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SUMMARY RECORD OF THE SECOND PART* OF THE 26th MEETING

Chairman: Mr. CISSÉ (Senegal)

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AGENDA ITEM 99: REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS (continued)

* The summary record of the first part of the meeting, held on Thursday, 10 November 1994, at 3 p.m., appears as document A/C.3/49/SR.26.

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The meeting was reconvened at 6.10 p.m.

AGENDA ITEM 99: REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS (continued) (A/49/12 and Add.1, A/49/218-S/1994/801, A/49/287 and Corr.1, 380, 533, 534, 577 and Corr.1 and 578; A/C.3/49/12)

1. Mr. NKENGURUTSE (Burundi) lamented the increases reported by the United Nations High Commissioner for Refugees (UNHCR) in both the number of refugees (23 million) and the number of displaced persons (24 million). It was even more regrettable that such a situation could occur at the dawn of the twenty-first century. His delegation agreed that internal conflict, human rights violations, and the destabilizing effects of poverty, drought and famine continued to afflict many parts of the world and that the situation of refugees and displaced persons in Africa had improved very little since the adoption of General Assembly resolution 48/118. Africa alone had over 7.2 million refugees, or one third of the world total. The problem of internally displaced persons (there were 20 million in Africa) had acquired a world-wide dimension.

2. While reiterating its gratitude to the High Commissioner and to intergovernmental and non-governmental organizations for providing much-needed assistance, his delegation wished to re-emphasize the acute problems which Burundi and its neighbours were experiencing as a result of mass and uncontrollable population movements in the subregion. Unprecedented political and ethnic conflict had resulted in the destruction of property, housing, infrastructure and equipment. From April to June 1994, there had been constant cross-border refugee flows into Burundi and its internally displaced population stood at 700,000. Refugees from Burundi who had sought refuge in Rwanda before and after the crisis of October 1993 had now returned. Camps for displaced persons had been set up all over the country, and the impact on the environment of millions of people living in appalling conditions was very severe.

3. The new coalition Government of Burundi was firmly committed to restoring peace, security and confidence. However, international assistance was absolutely essential in order to carry out such an enormous undertaking. He was grateful to the international community for its endorsement of the OAU decision to convene a regional conference on assistance to refugees, returnees and displaced persons in the Great Lakes region (resolution 49/7). It was to be hoped that the international conference referred to in that resolution would formulate a plan of action and a coordinated programme of assistance.

4. In conclusion, his delegation wondered if the statute of the High Commissioner's Office should be amended to include assistance to displaced persons, whose numbers had swelled dramatically.

5. Mr. OTUYELU (Nigeria) expressed support for the High Commissioner's decision to give priority to strengthening her Office's emergency preparedness and enhancing its response capacity and said that the assistance of the international community, non-governmental organizations and private individuals, together with inter-agency cooperation, were required to enable UNHCR to deal

with the additional responsibilities confronting it in the post-cold-war era. In particular, UNHCR must be provided with the necessary resources to assist refugees and displaced persons whose plight was attributable to intolerance, human rights violations, disregard for the rule of law, poor economic and social conditions and lack of security.

6. The existence of 7.2 million refugees and about 15 million displaced persons in Africa was an extremely heavy burden on inadequate social facilities in receiving areas. The consequences of such a situation had been illustrated by the forced population movements from Rwanda to Zaire, the United Republic of Tanzania, Burundi and Uganda. His delegation welcomed the voluntary repatriation of about 1.2 to 1.7 million Mozambican refugees but was saddened by the presence of an additional 2 million refugees in the Great Lakes region. Renewed hostilities in Liberia were also a cause for alarm.

7. Nigeria continued to implement the 1951 Convention relating to the Status of Refugees and the 1967 Protocol. Although it was not reflected in the report of UNHCR, Nigeria had received several thousand refugees from the subregion and other parts of Africa. In that context, it welcomed the technical support for voluntary repatriation provided by UNHCR. Instruments for the protection of refugees, particularly vulnerable groups such as women and children, must be strengthened.

