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## Third Committee

### Summary record of the 38th meeting

Held at Headquarters, New York, on Tuesday, 2 November 2010 at 10 a.m.

*Chair:* Mr. Tommo Monthe . . . . . (Cameroon)

## Contents

Agenda item 61: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

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*The meeting was called to order at 10.10 a.m.*

**Agenda item 61: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions** (A/65/12 and Add.1 and A/65/324)

1. **Mr. Guterres** (United Nations High Commissioner for Refugees) said that 2009 had been the worst year in two decades for the voluntary repatriation of refugees. Only around 250,000 had returned home, or about one quarter of the annual average for the previous 10 years. The reason was the changing nature and growing intractability of conflict, which made achieving and sustaining peace more difficult.

2. Changes were also occurring in the peacekeeping environment. United Nations and regional peacekeeping missions were often deployed in the midst of ongoing internal conflicts. The military and non-military spheres had become blurred, and civilians and humanitarian workers were being targeted. For that reason, the Office of the United Nations High Commissioner for Refugees (UNHCR) continued to insist on the need to preserve the autonomy of humanitarian space.

3. Protracted conflicts were creating quasi-permanent refugee populations, of which the Afghan and Somali populations were the most prominent. Almost all Afghan refugees lived in one of two countries, which continued to demonstrate extraordinary generosity. The first, Pakistan, had been hosting Afghan refugees for 30 years. It had recently announced a management and repatriation strategy under which it would renew or replace proof-of-registration documents and issue new ones for unregistered family members. As many as 1 million birth certificates would be issued to registered Afghan children, and profiling would be undertaken to identify individuals with specific protection needs or for whom alternative status options, such as work or study permits, were feasible. The second, the Islamic Republic of Iran, allowed Afghan refugees to remain subject only to regular registration. All Afghan children could attend school. Since 2009, the Government had issued over 300,000 work permits to Afghan refugees, and it was currently working with UNHCR on other measures to increase the availability of sustainable livelihoods.

4. The remaining Afghan refugees were scattered across 69 countries. A large number were children. Often separated from their families, they were exposed to extreme danger in conditions that no one — and certainly no child — should have to endure.

5. Somali refugees, too, were found in many parts of the world, notably in Kenya, Yemen, Ethiopia and Djibouti. No group was as systematically mistreated, stigmatized and discriminated against as Somalis. They were shot at while trying to cross borders, targeted for recruitment by parties to the conflict and subjected to security roundups and racist attacks. Even when they reached safety, some continued to go without food or shelter. In the absence of any real prospect of peace in their country, Somalis would continue to wander the world. He called on countries to provide them with protection in line with the most recent UNHCR eligibility guidelines. He also urged States to refrain from enforcing returns to Mogadishu.

6. Over half of the refugees for whom UNHCR was responsible remained in their host countries for more than five years. The burden of hosting refugees for prolonged periods was borne disproportionately by developing countries. In order to improve the understanding of their contribution and to encourage the developed world to share more equally in the responsibility, UNHCR was commissioning an independent study to measure the economic, social and financial impact of protracted refugee situations.

7. Resettlement was a tangible example of effective burden-sharing. UNHCR had made resettlement submissions for more than 128,000 refugees in 2009 — double the number in 2005 — and departures were up as well. Although two dozen countries had instituted resettlement programmes, there was still a huge gap between resettlement needs and capacity. Given the critical importance of resettlement for protecting refugees and ending long-term refugee situations, he appealed to countries to follow the example of the United Republic of Tanzania, which had shown profound generosity by naturalizing more than 162,000 Burundian refugees since 1972, and to establish or expand resettlement programmes. Only by maximizing resettlement and voluntary returns and by shouldering a more equitable share of the burden could the international community hope to see increased local integration.

8. Turning to the subject of statelessness, he said that 6.6 million people were known to be stateless at the end of 2009, though unofficial estimates went as high as 12 million. A number of States had made legislative changes to reduce the risk of statelessness. Viet Nam, for example, had naturalized a first group of stateless Cambodian refugees and had changed its laws to make it easier to be naturalized or reclaim lost citizenship. Some countries had improved their birth registration systems and others, such as Bangladesh, Kenya and Zimbabwe, had taken steps to introduce reforms recognizing the right of women to confer nationality on their children. UNHCR was organizing a major effort in 2011 to promote legislative reforms that would allow both parents to confer citizenship, and he urged all States to support the initiative.

9. Primary responsibility for responding to internal displacement lay with States, and in that connection, he encouraged States members of the African Union to ratify its recently adopted Convention for the Protection and Assistance of Internally Displaced Persons in Africa. However, in many cases, the challenge was overwhelming, and international assistance was required.

10. UNHCR had assumed responsibility under the Inter-Agency Standing Committee framework for organizing the response to conflict-induced internal displacement as the cluster lead for protection, shelter and camp management. For natural disaster-induced internal displacements, the Committee had asked UNHCR to assume the lead for the protection cluster at the international, but not country, level. However, as natural disasters became increasingly frequent and severe, an ad hoc approach to country-level leadership was no longer sustainable. UNHCR had the capacity to take the lead, but only under clearly defined conditions.

