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Executive Committee of the Programme of the United Nations High Commissioner for Refugees

Sixty-first session

Summary record of the 639th meeting

Held at the Palais des Nations, Geneva, on Monday, 4 October 2010, at 10 a.m.

Chairperson: Mr. Woolcott.....(Australia)

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

Opening of the session

1. **The Chairperson** declared open the sixty-first session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees (UNHCR).
2. Recalling that international efforts to assist and protect refugees had a long history, with the first League of Nations High Commissioner for Refugees being appointed in 1921 and the anniversaries of the 1951 Convention relating to the Status of Refugees and the 1961 Convention on the Reduction of Statelessness, due to be celebrated in 2011, he noted that forced displacement was now occurring on a scale and level of complexity unimaginable in earlier times and was taking new forms. During the session, plans to increase awareness of forced displacement and strengthen the international protection regime would be discussed, and further information would be provided on the anniversary celebrations.
3. He extended a special welcome to the delegation of Slovenia, which was attending its first plenary session as a member of the Executive Committee and appealed to all participants to contribute to the Committee's deliberations in a constructive and collaborative spirit. As his recent field missions to Cairo and Yemen had shown, UNHCR depended on the dedication and humanity of its employees, its partners and government officials to fulfil its mandate.

Adoption of the agenda and other organizational matters (A/AC.96/LXI/1)

4. *The agenda was adopted.*
5. *A film showing the field activities of UNHCR over the decades was projected.*

Pre-recorded video message from the Secretary-General

6. **The Secretary-General** said that he was honoured to join the Executive Committee in making some important milestones in the history of UNHCR, most notably its sixtieth anniversary. Protecting the world's 43 million forcibly displaced persons and 6 million stateless persons required all actors to adapt to the changing dynamics of displacement and to seek renewed and strengthened partnerships. Over the years, UNHCR had proven its expertise and ability to deliver protection, assistance and solutions to vulnerable people who had been forced from their homes. The forthcoming commemorations were an opportunity to broaden support for the principles of international refugee and human rights law. He called on all stakeholders to work for a world where all people enjoyed safety at home and the right of citizenship. He thanked UNHCR for its work and wished it a happy sixtieth anniversary.

Statement by the United Nations High Commissioner for Refugees

7. **Mr. Guterres** (United Nations High Commissioner for Refugees) said that 2009 had been the worst year in two decades for voluntary repatriation of refugees. Approximately 250,000 had returned home, which was about one quarter of the annual average for the previous 10 years. The reason was the changing nature and growing intractability of conflict, which made achieving and sustaining peace more difficult.
8. Changes were also occurring in the peacekeeping environment. United Nations and regional peacekeeping missions were now often deployed while violence was still going on and internal conflicts still raging. As distinctions between military and non-military spheres had become blurred, civilians and humanitarian workers were being targeted. UNHCR continued to insist on the need to preserve the autonomy of humanitarian space; respect for

the principles of independence, impartiality and neutrality was the best guarantor of the security of humanitarian staff.

9. At the same time, a number of States were signalling a growing discomfort with peacekeeping operations in their territories and concerns about national sovereignty were increasingly translated into the rejection of international presence. Against such a backdrop, clarity and consistency were key for the future of peacekeeping and peacebuilding. No single peacekeeping model would serve all needs; some situations would require robust peace enforcement, while others would call for a focus on civilian protection and the preservation of humanitarian space. In all cases, the withdrawal of peacekeepers needed to be posited on the existence of conditions for security and durable peace. Moreover, refugees' participation was an essential component of the success of peace negotiations.

10. Protracted conflicts were creating a number of quasi-permanent, global refugee populations. When those populations ventured beyond immediate neighbouring States, they were increasingly likely to be confronted by States hostile to their arrival. By contrast, host countries like Pakistan and the Islamic Republic of Iran, where most Afghan refugees resided, continued to demonstrate extraordinary generosity. Pakistan had recently announced a management and repatriation strategy for Afghan refugees, which was designed to support the conditions for voluntary return. Documents were to be issued to registered and unregistered Afghan refugees and population profiling was being undertaken to identify specific protection needs. The feasibility of alternative status options was also being considered.

11. In the Islamic Republic of Iran, Afghan refugees were permitted to remain on the basis of regularly conducted registrations. All Afghan children present were allowed to go to school. Since 2009, the Government had issued over 300,000 work permits to Afghan refugees, and it was currently working with UNHCR on other measures to increase the availability of sustainable livelihoods.

12. Elsewhere, Afghan refugees were to be found across 69 countries. With growing insecurity and poor prospects at home, many Afghan youths were fleeing or seeking opportunities elsewhere. In 2009, Afghan minors accounted for about half of all the asylum applications made in Europe by unaccompanied children. Many more did not apply for asylum but were exposed to extreme danger in conditions which no one — and certainly no child — should have to endure. It was with those minors in mind that UNHCR had recently outlined safeguards for the return of minors to Afghanistan, stipulating that returns must be decided based on a formal procedure that took minors' best interests into account and included family tracing efforts, arrangements for reception, care and guardianship and a plan for the future of the minors concerned.

13. As for Somali refugees, they too were to be found in many parts of the world, notably in Kenya, Yemen, Ethiopia and Djibouti. Some had even been deported to Mogadishu — a capital subject to nearly continual shelling. There, they risked being targeted for recruitment by parties to the conflict and had been subjected to security crackdowns and racist attacks. When they reached safety, some Somali refugees still went without food, shelter or other assistance. In the absence of any real prospect of peace in their country, Somalis would continue to wander the world. He called on countries to provide them with protection in line with the relevant updated eligibility guidelines issued in 2010. He also urged States to refrain from enforcing returns to Mogadishu.

