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Chairman: Mr. Al-Hinai (Oman)

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The meeting was called to order at 3.05 p.m.

Item 114: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/56/3, A/56/12 and Add.1, A/56/128, A/56/333, A/56/335)

1. **Mr. Tasic** (Federal Republic of Yugoslavia) said that during the past 10 years, his country had welcomed some 640,000 refugees, mainly from Bosnia and Herzegovina and Croatia, while 391,531 refugees and 74,849 war-affected persons, in addition to 250,000 displaced persons from Kosovo and Metohija, were still in the Federal Republic of Yugoslavia. Recently, 10,000 refugees had reached the country following the events in the former Yugoslav Republic of Macedonia. About 10 per cent of the refugees were living in more than 400 centres around the country. They constituted the most vulnerable group and were in constant need of international aid.

2. The refugees and the displaced persons enjoyed the same rights as Yugoslav citizens, and the Federal Republic of Yugoslavia bore the costs of their social security, health care and education. Given that the greatest number of refugees were in the Republic of Serbia, the Serbian Government had adopted a national strategy for refugees and displaced persons that provided, besides repatriation, concrete integration measures for the many refugees of Bosnia and Herzegovina and Croatia who wished to remain in the country. Integration was, however, a very difficult task that required the adoption of housing, employment and social security measures that a country in transition, devastated by years of conflict and economic decline, could not assume without assistance from the international community.

3. The Federal Republic of Yugoslavia was cooperating with the Office of the United Nations High Commissioner for Refugees (UNHCR), and an agreement for the return of refugees to Croatia had been concluded with the Croatian Government. Programmes for the return of refugees to Bosnia and Herzegovina and Croatia were also being implemented within the framework of the Stability Pact for South-Eastern Europe. It should be noted, however, that during the past five years, only 57,000 persons had returned to Croatia, and that the number of persons who had returned to Bosnia and Herzegovina was

insignificant. According to a report by the Organization for Security and Cooperation in Europe (OSCE), fear, lack of security and the discriminatory application of laws constituted the main obstacles for the return of refugees. The latter, moreover, were unable to repossess property or exercise other rights recognized by the European Convention on Human Rights and the Dayton Peace Agreement.

4. The displaced persons from Kosovo and Metohija were also the victims of intolerance against non-Albanians in that province. In the context of the elections that had recently been held in Kosovo, the Federal Republic of Yugoslavia had carried out, in cooperation with OSCE and the International Organization for Migration, the registration of 178,000 internally displaced persons in order to facilitate their participation, and had also signed a common document with the United Nations Interim Administration Mission in Kosovo (UNMIK). On 1 November 2001, the Federal Republic of Yugoslavia had also signed a memorandum of understanding with the United Nations Centre for Human Settlements (Habitat) on property claims of displaced persons.

5. He recalled that his country, along with Ecuador, Guinea and New Zealand, had initiated the draft resolution on the enlargement of the membership of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, which had been endorsed by the Economic and Social Council, and hoped that it would be approved by the Third Committee.

6. **Mr. Lee Youn-soo** (Republic of Korea) said he trusted that all Member States would respond positively to the efforts made by the High Commissioner to resolve the financial crisis confronting him. UNHCR had wasted no time in responding to the refugee situation in Afghanistan, and had implemented a contingency plan, in cooperation with other United Nations agencies, in which connection his Government had decided to make a US\$ 12 million contribution in kind, of which US\$ 6 million was in response to the relief operation appeal.

7. The problem of refugees was very difficult to solve, owing to the various motivations of those fleeing their countries. Nevertheless, the core mission of UNHCR remained the provision of international protection to those in need. In that regard his Government was deeply concerned at the situation of

persons who had fled their countries of origin without any firm destination, yet who were not formally recognized as refugees. For that reason the launching by UNHCR of the Global Consultations on International Protection was both timely and appropriate. The upcoming first Ministerial Meeting of States Parties to the Convention relating to the Status of Refugees would serve not only as an opportunity for States to reaffirm their commitment to the full implementation of the provisions of the Convention and the Protocol thereto, but also as an opportunity to contribute to the ongoing Global Consultations.

8. Member States must take all necessary measures to ensure the safety of humanitarian workers, who faced risks every day in performing their duties. UNHCR must, in order to perform its work effectively, cooperate with other international agencies, States and appropriate non-governmental organizations.

9. Since becoming a Member of the Organization in 1991, the Republic of Korea had unfailingly supported United Nations humanitarian assistance and refugee protection activities. In April 2001 the opening of a UNHCR liaison office in Korea had allowed the close cooperation between his Government and UNHCR to be further strengthened.

10. **Mr. Coimbra** (Brazil) said that human rights, international humanitarian law and refugee law constituted the pillars of the international regime for the protection of refugees; in that connection the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto had alleviated the tragic plight of millions of individuals. Even though the fundamental work performed by UNHCR as the guardian of the Convention had twice been recognized with the award of the Nobel Peace Prize, as the work of the United Nations system as a whole had in 2001, the conflicts that persisted on all continents prompted millions to seek refuge in other countries, so that the situation of refugees remained a high priority on the international agenda.

