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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Fifty-third session

SUMMARY RECORD OF THE 563rd MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 1 October 2002, at 10 a.m.

Chairman: Mr. YIMER (Ethiopia)

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The meeting was called to order at 10 a.m.

PRESENTATION BY THE HIGH COMMISSIONER (agenda item 4) (continued)

1. The CHAIRMAN invited the Executive Committee to continue its general debate on the presentation by the United Nations High Commissioner for Refugees.
2. Mr. THABANE (Lesotho) reaffirmed his Government's commitment to the 1951 Convention relating to the Status of Refugees, which Lesotho had ratified in 1979. In 2002, World Refugee Day in Lesotho had been devoted to the theme of the elimination of violence against women. Refugee issues remained a major problem for Africa, despite hopes of an improvement in the situation in the Great Lakes region. Lesotho supported the High Commissioner's wish to strengthen cooperation between the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and the Office of the United Nations High Commissioner for Human Rights. But it was also important to emphasize prevention, particularly of conflicts. In addition to making positive noises, those States which had the means to do so should release the necessary funds to resolve refugee problems.
3. Mr. KEBEDE (Ethiopia) said that the achievements that had been made in addressing the causes of problems in refugee-generating countries such as Afghanistan, Liberia, Angola and Sri Lanka were encouraging. That said, it was important not to focus solely on high-profile refugee situations. It should not be forgotten that several developing countries in Africa had been grappling with a protracted refugee crisis and that international assistance to those countries had continued to dwindle. There was an urgent need to reinvigorate the principle of burden-sharing and to search for durable solutions. Ethiopia was actively engaged in repatriating Somali refugees to the north-western region of Somalia, in collaboration with UNHCR and the World Food Programme (WFP). The operation had enabled it to close five refugee camps and to envisage the closure of a sixth by the end of October 2002, a notable achievement in light of the complex situation in that region of the Horn of Africa. However, repatriation should be followed up by sustainable reintegration in the country of origin if peace and development were to be guaranteed. In addition, the Ethiopian Government was continuing to work with UNHCR to complete the repatriation of Somali refugees from eastern Ethiopia. It hoped that the international community would support it and provide the necessary resources to prevent a resurgence of the conflicts that had plagued the region.
4. His delegation hoped that the Machakos framework agreement between the Sudanese Government and the Sudan People's Liberation Army (SPLA) would be followed up, thereby putting an end to a long fratricidal conflict and enabling refugees to be repatriated, to their satisfaction and that of the host country and the country of origin. Pending repatriation, the Ethiopian authorities would continue to provide the refugees with relief assistance and the opportunity to become economically self-reliant. The aim of the strategy was to create the right conditions for peaceful coexistence between refugees and the local population.
5. His delegation welcomed the introduction of the Code of Conduct to prevent sexual abuse and exploitation and the establishment of principles for undertaking humanitarian activities. It should be borne in mind, however, that the beneficiaries themselves should be

educated about those principles and also about their rights and obligations. Accordingly, the Ethiopian authorities had recently conducted a joint survey with UNHCR and other implementing partners to assess the incidence of sexual abuse and exploitation in refugee camps. Happily, the survey had failed to reveal any untoward practices. Yet those encouraging results had not prevented his Government from signing agreements with non-governmental organizations (NGOs) to strengthen community services and protection in the camps and recruit local social workers, including many women, to ensure the protection of refugees.

6. His Government supported the idea of a forum for discussion of specific issues such as the implementation of the Agenda for Protection.

7. Mr. ALI (Uganda) said that, despite hopes for ending conflicts in the Great Lakes region, Uganda had continued to receive refugees, mostly from the Democratic Republic of the Congo and the Sudan, where the current prospects for voluntary repatriation appeared relatively remote. Accordingly, Uganda called on the international community to give concrete support to peace-building efforts in refugee-producing countries in order to facilitate their voluntary repatriation. Despite the ever-increasing number of refugees, Uganda had always maintained an open-door policy. For more than 40 years, that policy had been based on local integration through the establishment of rural settlements that gave refugees access to land and enabled them to grow their own food, it being understood that refugee-hosting areas and local people should receive special attention. Uganda's refugee programme was currently in the midst of transition from a relief to a development phase. To manage that transition, the Ugandan authorities needed the support of UNHCR and donors, for example to attract reliable development partners who were willing to support the joint development initiatives of refugees and Ugandan nationals and to continue to implement Uganda's strategy of making refugees self-reliant.

8. Concerning refugee security and protection, it was regrettable that some refugees had suffered attacks by a rebel group, even though they had not been targeted directly. The Ugandan Government was doing everything it could to contain rebel activities. In order to guarantee refugee security, plans had been made to relocate 23,000 refugees to safer settlements. His Government hoped that the Global Consultations process for enhancing the protection of refugees would result in a consensus statement aimed at improving asylum procedures while taking into account the concerns of host populations.

