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OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Report of the Third Committee

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I. INTRODUCTION

1. At its 3rd plenary meeting, on 21 September 1984, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-ninth session the item entitled:

"Office of the United Nations High Commissioner for Refugees:

"(a) Report of the High Commissioner;

"(b) Assistance to refugees in Africa: report of the Secretary-General"

and to allocate it to the Third Committee.

2. The Third Committee considered the item at its 36th, 38th to 41st, 47th, 50th and 53rd meetings, on 12 to 15, 21, 26 and 28 November 1984. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/39/SR.36, 38-41, 47, 50 and 53).

3. The Committee decided to consider item 100 together with the relevant chapters of the report of the Economic and Social Council (agenda item 12) pertaining to specific cases of providing assistance to refugees.

4. In connection with item 100, the Committee had before it the following documentation:

(a) Report of the Economic and Social Council, chapter III, section D (A/39/3 (Part II)); 1/

(b) Report of the United Nations High Commissioner for Refugees (A/39/12 and Add.1); 2/

(c) Second International Conference on Assistance to Refugees in Africa: report of the Secretary-General (A/39/402 and Add.1);

(d) Letter dated 27 January 1984 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General, transmitting the text of the communiqué of the 4th meeting of the Council of Ministers of the Coalition Government of Democratic Kampuchea, held on 24 January 1984 (A/39/92-S/16301);

(e) Letter dated 15 March 1984 from the Chargé d'Affaires a.i. of the Permanent Mission of Bangladesh to the United Nations addressed to the Secretary-General, transmitting the final declaration and resolutions adopted at the Fourteenth Islamic Conference of Foreign Ministers, held at Dhaka from 6 to 10 December 1983 (A/39/133-S/16417);

(f) Letter dated 3 April 1984 from the Permanent Representative of Thailand to the United Nations addressed to the Secretary-General (A/39/165-S/16462 and Corr.1);

(g) Letter dated 17 April 1984 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/39/185-S/16486);

(h) Letter dated 17 April 1984 from the Permanent Representative of Thailand to the United Nations addressed to the Secretary-General (A/39/189-S/16490 and Corr.1);

(i) Letter dated 23 April 1984 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General, transmitting the text of a statement released at Jakarta on 19 April 1984 by the Chairman of the Standing Committee of the Association of South-East Asian Nations, on behalf of the ASEAN Ministers for Foreign Affairs (A/39/204-S/16499);

(j) Letter dated 24 April 1984 from the Permanent Representative of the Lao People's Democratic Republic to the United Nations addressed to the Secretary-General, transmitting a Memorandum of the Foreign Ministry of the People's Republic of Kampuchea issued on 19 April 1984 (A/39/212-S/16505);

1/ To be issued as Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 3 (A/39/3).

2/ Official Records of the General Assembly, Thirty-ninth Session, Supplements No. 12 and 12A (A/39/12 and Add.1).

(k) Letter dated 10 May 1984 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General, transmitting a statement issued at Jakarta on 8 May 1984 by the Ministers for Foreign Affairs of ASEAN (A/39/254-S/16555);

(l) Letter dated 16 July 1984 from the Chargé d'Affaires a.i. of the Permanent Mission of Malaysia to the United Nations to the Secretary-General, transmitting the text of the ASEAN Foreign Ministers' Joint Statement on the Kampuchean Problem, issued in Jakarta on 9 July 1984 (A/39/352-S/16672).

5. In connection with the relevant chapters of the report of the Economic and Social Council pertaining to specific cases of providing assistance to refugees, the Committee had before it the following documentation:

(a) Report of the United Nations High Commissioner for Refugees on assistance to refugees in Somalia (A/39/443);

(b) Report of the United Nations High Commissioner for Refugees on humanitarian assistance to refugees in Djibouti (A/39/444);

(c) Report of the United Nations High Commissioner for Refugees on the situation of refugees in the Sudan (A/39/445);

(d) Report of the Secretary-General on assistance to displaced persons in Ethiopia (A/39/446);

(e) Report of the United Nations High Commissioner for Refugees on assistance to student refugees in southern Africa (A/39/447).

6. At the 36th meeting, on 12 November, the United Nations High Commissioner for Refugees made an introductory statement.

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/39/L.38

7. At the 47th meeting, on 21 November, the representative of Cameroon, on behalf of the States Members of the United Nations that are members of the African Group, introduced a draft resolution (A/C.3/39/L.38) entitled "Second International Conference on Assistance to Refugees in Africa".

8. At the 50th meeting, on 26 November, the Committee adopted draft resolution A/C.3/39/L.38 without a vote (see para. 12, draft resolution I).

