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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
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SUMMARY RECORD OF THE 633rd MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 30 September 2009, at 3 p.m.

Chairperson: Mr. DUMONT (Argentina)

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ANY OTHER BUSINESS

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The meeting was called to order at 3.05 p.m.

GENERAL DEBATE (continued)

1. Mr. DORJI (Bhutan), speaking in exercise of the right of reply, said that he deeply regretted the characterization by the delegation of Nepal of Bhutan's position on bilateral talks on the refugee camps in eastern Nepal. The humanitarian situation there was a highly complex one and the Governments of both countries had agreed, in writing, that not all those living in the camps were Bhutanese. One of the main reasons for the lack of progress in the bilateral talks was the constant political instability in Nepal. Since assuming office, the newly-elected democratic Government in Bhutan had made efforts to engage with Nepal on the issue. Bhutan was committed to finding a durable solution to the problem on the basis of bilateral agreement. He urged Nepal not to disregard the close traditional, cultural and historical relationship between the two countries.
2. Mr. PAUDYAL (Observer for Nepal), speaking in exercise of the right of reply, said that the presence of Bhutanese refugees in Nepal was the result of discrimination by the Government of Bhutan against its own citizens, who had been forced to leave their country. Nepal was hosting the refugees on humanitarian grounds and they deserved a dignified return to their homeland. The stalemate had been caused by Bhutan's reluctance to implement past agreements or to engage in new negotiations with a view to finding a durable solution.
3. Mr. EKANAYAKE (Observer for Sri Lanka), speaking in exercise of the right of reply, said that the Sri Lankan Minister of Disaster Management had already given an account of the situation of IDPs in welfare camps and relief villages at the current session. While the majority of the IDPs had come to Government-controlled areas seeking protection, 10,000 to 15,000 Liberation Tigers of Tamil Eelam cadres had infiltrated the camps and therefore full freedom of movement could not be granted to all IDPs because of security considerations. The persons who had not disclosed their former affiliation with the Liberation Tigers posed a risk to the IDPs in the camps and could cause destabilization in civilian areas, if released.
4. The Minister had provided detailed information on the welfare facilities available in the welfare camps and relief villages, which the Representative of the Secretary-General on the human rights of internally displaced persons had been able to observe first hand on his recent visit to Sri Lanka. The return to normal life was critical to the prevention of potential future conflict; great emphasis was therefore placed on demining and the restoration of infrastructure to permit the return or resettlement of IDPs.
5. The CHAIRPERSON, summing up the general debate, said that several delegations had paid tribute to the courage with which UNHCR staff carried out their duties under the UNHCR mandate, often in dangerous situations. In that connection, there had been calls for international humanitarian law and humanitarian principles to be upheld and UNHCR had been encouraged to promote accession to the 1951 Convention and its 1967 Protocol. One delegation had described UNHCR as fundamentally a protection agency. However, in order to carry out its protection activities, UNHCR needed to consolidate its internal reform process through, for example, decentralization and the Global Needs Assessment initiative.

6. Several delegations had welcomed the new focus of the 2010-2011 budget. However, UNHCR would probably now have to proceed with prioritizing the needs identified. The budget could be difficult to finance as, despite the economic crisis, more funding was required overall, in particular, more unearmarked contributions, in order to give UNHCR greater flexibility. To that end, the Office had been encouraged to broaden its donor base.

7. Several delegations had expressed support for the involvement of UNHCR in wider United Nations reforms, such as the “Delivering as One” initiative, while others had suggested that UNHCR should focus on its primary mandate. Delegations had highlighted the importance of the Office’s continuing partnerships with the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), other humanitarian agencies and organizations, development agencies, Member States and NGOs. Some speakers had requested new forms of cooperation to tackle challenges such as climate change, the economic and financial crisis and food, water and energy insecurity. Some speakers had urged the High Commissioner to contribute to providing a response to the impact of climate change.

8. Many delegations had commented on the four challenges outlined by the High Commissioner, expressing their concern about the shrinking of humanitarian space and the restrictions imposed on the delivery of humanitarian assistance in some countries.

9. Many delegations had extended their condolences regarding the deaths of UNHCR staff, and there had been widespread condemnation of the violence committed against humanitarian workers, followed by calls to end the impunity enjoyed by the perpetrators of such acts. UNHCR had been encouraged to continue improving staff security.

10. With regard to the reduction in asylum space, one group of countries had indicated that the right of asylum continued to be the cornerstone of UNHCR work. Members had emphasized the need to protect refugees’ rights in mixed migration flows and had drawn attention to the policies which their Governments were implementing to better enforce asylum-seekers’ rights. UNHCR had been encouraged to continue playing a role in the establishment of a common European asylum system.

