



**ADDENDUM
TO THE
REPORT
OF THE
UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES**

GENERAL ASSEMBLY
OFFICIAL RECORDS: THIRTY - FIRST SESSION
SUPPLEMENT No. 12A(31/12/Add.1)

UNITED NATIONS



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New York, 1976

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The report of the United Nations High Commissioner for Refugees and a note by the High Commissioner on the question of the establishment, in accordance with the Convention on the Reduction of Statelessness, 1961, of a body to which persons claiming the benefit of the Convention may apply, appear under the symbols A/31/12 and A/31/12/Add.2 respectively (Official Records of the General Assembly, Thirty-first Session, Supplement No. 12 and *ibid.*, Supplement No. 12 B).

CONTENTS

<u>Chapter</u>	<u>Paragraphs</u>	<u>Page</u>
I. INTRODUCTION	1 - 8	1
A. Election of officers	2	1
B. Representation on the Committee	3 - 7	1
Adoption of the agenda - decision of the Committee	8	2
II. STATEMENT BY THE HIGH COMMISSIONER AND GENERAL DEBATE	9 - 50	3
A. Statement by the High Commissioner	9 - 21	3
B. General debate	22 - 49	5
Decision of the Committee	50	9
III. INTERNATIONAL PROTECTION	51 - 87	11
A. Introduction	51 - 59	11
B. Establishment of a sub-committee of the whole on international protection	60 - 64	12
C. General discussion	65 - 67	13
D. International legal instruments	68 - 76	14
E. Basic rights of refugees	77 - 78	15
F. Determination of refugee status	79 - 80	15
G. Access to wage-earning employment	81	16
H. The acquisition by refugees of the nationality of the country of residence	82	16
I. Family reunion	83	16
J. Registration of assets of Asians of undetermined nationality from Uganda	84	16
K. Arrangements for subsequent sessions of the Sub-Committee	85 - 86	16
Conclusions of the Committee	87	17
IV. UNHCR ASSISTANCE ACTIVITIES	88 - 119	19
Decision of the Committee	119	24

CONTENTS (continued)

<u>Chapter</u>	<u>Paragraphs</u>	<u>Page</u>
V. FINANCIAL QUESTIONS	120 - 129	27
A. Voluntary funds accounts for 1975 and report of the Board of Auditors	120 - 122	27
Decision of the Committee	123	27
B. Status of contributions and over-all financial situation for 1976 and 1977	124 - 128	28
Decision of the Committee	129	29
VI. ANY OTHER QUESTIONS	130 - 132	31
Decision of the Committee	132	31

ANNEXES

I. UNHCR Annual Programme - summary of 1976 (revised) and 1977 appropriations	32
II. Opening statement made by the High Commissioner to the Executive Committee of the High Commissioner's Programme at its twenty-seventh session on 4 October 1976	33

REPORT ON THE TWENTY-SEVENTH SESSION OF THE EXECUTIVE COMMITTEE
OF THE HIGH COMMISSIONER'S PROGRAMME*

(Geneva, 4-12 October 1976)

Chapter I. INTRODUCTION

1. The Executive Committee of the High Commissioner's Programme held its twenty-seventh session from 4 October to 12 October 1976 at the Palais des Nations.

A. Election of officers

2. Under rule 10 of the rules of procedure, which provides that officers shall be elected for the whole year, the Committee elected the following officers by acclamation:

Chairman:	H.E. Dr. Ch. van der Klaauw (Netherlands)
Vice Chairman:	Mr. J. D. Mganga (United Republic of Tanzania)
Rapporteur:	Mr. J. G. Moreno (Colombia)

B. Representation on the Committee

3. The members of the Committee were represented at the session as follows:

Algeria	Lebanon
Australia	Netherlands
Austria	Nigeria
Belgium	Norway
Brazil	Sweden
Canada	Switzerland
Colombia	Tunisia
Denmark	Turkey
France	Uganda
Germany, Federal Republic of	United Kingdom of Great Britain and Northern Ireland
Greece	United Republic of Tanzania
Holy See	United States of America
Iran	Venezuela
Israel	Yugoslavia
Italy	

* Previously issued under the symbol A/AC.96/534.

4. The Governments of Angola, Argentina, Cape Verde, Chile, Cyprus, Egypt, Finland, Guinea-Bissau, Iraq, Ireland, Japan, Jordan, Liberia, Mauritania, Morocco, New Zealand, Pakistan, Peru, Poland, Romania, Senegal, the Sudan and Thailand were represented by an observer, as was the Sovereign Order of Malta.

5. The United Nations system was represented as follows: the United Nations, the United Nations Office of the Disaster Relief Co-ordinator (UNDRO), the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), the World Food Programme (WFP), the International Labour Organisation (ILO), the Food and Agricultural Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Health Organization (WHO).

6. The following intergovernmental organizations were represented by observers: the Commission of the European Communities, the Intergovernmental Committee for European Migration (ICEM), the League of Arab States and the Organization of African Unity (OAU).

7. The African National Congress of South Africa (ANC), the Palestine Liberation Organization (PLO), the Pan Africanist Congress of Azania (PAC) and the South West African People's Organization of Namibia (SWAPO) were also represented at the meeting.

Adoption of the agenda - Decision of the Committee

8. The Executive Committee decided to adopt the following agenda:

- (1) Election of officers.
- (2) Adoption of the agenda (A/AC.96/524/Rev.1).
- (3) Statement by the High Commissioner and general debate (A/AC.96/INF.148, A/AC.96/INF.149).
- (4) International protection (A/AC.96/527, A/AC.96/527/Add.1).
- (5) Voluntary funds accounts for 1975 and report of the Board of Auditors (A/AC.96/525, A/AC.96/525/Add.1).
- (6) UNHCR assistance activities (A/AC.96/526, A/AC.96/529, A/AC.96/530, A/AC.96/531, A/AC.96/532).

This item includes: UNHCR annual assistance activities in 1975-76 and proposed voluntary funds programme and budget for 1977; resettlement activities, special operations. Additionally, an agenda item is included, at the request of the Government of Algeria, entitled: "Establishment and implementation of a programme of assistance to the Sahrawi refugees and related questions".

- (7) Status of contributions and over-all financial situation for 1976 and 1977 (A/AC.96/528).
- (8) Any other questions.
- (9) Consideration of the draft report on the session.

CHAPTER II. STATEMENT BY THE HIGH COMMISSIONER AND GENERAL DEBATE

A. Statement by the High Commissioner

9. In his opening statement to the Committee (see annex II below), the High Commissioner illustrated the plight of the uprooted and the flouting of basic human rights of refugees by tragic examples of refoulement, refusal to grant asylum and acts of violence which individual refugees had suffered. Such acts were often perpetrated by uncontrolled individuals or organizations, rendering the High Commissioner's task of providing protection to refugees all the more hazardous. Measures such as grouping refugees in centres and seeking resettlement opportunities had been taken, in co-operation with the Governments and voluntary agencies. However, it was essential that appropriate steps be taken at the national and international level to prevent occurrence of these acts, which UNHCR alone could hardly be expected to oppose. The High Commissioner also deplored terrorist action by persons within the competence of UNHCR, which had threatened the security of other refugees and sometimes even of UNHCR staff members. Behaviour of this kind automatically disqualified its author from the benefits of refugee status, according to the specific provisions of the 1951 Convention relating to the Status of Refugees. 1/

10. The High Commissioner welcomed the desire expressed by the Committee at its previous session to form a sub-committee of the whole on international protection, since this would serve to focus attention on UNHCR's protection activities.

11. On the positive side, the High Commissioner also reported the entry into force of the two international Covenants on Human Rights and the optional Protocol to the International Covenant on Civil and Political Rights. He stressed the importance of the Conference of Plenipotentiaries on the question of a Convention on Territorial Asylum, to take place in January 1977, which he hoped would constitute a milestone in the development of humanitarian law. In accordance with a decision of the General Assembly (resolution 3456 (XXX)), the High Commissioner appealed to Governments to help meet the cost of this Conference, the full financing of which was not yet assured.

12. Referring then to the activities of his Office for the benefit of refugees in various parts of the world, the High Commissioner observed that the precarious situation of refugees in certain countries in Latin America continued to present complex problems. Many countries in the area had not yet acceded to the 1951 Convention and 1967 Protocol, 2/ and the majority had maintained the geographical limitation of the Convention. Efforts in these countries were focused on ensuring effective protection and on promoting resettlement, since only some of the refugees concerned had been given the opportunity to settle in other Latin American countries. Financial demands for care and maintenance while refugees were awaiting departure were heavy. Although the positive response of several countries to

1/ United Nations, Treaty Series, vol. 189, No. 2545, p. 150.

2/ Ibid., vol. 606, No. 8794, p. 267.

successive resettlement appeals had made it possible for large numbers to leave Argentina, Chile and Peru, further opportunities were still urgently needed.

