



General Assembly

Distr.: General
11 October 2010

Original: English

Executive Committee of the Programme of the United Nations High Commissioner for Refugees Sixty-first session

Summary record of the 641st meeting

Held at the Palais des Nations, Geneva, on Tuesday, 5 October 2010, at 10 a.m.

Chairperson: Mr. Woolcott

Contents

General debate (*continued*)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Editing Unit, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Executive Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.15 a.m.

General debate (agenda item 4) (*continued*)

1. **Mr. Masha** (United Republic of Tanzania) said that, for the first time in several years, the overall number of refugees in Africa had risen in 2009. Positive developments in the Great Lakes region had been highlighted by peaceful and democratic elections in Burundi and Rwanda and the adoption of Kenya's new Constitution. With its long history of hosting refugees, his country welcomed the peace, reconciliation and reintegration efforts undertaken by various countries of origin, which had significantly contributed to the success of voluntary repatriation operations. The sustainability of those returns had enabled his Government to focus on other durable solutions, particularly the naturalization of Burundian refugees and the ongoing local integration programme. To date, the United Republic of Tanzania had granted citizenship to some 162,000 Burundian refugees. He commended the Office and the international community for their support in dealing with the Burundian refugees and trusted that the support would continue as the local integration process began in November 2010.

2. Mixed migration and asylum cases were becoming increasingly complex, making it difficult to distinguish genuine refugees and asylum-seekers from economic refugees and others who wished to abuse the systems in place. In 2005, the Tanzanian President had pledged to do all he could to find sustainable solutions for the refugees residing in the country. Experience from the Mtabila refugee camp had shown that voluntary repatriation, third-country resettlement and naturalization were not sufficient solutions. The 36,000 Burundian refugees residing at the camp had refused to return home, even when conditions had significantly improved in Burundi. Host nations' generosity and the tenets of voluntary return should be used to shield those who simply did not wish to return home. In 2009, the process for invocation of the cessation clause with regard to Burundi had been due to commence. While he understood the need to find dignified and durable solutions to refugee situations, the process was taking too long; the circumstances facing host countries must also be considered. If the international community truly wished to ensure that safe havens were available to persons in need, international refugee law and practice should be reviewed in order to expedite the invocation of the cessation clause and the examination of alternatives to voluntary return, such as orderly return where conditions allowed.

3. **Mr. Ahmat Mahamat** (Observer for Chad) said that over 300,000 Sudanese refugees had been living on the border with Chad since the beginning of the Darfur crisis. Over 60,000 refugees from the Central African Republic were living in camps in southern Chad and over 160,000 internally displaced persons were living in camps in eastern Chad. Much of the country's infrastructure had been ruined, including housing and agricultural crops, and significant damage had been done to the environment. The cost of living had increased and tensions often ran high between communities competing for access to limited resources. Infiltration of camps by armed groups had resulted in a lack of security, even in those areas.

4. Since the normalization of relations between his country and the Sudan, the security situation had been stable in the east of Chad. Chad would take full responsibility for security and the protection of the civilian population in that part of the country, including refugees, internally displaced persons, returnees and host communities, and United Nations and other humanitarian staff and property. The Government was also prioritizing voluntary return and resettlement of the internally displaced and some refugees, the demilitarization of camps and human rights protection.

5. In the light of United Nations Security Council resolution 1923 (2010) on the United Nations Mission in Central African Republic and Chad (MINURCAT), the Government planned to take responsibility for security in eastern Chad. It would maintain the Integrated

Security Detachment, which was an efficient force, trained in accordance with international standards and rules on human rights. The Government would strengthen the security system in eastern Chad after MINURCAT had withdrawn, until the crisis in Darfur and the Central African Republic was resolved. That would enable refugees to return to their countries of origin in dignity and safety.

6. The Government had been working with UNHCR on camp management issues, particularly on registering refugees and providing them with identity documents. It also planned to introduce legislation on the status of refugees. He commended the High Commissioner for his support on the restructuring of the UNHCR office in Chad. The Government hoped to conclude a tripartite agreement with the Sudan and UNHCR on the voluntary repatriation of Sudanese refugees when circumstances would allow.

7. **Mr. Pleansri** (Thailand) said that, while the expertise of UNHCR in humanitarian response was more necessary than ever, the Office must continue adjusting to new realities, such as the unprecedented surge of mixed migration and the expanding networks of people smugglers and human traffickers. People frequently changed their immigration status as they moved, making it increasingly difficult for countries to maintain the integrity of their borders and immigration systems. To find solutions, it was necessary to understand why people moved, address the push and pull factors and increase efforts to tackle issues at their source. Thailand was committed to playing its part in the various regional processes and would welcome assistance from UNHCR in promoting cooperation that met the concerns of countries of origin, transit and destination in addressing mixed migration.