11. UNHCR could become involved only with the clear consent of the State concerned, and would lead protection efforts only if requested by the Humanitarian Coordinator, and in close consultation with the relevant Government and partner agencies. Resources for responding to natural disasters would not be taken from those already allocated to UNHCR programmes. To date, it appeared that increased UNHCR involvement at the country level generated synergies that made available resources go further. There was no question of changing the mandate of UNHCR or expanding its role in any of the clusters

where leadership was already clear. However, in the context of natural disasters, it had a duty to offer its expertise when needed.

12. Turning to internal reform, he noted that, with approximately the same number of staff worldwide and 30 per cent fewer in Geneva, UNHCR had been able to increase its volume of operations by over 60 per cent since 2005. Savings in budgeted staff costs meant that critical gaps in various areas could be addressed. There had been challenges, and a few reforms were still in progress, most notably, eliminating the interface problems between key software tools. One lesson learned had been that developing complex software products in-house should be avoided. The Division of Information Systems and Telecommunications was currently being restructured, and a number of the Division's services were being decentralized to bring them closer to operations in the field. With respect to oversight, UNHCR was establishing a fully independent advisory and audit committee.

13. Owing to the sensitive nature of reforming human resource policies for assignments, promotions, contracts and recruitment, primacy had been given to dialogue between staff and management. A new assignments policy had been adopted in June 2010; discussions on the policy for promotion were well along, and deliberations on recruitment, conversions and contracts would follow.

14. The new needs-based budget, the Global Needs Assessment, allowed UNHCR to reflect the needs of the people it cared for more accurately. To fund that budget fully, it hoped to secure additional resources from traditional donors, but it was also stepping up efforts to attract new donors and had set ambitious targets for private-sector fund-raising. He expressed optimism and appealed to donors to continue to show the generous and unprecedented support that they had given throughout his first mandate.

15. The new budget system would function as intended only if donors resisted the temptation to earmark contributions for activities outside established priorities. As UNHCR had considerably reduced headquarters and staff costs, it could guarantee that a much greater share of unearmarked funding would be allocated to forgotten crises.

16. In the future, UNHCR would give priority to developing its protection, emergency preparedness and response capacities. It had issued benchmarks in March

to guide offices on appropriate personnel levels for protection functions in various operational contexts. It would be enhancing protection learning opportunities for its staff and partners through the Division of International Protection Services and the Global Learning Centre. It would also be expanding the range of thematic protection learning programmes and increasing external training opportunities. With more refugees currently living in cities than camps, it had issued a new urban refugee policy in 2009 and would be conducting a series of real-time evaluations in pilot countries. He wished once again to thank Jordan and the Syrian Arab Republic for having piloted new approaches that allowed UNHCR to serve their highly urban refugee populations. Such new initiatives were possible only because of partnerships, particularly with national stakeholders, who accounted for about three quarters of all UNHCR implementing arrangements. Over the preceding 15 years, national protection partnerships had doubled.

17. In the area of emergency preparedness and response, the fundamental objective of UNHCR was to mobilize emergency personnel and dispatch the first relief items within 72 hours. To do so, it already maintained stocks of shelter and relief items for up to 500,000 people, in addition to resources for ongoing programmes. The quick succession of crises in Kyrgyzstan and Pakistan in 2010, together with contingency stockpiling for situations in the east and Horn of Africa, had underlined the importance of being able to respond to more than one emergency simultaneously and of preserving sufficient financial capacity to begin operations without having to wait for an appeal.

18. UNHCR was reinforcing the Emergency Response Roster and had already implemented a comprehensive training strategy for protection, security and emergency response, as well as a global stock management system and a delivery plan of action. It was also developing corporate partnerships in order to devise ways of making full use of technological innovations to protect and assist refugees and find durable solutions. Current efforts focused on renewable energy and on information technology and telecommunications, especially mobile systems and devices.

19. With the commemoration of their anniversaries in 2011, the Office looked forward to a year of activities culminating in a ministerial-level meeting in Geneva of

States parties to the 1951 Convention relating to the Status of Refugees and the 1961 Convention on the Reduction of Statelessness. He hoped that States would be able to pledge concrete actions to reinforce international protection, provide durable solutions, resolve refugee situations, and define forward-looking approaches to new challenges. The commemorations would provide an opportunity to promote accession to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness and to finalize a range of tools for combating statelessness. They would also provide a valuable platform for increasing public understanding and support for forcibly displaced and stateless people. Through the commemorations, he hoped to forge a new consensus on protection extending beyond the scope of the 1951 Refugee Convention. He was not suggesting that the Convention should be revised but rather that Member States might frame a new “protection compact”, with new forms of collaboration and partnership and possibly even new legal instruments, that would bridge protection gaps and provide new ways to deliver protection.

20. **Mr. Siddique** (Pakistan) said that his country hosted 1.7 million registered and more than 1 million unregistered Afghan refugees. The Government of Pakistan would continue to adhere to the principles of voluntarism and gradualism in the repatriation of Afghan refugees.

21. **Mr. Leal** (Brazil) said that his country’s contribution of \$3.3 million for emergency humanitarian assistance was the highest voluntary contribution Brazil had ever made to UNHCR. A memorandum of understanding had been signed between Brazil and the High Commissioner. Brazil was ready to share success stories that could be helpful for refugee empowerment, such as its experience in organizing a school feeding programme.

22. South-South cooperation should be a part of UNHCR operations. The root causes of conflicts must be addressed, and hosting refugees was only one part of the endeavour. If trade and climate change talks were unblocked, that would reduce poverty and have an impact on the numbers of refugees.

