actual support costs portion of the Office's budget;

(b) Reconfirms support for the reorganization and its objective of reducing the total support costs (Programme support and administration and project administration) portion of the budget in order to achieve a more cost-effective support structure that would ensure that a higher proportion of resources would be available for protection, direct assistance and durable solutions to the refugees and countries affected. Particular emphasis should be given as far as possible to reductions in staffing levels, travel costs and the use of consultancies as follows:

- (i) Welcomes the High Commissioner's commitment to return to pre-1986 staffing levels by the first quarter of 1990, and supports UNHCR's policy, through an ongoing post review, to go beyond these reductions and, in accordance with the recommendations of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations, achieve as many additional post reductions as possible, while at the same time being consistent with the approved core requirements of the Office and with an effective response to emergencies and unanticipated situations;
 - (ii) Welcomes the High Commissioner's commitment to reduce travel costs by eliminating less essential travel;
 - (iii) Welcomes the High Commissioner's commitment to terminate general management consultancy contracts by the end of 1987 and to limit future consultancies to the technical field that would have a purely advisory role, be of short-term duration, offer expertise unavailable within the Office and fully satisfy the applicable requirements of international competitive bidding;
- (c) Encourages the efforts of the Office to develop for the Executive Committee's consideration on a periodic basis, a rationalized personnel structure that reflects the positions intended to be of a permanent character regardless of their P or L classifications and those that are of a temporary character;
- (d) Emphasizes the importance of continuing the implementation of the reorganization of the Office with a view to a more effective response to the needs of refugees and in a cost-efficient and economical manner and requests that Executive Committee members be kept informed of progress on both costs and results achieved;
- (e) Welcomes the Office's efforts to increase the effectiveness and scope of its relations with implementing partners, in particular through more effective assessment of needs, improved project design and an improvement in monitoring and evaluation of projects, and urges that an appropriate balance be struck between these efforts and the need to control and reduce the Office's support costs;
- (f) Supports the initiative of UNHCR in contributing to United Nations reform in the vital area of more open and systematic co-ordination/collaboration among United Nations agencies to assure mutual reinforcement and cost savings;
- (g) Takes note of the High Commissioner's firm commitment to use the Revolving Fund for Field Staff Housing and Basic Amenities strictly for hardship posts;
- (h) Encourages the High Commissioner to continue, in the process of consolidating the reorganization of the Office, and in close consultation with staff representatives, to make optimal use of the staff's professional capabilities and dedication to the cause of refugees, while paying due attention to their legitimate interests in job security and career development. In this process the conclusions of the thirty-seventh session of the Executive Committee on personnel policies, which, inter alia, refer to emphasizing the broadest possible geographical representation between States based on the highest level of competence

and integrity, to special measures to increase the number of women in positions of responsibility, and to the practice of rotation, should be observed;

B

(a) Took note of the administrative and programme support sections of the overview of UNHCR's activities (A/AC.96/696, Corr.1 and 2, and Add.1 and 2) and the report on UNHCR activities financed by voluntary funds, report for 1986-1987 and proposed programmes and budget for 1988 (A/AC.96/693 (Parts I-V) as well as relevant addenda and corrigenda);

(b) Noted further the report of the Advisory Committee on Administrative and Budgetary Questions (A/AC.96/698) and the comments contained therein;

C

(a) Expressed satisfaction at the level of funding of General and Special Programmes of UNHCR in 1987 achieved by the beginning of October 1987, called upon Governments to make additional funds available to cover the shortfall under the General Programme, at that time, of \$51 million, in order to meet fully 1987 projected requirements, and possibly prepare for an adequate carry-over of funds to 1988;

(b) Underscored the need for realistic programme budgeting and supported the efforts of UNHCR to improve the process of regular and strict target review, allowing the donor community to respond effectively to financial needs in relation to implementation rates;

(c) Commended the continued efforts of UNHCR to expand the Office's donor base through a systematic approach of all Member States, as well as of intergovernmental and non-governmental sources, and the exploration of new funding avenues, notably through co-financing of programmes;

(d) Noted UNHCR's review of donor reporting procedures and the proposed standardized reporting system designed to satisfy donor's requirements with regard to earmarked contributions, while making most efficient use of limited staffing resources;