B. Draft resolution A/C.3/39/L.37

9. At the 47th meeting, on 21 November, the representative of Finland introduced a draft resolution (A/C.3/39/L.37) entitled "Report of the United Nations High Commissioner for Refugees", sponsored by Australia, Austria, Belgium, Bolivia,

Canada, Costa Rica, Denmark, Djibouti, the Dominican Republic, Egypt, Finland, Germany, Federal Republic of, Greece, Iceland, Italy, Japan, Lesotho, Madagascar, New Zealand, Nicaragua, Norway, Pakistan, the Philippines, Portugal, Senegal, Sierra Leone, the Sudan, Sweden, Thailand, the United States of America, Venezuela and Zaire, as well as Argentina, the Congo, Cyprus, France, Honduras and Somalia, subsequently joined by Bangladesh, Benin, the Central African Republic, the Comoros and the Gambia.

10. A statement by the Secretary-General on the programme budget implications of the draft resolution was circulated in document A/C.3/39/L.52.

11. At the 53rd meeting, on 28 November, the Committee adopted draft resolution A/C.3/39/L.37 without a vote (see para. 12, draft resolution II).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

12. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Second International Conference on Assistance to Refugees in Africa

The General Assembly,

Recalling its resolutions 37/197 of 18 December 1982 and 38/120 of 16 December 1983 relating to the Second International Conference on Assistance to Refugees in Africa,

Having considered the reports of the Secretary-General on the Second International Conference on Assistance to Refugees in Africa, held at Geneva from 9 to 11 July 1984,

Welcoming the results obtained by the Conference and notably the adoption of the Declaration and Programme of Action, which provides the international community with a collective strategy to achieve lasting solutions,

Gravely concerned at the persistent and serious problem of large numbers of refugees on the African continent,

Aware of the economic and social burden borne by African countries of asylum on account of the presence of these refugees and its consequences for their national development and of the heavy sacrifices made by them, despite their limited resources,

Recognizing the universal collective responsibility of sharing the urgent and overwhelming burden of the problem of African refugees through effective mobilization of resources to meet the urgent and long-term needs of the

refugees and to strengthen the capacity of countries of asylum to provide adequately for the refugees while they remain in those countries, as well as to assist the countries of origin in the rehabilitation of voluntary returnees,

Emphasizing the vital importance of the complementarity between refugee aid and development assistance,

Noting with satisfaction the wide participation of Member States, specialized agencies, and intergovernmental and non-governmental organizations and the commitments and pledges made at said Conference,

1. Expresses its appreciation to the Secretary-General of the United Nations, the Secretary-General of the Organization of African Unity, the United Nations High Commissioner for Refugees and the Administrator of the United Nations Development Programme for their commendable effort in organizing the Second International Conference on Assistance to Refugees in Africa;
2. Endorses the Declaration and the Programme of Action adopted by the Second International Conference on Assistance to Refugees in Africa; 3/;
3. Expresses its deep appreciation to African host countries, which are the biggest donors, for their generous contribution and continuous effort to alleviate the plight of refugees in spite of their critical economic situation;
4. Expresses once again its appreciation to the international community and, in particular, to all donor countries, specialized agencies, regional organizations, and intergovernmental and non-governmental organizations for their support and initial response to the projects submitted to the Conference;
5. Urges the international community to maintain the momentum created by the Conference and to translate into reality the projects presented as well as the principles in the Declaration and Programme of Action agreed upon by the Conference;
6. Emphasizes the vital importance of the complementarity of refugee aid and development assistance and of achieving durable solutions to the problems of refugees in Africa through the voluntary repatriation or local integration of refugees and the necessity of providing assistance for the strengthening of the social and economic infrastructures of African countries receiving refugees and returnees;
7. Requests the United Nations High Commissioner for Refugees to continue to keep the situation of refugees in Africa under constant review with a view to providing adequate humanitarian assistance for relief and expanded durable solutions;

8. Calls upon all pertinent organizations of the United Nations system, as well as relevant regional, intergovernmental and non-governmental organizations to lend their support, within their sphere of competence, to the realization of the goals of the Conference;

9. Requests the Secretary-General, in accordance with the Declaration and Programme of Action, to monitor, in consultation and close co-operation with the Organization of African Unity and notably the United Nations High Commissioner for Refugees and the United Nations Development Programme, the follow-up of the Conference;

10. Further requests the Secretary-General to report to the General Assembly at its fortieth session, through the Economic and Social Council, on the implementation of the present resolution.