9. In the past year, Uganda had had to cope with a steady influx of Rwandan refugees from the United Republic of Tanzania. On the advice of UNHCR, the Ugandan Government had decided to stop recognizing Rwandan asylum-seekers from Tanzania because they were already benefiting from international protection. Those who had continued to enter Uganda had been allowed to stay, for humanitarian reasons, but had not received any assistance.

10. Given that there seemed to be no end in sight to the conflicts in the Great Lakes region, it was likely that a certain number of refugees would remain in Uganda for some time; that corresponded to UNHCR's definition of a protracted refugee situation. Even in such a situation, refugees should continue to benefit from humanitarian assistance.

11. Uganda endorsed the High Commissioner's efforts to establish a more comprehensive multilateral regime. It was to be hoped that such efforts would yield more stable and reliable funding mechanisms. His Government also supported UNHCR's restructuring process, while making a plea for special attention to be given to human resources issues, especially the matter of certain key posts in the field.

12. Ms. DALZIEL (New Zealand) said that her Government had originally favoured a complete redrafting of the 1951 Convention, but had been won over by the arguments of those who thought it would be more constructive and forward-looking to adopt the "Convention Plus" solution. More countries should be encouraged to become signatories to the Convention. For that to happen, the Convention should be made more responsive to the needs of countries of origin, countries of first refuge, transit countries and receiving countries. It should also provide for durable solutions and establish an equitable system of burden-sharing. For many years, New Zealand had had to deal with thousands of manifestly unfounded claims which had clogged up its refugee-determination and appeals systems. Even in a small country such as New Zealand, the cost of such disruption was enormous and diverted resources from resettlement programmes for genuine refugees. The High Commissioner's proposals to simplify procedures for asylum-seekers and establish a system for identifying certain States as unlikely refugee-source countries were therefore encouraging.

13. For New Zealand, many of the issues raised by the "Convention Plus" initiative had recently come to a head in the Tampa crisis. At the request of the Australian Government, and with the support of UNHCR, New Zealand had for the first time agreed to accept non-mandated asylum-seekers so that their claims could be determined in its territory. In the same spirit, New Zealand had participated actively in the Bali Ministerial Conference on people smuggling in February 2002. As part of the follow-up to that conference, it had coordinated an expert group to build closer regional and international cooperation against people smuggling. It was necessary to demonstrate that legal asylum channels worked and also to impose severe penalties on people smugglers. Thus, in order to alleviate regional pressure in countries along the people-smuggling route, New Zealand had allocated part of its annual quota to mandated refugees in Indonesia, Malaysia and Thailand and had also imposed new and heavier criminal penalties on people smugglers. Moreover, it had agreed to take refugees from Nauru and Manus, some mandated by UNHCR and others accorded refugee status by Australia. The acceptance of refugees determined by another country could be a future goal of multilateral solutions to refugee problems.

14. New Zealand's decision to seek membership of the Executive Committee had confirmed its desire to be closely involved in efforts to develop constructive and sustainable solutions to the global refugee problem.

15. Mr. SHEN Yongxiang (China) said that, in the past year, the international community had had to confront major refugee challenges. Afghanistan had experienced a multitude of problems, even though many refugees had now returned home thanks to the efforts of donor countries and humanitarian organizations.

16. In May 2002, the Global Consultations on international protection had been successfully concluded and an Agenda for Protection drawn up. It was essential that a full measure of solidarity should be shown and that the refugee burden should be shared equally to encourage more countries to accede to the 1951 Convention and its Protocol.

17. His delegation had taken note with interest of the High Commissioner's "Convention Plus" concept. The Convention and the Protocol thereto were the cornerstone of the international refugee protection regime, but they had not offered solutions to large refugee flows and secondary movements. Solutions to those problems should be sought in a spirit of cooperation and dialogue at the international level.

18. As part of the UNHCR 2004 process, a number of new ideas had been put forward regarding basic questions such as UNHCR's statute and its mandate. States would need time to reflect on those matters. His delegation supported the High Commissioner's suggestions for improving UNHCR's funding and securing more resources from the United Nations development agencies, developed States and international financial organizations. It also approved of UNHCR's plans to strengthen coordination and cooperation with other humanitarian bodies and organizations, including IOM, to ensure more effective international protection and assistance for refugees.

19. Ms. BERTA (Hungary) said that Hungary had almost completed the development of legal and practical elements conforming to European Union standards and requirements that would serve as a basis for the application of an asylum procedure. Naturally, Hungary would amend its laws or adapt its practices in the light of any difficulties that might arise.

20. The Hungarian Government welcomed UNHCR's decision to turn its Budapest office into a regional office. It was aware of the importance of that initiative and was prepared to contribute by providing suitable facilities.