13. In Africa, which continued to absorb the largest share of the annual programme resources of UNHCR, new needs had arisen, mainly as a result of the situation in southern Africa. Special assistance was required for refugees from Southern Rhodesia (Zimbabwe). The High Commissioner had recently been appointed by the Secretary-General to co-ordinate the United Nations programme of humanitarian assistance in Angola, following on programmes undertaken by his Office for refugees and displaced persons in Guinea-Bissau and Mozambique. In northern Africa, UNHCR was facing a serious problem resulting from the situation in Western Sahara. As elsewhere, UNHCR was following its traditional policy of seeking permanent solutions to the problem, including voluntary repatriation and permanent settlement. Meanwhile there was an urgent need for relief.

14. The High Commissioner also referred to the tragic plight of hundreds of thousands of displaced persons in Cyprus and in Lebanon, where there was a continuing need for humanitarian aid.

15. In Asia, the implementation of projects in the Socialist Republic of Viet Nam and in the Lao People's Democratic Republic had progressed satisfactorily and, as elsewhere, it was intended to phase out these programmes gradually, as the beneficiaries achieved a measure of self-sufficiency. In Thailand, the influx continued and discussions had been held with the Thai authorities to promote permanent solutions. Meanwhile, relief projects needed to be pursued. In other countries of South-East Asia, UNHCR was still mainly concerned with temporary care and maintenance and resettlement projects. An important new problem had emerged from the steady influx of persons from the Indo-Chinese peninsula leaving in their own small vessels, who were often in need of rescue while on the high seas and of admission to a country of refuge. Once they had been so admitted, UNHCR would be prepared to assist, pending a permanent solution. The High Commissioner hoped to receive a favourable response to the appeal he had launched to obtain special quotas for the resettlement of the people concerned.

16. Encouraging developments had been recorded in other parts of the world, where many countries had generously supported the work of UNHCR. In Europe, efforts to promote family reunion from several Eastern European countries, in the context of intentions expressed by States at the Conference on Security and Co-operation in Europe, held in Helsinki, had met with a measure of success.

17. The scale and diversity of the activities which UNHCR had been called upon to undertake had strained the financial and human resources of the Office, calling in turn for generous contributions from Governments. The unpredictable nature of problems requiring UNHCR action and their evolution in terms of permanent solutions made advance planning difficult, particularly in the context of special operations. Needs could therefore only be met through special appeals which, of course, also posed problems to donors as far as their budgetary planning was concerned. In spite of the efforts of UNHCR to achieve maximum results with minimum input of both funds and manpower, annual programme requirements had continued to increase and the full financing of the \$14.8 million programme for 1976 had been made possible only through the recent generous response of a few major donors. Major increases in government contributions would, none the less, be needed to meet the programme target for 1977 - based at this stage on minimum requirements only.

18. The Office had nevertheless been able to honour its commitment to retain unchanged, in real terms, its regular budget resources over a four-year period, all extra requirements having been met from voluntary funds.

19. UNHCR had again benefited from the active and extensive co-operation of other United Nations agencies. A vital role had also been played by the non-governmental organizations.

20. The High Commissioner recalled that the fundamental objectives of his Office were to promote permanent solutions to problems of refugees, through voluntary repatriation, resettlement or local integration. In the case of special operations, which are by their very nature of short duration, his Office had adopted a more accelerated process of phasing out. In all cases, UNHCR aimed at enabling the displaced persons to achieve a measure of self-sufficiency.

21. The High Commissioner, in conclusion, stressed that the uprooted were not only the poorest of the poor, but also often the victims of violations of fundamental human rights, without much hope for a better future. He believed that, parallel to present efforts for a new economic order, there was an imperative need for a "new human order".

B. General debate

22. Members of the Committee recognized the magnitude and complexity of the manifold problems confronting UNHCR in an increasing number of countries throughout the world. They commended the High Commissioner for the manner in which he was accomplishing his task, and recognized the urgency and dimensions of the needs still to be met.

23. The majority of speakers stressed the vital importance of international protection, especially at a time when the basic human rights of refugees were being seriously violated, in spite of the High Commissioner's sustained action and numerous interventions with the authorities concerned. They emphasized the importance of the forthcoming Conference of Plenipotentiaries on Territorial Asylum (see chap. III below).

24. Several representatives stated that they fully shared the concern expressed by the High Commissioner in his opening statement, in respect of the acts of violence committed against refugees in certain countries - owing to difficulties in maintaining law and order - and of the critical situation of persons leaving their countries in small boats. One representative drew attention to the obligation of ships' masters, under conventions at present in force, to rescue people in distress on the high seas.

25. One observer, in his statement to the Committee, stated that subversive action and terrorism in his country, which were a source of suffering for refugees and citizens alike, were condemned by his Government, which was taking measures fully to restore internal security. He also stated that there were some 700,000 irregular residents at present in his country.

26. Several speakers stated that they supported the High Commissioner's view that the corollary to the international protection of refugees was the strict observance by the refugees themselves of their duties and obligations to the State which had

granted them asylum, as laid down in article 2 of the 1951 Convention relating to the Status of Refugees.

27. There was agreement in the Committee on reiterating forcefully the appeal made at the twenty-sixth session with a view to the scrupulous observance of the human rights of refugees.

28. Many speakers acknowledged the growing need for material assistance to refugees and the corresponding increase in financial demands made on the Office. They pointed out that, while assistance to refugees and displaced persons was the responsibility of the international community as a whole, the major part of the costs was at present being borne by a small number of traditional donors, and expressed the hope that this imbalance would change. They noted from a statement by the High Commissioner that every effort continued to be made to broaden the base of financial support. The High Commissioner added that these efforts had been successful to the extent that there were at present some 80 contributors to UNHCR assistance activities, although the bulk of contributions still came from a limited number of Governments. Consequently, other member States, some of which were in a position to make substantial contributions to UNHCR activities, had been solicited and the possibility of their financial participation would be further explored. There were of course Governments which were interested in one or more UNHCR programmes and which had so far favoured financial participation by means of bilateral contributions to the country of residence of the refugees concerned. The Committee heard with interest the announcements made by a number of representatives during the session of substantial new financial contributions by their Governments, details of which may be found in chapter V of the present report.

29. Referring to the increasing involvement of UNHCR in large-scale relief operations, some delegations suggested that the High Commissioner might consider whether certain operations of an extended duration might not be absorbed into the regular budgetary process at some point in time. One representative cited the assistance programme in Thailand as an example and pointed out that Governments had to anticipate assistance requirements for such operations in their regular budgetary process.

30. With regard to the possible effect of special operations on the traditional work of UNHCR, the High Commissioner reaffirmed that priority was being given to the main function of UNHCR, that is, international protection, and to the achievement of permanent solutions under the annual assistance programme, which he was pleased to note was fully financed as far as the current year was concerned.

31. One of the members pointed out that special operations involved the greater part of the financial resources available to UNHCR. Consequently there was a need to look further into the possibility of having comments on these activities from the Advisory Committee on Administrative and Budgetary Questions. The High Commissioner recalled that, in accordance with the decision taken by the Executive Committee at its twenty-fifth session and endorsed by the General Assembly in resolution 3271 A (XXIX), UNHCR reported on special operations in the same manner as on other activities financed from trust funds. Every attention would, of course, be paid to improving further the procedures relating to the financial review of UNHCR programmes.

32. With regard to the proposal made by the representative of Belgium to the effect that, in order to reduce to a certain extent the need for fund-raising, refugee assistance projects be financed through the granting of loans following the pattern of the Resettlement Fund for National Refugees and Over-Population in Europe of the Council of Europe, the High Commissioner explained that administrative arrangements required to ensure the reimbursement of loans had proved very costly and that the main refugee assistance projects at present did not lend themselves to the establishment of a loan system, particularly because it would be very difficult to obtain appropriate guarantees for their reimbursement. However, a similar system requiring the establishment of revolving funds was used to the extent possible.

33. One representative wondered if the co-ordination of assistance programmes, including many different kinds of relief which had so expertly been assumed by UNHCR at the request of the Secretary-General, might not from a conceptual point of view also fit into the sphere of activity of other United Nations agencies. Two other representatives suggested that UNHCR might make use of the co-ordinating machinery of the Office of the United Nations Disaster Relief Co-ordinator (UNDRO). Taking into account the statements of the High Commissioner and representatives of other United Nations agencies, as well as the comments of government representatives made in the course of the session, the Committee noted that it was desirable for all concerned to keep in mind the areas of responsibility of all organizations members of the United Nations system, and that it was important to avoid duplication and overlap between UNHCR and the other agencies concerned. 3/

34. In his reply, the High Commissioner stressed that the real problem lay rather in the multiplicity of problems for which his Office had been asked to assume responsibility. Representatives of other United Nations agencies stated in the course of the session that the work of UNHCR was being carried out in co-ordination with that of other organizations members of the United Nations system and that the risk of duplication with the work of these agencies was thus excluded.