23. Inadequate asylum claims procedures and xenophobic policies posed a worrying threat to non-refoulement. The criminalization of irregular migration was counterproductive. The impact of

migration policies on refugees should be discussed as part of the preparations for the 2011 commemoration of the anniversaries of the 1951 Refugee Convention, the 1961 Convention on the Reduction of Statelessness and the birth of the first Refugee High Commissioner of the League of Nations. UNHCR must work to preserve asylum space and intervene with the relevant authorities and human rights mechanisms.

24. **Mr. Wetland** (Norway) said that the ratios between staff at UNHCR headquarters and in the field and between overhead at headquarters and savings which were put to better use on the ground were impressive. In 2011, Norway would increase funding to UNHCR by 20 per cent; it urged other countries to follow suit.

25. **Mr. Al-Shami** (Yemen) said that the upcoming visit of the High Commissioner to Yemen would provide an opportunity for him to learn about the situation of refugees in the country and witness its efforts to improve assistance to them, despite the economic difficulties it was facing. Yemen would continue to cooperate fully with UNHCR and was committed to upholding its obligations towards the refugees found in the country.

26. **Mr. Zeller** (European Union) requested an update on the search for solutions to protracted refugee situations. More details were requested on the findings of the environmental impact assessments conducted in Bangladesh, Democratic Republic of the Congo, Kenya and Rwanda, as well as on measures taken.

27. **Mr. Chipaziwa** (Zimbabwe) wished to know if the High Commissioner could stand by the figure in the report of the Secretary-General on assistance to refugees, returnees and displaced persons in Africa (A/65/324, para. 34) of 110,000 Zimbabweans seeking asylum in South Africa. It was not clear why erroneous figures with regard to Zimbabwe were published year after year. Many Zimbabweans had sought work in South Africa during the past century, and neither country saw it as grounds for concern.

28. **Ms. Mballa Eyenga** (Cameroon) said that her Government had developed a draft decree on the organization and management of its refugee agencies. A refugee status eligibility and appeals commission would be set up and an assessment of the status of urban refugees in Cameroon had been conducted. Further details on extending humanitarian and asylum space were requested.

29. **Mr. Saadi** (Algeria), underlining his Government's support for the mandate of the High Commissioner for Refugees, said that Algeria looked forward to engaging with UNHCR when implementing amendments to legislation on refugee status and providing enhanced protection and support to Sahrawi refugees in his country.

30. **Ms. Ruin** (Costa Rica) said that the number of voluntary repatriations was diminishing, resulting in quasi-permanent refugee populations. In that connection, more information was requested on what could be done to render the work of the High Commissioner sustainable. Further details would be appreciated on the study of host country contributions and on how the international community could lend its support to host countries, other than resettlement.

31. **Mr. Zheglov** (Russian Federation) asked the High Commissioner to elaborate on measures that States could take to reduce statelessness.

32. **Mr. Tagle** (Chile) asked for additional information on relationships between UNHCR and regional bodies and on how cooperation with UNHCR could be intensified.

33. **Mr. Guterres** (United Nations High Commissioner for Refugees) said that even after the floods in Pakistan, that country's generous approach to refugees had not changed. UNHCR was working with Pakistan to help flood victims, including 60,000 Afghan refugees whose homes had been destroyed by the floods. The international community had yet to provide meaningful support to a UNHCR project designed to support host communities in Pakistan in dire economic straits.

34. Brazil's asylum legislation was among the best in the world; it accepted refugees for emergency resettlement with 72 hours advance notice. Its poverty reduction programmes, such as the Bolsa Familia cash grants, had inspired similar programmes for refugees and other people in need elsewhere in the world. Migration policies must favour protection and not close doors to those entitled to protection under international law.

35. Norway had made significant contributions in the areas of protection, resettlement and financial assistance. It would be wrong for UNHCR to misspend a single penny when there was such great need. While \$10 or \$20 million might seem insignificant compared

to a total budget of nearly \$2 billion, such a comparison was not appropriate. Those amounts could make a difference when used for lifesaving activities. Amounts spent on personnel must be reduced as much as possible to make more funds available for those under the care of UNHCR.

36. Yemen had an open-door policy for Somali refugees, despite its own enormous security and economic challenges. Non-refoulement was a concern for all.

37. Each protracted refugee situation had its own characteristics. In Nepal, resettlement was the main approach. The United States of America had offered resettlement opportunities to 60,000 people, and Canada and Australia had also shown generosity in resettling refugees from Nepal.

38. Tanzania had given citizenship to Burundians who had arrived in 1972. Iran had provided generously for refugees from Afghanistan, regularizing situations and providing work permits.

39. In the Balkans, work was being done to relaunch cooperation with Serbia, Croatia and Bosnia. At the last meeting of the Executive Committee there had been a commitment by those countries and Montenegro to close centres receiving refugees. It was hoped that negotiations supported by the European Union and the Organization for Security and Cooperation in Europe would provide solutions for all Balkan war refugees. Voluntary repatriation was also an area of cooperation.

40. A strategy had been developed with Sudan to improve the living conditions of 150,000 Eritrean refugees.

41. There were projects to improve environmental conditions in refugee camps. Renewable energy partnerships had been established with companies to produce solar energy and stoves which required less wood, which would also improve women's security. Environmental rehabilitation projects in areas where refugees had previously lived and also in Uganda and Guinea were being conducted

42. The number of Zimbabwean refugees in South Africa was in fact only 23,000; however, asylum-seekers represented a different category. There were some 2 to 3 million Zimbabweans in South Africa. South Africa granted asylum-seekers the same rights as refugees. In 2009, there had been 220,000 new asylum-seekers in South Africa, not all of whom were refugees,

however. The South African authorities would determine which of those would receive refugee status.

