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REPORT OF THE UNITED NATIONS HIGH COMMISSIONER
FOR REFUGEES

Report of the Third Committee

Rapporteur: Mrs. Clara PONCE de LEON (Colombia)

1. The General Assembly, at its 1415th plenary meeting on 24 September 1966, allocated item 55 of its agenda entitled "Report of the United Nations High Commissioner for Refugees" to the Third Committee. The Committee considered this item at its 1447th to 1450th meetings from 5 to 7 December.

I. STATEMENT BY THE HIGH COMMISSIONER

2. At the invitation of the Committee, the High Commissioner made an introductory statement (1447th meeting), supplementing the written report he had submitted to the General Assembly through the Economic and Social Council (A/6311/Rev.1 and Rev.1/Add.1) and confining his remarks, first to summarizing the present state of refugee problems in different continents of the world and afterwards to the new and main aspects of his work.
3. As regards the refugee problem in Europe, it had been stabilized and, accordingly, the emphasis was placed again on the protection of refugees combined with a limited amount of financial assistance.
4. In Latin America, his Office intended to review methods of providing greater assistance for aged and mentally or physically handicapped refugees.
5. In Asia, programmes were being implemented with the assistance of the Governments of the countries of asylum and voluntary organizations on behalf of Tibetan refugees in Nepal and India, handicapped refugees in Macao and other groups

of refugees in the Near and Middle East, excluding the Palestinian refugees, who were the concern of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

6. It was in Africa that his Office was encountering the most pressing refugee problems. The number of refugees had increased within the past few months from 600,000 to approximately 700,000 and was likely to increase further unless the underlying causes of the problems were eliminated. The solution to the African refugee problem was, generally, the resettlement of the refugees in agricultural occupations, thus ensuring their participation in economic and social development. After providing initial emergency relief, his Office attempted, at the request and in close co-ordination with the Governments of the countries of asylum, to assist those Governments to carry out rural resettlement projects, at the same time seeking to secure bilateral and multilateral support and to co-ordinate its activities with the work of the economic and social development organizations. The Governments of countries of asylum must also realize the importance of integrated economic and social development to ensure a lasting resettlement of the refugees and give refugee projects the necessary priority in implementing United Nations-assisted development programmes.

7. Co-ordination of his Office's activities with those of other development programmes and agencies had accordingly been established and methods of co-operation worked out.

8. He referred to the increasingly important part of his Office's activities in Africa in the field of international protection. He pointed out that the statute of the Office of the High Commissioner for Refugees was universal in character and limited neither by time nor by geography. However, the main basis for protection to refugees was the Convention relating to the Status of Refugees of 28 July 1951, which laid down the minimum juridical status to be given to refugees. The Convention itself embodied a time-limit and, strictly construed, applied only to those persons who had become refugees owing to events preceding 1 January 1951. That was creating an unfortunate discrimination between the different groups of refugees, in particular against African refugees. For that reason, the Executive Committee of the High Commissioner's Programme had unanimously adopted a draft Protocol which had been transmitted to the General Assembly by resolution 1186 (XLI)

of the Economic and Social Council with its approval. He stated that it was clearly incumbent upon the Governments of countries of asylum to maintain public order and therefore to ensure that refugees could not, individually or in groups, engage in activities contrary to the domestic or foreign security of the country and to the interests of the great majority of refugees wishing to establish themselves peacefully in the country.

9. Regarding educational assistance to refugees, he hoped to continue his policy of assistance where refugees were directly concerned to the extent that the needs could not be satisfied by Governments or other existing programmes.

10. As repatriation, when it was freely consented to, was generally recognized to be the ideal solution to the problem of refugees, he had undertaken, when circumstances seemed propitious, to act as intermediary between the refugees and the countries of asylum, on the one hand, and the countries of origin, on the other.

11. With regard to the programme target for 1966 of \$4.2 million, there had been a shortfall of approximately \$1 million. The figure adopted by the Executive Committee as its target for 1967 was close to \$4.6 million, which, owing to the current rise in the number of refugees in Africa, might even prove inadequate. He urged Governments to provide adequate financing since it was unrealistic to think that private organizations would be able to provide a substantial part of the financing needed for his Office's assistance programmes.

II. GENERAL DISCUSSION

12. Many delegations expressed their appreciation of the work of the High Commissioner's Office and commended him personally for his imaginative approach to the continuing problem of the refugees. Special approval was given to the initiative that he had taken in visiting countries of origin in order to arrange for voluntary repatriation. General approval was expressed by delegations regarding the approaches made to the United Nations specialized agencies seeking their co-operation in connexion with refugee settlement plans.

