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EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

Thirty-first session

SUMMARY RECORD OF THE 321st MEETING

Held at the Palais des Nations, Geneva
on Thursday, 9 October 1980, at 10 a.m.

Chairman: Mr. BIRIDO (Sudan)

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The meeting was called to order at 10.35 a.m.

STATEMENT BY THE HIGH COMMISSIONER AND GENERAL DEBATE (agenda item 3) (continued)
(A/AC.96/INF.160)

1. Mr. SUONG SIKOEUN (Observer for Democratic Kampuchea) said that there was little reason for optimism about the decade to come: the number of refugees was growing and their situation continually worsening. The reason that the High Commissioner had begun his opening statement by speaking of Kampuchea was that its tragedy was unprecedented in the history of humanity and was affecting the entire population. The exodus of the Kampuchean people and the famine from which they were suffering were the result not of an ordinary war, but of a deliberate policy to rid Kampuchea of its people, either by exterminating them or by driving them out of the country.
2. Before the invasion of Kampuchea, neither Thailand, nor Malaysia, nor any other country in the region had been faced with such a massive exodus of refugees. Refugees were streaming out of the very country responsible for that invasion, and the phenomenon of the boat people was continuing. The occupiers spoke of the so-called settlement of 300,000 Kampuchean refugees in Kampuchea, 115,000 of whom had supposedly been repatriated from Viet Nam, and were requesting more than \$14 million in aid on that account. First of all, it should be emphasized that Kampuchians did not take refuge in Viet Nam, no matter what the circumstances. The actual situation was that the occupiers were already establishing settlements in several provinces of Kampuchea. Accordingly, Kampuchea urged that aid sent to the country should be adequately supervised and drew attention to the basic fact that the invasion of Kampuchea was not a conventional war of colonial conquest, but a war of genocide. If the aid being sent to Kampuchea had been distributed, Kampuchians would not be crossing the Thai frontier in their thousands.
3. The tragedy of the Kampuchean refugees would not end until the army of occupation had completely withdrawn from the country. With an army of 250,000 men in Kampuchea and an army of 50,000 men in Laos, the occupiers were bringing a constant threat to bear on the lives of the civilian population; by their acts of armed aggression against Thailand, they were threatening peace and stability in that region of the world. Humanitarian aid would certainly relieve the suffering and distress of the refugees, but it would not end them. Only the withdrawal of all foreign troops from Kampuchea would put an end to war in that country. That was the solution for which the international community had called in General Assembly resolution 34/22, adopted at the Assembly's preceding session. All that Kampuchea wished was to live in peace.
4. The CHAIRMAN urged the members of the Executive Committee and the observers present to limit themselves to the humanitarian aspects of refugee problems, aspects which came within its terms of reference. There were other bodies for debating what made refugees decide to leave their country.
5. Mr. KAMIL (Observer for Malaysia) said he was sad to note the general worsening of the refugee situation in the world. UNHCR's suggestions on ways in which it might resolve the problems presented by the refugees were extremely pertinent and the measures contemplated were pragmatic ones, particularly the recommendation to increase the Emergency Fund to enable UNHCR to provide swift and adequate relief in emergency situations.

6. As a country of temporary asylum, Malaysia was particularly interested in the High Commissioner's report on the resettlement of refugees. Notwithstanding a substantial improvement in the situation, problems remained, and Malaysia shared Thailand's concern and supported its appeal. Although the number of boat people had been greatly reduced as a result of the meeting held at Geneva in July 1979, many were still awaiting resettlement. In view of the difficulties experienced by countries of temporary asylum in providing permanent settlement for the Vietnamese boat people, Malaysia urged the continued co-operation of the countries of resettlement in maintaining and, where possible, increasing the pace of intake.

7. The Malaysian Government noted with interest that the Government of the Socialist Republic of Viet Nam was continuing to observe the Memorandum of Understanding establishing procedures for legal departure from Viet Nam. While the seven-point programme was a step in the right direction, its implementation had not been conducted in the way expected. Malaysia hoped that the Government of the Socialist Republic of Viet Nam would seek ways to implement the programme positively.

8. Malaysia shared the concern of the Executive Committee with respect to piracy in South-East Asian waters and would continue to give that problem the appropriate attention.

9. In view of the serious repercussions generated by the refugee problems in South-East Asia, the member countries of the Association of South-East Asian Nations (ASEAN) had continued to give their deepest attention to the promotion of peace and stability in the region. The Malaysian Government would continue to extend all possible assistance as a country of first asylum in support of the efforts by UNHCR in that area.