43. Cameroon had generously accepted refugees from the Central African Republic, Chad and Nigeria. Countries should be encouraged to develop institutions enabling them to make determinations about refugee status, which was an issue of sovereignty. UNHCR also supported the legislation being developed in Algeria, which was of particular importance in a region where large population movements sometimes made it difficult to distinguish between refugees and non-refugees.

44. The solution to humanitarian problems was always political rather than humanitarian. Statelessness was a key aspect of the UNHCR mandate, although it had been previously overlooked. States should be encouraged to ratify the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness and to make citizenship easier to obtain. Both mothers and fathers should be able to convey their nationality to their children. Efforts by States to grant stateless people all rights except political rights were strongly encouraged. Changes in legislation in Bangladesh, Nepal, Tunisia, Viet Nam and Zimbabwe and the new Constitution in Kenya were signs that States were taking the issue of statelessness very seriously. It would become an important area of human rights in the years to come.

45. UNHCR cooperated closely with the European Union to construct an asylum framework in Europe and with the African Union to apply African conventions on refugees and displaced persons. There was cooperation with regional organizations on preventing conflict and ensuring sustainable peace.

46. **Ms. Halabi** (Syrian Arab Republic) said that efforts by the High Commissioner and UNHCR to protect refugees in Syria were highly appreciated by the Syrian Government. It was, however, regrettable that despite those efforts and repeated appeals to the international community for assistance for refugees in Syria, very little assistance had been forthcoming.

47. **Mr. Chipaziwa** (Zimbabwe) said that UNHCR reporting involved very serious intergovernmental work. No one had the authority to guess the number of asylum-seekers in a host country. While he did not underrate the work of UNHCR, its implication that the generosity of the South African Government created issues with tracking statistics was problematic. The

Government of South Africa had officially informed his Government that it had no disaggregated data on the number of asylum-seekers in the country based on country of origin. His delegation hoped that UNHCR would be more truthful in its future portrayals of Zimbabweans abroad. If the Office had ulterior motives with regard to his Government, it should nonetheless not involve refugees.

48. **Mr. Guterres** (United Nations High Commissioner for Refugees) expressed his appreciation for the people and Government of Syria for the generosity they had extended to the many refugees from the region, including through their commitment to non-refoulement and their flexible approach to the gradual repatriation of Iraqi refugees. Despite the meagre resources available, refugees were not relegated to camps, but instead shared the homes and communities of the Syrian people. The country faced significant economic pressures as a result, and he appealed to the international community to extend its support to Syria.

49. He did not wish to engage in a polemic with the delegation of Zimbabwe. The figures presented by his Office had come from the South African Government, which was a reliable source, but he pledged to check on the figures and correct them if necessary, and would follow up on the matter personally.

50. **Ms. Maia** (Timor-Leste) said that her delegation was confident in the High Commissioner's leadership and called on the international community to support his Office.

51. **Mr. Lambert** (Belgium), speaking on behalf of the European Union; the candidate countries Croatia, Iceland, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; and, in addition, Georgia, the Republic of Moldova and Ukraine, expressed concern about the reduction in humanitarian space, constraints on humanitarian access and the frequency of attacks against personnel, which prevented UNHCR from delivering assistance to those in need. The Union commended the High Commissioner's continuous efforts to facilitate durable solutions for refugees and internally displaced persons (IDPs) and encouraged him to strengthen dialogue with relevant partners in that regard.

52. Work was under way towards the establishment of a joint European Union programme for increasing

the number of resettlement places for refugees within the member States. The Union was focusing on setting up regional protection programmes to enhance national capacities to protect refugees in regions close to their countries of origin and improve protection through voluntary return, local integration and resettlement.

53. UNHCR should focus its attention on strengthening international support for protracted refugee situations, where there were more than 5.5 million refugees, and provide an update on the special initiative to reinvigorate the search for solutions in several such situations. The Union welcomed the new policy on refugee protection and solutions in urban areas and called on the High Commissioner to further pursue that policy and facilitate discussion the following year on its implementation and evolving strategic partnerships with local communities and civil society.

54. The European Union welcomed the High Commissioner's commitment to the structural and management change process, underscoring the need to optimize the Office's capability to operate effectively and carry out a results-based policy framework, as well as the global needs assessment process, which presented a unique opportunity to focus from the start on the real needs of beneficiaries when developing programmes and prioritizing between interventions. The High Commissioner should share his views on the new financial and policy environment that had resulted from the Office's first needs-based budget. The Union noted with satisfaction the information provided in his report (A/65/12) on partnerships and coordination with relevant humanitarian actors, which was fundamental for an effective response and the implementation of humanitarian reform. UNHCR should continue to work very closely with the Office for the Coordination of Humanitarian Affairs (OCHA) to strengthen the cluster coordination system and enhance the overall effectiveness of assistance.

55. Lastly, it was hoped that the commemoration of the forthcoming anniversaries of the 1951 Convention relating to the status of refugees and the 1961 Convention on the reduction of statelessness would lead to an increased number of ratifications and encourage the international community to step up its efforts to achieve durable solutions for refugees, asylum-seekers and displaced persons.