14. The burden for hosting refugees in protracted situations was borne disproportionately by the developing world. That burden, combined with the impact of the global financial and economic crisis, put the resources of host countries and host communities under serious strain. While UNHCR was working with, for example, the

Government of Pakistan and other partners on a programme to assist refugee-affected and hosting areas, it recognized that the programme was modest compared to the needs.

15. Even after repatriation, refugee-affected areas often required rehabilitation. UNHCR efforts with its partners to rehabilitate affected land needed to be expanded and to become the norm rather than the exception. He had asked the Policy Development and Evaluation Service to commission an independent study to measure the economic and social impact of hosting refugees. In the meantime, increased international solidarity and burden-sharing was needed.

16. Resettlement was a tangible example of effective burden-sharing. UNHCR was working hard to enhance resettlement and had doubled the number of resettlement submissions made since 2005. Twelve new countries had established resettlement programmes since 2008 and transit facilities had been established in Romania, the Philippines and Slovakia. Nevertheless, a huge gap remained between resettlement needs and resettlement capacity. Given the critical importance of resettlement as a protection tool and a strategic instrument to combat long-term refugee situations, he appealed to countries to establish or expand resettlement programmes. Only with resettlement, voluntary return and more equitable burden-sharing was there any hope of seeing increased local integration. In that regard, he commended the United Republic of Tanzania for its profound generosity in naturalizing more than 162,000 Burundian refugees since 1972.

17. Turning to the subject of statelessness, he drew attention to important efforts by a number of States, including Viet Nam and Cambodia, to reduce the risk of statelessness through naturalization and revised legislation. Some countries had improved their birth registration systems and others, such as Bangladesh, Kenya, Zimbabwe and Tunisia, had taken steps to introduce reforms recognizing the equal right of women to confer nationality on their children. UNHCR was organizing a major effort in 2011 to advocate for such reforms, and he urged all States to support the initiative.

18. In the context of the Inter-Agency Standing Committee process, UNHCR led the international response to internal displacement caused by conflict. While the primary responsibility for responding to internal displacement rested with States, in many cases, the challenge was simply overwhelming. In that connection, he encouraged States to ratify the Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention) adopted in 2009.

19. At the global level, the humanitarian community was responding to internal displacement with new forms of cooperation and partnership among United Nations agencies, the Red Cross and Red Crescent Movement, and national and international NGOs. UNHCR had led the response to conflict-induced internal displacement in the areas of protection, shelter and camp management. For response in natural disasters, the Inter-Agency Standing Committee had asked UNHCR to lead the protection cluster at the global level. However, as natural disasters became increasingly frequent and severe, an ad hoc approach to leadership of the protection cluster at country level was no longer sustainable. While he considered that UNHCR should be able to fill the gap, he noted members' concerns about undermining mandated operations. Indeed, if UNHCR did take on that additional responsibility, its actions should be governed by a clear set of conditions.

20. First, UNHCR would only become involved with the clear consent of the State concerned. Second, it would lead protection efforts only if requested by the Humanitarian Coordinator, and in close consultation with the relevant Government and partner agencies. Third, resources for responding to natural disasters would not be deployed at the expense of UNHCR programmes for refugees or stateless persons; that was guaranteed by the budget structure. Equally, the Office would not take resources from programmes for people who were internally displaced as a result of conflict. To date, the concerns about UNHCR

diverting resources from refugees to internally displaced persons had proved to be unfounded; rather, the more predictable role which UNHCR took in dealing with the latter group had increased synergies, ultimately releasing resources for all persons of concern. The Office's effective programme for strengthening protection staff capacity, would allow it fully to meet the new challenge.

21. Lastly, the way UNHCR engaged would depend on whether it had an operational presence in the country concerned. Where it did, especially in countries which hosted large numbers of refugees, it would be unconscionable for it not to extend assistance to host populations displaced by a natural disaster. Where it did not, and another agency already led a protection coordination mechanism or was willing to do so, that should be the solution; UNHCR involvement would never come at the expense of the protection capacity of other actors. If no other agency was willing to lead the protection cluster, UNHCR, at the request of the Humanitarian Coordinator, and with the agreement of the State concerned, would be prepared to fill the gap. UNHCR was not proposing to change its mandate or expand its role in any of the clusters that already had clear leadership. However, it was its duty, when and if necessary, to support Governments in areas such as registration and documentation, identifying vulnerable persons and preventing and responding to sexual and gender-based violence.

22. Turning to internal reform, he noted that the Office had increased its operations by over 60 per cent since 2005 using approximately the same number of staff worldwide and 30 per cent fewer in Geneva. Savings in budgeted staff costs meant that critical gaps in the areas of sexual and gender-based violence, malaria, malnutrition, reproductive health and water and sanitation could be addressed. There had been challenges, and several reforms, notably, resolving interface problems between key software tools, were being pursued to maximize results-based management. One lesson learned had been not to develop complex software products in-house. To minimize risks to the implementation of the original comprehensive reform package, information technology services had not been included. The time had come to restructure the Division of Information Systems and Telecoms, address software development and decentralize a number of services.

23. Most UNHCR initiatives on human resources policy had been implemented. Owing to their sensitive nature, emphasis had been placed on dialogue between staff and management. A new assignments policy had been adopted in June 2010; discussions had advanced well on the promotions policy and would be followed by conversions of local staff and external recruitment. Modifications to the rules governing the eligibility of junior professional officers and United Nations volunteers to apply for internal staff positions had already been implemented. Delays in the adoption in New York of a new United Nations contracts policy had, however, forced UNHCR to postpone its own process.