21. As a result of extensive work, Hungary had defined minimum standards for receiving asylum-seekers. In addition to observance of humanitarian principles and basic rights, provision had been made in accordance with international refugee regulations for the right to choose one's place of residence, the right to freedom of movement and access to medical care, education and employment. The enjoyment of those rights could be restricted only in ways and instances provided for by law. Respect for family life and special treatment for vulnerable groups were also guaranteed. It should be mentioned that a special facility had been built at Bekescsaba with assistance from UNHCR for children separated from their families.

22. Mr. DOBÓ (Hungary) said that Hungary had provided shelter for thousands of asylum-seekers in recent years, especially during the Balkan crisis. The recognition that special political and administrative measures were necessary in cases of mass influx had contributed greatly to the successful management of that crisis. In such situations, it was particularly important to build effective control mechanisms to maintain law and order and public safety in the host country. There must be mechanisms to filter out dangerous elements such as military or paramilitary personnel without impairing access to protection for those who needed it. But protection should not end after legal status had been clarified and physical security guaranteed. Beyond those considerations, it was important to find the point where the interests of host

countries and refugees intersected. It should be emphasized that integration served the long-term objectives of both refugees and host countries. Integration enabled host countries to reduce the budgetary allocations needed to support refugees and allowed refugees themselves to contribute to the welfare of the receiving country and enrich its society and culture. Naturally, it was not enough simply to apply specific procedures. It was also important to assess the host country's capacity and the disposition of the refugees to be integrated.

23. More often than not, the only way for refugees to flee their country was via channels of illegal migration, but it was disturbing to note that organized crime networks involved in people smuggling were increasingly taking advantage of the protection system of target and transit countries as well. The fact that large numbers of asylum-seekers disappeared before a decision was taken on their case undermined the credibility of refugee status and impacted negatively on the general attitude towards asylum-seekers. To ensure the effectiveness of the refugee protection system, internationally coordinated legal and practical means were needed to restrict abuses, especially a policy that facilitated voluntary repatriation while respecting human dignity.

24. Hungary had supported the Global Consultations because they facilitated the search for solutions to the problems involved. His Government strongly believed that UNHCR should coordinate conferences and consultations at various levels. Together with its national offices, UNHCR should play an initiating role in developing and strengthening cooperation among Central and East European countries. Hungary welcomed the initiatives proposed by the High Commissioner to hold further consultations aimed at supplementing the 1951 Convention.

25. Lastly, it should not be forgotten that a national commitment to refugee protection could be effective only if government objectives were supported by civil society. To that end, NGOs should take part in the consultations because they traditionally performed the role of mediator in relation to society.

26. Mr. KHATIB (United Republic of Tanzania) commended the High Commissioner's vision of UNHCR's mandate and his ideas about management reform. His delegation unreservedly supported measures aimed at improving the provision of services to refugees and displaced persons.

27. UNHCR was currently facing a shortfall of some \$25 million in its budget for 2002 (taking pledged funds into account), and that did not augur well for 2003 unless the international community showed a willingness to bring contributions up to the level approved by the Executive Committee. The situation was even more serious considering that most refugees were hosted in countries with fragile economies and internal conflicts - especially in Africa - showed no sign of abating. His delegation was of the view that most of those conflicts were supported by certain Powers that secretly supplied the belligerents with arms or financial resources. The proliferation of arms and ammunition in the United Republic of Tanzania had fuelled a rise in crime in many parts of the country.

28. Many of the rich countries seemed to have tired of contributing to UNHCR, yet refugee-hosting countries were similarly fatigued at having to open their borders (while other countries were closing theirs) without adequate support for coping with the social and economic impact of refugee flows.

29. The sooner refugees returned to their country, the better it would be for the whole world. The High Commissioner had advocated development through local integration (DLI). His Government believed that DLI could be a durable solution only in certain rare cases and not in situations of massive influx; repatriation remained one of the most viable durable solutions. For that reason, his Government had taken every opportunity to facilitate repatriation of refugees, for example to Burundi and Rwanda. Prospects were very good in the Democratic Republic of the Congo, provided that the process now under way was genuinely supported by the whole international community without hidden or selfish motives. His Government was therefore pleased to note that UNHCR was closely monitoring the withdrawal of foreign troops from that country, thereby paving the way for the safe return of Congolese refugees. It was time to promote and facilitate repatriation of all those who wished to return to Burundi; they should not be discouraged from returning home on the pretext that certain areas were unsafe, as some UNHCR staff had claimed.

30. His Government had always admitted genuine refugees and asylum-seekers, but it was not prepared to make concessions to illegal immigrants, wherever they were from. Tanzania would apply the relevant laws to such persons, as it was entitled to do as a sovereign State.

31. The creation of a forum for the discussion of specific issues was a welcome idea. A possible issue for discussion could be the search for durable solutions to refugee problems through the creation of safe zones or safe havens in countries of origin. If such an approach was possible in Bosnia and Herzegovina, it could be applied elsewhere, on condition that lessons were drawn from the avoidable mistakes that had been made. The forum should also address the concerns of asylum countries about some of the provisions of the 1951 Convention.