11. Voluntary return remained the preferred durable solution, but it took an improvement in the conditions in countries of origin to encourage refugees to return. Several delegations had described the efforts of their Governments to facilitate resettlement and there had been calls for more opportunities in that regard. Host countries had urged the international community to share the heavy burden which they shouldered, and a number of delegations had acknowledged host countries for the contribution that they made.

12. Many delegations had expressed an interest in discussing urban displacement during the meeting of the Dialogue on Protection Challenges to be held in December 2009 with a view to providing better assistance to displaced persons in urban settings. Concern had been expressed about protracted refugee situations and there had been calls for increased efforts to respond to such situations and to conclude the negotiations on the draft conclusion on protracted refugee situations. Delegations had emphasized the importance of dealing with the root causes of conflict as a means of preventing displacement from the outset.

13. The information provided by delegations on the specific situations in their countries was evidence of the complex and considerable task that lay ahead. However, delegations had also reported on positive developments in many areas, including recent and planned returns, offers of resettlement, commitments to increased funding, recognition of the successes of past agreements and the future drafting of a convention on the protection and assistance of IDPs in Africa. More importantly, there seemed to be a consensus on fundamental approaches to future challenges. He hoped that the constructive debate that had taken place would help in fulfilling the fundamental task of UNHCR - that of saving and protecting lives - as a team, dedicated to finding durable solutions together.

CONSIDERATION OF REPORTS ON THE WORK OF THE STANDING COMMITTEE

(a) INTERNATIONAL PROTECTION (A/AC.96/1065, 1066, 1073 and 1075)

14. Ms. FELLER (Assistant High Commissioner for Protection), introducing the Note on International Protection (A/AC.96/1066), said that protection was a multifaceted concept which applied to the needs of the forcibly displaced, the core responsibilities of Governments and the main deliverables expected of UNHCR. It was also a defining feature of the international legal framework for protection of the rights of the displaced.

15. Refugees did find effective protection in many countries and much progress had been made with refugee returns, resettlement and naturalization. Furthermore, there was heightened sensitivity towards populations at risk and some States on the front line of mixed migratory flows were formalizing their administrative and legislative frameworks for protection. However, despite the progress made, certain problems such as lack of security, protracted refugee situations, ineffective asylum systems and lack of procedural safeguards persisted.

16. Protection was primarily the responsibility of States and the high degree of reliance of some States on UNHCR, including in determining refugee status, was a worrying trend. UNHCR could only determine refugee status effectively if it was allowed to operate free from pressure from Governments, consistent with the principle that asylum was a non-political matter.

17. The humanitarian objectives of protection must remain to the fore and in that context the shrinking of humanitarian and protection space posed a particular challenge. The long-standing tradition of rescue at sea, for example, was under strain for a number of reasons, including Governments' hardening attitude towards irregular migration. The mere fact that some asylum-seekers arrived together with migrants or had passed through a number of countries before submitting their asylum application did not divest them of their refugee status. States must fulfil their protection responsibilities, save lives and uphold international refugee law.

18. The very practice of detaining asylum-seekers, as well as the deplorable conditions in many detention centres and often unattainable conditions of release, presented a huge challenge in all parts of the world. She welcomed steps taken in some countries to pursue alternatives to detention, including the use of curfews, community-based residential arrangements and shelters, which were proving cheaper than traditional detention, did not result in higher rates of absconding and, most importantly, did not usually raise serious human rights concerns.

19. In terms of protection as a need, she recalled the importance of ensuring that children confronting migration and asylum systems were not exposed to inappropriate or damaging situations, given that such systems were usually designed for adults. The increasing number of unaccompanied or separated children seeking asylum was a worrying trend, although the lack of statistics made it difficult to assess its true extent and only a fraction of the total number of such children came to the attention of the authorities. The unidentified majority were particularly vulnerable. Although the same definition of “refugee” applied to all individuals, irrespective of age, many aspects of the wider asylum system should be made more child-friendly. The age, gender and diversity mainstreaming accountability framework had revealed weaknesses in UNHCR practice in that regard, which were now being addressed. In that area and others, the framework had proved a useful tool and would be consolidated and integrated during its third year of implementation.

20. The new UNHCR policy on urban refugees represented a considerable departure from its previous incarnation, being now informed by factors such as rapid urbanization, the increase in urban refugees, the difficulties such groups encountered in gaining access to protection, solutions, livelihoods and services, and the limitations of the previous policy. The new policy was based on the principle that the rights of refugees and the mandated responsibilities of UNHCR towards them were not affected by location or the means by which the refugees had arrived in an urban area. Although the policy might well give rise to controversy, and implementing it would be challenging, it would in no way compromise national sovereignty, national legislation and local institutions. Indeed, State authorities would play the primary role in implementation.

