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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
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Fifty-fifth session

SUMMARY RECORD OF THE 582nd MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 5 October 2004, at 3 p.m.

Chairman: Mr. OSHIMA (Japan)

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The meeting was called to order at 3.20 p.m.

GENERAL DEBATE (agenda item 4) (continued)

1. U MAUNG AUNG (Observer for Myanmar) said that, although the refugee population had decreased slightly in recent years, there were still nearly 20 million refugees under the care of the Office of the United Nations High Commissioner for Refugees (UNHCR). For that reason, the international community must continue its efforts to help UNHCR to provide them with protection and assistance.
2. Myanmar was cooperating with UNHCR in order to ensure the voluntary repatriation of returnees from Bangladesh to Rakhine State. To that end, the Government of Myanmar had signed a memorandum of understanding with UNHCR on 5 November 1993. As at 15 September 2004, 46,923 families had been repatriated under that agreement for a total cost of nearly US\$ 5.7 million. The Government of Myanmar hoped that, with assistance from donors, all the persons concerned would be repatriated by the end of 2005.
3. The eastern border of Myanmar was long and porous and the comings and goings of illegal workers in the border area was causing problems. Myanmar was endeavouring to resolve those issues with its neighbours in a spirit of cooperation and coordination, and had reintegrated Myanmar citizens who had been working illegally in Thailand. If necessary, the Government of Myanmar would seek assistance from UNHCR at the appropriate time to resolve problems that might arise along the eastern border. Myanmar wished to reaffirm its sincere desire to cooperate fully with UNHCR in seeking effective and durable solutions to refugee problems.
4. Mr. DABETIĆ (Serbia and Montenegro) said that his delegation endorsed the statement by the Presidency of the European Union. There were 286,000 refugees from Croatia and Bosnia and Herzegovina in Serbia and Montenegro and 226,000 internally displaced persons from Kosovo and Metohija (208,000 in Serbia and 18,000 in Montenegro). The number of refugees had been gradually decreasing over the years as many of them took citizenship of Serbia and Montenegro. Such integration, however, was only formal. The constant decline in international humanitarian assistance and economic difficulties related to transition were hampering efforts to achieve durable solutions to the problems of refugees.
5. The Republic of Montenegro was in the process of devising a national strategy and a set of laws aimed at achieving durable solutions to the problem of refugees and displaced persons. Refugees accounted for 5 per cent of the total population, which was still a very large figure. A regional approach to repatriation and return could have better results. Nearly all the displaced persons from Kosovo and Metohija wished to return home. However, assistance from the international community was needed to carry out that process.
6. Integration was a possible solution and had aroused considerable interest. The Government of Montenegro had prepared a number of projects in several areas, including accommodation and health, and hoped that the international community would take part in implementing them.

7. In 2002, the Government of the Republic of Serbia had also adopted a national integration strategy, the main thrust of which was to provide housing and employment for refugees and displaced persons. Unfortunately, economic difficulties were hampering implementation of the strategy. It was imperative that the international community should assist in replacing humanitarian aid by development projects.
8. The Republic of Serbia would soon begin a new refugee registration procedure with assistance from UNHCR, with a view to determining the number of persons entitled to refugee status and finding durable solutions for ex-refugees.
9. Returns to Bosnia and Herzegovina no longer posed political or security problems. More than 90 per cent of property had been returned to its owners and, at the same time, tenants had recovered their rights. The only unresolved issue was the return of the apartments of former Yugoslav National Army officers.
10. However, numerous problems continued to plague refugees returning to Croatia. Such refugees had to wait a long time before they could recover their property; 3,600 houses and other facilities had still not been returned to refugees who were the legal owners. Similarly, 50,000 refugee Serbs had not yet recovered their tenants' rights. Reconstruction in the former Krajina was very slow. Random arrests of returnees suspected or accused of war crimes and other criminal offences discouraged other potential returnees. Serbian returnees were discriminated against with regard to reconstruction loans, employment and social protection. To solve the problem, Serbia and Montenegro was ready to engage in bilateral cooperation and would continue to need assistance from UNHCR, the European Union and other international partners and institutions.
11. Persons displaced within Serbia and Montenegro who wished to return home to Kosovo and Metohija must be able to do so freely and safely, in accordance with United Nations Security Council resolution 1244 (1999).
12. Serbia and Montenegro was currently aligning its internal asylum laws and practice with international and European standards, and appreciated the cooperation of the UNHCR office in Belgrade in that regard. It was important to point out the significance of the European Union's CARDS regional programme for asylum issues.
13. Serbia and Montenegro was committed to implementing the Convention Plus process. It was well aware of the importance of strengthening the implementation of the 1951 Convention and the 1967 Protocol. It considered that the responsibility and the burden of solving refugee problems should be shared more evenly among host countries, countries of origin and the international community. In that respect, the support of the donor community to the host countries was crucial.
14. The notion that there was something artificial and counterproductive in the desire of uprooted people in the Balkan region to return to their homes was not acceptable. On the contrary, that ambition was normal and the international community should create conditions for those people to decide freely whether to fulfil that aspiration or to opt for other opportunities.

15. Mr. CHOI Hyuck (Republic of Korea) said that his delegation had listened with great appreciation to the statements made by the High Commissioner and the Executive Director of the World Food Programme (WFP). It had taken special note of the urgent need for the international community to improve its ability to respond rapidly to crisis situations such as the crisis in Darfur, Sudan.