13. While most delegations noted that the major refugee situations currently exist in Africa, several remarked on the fact that although the major aid programmes for European refugees were nearing completion, there was a small but continuing

European refugee problem and they expressed appreciation of the fact that the High Commissioner's Office was continuing to plan for them.

14. One of the delegations stated that the problem of Asian refugees was a continuing one and that the expansion of this group should be anticipated in view of recent events and urged neighbouring States to grant asylum.

15. As regards the draft Protocol to the Convention relating to the Status of Refugees of 1951, some delegations thought that article 1 of the draft Protocol might be approved by the General Assembly at the current session and the rest of the Protocol at the next session, and that perhaps Governments could be consulted in the meanwhile concerning the remaining text. Certain delegations felt that the General Assembly should not take any action on the draft Protocol without considering it in detail and approving its text. Many delegations, however, saw no reason why the General Assembly could not take note of the Protocol and request the Secretary-General to transmit it to the States concerned with a view to enabling them to accede to it.

III. DRAFT RESOLUTIONS

16. In the course of the discussion, two draft resolutions were submitted to the Third Committee. They were put to a vote at the 1450th meeting.

17. The first draft resolution, submitted by Austria, Canada, Colombia, Congo (Democratic Republic of), France, Ghana, Greece, Iran, Japan, Norway, Senegal, Sudan, the United Kingdom of Great Britain and Northern Ireland and Uruguay (A/C.3/L.1412/Rev.1), and the amendments thereto submitted by Uganda (A/C.3/L.1416) were voted on as follows:

(a) The first three paragraphs of the preamble of the draft resolution were adopted by 87 votes to none, with 10 abstentions. The amendment of Uganda to insert a new preambular paragraph after the third paragraph of the preamble was adopted unanimously. The last paragraph of the preamble was adopted by 87 votes to none, with 11 abstentions;

(b) The opening phrase of operative paragraph 1 was adopted by 88 votes to none, with 10 abstentions. Operative paragraph 1 (a) was adopted by 99 votes to none, with 1 abstention. The amendment of Uganda to operative paragraph 1 (b) with the inclusion of the words "voluntary and" before the words "rapid settlement"

proposed by the representative of the United Arab Republic and accepted by the representative of Uganda, was adopted by 69 votes to none, with 26 abstentions. Operative paragraph 1 (c) with the substitution of the word "assuring" for "ensuring", proposed by the representative of the United Arab Republic and accepted by the co-sponsors of the draft resolution, was adopted by 88 votes to none, with 12 abstentions. Operative paragraph 1 of the draft resolution as a whole, as amended, was adopted by 88 votes to none, with 12 abstentions.

(c) Operative paragraph 2 was adopted by 88 votes to none, with 12 abstentions;

(d) Operative paragraph 3 was adopted by 89 votes to none, with 12 abstentions;

(e) The draft resolution as a whole, as amended, was adopted by 89 votes to none, with 12 abstentions (see paragraph 20 below, draft resolution I).

18. The second draft resolution (A/C.3/L.1415) was submitted by Algeria, Burundi, Congo (Brazzaville), France, Guinea, Libya, Mali, Mauritania, Morocco, Pakistan, Sudan, Tunisia, the United Republic of Tanzania, Yugoslavia and Zambia. Amendments to the draft resolution were submitted by Austria, Greece and Nigeria (A/C.3/L.1418). These amendments were subsequently accepted by the sponsors of the draft resolution. The voting was as follows:

(a) The five preambular paragraphs of the draft resolution were adopted by 87 votes to none, with 12 abstentions;

(b) Operative paragraph 1, as revised by the three-Power amendment (A/C.3/L.1418), was adopted, in a roll-call vote requested by the representative of Burundi, by 86 votes to none, with 15 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Botswana, Brazil, Burundi, Cameroon, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Democratic Republic of), Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Finland, France, Ghana, Greece, Guatemala, Guinea, Honduras, Iceland, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libya, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Philippines, Portugal, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sudan, Sweden, Syria, Togo, Tunisia, Turkey, Uganda, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zambia.

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Against: None.

Abstaining: Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Hungary, India, Mexico, Mongolia, Poland, Romania, Rwanda, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

(c) In operative paragraph 2, as revised by the three-Power amendment (A/C.3/L.1418), a separate vote was taken, at the request of the representative of Jamaica, on the phrase "with a view to enabling them to accede to the Protocol". The phrase was retained in a roll-call vote, requested by the representative of Burundi, by 79 votes to 2, with 20 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Belgium, Botswana, Brazil, Burundi, Cameroon, Canada, Central African Republic, Ceylon, Chile, China, Colombia, Congo (Brazzaville), Congo (Democratic Republic of), Costa Rica, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Finland, France, Ghana, Greece, Guatemala, Guinea, Honduras, Iceland, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libya, Luxembourg, Malawi, Malaysia, Mali, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Philippines, Portugal, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sudan, Sweden, Syria, Togo, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zambia.