21. With regard to when the need for protection ceased, she emphasized that, although cessation clauses created a clear and actionable expectation that those affected would in most cases lose their refugee status and return to their home country, it was incumbent on receiving and returning States to make that solution viable by promoting voluntary repatriation, investing in reintegration and protecting acquired rights. Other available alternatives should furthermore be agreed between the States concerned with input from refugee communities.

22. Turning to the notion of protection as a deliverable, she said that UNHCR hoped to use the Strengthening Protection Capacity Project, with some adjustments, as a tool for gaps analysis for child protection and for the implementation of cessation decisions. In support of Governments addressing mixed migration challenge, the Office had released a provisional compilation of good practices in implementing the 10-Point Plan of Action to Address Mixed Migratory Movements, in which respect she invited comments and suggestions.

23. Given the responsibility of UNHCR to ensure that asylum procedures dealt properly with undeserving asylum-seekers and its commitment to working with States to develop fair systems that did not allow those who committed or supported terrorist acts to secure access to asylum, the Office hoped to develop more strategic interaction with the Executive Directorate of the United Nations Counter-Terrorism Committee. She also drew attention to the need for the format of Convention Travel Documents to be updated, in line with technological advances in documents controls, before new standards for travel documents entered into force in April 2010; UNHCR was working with the International Civil Aviation Organization to that end.

24. The credibility of resettlement efforts depended on ensuring a balance between needs and priorities. In the face of a proliferation of protracted refugee situations, States were being urged to show flexibility in their approach to resettlement, although solutions were likely to involve other elements as well. She expressed disappointment that the Executive Committee would not be able to adopt a conclusion on protracted refugee situations during its current session, despite the support expressed for the High Commissioner's initiative, and urged the Committee to give careful consideration to its approach to conclusions in general, to ensure they did not become a thing of the past. The various forthcoming anniversaries would provide an opportunity to redouble efforts to ensure that refugees enjoyed protection, particularly in the context of new challenges.

25. Mr. MARCONI (Italy) called on States to support the valuable work of UNHCR in protecting refugees and in assisting national authorities in providing protection for internally displaced persons. Italy defended its choice of always including a UNHCR representative in territorial commissions which undertook preliminary examinations of asylum requests. He called for stronger practical cooperation with UNHCR. The Lampedusa model, which the High Commissioner had mentioned, had already been extended to other areas of Italy and, it was hoped, would eventually be used throughout the country. The Italian authorities worked with partners such as the Italian Red Cross to ensure better standards and dignity for asylum-seekers.

26. The Government was cooperating with UNHCR and regional and local authorities on the issue of urban refugees, exploring alternative settlement areas. It strongly supported European Union efforts to harmonize asylum procedures under a common European asylum system. Regional programmes undertaken with support from the European Union should be properly evaluated and extended to other geographical areas. Italy had always stressed the need to pay more attention to the Horn of Africa, North Africa and transit countries, in which last the role of UNHCR was particularly vital in achieving durable solutions. Italy would continue its resettlement projects, particularly for Iraqi and Palestinian refugees, with UNHCR assistance.

27. Ms. GOLBERG (Canada) said that much remained to be done to improve access to protection for displaced and dispossessed persons and appealed to host Governments to fulfil their commitments to provide protection and assistance. Particular attention should be given to securing durable solutions, protecting urban refugees and asylum-seekers and ensuring that UNHCR was able to discharge its cluster coordination responsibilities.

28. Welcoming the past year's focus on protracted refugee situations, she saluted the generosity of long-standing host countries and applauded innovative efforts to improve conditions in exile and secure comprehensive solutions. It was important to move away from care and maintenance schemes to strategies that afforded refugees the opportunity to live with dignity, and she expressed the hope that a positive consensus could be achieved on an Executive Committee conclusion on protracted refugee situations.

29. With regard to natural disaster responses, she suggested that any role for UNHCR should be framed within specific parameters, given the number of other actors involved, and said that she looked forward to specific discussions on the issue with the Office.

30. Innovative solutions should be sought to ensure that the rights of refugees, asylum-seekers and internally displaced persons were equally respected in camps, rural settlements and urban

settings, and she welcomed the new UNHCR policy on urban refugees. Efforts should now focus on implementation and engaging all relevant partners, as well as local authorities. Expressing support for UNHCR efforts to mainstream issues relating to internal displacement, she stressed the need to ensure that the Office's cluster coordination responsibilities did not undermine its ability to fulfil its refugee protection mandate and called on the Office to differentiate clearly between its roles in a range of situations.