(e) Supported the schedule of flow of information to members of the Executive Committee and donors as proposed by UNHCR in paragraph 7 of document EC/SC.2/1987/CRP.4 submitted to the Sub-Committee on Administrative and Financial Matters;

(f) Called upon Governments to announce generous contributions towards the \$377,552,300 General Programme budget for 1988, at the annual Pledging Conference to be held in New York on 19 November 1987;

D

(a) Took note of the accounts for the year 1986 and the report of the United Nations Board of Auditors thereon (A/AC.96/692);

(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 1986, and in respect of the Special Programme Audit examination of the voluntary funds administered by the Office of the United Nations High Commissioner for Refugees (A/AC.96/692/Add.1);

(c) Noted further current efforts to improve financial and programme management, in particular, in the areas of food aid and evaluation of programmes;

E

Considered the note on the Revolving Fund for Field Staff Housing and Basic Amenities (EC/SC.2/35) and

- (i) Authorized the High Commissioner to increase the working capital of the Fund from the Programme Reserve within the 1987 General Programmes as and when needed up to a ceiling of \$3.5 million;
- (ii) Requested the High Commissioner to continue to report annually through the Sub-Committee on Administrative and Financial Matters;
- (iii) Confirmed that the Fund's resources should be used strictly for hardship duty stations;

F

(a) Expressed support to the High Commissioner for his continuing efforts to reorganize and to improve the efficiency and effectiveness of the Office, particularly with respect to activities in the field, paying due attention to views of the members of the Executive Committee;

(b) Expressed also its support for the proposals for the reclassification of three posts in the Professional and higher categories, and for the continuing application of classification standards of the United Nations common system to UNHCR posts;

G

(a) Invited the High Commissioner to pursue a personnel policy which 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, to appoint women in policy-making positions, to promote women to senior management levels, and to report on the progress made in this matter to the Executive Committee;

(c) Expressed support for the maintenance of the principle and practice of staff rotation, while noting the need to plan reassignment of staff to assure adequate continuity in activities and attain maximum benefit from the skills of certain specialized staff;

(d) Expressed support for the efforts of the High Commissioner to improve conditions of service for staff at difficult field duty stations, encouraged him to continue to take a leading role in the United Nations common system to attain

improvements in field service conditions, and invited the High Commissioner to report to the Executive Committee in this respect, and to make proposals to the Executive Committee for further improvements.

Decisions on the summary records

212. The Executive Committee,

Having considered document A/AC.96/XXXVII/CRP.1, which provides the relevant background considerations relating to the view of its needs for summary records, as requested by the General Assembly in its resolution 41/177 D of 5 December 1986,

Recognizing the importance of summary records, which complement reports of the Executive Committee;

Considering that summary records do reflect statements, explanations and reservations in its proceedings, facilitating in this way the preservation of the tradition of consensus in decision-making:

- (a) Concludes that there is strong justification and a valid need to maintain summary records of its proceedings;
- (b) Considers that it would be useful for the competent conference service to draft guidelines aimed at reducing the current length of summary records;
- (c) Requests the High Commissioner to keep the Executive Committee members fully informed on his consultations on (b) and to make formal proposals to the thirty-ninth session;
- (d) Invites the Chairman of the Executive Committee to communicate the decisions to the Chairman of the Committee on Conferences.

Decision concerning observer participation in the
Executive Committee, pursuant to Economic and
Social Council resolution 1987/89

213. The Executive Committee,

Decided to establish a Working Group of the Executive Committee to consider ways and means of improving the possibilities for observer delegations to participate in its work and requested the Working Group to make proposals to be considered at the thirty-ninth session of the Executive Committee.

Decision on the Executive Committee's submission to the Special
Commission of the Economic and Social Council, pursuant to
Council decision 1987/112

214. The Executive Committee,

Adopts the submission to the Special Commission of the Economic and Social Council on the in-depth study of the United Nations intergovernmental structure and

functions in the economic and social fields, pursuant to Economic and Social Council decision 1987/112, paragraph (i), as contained in document A/AC.96/703 and requests the High Commissioner to transmit to the Special Commission the response of the Committee.