8. There were no quick fixes to protracted refugee situations. Many developing host countries faced pressing domestic issues, often related to immigration and labour. The protracted nature of situations should not result in criticism of host countries that maintained the integrity of camp systems, as they were not the source of the problem. In that regard, he appreciated the High Commissioner's commitment to take better account of host country contributions. Thailand remained a major host country in Asia, but coordinated efforts to find sustainable solutions had not reduced the scale of the problem of displaced persons. Given the impact of the financial and economic crisis on capacity to support humanitarian needs, there was a need for UNHCR, donor and host countries to join forces and plan solutions.

9. Thailand appreciated the resettlement programmes established by third countries and hoped that that option would remain available. However, UNHCR must review contingency planning for possible returns, as more time and groundwork was needed to prepare all those involved.

10. Thailand had been improving its management of displaced persons along its borders. A pre-screening pilot project had been successfully conducted in four temporary shelters to help identify genuine displaced persons. Progress had also been made on issuing birth certificates for children born to displaced persons in temporary shelters. A comprehensive strategy on illegal immigration was currently being drawn up with the aim of conducting a regularization process and ensuring capacity to cope with future influxes.

11. **Mr. van Eenennaam** (Netherlands) recalled the importance of guaranteeing the humanitarian space and the security of humanitarian workers, while respecting the neutrality and impartiality of assistance. It was imperative that all actors respected humanitarian law.

12. The Netherlands valued the efforts UNHCR had made to achieve durable solutions to protracted situations and appreciated the support provided by host countries. It was currently involved in two cases of strategic use of resettlement: the Bhutanese caseload in Nepal and the Eritrean caseload in eastern Sudan. The Netherlands commended the Government of Nepal for supporting the resettlement of refugees from Bhutan and the

efforts of UNHCR to develop programmes for the long-term needs of the refugees and their host communities. The right of refugees to return to Bhutan was important; he urged the Royal Government of Bhutan to accept refugee cases of special humanitarian concern for repatriation. His Government was concerned about protection needs in current complex emergencies, such as Darfur, where the humanitarian situation had worsened in 2010. The efforts of UNHCR to meet those needs had taken place under difficult circumstances, often with insufficient humanitarian access.

13. UNHCR and other humanitarian actors must further enhance humanitarian coordination, including through common needs assessments. UNHCR should examine ways to benefit more from the common humanitarian pooled funds. The Netherlands agreed that there was a need to reinforce the leadership of the protection cluster at country level in the case of natural disasters. It therefore encouraged UNHCR to continue its dialogue with partners on the issue.

14. The Netherlands welcomed the High Commissioner's intention to establish a fully independent advisory commission on oversight. Given that the roles and responsibilities of the existing oversight bodies was unclear, an analysis of those bodies should form the basis of further discussions; he would welcome an indication of when such an analysis would be available.

15. The Netherlands was committed to the creation of a common European asylum system, which would require cooperation between European Union Member States and the European Commission. He welcomed the fact that the European Asylum Support Office would soon be operational. In addition, his Government looked forward to strengthened collaboration with UNHCR and other countries on the application of the exclusion clause of the 1951 Refugee Convention. The 2011 commemorations should highlight the important work UNHCR was doing and remind everyone that the work of UNHCR was about people.

16. **Mr. Seilenthal** (Estonia) expressed concern about the continued shrinking of humanitarian space, which was forcing humanitarian agencies to search for new ways to manage risks. He welcomed the High Commissioner's personal commitment to dealing with that issue and the fact that UNCHR was choosing its security strategy carefully. He commended UNHCR for its innovative approaches in dealing with insecure environments, such as the use of a remote monitoring system in Iraq.

17. He supported the Office's continued commitment to the ongoing humanitarian reform process, especially the cluster approach. Estonia urged UNCHR to undertake more common needs assessments with other humanitarian actors in order to increase the efficiency of data gathering and minimize duplication. His delegation welcomed the internal reform measures, which had made the Office more effective and allowed for strict control of expenditure, and thus an increased field presence.

18. Estonia welcomed the efforts of UNHCR to finding durable, tailor-made solutions for all protracted refugee situations. Strong political will was needed to address the root causes of those situations, and continued attention and funding from donors was essential.

19. Estonia commended the Office for its new policy on urban settings and hoped that the pilot projects to be carried out in seven cities would produce tangible results. All relevant partners and local authorities should engage with that process fully in order to implement the policy.

20. The 2011 celebrations would provide a good opportunity to raise awareness about the activities of UNCHR and gather more support worldwide, including from the private sector. The Office's use of social media such as Facebook enabled it to reach thousands of people within minutes; digital diplomacy was a powerful tool that required few resources.

21. **Mr. Numanović** (Montenegro) recalled that, in 1999, his country had responded to the challenge of providing temporary shelter for 140,000 displaced persons, equivalent to a quarter of its population. Finding durable solutions for displaced persons was one of the Government's priorities. During the previous year, Montenegro had organized the re-registration of internally displaced persons (IDPs) from Kosovo; according to the latest data, some 10,985 IDPs from Kosovo and 5,769 displaced persons from former Yugoslav republics were currently residing in Montenegro. The action plan guiding that re-registration provided for durable solutions to the status of displaced and internally displaced persons, giving them access to the status of foreigner with permanent residence and the right to voluntary return. Persons with such a status enjoyed many rights, including among others the right to work, education, social security and health. Until they obtained that status, displaced persons in Montenegro enjoyed employment and education rights.