32. The fact that fewer and fewer rich countries and international institutions wished to provide adequate resources to help refugee-hosting countries was a matter of considerable concern. Burden-sharing was increasingly giving way to responsibility shifting, with some countries turning themselves into fortresses through the application of stringent visa regimes and the imposition of exorbitant fines for carriers which had the misfortune to be used by illegal immigrants.

33. Mr. ADAM (Belgium) said that his Government associated itself with the statement made by the representative of Denmark on behalf of the European Union.

34. The Agenda for Protection was a seminal working document for the months and years ahead. To ensure that its recommendations were implemented in a coherent and realistic manner, it was vital that UNHCR and the States parties to the 1951 Convention should agree on certain priorities. An appropriately established forum should ensure that the priorities were respected and that information was communicated to the governing bodies of UNHCR on a regular basis.

35. The High Commissioner had presented a realistic and balanced approach that demonstrated a real commitment to refugees, but States' protection systems needed to be strengthened or even reformed.

36. The idea of helping to limit secondary movements by developing a truly effective protection system in regions of origin certainly deserved to be explored. Belgium therefore welcomed the “Convention Plus” concept. The experience of member States of the European Union in their relations with third countries, whether countries of origin or countries of transit, showed that it was essential to take account of regional and global approaches focusing on conflict prevention and assistance with post-conflict reconstruction and reintegration, for example. The resettlement of refugees should be an important component of “Convention Plus”, so long as everything possible was done to minimize abuses of asylum procedures for immigration purposes. That was essential to ensure that public opinion was more sympathetic to refugee problems.

37. His Government believed that fuller information should be provided on the asylum-migration nexus, supported by statistics. UNHCR could be instructed to gather and analyse those data in close collaboration with OIM, but the effective management of population movements should remain its priority. Accordingly, Belgium was of the view that a global registration system for refugees and asylum-seekers would be useful and particularly important as a means of restoring refugees’ identity and human dignity. Initially, refugees and asylum-seekers would be registered at reception centres using biometric data.

38. Mr. KYRÖLÄINEN (Finland) said that his Government associated itself with the statement made by the representative of Denmark on behalf of the European Union.

39. The High Commissioner’s proposals on strengthening the international refugee protection regime through the “Convention Plus” concept and the “UNHCR 2004” initiative deserved to be discussed in a truly multilateral setting.

40. Finland had noted the success of the spectacular repatriation operation in Afghanistan, in which UNHCR had played a vital role. Nevertheless, many challenges remained to be addressed before durable solutions could be found for all displaced Afghans. The most urgent task was to help refugees secure housing and food for the winter. UNHCR had both the mandate and the expertise to assess the feasibility of return to different regions of Afghanistan. Finland would continue to support the Office in carrying out its important mission. It was to be hoped that the lessons learned from the operation would contribute to further development of voluntary repatriation.

41. It seemed that the Angolan refugees in Namibia and Zambia were ready to go home if they could be convinced that the situation in their native land had returned to normal. Finland would participate in efforts to repatriate them. In Liberia, the ongoing conflict meant that only a political solution could salvage the situation and help prevent further bloodshed and refugee movements.

42. UNHCR’s handling of the sexual abuse scandal in West Africa could have been much prompter and more transparent. His Government hoped that the information to be provided by the Office of Internal Oversight Services (OIOS) would restore trust in the Office’s ability to handle situations of that kind. Finland welcomed the fact that the Code of Conduct mentioned by the High Commissioner had been finalized and would be signed by all UNHCR staff members.

43. UNHCR was facing serious budget deficits. Finland appreciated the High Commissioner's efforts to broaden the donor base and prioritize tasks. In 2001, measured in terms of per capita contributions, Finland was the fifth largest contributor to UNHCR and it intended to maintain its funding level.
44. His delegation welcomed the Agenda for Protection; it now remained to implement the agenda effectively. To that end, certain questions needed to be explored in more detail, such as the relationship between the forum which the High Commissioner wished to establish and the Executive Committee, the role of Governments and the composition of the forum and the exact nature of the proposed special agreements and the way in which they related to the 1951 Convention.
45. Discussions on protection issues could best be conducted within the framework of the Executive Committee, with the participation of States non-members of the Executive Committee and NGOs. The Global Consultations had been useful and should be continued in one form or another. The High Commissioner had rightly remarked that more multilateralism was needed to address present realities.
46. It was important to set clear priorities in the implementation of the Agenda and follow-up thereto. The enforcement of the 1951 Convention should remain the top priority. To that end, UNHCR's supervisory role should be strengthened, it being essential to strengthen the protection of refugee women and children by mainstreaming that aspect in all UNHCR's activities.
47. Refugee protection had to be provided in an increasingly complex environment in which asylum and migration were closely interlinked, thereby requiring a division of labour among international actors and organizations, as well as close cooperation between them. The UNHCR 2004 process could contribute to clarifying the role and comparative advantages of UNHCR as a refugee protection organization within the United Nations system and in a wider multilateral framework. Finland was also convinced that establishing a permanent mandate for UNHCR would make it easier for the Office to conduct its business from a strategic perspective.
48. Mr. SUNGAR (Turkey) noted the spirit of dialogue and cooperation that had prevailed during the Global Consultations on international protection. Of particular significance was the Declaration of States parties to the 1951 Convention and its 1967 Protocol, unanimously adopted at the Ministerial Meeting in Geneva on 12 and 13 December 2001. During the consultations, Turkey had laid special emphasis on the exclusion of persons undeserving of international protection in order to prevent abuse of the asylum channel. The well-foundedness of those concerns had emerged even more starkly after the terrorist attacks of 11 September 2001. The Agenda for Protection had explicitly stressed the importance of putting in place measures to give effect to the exclusion clauses of the Convention. It also referred to the need for a multilateral approach to ensure that responsibilities and burdens were shared more equitably. In responding to challenges raised by refugee problems, it was important not to ignore root causes and to concentrate more on conflict prevention and peace-building. Turkey hoped that the gradual implementation of the Agenda would strengthen the international protection of refugees.

