



# General Assembly

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## Executive Committee of the Programme of the United Nations

### High Commissioner for Refugees

#### Fifty-sixth session

#### Summary record of the 598th meeting

Held at the Palais des Nations, Geneva, on Friday, 7 October 2005, at 10 a.m.

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

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*The meeting was called to order at 10.05 a.m.*

**Other statements** (agenda item 9)

1. **Mr. Touré** (Chairperson of the UNHCR Staff Council) said that, together with the new High Commissioner, the Staff Council intended to adopt a positive and constructive approach at all levels of responsibility. He regretted that the personnel had not been associated in the formulation of the staff management strategy. Staff numbers and profiles had to be adjusted in keeping with refugees' needs, not budgetary considerations. The Council was concerned by the high intake levels — almost 200 new recruits over the previous two years — at a time when the issue of staff in-between assignments (SIBA) had not been resolved. It was also worried by donor countries' current tendency to link their financial contribution to the number of their nationals holding posts in the organization, a practice which would, in the long run, affect the Office's credibility and independence.
2. The Council was pleased with the fair and transparent approach adopted for the procedure to replace Mr. Morjane, the Assistant High Commissioner, and to fill the new post of Assistant High Commissioner (Protection). Having described the many personal qualities and professional skills required by the two people who would hold such high office, he announced that the Council wished to play an active part in their recruitment process which should, moreover, pay due attention to securing a gender and geographical balance at the most senior management levels of the Office.
3. The Council welcomed the renewed interest in the situation in Africa, the theatre of some 40 per cent of the Office's operations worldwide, where sustainable peace and development must be built with the assistance of the international community and Africans themselves. While the Council noted with satisfaction the Office's role vis-à-vis displaced persons, it was concerned by the greater threat it would entail to the security of staff in the field. He drew attention to the fact that the physical security of humanitarian personnel, which had to take priority, called for risk management training.

**Consideration and adoption of the revised programme budget for 2005 and proposed programme budget for 2006** (agenda item 7) (A/AC.96/1011 and Add.1 and 2)

4. **Ms. Chamberlin** (Deputy High Commissioner) said that the proposed programme budget for 2006 reflected a desire for greater transparency and accountability within the Office, as well as a need for results-based management. Three specific measures had been adopted to achieve the latter: after the High Commissioner had reviewed the Global Strategic Objectives, he had clearly set out his priorities and expectations for 2006, so that senior managers could take account of them when drawing up their programmes for the year; a Results-Based Management Board had been set up to oversee and guide the implementation of that type of management throughout the organization; the extension of the information technology programme and the introduction of the Management Systems Renewal Project (MSRP) would enable managers to set measurable objectives and establish effective monitoring mechanisms.
5. In order to carry out comprehensive needs-based assessments, the Office would introduce planning processes in which all its partners would participate. The High Commissioner had asked all UNHCR offices to work closely with all stakeholders — States, operational partners, implementing partners and refugees — in order to agree on refugees' requirements. It was necessary to improve data collection, step up efforts to set targets and endeavour to adapt methodology to the situation in question (asylum-seekers, urban refugees or internally displaced persons).
6. The annual programme budget for 2006 was 16 per cent higher than that of the previous year. That increase could be attributed to the scale of operations for Burundi and

Chad and to rising personnel costs due to fluctuations in the exchange rate of the dollar. The High Commissioner's aim was to contain, or reduce, the size and cost of the staff complement at headquarters and to concentrate expenditure on the Office's core mission, namely to protect and assist people coming under its mandate. The 2006 budget therefore made no provision for any increases in staffing at headquarters.

7. The proposal to create the post of Assistant High Commissioner (Protection) was a follow-up to the High Commissioner's careful consideration of the findings of the independent study requested by the Committee and it incorporated the study's recommendations. Essentially, what was needed was closer coordination of protection and operations and the strengthening of links between headquarters and offices in the field. That was also why the High Commissioner had decided to create, from existing resources, a Policy Development and Evaluation Unit whose activities would be independent of the inspections and investigations conducted by the Inspector General's Office.

8. **Mr. Zaman** (Bangladesh) commented on a discrepancy of some US\$ 8 million between estimated expenditure for 2006 and budgets for regional programmes, global programmes and headquarters in the annual programme budget for 2006. He wished to know how that shortfall would be met and what consequences it would have on regional programmes, global programmes and headquarters. Moreover he enquired how the posts of junior professional officer mentioned in the programme budget would be financed.