16. In order to assist the world's 17 million refugees, it would first be necessary to strengthen the capacity and the role of UNHCR. In that regard, the Republic of Korea welcomed the Convention Plus initiative launched by the High Commissioner and supported his proposed actions. It shared the High Commissioner's view that, although the 1951 Convention and the 1967 Protocol provided the essential framework for the protection of refugees, they alone were not sufficient to resolve current refugee problems. The Republic of Korea was therefore in favour of developing a framework for durable solutions by strengthening the implementation of the 4 R's (repatriation, reintegration, rehabilitation and reconstruction), development assistance for refugees and development through local integration.

17. His delegation supported the efforts of UNHCR to strengthen its financial base and the High Commissioner's efforts to broaden its donors base and to increase private financing. The Government of the Republic of Korea had made its annual contribution of US\$ 1.1 million to UNHCR and was considering contributing a further US\$ 1 million for humanitarian assistance for refugees and internally displaced persons in Iraq.

18. As the High Commissioner had pointed out in his 2003 report, throughout the world, including Asia, people were living outside their country of origin in refugee-like situations. Those people, especially women and children, were extremely vulnerable and susceptible to a variety of human rights violations. UNHCR should therefore take practical steps to provide them with protection.

19. Last but not least, States and international organizations should do their utmost to ensure the security of the humanitarian workers who put their lives on the line every day. His delegation assured UNHCR that the Republic of Korea would continue to work with the Office of the High Commissioner to ensure better protection for refugees and other persons of concern to UNHCR.

20. Mr. RINCÓN GAUTIER (Venezuela) said that the establishment of the National Commission for Refugees in Venezuela on 7 August 2003 had brought the question of asylum to the fore, particularly with regard to internal structures and existing asylum procedures. One of the original features of the Commission was the creation of three regional secretariats in the zones bordering Colombia from which a large number of asylum-seekers originated. That important initiative had been achieved with support from UNHCR. One of the Commission's successes had been the establishment of an emergency plan to deal with the problem of mass influxes of refugees across Venezuela's borders. In April 2004, the emergency plan had made it possible to provide temporary protection to 292 persons of the Wayúu ethnic group from La Guajira province in Colombia who had been displaced to Zulia State in Venezuela. The Commission had also processed 318 asylum applications, 165 of which had been accepted; Venezuela guaranteed persons who had been granted refugee status protection of their identity. Venezuela accepted refugees without discrimination and endeavoured to facilitate their

political and social integration. The Venezuelan Government was implementing a number of programmes to prevent social exclusion, which also benefited asylum-seekers and refugees. The programmes concerned literacy training and access to education, primary health care and “high touch” medicine, and vocational training. The first refugee reconnaissance operation in Venezuela, carried out with support from UNHCR, had made it possible to regulate the situation of persons who had fled their countries for reasons that justified the granting of refugee status (270,000 persons had been living illegally in Venezuela). Lastly, a food security programme simplified distribution channels so that supplies could be delivered to all parts of the country. Venezuela was making efforts to improve the quality of life of all refugees on its soil until they were voluntarily repatriated. The Commission’s next objectives were to create two more regional secretariats, establish in cooperation with UNHCR a registration centre for asylum-seekers in Apure State and implement, with support from UNHCR, a training programme in international refugee law for civilian and military personnel working in border regions. Venezuela was thus in a position to recognize the right of asylum as set out in the international agreements and treaties ratified by Venezuela, which had constitutional status.

21. Mr. LEBEDEV (Russian Federation) said that, as a consequence of old and new conflicts, millions of persons had been driven from their homes and were totally dependent on the humanitarian aid provided to them by institutions such as UNHCR. The Russian Federation was committed to meeting its international commitments regarding the protection of refugees and was strengthening its cooperation with those institutions. It welcomed the information that the total number of refugees in the world had decreased and stressed that, in order to maintain that trend, the international community would have to concentrate on preventing crises that gave rise to mass exoduses. In order for that difficult undertaking to succeed, it would be absolutely necessary to respect the basic principles of the neutrality of humanitarian activities, the inadmissibility of any conditions linked to political factors, and respect for the sovereignty and territorial integrity of States.

22. The Russian Federation was convinced that the mandate of UNHCR was still valid and needed no revision. It noted with satisfaction that UNHCR was paying increasing attention to issues relating to international protection, which was by definition the Office’s main function. In performing that task, UNHCR must comply with the provisions of the Convention relating to the Status of Refugees and bear in mind the requirements of the international economic situation, both with regard to analyses and directives from headquarters and to their implementation in the field. The Russian Federation supported the High Commissioner’s proposal to create the post of Assistant High Commissioner for Protection. The latter should be responsible for the question of statelessness, which was one of the Russian Federation’s main concerns.

23. With the emergence of international terrorism, security problems took on a new dimension within the general issue of refugees. Refugee camps often served as hideouts for members of illegal armed groups, while terrorists, their accomplices and their supporters, sometimes with the approval of short-sighted politicians, succeeded in obtaining asylum or refugee status in developed countries. Both cases constituted an abuse of the right of asylum and discredited all the humanitarian work carried out by UNHCR. In order to remedy that situation, it would be necessary to demilitarize the camps and apply a more stringent but fair procedure to determine refugee status in order to prevent abuses and ensure that only persons who had the

right to refugee status obtained it. Some of the organizers of terrorist acts committed in the Russian Federation and some of their protectors had obtained refugee status because their cases had not been examined from the standpoint of their possible links with terrorism. Such a policy would only encourage terrorism and undermine the confidence that should exist among members of the anti-terrorist front; that was inadmissible. It was equally inadmissible that the perpetrators of the monstrous act of terrorism committed in Beslan had been described as “rebels” not only by irresponsible media but also in a number of official documents.