22. Voluntary return was an important durable solution. To date, some 2,650 displaced persons had returned voluntarily to Kosovo. It was important that all displaced persons had the option of voluntary return in conditions of safety and sustainability. Montenegro supported voluntary returns provided that the necessary conditions were in place in the country of origin. The understanding and assistance of the international community was necessary for the success of those returns.

23. **Mr. Ndongou** (Observer for Gabon) said that the needs of the growing number of refugees worldwide were not being met. There was a risk of renewed violence in Somalia and the Sudan, and many refugees sought shelter in Gabon from upheaval and tensions in central Africa. His country was currently hosting some 13,000 refugees and asylum-seekers, mostly fleeing the civil war in neighbouring Congo. The vast majority of asylum-seekers from Congo had been accepted *prima facie* and had been given protection. They also enjoyed the right to free education and health care, including antiretroviral drugs, and to freedom of movement throughout Gabon.

24. However, although the civil war in Congo had now ended and Gabon had signed a tripartite agreement with Congo and UNHCR in 2001 on voluntary repatriation, only 250 refugees had applied to return to Congo. Many refugees argued that the conditions were not in place for their reintegration in Congo and that the standard of living in Gabon was better. Following bilateral negotiations with Congo, Gabon had signed an agreement on the cessation of refugee status for Congolese people living in his country. The tripartite commission with UNHCR had been reactivated and would focus on raising awareness about voluntary return and repatriation. His Government hoped to find a sustainable solution for the Congolese refugees, in accordance with its international obligations, and would focus on voluntary repatriation before implementing any alternative solutions.

25. **Mr. Ördög** (Hungary) said that as Hungary assumed the presidency of the European Union in the first half of 2011, one of its aims would be to establish a common European asylum system reflecting the values of the 1951 Convention relating to the Status of Refugees. Hungary agreed with UNHCR about the need to find a durable and appropriate solution for stateless persons, affording them protection and giving them practically the same rights as refugees.

26. In Hungary, a quality management project had been set up with support from the European Commission and UNHCR to systematically monitor decisions regarding asylum and ensure that they were taken in accordance with the highest international standards.

27. Hungary already hosted the UNHCR Regional Representation for Central Europe and the Global Service Centre in Budapest. In addition, a centre for the prevention of genocide and mass atrocities would soon be established in Budapest. It was to be hoped that the centre would draw attention to situations which could produce serious human rights violations, including forced displacement and mass movements of refugees. During its

presidency of the European Union, Hungary would encourage the use of solidarity mechanisms such as resettlement and relocation at the European level. Hungary was still beholden to UNHCR for the assistance it had provided to Hungarians who had fled the country during the 1956 revolution.

28. **Mr. Corr** (Ireland) noted the problems that the High Commissioner had alluded to in his opening statement, including the more complex landscape in terms of conflict resolution, peacekeeping and peacebuilding, a decline in voluntary repatriations and a reduction of the autonomy of humanitarian space. The role of refugees must be made a central and not an optional dimension of any peace process. UNHCR now faced a pattern of quasi-permanent global refugee populations, representing an enormous burden for host States, most of which were developing countries. Any selective approach to protecting groups of refugees by nationality or background would be unacceptable.

29. His Government fully appreciated the fact that UNHCR staff were working in increasingly difficult operating circumstances in some of the most insecure and dangerous environments in the world. The advances made by UNHCR in improving staff safety and security were to be commended, and the High Commissioner should continue to seek ways to provide for the highest possible standards of protection and support.

30. Ireland welcomed the timely response of UNHCR to the protection needs of populations affected by natural disasters, including in Haiti and Pakistan, and urged the Office to continue its vital work to help internally displaced persons find sustainable solutions. He welcomed the ongoing structural reforms, including the Global Needs Assessment, and the Office's increased efforts to improve response through its role in the cluster approach and its engagement in the Inter-Agency Standing Committee Task Force on Needs Assessment.

31. **Monsignor Tomasi** (Holy See) said that the UNHCR 2010–2011 Global Strategic Priorities report set out in document EC/60/SC/Inf.2, by citing the number of reported cases of refoulement in the world and neglecting to mention unreported cases, did not give an accurate portrayal of the scope of the problem; there was indeed a protection deficit of considerable proportion. That problem must be addressed, all the more so as protection space was shrinking.

32. Recent initiatives to ensure protection in contexts of mixed migration, including regional and international processes to actualize the 10-Point Plan of Action, had been of increasing practical value. The Holy See would welcome the adoption of an Executive Committee conclusion on persons of concern with disabilities. It also encouraged the High Commissioner to address problems related to the birth registration of people of concern.

33. The commitments made by the international community were falling short of the needs of the millions of people of concern to the Office. Even with new resettlement commitments, places for resettlement worldwide had fallen to the point where they could cover less than half of projected needs for the coming year. Resettlement, voluntary repatriation and local integration all merited greater support. Additionally, the Holy See supported the High Commissioner's effort to explore channels of legal labour migration in order to find new solutions, especially in view of the importance for refugees of finding a legal livelihood. The sine qua non for such a "fourth durable solution" would be to pay specific attention to the unique and enduring protection needs of the refugees.