31. Mr. ARIAS PALACIO (Bolivarian Republic of Venezuela), speaking on behalf of the Group of Latin American and Caribbean States, expressed appreciation for UNHCR efforts to train migration officials, border police and members of civil society and to implement the protection agenda. In working to protect vulnerable populations, UNHCR should act not only in host countries but also in countries of origin. Particular attention should be given to ensuring that women and children were not discriminated against and received treatment appropriate to their needs. The Group of Latin American and Caribbean Countries supported programmes to increase States' capacity to receive and protect refugees, initiatives to widen training and education opportunities, and income-generation programmes that benefitted men and women equally.

32. With regard to internally displaced persons, he reaffirmed the Group's commitment to the Mexico Plan of Action and the Guiding Principles on Internal Displacement and expressed concern at the persistence of situations that led to forced internal displacement. In that regard, States should take account of discussions on the issue within United Nations bodies. At the same time, he welcomed the fact that increased UNHCR efforts to protect internally displaced persons had not resulted in a reduction in resources allocated to refugee protection. He urged States to continue to uphold fundamental principles and standards in the area of improved access to international protection for refugees and other persons of concern. Although States had a sovereign right to protect their borders, the institution of asylum must be fully guaranteed and not abused, and UNHCR should continue working with States and relevant institutions to find practical and durable solutions in that regard.

33. The international nature of refugee problems meant that international cooperation and shared responsibility among States were needed in tackling them. States must be supported in their search for solutions to benefit displaced populations, particularly women, children and the elderly.

34. Mr. PHUANGKETKEOW (Thailand) said that protection and solutions should go hand in hand and that both should focus on conditions in areas of origin, in order to tackle problems at source. Efforts to promote socio-economic development and build protection capacity in countries of origin should be enhanced prior to repatriation so as to help foster suitable conditions for return and avoid renewed displacement.

35. More progress was needed in dealing with mixed migratory flows. The 10-Point Plan of Action to Address Mixed Migratory Movements continued to be relevant in that regard, but its implementation should reflect the whole cycle of activities, including full discussion of the return of non-refugees and rejected asylum-seekers, in order to safeguard humanitarian space for those in real need.

36. Although self-reliance per se was not a durable solution for any refugee situation, providing skill-enhancing activities for people awaiting repatriation or resettlement was

important. A balance must be struck between legitimate protection, addressing humanitarian concerns and national security, and self-reliance should not be automatically linked to prospects for local integration. Thailand was working with non-governmental organizations to provide vocational training and income-generation activities in temporary shelter areas and encouraged the international community to support such activities. Lastly, he drew attention to the need to be realistic about finding solutions for persons for whom resettlement was perceived as difficult, as the prolonged presence of such persons placed additional strain on already overburdened immigration services.

37. Ms. POLLACK (United States of America) said that the protection of refugees, IDPs, the stateless and other vulnerable populations was one of her Government's highest humanitarian priorities, as evidenced by its rapid response to the refugee crisis in Pakistan, its promotion of protection for IDPs in Sri Lanka, its support for sustainable voluntary returns to Liberia, Southern Sudan and Burundi and its efforts to improve conditions for displaced Iraqis, to promote strategic refugee resettlement and to resolve protracted situations in the Balkans and Colombia.

38. UNHCR participation in increasingly diverse protection needs was welcome. However, the Office should continue to prioritize conflict-affected populations and protection from persecution. Maintaining protection quality also required more effective engagement with peacekeepers and human rights experts. UNHCR should, moreover, deepen its understanding of new challenges and release its policy on urban refugees.

39. Enhanced protection of refugees in protracted situations involved promoting durable solutions alongside access to livelihoods and self-reliance initiatives. Protection of the physical integrity of refugees remained crucial, but the quality of protection depended also on preserving human dignity. In that connection, education of refugee children, documentation for stateless persons and reunification of displaced families were vital.

40. The United States continued to deepen its commitment to protecting women and children through: its support for the Office's age, gender and diversity mainstreaming (agdm) strategy; programmes to combat gender-based violence; and "best-interest determination procedures" for unaccompanied and separated children. Victims of domestic violence were also recognized as refugees, where appropriate.

41. The new United States Administration welcomed input from others on how the United States might enhance its protection efforts and modify its approaches on behalf of vulnerable populations around the world. It urged Governments to work closely with the United Nations and other international organizations to address the root causes of human displacement. The draft convention on the protection and assistance of IDPs in Africa was a welcome regional development which promised to focus collective efforts on displacement within the continent.

42. In the months and years ahead, her Government planned to deepen its commitment to vulnerable populations and provide both diplomatic and financial support for the Office's critical protection activities. The training of protection and community service officers in the field was also vital, as were efforts to enhance staff safety.