9. **Mr. Isbayene** (Morocco) announced that, following discussions with the High Commissioner and in view of the assurances he had been given, his Government would withdraw its reservations to the 2006 budget and was prepared to adopt it.

10. **Ms. Chamberlin** (Deputy High Commissioner), replying to the representative of Bangladesh, said that the posts of junior professional officer would be funded solely from donors' contributions and were not included in the budget. As for the shortfall in financing in 2006, she drew attention to the fact that the 2006 budget comprised two large supplementary budgets for Chad and Burundi. In order to cushion the impact of their inclusion, it was necessary to redefine the criteria used. They would apply for the duration of the supplementary budget in question, but more suitable criteria might have to be found. It was mainly staffing costs which pushed the Office's budget higher than that of other organizations. An on-the-spot presence was essential to the Office's protective mission; the need to send a large number of staff into the field, including the most dangerous areas, occasioned substantial costs (for example owing to hardship allowances). For the first time in years, it had been decided that headquarters costs would be scaled back so as to be able to send more field staff to the places where the Office's presence was vital.

#### **Election of officers** (agenda item 12)

11. **Mr. Singh Puri** (India) proposed Mr. Fujisaki (Japan) for the office of Chairman.

12. **Mr. Iversen** (Denmark) seconded that proposal.

13. *Mr. Fujisaki (Japan) was elected Chairman by acclamation.*

14. **Mr. Ayalogu** (Nigeria) nominated Mr. Mindua Kesia-Mbe (Democratic Republic of the Congo) for the office of Vice-Chairman.

15. **Mr. Fornara** (Italy) seconded that nomination.

16. *Mr. Mindua Kesia-Mbe (Democratic Republic of the Congo) was elected Vice-Chairman by acclamation.*

17. **Mr. Kaeser** (Switzerland) proposed that Ms. Blomberg (Sweden) be re-elected Rapporteur.

18. **Mr. Cabrera** (Ecuador) and **Mr. Soufan** (Libyan Arab Jamahiriya) seconded that proposal.

19. *Ms. Blomberg (Sweden) was re-elected Rapporteur by acclamation.*

20. **Mr. Fujisaki** (Japan) thanked the members of the Executive Committee for the trust they had placed in him and paid tribute to the Chairman of the fifty-sixth session, whose skills had enabled the Committee to perform its duties efficaciously.

21. **Mr. Mindua Kesia-Mbe** (Democratic Republic of the Congo) assured all the delegations that he would do his best to prove worthy of the trust they had placed in him.

**Adoption of the report on the fifty-sixth session of the Executive Committee** (agenda item 14) (A/AC.96/1021)

22. **Ms. Blomberg** (Rapporteur) thanked the members of the Executive Committee for the trust they had shown her by re-electing her to the office of rapporteur. She also thanked the secretariat of the Executive Committee and the staff of the Office for the assistance they had given her in drafting the report on the fifty-sixth session, which she briefly described. Sections I and II contained an account of the deliberations at the fifty-sixth session, while section III comprised the text of the Executive Committee's conclusions and decisions. The final version of the report would be submitted to the Third Committee of the General Assembly as an addendum to the High Commissioner's annual report.

23. States with observer status had been authorized for the first time to participate in informal consultations on the conclusions and decisions. In that context, the Executive Committee should investigate the possibility of inviting non-governmental organizations to take part in consultations too. Although discussions that year had been fairly stormy, delegations had managed to reach consensus on the conclusions and decisions through a spirit of dialogue and cooperation.

24. **Ms. Joyce** (South Africa) observed that an increasing number of countries were giving their own interests precedence over their obligations under international legal instruments, a practice which considerably hampered the smooth progress of consultations. Her delegation was nevertheless pleased that members had achieved consensus. It was categorically opposed to the proposal put forward by some members that a vote should be held on the conclusions and decisions, since that might politicize the negotiation and consultation process. South Africa, like most developing countries, had only a small mission in Geneva and relied greatly on the assistance of the Department of International Protection during negotiations and consultations.

25. *The draft report of the Executive Committee on proceedings at its fifty-sixth session was adopted.*

**Closure of the session** (agenda item 15)

26. **Mr. Guterres** (United Nations High Commissioner for Refugees) welcomed the spirit of constructive dialogue which had enabled the Executive Committee to attain consensus on some important issues such as local integration and to articulate the will to achieve a common purpose. How to deliver protection in the current environment was the nub of the matter. Yet, even when public opinion was unfavourable, it was necessary to cleave to the Office's values and principles and to champion the right of asylum. In that respect, the system's credibility rested on the adoption of the requisite measures to combat fraud and abuse and on the rightful application of the exclusion clause, areas in which the Office was ready to help the States concerned.