34. There was an alarming trend among developed nations to externalize status determination procedures, including to places with records of human rights violations. Also, in far too many States, the responsibility for status determination was still left with UNHCR, even in States which were parties to the Convention. UNHCR must ensure that access to counsel and the right to a meaningful appeal process should be guaranteed in any status determination procedures. The Holy See deeply regretted the practice of detention of

asylum-seekers, which was particularly lamentable when it involved the separation of families or the detention of children.

35. In 2009 there were more internally displaced people of concern to UNHCR than refugees, and the Office had played an important role more recently in coordinating protection and assistance in response to the earthquake in Haiti and the flooding in Pakistan. The UNHCR Statute instructed the High Commissioner “to reduce the number requiring protection”. That could only be done by upholding human rights, preventing destructive conflicts and safeguarding the dignity of each individual.

36. **Mr. Gutters** (United Nations High Commissioner for Refugees) welcomed the generosity shown by the Tanzanian Government to refugees over the years, including by naturalizing Burundian refugees who had fled to the country in 1972. The Government clearly deserved the support of the international community in helping to integrate those persons into Tanzanian society. That situation provided a good example of where development activities could guarantee a sustainable solution to a refugee problem.

37. The situation at the Mtabila refugee camp in the United Republic of Tanzania was admittedly complex, in large part owing to political factors. UNHCR had begun promoting the use of the cessation clause for Burundian refugees. While the Office wanted to move expeditiously, it saw the need for careful consideration of individual cases; there could be some in the camp who still legitimately needed protection, while orderly return could be envisaged for many others. The Office was willing to work with the Tanzanian Government and the Burundian authorities to address the legitimate concerns raised by the Tanzanian delegation.

38. In response to the points raised by the representative of Chad, he agreed that it was essential, with the departure of the United Nations Mission in the Central African Republic and Chad (MINURCAT), to maintain the Chadian Integrated Security Detachment (*Détachement intégré de sécurité (DIS)*) security forces in the eastern part of the country, and called upon the international community to provide the necessary resources for vital humanitarian activities in eastern Chad.

39. Referring to points raised by the representative of Thailand, he noted the importance of the birth registration process under way, and the promotion by the Government of Thailand of durable solutions by providing resettlement facilities. UNHCR was interested in working with the Governments in the region in the context of the Bali Process. Addressing the concerns raised by the representative of the Netherlands, he pointed out that UNHCR had not only moved ahead with the reform of the Inspector General’s Office on the basis of a report issued by the European Anti-Fraud Office, but was also replacing its own internal oversight mechanism with an independent audit and advisory committee. He agreed with the representative of Estonia about the importance of humanitarian needs assessments, and said that due attention should be paid in the reporting process to human rights concerns and the need for protection.

40. Replying to the comments made by the representative of Montenegro, he commended that country’s policies on refugees’ economic and social rights. UNHCR would continue to cooperate with the Montenegrin Government in implementing its asylum procedures, supporting displaced populations and working at the regional level to resolve displacement problems. The situation of Congolese refugees in Gabon was in some ways similar to that of Burundian refugees in the United Republic of Tanzania; consideration should be given to the refugees’ very strong links with the host country, an alternative status that would allow them to remain in Gabon and the invocation of the cessation clause for Congolese refugees.

41. Noting the important roles played by the Global Service Centre in Budapest, he said that the Office was counting on the support of the Hungarian Government, which would

soon assume the presidency of the European Union. The representative of Ireland had alluded to the relatively new question of the global refugee situation and had rightly pointed out that there was no justification for a selective approach to protection based on nationality or background. The Office at the same time placed emphasis on taking into consideration such factors as age, gender and diversity in its work. He took note of the points raised by the representative of the Holy See concerning the risks to the international protection regime posed by excessive refolement and by the externalization of refugee status determination processes. The Office was pursuing with a number of Governments the possibility of using labour migration as an alternative way of improving the plight of refugees.

42. **Mr. Nobile** (Observer for Croatia) said that it was critical, given the scarcity of resources, for UNHCR to continue to rely on comprehensive needs assessments to address protection gaps and identify and implement durable solutions. Assessment had proven to be an important precondition, for example in identifying feasible solutions with which to close down the protracted refugee situation in south-eastern Europe. In that region, a ministerial event held in March 2010 had confirmed the need to focus on the actual needs of the most vulnerable, including those living in collective centres. A donor event was scheduled for early 2011 with the aim of providing a lasting housing solution for such persons. Croatia had implemented a number of measures, including the repossession of property, the reconstruction of war-damaged housing and infrastructure and the validation of pension rights with a view to encouraging refugee returns. Occupancy tenancy rights had to be addressed, and the Croatian Government had introduced a housing care programme, implemented with UNHCR and other partners.