35. In reply to a question by the representative of the United Kingdom of Great Britain and Northern Ireland concerning public relations and requesting, inter alia, future meetings of the Executive Committee to examine the cost effectiveness of the public information activities of UNHCR, the High Commissioner explained that the publications of his Office were directed to Governments, voluntary agencies and the information media. UNHCR was moreover frequently called upon to prepare special material covering selected groups of refugees for use by various organizations engaged in fund-raising activities in different parts of the world. The basic brochure giving background information on UNHCR was printed in a variety of languages with a view to stimulating interest also in countries which had not hitherto contributed to UNHCR programmes, while the main publication, which was issued six times a year, was the Tabloid. The High Commissioner added that, in view of the remarks made, greater attention would be paid to the cost-effectiveness aspect of public information activities.

36. In the course of the general debate and at other times during the session, a number of representatives and observers gave accounts of the situation of refugees and displaced persons in their countries and of the measures taken for their benefit, a summary of which will be found in the relevant summary records.

3/ See also reference to the statement made by the representative of UNDRO in chap. IV below.

37. A number of specific problems of humanitarian assistance facing the international community were also considered or evoked in the course of the debate.

38. The question of humanitarian action by UNHCR in the Tindouf area, referred to in the High Commissioner's opening statement and in the report on UNHCR assistance activities, was mentioned by the representative of Algeria and the observers for Mauritania and Morocco. It was also discussed in greater detail during consideration of document A/AC.96/526 (see chap. IV, paras. 102-105).

39. In referring to the question of displaced persons in Cyprus, several representatives agreed on the continuing need for United Nations humanitarian assistance, which was co-ordinated by the High Commissioner at the request of the Secretary-General. Tribute was paid to the High Commissioner for the manner in which he accomplished this task.

40. The representative of Greece and the observer for Cyprus stated that the continuation of humanitarian assistance was the more necessary in view of the transfer of persons from the north and the establishment of others from abroad, and stressed the need for the displaced persons to return to their homes, according to General Assembly resolution 3212 (XXIX).

41. The representative of Turkey recalled that the problem of displaced persons in Cyprus, which was closely linked with political developments in the past, had existed for both sides and had started much earlier for the Turkish community, and that it should not have been raised in view of its humanitarian nature. He stressed that the only movement of persons that had taken place was completely voluntary.

42. The representative of Lebanon gave a moving account of the plight of the thousands of men, women and children who had been affected as a result of the strife that was still going on in her country, and requested the continuation of the immediate humanitarian assistance urgently needed by the thousands of Lebanese displaced persons, in co-ordination with all the specialized organizations providing assistance for this purpose.

43. The representative of Nigeria, in referring to the large-scale problems of refugees and displaced persons in Africa, paid tribute to the High Commissioner for the action he had taken following the destruction last August of a camp for refugees from Zimbabwe in Mozambique by Rhodesian forces. Furthermore, he felt that the increase in the High Commissioner's activities in Africa should be reflected in African membership of the Executive Committee and in the composition of UNHCR staff.

44. The observer for Angola drew attention to the large-scale problems facing his country in rehabilitating hundreds of thousands of returning refugees and displaced persons and expressed the hope that the proposed United Nations programme would be put fully into effect as soon as possible.

45. The observer for OAU reiterated the interest which his organization was taking in the work of assistance for refugees and the close relations that had developed between his organization and UNHCR. He recalled that, as had already been stated by the High Commissioner, the largest problems of refugees and displaced persons of concern to UNHCR were at present on the African continent. He drew special

attention to the dramatic problems that had recently emerged in southern Africa. He also emphasized in this connexion the huge task that would need to be undertaken in Angola. He furthermore renewed the suggestion made by the OAU observer at the twenty-sixth session that the involvement of Africa in work for refugees should be reflected in the membership of the Executive Committee.

46. In a statement to the Committee, the representative of the Commission of the European Communities expressed the interest of the Communities in the work of UNHCR as shown by its substantial contributions of food aid for refugees and displaced persons in Zaire, Cyprus and Indo-China. In all such cases, the food had been delivered at the port of destination at the expense of EEC.

47. The representative of the International Council for Voluntary Agencies, in a statement to the Committee, referred to the increased attention being given by the voluntary agencies to the question of international protection and especially to the principles of asylum and non-refoulement. His organization had issued a memorandum on the draft Convention on Territorial Asylum which, inter alia, appealed for the protection of refugees and the strengthening of all existing legal measures by recognizing in clearly defined terms the right to asylum for persons seeking refuge from persecution. The memorandum also included suggested safeguards to protect the legitimate interests of the Government of the host State. He also stressed the deterioration of the situation of refugees in certain areas, the work of the voluntary agencies for individual refugees in African cities and their work in the important field of resettlement through migration.

48. Throughout the session, warm tribute was paid to the voluntary agencies for their invaluable contribution to the work of international assistance to refugees in many parts of the world.

49. Referring to the humanitarian aspect of the problems of the uprooted, the Committee agreed that there was a need for greater compassion and wider concern for their plight, and fully endorsed the High Commissioner's views on the need for a "new human order" as a parallel to the new economic order. In the course of the session, several representatives emphasized the importance of helping refugees to cease to be refugees and, better still, of seeking to avert altogether the emergence of refugee problems.

Decision of the Committee

50. The Executive Committee,

(a) Commended the High Commissioner for the exemplary manner in which he discharges his manifold activities and fully subscribes to the need for a "new human order" stressed in the High Commissioner's statement;

(b) Reaffirmed the primary importance of international protection, the corner-stone of the work of UNHCR;

(c) Expressed deep concern at the continued, serious violations of the rights of refugees;

(d) Reiterated the appeal it made at its twenty-sixth session (A/AC.96/521, paras. 49 (c) and 69 (b)) and urged States scrupulously to respect the human rights

of refugees, in keeping with Article 1, paragraph 3, of the United Nations Charter, the United Nations Declaration on Human Rights, and the basic legal instruments concerning refugees;

(e) Noted with satisfaction that the High Commissioner continued to make every effort to ensure the effective implementation of his annual programme for assistance to refugees, while at the same time carrying out, in close co-ordination with other United Nations agencies concerned, the special operations carried out for the benefit of persons displaced as a result of man-made disasters, in keeping with the relevant resolutions of the General Assembly and of the Economic and Social Council, and seeking to bring these special operations to a rapid conclusion;

(f) Reaffirmed the conviction it had expressed at its twenty-sixth session (A/AC.96/521, para. 49 (h)) that the responsibility for providing the financial and other resources required to carry out UNHCR activities be equitably shared by all members of the international community and noted with appreciation the efforts undertaken by the High Commissioner to broaden the financial participation in his humanitarian task.

Chapter III. INTERNATIONAL PROTECTION

A. Introduction

51. Introducing the report on protection (A/AC.96/527 and Add.1), the Director of Protection observed that this year the report had been so prepared as to reflect the special importance which the Committee was attaching to this function of UNHCR.

52. He recalled that, under his mandate, one of the High Commissioner's major responsibilities with regard to the protection of refugees was that of promoting international instruments for this purpose and of ensuring their effective implementation. The most important development had been the decision by the General Assembly at its thirtieth session to convene a conference of plenipotentiaries from 10 January to 4 February 1977 to consider and adopt a Convention on Territorial Asylum. The holding of this Conference had attracted widespread interest on the part of several intergovernmental and non-governmental bodies, including the Asian-African Legal Consultative Committee, the Council of Europe, the Council of Ministers of the Organization of African Unity, the Special Committee on Human Rights of the International Non-Governmental Organizations, as well as a number of law institutes. These expressions of interest reflected the deep-rooted humanitarian and moral forces at work to strengthen human rights and would hopefully reinforce each other for the benefit of refugees.

53. There had been a few new accessions to the 1951 Convention and 1967 Protocol relating to the Status of Refugees as well as to the OAU Convention of 1969 Governing the Specific Aspects of Refugee Problems in Africa. ^{4/} He wished to draw attention to the importance of the waiving of the geographical limitations contained in the 1951 Convention.

54. Continued efforts were also required with regard to the implementation of these instruments.

55. The Director of Protection further recalled the grave problems facing the Office with regard to recurring violations of the basic rights of refugees, in particular that of non-refoulement. It was essential for Governments to acknowledge that to grant asylum was a peaceful and humanitarian act, in no way indicative of an unfriendly attitude towards the country of origin. It was also essential that extradition agreements between States should not derogate from the principles underlying the 1951 Convention and 1967 Protocol. He urged in this context that the procedure already adopted by a number of Governments of notifying UNHCR whenever it was proposed to extradite or deport an asylum-seeker should become general practice.

^{4/} Organization of African Unity, document CM/267/Rev.1.

