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Summary record of the 590th meeting

Held at the Palais des Nations, Geneva, on Monday, 3 October 2005, at 10 a.m.

Chairman: Mr. Martabit..... (Chile)

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

Opening of the session (item 1 of the provisional agenda)

1. **The Chairman** declared open the fifty-sixth session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees. He welcomed the delegations of Ghana and Romania as new members of the Executive Committee and wished the High Commissioner, Mr. António Guterres, much success in his new position. In an informal meeting with the Executive Committee on 17 June 2005, the High Commissioner had set three main priorities, namely greater transparency and credibility of the administration in all its operations; re-establishment of the protection mandate as the centrepiece of UNHCR activities; and the adoption of a comprehensive approach to humanitarian assistance. Those three objectives were particularly important in the framework of the reform of the multilateral system. The international system must spare no effort to assist innocent victims in difficult situations, including refugees and displaced persons. States, on the other hand, must do their utmost to prevent such situations and should cooperate with humanitarian organizations and their representatives on the ground to enable them to fulfil their mission.

2. He thanked States and local communities that hosted thousands of persons and families despite their own problems, and Governments and institutions that contributed generously to efforts to end tragic and complex situations.

Adoption of the agenda and other organizational matters (item 3 of the provisional agenda) (A/AC.96/LVI/1)

3. *The agenda was adopted.*

Statement by the High Commissioner and general debate (agenda item 4)

4. **Mr. Guterres** (United Nations High Commissioner for Refugees) said that UNHCR fully supported the United Nations Secretary-General's programme presented at the 2005 World Summit. It was a step forward on the difficult path to world peace, security and development. UNHCR was hopeful that the decisions taken at the World Summit would create new opportunities for addressing the root causes of conflict that led to forced displacement.

5. UNHCR was, above all, a protection agency; its mandate required that it put the needs of refugees above all else. Therefore, all actions must be protection-minded and be judged by their protection implications and all staff members must consider themselves protection agents. In that connection, a proposal had been put forward to appoint an Assistant High Commissioner (Protection) and to reorganize support services for field operations to ensure more effective protection delivery. He was firmly committed to the Agenda for Protection; the five commitments to refugee women; and the five priorities for refugee children. UNHCR's urgent priority for 2006 was to integrate a gender, age and diversity perspective into all its policies and programmes, especially those aimed at eradicating malnutrition and substantially increasing capacity to fight HIV/AIDS and other major health risks.

6. As a protection agency, UNHCR was facing the major challenges of combating rising intolerance in modern societies, preserving asylum, and addressing the gap between humanitarian relief and development. He called on Government representatives and members of civil society to stand together in confronting the populist approach and promote tolerance and democratic values. Preserving asylum meant challenging the notion that refugees and asylum-seekers were the agents, rather than victims, of insecurity or terrorism. The need to establish a link between relief and development also represented a major

challenge for the international community, which was due essentially to the lack of coordination between international institutions and the donor community. Given that conflict prevention and post-conflict management were crucial to preventing displacement, UNHCR welcomed the creation of the Peacebuilding Commission and pledged its unequivocal support. Efforts to consolidate peace must incorporate durable solutions for refugees and displaced persons.

7. UNHCR was not a development agency. However, in the framework of the United Nations Development Group, it had consistently emphasized the need to include refugees and displaced persons in national development planning exercises. It had further undertaken to work with the United Nations Development Programme, the World Bank and other partners to help people of UNHCR concern become more productive and self-reliant during their displacement and upon return. UNHCR would also support development processes in countries of origin and host countries. The Convention Plus initiative was intended as a collective effort to address protracted refugee situations, adopt a comprehensive approach to finding durable solutions, find innovative means of burden-sharing, and give fresh impetus to resettlement.