24. Another challenge facing UNHCR was the use of refugee status by economic migrants who obtained such status with the assistance of organized criminal groups. The Russian Federation welcomed the measures taken by the countries members of the European Union to implement a single refugee and migration policy. The Russian Federation considered that it should be associated with that policy, since in that way it could contribute to preventing the influx of bogus refugees and thus to strengthening security in Europe. The Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, held in Geneva in 1996, had revealed how useful regional cooperation could be in that area. The remarkable progress observed at the meeting of the follow-up group to the Conference, held in Minsk in May 2004, confirmed the Russian Federation in its opinion.

25. The Russian Federation took note with satisfaction of UNHCR activities in Africa, particularly in Darfur, Liberia and Burundi, where a smooth transition was required from emergency humanitarian aid to development assistance and to the recovery and re-establishment of civil society. Unfortunately, a transition of that kind was very difficult in Afghanistan and Iraq, where armed confrontations were continuing and instability was rife. In those countries, UNHCR should adhere strictly to its humanitarian mandate and monitor its expenditures very closely.

26. The Russian Federation sincerely thanked UNHCR for its action on behalf of displaced persons in the Northern Caucasus. The time had come for international humanitarian organizations to redirect their assistance to the recovery and economic reconstruction of the Chechen Republic.

27. The Russian Federation considered that States were, first and foremost, responsible for dealing with displaced persons in their territory. Humanitarian organizations should provide assistance only with the agreement of those States and the governing bodies of the United Nations. The legal protection of displaced persons should be in keeping with the provisions of international human rights instruments and national legislation in force.

28. The Russian Federation welcomed the new measures taken to improve the efficient operation of UNHCR and agreed that the independence and authority of the post of Inspector General should be strengthened. It feared, however, that the adoption of a biennial budgetary cycle might impair the ability of UNHCR to react rapidly to crisis situations. In any case, the proposal should be thoroughly reviewed. While such a review should not concern the principle of voluntary contributions, it might be useful to introduce mandatory or indicative contributions.

29. Mr. TAWEMA (Observer for Benin) said that his Government applied not only the provisions of the 1951 Convention and its 1967 Protocol but also those of the 1969 Organization of African Unity (OAU) Convention governing the Specific Aspects of Refugee Problems in Africa. Benin had established an eligibility commission that was cooperating with UNHCR.
30. For more than 20 years, Benin had hosted thousands of refugees and ensured their protection and social integration. Since 1999, on the initiative of UNHCR, a resettlement programme had enabled hundreds of families to come to Benin and start a new life. On the strength of its experience with refugees and in keeping with its tradition of hospitality, Benin wished to undertake, together with UNHCR, a programme inspired by the Convention Plus initiative. However, Benin's resources were limited and, although it was prepared to take on some of the burden of refugees, the international community would have to supplement the UNHCR contribution, which was far from sufficient to satisfy needs. It should not be forgotten that the social integration of refugees in their host country, one of the objectives of UNHCR, required assistance for housing, employment, education and so forth, and therefore financial resources.
31. Benin also intended to take advantage of its forthcoming presidency of the Security Council to promote a draft convention against the recruitment of child soldiers, and it hoped that UNHCR would be willing to share its incomparable experience in that area.
32. Benin was also making efforts, along with its African partners, to promote better political management of the refugee question through a reinforced prevention strategy.
33. Lastly, Benin wished to become a full number of the High Commissioner's refugee programme and invited all member countries to support its efforts in that regard.
34. Mr. LA Yifan (China) thanked the High Commissioner for his report on his mission to Chad and the Sudan. He was sure that, with the help of the international community, the Sudanese Government would soon find a solution to its current difficulties.
35. China welcomed the fact that the number of persons under the care of UNHCR had decreased, reaching the lowest level in the past 10 years. UNHCR had largely contributed to that encouraging development. The situation of many refugees persisted, however, and new conflicts gave rise to new population movements, particularly in developing countries. China endorsed the conclusions to be adopted by the Executive Committee, particularly those concerning the sharing of responsibilities and the burden of mass influxes of refugees.
36. China commended the High Commissioner's efforts to improve the management of his services. With regard to his proposal to create a post of Assistant High Commissioner for Protection, China shared the views already expressed by most delegations, namely that such a decision required further study.
37. China pointed out that the system for protecting refugees was currently under a serious threat from terrorism. Terrorists did not hesitate to attack humanitarian organizations, which was something that China, along with the entire international community, condemned in the strongest terms. Terrorists often made abused asylum procedures to evade justice, and China called on all

countries concerned to adhere strictly to the 1951 Convention relating to the Status of Refugees in order to prevent the international protection system from being corrupted by those criminal elements.

38. With regard to the illegal entry into China of nationals of the Democratic People's Republic of Korea mentioned by the High Commissioner, he wished to point out that those illegal immigrants, who had come to seek work from a country with which China traditionally had close ties, could under no circumstances claim refugee status under the 1951 Convention. The Chinese Government had always treated such persons humanely and considered their cases in accordance with international and humanitarian law.

39. China was making efforts to comply fully with the provisions of the 1951 Convention and supported UNHCR in its performance of its mandate. However, China was opposed to any confusion of refugees with illegal immigrants, since that would create the problem of artificial refugees, which could only give rise to border problems and new humanitarian situations.

40. Mr. MARTABIT (Chile) said that, although refugee problems in Latin America were on a smaller scale than in other regions, there were still important concerns that required support from UNHCR. Chile, which was aware of its asylum responsibilities, had registered a gradual increase in refugees who, although not numerous in absolute terms, nevertheless represented a significant percentage. Refugees were granted welfare assistance, and provision had been made for measures in the areas of health, education and professional integration, as well as programmes to provide access to low-cost housing. He paid special tribute to the work of the Roman Catholic Church in Chile through the Vicaría de la Solidariedad, which was responsible for implementing UNHCR projects for refugees under the 2000 agreement, which had a budget of over US\$ 250,000.