24. In accordance with many members' wishes, the Office was currently establishing a fully independent advisory and audit committee to replace the existing Oversight Committee. The new Deputy High Commissioner was overseeing those efforts. Together with the Assistant High Commissioners for Protection and Operations, the senior managers embodied the insight, dedication and professionalism to which the Office aspired.

25. He drew members' attention to a proposal to harmonize the conditions of service for United Nations staff serving in non-family duty stations, which would significantly alter and in most cases reduce the support given to the staff of UNHCR and sister humanitarian agencies. At any given time, one third of UNHCR international staff, for whom rotation was mandatory, were serving in hardship, non-family duty stations. UNHCR staff members were expected to spend perhaps a third of their careers in non-family duty stations, which was different from the normal patterns of deployment in other parts of the organization. Attracting the most able personnel to deep field locations was already difficult; the Office could not risk discouraging staff from working in those complex and insecure duty stations

by worsening their working conditions and imposing even greater distances between them and their families. He appealed to States, as Members of the United Nations General Assembly, to take that into account. He paid tribute to UNHCR staff, working in the harshest conditions in the world, for their courage and spirit of sacrifice.

26. The transition to a needs-based budget, the Global Needs Assessment, allowed UNHCR to reflect more accurately the needs of the people for whom it cared. However, that important tool must be properly funded. While seeking additional resources from traditional donors, the Office was reinforcing efforts to attract new donors and setting ambitious targets for fundraising from the private sector. The generous and unprecedented donor support provided throughout his first mandate sustained his optimism in that regard.

27. The new budget system would function as intended only if donors resisted the temptation to earmark contributions for activities outside established priorities. Flexible contributions were needed in order to direct funds to where they were most needed. As UNHCR had considerably reduced headquarters and staff costs, it could guarantee that a larger share of unearmarked funds was being allocated to forgotten crises rather than structural costs.

28. In 2010 and beyond, priorities in the development of UNHCR capacity would focus on protection, emergency preparedness and response. Benchmarks had been circulated in 2010 to guide offices on appropriate levels of personnel for protection functions in various operational contexts. The Division of International Protection Services and the Global Learning Centre would enhance protection learning opportunities for UNHCR personnel and partners. The range of thematic protection learning programmes was expanding, and there were increasing external training opportunities. With more refugees currently living in cities than camps, efforts were also increasing to reach those populations, building on innovative practices such as the cash assistance programmes in the Syrian Arab Republic and Jordan and the use of text messaging to notify refugees of aid distributions. A number of pilot sites had been chosen for the implementation of the new urban refugee policy and a series of real-time evaluations would be conducted in the autumn of 2010. Partnership was at the heart of those initiatives, particularly with national stakeholders, who accounted for about three quarters of all UNHCR implementing arrangements. Indeed, over the last 15 years, national protection partnerships had doubled. Significant efforts would be required in recruitment and training in the future.

29. The fundamental objective in emergency preparedness and response to the needs of displaced populations was to mobilize emergency personnel and dispatch the first relief items within 72 hours. To do so, UNHCR already maintained stocks of shelter and relief items for up to 500,000 people, in addition to resources for ongoing programmes. The quick succession of crises in Kyrgyzstan and Pakistan in 2010, together with contingency stockpiling for situations in the East and Horn of Africa, had underlined the importance of being able to respond to more than one emergency simultaneously and of preserving sufficient financial capacity to begin operations without having to wait for an appeal.

30. The Emergency Response Roster was being reinforced with senior level UNHCR personnel and skill sets from across the Office. Protection would be included as a core function, ensuring that expertise was available to deal with traditional refugee crises and internal displacement caused by conflict or natural disasters. A comprehensive training strategy for security and emergency response was already being implemented. The Global Stock Management system and the delivery plan of action had facilitated the consolidation and streamlining of stockpile management. New and better relief materials had been designed in cooperation with the International Committee of the Red Cross (ICRC) and had recently been deployed in Pakistan. UNHCR was also developing new partnerships with the corporate sector in order to devise ways of making full use of technological innovations in refugee protection, assistance and the search for durable solutions. Those efforts would

focus on renewable energy and information technology and telecommunications, especially mobile systems and devices.

31. With the forthcoming anniversaries in 2011, the Office looked forward to a year of activities culminating in a ministerial-level meeting of States parties to the 1951 and 1961 conventions in Geneva in December 2011. He hoped that States would take the opportunity to pledge concrete actions to reinforce international protection, provide durable solutions, resolve refugee situations, and define forward-looking approaches to new challenges. Increased efforts would be made to promote accession to the 1954 and 1961 statelessness conventions and finalize a range of policies on statelessness. The commemorations would also provide a valuable platform for increasing public understanding and support for forcibly displaced and stateless people. He hoped that they would help forge a new consensus on protection, extending beyond the scope of the 1951 Refugee Convention. There was no intention to revise the Convention; rather, together with members, he wanted to examine protection gaps and analyse new ways to think about and deliver protection. Together with partners in the non-governmental sector, UNHCR could make 2011 a very special year.

32. In his five years as High Commissioner, he had been struck by how far members' support and the dedication of UNHCR staff had allowed the Office to come. Inevitably, there was still a long way to go. On 14 December 2010, UNHCR would turn 60; he hoped it had achieved the wisdom expected of it. It had certainly lost none of its vitality.

General debate

33. **Mr. Schwartz** (United States of America) said that United States engagement with UNHCR and other protection partners was underpinned by the need for humanitarian actors to take a broader, more integrated approach to protection. It was more important than ever for UNHCR to engage in a sustained manner with the international system, from peacekeepers to those negotiating political agreements to end conflicts. Asylum and non-refoulement remained central to refugee protection, but members must also help combat gender-based violence, sexual exploitation and abuse, promote freedom of movement, and secure citizenship rights. Members should also integrate protection into programmes on food, shelter, health and sanitation. Progress should be constantly monitored, and protection gaps that traditional humanitarian providers would be unable to fill without stronger political and security measures should be identified.