8. At present, there was general consensus that the inability to address internal displacement had become the single biggest failure of international humanitarian action. UNHCR, which in the past had been accused of lacking commitment, predictability and coherence, resolved to be fully engaged as a partner to rectify past errors. The discussions of the Inter-Agency Standing Committee in September 2005 led by the Emergency Relief Coordinator had shown the need for a clear delineation of responsibilities in the matter of internal displacement. UNHCR had been made responsible for leading the clusters on protection, camp coordination and management and emergency shelter in future emergencies. In existing situations, careful consideration should be given to a flexible transition of responsibilities and mandates of different international actors. Two clear conditions applied to UNHCR involvement with internally displaced persons, namely the preservation of the right of affected populations to asylum and the additionality of funding. Funds must not be diverted from refugee action; UNHCR therefore relied on the support of the Executive Committee and the efforts of the Emergency Relief Coordinator to meet any additional requirements, in particular through a revitalized and upgraded Central Emergency Revolving Fund.

9. In 2004, UNHCR had deployed 184 emergency missions to 24 countries. However, compared with the mid-1990s, its capacity to respond promptly to emergencies had diminished. With the physical security of refugees and returnees remaining high on its protection agenda, UNHCR had strengthened its support for national police forces responsible for refugee camp security and had stepped up its cooperation with the Department of Peacekeeping Operations in key areas such as public order, mine action, disarmament, demobilization and reintegration. UNHCR had also undertaken to ensure that its staff could operate where they had to and to minimize the risk for their physical security. The implementation of minimum operating security standards and training were crucial in that regard.

10. To address those challenges, UNHCR must show vision and results. It needed strong partnerships and a sound funding base. Greater transparency and accountability were also crucial. UNHCR had taken measures to strengthen the Inspector General's Office and its independence by enforcing clear rules of non-interference and by sharing the results of inspections with shareholders. Members of the Executive Committee would now be able to access inspection findings. UNHCR had also committed itself to establishing a results-based management system with clear and measurable objectives. In 2005, it had for the first time issued global strategic objectives at the beginning of the planning cycle to guide the

budget and programming process. It had also expanded the scope of its information technology programme to enhance transparency, reduce reporting and improve monitoring.

11. The structural reform proposals presented to the Executive Committee aimed at generating a centralized policy development capacity and enhancing cooperation within top management based on a cabinet-like approach. They would facilitate the creation of new links between support services and operational command and help strengthen the central role of the Bureaux, which must receive all relevant information on field activities. A zero-growth policy would be pursued for headquarters staffing; new posts would be offset by discontinuations. One key aspect of the structural reforms was the definition of a workforce management strategy to address simultaneously the efficiency of the Office, the personal fulfilment and well-being of staff and effective gender balance. It must go hand in hand with simplifying reporting lines and reviewing administrative and budgetary procedures to increase transparency, accountability and efficiency.

12. He commended the hospitality of countries of asylum, some of which received millions of refugees despite their limited resources and a tremendous risk for the environment. He also thanked major donors that bore the bulk of UNHCR's funding burden. UNHCR would do its utmost to enlarge its funding base with new donors and a strong emphasis on private and corporate funding. In the meantime, it had launched appeals to its main donors to increase their 2005 contributions to overcome the present shortfall. While he shared the concerns about the proposed 2006 budget, it should be acknowledged that every effort had been made to prioritize activities and keep expenses, especially administrative costs, to a minimum.

13. UNHCR relied on the support and expertise of NGOs in all areas of its activities, in particular emergency response, reintegration and protection. The aim was for those organizations, which in 2004 had comprised 605 NGOs, including 453 national NGOs, to increasingly become strategic partners, with a meaningful dialogue in the definition of objectives and policies. He expressed his appreciation for the excellent cooperation of UNHCR sister agencies and the Red Cross and Red Crescent Movement, and thanked the World Food Programme for its excellent cooperation and permanent and devoted support to refugees. UNHCR had a long history of working with regional organizations in seeking lasting solutions for refugees and displaced persons, including the European Commission and the African Union. The same efforts must be made in Asia and the Americas. UNHCR was also cooperating closely with the Organization of the Islamic Conference (OIC) to organize a conference on refugees in OIC member States, which would, he hoped, take place in 2006.