41. Chile commended the work being carried out by UNHCR to protect refugees in various regions of the world. The issue of refugees and its related aspects, such as the problem of internally displaced persons, was one of the priorities of Chile's foreign policy, which placed strong emphasis on the protection of the basic human rights. As a member of the Executive Committee, Chile had encouraged the development of international refugee law and was endeavouring to consolidate the right of asylum as the main instrument of protection. In that regard, Chile had made efforts to respond to the High Commissioner's interest in updating the corpus of legal texts on the right of asylum. In Chile itself, work was in progress to incorporate a special chapter on refugees in the Aliens Act. Chile, which was emerging as a country of resettlement, was taking measures to strengthen its migration policies. In particular, it was interested in the proposals put forward by UNHCR to facilitate resettlement and reintegration through microenterprise programmes and other means.

42. In response to the urgent appeal concerning the situation in Darfur, his delegation fully subscribed to the opinion of the United Nations Secretary-General and the High Commissioner that the international presence in Darfur should be increased as soon as possible under the leadership of the African Union in order to monitor the implementation of the agreed commitments. Lastly, his delegation vigorously condemned the armed attacks on representatives, officials and volunteers of international humanitarian organizations at the locations where they performed their duties.

43. Mr. ACHARYA (Observer for Nepal) welcomed the opening statement by the High Commissioner and his report on the situation in the Sudan and in Chad, and the statement by the Executive Director of WFP, who had emphasized the strong cooperation between the Programme and UNHCR. As a result of the joint efforts of UNHCR and the international community, a significant number of refugees from Asia and Africa had been able to return home, and he hoped that that welcome development would continue despite the many challenges. The role of UNHCR was to provide protection, care and assistance to refugees and displaced persons, while searching for a durable solution to the problem. Protection and durable solutions were the two goals of the Agenda for Protection, which had been approved by the Executive Committee, and the Convention Plus initiative, proposed by the High Commissioner, was aimed at more equitable burden-sharing among the various actors. While Nepal approved those initiatives, it believed that repatriation was the cornerstone of the solution to refugee problems.

44. Providing care to refugees and finding solutions to their situation was not an easy task; it required an enhanced level of interaction among Member States, United Nations bodies and specialized agencies, and international and national NGOs. Nepal welcomed the fact that UNHCR had strengthened its ties with those important actors.

45. Any humanitarian mission, and in particular the mission of UNHCR, required extremely efficient and well-motivated staff. Nepal therefore welcomed the importance that the High Commissioner gave to the management of human resources, as well as his efforts to enhance gender parity and geographical diversity. It was also pleased to note that the financial situation remained satisfactory thanks to the generous contributions of the international community.

46. Nepal hoped that, following the example of African and Asian refugees, the 100,000 Bhutanese refugees still living in eastern Nepal would also be able to return home in the near future. Although Nepal was making every effort to negotiate a bilateral solution for the Bhutanese refugees, progress had been slow. He hoped that the repatriation of verified refugees would begin soon and that the joint verification of the other cases would be initiated as early as possible. Nepal called on UNHCR and the international community to continue to provide assistance to refugees living in camps until they could be repatriated in a secure and dignified manner.

47. Nepal thanked UNHCR, WFP, the donor community and international and national NGOs for their generous support to refugees in its territory. In conclusion, he wished to draw attention to the need to strengthen the security of humanitarian workers who performed their mission of protecting refugees in increasingly dangerous conditions.

48. Mr. TROJAN (Observer for the European Commission) said that the long-standing cooperation between UNHCR and the European Commission would be further strengthened by the conclusion in the near future of a strategic partnership. The partnership would focus on protecting refugees and other persons of concern to UNHCR in third countries and States that were not members of the European Union, and would make it possible to consolidate and further structure cooperation in that area. The conclusion of strategic partnerships with the relevant United Nations agencies and programmes was very important to the European Union, which

was committed to promoting multilateralism the focal point of which was the United Nations. The European Commission planned to strengthen dialogue and cooperation in the area of humanitarian aid, where many challenges remained.

49. The European Commission's humanitarian aid department (ECHO) intended to continue its cooperation on behalf of refugees in sub-Saharan Africa. In Chad, substantial additional funding would be needed for refugees from Darfur. ECHO would support the repatriation of Liberian refugees currently in Guinea, Sierra Leone and Côte d'Ivoire and would continue to assist UNHCR in caring for refugees in the Great Lakes Region. It was to be hoped that, once the refugee populations in the Democratic Republic of the Congo returned to the Congo, the Democratic Republic of the Congo would be able to stabilize its peace process.

50. Throughout 2004, ECHO had helped UNHCR to provide non-food assistance to the Saharan refugees who had been living in camps in Algeria for several decades. ECHO planned to maintain its funding in 2005.

51. In the Northern Caucasus, security was deteriorating significantly and it was becoming increasingly difficult to deliver humanitarian aid. Priority should be given to the protection of civilians in Chechnya and internally displaced persons in Ingushetia and Dagestan. ECHO was pleased that UNHCR intended to strengthen its role in the region, and would continue to finance its mission.

52. With regard to Afghan refugees in Pakistan and the Islamic Republic of Iran, the countries concerned were primarily responsible for finding durable solutions. ECHO nevertheless commended the role of UNHCR in promoting solutions and would continue to participate in the debate that UNHCR had initiated in that regard.