DRAFT RESOLUTION II

Report of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office, 4/ as well as the report of the Executive Committee of the High Commissioner's Programme on its thirty-fifth session, 5/ and having heard the statement made by the High Commissioner on 12 November 1984, 6/

Recalling its resolution 38/121 of 16 December 1983,

Reaffirming the purely humanitarian and non-political character of the activities of the Office of the High Commissioner,

Deeply concerned that refugees and displaced persons of concern to the High Commissioner continue to face distressingly serious problems in all parts of the world,

Stressing the fundamental importance of the High Commissioner's international protection function and the need for States to co-operate with the High Commissioner in the exercise of this essential function, particularly in view of the continued and persistent violations of the basic rights of persons of concern to his Office,

4/ Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 12 (A/39/12).

5/ Ibid., Supplement No. 12A (A/39/12/Add.1).

6/ A/C.3/39/SR.36, paras. 1-12.

Welcoming the additional accessions to the 1951 United Nations Convention 7/ and the 1967 Protocol relating to the Status of Refugees, 8/

Particularly concerned that in various regions the safety and welfare of refugees and asylum-seekers continue to be seriously jeopardized on account of military or armed attacks, acts of piracy and other forms of brutality,

Emphasizing that voluntary repatriation or return remains the most desirable solution to problems of refugees and displaced persons of concern to the High Commissioner,

Emphasizing further the importance for the international community to continue to provide assistance and resettlement opportunities for those refugees for whom no other durable solution may be in sight, notably in regions where countries of first refuge continue generously to receive refugees arriving by land or by sea,

Noting with deep appreciation the valuable support extended by many Governments to the High Commissioner in carrying out his humanitarian task,

Noting with satisfaction the positive results achieved by the Second International Conference on Assistance to Refugees in Africa, held at Geneva from 9 to 11 July 1984, as part of a continuing process of increasing international interest in and support for the refugee situation in Africa,

Welcoming the progress made by the High Commissioner in improving the management of his Office, and urging him to pursue his efforts in this direction in line with the relevant resolutions of the General Assembly and decisions of the Executive Committee of the Programme of the High Commissioner,

Taking note of the decision of the High Commissioner's Executive Committee on the introduction of Arabic, Chinese and Spanish as official languages of the Executive Committee,

1. Commends the United Nations High Commissioner for Refugees and his staff for the dedicated and efficient manner in which they continue to discharge their responsibilities;

2. Strongly reaffirms the fundamental nature of the High Commissioner's function to provide international protection and the need for Governments to continue to co-operate fully with his Office in order to facilitate the effective exercise of this function, in particular by acceding to and fully implementing the relevant international and regional refugee instruments and by scrupulously observing the principles of asylum and non-refoulement;

7/ United Nations, Treaty Series, vol. 189, No. 2545, p. 137.

8/ Ibid., vol. 606, No. 8791, p. 267.

3. Condemns all violations of the rights and safety of refugees and asylum-seekers, in particular those perpetrated through military or armed attacks against refugee camps and settlements and other forms of brutality and by the failure to rescue asylum-seekers in distress at sea;
4. Urges all States, in co-operation with the Office of the United Nations High Commissioner for Refugees and other competent international bodies, to take all measures necessary to ensure the safety of refugees and asylum-seekers;
5. Further urges all States to support the High Commissioner in discharging his responsibility to pursue durable solutions to the problem of refugees and displaced persons of concern to his Office, primarily through voluntary repatriation or return, including assistance to returnees as appropriate, or, wherever appropriate, through integration in countries of asylum or resettlement in third countries;
6. Expresses deep appreciation for the valuable material and humanitarian response of many receiving countries and in particular those developing countries that, despite their serious economic crises and limited resources, continue to admit, on a permanent or temporary basis, large numbers of refugees and displaced persons of concern to the High Commissioner's Office, and, reaffirming the principle of international solidarity and burden-sharing, urges the international community to assist receiving countries in order to enable them to cope with the additional burden created by their presence;
7. Notes with satisfaction the initiatives taken by the High Commissioner in developing the concept of development-oriented assistance to refugees and returnees, wherever appropriate, and urges him to pursue those efforts in co-operation with interested Governments as well as with the World Bank, the United Nations Development Programme and other developmental organizations, including non-governmental organizations;
8. Commends all States that facilitate the attainment of durable solutions and contribute generously to the High Commissioner's programmes;
9. Notes with appreciation the support consistently given the High Commissioner by agencies of the United Nations system, as well as intergovernmental and non-governmental organizations, in carrying out his humanitarian task, and requests the High Commissioner to continue to co-ordinate his efforts with those agencies and organizations;
10. Calls upon all States to promote durable solutions and to contribute generously to the High Commissioner's humanitarian programmes in order to assist persons of concern to the High Commissioner in a spirit of international solidarity and burden-sharing.