56. The survey of difficult individual cases begun in 1974 had continued. In statistical terms, it revealed that the known number of cases of abductions had increased during the period under review; the known number of those classified under asylum and related problems, detention, eligibility determination and resettlement, on the other hand, had somewhat decreased.

57. Another dramatic problem receiving urgent and sustained attention was that of persons leaving the Indo-Chinese peninsula in small boats whose numbers had continued to grow since the Committee's last session and for whom reception facilities, if only for temporary asylum, were urgently needed.

58. Further efforts were also required to promote the reunion of divided refugee families, a task which, it was hoped, could be pursued with greater impetus in keeping with the provisions of the Final Act of the Conference on Security and Co-operation in Europe.

59. In conclusion, the Director of Protection said that in the world of today the task of international protection of human rights of refugees was only at its beginning.

B. Establishment of a sub-committee of the whole on international protection

60. Pursuant to the conclusions on international protection (A/AC.96/521, para. 69 (h)) adopted by the Executive Committee at its twenty-sixth session, the Committee, at its 275th meeting, decided to establish a sub-committee of the whole on international protection, which would meet in principle during the session of the Committee, would study in more detail the more technical and legal aspects of the protection of refugees and would report to the Committee on its findings.

61. The Sub-Committee thus established, opened its proceedings on 6 October 1976, and held two subsequent meetings in the afternoon of the same day, and on Thursday, 7 October 1976.

62. In keeping with the suggestions made in the course of its twenty-sixth session, the Committee decided that the representatives elected as officers of the Executive Committee should also act as officers of the Sub-Committee.

63. The Sub-Committee decided that the rules of procedure of the Executive Committee would apply to its proceedings, as appropriate.

64. The Sub-Committee adopted the following agenda:

- (1) Officers.
- (2) Methods of work and adoption of the agenda.
- (3) General discussion.
- (4) International legal instruments concerning refugees.

- (5) Basic rights of refugees.
- (6) Determination of refugee status.
- (7) Access to wage-earning employment.
- (8) Family reunion.
- (9) Acquisition by refugees of the nationality of country of residence.
- (10) Registration of assets of Asians of undetermined nationality from Uganda.
- (11) Any other questions.
- (12) Consideration of draft report.

C. General discussion

65. In the course of the general discussion, members of the Sub-Committee stressed the paramount importance of the protection function of UNHCR and the gravity of the problems confronting the Office of the High Commissioner in this field. They felt that the Sub-Committee should be able to make a thorough study of these problems and explore solutions to them, thereby helping the High Commissioner to discharge what had become a most difficult and complex task which had now spread throughout the world. The majority of speakers placed special emphasis on the vital questions of asylum and non-refoulement, and pledged their full support for the adoption of a Convention on Territorial Asylum, as indicated below.

66. A number of representatives gave an account of the measures taken in their own countries with a view to improving the status of refugees and co-operating with the High Commissioner in carrying out his protection function. One representative mentioned that the protection of refugees also entailed certain rather sensitive problems which called for caution if protection were not to become counter-productive.

67. Referring more specifically to the objectives which the Sub-Committee might usefully pursue, one representative felt that the Sub-Committee's most important task would be to determine any short-comings in the legal situation of refugees and in the protection afforded to them by Governments in various parts of the world, and felt that the most valuable contribution which the Sub-Committee could make would be to review such short-comings and seek ways and means to help overcome them. One way perhaps in which the practical implementation of protection could be promoted would be to make international public opinion more aware of the need for a more humane treatment of refugees. To enable the High Commissioner to pursue this objective effectively, he would of course, need the full support of Governments.

D. International legal instruments

68. Several representatives noted with satisfaction that the High Commissioner's efforts to secure new accessions to the 1951 Convention relating to the Status of Refugees and 1967 Protocol had met with some degree of success. They regretted, however, that universality was still far from being achieved.

69. It was emphasized that effective implementation of these instruments, in accordance with their letter and spirit, was as important as accession to them. Under article 35 of the Convention, Governments were to submit the necessary data on the implementation of the provisions of the Convention to the High Commissioner. The representative of the Netherlands, supported by other speakers, suggested that a report on the implementation of the 1951 Convention and 1967 Protocol be submitted to the Committee.

70. Members of the Sub-Committee were gratified to note the support and interest shown in both intergovernmental and non-governmental quarters for the Conference of Plenipotentiaries which was to adopt a Convention on Territorial Asylum.

71. Several speakers emphasized the need for the new Convention to contain specific guarantees for asylum-seekers and some representatives expressed the hope that the text would be strengthened to that effect. One representative considered that specific expression should be given in the Convention to basic principles, including those of non-refoulement, freedom of choice by refugees of their country of asylum and international solidarity in cases where a country is faced with excessive problems owing to an unforeseen and sudden influx of refugees.

72. Several members of the Committee and the representatives of the International Council of Voluntary Agencies and the Working Group of the Non-Governmental Organizations on the Draft Convention on Territorial Asylum stressed the need to ensure that the principles of non-refoulement should be understood to include non-rejection at the frontier so that asylum seekers, like persons already within the State of refuge, should not be returned to the country in which they are in danger of persecution and at least be afforded the possibility of having their claim to be granted asylum duly considered.

73. One representative observed that the question of the right of the individual to be granted asylum versus the right of States to grant asylum was a highly complex one. He felt that a realistic solution could be achieved only by the adoption of a text that would carefully balance the legitimate expectations of claimants for asylum against the rights and duties of a State in the exercise of its sovereign power.

74. With regard to the cost of the Conference, estimated at \$300,000, the representatives of Switzerland and France stated that their Governments had announced contributions for this purpose. Other representatives indicated that their Governments were considering the possibility of a contribution.

75. Taking into account the significant role of non-governmental organizations in promoting humanitarian aid to and protection of refugees, the Sub-Committee agreed to recommend their participation as observers in the forthcoming Conference of Plenipotentiaries.

76. The Sub-Committee took note with interest of the proposal of the Constituent Assembly of the European Parliament of the Council of Europe to conclude, within the framework of that organization, a multilateral agreement on the transfer of responsibility for refugees and noted the suggestion made by one representative that similar arrangements be initiated in a wider geographical context.

E. Basic rights of refugees

77. Grave concern was expressed with regard to the recurring violations of the basic rights of refugees, as described by the High Commissioner in his opening statement. It was observed that these should also be viewed in the more general context of human rights. In the case of refugees, acts of inhumanity were all the more reprehensible since they were directed against people whose position was particularly vulnerable. Members of the Sub-Committee expressed grave concern regarding the situation of Indo-Chinese displaced persons who had left in small boats and were in desperate need of rescue while on the high seas and of admission to a country of refuge. Some speakers stressed the importance for the Brussels Convention of 1910 ^{5/} and the Convention on the High Seas of 1958 ^{6/} concerning rescue on the high seas to be scrupulously observed. The Sub-Committee expressed the hope that Governments would give priority and sympathetic consideration to the granting of first asylum to these persons. In the event of their being unable to grant them permanent settlement, a concerted effort should be made by all Governments to co-operate with the High Commissioner in providing them with permanent resettlement opportunities elsewhere. Members of the Sub-Committee were also seriously preoccupied by the situation of refugees in some parts of the world where their safety was in danger, as also reported by the representative of the International Commission of Jurists.

78. The renewed appeal which the Executive Committee had decided to launch should be directed to the widest possible audience.

F. Determination of refugee status

79. Several representatives considered that there was a need for greater uniformity in eligibility procedures. The Sub-Committee took note with interest of the criteria proposed by the High Commissioner in his report on protection (A/AC.96/527, para. 30) on the understanding that their application should be flexible, and adapted to existing administrative structures.

80. The representative of Italy, supported by other speakers, suggested that a study of eligibility procedures and practices be made with a view to submitting appropriate proposals to the Executive Committee in due course.

^{5/} Convention for the Unification of Certain Rules of Law with respect to Assistance and Salvage at Sea, signed at Brussels on 23 September 1910 (United States Department of State, Treaty Series, No. 576).

^{6/} United Nations, Treaty Series, vol. 450, No. 6465, p. 82.

G. Access to wage-earning employment

81. Members of the Sub-Committee stressed the importance of access to employment as a determining factor in permitting the integration of refugees. They noted special measures taken in several countries, notably Belgium and France, to facilitate the wage-earning employment for refugees. These measures included simplification of administrative formalities, waiving of certain restrictions and the organization of intensive courses leading to gainful employment.

H. The acquisition by refugees of the nationality of the country of residence

82. In view of the importance of naturalization in terminating refugee status, emphasis was laid on the need to accelerate and facilitate the administrative process involved. A suggestion was also made with a view to achieving greater uniformity in the requirements for naturalization in various countries.

I. Family Reunion

83. Several representatives expressed their satisfaction at the encouraging results achieved in promoting the reunion of separated refugee families, following the application by the High Commissioner of new procedures to this effect. They encouraged him to continue his efforts in this direction, in co-operation, where necessary, with the International Committee of the red Cross.