53. In South Asia, ECHO would continue to support UNHCR activities on behalf of displaced persons returning to their regions of origin since the 2002 ceasefire, paying particular attention to the situation of extremely vulnerable persons living in settlements.

54. The European Commission wished to assure UNHCR of its support in the event that a solution was found to the extremely worrying situation of Bhutanese refugees in Nepal, which had been stagnating since 1992.

55. UNHCR was the first United Nations body to benefit from the thematic funding that ECHO allocated to humanitarian organizations. Donations of €11 million in 2002 and 2003 had made it possible to finance initiatives to strengthen protection, such as the Profile and Surge projects.

56. With the approval of the Directives on the Qualification for international protection and asylum procedures, the European Union had completed the first stage in the development of a common European asylum system. The objective was clear: the adoption of a common asylum procedure and a uniform status recognized throughout the European Union, based on the principles of solidarity and burden- and responsibility-sharing and cooperation with third countries. The next stage would be the transposition of the directives, and the input of UNHCR would be of valuable assistance in improving harmonization and giving a more consistent interpretation of those measures in the 25 member States of the European Union.

57. Aware that its responsibilities for international protection did not stop at Europe's borders, the European Union was endeavouring to promote a more equitable, more accessible and better managed international system. It had therefore proposed a comprehensive strategy to improve refugees' access to three durable solutions. With regard to strengthening the protection capacity of regions of origin, third countries in the region concerned should be encouraged to participate fully in the process with the assistance of UNHCR. The European Commission would request help from UNHCR in creating new resettlement centres in European Union countries.

58. The European Commission was the third largest donor to UNHCR. It hoped that, in view of that support, which reflected its commitment to humanitarian assistance and its experience in asylum and refugee matters, the Executive Committee would soon grant it a status that was more in keeping with its important role.

59. Ms. AL-HAJJAJI (Observer for the Libyan Arab Jamahiriya) said that her Government was aware of the difficult and extremely dangerous conditions in which humanitarian organizations and their staff worked to alleviate the suffering of refugees. The international community was following closely the High Commissioner's frequent visits to refugee camps around the world, the most recent of which had been to the Sudan and Chad. Her delegation wished to offer him its heartfelt thanks for all that he was achieving with the help of his staff.

60. The Libyan Arab Jamahiriya had given its full attention to the recent crisis in the province of Darfur. Stirred by fraternal feelings and acting as a member of the African Union, it had taken the necessary steps to facilitate the delivery of food supplies and medicines to the populations of that region. It was preparing a summit in which Egypt, Chad, Nigeria and the Sudan would participate (represented by all the parties to the conflict) in order to achieve the goals of ensuring food security for the refugees in the province and in Chad, guaranteeing the security of the refugees and displaced persons, and reaching a comprehensive and durable settlement of the conflict.

61. In another context, the Qaddafi Foundation, in cooperation with the mission of the Libyan Arab Jamahiriya in Geneva, had made intensive efforts to secure the release of 300 Moroccan prisoners who had been held in Tindouf, and had chartered planes to repatriate them.

62. In view of its geographical situation and its nearness to Europe, its 2,000 kilometres of coastline, its small population, its large area and its robust economy, the Libyan Arab Jamahiriya was a favourite destination and country of transit for millions of illegal migrants, only 2 per cent of which were refugees. That situation had encouraged regional and international gangs to set up a lucrative trade in smuggling those refugees into Europe at the risk of their lives. That phenomenon, which had become the main item on the agenda of discussions between the European Union and the Libyan Arab Jamahiriya, had led the latter to join the International Organization for Migration in order to benefit from its technical assistance and suppress the phenomenon in full respect for the basic rights of the persons concerned. The Libyan Arab Jamahiriya had further requested the States members of the European Union, particularly those bordering the Mediterranean, to support it by making available vessels, night lighting and reconnaissance planes to enable it to prevent illegal flows of refugees to Europe.

63. All parties currently acknowledged that providing refugees with international protection was a shared responsibility. However, political considerations often stood in the way of achieving that objective.

64. In conclusion, her delegation wished to pay tribute to the High Commissioner for his constant efforts to combat sexual violence in refugee camps and protect children in those camps. Unfortunately, refugee women suffered from various forms of discrimination as refugees and as women, particularly when they belonged to a racial, ethnic or religious minority. In that regard, cooperation between UNHCR and WFP to include women in food distribution was a first step towards strengthening gender equality. She commended the High Commissioner's initiative to appoint an adviser who was exclusively responsible for addressing gender issues.

65. Mr. CHOUDHURY (Bangladesh) welcomed the significant progress reported by the High Commissioner in his opening statement, and shared his concerns at the growing difficulties encountered by host communities in dealing with new and long-standing refugee situations. While developing countries continued to carry the major burden of hosting refugees, solutions were increasingly being sought through regional strategies, which particularly affected already difficult regional situations. As the delegation of Thailand had stated, burden-sharing must be considered in global terms and not only as a regional responsibility.

66. The implementation of the Convention Plus initiative would need to take into account the complexity and the reality of current refugee situations. Bangladesh supported a multilateral approach to global refugee situations; that process should be more equitable, responsive and responsible. Responsibility- or burden-sharing could not be measured in monetary contributions alone since that approach completely disregarded the contributions of refugee-hosting developing countries. In that regard, future UNHCR reports should provide a better account of such contributions. Although his delegation supported the notion of a comprehensive framework for durable solutions for refugees, particularly in the case of protracted refugee situations, it considered that there could not be a uniform strategy to deal with all situations. It welcomed the positive developments in the budgetary situation of UNHCR and hoped that that would lead to increased investment in programmes benefiting refugees. The Office's share in the United Nations budget needed to be increased; at the same time, UNHCR should continue to seek strategic alliances with other United Nations agencies and international humanitarian organizations. The Joint Inspection Unit's recommendations were very useful, particularly because increased transparency was essential for a better understanding and appreciation of the role of UNHCR. While his delegation appreciated the proposal to create the post of Assistant High Commissioner for Protection, it believed that alternate approaches should also be considered.

