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OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER
FOR REFUGEES

Report of the Third Committee

Rapporteur: Miss Olajumoke Oladayo OBAFEMI (Nigeria)

I. INTRODUCTION

1. The item entitled "Office of the United Nations High Commissioner for Refugees: report of the High Commissioner" was included in the provisional agenda of the thirty-fifth session of the General Assembly in accordance with paragraph 11 of the statute of the Office of the United Nations High Commissioner for Refugees (resolution 428 (V), annex).
2. At its 3rd plenary meeting, on 19 September 1980, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Third Committee.
3. The Committee considered the item at its 51st to 57th meetings, from 10 to 14 November. The summary records of those meetings (A/C.3/35/SR.51-57) contain the views expressed by the representatives of Member States on this item.
4. The Committee decided to consider item 78 together with the relevant chapters of the report of the Economic and Social Council (item 12) pertaining to specific cases of providing assistance to refugees.
5. In connexion with item 78, the Committee had before it the following documents:

(a) Report of the United Nations High Commissioner for Refugees; 1/

1/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 12 (A/35/12) and Supplement No. 12A (A/35/12/Add.1).

- (b) Report of the Economic and Social Council, chapter XXI (A/35/3/LdA.21); 2/
- (c) Letter dated 11 January 1980 from the Minister for Foreign Affairs of Lesotho to the Secretary-General (A/35/68-S/13746);
- (d) Letter dated 22 January 1980 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General (A/35/73-S/13758);
- (e) Letter dated 4 February 1980 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General (A/35/84-S/13778);
- (f) Letter dated 29 February 1980 from the Chargé d'Affaires a.i. of the Permanent Mission of Viet Nam to the United Nations addressed to the Secretary-General (A/35/122);
- (g) Letter dated 6 March 1980 from the Chargé d'Affaires a.i. of the Permanent Mission of Viet Nam to the United Nations addressed to the Secretary-General (A/35/125);
- (h) Letter dated 24 March 1980 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/35/154);
- (i) Letter dated 8 April 1980 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/35/169-S/13881);
- (j) Letter dated 14 May 1980 from the Chargé d'Affaires a.i. of the Permanent Mission of Lesotho to the United Nations addressed to the Secretary-General (A/35/234-S/13944);
- (k) Letter dated 16 May 1980 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (A/35/255);
- (l) Letter dated 29 May 1980 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General (A/35/275-S/13971);
- (m) Note verbale dated 13 June 1980 from the Permanent Representative of Somalia to the United Nations addressed to the Secretary-General (A/35/292);
- (n) Letter dated 26 June 1980 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General (A/35/307-S/14027);
- (o) Letter dated 27 June 1980 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General (A/35/309-S/14033);

2/ To be subsequently incorporated in Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 3 (A/35/3/Rev.1).

(p) Letter dated 27 June 1980 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General (A/35/310-S/14034);

(q) Letter dated 27 June 1980 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General (A/35/311-S/14035);

(r) Letter dated 9 July 1980 from the Permanent Representative of the Philippines to the United Nations addressed to the Secretary-General (A/35/328-S/14060);

(s) Letter dated 23 July 1980 from the Representatives of the Lao People's Democratic Republic and Viet Nam to the United Nations addressed to the Secretary-General (A/35/347-S/14071 and Corr.1);

(t) Letter dated 25 July 1980 from the Permanent Representative of Thailand to the United Nations addressed to the Secretary-General (A/35/353);

(u) Letter dated 25 July 1980 from the Permanent Representative of Luxembourg to the United Nations addressed to the Secretary-General (A/35/354-S/14077);

(v) Letter dated 2 August 1980 from the Permanent Representative of the Philippines to the United Nations addressed to the Secretary-General (A/35/374-S/14085);

(w) Letter dated 4 August 1980 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General (A/35/376-S/14087);

(x) Letter dated 8 September 1980 from the Permanent Representative of Ethiopia to the United Nations addressed to the Secretary-General (A/35/441);

(y) Letter dated 15 September 1980 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/35/457-S/14174);

(z) Letter dated 17 September 1980 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/35/462-S/14178);

(aa) Letter dated 19 September 1980 from the Minister for Foreign Affairs of the Philippines to the Secretary-General (A/35/469-S/14182);

(bb) Letter dated 3 November 1980 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General (A/35/594);

(cc) Letter dated 5 November 1980 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General (A/35/604);

(dd) Letter dated 10 November 1980 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General (A/35/622).