14. The year 2005 had seen large-scale repatriation movements. Nearly half a million Afghans had been assisted to return home, which brought the total number who had received assistance since 2002 to 3.8 million. For UNHCR, voluntary repatriation remained the main priority. In Africa, over half a million refugees would have returned home in 2005. UNHCR had facilitated the repatriation of over 38,000 Liberian refugees and had provided material assistance and transportation for the return of 200,000 displaced persons. Following the recent elections in Burundi, the rate of returns from Tanzania in August and September 2005 had doubled compared with previous months, reaching 43,700 by the end of September 2005. The international community must rally support for institutional capacity-building and economic development in southern Sudan to create the conditions for sustainable returns. It must also commit fully to the peace process in eastern Sudan and Darfur. A peace agreement was a prerequisite for the gradual re-establishment of security, confidence-building and the promotion of reconciliation.

15. Progress had been made in a number of cases: 12,000 Tajik refugees had been granted citizenship in Turkmenistan, and there was a prospect of solutions for the Vietnamese Montagnards and Myanmar nationals in Thailand. By contrast, other situations

had lasted far too long, including the situation of Saharan refugees in Tindouf, of Bhutanese in Nepal and of Rohingyas in Bangladesh. In Iraq, many were still waiting for political stability. The central and southern regions of Somalia were still at the early stages of political reconstruction. Return to the Democratic Republic of the Congo was gaining momentum. At the same time, other problems had re-emerged. The situation in Côte d'Ivoire, the Central African Republic and Myanmar should be monitored closely. In countries such as the Democratic People's Republic of Korea, human rights violations were among the root causes of population displacement.

16. One of UNHCR's greatest difficulties was how to deal with bona fide asylum-seekers concealed by migratory flows while addressing Governments' legitimate concerns about border management. Progress in that area was sometimes hampered by a lack of access to target groups. He reiterated UNHCR's willingness to cooperate with States in the regions affected in building capacity and ensuring that those in need of international protection were granted asylum. UNHCR would continue to pay particular attention to direct or indirect refoulement resulting from bilateral agreements that disrespected international law or from the treatment of bona fide asylum-seekers as illegal migrants.

17. The 10-year CIS Conference process had concluded in 2005. Although gaps remained, much had been achieved in helping countries build their own capacity and establish the necessary legislative and administrative tools for managing migration and asylum. However, the region continued to experience problems of internal displacement. UNHCR was ready to assist European Union member States in ensuring that the transposition of EU asylum directives into national legislation did not undermine protection. Europe must remain a continent of asylum. UNHCR welcomed the ratification by Afghanistan of the 1951 Convention and the 1967 Protocol as an important step towards peace and stability. It also welcomed Senegal's accession to the 1961 Convention on the Reduction of Statelessness.

18. UNHCR faced great challenges. Many objectives would remain out of reach unless the international community was willing to address the underlying causes of forced human displacement. UNHCR was dealing with the symptoms of a disease. Whether it was poverty and exclusion, violent conflict or massive violations of human rights, the challenge for the contemporary world was to tackle the disease itself.

19. **Mr. Greene** (United States of America) thanked the many countries and organizations around the world who had provided prompt resistance to the United States following Hurricane Katrina. That experience, which had given the American people first-hand experience of displacement, further strengthened their resolve to continue to be a leading force in the international response to refugee situations around the globe.