56. **Mr. Gaspar Martins** (Angola), speaking on behalf of the Southern African Development Community (SADC), said that it was important to highlight the critical role played by UNHCR in reducing the number of refugees in Southern Africa as well as the High Commissioner's achievements and the internal reforms carried out, particularly with regard to cost-effectiveness measures. The Community noted with concern the insecurity and renewed conflicts prevailing in Africa, which had uprooted millions of people and prevented the return of refugees and IDPs. That situation had been further exacerbated by the global economic downturn.

57. SADC was aware of the security and socio-economic impact that refugee flows had on the developing countries which generously provided asylum to them and, therefore, considered prevention essential in tackling the root causes of outflow in countries of origin and finding lasting solutions to the problem. A number of SADC countries had undertaken important initiatives to enable refugees to become self-reliant through access to education and employment and by addressing the special needs of women, children and disabled persons. The Community shared the view that a comprehensive strategy to solve the problem of the thousands of refugees trapped in protracted refugee situations was vital and that local integration and living conditions should be improved. SADC commended the Office's efforts in assisting countries of origin to establish a conducive environment for sustainable reintegration.

58. In a number of countries, the basic principles of refugee protection were not being upheld. Refugees were arrested and detained without criminal charges. Others had been returned against their will to places where their lives might be in danger or restricted to camps or remote locations. Many had not been able to enjoy social, economic and civil rights. The Community, therefore, encouraged the ongoing efforts of the African Union, which had promoted a humanitarian approach to solving refugee problems on the continent through its Convention on Refugees and Convention for the Protection and Assistance of Internally Displaced Persons in Africa.

59. SADC commended the High Commissioner's Dialogue on Protection Challenges, which ensured closer cooperation to provide adequate protections to refugees and IDPs. The world would soon commemorate the sixtieth anniversary of the

establishment of UNHCR as well as the anniversaries of the 1951 Convention relating to the status of refugees and the 1961 Convention on the reduction of statelessness. That should provide an opportunity to raise public awareness of the problems affecting refugees and take stock of individual efforts to address their needs.

60. **Mr. Sparber** (Liechtenstein) said that, with violence against United Nations humanitarian workers on the rise, UNHCR had taken steps to strengthen its system of security management in cooperation with the Office of Internal Oversight Services. However, recalling that primary responsibility for the safety of United Nations and humanitarian personnel lay with the host Government, he urged all States to ratify and implement the Convention on the Safety of United Nations and Associated Personnel. In conflict situations, the parties had a duty to facilitate the work of humanitarian organizations, in particular the International Committee of the Red Cross and UNHCR, by providing and protecting the necessary humanitarian space and by refraining from politicizing humanitarian assistance. They had a further duty to grant them unconditional and immediate access to refugees and internally displaced persons under all circumstances.

61. Refugees and internally displaced persons in camps or settlements remained entitled to their fundamental rights, including freedom of movement. The parties to the conflict were obligated to provide civilian oversight and to protect persons in camps from military recruitment and violence, including sexual violence. Furthermore, the parties had primary responsibility for holding violators of international humanitarian and human rights law accountable. However, in the absence of national prosecution, the Security Council's watch list and sanctions regime, as well as the International Criminal Court, provided alternatives at the international level. Post-conflict reconciliation through independent, impartial judicial processes could contribute to voluntary repatriation and the return of internally displaced persons, but was not enough in itself and should be accompanied by better reconstruction and development policies and the enforcement of property rights, particularly for women.

62. There was a risk that the number of stateless persons, currently estimated at 12 million, might grow as a result of climate-induced migration. Concern for those persons, who experienced notorious difficulty in



claiming their fundamental rights and participating equally in society, had recently led Liechtenstein to accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, and it would also continue to work with UNHCR to improve its national laws on stateless persons and refugees.

63. **Ms. Gendi** (Egypt) underlined Egypt's concern that the Office of the High Commissioner lacked sufficient resources to finance its activities, especially when climate change was exacerbating food crises and the effects of the financial and economic crises were still being felt. It must be provided with adequate resources to carry out its mandate and address the needs of increasing numbers of refugees and displaced persons. The international community must redouble its efforts to settle conflicts peacefully and the capacities of United Nations bodies must be strengthened so that they were better able to help countries emerging from conflicts to achieve security, respect human rights, foster development and thus encourage voluntary repatriation of refugees.

64. International refugee law must be strengthened in order to better protect refugees. Moreover, efforts must be made to safeguard their human rights, particularly when States invoked security concerns or placed unjust restrictions on migration on the pretext of safeguarding national identity. In the provision of assistance to refugees, burdens and responsibilities must be shared. Developed countries should be encouraged to accept more refugees and provide technical and financial assistance to countries emerging from conflicts to help them build their institutional capacities and provide basic services to all their citizens. Funding must also be provided to ensure that refugees were included in national reconciliation and peacebuilding initiatives. In that context the Peacebuilding Commission could play a pivotal role in increasing international engagement.

65. Egypt was constantly striving to enhance international refugee law with a view to ensuring that burdens and responsibilities associated with refugee issues were equitably shared. Egypt was also working to improve UNHCR activities so as to better address emerging challenges, including those posed by natural disasters and climate change. Ensuring that UNHCR had the capacity to address humanitarian disasters while also funding its core programmes would require a balanced framework which took budgetary constraints into account. A more equitable geographical

distribution of posts within the Office of the High Commissioner was also needed in order to correct the current imbalance in which developed countries were overrepresented.