Notes

1/ See Official Records of the General Assembly, Forty-first Session, Supplement No. 49 (A/41/49).

2/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

ANNEX

Opening statement of the United Nations High Commissioner for Refugees to the Executive Committee of the High Commissioner's Programme at its thirty-eighth session, on 5 October 1987

1. It is with a profound sense of pleasure and anticipation that I welcome you to the opening of the thirty-eighth session of the Executive Committee of the High Commissioner's Programme. The experience gained since my first opening statement at last year's session has reinforced many of my perceptions of themes and issues I alluded to during that session. I have welcomed the opportunity to share a number of these perceptions and preoccupations with you during the course of this past year in informal settings. Indeed, I remain as convinced as ever that these very informal exchanges with Executive Committee members and other Governments interested in refugee matters serve an extremely useful function, allowing for ongoing dialogue at different levels on a range of issues of common concern. I fully intend to continue these valuable exchanges.

2. You will recall that, during the past year, I have shared with you four major observations concerning difficulties with which today's refugees are currently being faced:

(a) Refugees are increasingly obliged to reside and wait in first asylum countries for longer periods of time;

(b) Old and new crises continue to multiply the number of refugees;

(c) Refugees and asylum-seekers are knocking at the doors of an increasing number of countries in all continents;

(d) There is a growing tendency for refugees to be confused with economic migrants.

3. The combination of these four factors has resulted in a "fear" of refugees and increasing hostility and mistrust towards them. This has in turn led to the adoption of restrictive and unilateral measures, and the real danger of a progressive erosion in the principle of asylum, which will paralyse, if unchecked, every possibility of international co-operation and burden-sharing.

4. To reverse this trend and to undo this stagnation, I have mentioned that UNHCR will attempt, on the one hand, vigorously to pursue the search for durable solutions - voluntary repatriation, local integration and resettlement - and on the other, to go beyond emergency aid for long-stayers in first asylum countries. We will pursue these goals by promoting co-operation among countries that ought to contribute decisively toward this end.

5. Where, then, do we stand today and what progress has been achieved?

6. Concerning voluntary repatriation, 250,000 refugees returned home during 1986 and 1987, either through UNHCR assistance or spontaneously. This includes, particularly, mass returnee movements to Chad, Ethiopia and Uganda which, I am encouraged to note, partly offset new challenges in Africa. Among these challenges is the serious situation in southern Africa, which causes me great concern. It is

my hope that the proposed convening of an international conference on this situation, under the auspices of the Organization of African Unity, the Secretary-General of the United Nations and UNHCR, will lead to concrete steps to alleviate the plight of refugees in that region.

7. Included in the global voluntary repatriation effort has been the return, under UNHCR auspices, of a few thousand refugees to El Salvador, Guatemala and Nicaragua. I am pleased to inform you that the number of refugees who have repatriated during the first nine months of this year already exceeds the total for all of 1986. With the recent opening of new and additional UNHCR offices in these three countries, we will be in an even better position to monitor reintegration programmes and ensure the well-being of future repatriates.

8. These accomplishments are important in that they underline the viability and the reality of voluntary repatriation even after years of temporary residence in countries of first asylum. While the number of repatriates is still modest compared to the total refugee population throughout the world, the success of voluntary repatriation emphasizes above all the need for political will on the part of the Governments concerned to achieve this vital solution.

9. We should also bear in mind that a peaceful solution to the conflicts in Afghanistan and Kampuchea would allow five to six million refugees to return home under the same conditions of security and dignity. With respect to the Afghan situation, the largest single case-load of refugees in the world has faced an uncertain future for nearly eight years. The hospitality and generosity with which the Governments of Pakistan and the Islamic Republic of Iran have received these refugees during this period remains greatly appreciated. While assistance and self-sufficiency programmes continue satisfactorily, the urgency and necessity of meeting all the needs of Afghan refugees cannot be emphasized enough. These refugees, the majority of whom are women and children, deserve the earliest possible political settlement that would allow them to return home. In this connection, I should reiterate my hope that the ongoing efforts by the Secretary-General of the United Nations will lead to a political resolution of the Afghan conflict.