20. In response to the statement by the High Commissioner, he would make five points. Firstly, protection must certainly be at the heart of UNHCR activities; however, despite the progress made, much remained to be done to strengthen the international protection system. Secondly, durable solutions must be found for a number of protracted refugee situations. The United States' commitment to resettlement remained strong, having resettled over 2.6 million refugees since 1975. In 2005, the United States had opened its doors to nearly 54,000 refugees from over 50 countries for permanent resettlement. For 2006, President Bush intended to increase the number of admissions by nearly 30 per cent, to 70,000 persons. To that end, the United States would rely on UNHCR support. Thirdly, the United States applauded UNHCR's initiative to strengthen its very important partnerships with other international organizations and NGOs. UNHCR could not fulfil its protection mandate effectively without full partnerships with NGOs. Those partnerships were also at the core of the proposed United Nations "cluster" approach to internally displaced persons. While the implementation of that approach required further consideration, the United States was pleased that UNHCR had recognized that it could offer resources and technical

expertise. The United States looked forward to a continuing dialogue with UNHCR with a view to improving the international response to internal displacement.

21. Fourthly, UNHCR must ensure that a core of experienced international experts could be deployed on short notice. A more flexible human resource policy should be introduced to support that objective. In emergency situations, all parties needed to work together to create a secure environment for both refugees and humanitarian workers. Fifthly, effective multilateral action meant demonstrating the will, including in financial terms, to make the international system work. The United States remained a committed partner of UNHCR. At the end of September 2005, his Government had made an additional contribution of \$10 million, which brought its contribution for the 2005 fiscal year up to some \$320 million.

22. The importance and urgency of the international community's collective efforts were clear: improving emergency response, protecting the rights of refugees and ensuring their safe and dignified return meant sustaining lives and hopes. Everyone had a role to play in that effort.

23. **Mr. Metcalf** (United Kingdom), speaking on behalf of the European Union, firmly condemned the terrorist attacks that had taken place in Indonesia and expressed his condolences to the Indonesian people. The European Union appreciated the efforts, courage and commitment of those who worked to protect refugees in the field and expressed its deepest sympathy with regard to humanitarian workers who had been killed or injured in the past year.

24. During the past year, UNHCR had had to face up to many old and new challenges. The European Union was concerned by reports of recent attacks by Arab militias on the Aro Sharow camp for internally displaced persons and neighbouring villages in west Darfur. All parties to the conflict must come to a lasting peace agreement without further delay. He thanked Chad and all other refugee-hosting countries for their generosity and hospitality and for respecting all their obligations under international law. The European Union welcomed the peace accord for southern Sudan and supported UNHCR's efforts to improve conditions for people returning spontaneously. It also welcomed the roles played by UNHCR and the Governments of Kyrgyzstan and Romania in resolving the problem of Uzbek refugees and called on all States to fully respect their obligations under the 1951 Convention relating to the Status of Refugees and other relevant instruments. Notable progress had been made in Afghanistan, Angola, Burundi and the Democratic Republic of the Congo. The European Union aimed to adopt a long-term strategy for partnership with Africa and believed that reintegration programmes based on voluntary repatriation could offer lasting solutions.

25. The European Union acknowledged the burden borne by certain regions in protecting refugees and had developed regional protection programmes, in cooperation with UNHCR and host countries, to improve the protection of the persons concerned and to find sustainable solutions to their plight, including resettlement, where appropriate. That initiative formed part of efforts towards the establishment of a common European asylum system by 2010. To that end, the European Commission would take stock of the assessment and monitoring of the implementation of existing legal instruments, building on the results of the intensified practical cooperation between the asylum services of member States in conformity with the Hague Programme. While UNHCR had a comparative advantage in affording protection to refugees and other vulnerable persons, it must ensure the presence of an adequate number of competent staff. The Surge Capacity Project, while certainly important, was not an adequate substitute for permanent posts. The European Union appreciated the creation by the Protection Information Section of the Department of International Protection of an information network on countries of origin, which was extremely valuable to its member States. He congratulated UNHCR on its plans to include

an age, gender and diversity perspective in all its policies and on the progress made in implementing its five priorities for refugee women.