34. There was a need to recognize that safeguarding human lives required active humanitarian diplomacy and private and public advocacy; UNHCR should encourage its partners to play that role. Moreover, in an effort to practise domestically what they preached in international forums, donor Governments should examine their policies on temporary protection, rescue at sea, and treatment of asylum-seekers on their territory. Refugee receiving countries should gauge policy on temporary asylum and the appropriateness of refugee return based not on geopolitical realities, but on a fair assessment of whether conditions in the country of origin had changed sufficiently to allow for safe return.

35. In order to continue playing a meaningful role in protection, UNHCR budgetary reforms should be consolidated. The Office's efforts to present real needs must be matched by the necessary resources. Frustration and donor fatigue risked undermining the progress made in alleviating suffering. Despite difficult economic times, in 2010 his Government would provide UNHCR with over US\$ 700 million, its highest annual contribution in history.

36. There was also a need for enhanced humanitarian coordination. UNHCR should help build the system for international humanitarian response, including in close coordination

with the United Nations Emergency Relief Coordinator. More focus should be given to dangerous operating environments for humanitarian workers: while taking action to protect those persons, UNHCR and members must appreciate that approaches to security should shift from considering when to leave a situation to deducing how to stay. Further progress on protracted refugee situations would also promote international peace and security; effective support for assistance, education and livelihood opportunities for refugees and their host communities fostered cooperation among them and enhanced refugees' capacity to contribute to development in their countries of origin when they returned.

37. **Mr. Van Meeuwen** (Belgium), speaking on behalf of the European Union; the candidate countries Croatia, the former Yugoslav Republic of Macedonia, Iceland and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; and, in addition, Armenia, Georgia, Republic of Moldova and Ukraine, said that, in 2010, the humanitarian needs stemming from conflicts and the failure to respect human dignity, the earthquake in Haiti and the floods in Pakistan had increased the number of persons of concern to UNHCR. Rapid climate change, urbanization, and population growth plus food insecurity had increased humanitarian needs, with the problems exacerbated by the effects of the financial and economic crisis. The European Union would continue to support the Office politically and financially to enable it to take the lead in the humanitarian system. Given the increasing number of attacks against humanitarian staff, the European Union called on all stakeholders to ensure respect for international humanitarian law and guarantee humanitarian space. It commended UNHCR for its commitment to durable solutions and its efforts to respond better to the needs of those in protracted situations.

38. The European Union acknowledged the merits of the Global Needs Evaluation. Given the budgetary context, however, close monitoring and transparent dialogue between the Office and the Executive Committee would remain necessary. The work on results-based management was appreciated and the European Union supported efforts to fine-tune and further develop baselines, objectives and indicators. It also welcomed the key role that host countries played in continuing to receive and protect refugees, despite difficult circumstances.

39. The European Union welcomed the steps taken towards further cooperation with humanitarian agencies and the emphasis which UNHCR laid on strategic partnerships with national and international NGOs and civil society organizations. Members and the Office should take note of the recommendations from the recent annual consultations with the NGO community. UNHCR should continue supporting the Office for the Coordination of Humanitarian Affairs (OCHA) in its efforts to strengthen the cluster coordination system and field leadership capacity. Inter-agency and inter-cluster cooperation were fundamental in ensuring that humanitarian inputs established the foundations of longer-term recovery and became assets for development. Given the importance of common needs assessments, he urged UNHCR to engage fully with the work of the Inter-Agency Standing Committee Needs Assessment Task Force.

40. The European Union was committed to the creation of a common European asylum system based on high protection standards, solidarity and fair sharing of responsibilities between its member States. Safeguards and procedural guarantees in all European Union member States would provide equal access to protection rights and address current disparities in decision-making. The European Union resettlement programme would encourage member States to increase their voluntary contribution to the global refugee protection mechanism, adding to the strategic use of resettlement as a durable solution.

41. **Mr. Elmi Bouh** (Djibouti), speaking on behalf of the Group of African States, said that the 2011 anniversaries would give members the opportunity to assess their individual and collective efforts to address the needs of the people identified in the relevant

instruments, the challenges involved, and how best to provide a strong international protection regime.

42. Steps were being taken in Africa to address the root causes of population displacement. Decades of recurrent armed conflict, combined with instability, lack of security and natural disasters had caused huge displacements, particularly in the Horn of Africa, and created large populations of refugees, returnees, asylum-seekers, stateless persons and internally displaced persons. That situation had led to the Special Summit of the African Union in Uganda in October 2009 and the adoption of the Kampala Convention, the first legally-binding instrument on internal displacement. The Group of African States urged the international community to support the implementation of the Convention. The African Union had designated 2010 as the Year of Peace and Security in Africa; peace and security were prerequisites for sustainable development and for the delivery of humanitarian assistance.

43. The Group of African States appreciated UNHCR efforts to mobilize international support for durable solutions for refugees and other persons of concern. Given the strain on host countries, there was a need for increased international assistance, burden sharing and solidarity. Since refugee activity affected the environment as well as the finances, infrastructure and security of host countries, timely interventions were needed to prevent further crises.

44. The growing phenomenon of urban refugees continued to be of concern for the Group of African States. Deteriorating camp conditions pushed refugees into cities, where they often met with further disappointment. The reluctance to seek support, for fear of being deported to camps, made urban refugees a largely “invisible” population, despite their significant protection and support needs.