10. Another concrete illustration of UNHCR's readiness to assist in voluntary repatriation, assuming the necessary political will by Governments exists, can be cited with respect to refugees from Laos in Thailand, who comprise nearly half of the entire case-load in South-East Asia. While voluntary repatriation has not been the exclusive durable solution for this case-load, it is clear that it will have to be a major one in the future. A related issue is that of the so-called screened-out persons from Laos presently in Thailand, which must also be addressed by the two Governments concerned. My Office will nevertheless continue to contribute to efforts in resolving the prevailing impasse. Of course, it is understood that once both Governments have reached an understanding on the return of these persons to their country of origin, the same condition of a dignified and safe return would also apply to them.

11. A slightly varying shade of UNHCR's assistance and contribution towards voluntary repatriation can also be witnessed in a nearby region, namely, South Asia. You will recall that, following the signing of an accord between Sri Lanka and India in July, a memorandum of understanding was signed in Colombo between UNHCR and the Government of Sri Lanka on 31 August. Under the terms of this memorandum, UNHCR would provide an initial \$2 million for emergency assistance to

Sri Lankan Tamils who have returned home from India, as well as some internally displaced persons. While it may be premature to predict what effect current events may have on Sri Lankan Tamil asylum-seekers in other countries, UNHCR is ready to play a constructive role, within the terms of its mandate, whenever invited to do so.

12. My comments on local integration will be very brief, though this should not be seen as a reduced commitment to pursue this durable solution when and where feasible. The reality is, nevertheless, that except in a number of African countries, China and Mexico, where it has been applied in an exemplary manner, local integration has been the least utilized durable solution when seen against the background of our recent achievements in finding lasting solutions. I am aware of the political, economic and social difficulties that confront host countries and refugees alike when considering this option. I will refer to this durable solution later, when we consider the question of refugee aid and development.

13. I should now like to say a few words on resettlement. When one speaks of this durable solution, one almost automatically associates it with the 13-year refugee legacy in South-East Asia. Resettlement has undeniably been the "success story" of the international community's commitment to find a lasting solution to the plight of Indochinese fleeing war, conflict and persecution. A remarkable 1.4 million Indochinese have found new homes through resettlement, an almost unparalleled achievement by the international community.

14. On the other hand, and most unfortunately, the situation also represents unfulfilled hopes for thousands of others still languishing in harsh camps, many for nearly a decade. Today, some 130,000 Indochinese refugees under UNHCR care are still waiting in countries of transit in South-East Asia, with a steady stream of new arrivals continuing to join them.

15. All of this points to the pressing need to exert renewed and decisive efforts to address the root causes of the continued outflow of refugees and to explore other solutions. Otherwise, resettlement opportunities will continue to diminish and perhaps at one stage no longer exist.

16. My recent mission to South-East Asia reinforced my conviction that countries of resettlement, transit and origin must urgently agree on a "package" of understanding in which each would shoulder its proper responsibilities towards the attainment of a durable solution. UNHCR has conducted, during the course of the past year, extensive consultations with countries belonging to each of these three groups. We must now reach a global consensus of views and strategies if we intend to pursue our achievements and, indeed, to go beyond them.

17. In the course of my recent visit to the Socialist Republic of Viet Nam, I had the opportunity to raise such matters with the highest authorities of that country. I noted with satisfaction the commitment to the Orderly Departure Programme and the resolution of procedural problems, which should allow this recently troubled programme to regain its desired momentum in the coming months. More important, I view this programme not merely as a channel for legal departures but as a context for dialogue for broader humanitarian issues. It is this latter potential that needs to be further explored in order to address the wider implications of the continued outflow.

18. I should now like to turn to the subject of our informal consultations with European Governments, which have been under way for some time. These consultations encompass issues concerning the granting of asylum, resettlement and voluntary repatriation: the granting of asylum for those who have arrived directly in Europe and North America; resettlement from countries of transit for those who are considered to be eligible; and finally the study of the modalities for possible repatriation, when the time comes.