26. The European Union was pleased that UNHCR was focusing on finding long-term solutions to refugee protection in the framework of the Convention Plus initiative. While progress had been made, it would be useful to know what “mainstreaming” Convention Plus meant in practice. UNHCR should ensure that displaced persons, refugees and returnees were included in development plans and planning for transition and reconstruction. In spite of its efforts in the field of development, UNHCR remained first and foremost a humanitarian organization. To ensure maximum assistance to vulnerable persons in humanitarian crises, it relied on increased cooperation and coordination between all organizations involved, under the leadership of United Nations humanitarian coordinators. There was also greater need for coordination between donors to facilitate the work of agencies like UNHCR, avoid situations where some crises became fashionable and others were forgotten, and prevent donors from earmarking their contributions for one single body. Funding should be provided on the basis of need, and UNHCR must continue its needs-based programme planning and budgeting, in particular by mainstreaming participatory needs assessment methods.

27. The European Union welcomed the efforts made by the High Commissioner to improve transparency and accountability of UNHCR management. It supported a rapid transition to results-based management, which would have a positive impact on UNHCR efficiency and effectiveness.

28. **Mr. Hosseini** (Islamic Republic of Iran) stressed the need for linkage and coordination between development and relief. However, development assistance should be considered additional to existing humanitarian assistance, instead of leading to a decrease in humanitarian relief. Furthermore, it must take account of the particularities of each country or region. Migration and refugees were also common areas that needed UNHCR engagement. UNHCR should not, however, shift its attention from refugees to migrants, which would undermine its mandate. Protection was at the heart of UNHCR’s mandate and Iran supported the creation of the post of Assistant High Commissioner (Protection). His delegation hoped that the new structure would strengthen the efficiency of the agency and would gradually include voluntary repatriation. UNHCR should cooperate with other organizations to address the situation of internally displaced persons, provided that such activities did not divert attention and resources from refugee issues.

29. For the past 30 years, Iran had been hosting large numbers of refugees. By the end of 2004, it had still been the first country of asylum in the world, hosting 11 per cent of all refugees, which placed a heavy burden on the population and the Government. Since 2002, the preferred solution for Afghan refugees had been voluntary repatriation; 60 per cent had already returned in safety and dignity and were participating actively in the reconstruction of their country. Many had pursued higher education or benefited from vocational training while in Iran. Iran was grateful to UNHCR and other international organizations for their assistance in facilitating the return of Afghan refugees. However, over 1 million refugees still awaited an opportunity to return home. Those living in camps had been affected negatively by the interruption of care and maintenance contributions and five food items by UNHCR and the World Food Programme. There was a need to reassess the situation of Afghan refugees on the ground and address the problems identified in recent years. The strategic consultations on Afghan refugees and population movement scheduled for 7 October 2005 would be a welcome opportunity in that regard.

30. The situation of Iraqi refugees was nowhere near as encouraging. Many were still waiting to be interviewed by UNHCR and given transportation assistance. In several cases, previously arranged repatriation had been postponed or cancelled, which had led some refugees to return of their own initiative, with the attendant risks. He hoped that, as

progress was made in Iraq, UNHCR would redouble its efforts to assist in the repatriation of Iraqi refugees.

31. Resettlement clearly had advantages. While resettlement opportunities for Afghan refugees in Iran were negligible, only 1,750 out of over 1 million had been resettled in other countries since 2003. It would thus be useful to step up efforts to promote resettlement as a durable solution.

32. **Mr. Hussain Chattha** (Pakistan) said that the contemporary world was characterized by political conflict, terrorism and poverty that formed the basis for inequality, injustice and intolerance leading to oppression, violence and subsequent displacement. Even more dangerous were the theories motivated by prejudice. The postulated clash of civilizations lacked any historical basis. On the contrary, civilizations had grown and prospered through mutual interaction and enrichment. The solution to contemporary problems lay in the dialogue between civilizations.

33. In the past year, positive changes in Afghanistan had facilitated the voluntary return of over 400,000 Afghan refugees in Pakistan. However, only 21 per cent of the over 3 million still waiting to return could do so in safety; three quarters remained in Pakistan owing to a lack of shelter or means of subsistence in their country of origin. Since the democratic process and political infrastructure in Afghanistan had been consolidated by the September 2005 election, there was hope that the socio-economic and security aspects could also be put on a sound footing. Pakistan contributed actively to rebuilding Afghanistan and the international community should do likewise.