27. Two essential points must, however, be borne in mind: first, the 10 million people who were refugees did not constitute a threat to security, but were the victims of

persecution, war, terror, ethnic conflicts and intolerance. Clearly, applying for asylum in order to enter a country for the purpose of committing a terrorist act there would probably be the most stupid way of trying to achieve one's aims. Secondly, history had shown that, in the countries where human rights were systematically violated, refugees were branded as criminals or terrorists for purely political reasons. While it was vital to ensure that no terrorist was ever granted asylum, it was equally vital to make certain that applying for asylum was never regarded as a crime, regardless of security imperatives. The Office's authority to determine refugee status was embodied in the Statute of the Office of the United Nations High Commissioner for Refugees and the 1951 Convention relating to the Status of Refugees, was subject to no geographical boundaries and applied even in non-signatory States. The Office could, therefore, at its own initiative, carry out any process of determining refugee status it might deem necessary for reasons of protection.

28. Many people had wondered about the mainstreaming of Convention Plus and what that meant in practical terms. If Convention Plus were to become an integral part of the solution to refugees' problems, it would be necessary to acknowledge that, while voluntary repatriation remained the best, lasting solution for most refugees, the Office had to explore opportunities for expanding resettlement and helping countries which were willing to allow local integration, but which required the support of the international community to do so. The principle of self-reliance, the key to all solutions, would be included in planning and activities, although due heed would be paid to States' primary role.

29. By 1 January 2006, the new Division of Protection Services would be in charge of the quest for durable solutions, which would likewise be the responsibility of the Assistant High Commissioner (Protection) working in collaboration with the Assistant High Commissioner (Operations). The division would also have to carry out the Strengthening Protection Capacity Project, while the new Policy Development and Evaluation Unit would be responsible for policy-related functions.

30. As part of the implementation of Convention Plus, the situation of long-term refugees would be reviewed annually with a view to identifying possible solutions for all or some of the protracted crises. Strategies for bridging the gap between relief and recovery would then be formulated and applied in cooperation with countries, international development agencies and the relevant donors. The aim of Convention Plus was not to close the borders of some States, but to improve the implementation of the right to asylum, in both the North and the South, by building capacities and ensuring respect for refugees' dignity.

31. The impact of the asylum-migration nexus of issues on the relationship between international protection and national interest was another extremely important question. The fact that migration movements were often mixed, that channels were multiplying and that flows were growing was a clear indication that the international community should pay more attention to the phenomenon in the years to come. The Office's role was to be vigilant of its effects on the right to asylum. Appropriate asylum procedures were certainly perfectly compatible with the responsible management of borders and the implementation of migration policies by modern States.

32. Many host countries and countries of origin in the developing world had urged the Office to pursue its participation in repatriation operations until refugees had returned home for good, since the international community's commitment was crucial if refugees were to be given a genuine chance of return. Although the Office was not a development agency, the success of its operations depended on the way development activities were handled. It would therefore spare no effort to make sure that refugees and displaced persons were incorporated in strategies designed to secure lasting solutions.

33. Ms. Kamara, who had just accepted the post of the Director of the Regional Bureau for Africa, the continent where almost 50 per cent of the Office's operations were carried out, would take up her duties on 15 October that year. Mr. Akodjenou would replace her as Director of the Division of Operational Support for a short time before becoming the Director of the new Division of Operational Services. In accordance with the Executive Committee's decision, an Assistant High Commissioner (Protection) would be appointed by the same open and transparent procedure as that used to select a successor to Mr. Morjane and would take up his or her duties on 1 January 2006.

34. **The Chairman** said that the Office must tackle a huge, but essential task because it affected the lives of millions of people who were plunged into tragic situations. It must also lift a corner of the veil lying over a very harsh reality to which no one should remain indifferent. Hence it had a political and a diplomatic role to play; if it wished to rekindle hope for human beings who had often lost everything, it must display political energy and vision and it must take action to provide practical, lasting solutions.

35. After the customary exchange of courtesies, **the Chairman** declared the fifty-sixth session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees closed.

*The meeting rose at 11.55 a.m.*