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President : Mr. J. MICHALOWSKI (Poland).

Present :

Representatives of the following States: Australia, Brazil, Denmark, El Salvador, Ethiopia, France, India, Italy, Japan, Jordan, Poland, Senegal, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yugoslavia.

Observers for the following Member States: Canada, Central African Republic, China, Czechoslovakia, Ecuador, Greece, Hungary, Indonesia, Iraq, Ireland, Israel, Mali, Netherlands, Spain, Sweden.

Observers for the following non-member States: Federal Republic of Germany, Holy See, Switzerland.

The representative of the following specialized agency: International Labour Organisation.

AGENDA ITEM 23

Report of the United Nations High Commissioner for Refugees (E/3637 and Corr.1 and Add.1)

In the absence of the President, Mr. El-Farra (Jordan), Second Vice-President, took the Chair.

1. Mr. SCHNYDER, United Nations High Commissioner for Refugees, introducing his annual report (E/3637 and Corr.1 and Add.1), said that the operations for the repatriation of the Algerian refugees in Morocco and Tunisia had been brought to a satisfactory conclusion. That action was the best proof of the value and efficacy of persistent effort, directed exclusively towards humanitarian purposes. Between 10 May and 15 July 1962, 165,000 persons had returned to their homes. In Algeria itself, the League of Red Cross Societies was making plans for assistance to the repatriates and to the people in need living in the border regions where most of the refugees were being resettled. He hoped that the appeal he had addressed recently to governments urging them to finance that humanitarian action would find the right response.

2. In addition, the period covered by the report, May 1961-May 1962, had been marked both by the consolidation of the tasks with regard to "old" European refugees

and by sometimes dramatic developments with regard to new problems of refugees outside Europe.

3. As far as European refugees were concerned, the stage of liquidation had been reached and the problem could be described as residual. What remained to be done was to terminate the major aid projects undertaken several years earlier and to restore to his Office its essential mission — international protection supported, where necessary, by supplementary aid.

4. Outside Europe, his attention had been claimed by new problems arising from numerous upheavals. His Office had been successively called upon to intervene in the Congo (Leopoldville) on behalf of refugees from Angola, in Togo and again in the Congo, for refugees from Rwanda who had posed problems also in Tanganyika, Uganda and Burundi. More recently, public opinion had been aroused by the mass influx of Chinese refugees into Hong Kong.

5. In the Congo, the presence of some 150,000 refugees from Angola had virtually ceased to be a problem once their resettlement had been assured in accordance with General Assembly resolution 1671 (XVI) through the joint action of the Government, of the United Nations in the Congo (ONUC), the High Commissioner's Office and the League of Red Cross Societies, together with voluntary agencies which were co-operating with them. In Togo, he had used his good offices by marshalling concerted efforts in order to facilitate the settlement of several thousand refugees in that small country of limited resources. More than 700 refugees had already been resettled in agriculture and another 300 would shortly be resettled on the land; action was planned for the rapid integration of the remainder in the various sectors of the economy. The Government of Tanganyika had been the first to ask for the assistance of his Office in solving the problem of the 9,000 refugees from Rwanda, but it was in the Kivu Province of the Congo that those refugees, numbering about 60,000, had been causing the gravest concern. With the active co-operation of the Government, the local authorities, ONUC, UNICEF and the voluntary agencies operating in the area, a solution was in sight for all refugees, approximately 40,000 in number, who had been unable to resettle themselves. In Uganda, which had 35,000 refugees from Rwanda, a governmental programme should, as in Tanganyika, enable those refugees either to continue to engage in stock farming or to be integrated in another sector of agriculture. The situation was more critical in Burundi, for the country could not absorb the 35,000 to 40,000 refugees from Rwanda whom it was sheltering. As a result of a visit by a member of his Office, the Government had agreed to the settlement of 15,000 refugees and for

that purpose had asked for the co-operation of the League of Red Cross Societies. The negotiations with the Congo (Leopoldville) Government and the Government of Tanganyika for the admission of 20,000 to 25,000 more refugees were going well. The action taken in those various countries would in no way preclude the possible voluntary repatriation of the refugees. The representative of his Office had lost no opportunity of pointing out to them that the sole purpose of their immediate integration into the host country was to enable them to support themselves and thus to preserve their human dignity; it would in no way prejudice their decision concerning repatriation. As yet, however, no appreciable movement in that direction had been noted.

6. In Hong Kong, the recent influx of Chinese refugees had inevitably given rise to delicate problems in view of the small size of the territory. He was keeping in touch with the competent United Kingdom authorities, pursuant to the General Assembly resolutions on good offices, and more particularly to resolution 1167 (XII).