8. Nigeria would continue to support efforts to address the root causes of the forced displacement of people. Preventive action must be taken by promoting tolerance, respect for the rule of law and democratic governance. While it respected the principles of non-intervention in the internal affairs of States, his delegation believed that preventive action would have made a huge difference in Rwanda.

9. His delegation welcomed the High Commissioner's initiative to promote inter-agency cooperation and effective collaboration with other groups. It welcomed, in particular, UNHCR cooperation with the United Nations Development Programme (UNDP), the Centre for Human Rights in Central America and in parts of Africa, European organizations, non-governmental organizations (NGOs) and regional groups. It also noted and endorsed the UNHCR initiative to work with the International Council of Voluntary Agencies through the Partnership in Action (PARINAC) process.

10. Mr. ADAWA (Kenya) said that Kenya was extremely concerned by the situation in Somalia, with which it shared a border of 800 kilometres, the population in the border area being of the same ethnic origin in both countries. The three years since the deployment of the United Nations Operation in Somalia had been a period of both hope and frustration. The combination of civil war and severe famine had driven 2 million Somali refugees to neighbouring countries, including 750,000 to Kenya, and had created hundreds of internally displaced persons in Somalia.

11. The refugee flows had been accompanied by the widespread infiltration of armed bandits and dangerous weapons into the neighbouring countries, resulting in serious destabilization of the border area. Since 1992, Kenya had lost about

1,000 civilians and 87 members of its security forces in more than 12,634 incidents of banditry directly linked to the situation in Somalia. In addition, it had lost some 30,000 head of cattle, 27,000 goats and 10,000 sheep, and its most ecologically fragile regions had been devastated. The regional consequences of the situation in Somalia posed a serious threat to Kenya's security and to the economic system in the border area. National efforts to cope with the demands on Kenya's physical and social infrastructure had proved futile.

12. His delegation appreciated the assistance provided by the international donor community, including NGOs, and appealed to the United Nations and the donor community for the necessary resources to rehabilitate its physical and social infrastructure and restore the region's ecosystem.

13. With a refugee population of about 250,000, Kenya was cooperating closely with UNHCR in order to accelerate the resettlement and voluntary repatriation process. As indicated by the High Commissioner, some 90,000 Somalis and 60,000 Ethiopians had been repatriated voluntarily from Kenya, in both organized and spontaneous movements (A/49/12, para. 100). Although the Somali problem must be solved at the national level, the international community none the less had an important role to play in ensuring peace and security in the border areas. Kenya recognized that the cost of the UNOSOM operations had been staggering. However, like other countries in the region, it feared that the departure of UNOSOM on 31 March 1995 would bring renewed conflict and trigger fresh waves of refugees which neighbouring countries could not handle.

14. Mr. PSYCHARIS (Greece), speaking in exercise of the right of reply, said that the representative of the former Yugoslav Republic of Macedonia, in making a statement earlier in the day, had failed to use the designation laid down by paragraph 2 of Security Council resolution 817 (1993), namely, "the former Yugoslav Republic of Macedonia". That designation was to be used until the difference that had arisen over the name of the State was settled.

15. Mr. BAYAR (Turkey), speaking in exercise of the right of reply, said that his delegation felt constrained to respond to the statements delivered by the representative of Armenia and the Greek Cypriot representative.

16. Mr. SHAMBOS (Cyprus), speaking on a point of order, said that he knew of no State Member of the United Nations called "Greek Cypriot". There was only one Member State and that was the Republic of Cyprus, and its representative was known as the representative of Cyprus. The Turkish representative should use the titles recognized by the Organization.