67. The overwhelming majority of Myanmar refugees in Bangladesh - about 240,000 - had returned to Myanmar and the repatriation of the remaining 20,000 refugees appeared to be on track. His delegation had taken note of the statement by the delegation of Myanmar, which had expressed hopes for the early return of the refugees. While UNHCR had proposed a self-reliance programme for the remaining Rohingya refugees, his delegation considered that it would be counterproductive since it did not see local integration as a solution to the problem of those refugees. Bangladesh and UNHCR should not diverge from their efforts to facilitate the repatriation process and should maintain that momentum so that refugees could live with dignity in a place where they had the means to earn their livelihood.

68. Mr. SOUFAN (Lebanon) said that the fifty-fifth session of the Executive Committee was being held in troubled times, marked by bloody tragedies and serious violations of human dignity and the human values that the international community sought to promote.

69. At the national level, the last quarter of 2003 had been marked by a major turning point in relations between Lebanon and UNHCR. The Memorandum of Understanding concluded on 9 September 2003 between the regional office of UNHCR and the Lebanese Department of Public Security reflected the desire of both parties to address refugee issues in Lebanon using a clear approach, based on understanding and taking due account the economic capacity and geographical situation of Lebanon, which was hosting nearly 400,000 Palestinian refugees who had been suffering for decades without any hope of a solution. The Memorandum of Understanding was equivalent to a real contract between the two parties for Lebanon which, for reasons that the Lebanese delegation had already had the occasion to explain, had not acceded to the 1951 Convention or to the 1967 Protocol. In addition to the Memorandum, mention should be made of Lebanon's transparency in addressing the refugee problem and the openness with which it accepted the reports and complaints of various Lebanese and foreign NGOs and answered questions put to it by NGOs and by individuals or by the UNHCR office.

70. In order to sum up Lebanon's position, attention should be drawn to a number of considerations. First, the solution to the refugee problem was the voluntary repatriation and resettlement of refugees in their own country. It was for that reason that Lebanon constantly emphasized the right of return. While it was committed to cooperating with the international community, Lebanon did not have the capacity to integrate the refugees and was not prepared to do so at the risk of jeopardizing its balance, its stability and its continuity. He pointed out that Lebanon had made possible the gradual voluntary return of Iraqi refugees in Lebanon with the assistance of the UNHCR office and representatives of the Iraqi Government and NGOs. Secondly, while the principle of protection should become a reality, no State should be burdened with responsibility for protection when it did not have the means and when the crisis with which it was confronted was beyond its control, as in the case of the massacre of the Congolese Tutsi refugees in Burundi. Thirdly, Lebanon supported all efforts to facilitate the work of United Nations and UNHCR staff and to ensure their safety. Fourthly, while Lebanon was open to cooperation with a view to resolving the refugee problem, it wished to stress the obligation of refugees to respect the laws and the sovereignty of the host State. Fifthly, Lebanon fully supported the Executive Committee's appeal to States of origin and host States to cooperate with UNHCR and the other parties concerned in removing legal and administrative obstacles to voluntary repatriation. Lastly, Lebanon considered that the root causes of refugee movements and immigration needed to be addressed and radical solutions based on law and justice must be found for the conflicts that generated them in order to prevent numerous tragedies and lighten the burden of UNHCR. The working document on transit immigration in the Mediterranean region submitted by the Arab countries at the Istanbul Conference in January 2003 contained valuable proposals for joint action to resolve the problem of illegal immigration.

71. Mr. BADESCU (Observer for Romania) said that, while his delegation supported the positions expressed on behalf of the European Union and associated countries, it wished to describe the steps that Romania had taken with regard to asylum and mention its particular interest in intensifying regional cooperation with a view to identifying durable solutions to the problem of refugees and asylum-seekers. Since Romania's accession to the Convention relating to the Status of Refugees in 1991, cooperation between the Romanian authorities and UNHCR

had continued to develop, and the specialized NGOs had become partners of the Romanian Government in implementing domestic policies in that area, with the shared aim of ensuring that refugees and asylum-seekers received adequate protection.

72. Cooperation between Romania and UNHCR had facilitated the necessary synergies for promoting national legislation, training officials to determine refugee status and assisting NGOs in capacity-building projects. The latest initiatives in the area of asylum had consisted in enforcing the mechanisms for refugee protection, in keeping with the most recent developments of the European acquis communautaire. Two ordinances adopted by the Romanian Government in 2004 had significantly improved the procedures for determining refugee status, inter alia, by including the explicit definition of non-refoulement, the definition of subsidiary protection and the definition of the refugee, which were now in full conformity with the 1951 Convention. The new Romanian legislation placed persons benefiting from a subsidiary form of protection in the refugee category and enabled foreigners benefiting from conditioned humanitarian protection to have access to rehabilitation programmes with a view to their rapid integration into Romanian society. At the institutional level, the National Office for Refugees had in 2004 opened two new reception centres close to Romania's western and eastern borders that were equipped to carry out the full asylum procedure, bringing total refugee accommodation capacity in Romania to 1,440 places. As a result of the achievements of 2004, Romania's national asylum system had become a complete and fully functioning mechanism.