6. In connexion with the relevant chapters of the report of the Economic and Social Council pertaining to specific cases of providing assistance to refugees, the Committee had before it the following documents:

(a) Report of the Secretary-General on assistance to student refugees from Namibia, Zimbabwe and South Africa (A/35/149);

(b) Note by the Secretary-General on the Meeting on Humanitarian Assistance and Relief to the Kampuchean People (A/35/303);

(c) Report of the Secretary-General on assistance to displaced persons in Ethiopia (A/35/360 and Corr.1-3);

(d) Report of the Secretary-General on assistance to refugees in Djibouti (A/35/409);

(e) Report of the Secretary-General on assistance to refugees in the Sudan (A/35/410);

(f) Note by the Secretary-General on humanitarian assistance and relief to the Kampuchean people (A/35/502);

(g) Report of the Secretary-General on the situation of refugees in Africa (A/35/606).

7. At the 51st meeting, on 10 November, the United Nations High Commissioner for Refugees introduced the item. The Assistant Secretary-General, Joint Co-ordinator for Special Economic Assistance Programmes and the United Nations Disaster Relief Co-ordinator also made statements.

II. CONSIDERATION OF DRAFT RESOLUTIONS

A. Draft resolution A/C.3/35/47

8. At the 56th meeting, on 12 November, the representative of Finland introduced two draft resolutions (A/C.3/35/L.47) entitled "Report of the United Nations High Commissioner for Refugees" sponsored by Australia, Botswana, Costa Rica, Cyprus, Denmark, Djibouti, Finland, Ghana, Greece, Iceland, Kenya, Lesotho, Norway, Pakistan, Peru, the Philippines, Portugal, Senegal, Sweden, Thailand, Tunisia and Zaire, subsequently joined by Egypt, Honduras and New Zealand.

9. At the 57th meeting, on 14 November, the representative of Finland orally revised the text of the draft resolutions.

10. At the same meeting, the Committee adopted the draft resolutions, as orally revised, without a vote (see para. 15, draft resolutions I A and B).

B. Draft resolution A/C.3/35/L.51 and Rev.1

11. At the 56th meeting, on 12 November, the representative of Senegal introduced draft resolution A/C.3/35/L.51, entitled "International Conference on Assistance to Refugees in Africa", on behalf of the States Members of the United Nations which are members of the African Group.

12. At the same meeting, the representative of Senegal orally revised the draft resolution, as follows:

(a) The ninth preambular paragraph was revised to read:

"Recognizing the universal collective responsibility to share the urgent and overwhelming burden of the problem of African refugees through the effective mobilization of resources to meet the urgent and long-term needs of the refugees; and to strengthen the capacity of countries of asylum to provide adequately for the refugees while they remain in their countries, as well as to the countries of origin in the rehabilitation of genuine voluntary returnees";

(b) Operative paragraph 8 was revised to read:

"8. Appeals further also to the international community to provide all necessary assistance to the countries of asylum to enable them to strengthen their capacity to provide the necessary facilities and services essential for the care and well-being of the refugees and to assist the countries of origin in the rehabilitation of genuine voluntary returnees".

The draft resolution, as orally revised, was issued as document A/C.3/35/L.51/Rev.1.

13. A statement by the Secretary-General on the financial and administrative implications of the draft resolution was circulated in document A/C.3/35/L.56.

14. At its 57th meeting, on 12 November, the Committee adopted the draft resolution without a vote (see para. 15, draft resolution II).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

15. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Report of the United Nations High Commissioner for Refugees

A

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office, 3/ as well as the report of the Executive Committee of the Programme of the High Commissioner on its thirty-first session, 4/ and having heard the High Commissioner's statement, 5/

Recalling its resolutions 34/60, 34/61 and 34/62 of 29 November 1979,

Expressing its concern at the persistence and gravity of the problems of refugees and displaced persons in all parts of the world, particularly in different parts of Africa and Asia,

Noting with deep appreciation the positive responses of Governments to the problems of refugees and displaced persons of concern to the Office of the High Commissioner through offers of asylum, resettlement, rehabilitation and financial contributions as well as the generous support given to the Office of the High Commissioner in its humanitarian task,

Reaffirming the humanitarian character of the activities of the Office of the High Commissioner,

Considering further the continuing and urgent need for a substantial international humanitarian effort to promote durable solutions to the problems of refugees and displaced persons, drawing particular attention to women and children the world over, and welcoming the recommendations on this subject in the programme of action adopted at the World Conference of the United Nations Decade for Women, held at Copenhagen from 14 to 30 July 1980, 6/

Noting with concern that refugees encounter serious difficulties in many parts of the world in obtaining asylum and that they are exposed to the threat of refoulement, arbitrary detention and physical violence,

Deploring, in particular, the instances of physical attacks on asylum seekers at sea and of military attacks on refugee camps in southern Africa,

3/ Official Records of the General Assembly, Thirty-fifth Session Supplement No. 12 (A/35/12).