66. **Mr. Zhou** Ningyu (China) said that China remained concerned by the growing numbers of refugees and internally displaced persons across the world, primarily in Africa and Asia, and the impediment posed by that problem to the social and economic development of the host countries. Given that the problem was one of a global dimension, China was of the view that it demanded a commensurate response from the international community, which should work to address its symptoms and to eliminate its root causes, acting in the spirit of international solidarity and burden-sharing by promoting peace, stability and development in the areas generating refugee flows. Noting also that developing countries bore by far the larger share of the burden of sheltering refugees, he said that it was incumbent on developed countries and the relevant United Nations agencies to furnish them with the needed economic support.

67. Commending UNHCR on its work, he conveyed his country's hope that the Office would find the necessary balance between its refugee protection work and efforts to resist the abuse of international asylum status and, to that end, called for close cooperation between UNHCR and national Governments. In conclusion, he gave assurances that China, as a signatory to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, stood ready to expand its cooperation with UNHCR and to make its due contribution to international refugee protection programmes.

68. **Ms. Abdelrahman** (Sudan) said that her country was committed to strengthening its national strategy on refugees and internally displaced persons. That commitment stemmed from its obligations as a signatory to numerous international instruments and from its long tradition of assisting those in need. In that connection, Sudan had established a national committee to facilitate the repatriation of Sudanese refugees and a high commission for refugees as a counterpart to UNHCR. It continued to host large numbers of refugees from neighbouring countries and, in order to foster their integration into society, provided them with health and educational services and issued them identity documents. Sudan provided information on the location of refugees and was in

constant contact with UNHCR, the World Food Programme, UNICEF and other agencies working with refugees in the country. The Government had also concluded agreements with donor countries by which they provided assistance to refugees on its behalf.

69. Refugees and internally displaced persons enjoyed all rights and freedoms including the right to freedom of religion and of expression. Implementation of the Comprehensive Peace Agreement of 2005 had enabled many internally displaced persons and refugees to return home voluntarily and efforts were also under way to create conditions that would allow internally displaced persons to return to Darfur and to move assistance from emergency humanitarian action to development support. Sudan called upon donor countries to meet their obligations to finance voluntary repatriation efforts, particularly in connection with the Comprehensive Peace Agreement and to support the Sudanese Government in its efforts to bring stability to Darfur. Sudan condemned the violation of refugee rights and called upon the international community to denounce all rebellious activities and the recruitment of children in refugee camps.

70. **Mr. Tanin** (Afghanistan) expressed his delegation's gratitude to the United Nations High Commissioner and his dedicated staff for their tireless efforts on behalf of Afghan refugees and internally displaced persons. After more than 30 years of conflict, they outnumbered all other similar populations. Since the fall of the Taliban, more than 5.5 million Afghans had returned to their homeland — the largest voluntary repatriation in recent decades. However, that number represented a 20 per cent increase in the national population in eight years and would be a challenge for any State. The concerns of returnee settlements were often very basic: infrastructure, water, shelter and sustainable livelihoods. Reintegration was further complicated by the fact that most of the refugees had lived in exile since the 1980s, if not for their entire lives.

71. His Government had made the voluntary, gradual and dignified repatriation of Afghan refugees a priority concern. In 2010 alone, more than 100,000 had already returned. His Government would continue to use meetings in the context of the tripartite agreement between UNHCR, Afghanistan, and Pakistan and the Islamic Republic of Iran — the two countries hosting the vast majority of Afghan refugees — to exchange best practices and improve collaboration with a view to

sustainable repatriation. It had renewed commitments with Pakistan earlier in the year and was encouraged by the resumption of consultations with the Islamic Republic of Iran.

72. Increased instability and growing challenges in the humanitarian situation had caused repatriation to slow substantially in 2010. Furthermore, the deterioration in security in some regions had pushed the number of internally displaced persons to more than 100,000. The Government would continue its efforts to achieve full implementation of the comprehensive sector strategy for refugees, returnees and internally displaced persons, as outlined in the seventh pillar of the national development strategy. Increasing absorption capacity was crucial, and to that end it would be endeavouring to improve capacity in the repatriation-related ministries, to foster greater inter-ministerial coordination and to mobilize additional resources with the support of its international partners.

73. **Mr. Barton** (United States of America) said that UNHCR was an invaluable partner in his Government's humanitarian assistance efforts, particularly in Iraq, Afghanistan, Pakistan, Sudan and Colombia. The Government would remain a strong supporter of the agency in view of its unique global reach, its expertise in the protection of refugees and the critical role it played in United States refugee resettlement efforts. His delegation welcomed UNHCR efforts to promote accession to the 1951 Convention relating to the Status of Refugees and the 1954 and 1961 conventions on statelessness.

74. The United States Government fully supported UNHCR efforts at internal reform, including through the reduction of staff and the introduction of global needs assessments into its budget requests, and urged it to finalize such actions in a timely manner. Capacity to demonstrate the tangible impact of UNHCR work on the lives of beneficiaries was also an important consideration. His delegation welcomed the goals of improving its response to threats to humanitarian space and enhancing emergency preparedness and requested updates as to how those priorities would impact the ongoing reform of human resource management. The United States Government would be closely following progress in the great range of reform efforts undertaken by UNHCR, as their success could set a glowing example for the United Nations system.