7. It would be erroneous to think that the recent developments involved solely a mere geographical transfer of the activities of his Office from one sector to another. Although the most serious and acute refugee problems inherited from the Second World War were on the way to being solved, the European countries continued to be the chosen field for international protection, which was his Office's primary function. At the same time, the extension of assistance activities to other parts of the world had been accompanied by a more far-reaching change in the very concepts which guided the work of his Office and which had formerly depended on strictly legal criteria. One of the most important innovations during the past year had been the use in a renewed and expanded form of the good offices procedure established as the normal basis of his work by General Assembly resolution 1673 (XVI). In future, when the object was merely to give urgent material help, he would be free to act without first determining the eligibility of the refugees concerned or inquiring into the reasons which had induced a particular refugee to leave his country. Dissociated from the definition given by the original mandate, the term "refugee" had acquired a more specifically social meaning. The true understanding of the fundamentally humanitarian and non-political nature of the work of his Office had thereby been undeniably facilitated, and in some cases it had been able to rely on almost universal support, including, directly or indirectly, the support of the refugees' countries of origin. In so far as one of the tasks which he had set himself was to improve, as far as possible and within the limits of his prerogatives, understanding between peoples, it appeared that significant progress had been accomplished.

8. With regard to the settlement of the refugees coming within his mandate, the remaining task was reduced to such dimensions that its completion would be contemplated without undue difficulty, provided that the financing of the final aid programme approved by the Executive Committee at its seventh session (see E/3637/Add.1, para. 139) was assured. It was scarcely conceivable that at the very last moment the international community should relax its effort and deliberately refrain from har-

vesting all the moral and material benefit from the considerable sacrifices it had made over the past years. A final spurt in a spirit of solidarity was therefore required to dispose of those residual problems. He hoped that an important landmark in the history of his Office would thus be reached in the near future.

9. As the major programmes of aid to the refugees within the mandate approached their end, international protection naturally again became prominent among the daily preoccupations of his Office. Without any financial support, however, such protection would lose a large part of its effectiveness: it would be virtually impossible, for example, to resolve all the cases of handicapped refugees unless governments were prepared to participate, however modestly, in the initial expense of resettlement on the spot or in another country. One of the purposes of the current programme for complementary assistance approved by the Executive Committee (E3637/Add.1, para. 141) was to answer that need; the programme was intended simply to supplement action by governments or private agencies, to help resolve the most difficult cases and, by swift and appropriate action, to forestall any further accumulation of individual woes which sooner or later gave rise to major problems.

10. To meet problems as they arose and as constructively as possible was the rule which experience had taught the High Commissioner's Office in regard to the new refugees. For example, in the Congo it had been seen that speed had ensured the success of the action undertaken. But where the High Commissioner had to intervene under the good offices procedure, his major contribution consisted in stimulating practical sympathy and in co-ordinating efforts. By warning all the competent authorities and appealing to men of good will, his Office had succeeded, at the cost of a very small financial contribution on its part, in assisting the governments concerned successfully to cope with situations which might have become catastrophic. The objective, whenever possible, was to put the refugees in a position to work and become self-supporting without delay. If his Office was to initiate the action it wished to stimulate or give it timely backing, it must have the necessary funds. Such was the second purpose of the current programme for complementary assistance. Intervention was not automatic: it had to be requested by the government concerned; proof had to be furnished that the action was feasible and useful and that it was justified by the need for a special concerted effort by the international community. In addition to the \$5.4 million allocated for the completion of the major aid projects covering refugees within the mandate, the Executive Committee had earmarked a sum of \$1.4 million for the programme for complementary assistance for 1963. That sum gave an idea of the magnitude of the effort which might be requested of the international community in future years. Modest though it was, such an effort appeared adequate on the face of it to prevent the recurrence of situations similar to those which had necessitated the implementation of major programmes. It would also help to keep alive the spirit of international solidarity, but it could not, of course, cover expenditure on new larger-scale problems which, as in the case of the Algerian refugees, would call for special appeals to the international community.

11. The report before the Council was of special importance because the General Assembly would be expected to reach a decision concerning the possible prolongation of his Office. While there could be no question of anticipating that decision, he proposed to provide the Assembly with certain essential data on which it would be able to base a considered decision, in the light not only of the services which the Office had rendered in the past, but also of those which it might render if the General Assembly thought fit to prolong its existence. If its mandate should be continued, there was every reason to believe that the question of the membership of the Executive Committee would be reconsidered with a view to broadening its basis in a manner befitting the wider scope of the work of his Office.