Against: Hungary, Jamaica.

Abstaining: Afghanistan, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Chad, Cuba, Cyprus, Czechoslovakia, India, Madagascar, Mexico, Mongolia, Poland, Romania, Rwanda, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America.

(d) Operative paragraph 2 as a whole, as revised by the three-Power amendment, was adopted by 82 votes to none, with 19 abstentions;

(e) The draft resolution as a whole, as revised, was adopted by 83 votes to none, with 15 abstentions (see paragraph 20 below, draft resolution II).

19. As a consequence of the vote on the revised draft resolution and the operative paragraphs thereof, a reference to article 1 of the Protocol relating to the Status of Refugees, which was included in the original draft resolution, was deleted.

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IV. RECOMMENDATIONS OF THE THIRD COMMITTEE

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

DRAFT RESOLUTION I

Report of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees^{1/} and having heard his statement,

Taking note of the progress achieved in all the countries of the world where the High Commissioner's Office is carrying out its activities, in the field of the international protection of refugees and in the search for permanent solutions to their problems through voluntary repatriation, voluntary integration in countries of asylum or resettlement in other countries,

Considering the increasing number and scope of refugee problems in Africa and in other regions of the world, and the additional responsibilities incumbent upon the High Commissioner as a result of the extension of his activities to new countries, most of them in a developing stage,

Recalling also General Assembly resolution 2040 (XX) of 7 December 1965, in which particular attention is given to the assistance of refugees in Africa,

Noting with concern the serious financial crisis at present affecting the assistance programme of the High Commissioner,

1. Requests the United Nations High Commissioner for Refugees to continue to provide international protection to refugees who are his concern, within the limits of his competence, and to promote permanent solutions to their problems:

(a) By facilitating their voluntary repatriation through any steps he may consider appropriate in conformity with the humanitarian character of his mandate;

(b) By facilitating the voluntary and rapid settlement of these refugees in the countries of asylum and by making available to these countries, especially developing countries, a maximum of aid, taking into account the specific requirements existing in each country of asylum;

1/ Official Records of the General Assembly, Twenty-first Session, Supplement No. 11 (A/6311/Rev.1) and document A/6311/Rev.1/Add.1.

(c) By assuring that in developing countries the plans for the economic and social integration of refugees, pending their possible inclusion in the economic and social programmes carried out by the competent organs and specialized agencies of the United Nations, are properly co-ordinated with those programmes, as well as with such other programmes as might be carried out by regional organizations;

2. Requests the competent organs and specialized agencies of the United Nations to take into account, at the request of the Governments concerned, the needs of the refugees when considering development plans;

3. Invites States Members of the United Nations and members of the specialized agencies to give their full support to the High Commissioner in the accomplishment of his humanitarian task and to place at his disposal the financial means necessary for the completion of his assistance programme.

DRAFT RESOLUTION II

Protocol relating to the Status of Refugees

The General Assembly,

Considering that the Convention relating to the Status of Refugees (hereinafter referred to as the Convention) signed at Geneva on 28 July 1951 covers only those persons who have become refugees as a result of events occurring before 1 January 1951,

Considering that new refugee situations have arisen since the Convention was adopted and that the refugees concerned may therefore not fall within the scope of the Convention,

Considering that it is desirable that equal status should be enjoyed by all refugees covered by the definition in the Convention, irrespective of the date-line of 1 January 1951,

Taking note of the recommendation of the Executive Committee of the High Commissioner's Programme expressing the wish that the draft Protocol relating to the Status of Refugees should be submitted to the General Assembly after consideration by the Economic and Social Council, in order that the Secretary-General might be authorized to open the Protocol for accession by Governments within the shortest possible time,

Considering that the Economic and Social Council, in its resolution 1186 (XLI) of 18 November 1966, took note with approval of the draft Protocol contained in the addendum to the report of the United Nations High Commissioner for Refugees^{2/} on measures to extend the personal scope of the Convention and transmitted the addendum to the General Assembly,

1. Takes note of the Protocol relating to the Status of Refugees contained in the addendum to the report of the United Nations High Commissioner for Refugees;^{2/}

2. Requests the Secretary-General to transmit the text of the Protocol to the States mentioned in article V thereof with a view to enabling them to accede to the Protocol.