11. His Government fully recognized the importance of the 1951 Convention and the 1967 Protocol. All countries must strictly comply with the principles contained in those instruments, particularly the principle of non-refoulement; he called on all countries that had not yet done so to accede to those instruments.

12. UNHCR could not tackle the refugee problem alone; it was a multifunctional task that required

coordinated efforts by Governments, refugees themselves and non-governmental organizations, particularly humanitarian non-governmental organizations whose important role should be given due recognition. The launching by UNHCR of the Global Consultations on International Protection would allow existing instruments to be updated and would offer a response to the new challenges that had arisen, particularly those affecting the most vulnerable groups.

13. Regarding Afghan refugees, considered by UNHCR to be the worst refugee emergency in the world, his Government had, as stated by the President of Brazil before the General Assembly, offered to accept refugees wishing to settle in Brazil, in accordance with the agreement signed with UNHCR in 1999 on establishing Brazil as a resettlement destination, with the assistance of UNHCR and other stakeholders.

14. Notwithstanding national initiatives, the international community, in addressing the challenges, both old and new, presented by the refugee situation could count only on the classic remedies of voluntary repatriation, local adaptation or resettlement in a third country. Unfortunately, trafficking in and smuggling of people and the waves of migrants for economic reasons had led to confusion and had affected the public perception of refugees. It was therefore of the utmost importance to improve awareness of refugee status and to establish an identification process. Brazilian legislation in that domain was considered to be among the most advanced in the world, but, to play its role effectively, the Government needed partnerships with civil society and the assistance of UNHCR, whose presence in Brazil he would welcome.

15. While UNHCR had done much to assist refugees, it was up to Member States to provide the necessary political and material support. The international community should be generous and live up to its commitments so as to transform helplessness into hope and hope into the effective enjoyment of human rights.

16. **Ms. Paterson** (New Zealand) said that the events of 11 September had brought into sharper focus the increasing size of the refugee problem around the world, had galvanized the international community into redoubling its efforts to combat terrorism and had focused attention on the situation in Afghanistan and the plight of the Afghan population. Prior to 11 September, an estimated 3.6 million Afghan refugees

had been crowded into camps in Pakistan and Iran, and it was important to ensure their survival and protection.

17. Nevertheless, the situation of Afghan refugees must not overshadow the needs of the six million refugees of concern to UNHCR in Africa or the other 13 million refugees worldwide. Addressing the root causes of the problem was fundamental to solving the growing global crisis.

18. The failure of the international community to achieve durable solutions had created a heavy flow of illegal migration, which traffickers had exploited. Migration had long been a source of international and domestic tensions. The increasing incidence of mixed flows of genuine asylum-seekers and economic migrants had led to tougher immigration laws in host countries.

19. The 1951 Convention relating to the Status of Refugees had been the cornerstone of the international community's efforts to protect refugees; New Zealand hoped that States parties would take the opportunity of the ministerial-level meeting of States parties in Geneva in December 2001 to reaffirm their commitment to the core principles of the Convention and to its effective implementation. The world was very different than it had been in 1951, and the current international protection system needed to be reviewed. A concerted global approach was necessary in order to find a global solution to the refugee problem and, in particular, to provide more support to host countries.

20. UNHCR was funded from an ever-decreasing pool of voluntary contributions, and the new measures introduced by the High Commissioner to address the budgetary crisis were welcome first steps. The international community must be prepared to address the serious funding problems of UNHCR.

21. New Zealand made its contribution through its annual intake of refugees from UNHCR and by its funding of United Nations refugee programmes. Her Government also planned to ratify the protocols on smuggling and trafficking under the United Nations Convention against Transnational Organized Crime. It remained willing to provide information, model legislation, technical expertise and training to assist other countries.

22. **Mr. Šimonović** (Croatia) said that, on the occasion of the fiftieth anniversary of the 1951 Convention relating to the Status of Refugees, it was

time for the international community to explore possibilities for improving and advancing the system of international protection that would significantly decrease the number of refugees and displaced persons worldwide. He provided additional information on his country to supplement the report of the United Nations High Commissioner for Refugees, 2000 (A/56/12).

23. Ten years after the tragedy of Vukovar, Croatia was still faced with the problems of internally displaced persons and refugees. In March 2001, his Government had taken steps to encourage its citizens, regardless of ethnic origin, to return to their homes and had promoted better living conditions so that those who returned would remain in their homes. The Government's efforts had resulted in a significantly improved security situation in the area of return. After having reviewed all decisions on temporary allocation of private property, the Government had decided that the process of repossession of all temporary allocated property should be completed by the end of 2002. As far as reconstruction efforts were concerned, he said that the first programme, which should be completed by the end of 2001, would be followed by an additional programme specifically targeted to Croatian citizens who were returning or would return from Bosnia and Herzegovina or the Federal Republic of Yugoslavia. To date there had been 286,172 returnees to and within Croatia, regardless of ethnic origin. A time-limited social programme designed to offset the limitations of the existing social welfare system for displaced persons, refugees and returnees had been approved in March 2001. Since May 2001, measures had been taken to benefit the most needy population of the areas of return.