73. Romania was following closely the results of the High Commissioner's initiatives and fully supported the measures to increase the effectiveness of UNHCR. The main objective of international cooperation was to secure the highest level of protection of refugees. Romania greatly appreciated the fact that the implementation of the Agenda for Protection was accompanied by constant efforts to increase the number and quality of the Office's partnerships. The general reform process of the United Nations system should provide an opportunity to create and consolidate relations between UNHCR and other United Nations specialized agencies.

74. On 20 July 2004, on Romania's initiative, the Security Council had considered an item entitled "Cooperation between the United Nations and regional organizations in stabilization processes" and had acknowledged the important role of regional organizations in the prevention, settlement and management of conflicts. His delegation considered that the world situation with regard to the protection of refugees and the various degrees of implementation of the 1951 Convention and the 1967 Protocol pointed to the need to enhance cooperation between UNHCR and regional organizations. Regional partnerships could contribute to preventing the exploitation of asylum-seekers by criminal networks and to finding durable solutions.

75. As a future member of the European Union, Romania was actively preparing to assume new obligations, aware that it had one of the longest borders with non-member countries. Regional cooperation was of crucial importance in improving the lives of more than 1 million people in unstable regions close to Romania, along the Black Sea, in the Caucasus or in the Balkans.

76. As Chairman of the Office of the South-Eastern Europe Cooperation Process, Romania's main objective was to promote the European integration of the countries concerned by making the best use of the region's institutional mechanisms, particularly in the areas of security, justice

and internal affairs. Those institutions included the Bucharest-based Regional Centre for Combating Transborder Crime, which could be better employed in order to improve the quality of international protection of refugees in the region.

77. In conclusion, his delegation shared the views of the High Commissioner that the issue of refugees and asylum-seekers had increased in complexity even if their absolute numbers were declining. He was confident that the imaginative steps taken by UNHCR would prove efficient in dealing with that complexity, and assured UNHCR of its support.

78. Mr. NDJEMBA ENDEZOU MOU (Cameroon) paid tribute to the United Nations High Commissioner for Refugees whose commitment, dynamism and courage had made it possible to continue to ensure and strengthen the mechanisms and capacities for protecting refugees during the past year. He thanked UNHCR for the official reopening in 2003, after a year's closure, of its office in Yaoundé, which had enabled Cameroon to continue to serve as the preferred destination for all people in dire circumstances. The number of refugees in Cameroon currently fluctuated between 65,000 and 100,000 persons. The Government made it a duty to assume, often discreetly but efficiently, its obligations to host refugees and ensure their security and protection despite the very high costs incurred by some mass influxes.

79. Cameroon supported the international community's efforts to deal with the challenges of refugee protection and management. It therefore welcomed the Convention Plus initiative, which made it possible to expand the legal framework for the protection of refugees as a result of new approaches intended to facilitate burden-sharing between the countries of the North and South, the preparation of comprehensive plans for mass influxes or better targeting of development assistance to facilitate the integration of refugees in host countries.

80. Cameroon fully supported the High Commissioner's initiatives to create an ideal framework of durable solutions to refugee problems, including development assistance for refugees, development through local integration and promotion of the "4 R's" approach.

81. The noble objectives of UNHCR required everyone's support. Cameroon could not overemphasize the need for solidarity between the countries of the North and those of the South in order to improve protection for refugees and share their burden. Aware that refugee problems had to be tackled at the root, he called on States and peoples to intensify their efforts in the areas of mutual tolerance, respect and acceptance as well as the reinforcement of shared democratic values, the rule of law and respect for human rights.

82. His Government was of the view that the voluntary repatriation of refugees was an ideal solution that was both efficient and durable. It was therefore considering the possibility, in cooperation with the UNHCR office in Yaoundé, of repatriating, as soon as conditions permitted, 17,000 Peuhl refugees from Nigeria, whom Cameroon had been hosting since January 2002, to their country of origin.

83. In conclusion, his delegation was in full agreement with the concerns of the African Group regarding the need to enhance, or at least maintain, the dialogue between UNHCR and the African Group in the context of the changes planned in UNHCR staffing.

84. Mr. MAPURI (United Republic of Tanzania) said that the Dialogue on Voluntary Repatriation and Sustainable Reintegration in Africa, held in March 2004, had come up with a number of possibilities for repatriating approximately 2 million refugees from several African countries and raised some hope of finding a durable solution to the refugee problem. That optimism, however, had been overshadowed by the resurgence of fighting in the Democratic Republic of the Congo, the massacre of innocent refugees in Gatumba in Burundi, and the Darfur crisis. Those unfortunate developments should not discourage the international community but rather revitalize its commitment to search for durable solutions to the refugee problem, the best of which lay in addressing the root causes that generated refugees. The United Republic of Tanzania had always been in the forefront of peace processes, particularly in the Great Lakes Region, and would step up its efforts to respond to the new challenges. He urged the international community to enhance its support for peace initiatives in Africa, beginning with the African Union's initiative concerning Darfur.

85. With regard to Burundi, his delegation was concerned about the calendar of activities leading to elections scheduled for the end of 2004. The success of the electoral process would very much determine the success of the efforts to repatriate Burundian refugees from the United Republic of Tanzania, which was proceeding at a slower pace than planned. His delegation appealed to the international community to provide unflinching support to the forthcoming elections in Burundi. The slow pace of repatriation operations was also attributable to Burundi's limited capacity to manage the reintegration process owing to inadequate funding. His delegation appealed to all those who had made pledges to support the reintegration process to honour their commitment.