J. Registration of assets of Asians of undetermined nationality from Uganda

84. The representative of Uganda indicated that appropriate administrative measures had been taken in Uganda, in consultation with UNHCR, for the consideration by the Government of Uganda of compensation claims filed by Asians of undetermined nationality. It was anticipated that payments would be made in due course.

K. Arrangements for subsequent sessions of the Sub-Committee

85. In expressing the importance of the contribution which the Sub-Committee could make to the work of protection, many speakers stated that it would be more practical for the Sub-Committee in future to meet one full day before the Executive Committee's own session, as reflected in the conclusions below. To facilitate the discussions of the Sub-Committee, documents submitted for its examination should be circulated well in advance of the meeting to allow sufficient time for their consideration.

86. The representative of Iran, while agreeing to the meeting of the Sub-Committee one day before the Executive Committee's next session, observed that the mandate of the Sub-Committee's present officers would only end upon the election of new Committee officers, and would therefore continue to be valid during the next

meeting, to take place one day before the Executive Committee's twenty-eighth session. The representative of Iran thus considered it unnecessary to specify that the Sub-Committee would have the same officers.

Conclusions of the Committee

87. The Executive Committee

(a) Was gravely preoccupied by the serious recurring violations of human rights of refugees and of their rights under legal instruments concerning them and was particularly concerned by the situation of several groups of refugees whose safety was in danger;

(b) Welcomed new accessions to the 1951 Convention and 1967 Protocol and urged all Governments to accede to these instruments and scrupulously to observe their provisions;

(c) Recommended that the High Commission should continue to follow up on the application and implementation of the 1951 Convention and 1967 Protocol in various member States, including national practice and procedures for the recognition of refugee status, and to submit a report to the Executive Committee on the subject in due course;

(d) Noted with satisfaction the decision of the General Assembly to convene a Conference of Plenipotentiaries to consider and adopt a Convention on Territorial Asylum;

(e) Recommended that non-governmental organizations concerned with problems relating to the protection of refugees be invited to attend the forthcoming Conference of Plenipotentiaries in observer capacity;

(f) Was deeply concerned at the fate of asylum-seekers who had left their country in small boats and were in need of rescue or admission to a country of first asylum and eventually of final settlement;

(g) Appealed to States scrupulously to observe the legal provisions relating to the rescue of persons at sea, as contained in the Brussels Convention of 1910 and the United Nations Convention on the High Seas of 1958, and urged States to make every possible effort to ensure that the provisions of these legal instruments be respected by ship masters under all circumstances;

(h) Further appealed to States:

(i) To grant first asylum to refugees and displaced persons rescued at sea or who had come directly by sea; and

(ii) To offer resettlement opportunities to those who had been unable to obtain permanent residence in the State of first asylum;

(i) Reaffirmed the need to intensify its role in the field of protection and welcomed the establishment of a Sub-Committee of the whole on protection, designed to focus attention on protection issues with a view to determining existing short-comings in this field and to proposing appropriate remedies;

(j) Decided that the Sub-Committee of the whole would meet for one day before the twenty-eighth session of the Executive Committee.

Chapter IV. UNHCR ASSISTANCE ACTIVITIES 7/

(Agenda item 6)

88. Presenting the report on UNHCR assistance activities in 1975-1976 and proposed voluntary funds programme and budget for 1977 (A/AC.96/526), the Director of Assistance indicated that this report covered, for the first time, all assistance activities of UNHCR - both those under the annual programme and the special operations. Tables II (A), (B) and (C) showed global expenditure in the years covered by the report. In 1975, this expenditure had reached \$76.2 million; that for the current year was estimated at \$99.3 million, while a similar figure might be reached in 1977, depending on the scope of the various special operations. He indicated in this context that expenditure under the special operations for the current year contained in tables II (B) and (C) did not include the programme in Angola, since the task of co-ordinating United Nations humanitarian assistance there had been entrusted to the High Commissioner after 30 June 1976, the date of reference of the tables.

89. Commenting on the specific forms of assistance provided by UNHCR, he recalled that the essential objectives remained those of achieving durable solutions. These included resettlement in a country of permanent asylum. As indicated in the report on UNHCR's resettlement activities (A/AC.96/529), efforts in this field had acquired a new dimension in recent years, in view of the needs of refugees in Latin America and those of displaced persons from Indo-China. Difficulties encountered in securing adequate opportunities for these persons had resulted in a need for temporary care and maintenance, pending departure, which was imposing a heavy burden on the financial resources of the Programme. The financing of durable solutions remained, however, the prime objective to which the largest share of funds was directed.

90. The Director of Assistance then recalled the main areas of UNHCR activities, as discussed in the general debate, giving additional details of certain operational aspects. Increased attention had been given, both at headquarters and in the field, to the planning and monitoring of these activities. When establishing rural settlement projects for refugees, prior comprehensive surveys by private consultants were increasingly resorted to - a practice already applied by other United Nations bodies, notably UNDP. In preparing these projects, UNHCR also benefited from the specialized assistance of other members of the United Nations system. The actual implementation was normally entrusted to a voluntary agency or suitable technical body, on the basis of a tripartite agreement concluded with UNHCR and the Government concerned. An increasing number of Governments were, however, in favour of direct participation in implementation. This might require the addition of more technical staff to UNHCR field offices to facilitate co-operation with Governments. More generally, programme procedures were kept under constant review in order to adapt them to changing needs.

7/ This item included UNHCR annual assistance activities in 1975-1976 and proposed voluntary funds programme and budget for 1977; resettlement activities; and special operations. Additionally, an item was included at the request of the Government of Algeria, entitled "Establishment and implementation of a programme of assistance to the Sahrawi refugees and related questions".

91. The Director of Administration and Management explained that the present budgetary system whereby those programme support and administrative costs which were financed from the United Nations regular budget should, for an initial period of four years, be maintained constant in real terms, while additional costs resulting from changing refugee situations would be met from voluntary funds, had been adopted following the introduction by the United Nations in 1974 of the biennial budget cycle. This arrangement would therefore come up for review in connexion with the preparation of the 1978-1979 United Nations programme budget. At the same time it had been agreed that a comprehensive programme budget would be submitted annually to the Executive Committee. Certain changes had been introduced in this year's programme and budget following recommendations of the Executive Committee and of the Advisory Committee on Administrative and Budgetary Questions, and its proposals (A/AC.96/531) for further improvements in presentation were receiving close attention. The programme and budget now provided data on all sources of funds, that is, regular budget, the emergency fund, the annual programme and all trust funds, including special operations. As could be seen from the document, the increase in the volume of activities of UNHCR had entailed a corresponding increase in programme support and administration costs, both at headquarters and in the field. However, the percentage rate of these costs, the level of which varied from one operation to another, was somewhat lower for 1976 and 1977, the total expenditure under all sources of funds amounting to 19.8 per cent, 15.2 per cent and 14.8 per cent for 1974, 1975 and 1976, respectively. The Director of Administration and Management pointed out that programme support costs also covered the whole protection function, the primary responsibility of the Office and which formed a substantial part of its activities.

92. He gave a brief account of major developments regarding programme support and administration, referring in particular to the strengthening of the presence of UNHCR in various parts of the world following the increased demands made upon the Office. As indicated in its report, the Advisory Committee on Administrative and Budgetary Questions recommended approval of the additional temporary posts and reclassification proposed under the annual programme for 1976 and 1977.

93. Referring to the note on the management of special operations (A/AC.96/530), the Director said that, while considerable thought had been given to alternative ways of financing the early stages of special operations, more time was required to elaborate a feasible and practical proposal. It was thus suggested that the question be kept under review, and that proposals be submitted to the Committee at its twenty-eighth session.

94. Commenting on the form of presentation of document A/AC.96/526, several representatives welcomed the efforts taken to give effect to the recommendations of the Advisory Committee on Administrative and Budgetary Questions aimed at greater concision and streamlining. They noted that further improvements had been suggested by the Advisory Committee, designed notably to highlight the developments underlying proposed changes in allocations, which might be incorporated in the introduction and in tabular form.

95. It was observed that the merger of special operations with activities under the annual programme gave a valuable over-all picture of the material assistance activities of UNHCR. Some representatives felt, however, that a clear distinction should be maintained between the two forms of activities, particularly with regard to their financial implications. One representative pointed out that such a distinction was particularly necessary in order to be able to distinguish between

the various categories of persons assisted. They were pleased to note, as indicated during the general debate, that due attention would be given to improved procedures relating to the financial review of UNHCR's programmes.

96. Members of the Committee noted that the annual programme of UNHCR continued to focus on Africa, where assistance needs remained high. Some speakers made special mention of the repatriation and resettlement operations undertaken by UNHCR, in accordance with the relevant resolutions of the General Assembly, for the benefit of refugees and displaced persons from former Portuguese Territories. They expressed their support for the task of co-ordinating United Nations humanitarian assistance in Angola, recently entrusted to the High Commissioner.