49. The 1951 Convention and its Protocol had acted as the foundation of the international refugee protection regime. Challenges lay ahead, however. It was necessary to continue to work together to develop the protection regime and complement and strengthen the two instruments.

50. Monsignor MARTIN (Holy See) said that the Holy See recognized the importance of the Global Consultations process which had culminated in the adoption of the Agenda for Protection. The Agenda should be a starting point for an ongoing process of collaboration to ensure that the protection regime responded to changing needs and situations while stressing the needs of refugees.

51. Two specific questions were of concern. First, concerning the asylum-migration nexus, at a time when there was a growing recognition that intelligent, more open and transparent migration policies could serve the interests of developed and developing countries alike, there was often a lack of political courage to address the issue. The lack of such policies increased the likelihood of people trafficking.

52. Second, regarding the protection of children, 45 per cent of all refugees were children and adolescents under 18. They were among the most vulnerable of the refugee population. The serious allegations of sexual exploitation of refugee children clearly indicated the need for an urgent review of the policies of UNHCR and all its partners in that area. New standards and new codes of best practice were necessary, but did not go far enough. A fundamental cultural change was also necessary. Wherever the United Nations had a presence, it should ensure that its staff respected high international standards of professional behaviour and international human rights and justice standards. The aim of international protection was to provide refugees with the space they needed to recover their sense of dignity and worth. Refugee families should have access to adequate financial and logistical support enabling them to function as families. It was necessary to bolster their ability to carry out their responsibilities, thereby enabling them to offer their children a natural environment of care and protection.

53. Ms. MAPISA-NQAKUKA (South Africa) said that many factors militated in favour of a genuine partnership between African Governments and UNHCR to deal with the serious refugee problems afflicting Africa, the root causes of which were poverty, political instability, economic imbalances, corruption and crime. Such a partnership was all the more necessary considering that Africa's leaders were now committed to confronting those problems, as demonstrated by the adoption of the New Partnership for Africa's Development (NEPAD). Under NEPAD, Governments had committed themselves to taking responsibility for their future and ensuring their development through partnership with the rest of the world. UNHCR, donors and civil society should therefore ensure that their activities and programmes complemented African transformation and development efforts.

54. UNHCR's financial situation was of grave concern because the needs of refugees around the world were becoming increasingly urgent. However, her Government welcomed the fact that the budget cuts which UNHCR had been forced to make had not affected programmes in Africa. The South African Government was currently reviewing its humanitarian budget in the light of the situation in Angola, where the conclusion of a peace agreement would probably increase the rate of return of refugees. South Africa had also contributed to peacekeeping operations in Burundi and continued to play an active role in the search for lasting peace and stability in

Africa. The successful implementation of the Agenda for Protection would hinge on the international community's setting clear priorities and an acknowledgement that refugee protection was not solely dependent on the political good will of refugee-hosting countries.

55. Mr. SJÖGREN (Sweden), associating his delegation with the statement made by the representative of Denmark on behalf of the European Union, said that Sweden was concerned by the precarious funding situation of UNHCR, especially the shortfall of \$80 million in the annual programme budget which had persisted despite significant cuts in programme activities in 2002. However, UNHCR had found innovative approaches to funding and the budget for the current financial year was balanced and realistic. Accordingly, the Swedish Government favoured greater predictability of funding for UNHCR operations, early announcement of contributions and the establishment of the principle of negotiated contributions. Sweden reaffirmed its intention to increase its annual contribution to the programme budget for 2003 to \$43.5 million. The international community should assume its full responsibility to fund UNHCR programmes, thereby ensuring stable financing for the implementation of the Agenda for Protection which had resulted from the Global Consultations. His Government was committed to actively contributing to the follow-up of the Agenda, the implementation of which would facilitate the successful outcome of regional processes such as the harmonization of European Union policies on asylum and migration. The Convention Plus concept outlined by the High Commissioner as a means to strengthen international cooperation and burden-sharing was interesting, but his Government took the view that the Executive Committee should remain the forum for providing overall direction and guidance on protection issues.