75. **Mr. Zheglov** (Russian Federation) said that the 1951 Refugee Convention and its Protocol of 1967 were the foundation of the international refugee regime, defining the humanitarian, non-political nature of the UNHCR mission. The central role of the Executive Committee should be maintained. Voluntary repatriation, local reintegration and resettlement were the three approaches which should be applied to address the situation of refugees. Hasty appeals to return refugees home at all costs in the absence of safety measures were counterproductive. Attempts to use the needs of refugees and internally displaced persons for political ends were to be condemned.

76. The Russian Federation shared the High Commissioner's concern at the reduction in the humanitarian space and took in increasing numbers of refugees and asylum-seekers each year. National protection mechanisms should be strengthened, and UNHCR should support and foster such mechanisms. Cooperation between UNHCR and States should be based on clear agreements on methods for implementing measures to ease the situation of refugees.

77. Unified international criteria for determining refugee status were necessary to address the increased abuse of the institution of asylum. If such increased abuse was not taken into account, particularly in responding to situations of mixed flows, the institution of asylum could be discredited.

78. Stronger implementation of the 2006 Executive Committee conclusion on statelessness was called for. The Office should also give particular attention to the Human Rights Council resolution, adopted at its thirteenth session, on human rights and arbitrary deprivation of nationality.

79. The situation of so-called "non-citizens" in Latvia and Estonia, essentially stateless persons who represented a significant proportion of the populations of those countries, remained unresolved.

80. The Russian Federation was enhancing its laws and law enforcement practices in the area of refugee rights. There had been progress in relations between the Russian Federation and UNHCR with regard to common approaches to determining refugee status where national procedures and legal guarantees were in place.

81. **Mr. Nishiumi** (Japan) said that his Government's interest in human security encompassed the protection and empowerment of refugees and internally displaced persons. His delegation welcomed the structural reforms undertaken by UNHCHR, in particular the new budget and needs assessment systems and efforts to reduce spending. Advocacy for the work of UNHCR was critical in order to meet the \$1.3 billion gap in funding for the agency. He urged UNHCR to make use of the sixtieth anniversary of the 1951 Convention relating to the Status of Refugees as an opportunity to recruit new donors.

82. The massive natural disasters of the past year, including the floods in Pakistan, underscored the importance of risk reduction, preparedness and response to disasters in preventing displacements of people. In that regard, he called on Member States to implement the Hyogo Framework for Action 2005-2015 as they entered the midpoint for its realization. For its part, the Government of Japan had been working with regional organizations and the United Nations system at the global level to address the critical issue of disaster reduction.

83. His delegation was concerned at the historically low number of refugees that had been repatriated in the past year, given the number of new refugees that would emerge from conflicts around the world. His Government shared the common concern regarding the shrinking humanitarian space. Violence committed by non-State armed groups against civilians and humanitarian actors was of particular concern. Humanitarian access would be enhanced by adherence to the principles of neutrality and independence, as well as long-term efforts to build trust among the people concerned. His delegation also reiterated the need for assistance that integrated a gender perspective, as women were often victims of conflicts. Governments had a critical role to play in the resettlement of refugees and in addressing the root causes of conflict, such as lack of access to natural resources, food and water.

84. The Government of Japan considered UNHCR an important partner in its key foreign policy areas of human security and peacebuilding. It had provided the agency with \$143 million, its highest contribution to date, which included a significant proportion of non-earmarked funds that would increase flexibility in the agency's activities. The Japan International Cooperation Agency had implemented over fifty

projects in thirty countries, which included collaboration with UNHCR in a repatriation and reintegration programme for refugees. The Government had also initiated a resettlement programme to bring refugees from Myanmar to Japan, affirming the importance of resettlement as a means of mitigating the problem of protracted refugee situations.

85. **Mr. Siddique** (Pakistan) said that the international community and humanitarian agencies focused solely on the needs of refugees, ignoring the long-lasting impact of refugee crises on the socio-economic, environmental and political conditions of host communities. Assistance must be provided for the development of host countries that had been adversely affected by the protracted presence of refugees.

86. While his delegation encouraged UNHCR efforts at internal reform aiming at responding to contemporary challenges effectively, it urged the agency to maintain its focus on the core issue of refugees.

87. Pakistan had been host to one of the largest refugee populations in the world for over two decades owing to the continuing instability in Afghanistan. The people and Government of Pakistan had extended their generosity to those refugees and had ensured that their repatriation was gradual and voluntary. The prolonged presence of refugee populations had had serious repercussions on the security sector, job market and public infrastructure of Pakistan, a difficult situation that had been transformed into a humanitarian crisis by the recent onslaught of the worst floods in the country's history. However, the Government stood firm in its moral and humanitarian commitments to the 1.7 million registered and over 1 million unregistered Afghan refugees in the country. International resource commitments to improve the refugee situation had declined over the years. Nevertheless, the Government had devised a new strategy for refugee issues which focused on voluntary repatriation, reform of visa procedures, development of areas hosting refugees, mobilization of international support and improved border management. Those efforts could be greatly enhanced with the engagement of the international community, although an ultimate resolution to the situation would depend on the success of reintegration and rehabilitation efforts in Afghanistan, which was in turn greatly dependent on the support of UNHCR and the donor community.