45. The international community should ensure that adequate facilities were provided in refugee camps. He welcomed the new UNHCR policy on urban refugees, which included such innovations as community outreach and support for health, education and livelihoods, and noted that seven “pilot sites” had been chosen to identify good practices for replication elsewhere. UNHCR was making an uphill effort to find lasting solutions for all refugees and other persons of concern. Countries in a position to do so should consider offering more resettlement places.

46. The High Commissioner had, in financially difficult circumstances, succeeded in reforming the Office and increasing efficiency. The Office should now address the geographical imbalance in the composition of its staff, particular in the higher grades. Recruitment should reflect diversity and ensure the highest quality. The Office should consult national authorities when deciding on project priorities. It should be allowed to transfer funds across project blocks. Donors should give more non-earmarked contributions to provide the Office with the flexibility it required.

47. **Ms. Arango Olmos** (Colombia), speaking on behalf of the Group of Latin American and Caribbean States (GRULAC), said that the GRULAC countries had, by adopting the Mexico Declaration and Plan of Action to Strengthen the International Protection of Refugees in Latin America, demonstrated their political will to face challenges together, demonstrate solidarity and protect refugees. Many countries of the region had amended their laws to improve protection and had strengthened national refugee agencies, increasing their cooperation with other State bodies and with civil society. Since its inception in 2004, the regional solidarity resettlement programme, which included non-governmental organizations (NGOs) had resulted in approximately 1,000 more refugees being accepted in the region, thus helping to resolve protracted resettlement problems. GRULAC welcomed the adoption of similar initiatives by countries in other regions.

48. The protection of refugees in urban areas could benefit, if migratory policies respectful of human rights were in place. When refugees saw that their rights were respected regardless of their migratory status, they were not afraid to register. Such protection also discouraged antagonism in local populations; their understanding of what it meant to be a refugee was vital to preventing discrimination. UNHCR should expand its local awareness activities.

49. The High Commissioner had expressed concern in 2009 about the reduction of asylum space and had reiterated his concern over the year about unwarranted forced return and detention, especially of unaccompanied minors. GRULAC supported UNHCR in its efforts to safeguard asylum space, and would be interested to hear the High Commissioner's assessment of the effect of migration laws on asylum, especially with regard to mixed migratory flows and the protection and integration of urban refugees.

50. Some 30 cities and local governments in 17 countries of the GRULAC region were now taking part in the "Cities of Solidarity" programme. The number of participating countries had doubled in the past three years. Efforts to integrate urban refugees included microcredit, self-reliance and legal and social assistance programmes. Refugees had access to medical services and education in the region.

51. In such efforts to show solidarity, international cooperation was fundamental. UNHCR must continue to support the implementation of the Mexico Plan of Action and to mobilize resources, placing priority on building national capacities for receiving, identifying and handling cases where protection was required and on providing humanitarian assistance. UNHCR played a leadership role in protection in complex emergencies. In natural disasters, its experience was invaluable in identifying the most vulnerable, in resolving documentation problems and in quickly implementing emergency assistance programmes. UNHCR should therefore continue to play a more pronounced role in protection following natural disasters whenever requested to do so by Governments. The countries of the GRULAC region would share their experiences, in particular with other developing States, during the coming anniversary commemorations, and would continue to support international protection and solidarity.

52. **Mr. Linklater** (Canada) said that national Governments and UNHCR must continue to seek out and provide durable solutions for displaced populations. Canada supported efforts to increase self-reliance and develop livelihoods so as to improve both protection and the effectiveness of return, local integration and resettlement programmes; it was committed to the strategic use of resettlement, and would increase, from 2011, the number of refugees it accepted by 20 per cent. That policy change had been made possible through legislation designed to ensure that failed asylum claimants were processed and removed from Canada more quickly.

53. Set against the core mandate of UNHCR to strengthen protection for persons of concern, the contraction in the protection, asylum and humanitarian space was a serious concern. Countries not party to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees should accede to them, and all States must abide by their core principles of protection.

54. In 2010 Canada had adopted legislation to reform its asylum system, thus providing faster protection for those in need and deterring abuse. It would invest over \$500 million in the new system in the next five years, and would also take steps to combat human smuggling and address challenges related to mixed migratory flows. It welcomed UNHCR efforts to address gaps in the protection available to persons of concern, including urban refugees, persons with disabilities and, through the working group on the global protection cluster, internally displaced persons. The UNHCR offer to lead the protection cluster in natural disaster situations required further consideration. A decision on that matter would

be premature if the implications for beneficiaries and the humanitarian system were not fully understood.

55. Progress had been made in restructuring the Office with a view to making its activities more results-oriented, in particular in respect of needs assessments and a budget which better reflected the needs of beneficiaries, by, for example taking into consideration factors such as age, sex and diversity. Such initiatives warranted support.

56. To ensure protection and assistance, partnerships with those involved in humanitarian and development work and in activities related to peace and security were vital. It was important to bolster the independence of persons falling under the UNHCR mandate to allow them to take part in the decisions affecting them.

57. Human smuggling was a problem of growing concern, as it undermined support for immigration and refugee protection. In Canada, smugglers had abused the generosity of the in-Canada asylum system. While a zero-tolerance approach to human smuggling was essential, access to international protection must be assured to those in genuine need. Refugee protection must be afforded in a fair and balanced manner, and more international cooperation was required to reduce human smuggling.

58. **Mr. Gnesa** (Switzerland) expressed serious concern about the growing restrictions imposed on humanitarian workers. Whether for refugees or internally displaced people, it was incumbent upon States to provide quick and unimpeded humanitarian access. Switzerland had supported initiatives to improve humanitarian access during conflicts, for instance by drawing up a guide on legal standards and a practical handbook for national authorities, international organizations and those working in the field.