19. UNHCR's preoccupations in this domain can be summarized as follows. First, Governments should not attempt to solve the problem of refugees through the promulgation of measures and laws designed to control immigration. Second, it is essential to identify clearly those who flee persecution and violence and to distinguish them from other migrants. Third, the rules and procedures applicable to asylum-seekers must be maintained intact. Fourth, all measures taken to deal with immigration issues should have the necessary built-in flexibility to safeguard the rights of asylum-seekers and refugees in search of protection and their access to the exercise of these rights. Fifth, what is the relationship between the path being pursued within the context of these consultations and other efforts being made to control immigration and to implement common immigration standards?

20. Nevertheless, I should like to underline some of the encouraging progress that has already been made in the context of the European consultations. First and foremost, there has been a general recognition of the complexities of the present situation. In addition, a greater awareness has developed that a collective approach will create the necessary conditions for solutions, and that unilateral action is creating a bottleneck or merely passing the problem to a neighbour. This point is further reflected in related deliberations taking place in other European forums, which is of course a most positive development. Moreover, it is widely accepted that the delicate situation of countries of transit, whose burden continues to increase, must be taken into consideration.

21. All this work must now rapidly lead to concrete action, which will underline the principle of burden-sharing with the first asylum countries and which will allow the transit countries of South-East Asia and the Middle East to continue to do their part. Again, concerted action by all concerned will be required to negotiate further progress beyond that already attained by the European consultations. UNHCR will continue energetically to play its proper role. The accord concluded in Sri Lanka in July demonstrates once again, as was the case with South American refugees in the early 1980s, that any asylum being sought could very well be of a temporary nature.

22. This problem raises the larger issue of international protection, which as you know, is the primordial task entrusted to the Office. While we recognize that the character of the present-day protection problem is increasingly fluid and complex, UNHCR remains vigilant to the need to respond to any undermining of its international protection responsibilities. Our consultations with Governments and other partners have been predicated on the humanitarian and universal nature of my Office's competence and the body of relevant international law that provides the legal underpinnings of UNHCR's competence.

23. Last week, during the meetings of the Sub-Committee of the Whole on International Protection, we witnessed some vivid and indeed memorable examples of the international community's ability to reach consensus on a number of significant protection concerns, notably on the vital item of military and armed attacks on

refugee camps and settlements. The international community had been waiting in anticipation of this event for a long time. I should like to take this opportunity to congratulate all those who have, through their efforts over the years and particularly during the past few weeks, helped bring this to fruition. I am confident that, with the endorsement of these conclusions during the Plenary, we will have taken a giant step in the vital task of protecting refugees who find themselves in zones of conflict or in situations of great vulnerability.

24. In fact, the agenda of the Sub-Committee and its related documentation, including the note on international protection, provide a comprehensive indication of the protection issues confronting the Office. It is, of course, my intention to work closely with Governments 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 reached by the Sub-Committee last week on refugee children is one example of our ability to work successfully towards such goals.

25. An illustration of UNHCR's willingness to assume the physical protection of refugees in areas of conflict through active consultations with Governments and timely solutions-oriented assistance can be cited in Central America. Our efforts in this region received a significant boost with the renewed willingness on the part of Governments to take humanitarian considerations into account, which was already evident last year. This has now culminated in the signing of the Peace Agreement of Guatemala by the Heads of State of five countries in the region on 7 August. It was most gratifying to note the accord's numerous references to the fate and well-being of refugees, including their protection, and the specific recognition of UNHCR's necessary role in this process. It was only five months ago that I convened a Consultative Group of six personalities in Geneva to discuss solutions to the problems of refugees in Central America. I am pleased to note that their recommendations, which include a regional conference in 1988 to formulate concrete solutions, have been well received by Governments of the area. While I am aware of the obstacles before us, I have every reason to believe that the present openness to humanitarian problems expressed by the Governments concerned will be taken advantage of to further the cause of refugees in the region.

26. In describing the range of the Office's current protection concerns and actions, I am aware that questions have been raised over the years, both within and outside the Office, regarding the scope, nature, extent and means of carrying out UNHCR's international protection function for refugees. That this should be the case is only natural, since answers to these questions relate to the specific needs of persons seeking asylum or refugee status. As these needs vary, so must the solutions. The content of international protection thus cannot be static. It changes with time, circumstances and the needs of its beneficiaries.