97. Referring to information contained in paragraph 116 of document A/AC.96/516, the representative of Uganda explained that the implementation of certain projects had been delayed by unforeseen problems, which were now being resolved. He therefore requested that the proposed cancellation of unspent funds should be deferred.

98. Emphasis was also laid on the importance of developments in South Africa and their implications for UNHCR activities in the area. The Committee took note with interest of statements made by representatives of the liberation movements mentioned in the following paragraphs.

99. In a statement to the Committee, the observer for the South West Africa People's Organization of Namibia (SWAPO) said that, with assistance from UNHCR, his organization was caring for some 2,000 Namibian refugees at the Namibia Education and Health Centre in Zambia. A further 3,000 Namibians were likewise being assisted in Angola, where preparations for the establishment of a similar centre were under way. In view of the need for the development of skills and creativeness of the people of Namibia, SWAPO had embarked on a programme of literacy courses, technical training and the formation of professional cadres, and was also laying the foundations for a free, universal education for all Namibians, from the primary through secondary to the university level. In conclusion, the observer for SWAPO appealed to the Executive Committee to consider the possibility of doubling the proposed 1977 allocation for Namibian students.

100. The observer for the Pan-Africanist Congress of Azania (S.A.) said that his movement was working very closely with the Office of UNHCR in the United Republic of Tanzania. Referring to the plight of his people, he appealed for further assistance for the members of his movement in the United Republic of Tanzania, Botswana and Swaziland, many of whom were suffering great hardship.

101. The observer for the African National Congress of South Africa said that his organization agreed with the High Commissioner's remarks on the necessity of maintaining justice and observing fundamental human rights in order to avert the suffering and uprooting of large numbers of people. He suggested the establishment of a fund for transporting refugees from South Africa to other African countries, and mentioned the desirability of UNHCR opening offices in Lesotho and Swaziland. He recommended that closer consultations and co-ordination with liberation movements be considered, particularly in the field. His movement welcomed the proposed Convention on Territorial Asylum.

102. In the course of the twenty-seventh session, an item was included at the

request of the Algerian delegation, entitled: "Establishment and implementation of a programme of assistance to the Sahrawi refugees and related questions". On this item, the representative of Algeria stated the views of his Government concerning the UNHCR humanitarian assistance and the observers for Mauritania and Morocco also stated the views of their respective Governments concerning the search for permanent solutions.

103. The representative of Algeria evoked the dramatic situation of the 50,000 Sahrawi refugees now residing in his country, for whom increased humanitarian assistance was required despite the efforts of UNHCR, the League of Red Cross Societies and the Algerian Red Crescent. Referring to the statute of the United Nations High Commissioner for Refugees, he laid special stress on the fact that these refugees were indeed the concern of the High Commissioner, and that it was thereby becoming urgent to establish under his auspices and to implement an orderly and adequate programme of international assistance.

104. The observers for Mauritania and Morocco cited in particular the joint declaration by the Heads of State of Mauritania and Morocco dated 23 July 1976 (see A/AC.96/532). Both observers stated that the 5,000 Sahrawi residing in the Algerian camps were kept there against their will and could not therefore answer to the definition of "refugee" as it appeared in the texts governing the High Commissioner's Office. They formally declared that their Governments requested their voluntary repatriation, following naturally upon a desire freely expressed by the persons actually in question (see A/AC.96/SR.278).

105. The Chairman stressed that the Executive Committee was concerned with the humanitarian aspect involved and that the prime objective was to alleviate the distress of the persons in question and to strive towards the durable, traditional solutions which the High Commissioner had the task of promoting. It was his firm belief that the Governments whose representatives had just spoken on the subject were equally concerned with this aspect. He was encouraged by the fact that these representatives had expressed their support for the High Commissioner and their willingness to co-operate with him.

106. The Committee took note with appreciation of the report on UNHCR resettlement activities (A/AC.96/529) and of the information note on persons leaving the Indo-Chinese peninsula in small boats (A/AC.96/INF/150). One representative suggested that the report on resettlement should be a permanent feature of the documentation submitted to the Committee at each session.

107. Several speakers drew attention to the growing importance of efforts to secure permanent resettlement opportunities, particularly for refugees in Latin America and displaced persons from Indo-China. It was observed that the traditional countries of resettlement were finding it increasingly difficult to admit additional groups, owing to unfavourable economic conditions and limited employment markets. To overcome these problems, a concerted effort was required on the part of the international community which would also help relieve the burden on the countries of first asylum. One representative suggested that consideration might be given, in the case of resettlement opportunities required for large groups, to possible consultations between the Governments of potential countries of permanent asylum.

108. The view was also expressed that, wherever possible, refugees should be

admitted to countries with which they had social and economic ties, in order to facilitate their integration. It was observed, moreover, that the admission of refugees for resettlement constituted a contribution to the economic and social life of the host country.

109. In a statement to the Committee, the Director of the Inter-Governmental Committee for European Migration (ICEM) referred to the increasing importance of the joint, complementary efforts of his organization and those of UNHCR in the resettlement field, in view of the growing magnitude of refugee problems in various parts of the world. The increasing resettlement needs and the human distress involved called for renewed generosity on the part of receiving countries even in times of economic recession such as recently experienced. Tribute was due to the important work of the voluntary agencies. Describing specific programmes with which ICEM was currently involved alongside UNHCR, he referred to the ongoing efforts in favour of Latin American refugees, which included implementation of a Chilean prisoners' release programme. Numerous opportunities were still required for many thousands of displaced persons from Indo-China - currently the largest group - of whom many had already been admitted to the United States and France. A special programme was also being implemented for refugees urgently seeking resettlement from Lebanon. Efforts to facilitate family reunion remained a priority area of activities, and it was hoped that further progress would be made as a result of the signing in 1975 of the Declaration on Security and Co-operation in Europe. The possibility for ICEM, as a technical and non-political organization, to offer its expertise to the signatories of this Declaration was being actively explored.

110. In the course of the session, tribute was paid by some members of the Committee to the valuable role performed by ICEM on behalf of UNHCR in facilitating the movement of refugees and displaced persons, and they urged that its co-operation with UNHCR should continue.

111. Regarding assistance by UNHCR in the educational field, the Committee took note of the proposed inclusion under the annual programme of requirements for lower secondary education and vocational training, hitherto financed from the Refugee Education Account.

112. In a statement to the Committee, the Director of the OAU Bureau for the Placement and Education of African Refugees drew attention to the severe difficulties encountered by the Bureau in accomplishing its functions. These difficulties were mainly linked to the limited employment and educational opportunities which African States could offer to refugees. In some cases the reluctance of Governments to open their doors was based on security considerations. Every effort continued to be made however, by the staff of the Bureau to secure the opportunities required, in close co-operation with UNHCR, which had recently strengthened its office in Addis Ababa for this purpose.

113. Several speakers emphasized the great importance they attached to the High Commissioner's close co-operation with other United Nations agencies. Representatives of UNICEF, UNDP, UNESCO, the ILO, WFP and FAO made statements to the Committee in which they described the co-ordination which had developed between their agencies and UNHCR. They indicated the type of support provided, giving details where appropriate of the supplies and services made available to refugee assistance projects.

114. The representative of UNDRO observed that there had as yet been little opportunity to develop close co-operation between his Office and UNHCR, owing to the specific nature of the events themselves and to the fact that UNDRO had not until recently been operating at full capacity. It was hoped that a memorandum of understanding would shortly be concluded with UNHCR along the lines of the working agreements already established with other members of the United Nations system.

115. Members of the Committee noted with satisfaction the concerted action that was being taken by UNHCR and other United Nations agencies for the benefit of refugees and displaced persons.

116. General support was expressed for the revised programme target for the current year and proposals for 1977, of which the levels seemed reasonable in view of the increasing assistance requirements in various parts of the world. The Committee noted that, as regards the 1977 target, the proposals made were based on minimum requirements and that an upward revision in the course of the year was likely. It was observed that this procedure presented donor Governments with budgetary problems, and should be avoided. Some speakers suggested therefore that the initial target should perhaps be set at a higher level and urged that due consideration be given to this question.

117. With reference to the suggestion made by the Director of External Affairs concerning a possible increase of the reserve of the annual programme from 10 to 20 per cent, (see chap. V below), it was agreed that the High Commissioner would report further on this matter to members of the Executive Committee for discussion at its twenty-eighth session.

118. Statements giving information on material assistance measure taken at the national level for the benefit of refugees and details of the support given by Governments to activities of UNHCR were made under this item by several members and observers. Summaries of these statements may be found in the relevant summary records.