59. Switzerland fully supported the reform process and the Global Needs Assessment, which better reflected the Office's programmes and activities. As greater transparency and better sharing of information on each country benefiting from UNHCR programmes were required, Switzerland awaited with interest the introduction of the *Global Focus* business intelligence tool.

60. On the possible involvement of UNHCR in natural disasters, Switzerland considered that the Office faced a growing number of challenges, which could not be met without new funding and qualified staff. It should first concentrate on ensuring the quality, efficiency and effectiveness of its current programmes and projects.

61. Switzerland had noted that UNHCR intended to consider and update its guidelines for managing and selecting its implementing partners. The Government had recently begun a dialogue with several agencies and organizations to assess the possibility of setting up a certification or classification system for humanitarian agencies. It would thus be of interest for UNHCR to share its experiences and good practices in that field.

62. **Mr. Khan** (Pakistan) expressed gratitude to the High Commissioner for visiting the areas of Pakistan that had sustained heavy flooding and for his efforts to ensure that the international community would continue to support Afghan refugees in Pakistan. While his Government fully encouraged UNHCR to undertake reform to ensure the effectiveness of its work, it took the view that the Office must not shift its focus from its core mandate. In recent years, decreasing funding for Afghan refugees had hampered efforts to improve their protection and assistance and had had adverse social and economic effects on host communities. Despite those constraints, the Government of Pakistan had devised a new strategy for Afghan refugees for 2010–2012, which addressed not just repatriation issues but the needs of those refugees in Pakistan for the coming three years. The Government had introduced changes in the visa regime, helped to develop areas hosting refugees, mobilized international support and improved border management. Pakistan had improved the protection of refugees and had taken steps to regularize cross-border movements. The

programme on refugee-affected and hosting areas could deliver greater dividends but it required special attention and international support, together with the creation of pull factors in Afghanistan. Reintegration, reconstruction and rehabilitation efforts in Afghanistan, including land allocation schemes and exclusive development and security zones, required donor and UNHCR support. The existing package offered to returning Afghan refugees was insufficient to encourage voluntary repatriation.

63. Pakistan had recently experienced the worst flooding of its history. Nearly 20 million people had been affected, including many living in Afghan refugee camps, for instance in Khyber Pakhtunkhwa. Some 1.6 million registered refugees and over a million unregistered refugees lived in Pakistan. While expressing appreciation for the response of UNHCR and the international community to the flooding, he pointed out that much remained to be done. Pakistan would continue to adhere to the principles of voluntary and gradual repatriation in respect of Afghan refugees. The Governments of the two countries and UNHCR had already renewed the relevant tripartite agreement and in the past year some 100,000 refugees had returned to their country.

64. **Ms. Dlamini Zuma** (South Africa) commended UNHCR for the restructuring efforts made to provide more resources for operations, and expressed concern about the increasing impediments to movement and access to asylum possibilities for displaced and vulnerable people, which was challenging the Office's capacity to carry out its mandate. Another point of concern was the increase in threats faced by humanitarian organizations and personnel.

65. South Africa continued to receive mixed migratory flows, which had prompted the Government to review its immigration policy and to amend the relevant legislation. Since 2009, the Government, working in agreement with the Zimbabwean authorities, had regularized the situation of a large number of undocumented Zimbabweans. The Government had also extended an amnesty to Zimbabwean nationals who handed over fraudulently acquired South African identity documents. A stakeholder forum had been established, consisting of Zimbabwean embassy and consular officials and Zimbabwean NGOs working in South Africa. The regularization programme for Zimbabweans would continue until the end of 2010, after which point the South African Government would undertake similar programmes for undocumented people from other neighbouring countries.

66. The South African Parliament had begun consideration of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families with a view to ratification. The South African Government endorsed the High Commissioner's initiative calling for laws to allow mothers to pass their citizenship on to their children — a situation which already obtained in South Africa — and also the proposed study on the economic and financial impact of hosting refugees, which would provide many developing countries with recognition where such efforts had previously gone largely unacknowledged. Expressing gratitude to donors for the assistance which they had provided to the Office, she called on them to do still more, in particular in the light of the strain faced by host States, most of which were developing countries, owing to the difficult financial situation in the world.

67. **Mr. Abdollahi Ali-Abadi** (Islamic Republic of Iran) said that military operations and continued occupation had forced millions of people to become refugees, placing a burden on host countries. The Islamic Republic of Iran, as host to some 3 million refugees and displaced persons in the past three decades, was one of the biggest host countries in the world; there were still some 1 million Afghan and Iraqi refugees in the country. Their presence had created numerous pressures in terms of employment, housing, education and health conditions. Efforts to encourage the voluntary repatriation of Afghan refugees and displaced persons had been largely ineffective, with only half of one per cent returning

annually. While the Government considered voluntary repatriation to be the preferred long-term solution, it had discovered that the slow pace of voluntary repatriation was due to unemployment and a lack of possibilities to find a livelihood and housing in Afghanistan. The international community should provide more generous assistance through the national authorities in Afghanistan to ensure that those who returned would have employment, shelter, health and education. The future of Afghanistan was heavily dependent upon the capacity-building, empowerment and skill upgrading of its refugees, and the Islamic Republic of Iran had provided ample employment and training opportunities for refugees during their stay.

68. Refugees in the Islamic Republic of Iran had benefited from 340,000 job opportunities and generous subsidies amounting to billions of dollars for essential commodities, while international contributions had amounted to far less. The annual report of UNHCR should take due account of the expenditures, direct or indirect, covered by host countries, along with donor country contributions. The Global Needs Assessment would have a positive effect on the handling of the situation of refugees and displaced persons. UNHCR should also provide host countries with a detailed account of allocated field budgets and furnish a more global picture of target-oriented budgets.