4/ Ibid., Supplement No. 12 A (A/35/12/Add.1).

5/ A/C.3/35/SR.51, paras. 1-8.

6/ See United Nations publication, Sales No. E.80.IV.3, chap. I A.

Drawing attention to the problem of refugees rescued at sea and the difficulties encountered for their disembarkation,

Taking note of resolution CM/Res.814 (XXXV) concerning the situation of refugees in Africa, adopted by the Council of Ministers of the Organization of African Unity at its thirty-fifth ordinary session, held at Freetown from 18 to 28 June 1980, 7/ and of Economic and Social Council resolution 1980/55 of 24 July 1980 concerning the organization of an international conference on assistance to refugees in Africa,

1. Commends the United Nations High Commissioner for Refugees and his staff for the dedication they have continued to demonstrate in discharging their responsibilities for protecting and assisting refugees and displaced persons throughout the world;

2. Takes note of the efforts already made by the High Commissioner to adapt the management of his services to their vastly increased tasks and encourages him to continue these efforts within the framework of comprehensive action and in close contact with the Executive Committee of the Programme of the High Commissioner and on the basis of the principles and guidelines of the General Assembly;

3. Calls upon the international community to share the burden of assisting refugees and displaced persons of concern to the High Commissioner the world over, in particular in the developing countries;

4. Reaffirms the essential importance of the High Commissioner's action to provide international protection to refugees and to promote durable and speedy solutions through voluntary repatriation or return, and subsequent assistance in rehabilitation, in consultation with the countries concerned, integration in countries of asylum or resettlement in other countries of refugees and displaced persons of concern to the High Commissioner;

5. Urges Governments to intensify their support for activities which the High Commissioner is carrying out in accordance with relevant resolutions of the General Assembly and the Economic and Social Council, especially by:

(a) Facilitating his efforts in the field of international protection by observing the principle of asylum and non-refoulement relating to refugees;

(b) Supporting his efforts to promote, in co-operation with Governments, United Nations bodies and non-governmental organizations, durable solutions to the problems of refugees and displaced persons, including those in urgent need, whenever emergencies occur;

6. Welcomes the steps already taken in implementing the recommendations of the Arusha Conference on the Situation of Refugees in Africa held in May 1979,

urges all States to provide the utmost support for the envisaged international conference on assistance to refugees in Africa and recommends that the High Commissioner should substantially increase, subject to the availability of funds, the assistance programmes allocated to Africa in order to respond effectively to the manifested needs;

7. Expresses its appreciation for the role of the High Commissioner in the repatriation of Zimbabwean refugees and in the co-ordination of the United Nations humanitarian assistance programme for the initial settlement and rehabilitation of returnees and displaced persons in Zimbabwe;

8. Stresses the importance of maintaining the relief efforts and the resettlement momentum for boat and land cases in South-East Asia and urges all Governments to provide opportunities for durable solutions to these refugees;

9. Urges the High Commissioner to explore the further elaboration of arrangements in order to facilitate the prompt and unhindered disembarkation of refugees rescued at sea and their resettlement;

10. Recognizes the High Commissioner's leading responsibility in emergency situations regarding refugees and takes note of his efforts to contribute to the improvement of the co-ordination and effectiveness of the action of United Nations bodies and other relevant organizations in providing international humanitarian assistance to refugees and displaced persons of concern to his Office;

11. Urges all Governments in a position to do so to contribute generously in order to provide the High Commissioner with the necessary means to attain the objectives of his humanitarian programme, taking into account that the over-all financial requirements of the High Commissioner are on the order of \$500 million in 1980 and that the same amount might well be required in 1981.

B

The General Assembly,

Recalling its resolutions 1166 (XII) of 26 November 1957, 2956 B (XXVII) of 12 December 1972 and 3271 B (XXIX) of 10 December 1974 in connexion with the Emergency Fund of the United Nations High Commissioner for Refugees,

Noting recommendation F of the Executive Committee of the Programme of the High Commissioner, 8/

Authorizes the United Nations High Commissioner for Refugees to allocate from the Emergency Fund up to \$10 million annually for refugees and displaced persons in emergency situations for which there is no provision in the programmes approved

8/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 12A (A/35/12/Add.1), para. 69.