56. The massive return of refugees to Afghanistan had been facilitated by large-scale UNHCR operations on the ground. But the successes achieved should not overshadow the more complex and costly efforts that the Afghan Government and the international community had yet to make to ensure that the refugees were properly resettled. The situation in Afghanistan had again demonstrated the inherent weakness of the international community in bridging the relief to development gap. The so-called "Four Rs" approach (repatriation, reintegration, rehabilitation and reconstruction) proposed by the High Commissioner was a convincing demonstration of the need to integrate refugees into the development process. Clearly, the solution to the problem necessitated a true partnership among all relevant United Nations agencies and the Bretton Woods institutions. The United Nations had opted for inter-agency collaboration in order to deal with the problem of internally displaced persons, in which UNHCR, with its rich experience, would have an important role to play. The problems of refugees and displaced persons were interlinked and any unequal treatment would only result in tensions and conflict. Sweden urged the High Commissioner to develop the ideas put forward in the UNHCR 2004 process so that the members of the Executive Committee could begin consultations on the matter early in 2003.

57. Mr. WEERAKOON (Observer for Sri Lanka) said that his Government was completely satisfied with the way in which UNHCR had conducted its operations in Sri Lanka for almost 15 years. That long experience had enabled UNHCR to strengthen its protection mandate and even to find innovative solutions such as open relief centres for displaced persons. The armed conflict in Sri Lanka had resulted in the displacement of nearly 1.5 million people. Another 64,000 were reported to be in refugee camps in India. Through the good offices of Norway, the permanent ceasefire concluded in February 2002 had enabled 180,000 displaced

persons to return home voluntarily. Their resettlement necessitated a range of measures in the areas of protection, demining, provision of basic equipment for farming and fishing, restoration of community support and legal assistance. The Sri Lankan Government intended to satisfy the bulk of those needs, but it was nevertheless counting on the support of the international community, which was essential if the peace dividend was to be reaped. UNHCR had launched an appeal for a supplementary programme in Sri Lanka and the international community was urged to respond favourably. International assistance would enable the Sri Lankan Government to initiate discussions with India and UNHCR about repatriating Sri Lankan refugees in India under favourable auspices.

58. Mr. GERBER (Switzerland) noted with satisfaction that the Global Consultations had resulted in the elaboration of the Agenda for Protection and urged all States to endorse that seminal instrument. However, the value of the Agenda should be judged by how far it improved the lot of millions of refugees throughout the world. For that reason, follow-up activities should be launched as soon as possible, with the participation of all interested partners and in the constructive spirit which had already characterized the Global Consultations. His Government endorsed the Convention Plus concept proposed by the High Commissioner and supported the creation of a group of experts to draw up special agreements aimed at complementing the Convention in the area of protection.

59. The principal challenge currently facing UNHCR was how to satisfy growing needs with increasingly limited resources. To overcome that problem, UNHCR should endeavour to allocate resources more effectively and coordinate its activities more closely with other humanitarian actors. Switzerland hoped that the UNHCR 2004 process would help clarify and reinforce the position of UNHCR in the United Nations system and in relation to its other partners. Despite its difficult budget situation, in 2003 Switzerland intended at the very least to match its contribution for 2002, i.e. approximately 24 million Swiss francs, subject to parliamentary approval. Regular contributions would be topped up by extrabudgetary resources, in the form of seconded experts, for example. Switzerland and UNHCR had signed a memorandum of understanding which would henceforth make it easier to support UNHCR's activities in that way.

60. Mr. PURI (India) commended UNHCR's role in Afghanistan, where it had been possible to evaluate the application of the four Rs approach proposed by the High Commissioner. India was happy to be part of the reconstruction process in Afghanistan and hoped that the international community would show a similar commitment in accordance with the principle of burden-sharing. The priority given by the High Commissioner to the search for durable solutions was welcome, but the consequences of integrating large numbers of refugees into developing countries should be considered carefully. Solutions could be durable only when they addressed the root causes of refugee movements, such as religious fanaticism, terrorism, ethnic discrimination, growing economic inequalities in the world and poverty and its consequences. The High Commissioner's emphasis on bridging the gap between emergency relief and long-term development was therefore welcome. The international community had a stake in the sustainable development of developing countries and ensuring that financial and commercial systems did not stifle the growth of poorer countries, which nowadays were countries of origin and of asylum. The acknowledgement of that fact in the Agenda for Protection was welcome because the success of the Agenda would depend on the partnerships it could create.