17. Mr. BAYAR (Turkey) said that, as a neighbouring country, Turkey had been striving for the restoration of legitimacy in the Caucasus. One of the first countries to recognize the independence of Armenia, Turkey had, from the beginning, indicated its willingness to improve its relations in all fields with Armenia, with the sole proviso that Armenia should respect the territorial integrity of Azerbaijan and the inviolability of its borders with Azerbaijan, and that it should end the ongoing aggression against Azerbaijan. As a result of a flagrant breach of international law and the violation of the territorial

integrity of Azerbaijan, however, thousands of Azerbaijanis had lost their lives and more than 1 million had been internally displaced. That unlawful situation remained a serious threat not only to the stability of the region but also to international peace and security.

18. He had decided not to respond to the statement made by the Greek Cypriot representative; instead, the response of the representative of the counterpart nation, the Turkish Republic of Northern Cyprus, would be circulated by his delegation as a document of the Third Committee.

19. Mrs. ZAGORIURU-PRIFTI (Greece), speaking in exercise of the right of reply, said, with reference to the remarks by the representative of Albania regarding Albanian refugees in Greece, that all refugees had the same legal status; those Albanians who had been expelled, however, were neither refugees nor economic immigrants, but had settled in Greece illegally. Her Government had therefore taken the necessary steps in that regard, in accordance with Hellenic law and the relevant international conventions.

20. Mr. NASSIROV (Azerbaijan), speaking in exercise of the right of reply, noted that the representative of Armenia had referred to a "blockade" by Azerbaijan on Armenia. It was true that Azerbaijan was not supplying Armenia with gas, oil, food or other goods, nor would it do so while military forces conducted aggression against Azerbaijan, occupying one quarter of its territory. It was no blockade, however, but war: a state of affairs which naturally resulted in an interruption of relations. The representative of Armenia had not mentioned the Nakhichevan region of Azerbaijan, which was totally cut off by Armenia from the outside world, while the continuing occupation of Azerbaijani territories resulted in a flow of refugees in both countries. The way to restore normal economic relations was for Armenia to withdraw all its forces and to give up its claims to the territory of neighbouring countries.

21. Mr. BIDIKOV (the former Yugoslav Republic of Macedonia), speaking in exercise of the right of reply, said that the remarks by the representative of Greece constituted a misinterpretation of Security Council resolution 817 (1993). No resolution had placed an obligation on his country not to use its proper name.

22. Mr. KAZHOYAN (Armenia), speaking in exercise of the right of reply, said that any imputation of aggression on the part of his country was groundless. It had long been accepted both by Armenia and by the Conference on Security and Cooperation in Europe (CSCE), which had concerned itself with the issue, that the conflict in question was between Nagorny Karabakh and Azerbaijan, not between that country and Armenia, and that it would not be resolved until negotiations took place between the two warring parties.

23. Mr. HOXHA (Albania), speaking in exercise of the right of reply, said that Greece undeniably held the attitude to Albanian immigrants which his delegation had previously described. Recently 800 Albanians working in Greece had been taken to the Albanian border and told not to return until they had overthrown the Albanian Government. The exploitation of the current economic situation in Albania to achieve doubtful political goals did not inspire confidence. The

action taken by the Greek Government was in contravention of humanitarian law and neighbourliness. His country sought the path of cooperation.

24. Mr. SHAMBOS (Cyprus), speaking in exercise of the right of reply, said that there was only one State of Cyprus recognized by the international community and that was his own. The so-called Turkish Republic of Northern Cyprus was the offspring of aggression, installed in the occupied territory of Cyprus by the Turkish Government. Security Council resolutions 541 (1983) and 550 (1984) had required all States not to recognize or assist that illegal entity.

25. Mr. PSYCHARIS (Greece), speaking in exercise of the right of reply, said that there was no question of an "interpretation" of Security Council resolution 817 (1993): if, as its representative alleged, the former Yugoslav Republic of Macedonia could be referred to in any other way the resolution would be devoid of meaning.

26. Mr. NASSIROV (Azerbaijan), speaking in exercise of the right of reply, said that the reality of the situation between his country and Armenia was well known to the world community and well documented in the relevant Security Council and CSCE resolutions. He would not therefore go further into a matter which was unrelated to the agenda item under consideration.