9 bis. Mr. CORNILLON (Inter-Parliamentary Union) informed the Executive Committee that, on 24 September 1980, the Inter-Parliamentary Union had adopted a resolution voicing the concern of the world parliamentary community over the refugee problem and expressing its members' unanimous desire to increase efforts to remedy it. The members of the Inter-Parliamentary Union had enjoyed the active co-operation of UNHCR, which had made a useful contribution to preparation of the text. Under the resolution, all Member States were called upon to "support the action of the Office of the United Nations High Commissioner for Refugees" and the Union made a strong plea for "an appreciable increase in the financial contributions to action undertaken by the international community, particularly the Office of the United Nations High Commissioner for Refugees". The Inter-Parliamentary Union hoped that the resolution would be useful to the refugee cause and that it would help UNHCR in its work at the national level. The Secretary-General of the Union was prepared to do everything in his power in that direction and to support any specific action that UNHCR might decide to undertake with the Inter-Parliamentary Union as a whole or some of its members.

10. Mr. HOCKE (International Committee of the Red Cross) said it was obvious that solution of the basic problems of refugees required a concerted effort by all the organizations which were able to assist them. For many years now, work on behalf of refugees had represented a large part of the activities of the Red Cross: the national societies of the Red Cross and the Red Crescent were often confronted with masses of refugees and frequently dealt with the reception of persons who had been granted asylum in the country concerned, the League of Red Cross Societies supported the national societies in their activities on behalf of refugees and ICRC did work connected with

armed conflicts and the after-effects of such conflicts, which were a growing source of refugees. When such persons were protected by the Geneva Conventions of 1949, amplified by the Additional Protocols of 1977, ICRC granted them protection and assistance. However, the international community had mandated ICRC to deal not only with situations of armed conflict but also with the victims of internal disturbances. Nevertheless, UNHCR was and must remain the body which had specific competence in regard to the protection of refugees and the search for permanent solutions. ICRC, a body with specific responsibility for protecting and assisting victims of armed conflict, was prepared to provide humanitarian aid to refugees or displaced persons in those or other similar situations. In some cases, ICRC might be the only body or the best placed body to provide assistance and/or protection to refugees, in particular when action by a neutral intermediary was necessary, or when refugees needed services from ICRC in specific areas such as those dealt with by the Central Tracing Agency. Where ICRC's work on behalf of refugees was limited or ran parallel to that of other bodies, it would concentrate on the traditional recipients of its humanitarian aid: the wounded, the sick, prisoners, women, children and old people. The magnitude of those problems required increasing resources in money and personnel, as well as a more precise division of work and responsibilities among the United Nations system, the Red Cross and the voluntary organizations.

11. Donors, both governmental and private, wished to know the role assigned to each element and where their contributions were going, and perhaps even more, to feel that there was a consistent and coherent policy behind the humanitarian work. ICRC would do everything in its power to assure the donor Governments, as well as recipients and public opinion, that there was genuine and effective co-operation among the various organizations active in that area in regard to programmes, budgets and the execution of the planned activities. The solution lay in flexible and permanent machinery for consultation, planning and co-operation among organizations, which would also help establish a sustained dialogue with the donors. The continuing objective was to convince the latter that every programme was justified and that the execution of each one was necessary to the accomplishment of the over-all task.

12. On that subject, it should be pointed out that the question of Red Cross activity on behalf of refugees would be included in the agenda of the next International Red Cross Conference to be held in Manila in 1981. In the months to come, ICRC and the League of Red Cross Societies would be contacting UNHCR in order to formulate more precise guidelines for co-operation and the division of responsibilities. ICRC was generally prepared to participate in all joint efforts, even to take the initiative in coming to the aid of displaced persons and refugees in all situations coming within its sphere of competence. Such co-ordination would be grounded in respect for each organization's responsibilities and functions as well as in respect for the basic principles of the Red Cross movement, a condition which ICRC felt was essential in order to assist refugees, who were and would be the cause as well as the result of conflicts.

13. ICRC hoped that those efforts at co-operation and co-ordination would induce donor Governments to respond rapidly and generously to the humanitarian organizations' appeals for funds. Too often, large groups of victims were still not receiving in time the assistance upon which their survival depended. In addition, in many cases, the time required by the authorities of the recipient countries for evaluation of

needs by representatives of the international humanitarian organizations, as well as for supervision of how the assistance was used, often created difficulties in rapidly mobilizing the sums required for the implementation of programmes. The increase in the number of displaced persons and refugees throughout the world required a sustained dialogue among the executing agencies, the donor Governments and the Governments of the recipient countries. Such a dialogue would produce, as soon as a crisis erupted, concerted action, co-operation and co-ordination needed to save endangered persons and allow them to resume their lives in circumstances ensuring respect for human dignity.