43. Mr. HUGHES (Australia) said that the massive population of refugees, displaced and stateless people in the Asia-Pacific region was cause for concern. Although UNHCR had made considerable efforts to broker solutions in some intractable situations, regional instability was causing an upsurge of displacement. People smuggling was on the rise and putting vulnerable people at greater risk. There were few parties to the 1951 Convention in the region; Governments needed to cooperate with UNHCR in order to protect those at risk and build an enduring protection framework, as Australia was doing. The renewal of the Bali Process had been an important step forward in that regard. Australia would continue to provide aid to asylum countries and assistance with diplomatic efforts to end displacement.

44. Resettlement was a valuable strategic tool to help resolve protracted situations. His Government offered thousands of resettlement places every year and intended to increase its focus on protracted refugee situations now that it had a framework allowing it to make longer-term commitments to resettlement. It encouraged others to share the benefits of resettlement and was committed to sharing its expertise with any new resettlement country.

45. His Government recognized that refugee populations were increasingly living in urban areas and it urged UNHCR to prioritize implementation of its policy on urban refugees realistically. The Office had already enriched the international discussion on new types of forced displacement, including that caused by climate change, and had an important contribution to make to the debate on the protection dimensions of climate change displacement. His Government acknowledged the valuable role played by civil society in improving protection for refugees both in Australia and worldwide, as well as the contributions made by refugees themselves.

46. Mr. HILALE (Morocco) said that Morocco had drawn international attention to the humanitarian situation in Tindouf since the start of the conflict in the Moroccan Sahara. Its concerns had been confirmed, among others, by Human Rights Watch and Amnesty International, which had severely criticized Algeria for abdicating its international responsibilities in the camps and for obstructing UNHCR efforts to protect the inhabitants. Human rights violations continued in Tindouf, as the World Refugee Survey, published by the United States Committee for Refugees and Immigrants, had recently confirmed, identifying a number of serious violations. Algeria refused to conduct a census in the camps, thus preventing UNHCR from identifying protection needs and from monitoring aid distribution, in defiance of numerous General Assembly resolutions and Executive Committee decisions. In addition, food and medical aid intended for the camps was being diverted for private gain, reportedly by the Frente Polisario and Algerian Red Crescent Society officials. The camps were being militarized, with some residents being forced to undergo military training, in contravention of international law and of General Assembly resolution 139/61, which emphasized the need to safeguard the civilian and humanitarian nature of refugee camps, and of numerous Executive Committee decisions. Numerous restrictions were imposed on freedom of movement and residence in the camps and refugees were subject to discriminatory restrictions on employment and local integration. Cases of slavery persisted in the camps, with the explicit knowledge of Algeria.

47. Algeria had clearly failed in its international responsibility towards the camps and had set them beyond the reach of international law. Morocco reiterated its request to UNHCR to seek a durable solution for the refugees in the Tindouf camps by resettling them in third countries.

48. Ms. WIJGERS (Netherlands) said that her Government was concerned about the current situation of IDPs in Sri Lanka. She called on the Sri Lankan Government actively to create conditions for their rapid return and invited UNHCR to elaborate on perspectives for doing so. It was to be hoped that the Kenyan Government, with UNHCR and international partners, would find a solution that would benefit refugees and the local community at Camp Dadaab. The significant steps taken by UNHCR in coordinating IDP protection could be taken further through better collaboration in the field. Her delegation therefore called on UNHCR to support the strengthening initiatives led by the Humanitarian Coordinators.

49. Her Government supported the upcoming African Union Special Summit to be held in October 2009 and asked what steps UNHCR would take once the proposed convention on refugees, returnees and IDPs in Africa was adopted. Her delegation also wished to know what lessons could be learned from the United Republic of Tanzania about its successful integration and return operation for Burundian refugees and how that success could be applied to other protracted refugee situations.

50. The Netherlands Government was interested in the findings of the pilot programmes on strengthening coordination between UNHCR and other United Nations organizations under the "Delivering as One" initiative; it supported the participation of UNHCR in bridging the relief-to-development gap and asked how donors might facilitate that process.

51. She called upon UNHCR to investigate the possibilities of tapping into small-scale early recovery initiatives in those parts of South Darfur where the voluntary return of IDPs was now possible. With regard to climate change, she encouraged the Office to implement fully its own internal environmental guidelines to prevent refugee camps from creating their own environmental disasters. She expressed support for the cooperation between UNHCR, the International Organization for Migration (IOM), the International Committee of the Red Cross (ICRC) and the States concerned on asylum and migration issues. Protection should be ensured through sensible migration management and respect for basic international principles such as non-refoulement. In that connection, capacity-building in migration management was an important topic of international debate.