24. His delegation appreciated the financial assistance pledged to date from a number of countries under the auspices of the Stability Pact for South-Eastern Europe and other international mechanisms (the European Union, the World Bank and various United Nations agencies), as well as the fundamental role of the Office of the United Nations High Commissioner for Refugees in continuing to advocate assistance for the ongoing return process to and from Croatia.

25. **Mr. Laurin** (Canada) said it was sad that there was no sign of any declining need for the protections offered by the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, nor for the services of UNHCR.

26. After the terrorist attacks of 11 September 2001, it was important for the international community to reaffirm its collective commitment to ensuring that refugee protection provided by the Convention and the Protocol was not abused by those responsible for acts of terrorism, to fighting terrorism, xenophobia and discrimination and to promoting tolerance.

27. He drew attention to the crisis in Afghanistan and the related problems for neighbouring host countries, and he welcomed the efforts made by those countries. Civilians seeking to cross a border in search of a place of refuge needed protection, and it was important to preserve the civilian and humanitarian character of refugee camps and to locate them sufficiently far from the border to offer some guarantee of security. His country was ready to act both to meet immediate needs and to help find lasting solutions.

28. However, the situation in Central Asia must not overshadow the needs of refugees in other parts of the world, whether in Africa, Europe or elsewhere in Asia. The root causes of refugee movements had to be addressed, and efforts must be made to bridge the gap between assistance to refugees and development programmes, in particular by involving refugees directly in such programmes.

29. He welcomed the decision taken by the new United Nations High Commissioner for Refugees to carry out an internal review of UNHCR and urged the latter to broaden its funding base beyond the 15 countries which provided 96 per cent of its budget so that the international community as a whole shared the responsibility to provide adequate support for its activities. The meeting of States parties to the 1951 Convention that was due to take place in Geneva in December 2001 should present an opportunity to reaffirm its shared commitment to the principles of international solidarity in pursuit of solutions for refugees. For its part, Canada would maintain its support for UNHCR in 2002, making its payments as early as possible, and would work closely with the Office in drawing up an action programme to protect refugees.

30. **Mr. Paiva** (Permanent Observer of the International Organization for Migration) said that since its foundation 50 years ago the International Organization for Migration (IOM) had worked together closely with UNHCR. At first that collaboration had been concentrated largely on third country

resettlement; then it had expanded to encompass return, and recently, in the face of an ever more complex international migration scene, it had included capacity-building. The partnership was based not only on the fact that both organizations were concerned with international population movements, but also on the fact that they needed each other to address those movements, since the signs were there that they might pose serious problems in future.

31. In order to try to understand and manage the nexus between migration and asylum, UNHCR and IOM had created a joint action group which was entrusted with the task of reviewing the policy questions at stake and assisting States to develop appropriate policies and programmes for addressing them. In all too many countries, the impact of the terrorist attacks of 11 September 2001, which had adversely affected the way in which individuals and societies viewed refugees, asylum-seekers and migrants, was also a matter for concern. IOM, which was well placed to know that the majority of people who moved about the globe did so for legitimate reasons, therefore considered that the management of migration and the system of international protection must be improved. It was actively promoting this idea in collaboration with UNHCR, the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe as part of the follow-up to the 1996 Geneva Conference on the Problems of Refugees, Displaced Persons, Migration and Asylum Issues. It noted with satisfaction that the value of those efforts had been recognized by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees in its report on the work of its fifty-second session (A/56/12/Add.1).

32. However, the challenges facing IOM, which like UNHCR was a humanitarian organization, were also operational. The most pressing case was currently in Afghanistan, owing to the forced departure of international staff, together with limitations on transport and communications. In Herat, local IOM staff had, however, been able to coordinate the distribution of the aid (blankets and other non-food items) which the 200,000 displaced persons in the Maslakh and Shaidayee camps needed for the winter and had even managed to deliver large amounts of the materials needed to construct shelters.

33. The situation in Afghanistan, which had provoked massive population movements of all kinds, showed

the complexity of the problems of managing mixed flows of persons with different motivations. The expeditious processing of asylum claims, coupled with education programmes to dispel misconceptions about asylum-seekers and refugees, could help to improve the situation, but would not be enough. It was vital that the international community should identify principles and practices that would promote orderly movement, deter irregular migration and preserve the practice of asylum. To that end, it was essential that its members should not only continue to cooperate but do so even more closely.

The meeting rose at 4 p.m.