34. In consultation with UNHCR and the Afghan Government, Pakistan had extended the voluntary repatriation programme for Afghan refugees until December 2006. After that date, emphasis would be placed on assistance with reintegration, rather than transport, to ensure the sustainability of returns. Voluntary repatriation was the best solution for Afghan refugees in Pakistan. However, refugees themselves did not always favour that option. That was why it was important to regulate their temporary stay. In consultation with UNHCR and the Afghan Government, Pakistan had developed a project to register the Afghan displaced population. The registration exercise would cost some US\$ 7 million and Pakistan would rely on support from the international community for its implementation.

35. Being host to thousands of refugees for over a quarter of a century had taken a heavy toll on Pakistan, not only in terms of security, but also in economic, sociocultural and environmental terms. The support of the international community was crucial to implementing programmes specifically targeting host regions, which should include the Millennium Development Goals and national poverty reduction strategies. Pakistan was firmly committed to continuing its cooperation with UNHCR and the international community to find a solution to the protracted situation of Afghan refugees on its territory and to that of all other refugees in the world.

36. **Mr. Ayalogu** (Nigeria), speaking on behalf of the African Group, said that the situation of refugees in Africa had changed considerably over the past year. Peace processes and improved security situations in several countries had facilitated the return of thousands of persons. However, creating the conditions for a sustainable return was crucial; when returning refugees and internally displaced persons had a struggle to survive, new conflicts and population displacements were inevitable. They must be provided with means of livelihood and be granted access to health care and education. African countries, many of which were emerging from long-standing conflicts, were not in a position to shoulder the full responsibility of receiving returning refugees. To create the conditions for sustainable return, the international community needed to assist them, particularly through guaranteed funding for repatriation programmes.

37. Peace initiatives were not concluded when a peace agreement was reached. The process could only be completed if all actors concerned with peace, security, humanitarian assistance and development continued to provide the assistance necessary to ensure the sustainability of voluntary repatriation. The African Group believed that the envisaged Peacebuilding Commission could provide a forum where those actors, including UNHCR, could come together to create and implement comprehensive solutions for protracted refugee situations. The Executive Committee could not ignore the severity of the problem. Nearly two thirds of refugees lived in camps with little, if any, prospect of a durable solution. That situation must not be ignored when focusing on mass displacements. As with voluntary repatriation, the African Group considered that cooperation between all actors concerned, not just humanitarian personnel but also those working in the field of development, was indispensable.

38. While the African Group was still in the process of considering the action proposed by UNHCR to address internal displacement, it stressed that the needs of refugees, especially in protracted situations, should always be taken into account in budget preparation and the allocation of valuable UNHCR human and financial resources. The projected \$181 million shortfall was cause for grave concern, since underfunding of programmes had a devastating socio-economic and security impact on African refugee host countries.

39. In the view of the African Group, targeted development assistance was of paramount importance and should become a priority item on the Standing Committee's agenda as soon as possible. Targeted development assistance should be integrated in budget programming and regional and other initiatives for international protection. It must go hand in hand with a firm commitment and concrete action by the international community. Targeted development assistance must ensure enhanced protection, without being used as a means of declaring a region sufficiently safe for the return of asylum-seekers; in other words, it should not replace the right to asylum. In that connection, the African Group was gravely concerned by the suspension of negotiations within the Core Group on Irregular Secondary Movements of refugees and asylum-seekers. The African delegations, under the leadership of South Africa, had participated actively in the debate on the establishment of a multilateral framework to manage irregular secondary movements. Yet it appeared that some developed countries were unwilling to consider the matter in a multilateral context and there was concern that policies on so-called "safe third countries" might be used as an alternative to the right to asylum.