52. The proposed joint European Union resettlement programme was a protection tool that could substantially increase the number of resettlement places in the European Union. She was encouraged by recognition of the basic principle that resettlement should be an integral part of European Union asylum policy.

53. Mr. DENNISON (United Kingdom) said that his Government was concerned by the large number of persons in protracted displacement situations and supported UNHCR efforts to find durable solutions. It was encouraged by the increase in resettlement submissions and departures and supported efforts to broaden the resettlement base. It also supported the inclusion of the return and integration of displaced persons in post-conflict recovery and development plans and encouraged UNHCR to partner more development actors to ensure that successful transition strategies were adopted. His Government strongly supported the Office's protection mandate and encouraged UNHCR to deliver holistic protection services to refugees. It hoped that the High Commissioner's 2009 Dialogue on Protection Challenges would help identify strategies to improve protection of urban refugees.

54. The United Kingdom supported the lead role played by UNHCR in coordinating humanitarian protection and counted on it to activate the protection cluster reliably in new conflicts or complex emergencies. It encouraged UNHCR to include the costs of the protection cluster in its biennial budget, to ensure that dedicated staff were available at all levels and to continue to focus on protection in situations of conflict and violence. As restrictions on UNHCR in the field posed a significant risk to persons of concern, he urged all parties to provide space and access for humanitarian actors.

55. Mr. KAESER (Switzerland) commended UNHCR for improving access to international protection in implementation of the 1951 Convention; in that connection, Switzerland was involved in UNHCR capacity-building projects for refugee protection.

56. He recalled that States had a primary responsibility to provide those affected by conflict with assistance and protection; they must guarantee humanitarian actors swift and unobstructed access to those in need and should work closely with UNHCR to that end. His Government was committed to supporting dialogue on improved humanitarian access, protection and assistance for displaced persons, particularly for women and children, and intended to strengthen its dialogue with the Division of International Protection Services to identify areas of common interest.

57. Switzerland considered resettlement to be an important issue. A working group created by the Federal Office for Migration had studied resettlement proposals presented by the Federal Commission on Migration Issues, with welcome comments and advice from UNHCR, and would shortly submit its report and recommendations to the Minister of Justice.

58. Mr. ELING (Observer for the European Commission) said that the European Commission was delighted by the High Commissioner's efforts to encourage resettlement, which coincided with those being made in the European Union. Under the proposed joint European Union resettlement programme, annual priorities would be established with Member States based on UNHCR estimates and in consultation with non-governmental organizations; significant progress in that regard was anticipated under the Swedish presidency of the European Union. It was essential to increase solidarity with Member States most affected by migratory pressures and it was to be hoped that the creation of a European asylum support office would strengthen capacity to assist Member States facing particular pressures on their asylum systems.

59. The need for protection of asylum-seekers and refugees in the context of irregular maritime migration flows persisted and required a comprehensive response. Recent measures taken had sought both to ensure respect for protection needs and to prevent and combat illegal migration. A proposal would shortly be submitted to clarify the rules on joint operations coordinated on European maritime borders; at the same time, the European Union was committed to strengthening protection capacity in third countries of origin and transit.

60. Ms. FELLER (Assistant High Commissioner for Refugees) said that UNHCR supported the territorial commissions process operating in Italy. Such commissions were a viable way for Governments to manage the dilemmas of, and responses to, mixed migration and UNHCR looked forward to strengthening and broadening their scope with the Italian Government. It would also explore how to benefit from the lessons learned from the Lampedusa experience.

61. Canada was a key protection partner; its experience in building partnerships between different government agencies as part of its approach to protracted refugee situations would repay closer study. The Office intended to establish clear and specific parameters for natural disasters and would discuss them with delegations once they took shape. As the representative of Canada had rightly pointed out, it was important to distinguish the coordination or cluster responsibilities of UNHCR from its protection responsibilities or agency responsibilities; the need to deliver both created operational difficulties.

62. The statement by the representative of the Bolivarian Republic of Venezuela on behalf of the Group of Latin American and Caribbean States, and the regional focus on strengthening training and capacity-building were welcome. UNHCR had done useful work in developing comprehensive needs assessment and in analysing gaps as a means of supporting the protection of refugees and stateless persons. Capacity-building tools were being adapted to serve other groups of concern. The Mexico Plan of Action was a huge advance and a model of good practice that other regions could emulate.