61. His Government shared the High Commissioner's concern that the principle of the right to asylum had been called into question in certain countries. Today more than ever, the international community should reaffirm its commitment to the principle of non-refoulement and the protection of the basic rights and security of refugees. While not a signatory to the 1951 Convention, India remained firmly attached to the humanitarian principles which it enshrined. It was also important to preserve the impartiality and transparency of UNHCR and to make its funding more predictable. Recourse might be had to the United Nations regular budget. India intended to cooperate with the High Commissioner to develop the ideas embodied in the Convention Plus and UNHCR 2004 processes.

62. Mr. TROJAN (Observer for the European Commission), associating himself with the statement made by the representative of Denmark on behalf of the European Union, said that the European Commission had a longstanding commitment to UNHCR's core mandate. The year 2002 had witnessed a further strengthening of the partnership between the two organizations. UNHCR had held important strategic dialogues with various departments of the Commission, as a result of which the Commission had committed itself to providing financial support for UNHCR thematic projects in the areas of protection, registration and staff security. The Commission also intended to announce a contribution of 11 million euros to support UNHCR protection activities in Africa. While remaining convinced of the need to contribute to the funding of UNHCR programmes, especially those in Africa, the European Commission was concerned that the Office was straying too far from its core mission, namely refugee protection, in attempting to address all aspects of the search for durable solutions to refugee issues. The unfortunate events in West Africa proved that UNHCR should give priority to protection issues, especially in refugee camps.

63. The European Commission was committed to acting without delay to address the serious humanitarian crisis in Angola, where it considered that UNHCR had a key role to play. It also supported the approach proposed by UNHCR for Sierra Leonean refugees in Guinea and Liberia. The Commission had provided substantial humanitarian aid to Afghanistan for many years and its contributions to Afghanistan in 2002 would exceed the pledge it had initially made in Tokyo. The Commission's Humanitarian Aid Office (ECHO) had doubled its initial contribution; it intended to disburse more than 60 million euros, which would be spent, for example, on the repatriation of refugees from Pakistan and the Islamic Republic of Iran. The Commission believed that repatriation operations could not be dissociated from reintegration operations, the principal objective being to enable repatriated refugees to resettle on a sustainable basis.

64. The European Commission was currently drawing up a policy paper on development and immigration with a view to improving dialogue with partner countries on refugee issues and helping developing countries to assist refugees and bring about sustainable solutions. It also envisaged the adoption, by the end of 2002, of a policy paper on asylum policies. In addition to adopting fair and efficient asylum procedures, the Commission was examining the possibility of implementing resettlement schemes and facilities for reviewing asylum claims abroad. A number of important measures had been taken to establish a common European asylum system, which was due to be finalized through the adoption of a comprehensive set of European legislation by the end of 2003.

65. Although the European Commission had participated in annual sessions of the Executive Committee since 1960 and was one of the largest donors to UNHCR, the Commission's status in relation to UNHCR had remained unchanged. In the light of the support which the Commission had always given to UNHCR's activities and the competencies which the European Union had delegated to the Commission in asylum matters, the High Commissioner himself had advocated the greater involvement of the Commission in the governance of UNHCR. While regretting that certain members of the Executive Committee, and especially one member, had continued to show reticence about changes to UNHCR's Statute, the European Commission would continue to support the Office. It nevertheless seemed paradoxical to oppose certain minor changes in the Statute, which would enable UNHCR to carry out its role more effectively, at the same time as the Commission was being urged to become more fully involved in UNHCR's work.

66. Mr. SCEPANOVIC (Yugoslavia) said that Yugoslavia entirely supported the High Commissioner's approach that stressed the search for lasting solutions to refugee issues as part of an overall development process. To ensure that refugees were no longer considered a burden on society, it was necessary to create conditions enabling them to make use of their capabilities, skills and know-how. The Yugoslav Government fully supported the implementation of the Agenda for Protection, considering that the responsibility for protecting refugees, especially the most vulnerable among them, should be shared and not devolve solely upon refugee-hosting countries. Convinced of the need to establish new joint strategies to improve the legal, material and economic status of refugees, his Government was in favour of strengthening cooperation between UNHCR and IOM.

67. Yugoslavia was currently home to 370,000 refugees, almost two thirds of whom were from Croatia and more than one third from Bosnia-Herzegovina. Their repatriation should be dealt with bilaterally and also through regional strategies such as the Sarajevo tripartite accord between the Federal Republic of Yugoslavia, Bosnia-Herzegovina and Croatia. Accordingly, his Government, in partnership with UNHCR, had developed a national strategy for a lasting resolution of the problem of refugees from Croatia and Bosnia-Herzegovina, which had been officially presented at the working group for humanitarian issues of the Peace Implementation Council (PIC) in June 2002. Given the weakness of its financial position, his Government would need international assistance to implement the strategy.

68. Yugoslavia was also home to more than 290,000 displaced people from Kosovo-Metohija, including 226,000 persons of Serbian nationality. The Government believed that it was the responsibility of the United Nations Interim Administration Mission in Kosovo (UNMIK) to ensure that those people could return to Kosovo-Metohija safely and lead a normal life there. To date, only 300 people had gone back with assistance from UNHCR. His Government was aware of its obligations towards internally displaced persons and it was taking all necessary measures to ensure their permanent return, but, at the same time, it welcomed the High Commissioner's decision to extend UNHCR's activities in Kosovo in order to facilitate the process.