40. The rights of refugees and asylum-seekers were under threat. Refugees and migrants were constantly accused of all the ills of society and certain Governments used that as justification to adopt increasingly restrictive asylum policies. However, States had an obligation to protect forcibly displaced persons and could not treat them like regular migrants. An increasing number of developed countries returned asylum-seekers to so-called "safe third countries" of their region of origin and shared detailed information about asylum-seekers with the authorities of their countries of origin, which sometimes severely compromised those persons' safety upon return. Those actions undermined the spirit of the 1951 Convention and its 1967 Protocol as well as international human rights standards. The African Group wondered whether the significant decrease in the number of persons seeking asylum in developed countries might indeed be linked in some way to the increase in the number of persons of concern to UNHCR elsewhere in the world. Excessive emphasis was placed on keeping refugees in their regions of origin, mostly in precarious situations, although the developing countries hosting millions of refugees were already under enormous strain. It was important to ensure that local solutions did not replace the right to seek asylum elsewhere.

41. For all those reasons, the African Group fully supported the creation of the post of Assistant High Commissioner (Protection) to deal with refugees. He thanked Mr. Kamel Morjane, the former Assistant High Commissioner, for his outstanding work. Mr. Morjane had gained the confidence of African Governments and appreciated the challenges that refugee protection posed to the continent.

42. **Mr. Fuyizaki** (Japan) said that the Heads of State and Government who had expressed or reiterated their commitment to refugees at the 2005 World Summit must now translate their words into action. His delegation supported the initiatives by the High Commissioner, whose opening statement had provided a comprehensive overview of the current state of UNHCR and had pinpointed the challenges ahead. Strengthening the Inspector General's Office was indispensable. Japan welcomed the creation of the post of Assistant High Commissioner (Protection) to strengthen protection activities in the field and endorsed the proposal for UNHCR to step up its efforts on behalf of internally displaced persons.

43. Japan remained committed to improving the situation of refugees in Africa through refugee assistance and development cooperation. Japan had recently announced a contribution of \$8.9 million in emergency aid to UNHCR. It also attached great importance to refugee situations in Asia, especially since the tsunami disaster, and to the protection issue. The security of UNHCR staff must be guaranteed and Japan contributed to that objective through its centre for emergency training.

44. The international community should not become too complacent about the decrease in the number of refugees, since they were still in their millions, and the number of displaced persons was growing. The situation could only change through cooperation between member States and UNHCR. Japan undertook to uphold the principle of refugee protection and to face up to responsibilities to resolve the refugee problem, in particular by supporting action to address the causes of refugee flows, by finding durable solutions to protracted refugee situations, and by ensuring that refugee flows did not create inter-State tensions. Japan reaffirmed the principle of solidarity and burden-sharing and its commitment to assisting refugees and the host communities.

45. **Mr. de Jong** (Netherlands) said that financial stability was crucial to UNHCR's ability to carry out its mandate and to ensure that refugees around the world received assistance and protection. Broadening the Office's donor base remained a key concern. More funds were required to make ideas and dialogue on refugees a reality. It was regrettable that financial burden-sharing remained inequitable and he called on countries that lagged behind to increase their contributions, preferably non-earmarked. His delegation was pleased that the creation of the post of Assistant High Commissioner (Protection) would be part of a comprehensive programme to strengthen the organization. The idea of assessing the added value of the post in two years' time was also commendable. The Netherlands shared UNHCR's concern over the deterioration of protection and relief in some host countries. The refoulement of refugees, limitations on their freedom of movement, forced returns, impediments to self-reliance and the lack of funds were unacceptable and should be actively addressed.

46. Migratory flows to Europe via the Mediterranean placed refugees high on the European agenda. The Netherlands shared the view of UNHCR that refugee protection and migration management required different, albeit interlinked, approaches. Cooperation between the European Union and third countries in that area could only be developed if other Member States and third countries lived up to their responsibilities vis-à-vis refugees and granted UNHCR access to the persons concerned.