63. The representatives of Thailand and Australia had mentioned pressures in the Asia-Pacific region and had called for a regional approach which used States' capacities to respond to displacement issues. UNHCR was committed to supporting regional cooperation and to further discussion with both countries in that connection. Thailand and others had mentioned the 10-Point Plan and had asked that it should reflect the full cycle of displacement, including return arrangements for non-refugees and the situation in countries of origin. Those were not the direct responsibilities of a protection agency such as UNHCR but the organization was prepared to play its part together with partners involved.

64. She thanked the United States for its unwavering support to UNHCR and reassured its representative that her Office would continue to prioritize core protection activities while exploring potential contributions to other areas. Physical integrity and human dignity should indeed go hand in hand in protection efforts. She would also remain responsive to the diversity of issues that might constitute persecution within the meaning of the 1951 Convention.

65. Australia, too, had provided long-standing support for resettlement activities; she agreed that civil society made a crucial contribution to international protection efforts. Turning to Algeria and Morocco, the High Commissioner, during his recent visits, had held constructive dialogue with both Governments on the issue of the Tindouf camps, including with regard to internal planning issues. She agreed with the representative of Morocco that the concept of protection required further demystification.

66. The range of issues raised by the representative of Netherlands might usefully be addressed by the Division of Operational Services (DOS) in the months ahead. UNHCR had already expressed concerns about the safety of IDPs in Sri Lanka in a public statement issued on 29 September. With regard to useful lessons that might be replicated elsewhere, the large-scale naturalization of longstanding refugees in the United Republic of Tanzania represented a decent solution to a protracted situation.

67. A number of speakers had stressed the need for closer links with development actors in protracted refugee situations. In Bangladesh, eastern Sudan, Malaysia, Yemen and elsewhere,

UNHCR was in fact pursuing a whole range of self-reliance, education and livelihoods initiatives, in partnership with the International Labour Organization (ILO) and the United Nations Development Programme (UNDP).

68. Addressing comments made by the representative of the European Commission she expressed the hope that the European resettlement programme would create additional asylum places in the region. Issues relating to broader responsibility sharing, the Dublin Regulation framework for asylum processing, capacity-building and freedom of movement within the European Union remained to be addressed. She looked forward to an interactive dialogue, also, on maritime protection responsibilities.

69. Mr. FELTEN (Germany) recalled that statelessness prevented persons from exercising their human rights and excluded them from basic services. With targeted awareness-raising campaigns and legal advice to Governments, UNHCR could make a real difference to improving relevant legislation and combating prejudice. Statelessness issues were part of the Office's core mandate, and the Statelessness Unit should accordingly be reinforced.

70. He was confident that by the end of the year, agreement would be reached on an Executive Committee conclusion on protracted refugee situations. The text should support and guide the Office's efforts and emphasize the contribution of other partners, including in the field of development. It should also express the commitment of return, host, resettlement and donor countries to identifying durable solutions in a spirit of solidarity and burden-sharing. Voluntary, safe and dignified return and sustainable reintegration must always constitute the preferred option, but a more comprehensive approach encompassing all relevant instruments was required. UNHCR had an important role to play in uniting partners to that end.

71. Mr. SUGANUMA (Japan) said that Japan would continue to support UNHCR in responding swiftly and flexibly to complex IDP emergencies - in Pakistan, Sri Lanka and elsewhere. The High Commissioner's analysis of the challenges faced by his Office had been most valuable. The shrinking of humanitarian space was indeed a matter of global concern, hence the importance of referring the issue to a steering committee. Confidence-building with local communities was also key to understanding UNHCR work on the ground and ensuring the security of staff.

72. In Japan, refugee families were assisted with Japanese language lessons, life skills, job-hunting and, where applicable, financial support. Regular inter-ministerial meetings were held to strengthen cooperation on protection measures with input provided by UNHCR and interested NGOs.

73. His delegation looked forward to participating in the forthcoming meeting of the Dialogue on Protection Challenges for persons of concern to UNHCR in urban settings, as the growing number of urban refugees was a phenomenon that required closer analysis.

74. Ms. MUTITI (Zambia) said that her delegation was in favour of enhanced integration of security activities in the Office's programme budget. Despite limited resources, her Government endeavoured to protect refugees and humanitarian staff by ensuring a police presence in settlements and camps and to ensure that urban refugees also benefitted from local community

services. Efforts were needed to maintain the humanitarian character of camps and settlements and to distinguish economic migrants, human traffickers and terrorists from genuine asylum-seekers through enhanced screening mechanisms.