27. I need hardly reiterate that international protection provides the basic *raison d'être* for my Office. All our other functions, including the search for solutions must, therefore, relate to this basic objective. In fact, the Statute of the Office specifically states that one means of protecting refugees is through providing solutions for them. Therefore, our constant endeavours to attain solutions for refugees are integral to our overall protection effort.

28. UNHCR is aware of the fact that, while solutions are found for some refugees, new refugee problems continue to arise across the world. As indicated in my aide memoire of 10 July 1987 to members of the Executive Committee, over 600,000 new

refugees have arrived on the scene during the past 12 to 18 months, joining the existing 12 million or so in first asylum countries.

29. To tackle these challenges thoroughly, efforts have been made during 1986-1987 to go beyond the provision of emergency aid. I have stated on numerous occasions that UNHCR must react to refugee crises with a strategy that combines effective emergency response, the establishment of basic services and timely action to pursue income-generating activities which will promote self-reliance. This approach, applied rapidly, would address the needs of both the refugees and the host country for whom the prolonged presence of the refugees means additional economic and social strains. Accordingly, my Office has sought to reinforce in action the connection between refugee aid and development schemes. We have maintained close contact with both multilateral and bilateral development agencies active in countries hosting refugees, so as to integrate, wherever possible, the refugee population into the mainstream of national development activities. In this way, a gradual phasing out of UNHCR assistance can take place as the baton is effectively grasped by development agencies.

30. Our collaboration with the World Bank has continued with the inauguration of the second phase of the successful income-generating project for the refugee areas in Pakistan. A number of new initiatives with the Bank are under way in Somalia and the Sudan. This year, for the first time, we have explored possibilities for collaboration with the International Fund for Agricultural Development (IFAD) in the Islamic Republic of Iran, Somalia and Uganda. Another recent development has been the evolution of UNHCR's co-operation with the United Nations Development Programme (UNDP). An agreement has 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 process set in motion some three years ago by the Second International Conference on Assistance to Refugees in Africa (ICARA II) remains of high priority to my Office and it is my hope that some of the assistance which, during the last few years has been absorbed by drought and famine-related programmes, will now revert to ICARA II-type projects. You will recall that UNDP was designated by the relevant General Assembly resolution 37/197 of 18 December 1982 as the focal point for development activities in areas affected by the presence of refugees.

31. It follows then, that an increasing convergence of views will link all those who ought to contribute, first, to assisting host countries to grant asylum and, second, to the simultaneous pursuit of the three durable solutions. It is not because we seek an easy way out that we request the simultaneous contribution of all; but rather because experience has shown that it is only through this effort that we can go forward in the implementation of solutions and avoid the impression of some that they are the only ones shouldering the burden. This is, therefore, a matter of confidence and solidarity.

32. The generous support of the donor countries bears testimony to the solidarity of the international community in providing UNHCR with the financial means to carry out its tasks. I am indeed indebted to the donor community for the support to our appeals for contributions. At 28 September, General Programmes showed a total income of \$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 are concerned, almost all 1987 activities have been entirely financed. Since May, we have adjusted the budgets according to the actual rate of implementation and kept you regularly informed of our changing funding

requirements. I am aware of some concerns expressed about the level of the 1988 projected General Programmes budget and should like to reiterate that, first, recent efforts undertaken to assess, as accurately as possible, the actual needs of refugees are reflected in these figures and, second, the review mechanisms now in place will enable us to carry out a thorough target review early next year. As you know, the United Nations Auditors have been insisting for years on greater rigour and precision on UNHCR's part in addressing a number of management deficiencies and, as you are also aware, their current report reflects their appreciation of the progress being made. Specifically, our assessment and control capacity has been greatly enhanced and I am pleased to confirm that this year we anticipate a much higher level of obligation compared to budget than has 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 the basis of assessed refugee needs would be particularly unfortunate at this time, when the link between our planning and our implementation is so much stronger.