88. The Governments of Pakistan and Afghanistan and UNHCR had renewed their repatriation agreement and nearly 100,000 refugees had been repatriated during the past year. The Government of Pakistan would continue to work with UNHCR to provide refugees with temporary shelter and work towards restoring their dignity, livelihoods and homes, and it urged the international community to play a meaningful role in that process. Fulfilling the common responsibility of Member States towards refugees, returnees and displaced persons must include the development of new means of providing shelter and protection that did not create political, economic and social frictions in host countries.

89. **Mr. Srivali** (Thailand) said that changes in migration trends presented UNHCR with new challenges, such as the unprecedented surge of mixed migration in different regions of the world. People smugglers and human traffickers were becoming richer and smarter. Their extended networks enabled them to choose the countries of origin, transit and destination for the easiest migratory routes and thereby secure the largest profits. It was a matter of particular concern that migrants were sometimes presented as "refugees" since asylum-seekers were not likely to be detained or criminally prosecuted.

90. As it became increasingly difficult for countries to maintain the integrity of their borders and immigration systems, it was ever more important to take further action. Thailand was working hard to improve its border management, especially in collaboration with the Swiss Government, and was strengthening cooperation in that regard with neighbouring countries and taking part in various regional consultative processes. His country supported the Office's role in the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime as well as the High Commissioner's initiative to hold annual dialogues on protection challenges with States and various partners and was looking forward to participating in the upcoming Bali Process workshop in Manila.

91. As a host country, Thailand was still providing shelter to over 100,000 displaced persons from neighbouring countries and was doing its best to overcome protection gaps and find durable solutions to refugee problems. In 2009, the Thai Government had cooperated with UNHCR in launching a pilot pre-screening project to speed up its admission system

while maintaining the system's credibility by ensuring that those not in need of protection did not receive it. The legal assistance centres in several temporary shelter areas had been successful, and there were plans to expand them to other such areas. With the Office's assistance, progress was being made in birth registration and the issuance of birth certificates for children born of displaced parents in temporary shelters.

92. In terms of durable solutions, his Government continued to work with UNHCR, the International Organization for Migration (IOM) and a number of third countries on resettlement programmes. Information campaigns had been conducted, and vocational and language training as well as cultural orientation programmes had been steadily expanded to ensure that resettled displaced persons could lead productive lives in third countries. Thailand highly appreciated the programmes offered by the international community over the past years and welcomed Japan as the first Asian resettlement country to accept a group of displaced persons under a pilot project.

93. Despite Thailand's efforts to close the gaps, obstacles remained. The global financial crisis also put pressure on his Government and donor countries. An even more worrying trend was that the will to achieve the most durable solution, voluntary repatriation, had somewhat slackened. For post-conflict societies, voluntary repatriation could contribute significantly to peacebuilding and nation-building. Accordingly, Thailand, despite facing one of the most protracted displacement situations in the world, would continue to develop the skills of the displaced in the hope that one day they would be able to return in a safe, voluntary and dignified manner to contribute to the development of their homeland.

94. **Mr. Stenvold** (Norway) said that the Office of the High Commissioner increasingly managed protracted rather than emergency situations and, therefore, an increased emphasis on burden-sharing was required. Norway greatly appreciated the generosity of developing countries, which hosted approximately 80 per cent of the world's refugees. It had, moreover, agreed to lead a contact group to encourage the voluntary repatriation of Afghan refugees in Iran and improve the conditions of those refugees who remained in that country.

95. There was a need to distinguish between migration and asylum and develop mechanisms that addressed States' legitimate immigration concerns. The humane management of immigration and border controls was vital if States were to continue to offer asylum. In that connection, and with a view to ensuring that those in need were protected, Norway had amended its immigration legislation and had broadened the definition of refugee status. However, certain States' legislative and political frameworks on internally displaced persons remained inadequate. There were over 27 million internally displaced persons who had been forced to move because of conflicts in 2009 and the Office of the High Commissioner should continue its close cooperation with the Representative of the Secretary-General on the human rights of internally displaced persons to address the huge challenges posed by that number. Furthermore, to enhance the quality of its humanitarian response, UNHCR needed to focus on gender issues and, in cooperation with other agencies, should identify means to provide support to UN Women.

96. Norway supported efforts by the United Nations to harmonize business practices, including human resource management. In that regard, an impact analysis was required to assess proposals by the International Civil Service Commission to harmonize entitlements of staff of different United Nations entities. However, the goal of harmonization needed to be balanced against staff procurement priorities, including deep in the field where the world's most acute humanitarian situations were found.

97. Norway was concerned that protection mechanisms for people displaced by natural disasters and climate change remained far weaker than for refugees and, in 2011, it would host a conference to address the complex links between climate change and forced displacement that would bring together representatives from the scientific and humanitarian communities.

98. **Ms. Viimsalu** (Estonia), speaking in exercise of the right of reply, responded to the statement by the representative of the Russian Federation regarding her country's citizenship policy. Efforts over two decades by Estonia to address citizenship issues had resulted in a five-fold decrease in the number of persons with undetermined citizenship. Many had chosen to take up citizenship of other States, including Ukraine and the Russian Federation, as reflected in statistics compiled

by UNHCR. However, those whose citizenship remained undetermined were encouraged to apply for Estonian citizenship. Persons in Estonia with undetermined citizenship enjoyed more rights than provided for under the Convention relating to the Status of Stateless Persons. Furthermore, the Estonian Constitution prohibited discrimination on any grounds and all legal residents of Estonia, regardless of citizenship, had the right to vote in local government elections.

*The meeting rose at 1 p.m.*