86. With regard to the food situation in refugee establishments, he pointed out that funding was on a downward trend. If that trend was not reversed, the political stability and the peace and security of refugee host countries, such as the United Republic of Tanzania, could be threatened. Concerted efforts were necessary to keep the food pipeline from being interrupted, since interruptions caused reductions in food rations and created tension in the camps.

87. The appeal by the United Republic of Tanzania for a more stable food pipeline was not intended to downplay its commitment to proposing self-reliance projects to the Somali refugees in the Chogo settlement and the Burundian refugees who had long been living in the Bulyankulu, Katumba and Mishamo settlements. The international community seemed to have washed its hands of the situation in the older settlements. A total land area of over 305,000 hectares had been allocated to some 180,000 refugees in four settlements and one camp since the 1970s for self-reliance activities. The Tanzanian Government also provided refugees with education, health, water and other services. The international community had never acknowledged those efforts; on the contrary, it had put pressure on the United Republic of Tanzania to allocate more land to the refugees, which was absolutely impossible.

88. In that context, the principle of burden-sharing needed to be enhanced, at least for the new wave of 500,000 refugees. That principle would be meaningful only if all States fulfilled their obligations. The United Republic of Tanzania thanked all donor countries that had pledged to make contributions or which had already done so, particularly the United States of America, which was the main supplier to the food pipeline in the United Republic of Tanzania. He commended the host countries which, despite their poverty, had made many sacrifices to assist asylum-seekers and refugees.

89. While his delegation welcomed the creation of the post of Assistant High Commissioner for Protection, it noted that the incumbent would have to have stable funding to carry out his mission. It fully supported all the High Commissioner's initiatives, particularly Convention Plus, which were aimed at strengthening international protection of refugees and assisting host countries in fulfilling their obligations.

90. Mr. HOERLBERGER (Austria) said that his delegation associated itself with the statement made by the Presidency of the European Union and wished to make a number of other comments. Although the number of new asylum-seekers had decreased in most States members of the European Union, Austria still belonged to those countries with the highest number of asylum-seekers. Taking account of its long tradition of granting asylum and integrating refugees, Austria would continue its efforts to manage the situation in the best possible manner.

91. His delegation welcomed the High Commissioner's Convention Plus initiative, which would make it possible to achieve the goal of burden- and responsibility-sharing and to find solutions to refugee flows. Austria noted with concern the emergence of new and very complex refugee and internal displacement situations, such as the Darfur crisis, and believed that UNHCR had an important role to play in assisting and protecting more than 200,000 refugees in eastern Chad. At the same time, it urged UNHCR to continue the search for durable solutions to other crises in Africa, for example, in the Great Lakes Region and other parts of the world.

92. With regard to internally displaced persons, his delegation had noted with interest the High Commissioner's comments on the "collaborative approach". It commended UNHCR's commitment to being an active partner of the newly established Inter-Agency Internal Displacement Division. It was convinced that, under the leadership of its new Director, Mr. Dennis McNamara, the Division would be able to coordinate the activities of the various agencies dealing with the protection of displaced persons, to translate the "collaborative approach" into concrete action and to tackle all problems holistically. The physical needs and the basic rights of displaced persons were closely linked, and the protection of displaced persons must be coordinated in the best possible way.

93. His delegation wished to make three further comments on the subject of displaced persons. First, the host country was primarily responsible for protecting and assisting displaced persons, unless it was not in a position to do so and the international community had to intervene. Secondly, in the absence of a legally binding instrument to regulate the protection of displaced persons, Governments and agencies should use the Guiding Principles on Internal Displacement as the basis for dealing with the problems of displaced persons. Thirdly, Austria welcomed the appointment of Mr. Walter Kälin as the representative of the Secretary-General on internally displaced persons and was convinced that his long experience in that regard would help him to fulfil the mandate with which the Commission on Human Rights had entrusted him.

94. In conclusion, Austria wished to pay tribute to the staff of UNHCR, who continued to work relentlessly in extremely difficult and increasingly dangerous situations.

95. Mr. YAMASSOUM (Observer for Chad) said that the Executive Committee was holding its fifty-fifth session at a time when the international community was concentrating its attention on the crisis in the Sudanese region of Darfur, the direct impact of which had been the mass influx of more than 200,000 Sudanese refugees into eastern Chad. Chad was doing its utmost to protect and assist those refugees with the support of UNHCR and the international community.

96. The Government of Chad was convinced that the crisis must be resolved by political means. In that connection, he referred to the untiring efforts of President Idriss Deby to reconcile all the parties to the conflict in the Sudan. While Chad fervently hoped that the Sudanese refugees from Darfur would return home voluntarily in security and dignity, it would continue, as far as its means would permit it, to protect them and to seek solutions to their problems as long as the security situation in Darfur remained precarious. The Government thanked the United Nations system for its material and moral support for all those in distress; during the past year, it had been very honoured to receive the Special Envoy of the Secretary-General, the United Nations High Commissioner for Refugees and the Secretary-General of the United Nations. The Secretary-General had travelled to eastern Chad to make a first-hand assessment of the situation of the Sudanese refugees in the camps.

97. The Government of Chad appreciated the material support provided by UNHCR, which had enabled it to set up a special programme to secure the refugee camps. It requested further help from the international community and from the donors to provide humanitarian aid to Sudanese and Central African refugees living in southern Chad and to undertake viable development projects on behalf of local populations affected by the presence of refugees.

98. In conclusion, the Government of Chad wished to assure the High Commissioner and the international community of its full cooperation in facilitating the work of humanitarian agencies in Chad and its solidarity with the refugees living in its territory.

The meeting rose at 5.55 p.m.