27. Mrs. ZAGORIURU-PRIFTI (Greece), speaking in exercise of the right of reply, restated her Government's position: where immigrants and refugees who had come to Greece illegally were concerned, her country abided by Hellenic laws and the relevant international conventions.

28. Mr. BAYAR (Turkey), speaking in exercise of the right of reply, disputed the version of events put forward by the representative of Cyprus. The Republic of Cyprus had been founded in 1960 in accordance with international treaties, with Turkish Cypriots and Greek Cypriots acting as politically equal partners. Following an onslaught against the Turkish Cypriot people in December 1963, Turkish Cypriot members of the Government and civil service had been forcibly ousted from their offices and had never been allowed to return. Their positions had been filled by Greek Cypriots. Since that time there had been no joint administration in Cyprus and the Greek administration in southern Cyprus had no legal or moral right to claim to represent anyone but the Greek Cypriot people.

29. Mr. BIDIKOV (the former Yugoslav Republic of Macedonia), speaking in exercise of the right of reply, said that the name of his country was, as the representative of Greece and the rest of the world well knew, the Republic of Macedonia. That name fully conformed with Security Council resolution 817 (1993), which contained no demand that his country should cease to use its name; any such demand would be contrary to international law.

30. Mr. SHAMBOS (Cyprus), speaking in exercise of the right of reply, said that from the moment of the establishment of the Republic of Cyprus the Government of Turkey had planned the partition of Cyprus. It had sent arms to the Turkish Cypriot community and tried to impose partition on the island. Turkish Cypriots had left the Government, not because they had been expelled, but because they had acted under instructions from the Turkish Government, in accordance with a

premeditated plan. They had only themselves to blame for what had occurred. He added that the official policy of the occupying Power, namely to retain the status quo, was not acceptable according to Security Council and General Assembly resolutions.

31. Mr. HOXHA (Albania), speaking in exercise of the right of reply, said that his delegation knew of no international law or convention that legalized the forcible expulsion of immigrants, such as the occasion when within a period of two weeks 70,000 Albanians had been expelled. Moreover, he questioned the motives behind the Greek use of "Hellenic" law, which seemed to be part of a wider policy.

32. Mrs. OGATA (United Nations High Commissioner for Refugees) said that the large number of speakers on the item reflected the urgency and gravity of the refugee problem. The kind words regarding her and her staff would be an encouragement to them in their work. She hoped that the Committee would continue to press for all measures to ensure the safety of her staff and those working with them, such as the draft convention on the safety of United Nations and associated personnel. It was clear that the success of her Office's comprehensive strategy of prevention largely depended on action taken in the wider context of peace, development and promotion of human rights. At the same time it was important to ensure that, while collaborating with others, UNHCR did not compromise its principles.

33. She was glad that delegations had recognized the importance of the need to protect and assist those who were uprooted. She was convinced that the issue of the internally displaced would also demand greater attention from the international community, requiring closer cooperation between those working for human rights and humanitarian organizations. The need for such cooperation was underlined by the complexity and diversity of the challenges confronting UNHCR, which had been reflected in her report and the Committee's responses. Since many delegations had commended UNHCR for its Partnership in Action (PARINAC) initiative with non-governmental organizations, she informed the Committee that she had taken a number of measures to strengthen UNHCR's capacity at Headquarters and in the various regions to follow up the recommendations of the PARINAC Conference. Implementation of the recommendations would require much effort and resources on the part of both UNHCR and the non-governmental organizations, but she stressed her personal commitment to the endeavour. The ultimate test of effective cooperation and coordination, however, lay in the speed and quality of the response in the field. She therefore reiterated her goal of further improving capacity to respond to emergencies and to plan and implement programmes, particularly for the benefit of refugee women and children. Lastly, she said that as UNHCR continued its work in the service of refugees around the world it was very reassuring to know that it enjoyed the confidence of the Committee and the General Assembly.

The meeting rose at 7.05 p.m.