14. Mr. LASSERRE-BIGORRY (International Labour Organisation) said he wished to convey the concern of the Director-General of ILO over the magnitude of the human problems affecting refugees; at the Director-General's request, various technical services in ILO had searched their conscience to see how they could contribute to the international efforts being made in that field, particularly by UNHCR. After studying the documents submitted to the current session and hearing the statements made, he was convinced that there was room for a technical contribution by ILO. The High Commissioner had mentioned, for example, in his opening statement that a problem of definition of responsibilities arose, particularly since there were often convergent motivations, in that refugees sometimes presented themselves as migrant workers, and vice versa. In one of the documents submitted, the High Commissioner expressed his concern that refugees should not be treated as illegal migrants; that concern was shared by ILO, which was working to mitigate the phenomenon of illegal migrants, in the interests both of States and of the individuals concerned.

15. In the past, ILO had collaborated closely with bodies dealing with refugees, such as ICRC, but the soul-searching which it was currently undertaking had shown that it could provide still greater technical support. It was also its intention, so far as protection was concerned, to support the implementation of any new texts which might be adopted, just as it had supported the 1951 Convention relating to the Status of Refugees and the 1954 Convention relating to the Status of Stateless Persons. All the ILO standards were applicable to refugees and stateless persons, and its programme of action on behalf of migrant workers was also of benefit to those groups.

16. Finally, remarking that the General Assembly had set up a working group to draft a convention on the rights of migrant workers, he asked whether it would not be desirable to include refugees and stateless persons in the work.

17. The CHAIRMAN said that the Secretariat would answer the ILO Observer's interesting question in due course.

18. Dr. SCHOU (Observer for the Intergovernmental Committee for European Migration) thanked the High Commissioner and his staff for their excellent co-operation with ICEM, both at headquarters and in the field. In 1980, ICEM would beat its own record by resettling some 300,000 persons from various parts of the world in receiving countries. Of that number, more than 200,000 came from Indo-China, while the others were from Eastern Europe - the European refugee problem must not be forgotten, for the reception centres were full - from Cuba and from other countries. ICEM continued to transport groups of refugees by charter or commercial flights; each month it transported some 21,000 to 25,000 South-East Asian refugees from Bangkok, Hong Kong, Macau, Manila, Indonesia, Singapore and Malaysia. In order to be resettled, all those

persons had to comply with medical and other formalities in accordance with the regulations of the receiving countries. It was gratifying to note that, as a result of the efforts made, there had been a net decrease of some 12,000 refugees a month in that part of the world; in that respect, the appeal made by the High Commissioner in Geneva the previous summer had had a positive effect. The ICEM activities which he had just mentioned imposed a heavy burden on its staff. In particular, he pointed out what long hours the doctors worked. Moreover, the work could not be carried on without close collaboration with the local Red Cross Societies, the League of Red Cross Societies, the authorities in the countries of departure and reception and the voluntary organizations. Their respective spheres of work were clearly delimited and there was no overlapping.

19. Remarking that behind the figures there were individuals who were suffering, as the High Commissioner had said in his opening statement, he mentioned some of the human tragedies encountered in the course of his organization's work: the case of a mother suffering from diabetes and gangrene who had been provided with emergency transport and who was now able to look after her children in the country of reception, although she had had to have a leg amputated; the case of a nine-year-old boy arriving to be vaccinated with his small sister whom he had had to carry after their parents had been killed; the case of a father in a state of shock holding a baby in his arms after seeing his wife and two other children drowned. There were undoubtedly many equally tragic cases among the millions of refugees to be found in the world.

20. Special mention must be made of the situation of handicapped refugees: they were the most vulnerable and the most difficult to resettle. The main countries of immigration had relaxed their selection criteria somewhat in order to admit more refugees in that category, but they were still difficult to place. The smaller receiving countries, who could not absorb large numbers, should concentrate more on such cases. It had often been observed, indeed, that families of which certain members were handicapped were able to look after them after being given initial assistance. In conclusion, he referred to the nightmare of those handicapped refugees, who saw others leaving for new countries while they continued to wait month after month.

21. Mr. HARTLING (United Nations High Commissioner for Refugees) said that all delegations had recognized the increase in the gravity of the refugee problem and the need to strengthen the efforts of the international community and of all those engaged in refugee work, particularly UNHCR, in the field of international protection. He welcomed the fact that several delegations had stressed the need for further accessions to the international refugee instruments and that some countries were taking measures in that respect. He had also been encouraged by the importance that certain countries attached to naturalization, a capital step on the way to assimilation in new communities. The Sub-Committee of the Whole on International Protection had once again tackled fundamental problems.

22. It was also necessary to strengthen the Assistance Programme. By force of circumstances, UNHCR had become one of the biggest-spending organizations in the United Nations system, and he was therefore all the more grateful to the countries which had announced sizeable increases in their contributions. Some Governments had announced unearmarked contributions, the need for which had been emphasized. Some delegations had also stressed the need for early pledging.

