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INTERNATIONAL CO-OPERATION TO AVERT NEW FLOWS OF REFUGEES

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, prepared in accordance with paragraph 7 of Assembly resolution 38/84 of 15 December 1983.

* A/39/50.

ANNEX

Report of the Group of Governmental Experts on International
Co-operation to Avert New Flows of Refugees

I. INTRODUCTION

1. The General Assembly, in its resolution 36/148 of 16 December 1981, decided to establish a group of governmental experts of 17 members to undertake as soon as possible, in order to improve international co-operation to avert new massive flows of refugees, a comprehensive review of the problem in all its aspects, with a view to developing recommendations on appropriate means of international co-operation in that field, having due regard to the principle of non-intervention in the internal affairs of sovereign States. The Assembly requested the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees to undertake the review in the light of the existing relevant international instruments, norms and principles and with due regard to the right of refugees to return to their homes in their homelands and the right of those who did not wish to return to receive adequate compensation.
2. The General Assembly also requested the Group of Governmental Experts to be mindful of the importance of reaching general agreement whenever that had significance for the outcome of its work.
3. The General Assembly called upon the Group of Governmental Experts to take into account the comments and suggestions submitted to the Secretary-General in response to resolution 35/124 of 11 December 1980 and any further comments and suggestions from Member States, organs and organizations of the United Nations and specialized agencies, as well as the views expressed at the thirty-sixth session of the Assembly and also the study to be submitted to the Commission on Human Rights at its thirty-eighth session by the special rapporteur, pursuant to its resolution 29 (XXXVII) of 11 March 1981, and the deliberations of the Commission thereon.
4. The General Assembly, by its resolution 37/121 of 16 December 1982, decided to enlarge the Group of Governmental Experts from 17 to 24 members, with one additional seat to be rotated between the Latin American, African and Asian regions, in that order.
5. In the same resolution, the General Assembly reaffirmed the mandate of the Group of Governmental Experts as defined in resolution 36/148 by stressing the need for members of the Group to embark upon the study in the framework of a constructive, future-oriented approach and in conformity with the spirit which must form the basis of friendly relations and close co-operation among Member States.
6. The General Assembly requested the Group of Governmental Experts to submit a report to the Secretary-General in time for deliberation by the Assembly at its thirty-eighth session.

7. In 1983, the Group of Governmental Experts held two sessions, its first and second, in New York from 12 to 15 April and from 6 to 10 June, respectively. The additional seat was allocated to the Latin American region.

8. At its first session, the Group of Experts agreed to the following understanding pertaining to its rules of procedure:

(a) In general, the rules of procedure of the General Assembly should be applied unless the Group of Experts decided that its special nature as defined in the Group's mandate contained in Assembly resolutions 36/148 and 37/121 required otherwise. The Group, furthermore, agreed on the need to deal with procedural questions in a flexible manner.

(b) The meetings of the Group should, as a general rule, be closed meetings, unless the Group decided otherwise.

(c) The Group was of the view that general agreement was of significance for the outcome of its work.

(d) In principle, only the experts themselves could participate with full rights in the work of the Group. In case experts might wish to be assisted, they could be accompanied by an appropriate number of advisers. In the absence of the expert, the Group might wish to grant an adviser the right to speak.

(e) With respect to observers, the Group decided that there would, in general, be no observers from the Member States, unless the Group decided otherwise. Requests from United Nations organs, organizations and specialized agencies, if received, could be decided on a case-by-case basis.

(f) Concerning the circulation of documents, the Group was of the view that, as a rule, only documents submitted by a member of the Group and the documents referred to in General Assembly resolutions 36/148 and 37/121 should be circulated officially. The circulation of documents emanating from other external sources would require the approval of the Group.

9. The Group's report to the General Assembly pursuant to resolution 37/121 is contained in document A/38/273. The programme of work agreed upon by the Group appears in section VI of that report.