33. Steps have been taken to discipline our travel activities to ensure the most co-ordinated and effective use of our travel funds, thus avoiding unnecessary duplication and overlap. As a result, it has already been possible for us to cut an estimated \$400,000 from our travel budget for 1987, as reflected in the addendum to our programme support and administration figures (A/AC.96/696/Add.1). I would nevertheless like to underline that travel to and from the field is vital to UNHCR's ability to protect refugees fully and is an integral part of our ability to be fully responsible and accountable to you, the international community. I should also like to confirm that the mandate of the management consultancy firm will have been fulfilled at the end of this year.

34. The relationship between UNHCR and Governments is a subject which is often discussed. This can be explained by the fact that Governments have to act in respect of the rights of refugees, and that they are the only ones who can make possible or impossible UNHCR action in favour of refugees. In turn, UNHCR has a duty to intervene in all cases to remind parties concerned of their obligations to correct any deviation in their path of action, and to search for, in conjunction with the competent authorities, dignified and humane solutions to the dilemma of refugees. Let us not forget that UNHCR's mandate to perform this function comes from the community of States.

35. While the UNHCR/Government relationship is natural, necessary and ongoing, it is not, however, exclusive. As everyone is aware, the community of non-governmental organizations has for many years played an increasing role in the implementation of UNHCR assistance programmes. These are organizations which have repeatedly translated the courage of their convictions into tangible action. Our recent efforts to enhance the technical capacity of UNHCR aim simply at forging a meaningful partnership with our friends and at enabling us to assume fully our own responsibility for leadership, co-ordination and accountability. It has never been the intention of UNHCR to take over tasks which have traditionally been entrusted to our operational partners. Moreover, in many industrialized countries voluntary agencies actively participate in the search for viable solutions for asylum-seekers in accordance with the principles and procedures of refugee law. Furthermore, non-governmental organizations play an important role, to which UNHCR must pay tribute, in sensitizing public opinion and raising awareness of refugee problems. Their contribution to the constant dialogue that needs to be maintained with national authorities cannot be underestimated.

36. Non-governmental organizations must, for their part, bear in mind the basic principles of impartiality, independence of action and political neutrality that serve to guide UNHCR in its efforts in favour of refugees. To ensure the safeguarding of refugee rights, these efforts need often to be exerted with discretion and utmost care.

37. At the same time, UNHCR wishes to state again its commitment to continue to assume the leadership role that has been entrusted to it by the international community. The steps taken during the past 18 months are proof of this commitment. In order to succeed, we must receive the full and generous support of Governments and non-governmental organizations, and we pledge ourselves to earn and to maintain this support.

38. Since I sought the support of this Committee at its last session, UNHCR has attempted and accomplished a great deal. I should like to emphasize without any ambiguity that all that UNHCR has achieved would not have been possible without the untiring efforts of UNHCR colleagues in the field and Headquarters. On my numerous visits to the field, I have repeatedly been struck by my staff's exemplary dedication to their work and their single-minded commitment to helping refugees. To witness this is indeed a great source of pride and satisfaction for me. The reorganization of UNHCR which started early last year, the management tools with which we are equipping ourselves, and the means we are putting together, have no other aim but to allow this commitment to the refugee cause to be fully expressed and realized with imagination and efficiency.

39. In this joint effort, there is no place for any conflict between the old and the new. It should be recalled that senior positions of responsibility in UNHCR's new structure have been filled by staff with the considerable experience that only many years of distinguished service with the Office can bring. It has never been envisaged to make a clean sweep and start from scratch. The progress of an organization like UNHCR rests 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. One must, therefore, keep and safeguard what has been successful. One must also have the courage to trim and shape. This is the responsibility of everyone who has the privilege to work for UNHCR.

40. I can, thus, only welcome the statement by the Chairman of the Staff Council a few days ago that - and I quote - "we can reaffirm to you without reservation that UNHCR staff were and remain ready to contribute with enthusiasm to such changes as may be credibly needed to enhance our performance for refugees, thus preserving the unique identity of this institution within the United Nations system. We have never had illusions of perfection, only a commitment to improvement".

41. Everyone should remember that management colleagues work in exactly the same spirit. The detailed presentation by the Deputy High Commissioner before the Sub-Committee on Administrative and Financial Matters on reorganization and staffing levels shows that goals and priorities established last year have been maintained and that in fact they have become clearly defined. In fact, their implementation is conducted in a systematic and planned fashion.