69. The implementation of a new law on subsidies in the Islamic Republic of Iran and the resulting rise in prices would affect the entire country, including refugees and displaced persons. The international community should be aware of that new situation and respond to it accordingly.

70. **Mr. Elmi Bouh** (Djibouti) welcomed the vigorous internal reforms being undertaken by UNHCR. Budgetary rationalization and increased resource allocation to field operations were starting to bear fruit, and he encouraged further work in that direction. He also welcomed the success of the Office in enhancing its emergency response capacity and the significant progress made in helping urban refugees, promoting local integration and strengthening partnerships.

71. Despite its vital mandate, the Office faced constraints on resource mobilization indicating that it was not receiving sufficient support. Particular attention should be given to emergency and evolving situations to ensure that essential needs were met in the areas of protection, shelter, health, water and sanitation. He called on the international community to provide developing countries with technical, material and financial assistance to enable them to fulfil their obligations to refugees. States would not be able to maintain their current level of engagement without such support. The deteriorating situation in Somalia had resulted in 3,000 new refugees arriving in Djibouti over the preceding year. A number of measures had been taken to improve conditions for Somali refugees in Djibouti, including improvements to border-crossing facilities and camps and registration of asylum-seekers, and Djibouti would soon ratify the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa.

72. The protracted nature of the Somali situation necessitated greater international efforts to resettle refugees and support host communities. Djibouti could not meet the protection challenges involved alone. He urged the international community to ensure that the political and security threat posed by extremist armed groups bent on blocking the peace process and exacerbating the suffering of the Somali population did not plunge the country into chaos. Expressing concern at encroachment into humanitarian space and condemning attacks on aid workers, he welcomed the High Commissioner's involvement in tackling that situation. He hoped that the sixtieth anniversary of the 1951 Convention relating to the Status of Refugees would provide a unique opportunity to take stock of progress and identify solutions to the challenges facing the world.

73. **Mr. Guterres** (United Nations High Commissioner for Refugees), responding to the various points raised, welcomed the unprecedented financial and other support being received from the United States and the commitment shown by the government department that worked closely with the Office. Endorsing the comments made by the representative of Belgium concerning the Office's role, he highlighted the active participation of Belgium in implementing the European Union Stockholm Programme and furthering the Office's objectives. Owing in large part to the generosity of Africa's peoples, the African Union represented a pillar of refugee protection, as evidenced by the adoption of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa. He stressed the importance of the Convention and of the cooperation between the Office and the African Union.

74. The comments made by the representative of Djibouti mirrored some of the Office's principal concerns, including with regard to ensuring geographical balance in Office recruitment. Changes to the current recruitment system were planned in order to achieve that goal, and also guarantee fairness and transparency.

75. Latin America boasted some of the best legislative frameworks for refugee protection. The region's activities and stance benefited refugees and internally displaced persons both within the region and further afield. He echoed the comments made on behalf of the Group of Latin American and Caribbean Countries regarding the need for immigration policies to be compatible with asylum policies that respected the 1951 Convention. He affirmed the Office's support for the forthcoming Global Forum on Migration and Development, to be held in Mexico. He emphasized the involvement of Canada in the Office's policy debates and reform processes. Although there had not always been agreement between the Office and the Canadian Government concerning changes to the country's asylum system, dialogue on the issue had been appreciated. Canada had played a crucial role in updating Office policy to recognize the strategic value of resettlement.

76. With regard to intervention in natural disasters, the key challenge for the Office was not funding but capacity-building, particularly in terms of human resources. The Office remained open to consultations with interested States in order to examine the issues concerned in greater depth.

77. He endorsed the comments made by the representative of Switzerland regarding restrictions on humanitarian space and the need for transparency in the Office's activities. The Office remained available for discussions on procedures for certifying and classifying its operational partners, which should not be such as to place national NGOs at a disadvantage with respect to those operating internationally.

78. The valuable support of the Government of Pakistan for Afghan refugees should be matched by the international community. The Office would continue to work closely with Pakistan following the recent floods; not to do so would be operationally and morally unacceptable.

79. He drew attention to South Africa's enlightened policies on migration and asylum, especially given the social, economic and administrative challenges involved. In 2010, South Africa had received almost as many individual asylum requests as the entire European Union. The Government's steps to regularize Zimbabwean migrants demonstrated its political commitment to improving its asylum system still further.

80. With regard to the situation of Afghan refugees in the Islamic Republic of Iran, he drew attention to the importance of the thousands of work permits issued. The Office was collaborating with the Norwegian Government to establish a core group of countries to support the Islamic Republic of Iran in hosting and resettling refugees.

81. Lastly, he expressed appreciation to the Government of Djibouti for its role in protecting Somali refugees. The Office had worked with Djibouti to improve conditions for refugee populations, for example by reducing overcrowding in certain camps.

82. **Mr. Hughes** (Australia), expressing his acknowledgement of the devastating effects of the recent floods in Pakistan, commended the Office on how it had tackled the ensuing humanitarian crisis. Given that effective humanitarian action relied on a well-coordinated international response, he urged the Executive Committee to reach agreement on the Office's protection role in the event of natural disasters.

83. He welcomed the Office's renewed focus on addressing statelessness and encouraged States to accede to and implement the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. The forthcoming anniversaries of two other important conventions would be a time to reflect on the strengths of the international protection regime and tackle remaining challenges.