43. In July 2010 a new action plan had been adopted calling for clearly set measurable targets and increased transparency, and the Government had later adopted a decision giving refugees returning to Croatia the opportunity to buy rented apartments under advantageous conditions. For the plan to be completed successfully, counterpart plans would have to be set up in host countries. That would be in line with the 2005 Sarajevo Declaration, which stated that each refugee should be able to decide whether to return or integrate. He expressed the hope that, notwithstanding the complexities involved, south-eastern Europe would in the near future be able to strike itself from the map of refugee situations.

44. **Mr. Kussumua** (Observer for Angola) commended the High Commissioner for his efforts to extend UNHCR protection to new categories of persons and for his personal commitment to placing the needs of forcibly displaced people high on the international agenda, given the rising number of people in the world who were forcibly displaced. The Office had encouraged countries to recognize asylum as a humanitarian and not a political act. Protection was not simply a concession that was granted to a refugee, and was not limited to a guarantee of physical security. It involved the creation of the necessary conditions for proper human existence, including food security; protection against violence, particularly gender-based violence; access to education, medical assistance and work; and birth registration for all children without discrimination. Angola had begun to review its legislation, with technical assistance from the Office, in order to establish an asylum system able to cope with new displacement situations, including increasing irregular migration in the region. Its aim was to establish adequate eligibility criteria, apply appropriate procedural guarantees, ensure prompt decisions and pursue a consistent policy which would discourage abuse of the system.

45. New and more complex humanitarian challenges, particularly the trend for refugees and internally displaced persons (IDPs) to settle in urban areas, often resulted in undue pressure on host community infrastructure. The implications of the urbanization of refugee populations should be analysed in more depth, as many urban refugees faced serious

difficulties in repatriation and reintegration. Repatriated Angolan refugees frequently chose to return to their countries of asylum in search of better social conditions.

46. Angola was still actively involved in national peacebuilding, reconciliation and reconstruction following the end of the civil war. The Government was working to repatriate remaining refugees, including through collaboration with host country authorities, and hoped to conclude the process by the end of 2011, when the Office planned to apply the cessation clause for refugee status. He requested more support from the Office in repatriating refugees; the capacity of the UNHCR local office should also be strengthened.

47. **Mr. Tissot** (United Kingdom of Great Britain and Northern Ireland) commended the High Commissioner and the Office for the work done during 2010, often in difficult and dangerous conditions, and paid tribute to those who had lost their lives in the course of duty. Condemning attacks against humanitarian workers, he called on all parties to respect international humanitarian law and the principles of humanitarian space and neutrality.

48. He welcomed the Office's continued commitment to structural and management change through the Global Needs Assessment process and a robust results-based management approach. In the current economic environment, the Office must ensure that resources were maximized. He praised the proactive approach to improving financial and management oversight mechanisms and welcomed progress to establish an independent audit and oversight committee and implement the International Public Sector Accounting Standards.

49. Responding to the immense humanitarian challenges of 2010, particularly in the wake of natural disasters, had put pressure on the whole humanitarian system and revealed areas that should be strengthened. The Office should continue to pursue its collaborative approach to humanitarian action, as a leader of humanitarian reform. Any effective humanitarian response should be based on robust and timely needs assessment, and in that regard he commended and encouraged the Office's input into the work of the Inter-Agency Standing Committee Needs Assessment Task Force. Good relationships with partner organizations were also particularly important.

50. The cluster approach had brought welcome improvements to the delivery of humanitarian assistance to IDPs. Clusters, as the cornerstones of an effective and well-coordinated response, should receive adequate human and financial resources. Commending the Office's involvement in dialogue to improve the humanitarian coordinator system and the accountability thereof, he stressed the need for coordinators to display strong leadership at country level. He expressed satisfaction that the Office had put forward staff members as coordinators and encouraged further close involvement in discussions of the issue within the Inter-Agency Standing Committee.

51. Where no clear alternative leadership existed, the Office was well placed to fill the protection gap in relation to displacement caused by natural disasters, acting in the pragmatic manner outlined by the High Commissioner the previous day, which merited further consideration. He emphasized the value of resettlement and welcomed the Office's efforts to increase the number of resettlement countries. Used alongside programmes to increase voluntary return and local integration, resettlement could serve as a catalyst for other comprehensive solutions. The United Kingdom would continue to work closely with the Office in that regard. He expressed support for the Office's promotion of quality assurance to underpin national asylum procedures, which would help national authorities to recognize those in need of protection and deny protection status to those not in need.

52. The anniversaries to be celebrated in 2011 would provide an opportunity for the international community to renew its commitment to protection and humanitarian principles and examine ways of addressing emerging displacement challenges. He expressed appreciation to countries hosting large refugee populations. The United Kingdom would

continue to support the Office's work to meet the needs of and find durable solutions for those groups.