12. In conclusion, he reiterated his fervent hope for a final, vigorous effort on the part of the international community to relieve his Office of its major preoccupations and enable it to devote itself fully to the new tasks facing it.

Mr. Michalowski (Poland) took the Chair.

13. Mr. VANNI D'ARCHIRAFI (Italy) said that the report of the Executive Committee, of which Italy was a member, gave evidence of the splendid work done by the High Commissioner's Office. Although confronted with serious problems of internal migration, his government had endeavoured to contribute to the fulfilment of the High Commissioner's programme. However, as a country of first asylum, Italy assumed a heavy responsibility: in the first half of 1962 it had admitted 1,542 refugees, only slightly fewer than the 1,793 refugees admitted in the corresponding period of 1961. For some countries, the arrival of refugees was an economic asset, but for Italy the problem of their permanent resettlement was still serious. That was why his government hoped that the resettlement countries would adopt a more generous policy in the matter of selection. It would itself make every effort to assist in solving the problem of the handicapped refugees and had recently assumed responsibility for the full cost of administering the protected community established near Salerno, which amounted to about 90 million lire annually.

14. In the matter of international protection, much still remained to be done, and the Italian Government was also anxious to take the necessary steps. In February 1962, Italy had ratified the 1954 Convention relating to the Status of Stateless Persons; the instruments of ratification were being deposited with the Secretary-General of the United Nations and the travel documents provided for in article 28 of that convention would shortly be issued. Moreover, on 16 June 1962, Austrian and Italian experts had met in Rome and worked out a draft agreement for the selection of refugees. Confirmation of that agreement was expected shortly and it would come into force thirty days after the exchange of notes between the Italian Embassy at Vienna and the Austrian Ministry of Foreign Affairs. Similar agreements were being negotiated with Germany, Belgium and Switzerland. The Ministry of Labour and Social Welfare was considering the further liberalization of the measures of assistance and social security which the refugees enjoyed under article 24 of

the Geneva Convention relating to the Status of Refugees of 28 July 1951.

15. To cope with additional problems the High Commissioner's Office was reappraising its methods, and he hoped that it would persevere with its task until the European refugee problem had been solved. The devotion and persistence of the High Commissioner and his staff and the remarkable results they had already obtained would surely encourage all Member States to assist in the work. In that spirit, Italy had made a voluntary contribution of 20 million lire for the Algerian refugees in Tunisia and Morocco.

16. Mr. REVOL (France) said that France, traditionally a country of refuge, had a deep interest in refugee problems. The High Commissioner was to be congratulated on the competence and realism with which he discharged his functions. It was reassuring to note that the number of refugees in camps and of non-settled refugees had dropped by half within a year, that the programme of aid to handicapped refugees living outside camps was being implemented and that the conditions of admission were being liberalized in most regions: the governments of countries of final settlement, particularly those of Australia and Brazil, deserved congratulation for their policy in the matter of refugee resettlement.

17. Although within the traditional field of activity of the High Commissioner's Office there remained only residual problems, it would be wrong to assume that it could be left to disappear when its mandate expired. In fact, as with all human problems, those concerning the refugees were never completely solved. No one, unhappily, could assert that all tensions which might cause mass flights of population had vanished or would vanish in the near future. Even if one could believe that they would, the tasks of the High Commissioner would not thereby be at an end. Whatever happened, he had to go on watching over the protection of refugees, and in particular their legal protection under the 1951 Convention, the scope of which was expanding steadily since it had been ratified by thirty-three countries.

18. That protection should become increasingly the core of the High Commissioner's mandate, which the French delegation thought should be renewed on the expiry of the existing mandate on 31 December 1963. Naturally, the Office would scale down its services in keeping with the situation created by its own success; however, care should be taken to preserve as far as possible its structure and its balance and to avoid any change not necessitated by events in an institution which had proved its worth.

19. The French delegation had a special reason for desiring an extension of the High Commissioner's mandate: in the Commission on Human Rights France had proposed that a declaration on the right of asylum should be prepared, and the High Commissioner had expressed interest in such a declaration. The beneficiaries of the right of asylum were the potential refugees, and the existence of the High Commissioner alone could guarantee them that haven of security which the eventual benefit of refugee status implied for them.