23. Many speakers had referred to the question of resettlement, which must be considered when voluntary repatriation - by far the best solution to refugee problems - or integration in first-asylum countries were not possible. Resettlement measures must be pursued vigorously. He thanked the countries which had announced highly welcome decisions in that respect.

24. He was deeply grateful to the countries which had accepted large numbers of refugees without appealing to the international community. If a country felt that it now required assistance from international sources, UNHCR would send missions to study the situation in detail, in close co-operation with the domestic authorities. A detailed programme would then be established, and support would be sought from the international community.

25. The representatives of the United Kingdom, France, Greece and the Netherlands had raised the question of the rescue at sea of refugees who had fled their countries by boat. That point would continue to be studied until an appropriate solution could be found.

26. He had noted with satisfaction that the measures taken to increase the efficiency of UNHCR, particularly in emergency cases, had evoked much interest among delegations. He had taken note of all the comments made on the subject, and would continue to take the necessary measures to strengthen UNHCR's action and keep the Executive Committee informed on the subject.

27. The same applied to the co-ordination of UNHCR activities with those of other bodies of the United Nations system. Each organization must give its response to the problems which arose according to its statute and competence and everything possible must be done to harmonize the action undertaken. The idea of a lead agency in a given situation had developed precisely to ensure that. In the refugee field, UNHCR was the lead agency in accordance with its terms of reference. In the course of time, UNHCR had acquired a certain expertise in assistance to refugees and even in initial assistance to returnees. With regard to displaced persons, the situation was complex, but UNHCR was ready to continue to play its role in helping those uprooted persons.

28. During the debate, repeated reference had been made to burden-sharing, a concept which had been gaining ground since the Arusha Conference in May 1979; it had universal value and must remain a priority objective for all those concerned with refugee work. With regard, more specifically, to Africa, support appeared to be emerging for the holding of an international pledging conference for refugees in Africa. Moreover, the refugee situation in Africa was becoming increasingly well understood beyond the frontiers of the continent and UNHCR would continue its efforts to mobilize international public opinion and obtain support commensurate with the magnitude of the problem. In addition, UNHCR was firmly determined to continue to provide humanitarian assistance to liberation movements.

29. It was important to strengthen the dialogue between UNHCR and all Governments, in particular those which were members of the Executive Committee. The international community could respond effectively to needs only if there was an increasing understanding by Governments of the refugee problem and of UNHCR's task. The development of contacts between UNHCR and the members of the Executive Committee was part of that process to which he would continue to pay close attention, so that the exchanges might become increasingly fruitful. One important point on which he constantly sought Governments' support was the need to preserve the purely humanitarian character of UNHCR's work.

30. Several speakers had remarked with justification that UNHCR's task was politically sensitive. It was true also that the root causes of refugee problems must be addressed urgently, but it was not for UNHCR to do so. Such a task was within the competence of other organs and other forums of the United Nations. For UNHCR to continue its activities and to respond to the expectations of the refugees and the international community, its eminently humanitarian character must be preserved.

31. The CHAIRMAN said that the opening statement by the High Commissioner had guided the discussions in the Executive Committee. The proposals for strengthening UNHCR contained in that statement were extremely useful and had been supported by the Executive Committee; specifically, he had in mind the Policy Planning and Research Unit and the Emergency Unit. Similarly, delegations had approved the idea of the UNHCR staff training programme and some had suggested that such training might be extended to national government officials dealing with refugees. The idea of a Fund for Durable Solutions had received wide support, as had the suggestion for the holding of a conference on African refugees. Some delegations had remarked that although UNHCR's resources were increasing, the number of refugees with whom it had to cope was continuing to grow, and that it was therefore necessary to consider the best means of meeting the new challenges facing UNHCR. In that connection, the fact that the Executive Committee had adopted the Canadian proposal clearly showed the importance which delegations attached to that question. A number of representatives had also mentioned the need for satisfactory co-ordination between the various United Nations bodies and the voluntary agencies, to whose work they had paid tribute. Many members of the Executive Committee had also emphasized the need for an equitable sharing of aid between the various regions. Some delegations had informed the Executive Committee of the size of their Government's contribution and of its intention to increase it. The meeting dealing with Indo-Chinese refugees had proved useful. The invitation extended by the representative of the United Republic of Tanzania to hold the next session of the Executive Committee in Arusha had been welcomed by some delegations. Finally, the delegations of Greece and Sweden had made constructive proposals regarding the creation of national disaster relief units.

32. He declared the general debate closed but said that the representative of the Organization of African Unity would speak on item 5 the next day.

The meeting rose at 11.50 a.m.