53. **Mr. Ocando** (Bolivarian Republic of Venezuela) said that his country, while producing no refugees, hosted many, the vast majority from Colombia. Over several decades, more than 4 million Colombians had come to the Bolivarian Republic of Venezuela seeking refuge from poverty and violence. The Venezuelan Constitution and other legislation accorded one of the highest levels of protection to refugees and asylum-seekers, while the National Refugee Commission facilitated access to international protection for refugees, of whom Venezuela hosted an estimated 187,000. More than 80 per cent of those seeking asylum were economic migrants, but they had nevertheless been welcomed. Some 400,000 undocumented Colombians had been regularized in 2004 alone, of whom one fifth were thought to have been directly affected by conflict.

54. A policy of not punishing or returning either refugees or asylum-seekers was in place, and both groups also benefited from the application of the principles of non-discrimination, due process, confidentiality and family reunification. Indeed many asylum-seekers had brought family members to the Bolivarian Republic of Venezuela, where children of those families enjoyed the rights such as access to free health care and education and subsidized energy and transport. The causes of displacement lay fundamentally in the oppressive systems inherited from colonialism. Imperialism had led to poverty, hunger, the drugs trade, terrorism, environmental destruction and many other ills, and its legacy could only be overcome by the mobilization of sovereign peoples. The immense resources that States devoted to warfare made a mockery of their donations to the refugee cause. The Bolivarian Republic of Venezuela was striving for dialogue, justice, proper solutions and equality for all.

55. **Mr. Achamkulangare** (India) said that India remained committed to cooperating in efforts to strengthen the Office's capacities for protection, including rapid response in emergency situations, coupled with structural and management reforms to improve its financial stability. He echoed concerns at the shrinking of protection space for refugees and the increasingly insecure environment in which many United Nations officials worked. The recent establishment of the permanent Security Steering Committee by the Office and the appointment of the Special Representative of the United Nations Secretary-General on sexual violence in conflict were welcome steps.

56. The growing challenges presented to international protection by the intractability of conflicts and protracted refugee situations, combined with an increase in the number of refugees, gave cause for concern and required practical action. While India recognized the complexity of the current climate and supported the Office's advocacy of repatriation, reintegration, rehabilitation and reconstruction, it considered that such a policy could only be effective if pursued in cooperation with host States and humanitarian and development agencies and if the provision of financial resources was sufficient and timely.

57. The role of developing host countries must be recognized and their concerns addressed in direct proportion to the burden they carried. States, the Office and other organizations should coordinate their efforts towards durable solutions. Although States held primary responsibility for disaster management, the Office could play a supporting role.

58. Welcoming the Global Needs Assessment initiative, he said that he looked forward to improved financial management under the revised biennial budget for 2010–2011. Prioritization of activities must match available resources and focus on realistic, needs-based requirements, in line with the principles of transparency, cost-effectiveness and reliable delivery, without compromising the Office's core and strategic activities. He

recognized the need for capacity-building with regard to differentiating between individuals in need of protection and voluntary economic migrants.

59. The Office implemented its core mandate in challenging circumstances, and its relationship with States should be reinforced in order to recognize the in-kind contributions and services of host countries. He looked forward to seeing the results of structural management changes and the finalized terms of reference for the independent advisory committee.

60. The importance of the Office was manifest in the large number of observers wishing to participate in its work. He urged full application of the guidelines for interaction by observers and non-governmental organizations with the Executive and Standing Committees, in keeping with decisions of the Office and in accordance with practice in comparable United Nations bodies. Lastly, he welcomed the increase in membership of the Executive Committee.

61. **Mr. Kaklikis** (Greece) said that, although disproportionate pressure was placed on his country's asylum system, every effort was made to grant asylum to those in real need and to respect the principle of non-refoulement. Greece was overburdened by the application of the "Dublin II" Regulation, under which the European Union country of the first illegal entry was responsible for considering asylum requests. Reforms to Greece's asylum system were under way and a new asylum service was planned. However, to address the problem effectively, a common European asylum system should be established, based on the principles of fair sharing of responsibilities and solidarity. The European Commission's proposal temporarily to suspend transfers to Member States with overburdened national asylum systems was a first step, but more must be done, and the principles underlying the current system must be reconsidered in the near future. In addition, there should be greater cooperation between European Union Member States, under the auspices of the European Asylum Support Office, a mandatory mechanism for reallocation of refugees, joint examination of asylum requests, and a framework to provide for entry by asylum-seekers and their allocation to Member States.

62. **Ms. Eltaweel** (Jordan) welcomed the High Commissioner's initiatives to deal, *inter alia*, with protracted refugee situations and enhance coordination and cooperation with other United Nations bodies. The international community should provide additional financial resources to the Office to help it fulfil its obligations, and working conditions for staff should be improved. She reaffirmed her country's support for the Office's activities to tackle the plight of refugees and their impact on host countries by addressing refugees' needs, alleviating suffering and seeking durable solutions, of which voluntary repatriation remained the preferred option. Refugees should have the right to return to their homes. Jordan was determined to shoulder its share of the responsibility and continued to provide shelter, health care and education to those it hosted. She expressed the hope that the international community would show greater support for the efforts Jordan was making, especially in the light of the economic and financial burdens it bore.