Decision of the Committee

119. The Executive Committee

(a) Took note with satisfaction of the results achieved by the High Commissioner under his programmes of assistance for refugees and displaced persons in urgent need in 1975 and the first half of 1976, under the annual assistance programme and special operations, as reported in document A/AC.96/526;

(b) Took note with appreciation of the observations of the Advisory Committee on Administrative and Budgetary Questions (A/AC.96/531) and requested the High Commissioner to continue to bear in mind the recommendations of the Advisory Committee when preparing the document on UNHCR's programme and budget;

(c) Took note with reference to document A/AC.96/530, of the High Commissioner's proposal to make recommendations to the Executive Committee at its next session regarding possible alternative solutions to the use of the working capital and guarantee fund in connexion with the management of special operations;

(d) Approved the proposals set out in detail in paragraphs (a) to (g) of schedule B of the introduction to document A/AC.96/526 and Corr.1, namely,

- (i) The "new and revised" allocations under the 1976 Annual Programme for both operations and programme support and administration and the relevant revised appropriations;
 - (ii) The revised financial target of \$14,851,000 for the 1976 Annual Programme;
 - (iii) The carry-over of funds into 1977 from 1976 and prior years' programmes for assistance projects in the United Arab Emirates and the Sudan and the cancellation of the 1976 allocation specified in paragraph 513;
 - (iv) The inclusion of lower secondary education and vocational training under local settlement in the Annual Programme;
 - (v) The country and area programmes and over-all allocations for the 1977 Annual Programme as regards operations and programme support and administration and the relevant appropriations;
 - (vi) The financial target of \$16,663,000 for the 1977 Annual Programme;
- (e) Took note of the statement of the representative of Uganda and authorized the High Commissioner to defer cancellation of unspent balances referred to in paragraph 116 of document A/AC.96/516, from December 1976 to 30 June 1977;
- (f) Took note of the allocations made by the High Commissioner from the Emergency Fund and from the proceeds of the UNHCR Record Scheme during the period 1 October 1975 to 31 May 1976;
- (g) Took note with approval of the reports on UNHCR's programmes of material assistance for the benefit of both refugees and displaced persons in the relevant country or area chapters of document A/AC.96/526;
- (h) Noted the magnitude of the current resettlement problems and of the particularly heavy burden being borne by certain countries, and urged that the High Commissioner continue his vital role in promoting resettlement, especially in seeking resettlement opportunities in countries where they have not normally been made available, and in pressing for liberalized admission criteria and quotas as the situation requires;
- (i) Took note of the appeal that was being made by the Secretary-General with a view to the financing of the special programme for assistance to refugees and displaced persons in Angola.

B

The Executive Committee

- (a) Took note of the report and statement by the High Commissioner concerning the humanitarian action which was his concern in the Tindouf region;
- (b) Took note of the statement made by the representative of Algeria who, referring to the mandate of the United Nations High Commissioner for Refugees, laid special emphasis on the need to continue and urgently to strengthen the assistance of the international community to the Sahrawi refugees in the Tindouf region pending a permanent solution of the problem;

(c) Took note of the statements made by the observers for Mauritania and Morocco, who drew special attention to the fact that measures were called for with a view to voluntary repatriation, in accordance with the appeal made by the Heads of State of Mauritania and Morocco, and who declared that the persons in question had been brought in and detained against their will;

(d) Noted with satisfaction that the representatives of Algeria, Mauritania and Morocco had promised that their Governments would co-operate closely with the High Commissioner in order to enable him to accomplish fully his role;

(e) Requested the High Commissioner to continue his programme of humanitarian assistance and at the same time to undertake discussions with the Governments with a view to the speedy implementation, in accordance with the usual policy of his Office, of permanent solutions, including voluntary repatriation and durable settlement.

Chapter V. FINANCIAL QUESTIONS

(Agenda item 5)

A. Voluntary funds accounts for 1975 and report of the Board of Auditors

120. Introducing the accounts for 1975 and the report of the auditors (A/AC.96/525), the Director of Administration and Management said that, with an income of \$79.5 million and expenditure of \$69 million, the volume of transactions had more than doubled in 1975, as indicated in statement II. Income derived from governmental contributions (94 per cent) and private contributions (2.5 per cent), with the remainder coming from net proceeds of interest, loan repayments etc., reduced by exchange losses. The balance sheet in statement I similarly illustrated the increase in volume of activities, with cash and deposits rising to \$27 million and accounts receivable to \$8,766,000 by the end of the year, by which time almost 90 per cent of the contributions pledged had been paid, which was greatly appreciated since delays in payment of contributions pledged could seriously affect programme implementation. Liabilities, details of which were in schedules 2 and 8, included \$12,565,000 for projects under implementation. Including trust funds and reserves, balances at the end of 1975 totalled \$21,300,000. As in the past, every effort would be made to accommodate the observations and recommendations of the auditors, whose report had been reviewed and passed without comment by the Advisory Committee on Administrative and Budgetary Questions.

121. The Committee examined the accounts for 1975 of the voluntary funds administered by the High Commissioner and the report of the Board of Auditors thereon (A/AC.96/525). ^{8/} The Committee also considered with appreciation the report of the Advisory Committee on Administrative and Budgetary Questions in respect of the audit of accounts (A/AC.96/525/Add.1).

122. During the examination of the accounts, questions were raised by several representatives, the details of which may be found in the summary record of the 280th meeting.

Decision of the Committee

123. The Executive Committee

(a) Took note of the accounts for the year 1975 and the report of the Board of Auditors (A/AC.96/525); ^{8/}

(b) Took note of the report of the Advisory Committee on Administrative and Budgetary Questions in respect of the accounts for the financial year 1975 and the report of the Board of Auditors thereon (A/AC.96/525/Add.1).

^{8/} For the printed text, see Official Records of the General Assembly, Thirty-first session, Supplement No. 7 E (A/31/7/Add.5).

B. Status of contributions and over-all financial situation
for 1976 and 1977

(Agenda item 7)

124. The Director of External Affairs introduced the report on the status of contributions and over-all financial situation (A/AC.96/528) and drew attention to the need for increased governmental contributions to ensure the full financing of UNHCR's annual programmes. Generous, special contributions by the Governments of the Scandinavian countries and of the Netherlands had assured the full financing of the current year's programme, but a minimum shortfall of \$4.3 million was forecast for 1977. Based on past experience, there was every likelihood that this projection would prove correct.

125. Unless very substantially increased contributions for the 1977 programme were secured early in the year, a special appeal for additional funds would be inevitable.

126. To avoid the need for mid-year revision of the programme target, which posed problems both to donor Governments and with regard to the implementation of UNHCR's programme, he suggested that the Committee might consider increasing the programme reserve from 10 to 20 per cent of the over-all target. Although this procedure would solve nothing in the immediate future, but simply increase the projected shortfall, it could well prove useful in the longer term, on condition that governmental contributions matched the increased requirements as from the beginning of the year.

127. Efforts by the Office to secure more equitable sharing of the financial burden of its activities had produced a number of new contributors to the special operations, of which the financial requirements had grown sharply in recent years. The helpful practice of the Government of Sweden, described at the Committee's previous session (A/AC.96/521, para. 126), was again brought to the Committee's attention. The full financing of the special operations, important as it was, however, should not be detrimental to the financing of the annual programme, which remained the mainstay of the High Commissioner's activities.

128. The Committee welcomed the announcement of contributions made during the session as shown in detail below:

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| AUSTRALIA | The representative of Australia announced that, subject to parliamentary approval, his Government would contribute approximately \$US 566,000 to the UNHCR annual Assistance Programme for 1977, a 21 per cent increase over the 1976 contribution. |
| CANADA | The representative of Canada announced that his Government's contribution to the 1976 annual Assistance Programme would be increased to \$C 750,000, a 25 per cent increase over the contribution of 1975. |
| DENMARK | The representative of Denmark announced that, subject to parliamentary approval, his Government would increase its contribution to the UNHCR annual Assistance Programme for 1977 to DKr 4.9 million, 33 per cent over that for 1976. Further, an additional unearmarked contribution would be made, to be announced at the Pledging Conference in New York. |

- FRANCE The representative of France announced that his Government would contribute 100,000 francs towards the costs of the Conference of Plenipotentiaries on Territorial Asylum.
- NETHERLANDS The representative of the Netherlands announced his Government's contribution to the UNHCR annual Assistance Programme for 1977 as 4.5 million guilder, and added that further contributions would be favourably considered if and when the need arose in the course of the year. He further informed the Committee that his Government would contribute 500,000 guilder for UNHCR humanitarian assistance in Algeria.
- NORWAY The representative of Norway announced that, subject to parliamentary approval, his Government would contribute to the UNHCR annual Assistance Programme and the Refugee Education Account for 1977 in a total of Nkr 8.5 million. This contribution represents an increase of 33 per cent over that made by the Government of Norway in 1976.
- SWEDEN The representative of Sweden announced that his Government would contribute SKr 15 million for each of the years 1977, 1978 and 1979 for UNHCR regular activities (inside and outside the Programme) and for special operations. This represents a 25 per cent increase over the contribution of the Government of Sweden for 1976.
- SWITZERLAND The representative of Switzerland announced that, in addition to its contribution to the annual Assistance Programme for 1977 and its participation in the financing of special operations, his Government would contribute 75,000 Swiss francs towards the cost of the Conference of Plenipotentiaries on Territorial Asylum.
- UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND The representative of the United Kingdom of Great Britain and Northern Ireland announced that, subject to parliamentary approval, the contribution of Her Majesty's Government would be increased to £350,000 for the UNHCR annual Assistance Programme for 1977. His Government would further, subject to parliamentary approval, contribute £250,000 to UNHCR for assistance in Angola.
- UNITED STATES OF AMERICA The representative of the United States of America announced that his Government would contribute a further \$US 1.7 million for the UNHCR programme in Thailand, bringing the United States contribution to that programme to a total of \$US 8.6 million. The Government of the United States of America would contribute a further \$US 300,000 to the UNHCR programme for the resettlement of displaced persons from Indo-China, bringing its contribution to that programme to \$US 3,320,000.