69. Mr. RODRÍGUEZ CEDEÑO (Venezuela) said that his Government was very pleased that the Chairman of the fifty-second session of the Executive Committee had visited Venezuela in February 2002, thereby enabling him to study the measures that were necessary to cope with a

possible mass influx of Colombian refugees. Given that UNHCR's work was of vital importance for Colombia and its neighbours, both in terms of refugee protection and prevention, it should be recalled that Venezuela and Colombia had engaged in very fruitful cooperation and had worked together to implement measures aimed at coping with specific situations.

70. In his Government's opinion, non-refoulement remained an essential principle. While admitting that a State could use domestic mechanisms to consider asylum applications, nothing justified the detention or automatic expulsion of asylum-seekers or indeed any discriminatory practice that violated international protection. Believing that the right to asylum was embodied, among other things, in the obligation upon States to consider asylum applications under an appropriate procedure, his Government had decided to set up a national commission and had begun to draft implementing regulations for the Refugee Act adopted in 2000.

71. UNHCR could not work effectively unless its programmes formed part of comprehensive policies that took account of issues such as peace, international security, economic and social development and assistance to countries of origin or refugee-hosting countries, especially developing countries. Strengthened cooperation between Governments, international organizations, civil society and the private sector was needed to encourage such policies and lay down clearer rules, particularly with regard to asylum. The strengthening of cooperation between UNHCR and IOM was especially desirable. Likewise, it was essential that proper financial support should be made available to the relevant international institutions, starting with UNHCR.

72. Venezuela fully endorsed the adoption of a Code of Conduct for humanitarian personnel aimed at stamping out the kind of abuses that had recently been committed in West Africa. The problem was one that affected all regions of the world and necessitated a joint commitment by one and all.

73. Mr. DEMBRI (Algeria) said that the Global Consultations process launched in 2001 on the occasion of the fiftieth anniversary of the United Nations Convention relating to the Status of Refugees had signalled a new enthusiasm in the work of UNHCR and enabled States parties to reaffirm their commitment to fulfilling their obligations under the 1951 Convention and the 1967 Protocol. Refugee-hosting countries themselves often had to cope with problems of political stability, food security and environmental protection and it was thus necessary to encourage a multilateral dialogue to seek lasting solutions and address the causes of conflicts and population movements. It was that spirit which had characterized the launch of NEPAD, an initiative which his Government thoroughly welcomed and supported.

74. The militarization of refugee camps was a subject of abiding concern. To problems such as attacks, plundering, forced recruitment and refoulement had been added that of the sexual exploitation of refugees. His Government welcomed the fact that a commission of inquiry had been set up and awaited the publication of its report with interest. Considering that such incidents were on the increase, the adoption of a Code of Conduct now appeared to be an essential step.

75. Although the trend in repatriations during the past two years had been positive, with 2 million people returning to their countries of origin (for example, to Afghanistan, Sierra Leone and Timor-Leste), the events of 11 September 2001 had had a considerable impact and the fear of terrorism had abruptly weakened certain rights by provoking intolerance, discrimination and incomprehension. Moreover, the world's political and humanitarian crises were still not treated equally. The best example was the Palestinian problem. Similarly, the phenomenon of displaced refugees in Africa showed the consequences of the dearth of durable solutions. Despite the adoption of a settlement plan for Western Sahara under the auspices of the United Nations, the Saharan population continued to live under the colonial domination of the Kingdom of Morocco. The deadlock constituted a violation of the rights of the Saharan people and aggravated the humanitarian situation in the region. The appeal launched on 29 August 2002 by UNHCR to secure food aid for the Saharan population had unfortunately given the impression that they were facing an emergency, whereas in fact the population was very organized and community life in their camps was remarkably well structured owing to the pioneering efforts of the women who ran them. The Saharan people aspired to live free, honourable and dignified lives. As a committed observer, Algeria called upon the parties to the conflict to resume dialogue based on the United Nations settlement. It was most regrettable that Morocco's representative to the current forum had failed to take a constructive approach, preferring empty diatribes that could have no impact on the views of the international community.

76. Mr. MEJÍA SOLÍ (Nicaragua) said that his Government would unreservedly support any measure aimed at encouraging countries to pool their efforts to establish mechanisms to address the root causes of population movements, namely, armed conflicts and extreme poverty. Welcoming the adoption of the Agenda for Protection, Nicaragua would endeavour to take all necessary measures to facilitate its implementation. The so-called four Rs strategy advocated by UNHCR in post-conflict situations was particularly valuable. Generally speaking, it was essential to encourage the integration of refugees by treating them as agents of development.

The meeting rose at 1 p.m.