75. UNHCR should continue investing in training programmes for Zambian law-enforcement and immigration officials to reduce the risk of refoulement. The registration of Congolese refugees was a welcome development in that regard. Zambia increasingly experienced mixed inflows and welcomed the 10-Point Plan of Action on refugee protection and mixed migration. New anti-human trafficking legislation enacted in 2008 envisaged severe penalties for traffickers as well as protection for victims. UNHCR should work closely with her Government to ensure that protection mechanisms also integrated victims of human trafficking. In addition, the decentralization of UNHCR operations was already bearing fruit in Zambia; the regional office in Pretoria had extended budgetary support in 2009, inter alia, for the construction of a refugee status determination and research centre.

76. Mr. CHUPLYGIN (Russian Federation) said that the Office's international protection activities should continued to be rooted in humanitarian principles and conducted in close cooperation with Governments concerned, with full respect for State sovereignty. On no account must such activities be used as a tool for interference in internal affairs. Moreover, structural reform should strengthen implementation of the Office's core mandate.

77. The Russian Federation was committed to the principles set forth in the 1951 Convention and its 1967 Protocol, which should serve as the guide for strengthened cooperation with UNHCR and other humanitarian actors. UNHCR should not recognize as refugees persons who had not been scrupulously checked for criminal involvement and who were seeking asylum in countries already possessing valid asylum procedures. Any granting of asylum to persons not meeting the relevant criteria risked discrediting the entire asylum process. IDP situations, for their part, should be resolved in accordance with existing international human rights instruments, national law and the principle of non-interference in States' internal affairs, as well as in strict application of the Office's mandate.

78. Mr. MALFAVÓN ANDRADE (Mexico), expressing support for the UNHCR reform process, welcomed the overall reduction in refugees worldwide but expressed concern at the increase in the number of displaced persons and the erosion of humanitarian space. Mexico had always valued the institutions of refuge and asylum, hence, it rejected the widespread trend to view them as a security matter requiring heightened control measures that sometimes extended beyond States' borders. In many countries, extraterritorial migratory controls were still delegated to private entities, with no corresponding protection measures in place. He expressed particular concern at the increased use of detention, including of children, as a preventive measure and in response to illegal entry, and urged UNHCR to redouble its efforts to strengthen the international protection regime and safeguard the concept of asylum.

79. Mexico viewed mixed migratory flows as a priority concern. The Mexican Commission for Assistance to Refugees and the National Institute of Migration had developed a joint training programme and a coordination tool for identifying individuals in need of international protection, with particular emphasis on non-refoulement and information on refugee status procedures. Agreements between the Commission for Assistance to Refugees and other government agencies

had given refugee groups, particularly in urban areas, the opportunity to obtain health insurance and basic education, thereby formalizing access to a number of additional protection services.

80. Mr. LARSEN (Denmark), expressing appreciation for the non-binding nature of UNHCR guidelines, said that if they were to be of maximum benefit to national refugee status determination authorities, they must contain the fullest and most up-to-date information available. In particular, recommendations based on enforceable law and those based on broader humanitarian concerns should be easily distinguishable.

81. Denmark strongly supported UNHCR efforts to find durable solutions for refugees in regions of origin. Protection must be supplemented with self-reliance initiatives embedded in national development plans, since refugees were capable of fending for themselves and could contribute significantly to host societies. Better international cooperation was also needed to resolve protracted refugee situations. Denmark applauded the Office's commitment to resettlement as a solution, as in the case of Bhutanese refugees in Nepal.

82. Ms. GAMRE (Norway) welcomed the priority accorded to community integration and self-reliance in the Office's new policy on urban-based refugees and asylum-seekers. That policy should also be expanded to cover IDPs, whose needs were similar. She agreed that UNHCR should be commended for its efforts to find solutions to protracted situations, with the Mexico Plan of Action providing an important tool. Short of voluntary repatriation, such solutions depended on a combination of repatriation, local integration and resettlement. Norway regretted the difficulties in reaching consensus on an Executive Committee conclusion on protracted situations and called for further progress on that issue. Determined as it was to continue to contribute to refugee resettlement programmes, her Government particularly welcomed the Office's input on prioritizing resettlement places. It was concerned to integrate a gender perspective, as evidenced by its own quotas for refugee girls and women at risk. Her Government welcomed the establishment of a European asylum support office and the development of a common European asylum system which had the potential to enhance the framework for refugee protection in the region.

ANY OTHER BUSINESS

Tribute to the memory of three staff members

83. Mr. JOHNSTONE (Deputy High Commissioner for Refugees) invited the Executive Committee to stand and observe a minute of silence for three UNHCR staff members who had died in the line of duty in 2009.

84. At the invitation of the Deputy High Commissioner for Refugees, the members of the Executive Committee stood and observed a minute of silence.

Announcement of field service awards

85. Mr. JOHNSTONE (Deputy High Commissioner for Refugees) announced the winners of the UNHCR field service awards.

The meeting rose at 6 p.m.