10. By its resolution 38/84 of 15 December 1983, the General Assembly renewed the mandate of the Group of Governmental Experts as defined in resolutions 36/148 and 37/121 and requested the Group to submit a report on its work in time for deliberation by the Assembly at its thirty-ninth session.

II. MEMBERSHIP AND ATTENDANCE

11. The composition of the Group during 1984 was as follows:

Afghanistan	Mr. M. Farid Zarif
Australia	Mr. N. Ross Smith
Austria	Mr. Walter Magrutsch
Bulgaria	Mr. Kalin Mitrev
Cuba	Mrs. María de los Angeles Flores Prida
Czechoslovakia	Mr. Bronislav Kulawiec
Djibourti	Mr. Ali Malow
Ethiopia	Mr. Daniel Kinde
France	Mr. Jean-Marc Rochereau de la Sablière
Germany, Federal Republic of	Mr. Alois Jelonek
Honduras	Mr. Roberto Flores Bermudes (third session) Mr. Roberto Herrera Cáceres (fourth session)
Japan	Mr. Azusa Hayashi (third session) Mr. Morihisa Aoki (fourth session)
Lebanon	Mr. Naji Abouassi
Lesotho	Mr. Bolokoe C. Mokhale (fourth session)*
Mexico	Mr. Ocsar Gonzáles César
Nicaragua	Mrs. María Eugenia Rubiales
Pakistan	Mr. Javid Husain
Senegal	Mr. Sidaty Aidara
Somalia	Mr. Omar Mohamed Addou
Sudan	Mr. Abdelmagid Beshir Elahmadi

* During 1984, the additional seat was allocated to the African region.

Thailand	Mr. Birabhongse Kasemsri
Togo	Mr. Koffi Adjoyi
Union of Soviet Socialist Republics	Mr. Alesander Ivanovich Zinchuk
United States of America	Mr. Dennis B. Goodman (2-6 April 1984) Mr. Harvey J. Feldman (26-30 March 1984 and fourth session)
Viet Nam	Mr. Nguyen Luong

III. MEETINGS

12. The Group held two sessions, its third and fourth, from 26 March to 6 April and from 11 to 22 June 1984, respectively.
13. The Group held 35 closed meetings.

IV. OFFICERS

14. Mr. Koffi Adjoyi (Togo) continued as Chairman of the Group.

V. PROCEEDINGS

15. In accordance with the programme of work agreed upon by the Group at its second session (A/38/273, para. 16), at its third and fourth sessions, the Group considered the following chapters: chapter I, entitled "Introduction", and chapter II, entitled "Analysis of mandate, including questions relating to terms". The Group also began its work on chapter III, entitled "Circumstances causing new massive flows of refugees". The Group was able to complete a first reading of chapters I and II. It was also able to make progress on the first reading of chapter III. Chapter IV, entitled "Appropriate means to improve international co-operation to avert new flows of refugees", and chapter V, entitled "Conclusions and recommendations", remain to be considered by the Group.

VI. RECOMMENDATIONS

16. In view of the stage reached in its deliberations in fulfilment of its mandate as set forth in General Assembly resolutions 36/148, 37/121 and 38/84, the Group wishes to convey to the Secretary-General, and through him to the Assembly, its request for a renewal of its mandate in order to make every effort to conclude its comprehensive review of the problem in all its aspects.

17. It was understood that the composition of the Group would remain unchanged during 1985 unless the nominating Governments chose to replace their experts, and that the rotating seat would be allocated to an expert from the Asian region, in accordance with paragraph 4 of General Assembly resolution 37/121.

18. In view of the magnitude and complexity of the task before it, it was the view of the Group that it would require two further sessions of two weeks' duration each during 1985, to be held preferably in March and June, respectively. The Group reiterated the necessity of having all experts present at its future sessions, as recognized by the General Assembly in its resolution 38/84.

19. In that connection, the Group expressed the hope that the Organization might find it possible to take the appropriate measures to the above ends.