42. Conscious of the deep concern about staffing levels expressed by most donor Governments, I should like to make a few comments on this issue. First, the 149 project posts were created in accordance with established practice before we

received instructions from the Secretary-General of the United Nations on the number of regular budget cuts required by the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations (Group of 18). Second, I should like to recall that it has always been, and will be, our policy to follow the recommendations of the Group of 18 as well as the relevant directives and guidelines issued by the Secretary-General. UNHCR has never sought special exemption in this regard. UNHCR was requested by the Secretary-General to abolish 46 posts, which we have identified. Furthermore, in the spirit of the recommendations of the Group of 18, the recently-created Post Review Group has identified additional posts for discontinuation and will make further recommendations to me with a view to reaching by early 1990 the staffing level that existed on 1 January 1986. I wish, however, to underline that only a combination of the temporary reinforcement of human resources and a systematic search for post reductions will allow UNHCR to succeed in its mission, while overhauling the organization and reducing staff within the three-year period available to us. In addition, minimum investments are required to complement this effort. This is the only way to ensure that the reform measures will yield their expected benefits. To spread the reorganization over a longer time frame would eventually rob it of its effectiveness.

43. All elements of this major undertaking will continue to be shared with the staff and with the Staff Council, as appropriate. I deeply believe that much of the blueprint for change at UNHCR emerged in essence from the ideas of UNHCR staff and from the thoughts and hopes expressed in this very forum by the Staff Council. There is no question, therefore, but that I see the staff as indispensable partners in my efforts to lead UNHCR with courage and success. Proof of this partnership is to be found in the achievements of the past year which I have just outlined. I had at one point thought that most of the objectives we had set, the timetable and the methods we had adopted to attain them, had been properly understood by my staff. It seems that this has not entirely been the case. I will, therefore, continue all the more to listen to the staff at large while reinforcing the process of consultations with the Staff Council, so that I may count on the full engagement of the staff in the vital challenges facing us together. At the same time, it goes without saying that this 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.

44. I should like to say a final word on the subject of staff dedication and commitment. As you may know, during the past two years, a number of UNHCR staff members have lost their lives while performing their duties. While words can not compensate for the debt we owe to these noble men and women, I should nevertheless wish to pay a heartfelt tribute to them and to say that their memory will always remain with us.

45. Before I conclude, allow me to express my deepest gratitude to the Balzan Foundation for awarding its 1986 Prize for Humanity, Peace and Fraternity among Peoples to UNHCR. This award invites everyone to do their utmost to bring the plight of refugees to an end.

46. It is customary at this point for the High Commissioner to thank the outgoing Chairman for his efforts during the preceding year. But, Mr. Chairman, my expression of appreciation for all that Ambassador Charry-Samper has done for our work and our goals goes beyond the requirements of custom or tradition. It was evident from the outset that his chairmanship was going to be an energetic, dynamic

and productive one, and indeed it has been. His tireless contribution to the consensus on military and armed attacks on refugee camps and settlements was just one example of his skills and commitment to the cause of refugees.

47. At the same time, we are fortunate to know that this leadership and competence will be carried on by the new Chairman, Ambassador Robertson, whose qualities and talents are well known to us.

48. Looking at the problems of refugees across the world, the year 1986 has, in many respects, seemed very difficult, if not bleak. I believe that since the beginning of this year some progress has occurred. These indications of progress are still very fragile and it is vital and urgent to reinforce them.

49. The efforts currently being made in many regions of the world to promote the peaceful settlement of disputes should help UNHCR to identify and fulfil humanitarian opportunities, however limited they may initially be, which will allow refugees to find a solution to their plight.

50. I can assure you that the results achieved these last few months, while in some respects still modest, have triggered among us at UNHCR - as many colleagues have confirmed to me - a renewed will to persevere and amplify our efforts. This drive should meet and engage with the commitment of those States which, in one way or another, are able to help alleviate the refugees' plight throughout the world. The most important thing is to accelerate the momentum which has begun to gather force during the past year. One cannot wait any longer. What is at stake is the future of men, women and a multitude of children who only ask to take their destinies back into their own hands.

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