20. There was one aspect of the work of the High Commissioner's Office which was no longer new, but was be

coming more and more timely: good offices. From the very beginning, the French delegation had made some reservations in principle about that form of action, which might involve the High Commissioner in delicate situations and so harm the refugee cause. While stressing the need for caution, the French delegation had also said at the thirty-second session of the Council (1173rd meeting) that the High Commissioner's past record was a guarantee of such prudence and the year's results showed that its confidence had not been misplaced. It was still true that prudence, which the High Commissioner himself had called for, was more than ever necessary. In that connexion, the end of the refugee operation in Algeria showed that such situations should never be considered to be permanent. He would thank the High Commissioner for his tactful handling of the return of those refugees.

21. Mr. FURLONGER (Australia) congratulated the High Commissioner and his staff on an impressive record of achievement in 1961. Since 1945 Australia had admitted 250,000 refugees — one-fifth of the total number resettled — and in 1961 it had admitted over 8,000, or one-third of the total number moved by the High Commissioner's Office and the Inter-governmental Committee for European Migration.

22. The close association with the High Commissioner's Office which had resulted from this effort had brought home to the Australian Government the signal efficiency, the humanitarianism combined with realism and the economy with which that office operated; the expenditure of \$6.8 million envisaged for 1963, for example, was modest in relation to the scale of the problem. The year 1961 had been one of outstanding progress, even compared with the good record of previous years; 12,000 persons had been resettled, the camp population had been reduced by half and the end of the Far Eastern operation was in sight. Considerable progress had been made in dealing with the problem of handicapped refugees. The information in the report substantiated the High Commissioner's claim that the time was approaching when it would be possible to speak of having reached the residual stage in the solution of the "classical" problem of refugees, though of course the need for international protection would continue.

23. However, new problems had arisen, particularly in Africa, necessitating action under the High Commissioner's good offices authority. Under that authority, he already had considerable achievements to his credit, 165,000 Algerian refugees having been repatriated in little more than two months. Substantial progress had also been made in dealing with problems which had arisen elsewhere in Africa. The Australian Government intended to give sympathetic consideration to the question of the extension of the mandate when it came to be considered in the General Assembly.

24. Mr. KOPCOK (Yugoslavia) said the report showed that, with the assistance of the international community, the High Commissioner had successfully accomplished many of the tasks entrusted to him during 1961-1962. In that connexion, he emphasized the unanimous opinion that the question of the settlement of the "old" refugees should be finally disposed of and that in future the High

Commissioner's main concern should be the legal protection of refugees.

25. One of the most important achievements of the period under consideration had been the repatriation of the Algerian refugees in Tunisia and Morocco. The Yugoslav Government had always followed with the keenest interest the implementation of General Assembly resolution 1672 (XVI), and had itself on three occasions granted those refugees aid to the total amount of 150 million dinars, excluding the collection made in Yugoslavia for Algerian children. Recently, in response to the High Commissioner's appeal, the Yugoslav Government had dispatched for the refugees 100 tents, each with accommodation for 12 persons, and 20,000 metres of cloth, in addition to 20 marquees for use as field hospitals. In addition, the Yugoslav Red Cross had sent out a team of doctors and nurses. But the repatriation of the refugees, which was being successfully carried out thanks to the efforts of all the organizations concerned and of the international community, did not mean that the High Commissioner's work in Algeria should come to an end. On the contrary, the Algerian Government should be helped to secure the full resettlement of the refugees, most of whom had lost their homes and were entirely destitute.

26. The appearance of new categories of refugee — for example, the 150,000 persons who had fled from terror and persecution in Angola — would require further efforts on the part of the international community and the High Commissioner's Office, which would have to provide shelter and direct aid for the refugees until they could return home. The Yugoslav Government for its part spared no effort to help the refugees in Yugoslavia. The question of such help had been discussed in the Executive Committee of the High Commissioner's Programme at its seventh session (see E/3637/Add.1, p. 32), and the suggestion had then been made that the High Commissioner's Office should consider, together with the competent Yugoslav authorities, the possibility of including Yugoslavia in the High Commissioner's programmes for some years to come. He hoped that that suggestion would be taken into account and that the international community would thus help to lighten Yugoslavia's burden. By agreeing to admit refugees, Belgium, France and the United States had expedited the closure of the Gerovo camp and helped to secure the resettlement of the Albanian refugees who had been in that camp. The Yugoslav Government wished to express its gratitude to the Governments of the countries he had mentioned and to the High Commissioner whose recent visit to Yugoslavia had certainly contributed to the solution of some of the problems which had arisen and had given him a better idea of those which still persisted.