84. Although global refugee numbers changed little, they were increasing in the Asia-Pacific region, where one third of the world's refugees resided. The movement of people with protection concerns alongside other migrants put pressure on host and transit countries, particularly developing countries, and inconsistent approaches to reception and durable solutions created conditions favourable to people smuggling. Mixed flows must be managed appropriately to identify those in need of international protection and curb people smuggling. Governments and the Office must address the issue directly so that people smuggling did not determine which refugees received help and where. Australia remained committed to working with countries of transit, destination and origin, the Office and other international organizations to develop an enduring protection framework in its region, increase access to fair and orderly arrangements for processing asylum-seekers and help find durable solutions. He called on the Office to lead the way in developing practical measures to improve protection management.

85. The region's challenges were compounded by several protracted refugee situations. Australia supported the High Commissioner's work to address them and had taken practical steps involving resettlement, diplomatic efforts and provision of funding. He expressed appreciation to the Government of Nepal for its cooperation in resettling refugees from Bhutan; in that respect, Australia would continue to provide resettlement solutions.

86. He expressed support for the Office's focus on urban refugee populations and welcomed the implementation of its revised policy. He urged the Office not to overlook internally displaced persons living in rural and urban areas outside camps.

87. The Global Needs Assessment had substantially increased the Office's proposed budget and created a potentially large funding gap, which the Office should work hard to fill through greater focus on results, better communication in setting priorities, and a resource mobilization strategy that also targeted the private sector. Governments must support the Office politically and financially in tackling the challenges presented by the increasingly complex factors driving population movement. His Government would increase its core contribution to the Office in 2011 and continue to make additional donations to UNHCR operations and appeals. The Office was one of the most effective humanitarian agencies.

88. **Mr. Hesham** (Egypt) expressed appreciation for the focus placed on field activities, which were the Office's *raison d'être* and which Egypt stood ready to support in any way. The sixtieth anniversary of the 1951 Convention would serve as an opportunity to reappraise the situation of refugees worldwide and the challenges involved in assisting them, particularly the increasing number of refugees and internally displaced persons, worsening internal conflicts, and political and racial unrest.

89. Host countries often struggled to support refugee populations and their own citizens, and protracted refugee situations gave rise to additional problems. Developing host countries were faced with difficult choices between their international and domestic responsibilities. Yet they received insufficient assistance from developed countries. Despite the considerable contribution that they made, host countries were not even classified as donors, and the international community persisted in imposing further obligations on them. As long as the international community did not provide the necessary assistance to developing host countries and refugee-hosting communities, refugees would remain without any hope of a better future and the vicious circle of accusations and counter-accusations would continue.

90. Egypt was actively involved in the discussions on UNHCR intervention following natural disasters. Such intervention might, however, involve additional financial burdens and efforts should be made to ensure that funding would be available for core programmes and disaster relief operations. Recent experience, particularly in Haiti and Pakistan, had demonstrated the need for such intervention by the Office.

91. **Mr. Kabwegyere** (Uganda) said that involuntary displacement in Africa, particularly in the Great Lakes region, continued to present a challenge. In addition to conflict, climate was increasingly a causal factor in displacement. Hence, political solutions must go hand in hand with strategies to build resilience to natural disasters.

92. Uganda continued to pursue policies promoting the welfare of refugees and improving their livelihoods by allowing them to enjoy the same lifestyle as their host communities. Refugees enjoyed all rights, except the right to vote or stand in national elections. Over three years, some 98,000 Sudanese had been repatriated from Uganda, 42,000 of whom had left spontaneously. Similar steps were being taken for refugees from the Democratic Republic of the Congo, Burundi and Kenya, although the remaining Rwandan refugees showed some reluctance to return.

93. Successful voluntary repatriation was closely linked to post-repatriation rehabilitation for refugee-affected areas. Rehabilitation was critical and, if poorly managed, could have a negative impact on future asylum provision for deserving individuals. In 2009, together with the Office, Uganda had designed a project to rehabilitate areas that had hosted Sudanese refugees and to support residual refugee caseloads. Unfortunately, less than 5 per cent of the required US\$ 24 million had been raised. Consequently, he urged the donor community to provide additional funds.

94. In view of its long history of hosting refugees, Uganda called on the international community to support the Government with its work, especially as 150,000 Sudanese refugees remained in Uganda. With assistance from the Office and international partners, to whom he expressed gratitude, Uganda was in the process of reintegrating its internally displaced persons. He expressed appreciation to those who had contributed to the success of the Kampala Summit, which had resulted in the African Convention for the Protection and Assistance of Internally Displaced Persons in Africa. All African countries should ratify the Convention.

95. He requested the Office to accelerate the introduction of machine-readable conventional travel documents which met International Civil Aviation Organization standards, as progress had been slow and the deadline of April 2010 had passed.

96. **Mr. Guterres** (United Nations High Commissioner for Refugees), responding to points raised by the previous three speakers, expressed gratitude to Australia, not only for its chairmanship of the Executive Committee but also for its unprecedented contribution to the Office's activities worldwide. The Office was fully committed to working with Australia in a range of areas, particularly in furthering the Bali Process. Civil society played a strong role in both refugee protection and the reintegration of resettled refugees.

97. He looked forward to close cooperation with the Egyptian Government and Vice-Chairman over the coming year, including in discussions of global cooperation in general and Egypt's specific protection concerns. He echoed the need for meaningful recognition of the roles of host countries and communities in refugee protection, along with effective mechanisms for burden-sharing. Expressing appreciation for the support the Office received from Egypt for predictable engagement in protection following natural disasters, he said that he fully agreed that such engagements should not undermine the Office's core mandated activities.

98. The extremely generous approach of Uganda to refugee protection deserved international recognition. He strongly supported calls for international assistance for rehabilitation of areas dramatically affected by hosting refugee populations, particularly environmental rehabilitation. With regard to travel documents, he confirmed that the Office was ready to work with Governments to ensure that refugees received documents conforming to international standards.

The meeting rose at 1.15 p.m.