/...

by the Executive Committee, it being understood that the amount made available for one single emergency shall not exceed \$4 million in any one year and that the Fund is maintained at not less than \$4 million.

DRAFT RESOLUTION II

International Conference on Assistance to Refugees in Africa

The General Assembly,

Recalling its resolution 34/61 of 29 November 1979,

Having noted the resolution of the Council of Ministers of the Organization of African Unity concerning the situation of refugees in Africa, adopted at its thirty-fifth ordinary session, held at Freetown from 18 to 28 June 1980, 9/

Having heard the statements of the Secretary-General of the United Nations and the Secretary-General of the Organization of African Unity and of the United Nations High Commissioner for Refugees 10/ on the serious situation of refugees in Africa,

Gravely concerned at the growing number of refugees on the African continent, who now constitute over half the population of refugees in the world,

Aware of the consequent social and economic burden placed on African countries of asylum as a result of the increased influx of refugees and the subsequent impact on their development,

Bearing in mind the heavy sacrifices that the countries of asylum are making, despite their limited resources, to alleviate the plight of those refugees,

Appreciating the contributions made by donor countries as well as the assistance of the United Nations High Commissioner for Refugees, the United Nations International Children's Fund, the Food and Agriculture Organization of the United Nations, the World Food Programme and other intergovernmental and non-governmental agencies for the assistance provided to refugees in Africa,

Noting with deep regret the inadequacy of the assistance provided to the growing number of African refugees,

Recognizing the universal collective responsibility to share the urgent and overwhelming burden of the problem of African refugees through the effective mobilization of resources to meet the urgent and long-term needs of the refugees and to strengthen the capacity of countries of asylum to provide adequately for the

9/ A/35/463, annex I, resolution CM/Res.814 (XXV).

10/ See A/C.3/35/SR.51, paras. 1-8.

refugees while they remain in their countries, as well as to the countries of origin in the rehabilitation of genuine voluntary returnees,

Having noted Economic and Social Council resolution 1980/55 of 24 July 1980, requesting the Secretary-General, in co-operation with the United Nations High Commissioner for Refugees, to consult the Secretary-General of the Organization of African Unity on appropriate ways and means of convening an international pledging conference for refugees in Africa,

Having considered the report of the Secretary-General on his consultations with the Secretary-General of the Organization of African Unity and the United Nations High Commissioner for Refugees concerning the organization of an international conference on assistance to refugees in Africa, 11/

1. Notes with profound regret that the international community has not given sufficient attention to the plight of refugees in Africa;
2. Consequently requests the international community to contribute substantially to programmes designed to help those refugees;
3. Approves the report of the Secretary-General 11/ calling for an international conference to mobilize assistance for refugees in Africa, as well as the measures proposed for a concerted programme of information and publicity by the relevant bodies of the United Nations system in support of the conference;
4. Requests the Secretary-General, in close co-operation with the Secretary-General of the Organization of African Unity and the United Nations High Commissioner for Refugees, to convene, at Geneva from 8 to 10 April 1981, at the ministerial level, an International Conference on Assistance to Refugees in Africa;
5. Further requests the Secretary-General in the process of preparing for the Conference, in close co-operation with the Secretary-General of the Organization of African Unity and the United Nations High Commissioner for Refugees, to assist the concerned African countries in identifying priorities and preparing necessary documents and programmes for assistance to African refugees;
6. Authorizes the Secretary-General to meet the expenses for the organization of the Conference under the regular budget of the United Nations;
7. Appeals to the international community, all Member States, the specialized agencies, regional and intergovernmental organizations and non-governmental organizations, to provide the utmost support for the Conference with a view to maximizing financial and material assistance to refugees in Africa;
8. Further appeals to the international community to provide all necessary assistance to the countries of asylum to enable them to strengthen their

11/ A/35/606.

capacity to provide the necessary facilities and services essential for the care and well-being of the refugees and to assist the countries of origin in the rehabilitation of genuine voluntary returnees;

9. Urges the international community to continue to support the annual programmes of the United Nations High Commissioner for Refugees and of other United Nations agencies co-operating with the High Commissioner on behalf of refugees in Africa;

10. Requests the High Commissioner, in close co-operation with the Secretary-General of the Organization of African Unity, to keep under constant review the refugee situation in Africa in order to ensure maximum international assistance on a global basis;

11. Requests the Secretary-General to report to the General Assembly at its thirty-sixth session and to the Economic and Social Council at its first regular session in 1981 on the implementation of the present resolution.