27. Aware of the need for a prompt solution of the refugee problem in general, and in keeping with its humanitarian policy, the Yugoslav Government had adopted a series of measures to enable Yugoslav refugees abroad to regularize their position. Under the recent Amnesty Act, all who had emigrated during or after the Second World War were free to return to Yugoslavia if they so wished, where they would enjoy full citizenship rights. Those who had acquired a foreign nationality

could visit Yugoslavia without fear of being prosecuted for offences covered by the amnesty. Very many Yugoslavs residing abroad had already either expressed the desire to be repatriated or to visit their families. The Yugoslav Government trusted that the measures it had adopted would receive the full understanding and support of the High Commissioner and of the governments of the countries in which the persons in question were living.

28. Mr. KOTSCHNIG (United States of America) said that for nearly 200 years the United States had been a country of refuge and settlement. It owed much to refugees who had come to live there and was conscious of their contribution to the political, economic and cultural life of the country. He had been personally connected with refugee problems from as far back as 1925 and knew from direct experience how difficult and yet how rewarding was the work. It was heartening to see, at a time when so many international problems seemed intractable, the success of international action on behalf of refugees and the prospect it gave of a new life. The High Commissioner and his staff were to be commended for the exemplary manner in which they were carrying out their functions. The programme executed during the past two years had been notably successful, and he was glad to note that the problem of "old" refugees was now nearly solved. However, international protection would continue to be needed, especially in order to ensure that refugees were given the right to work and so to lead constructive lives in their new countries of residence.

29. He had been greatly impressed by what had been done in Africa under the High Commissioner's good offices authority.

30. At the seventeenth session of the General Assembly, his government would press for an extension of the mandate of the High Commissioner's Office for a sufficiently long period to allow for careful planning and further constructive action on long-term problems. It was fortified in that resolve by the knowledge that the Office was headed by an enlightened and dedicated High Commissioner, imbued with the humanitarian traditions of his country.

31. Miss NASSER (Jordan) paid a tribute to the excellent work being done by the High Commissioner and his staff and in particular to the efficient and rapid action taken in conjunction with the League of Red Cross Societies for repatriating Algerian refugees. Like the French representative, she too hoped that the problem of refugees would be solved once and for all, never again to reappear.

32. Sir Samuel HOARE (United Kingdom) thanked the High Commissioner for his interesting statement supplementing the report. It was gratifying to learn that one of the main elements in a task that had been only too extensive and protracted should be approaching a solution and that the liquidation of the problem of the "old" refugees in Europe was in sight. That was due both to the administrative skill of the High Commissioner's staff and to the funds obtained during the World Refugee Year, the idea for which had originally been suggested

in the United Kingdom, which had also made a substantial contribution to the funds for the Year.

33. He had been impressed by the range and success of the activities undertaken during 1961, and more particularly by the work done on behalf of the Algerian refugees to which his government and the British Red Cross Society had contributed.

34. The High Commissioner and his staff had given ample evidence of the perseverance, skill, tact and energy displayed by their predecessors.

35. Mrs. KASTALSKAYA (Union of Soviet Socialist Republics) said that it was apparent from the report that, during the past two years, the main body of refugees within the High Commissioner's mandate had come from African countries. They were refugees in the fullest sense, refugees from the persecution they had suffered for their participation in national liberation movements. That was particularly true of refugees from Angola and South Africa. It was high time that the declaration on the granting of independence to colonial countries and peoples (General Assembly resolution 1514 (XV)) was implemented. Meanwhile, the United Nations and the High Commissioner for Refugees should continue to assist such refugees, a work in which the Soviet Union participated.

36. Since there had been a reference in the High Commissioner's statement to the so-called Chinese refugees, her delegation felt bound to point out once again that the persons in question were not refugees, but were travelling in search of work, as a result of the temporary economic difficulties in China caused by two bad harvests. In fact, they were in the same category as, for instance, the Italian nationals who went abroad in search of work; as such, they were not within the High Commissioner's mandate, for they would undoubtedly return as soon as the food situation in China improved. So far as she was aware, China placed no restrictions on the movements of Chinese nationals travelling between their country and Hong Kong or Nepal, or vice versa.

37. Mr. MELLER-CONRAD (Poland) said that his delegation had on many occasions in the past set forth the Polish Government's views on the work of the Office of the High Commissioner for Refugees. He would therefore merely recall the reservations which had been expressed on those occasions, while emphasizing that they had no personal implications in respect of the High Commissioner, whom the Polish delegation wished to congratulate and thank for what he had done on behalf of so large a number of refugees.

38. The PRESIDENT declared the debate on agenda item 23 closed. In the absence of a draft resolution, he proposed that, as in previous years, the Council should adopt a resolution taking note of the High Commissioner's report.

It was so agreed.

The meeting rose at 12.45 p.m.