63. **Mr. Gatsinzi** (Observer for Rwanda) expressed appreciation to the High Commissioner for visiting Rwanda to assess the situation with a view to applying the cessation clause for refugee status from the end of 2011. Outlining the history of the country's refugee situation, he drew attention to the Government's efforts to restore peace and stability, including a voluntary repatriation programme for those who had left Rwanda. Since the 1994 genocide, more than 3.5 million refugees had returned and been reintegrated in their home areas, assisted by a government poverty reduction programme. A ministry had been created to deal with all refugee issues, and the Government continued to promote repatriation and reconciliation. Agreements signed with key host countries had led to the return and reintegration of many of the remaining 70,000 Rwandan refugees.

64. A road map for application of the cessation clause had been prepared; implementation would require joint efforts by all involved. In host countries, there would be a need for awareness-raising among refugees of repatriation opportunities, re-evaluation of refugee status and consideration of appropriate alternative measures and durable solutions for Rwandan refugees. Rwandan Government initiatives included visits to Rwanda by refugees. Mass information campaigns would help to ensure that the objective was achieved.

65. The Government was committed to working with the Office towards application of the cessation clause, but would need assistance from other partners. He called on the international community to support the Government and requested host countries to increase their actions to raise awareness of and facilitate repatriation of refugees, all of whom would be welcomed in Rwanda.

66. **Mr. de la Iglesia González de Peredo** (Spain) drew attention to the challenges which UNHCR faced, such as increasing numbers of refugees, particularly in protracted situations, statelessness, and the need for greater coordination of humanitarian and development assistance. Managing migratory flows and establishing mechanisms to identify those in real need and prevent abuse of the system required ongoing cooperation between countries of origin, and transit and host countries. He noted that the number of persons internally displaced for political reasons had increased in recent years, and called for solutions for those displaced as a result of humanitarian, environmental or other disasters. Efforts to deal with environmental displacement must take due account of the work and mandates of other international humanitarian agencies. He urged the international community to give greater support to the Office and called on those States that had yet to do so to ratify the 1951 Convention and its 1967 Additional Protocol.

67. In Spain the Government and civil society had worked hard to provide refugee protection and promote safe returns. Under new legislation persecution on the grounds of sexual orientation and identity or gender could now be considered as a factor in granting refugee status, even though not specifically provided for in the 1951 Convention. He called on other States to take similar steps. Spain supported the creation of a common European asylum system, and largely as a result of its efforts during its presidency of the European Union, the Action Plan on Unaccompanied Minors had been adopted. Moreover, under a new national framework, Spain was working with UNHCR to identify common objectives and priorities, agree medium-term funding commitments and establish an appropriate system for communicating and evaluating results.

68. Spain applauded UNHCR for reforming its management and financial structure and reaffirmed its commitment to providing financial support, although in the current financial and economic context it would not be able to maintain the same level of funding growth.

69. His Government was committed to the stabilization of Afghanistan and supported a comprehensive reconstruction and political stability programme, carried out in cooperation with countries in the region, in particular Pakistan, to help refugees return home. Spain also welcomed the recent signing of a memorandum of understanding between UNHCR and the Alliance of Civilizations on support for dialogue and tolerance and efforts to overcome racism and xenophobia, and was cooperating in the organization of a seminar on the challenges presented by crises in an area stretching from Africa to Central Asia, where two thirds of the world's refugees were found.

70. **Ms. Molise-Mabusela** (Lesotho), drawing attention to the impact of the global financial crisis and economic recession on persons of concern, said that her Government noted the concern expressed by the Secretary-General at the rising number of stateless persons and would in due course be reviewing national laws to allow children to acquire the nationality of their mothers. She expressed appreciation for the decision of members of the

Executive Committee to discuss the protracted refugee situations in Africa and their impact on the fragile socio-economic conditions of host countries. Refugees and internally displaced persons who had been in exile for several years were not only deprived of the opportunity to build peaceful lives but were also exposed to security threats, including possible recruitment into armed groups.

71. She thanked UNHCR for its continuing assistance in maintaining a high standard of protection for refugees and asylum-seekers in Lesotho. Her Government valued the contribution that refugees could make to Lesotho and its policy was to integrate them into all spheres of life in society.

72. **Mr. Guterres** (United Nations High Commissioner for Refugees) welcomed the commitment of the Croatian Government to a regional cooperation mechanism that would put an end to the refugee situation caused by the crisis in the western Balkans. He also commended Croatia for its openness in tackling such difficult issues as occupancy and tenancy rights, and said that international solidarity was required to allow the States in the region to be able fully to address the problems of the populations concerned.

73. The establishment of a modern, improved system for asylum-seekers in Angola was a welcome development. He hoped that, with the application of the cessation clause, it would be possible to ensure the return of all Angolan refugees so that Angola could face its development challenges in a context of stability and prosperity.

74. He commended the United Kingdom for its commitment to humanitarian reform and agreed that there was a need for dedicated humanitarian coordinators able to respond effectively to coordination needs, in conjunction with the heads of the different clusters. He drew attention to the pioneering character of the quality assurance initiative adopted in the United Kingdom, which was proving of value to UNHCR in its cooperation with several other European States.