47. The Convention Plus process had become too theoretical; the time had come to incorporate the ideas and achievements into the organizational structure of UNHCR. The

Netherlands looked forward to further reporting by UNHCR on the issue through the Standing Committee. His delegation supported UNHCR's role as a catalyst in planning the transition from relief to development and the High Commissioner's increased commitment to assisting displaced persons, whose plight was often worse than that of refugees. His delegation supported UNHCR's careful approach to its commitment to internally displaced persons; safeguards should be put in place to ensure that refugee protection and assistance were not negatively affected by UNHCR's involvement with displaced persons. The development and implementation of the proposed system would have financial, material and staffing implications. Whenever appropriate, and consistent with UNHCR's refugee protection mandate, the Netherlands would favour a gradual integration of expertise, staff and programmes to avoid the creation of two organizations, one for refugees and another for the protection of internally displaced persons.

48. **Mr. Steiner** (Germany) endorsed the statement made by the United Kingdom on behalf of the European Union. The High Commissioner had sent a clear signal by making Africa the destination of his first two country visits. Germany welcomed the start of the implementation of the peace agreement in southern Sudan and called on all parties to work towards a comprehensive and lasting peace agreement for Darfur as a matter of urgency. In recent years, Germany had steadily increased its funding for UNHCR and, in 2005, had been among the major humanitarian donors for Darfur. He joined the High Commissioner in his condemnation of the recent attack of armed militia on the Aro Sharow camp in west Darfur. Despite the return of 4.2 million Afghan refugees, the management of population movements in Afghanistan posed many challenges. Germany continued to support UNHCR efforts to assist Afghan refugees in finding lasting solutions. Germany thanked UNHCR for its efforts to find a solution for Uzbek refugees in Kyrgyzstan, in spite of the difficult circumstances. All States must fully respect their obligations under the 1951 Convention relating to the Status of Refugees and other instruments.

49. In early 2005, Germany had adopted new immigration legislation that combined a modern framework for individual protection and effective measures against illegal immigration. It also contained provisions to speed up and streamline asylum procedures. In the absence of an agency to deal with all aspects of the problem, cooperation was the best solution. UNHCR must be the lead agency in areas in which it had acquired particular expertise, so long as such activities did not undermine the capacity of UNHCR to fulfil its core mandate of refugee protection.

50. **Ms. Mohamed** (Kenya) said that her delegation associated itself with the statement made by the representative of Nigeria on behalf of the African Group. The return of refugees to Angola, Burundi and the Sudan was a glimmer of hope; the next step would depend on the extent and predictability of international aid commitments. Protracted refugee situations must be addressed in a comprehensive manner with a focus on peace, security and economic, social and human development. In the light of the discrimination and intolerance characterizing the treatment of refugees, reaffirming the right to asylum was paramount. Consistent with its international obligations, Kenya continued to offer protection to refugees notwithstanding a weak economic base and dwindling international support. In order to improve protection, Kenya had introduced tamper-resistant identity cards to limit forgery. It was also working out modalities to regularize the status of all foreigners in the country.

51. Kenya had repeatedly drawn the attention of the Executive Committee to the need for specific programmes and projects directed at the rehabilitation and protection of the environment in refugee hosting zones and assistance to host communities. He hoped that the issue would be discussed and resolved at the current session. Under the auspices of the Intergovernmental Authority on Development (IGAD), Kenya had spearheaded the peace processes in southern Sudan and Somalia. It was now time for the international community,

which had supported those processes, to provide financial assistance to ensure that reconstruction efforts in those regions were successful.

52. **Mr. Choe** Mgong Nam (Democratic People's Republic of Korea) said that it was deeply regrettable that the High Commissioner had mentioned the Democratic People's Republic of Korea in his statement. The persons crossing the border into China did not do so, as the High Commissioner had declared, to flee human rights violations, but rather in search of sustenance and better living conditions. Afterwards, they returned to the Democratic People's Republic. Also, the issue did not fall within UNHCR's mandate.

The meeting rose at 1 p.m.