75. UNHCR was committed to developing its relationship with Venezuelan authorities, and he looked forward to the possibility of visiting the country in the near future. He emphasized the importance of mechanisms to regularize undocumented migrants and expressed the hope that such mechanisms would be used more generally, including for asylum-seekers.

76. He shared the concerns expressed by the representative of India regarding the need for fully transparent financial management, full compliance with financial rules, cost-effectiveness and reliable delivery. UNCHR would do its utmost to achieve those goals.

77. He acknowledged that there were enormous migratory pressures on the Government of Greece and welcomed its commitment to establishing a reformed asylum system based on best practice. The task was a huge challenge and European countries should provide support, refrain from putting additional pressure on Greece and work towards harmonization of asylum procedures and sharing the burden of hosting refugees.

78. Replying to the statement made by the representative of Jordan, he said that Jordan had been a pillar of refugee protection over the years, bearing the burden of caring for Palestinian refugees, maintaining an open door policy and playing an extremely important role in protecting Iraqi refugees. The international community should demonstrate greater solidarity with Jordan in that regard. UNHCR appreciated the cooperation it enjoyed with the Government of Jordan, particularly on a new policy for urban refugees.

79. UNHCR was committed to working with the Government of Rwanda and host country Governments to ensure the success of the road map for the adoption of a cessation clause for Rwandan refugees. In that respect, regional cooperation was essential. He welcomed the fact that Rwanda, the Democratic Republic of the Congo and UNHCR had

been able to reach a tripartite agreement for the voluntary return of refugees and was counting on return to serve as a factor in the stability of countries in the Great Lakes region.

80. He thanked the Government of Spain for its increased financial support for UNHCR and its efforts to introduce new legislative measures that were in line with international good practice. He drew attention to Spain's key role in the Alliance of Civilizations, which could have a significant impact on the prevention of conflict in the world, and reaffirmed the commitment of UNHCR to objectives of the Alliance.

81. He thanked the representative of Lesotho for her remarks about the impact of the financial crisis and the economic recession on refugees and other displaced persons. He congratulated her Government on its announcement concerning the adoption of legislation guaranteeing the right of mothers to pass on their nationality to their children.

82. **Mr. Aweke** (Ethiopia) said that although progress had been achieved in pursuing comprehensive solutions for a number of refugee populations in Africa, various challenges remained. The introduction of the Global Needs Assessment had increased the importance of making careful choices and prioritizing the activities of UNHCR. In that connection, his Government welcomed the responsibility given to field offices to prioritize life-saving interventions and key protection activities according to the situation on the ground. However, there were worrying gaps in meeting the basic requirements of people of concern to UNHCR, as the funds available did not match needs.

83. Ethiopia was currently hosting more than 158,000 refugees, mainly from Somalia, Eritrea and the Sudan, and two new refugee camps had been opened in 2010. The level of assistance currently delivered to the newly arriving Somali and Eritrean refugees remained very poor, mainly because of financial constraints. His Government reiterated its concern at the negative impact of the shortfall in the budget on the protection and assistance delivered to refugees in Ethiopia.

84. Since most Eritrean refugees came from an urban background, the Government of Ethiopia had adopted a policy which allowed the refugees to live outside refugee camps, provided that they could support themselves. That measure had opened doors for educational opportunities and vocational training, and his Government had recently awarded scholarships to 200 Eritrean refugees for higher education studies.

85. **Mr. Kusimba** (Kenya) said that, during a recent visit to Kenya, the High Commissioner had had the opportunity to witness the progress made on a number of projects to improve refugee protection in Kenya and address the severe congestion challenges in the Daadab refugee camp. His Government noted with appreciation that the Office of the High Commissioner remained committed to assisting the host communities in Kenya, and appealed for enhanced support in addressing their needs.

86. The donor community looked to Kenya to accommodate the growing refugee population. It should not make increased financial support conditional on the provision of land for the expansion of camps, however. The plight of refugees should be the first priority. His Government urged the international community to view identification of refugees as the best way to guarantee their protection. Additional resources should be channelled to registration and identification programmes to enable host Governments to update their refugee population records.

87. His Government was preparing a new refugee policy based on current international thinking on refugee protection and Kenya's national economic road map. The policy focused on allowing refugees to earn a decent living and contribute to the national economy. The Refugee Act was being reviewed to bring it into line with the newly adopted Constitution.

88. **Mr. Guterres** (United Nations High Commissioner for Refugees) commended the Ethiopian Government on its courageous and generous decision to implement a new “out of camp” policy for Eritrean refugees, an approach that would contribute to the welfare of refugees and also to the development of Ethiopia. The international community should recognize the relevance of those new steps in relation to refugee protection. He endorsed Ethiopia’s appeal for enhanced support.

89. He thanked the representative of Kenya for his comments and congratulated the Kenyan Government on legislative developments based on the new Constitution. He recognized the huge impact that the situation in Somalia was having in Kenya and he reaffirmed the commitment of UNHCR to continue working to improve security. He appealed to the international community for increased assistance and support for host communities.

The meeting rose at 1.10 p.m.