Decision of the Committee

129. The Executive Committee

(a) Took note of the report submitted by the High Commissioner on the status of contributions to UNHCR voluntary funds and the over-all financial situation for 1976 and 1977 (A/AC.96/528);

(b) Noted with appreciation the exceptional generosity of certain Governments which made special contributions thereby enabling the High Commissioner to secure the full financing of the 1976 Programme;

(c) Recognized that governmental support of greater magnitude and on a wider geographical basis would be necessary in order to achieve the full financing of the UNHCR Programme for 1977;

(d) Urged Governments, in keeping with the universal character of the problems facing UNHCR, to participate in the financing of the High Commissioner's humanitarian activities by contributing or increasing substantially the level of their contributions in 1977, in order to enable the growing financial requirements to be met;

(e) Invited Governments on the occasion of the next annual pledging conference in New York, to indicate their financial support to any or all of the High Commissioner's special tasks in addition to announcing substantial increases to the High Commissioner's Assistance Programme for 1977;

(f) Noted the suggestion that Governments consider incorporating financial provisions in their national budgets to enable them to respond as promptly and favourably as possible to the High Commissioner's appeals for contributions.

Chapter VI. ANY OTHER QUESTIONS

(Agenda item 8)

130. At the request of the Chairman of the United Nations Committee on Conferences, the contents of a letter addressed on 20 August to the Chairmen of the Executive Committee and of other United Nations Committees have been brought to the attention of the Committee, together with the text of General Assembly resolution 3415 (XXX) concerning meeting records of United Nations bodies. The Executive Committee took note of the letter and of General Assembly resolution 3415 (XXX). It recalled in this connexion that, following its consideration of this question at its twentieth session, held in 1969, the Executive Committee had decided that summary records should be retained, but that they should be issued in a more succinct form. In taking that decision, the Executive Committee was guided by the fact that, under the terms of General Assembly resolution 1160 (XII), the Committee was responsible for approving and supervising the UNHCR annual assistance programme for refugees, which was not considered in detail by the General Assembly or the Economic and Social Council. The Executive Committee was, therefore, the only organ of the United Nations at which views on the details of these programmes could be expressed.

131. Taking into account the need to limit expenditure to the minimum required for its proper functioning, the Committee agreed on minimum requirements, as reflected in its decision below.

Decision of the Committee

132. The Committee decided that:

(a) Summary records of the Executive Committee would be maintained, but that they would be reduced to a maximum of 15 pages for a three-hour meeting;

(b) Summary records of the opening and closing meetings would be replaced by a brief minute of the proceedings, it being understood that any exchange of views on substance at those meetings would be duly summarized.

ANNEX I

UNHCR annual programme - summary of 1976 (revised) and 1977 appropriations
(in United States dollars)

Country or area	1976 (revised)			1977		
	Assistance operations	Programme support and administration	Appropriation	Assistance operations	Programme support and administration	Appropriation
Algeria, Morocco, Tunisia	70 000	-	70 000	70 000	-	70 000
Angola	-	-	-	50 000	59 000	109 000
Asia (excl. Middle East)	-	-	-	-	-	-
Australia and New Zealand	-	60 000	60 000	-	63 000	63 000
Austria	100 000	-	100 000	59 000	-	59 000
Botswana, Lesotho and Swaziland	59 000	-	59 000	59 000	-	59 000
Burundi	161 000	-	161 000	168 000	-	168 000
Central African region	42 000	-	42 000	53 000	-	53 000
Egypt	227 000	-	227 000	257 000	-	257 000
Ethiopia	447 000	-	447 000	207 000	-	207 000
France	50 000	-	50 000	82 000	-	82 000
Germany, Federal Republic of	70 000	-	70 000	116 000	-	116 000
Greece	291 000	-	291 000	241 000	-	241 000
Guinea-Bissau	-	-	-	-	-	-
Italy	114 000	-	114 000	140 000	-	140 000
Kenya	88 000	-	88 000	155 000	-	155 000
Latin America						
Argentina	2 765 000	59 000	2 824 000	2 630 000	87 000	2 717 000
Chile	388 000	35 000	423 000	285 000	47 000	332 000
Peru	550 000	74 000	624 000	435 000	93 000	528 000
Other Latin American countries	332 000	57 000	389 000	402 000	115 000	517 000
Middle East	209 000	84 000	293 000	270 000	91 000	361 000
Mozambique	500 000	-	500 000	364 000	77 000	441 000
Portugal	67 000	-	67 000	87 000	-	87 000
Rwanda	45 000	-	45 000	28 000	-	28 000
Senegal	26 000	-	26 000	13 000	-	13 000
Spain	161 000	-	161 000	212 000	-	212 000
Sudan	469 000	28 000	497 000	1 187 000	59 000	1 246 000
Turkey	22 000	-	22 000	29 000	-	29 000
Uganda	23 000	-	23 000	46 000	-	46 000
United Arab Emirates	146 000	-	146 000	62 000	-	62 000
United Republic of Tanzania	2 155 000	16 000	2 171 000	2 128 000	17 000	2 145 000
West African region (excl. Senegal)	44 000	-	44 000	59 000	-	59 000
Yugoslavia	-	-	-	200 000	-	200 000
Zaire	550 000	-	550 000	978 000	-	978 000
Zambia	351 000	-	351 000	334 000	-	334 000
Over-all allocations						
- Local settlement	120 000	-	120 000	87 000	-	87 000
- Resettlement	507 000	-	507 000	300 000	-	300 000
- Voluntary repatriations	75 000	-	75 000	60 000	-	60 000
- Legal assistance	103 000	-	103 000	97 000	-	97 000
- Counselling	175 000	-	175 000	105 000	-	105 000
- Handicapped	30 000	-	30 000	35 000	-	35 000
- Supplementary aid	90 000	-	90 000	85 000	-	85 000
- Programme support and administration	-	2 134 000	2 134 000	-	2 280 000	2 280 000
Programme reserve	682 000 ^{a/}	-	682 000 ^{a/}	1 500 000	-	1 500 000
TOTAL	12 304 000	2 547 000	14 851 000	13 675 000	2 988 000	16 663 000

^{a/} Unallocated balance as of 30 June 1976.

ANNEX II

Opening statement made by the High Commissioner to the Executive
Committee of the High Commissioner's Programme at its
twenty-seventh session on 4 October 1976

Mr. Chairman,

I would like, first of all, to extend to you my warm congratulations on your election. I have no doubt that your guidance will be invaluable for the deliberations of this Committee. May I also express my sincere thanks to the outgoing office bearers, the distinguished Chairman, Ambassador Clark of Nigeria, the Vice-President, Mr. Rauscher of Austria, and the Rapporteur, Mr. Høstmark of Norway:

Mr. Chairman, distinguished delegates,

Once again we meet in the calm and peaceful atmosphere of Geneva to discuss human problems which stand out in sharp contrast to the quiet environment. Before reporting to you on the over-all situation and the progress achieved in projects of material assistance which you approved last year, I would like to share with you my feelings regarding the plight of hundreds of thousands of homeless people around the globe whose bleak existence must be borne in mind by all of us in the course of our deliberations.

Let me illustrate through concrete examples: On 18 May, in a Latin American country, two refugees, who were both well known personalities in their country of origin, were abducted from their residence very early in the morning by a non-identified armed group. Three days later, their corpses were discovered along with those of two other refugees in an abandoned car.

On 1 June, a refugee, who had once been the President of his country of origin, was kidnapped and, on 3 June, his body was found outside the city. A few days later, a group of unidentified men broke into the office of a voluntary agency and stole dossiers of 2,000 refugees. Following this, a group of 50 armed men abducted 25 refugees from two hotels during the night. They were released on 12 June after having been tortured.

At the same time, another refugee in the same country was abducted in the street, pushed into a car and taken to an unknown place. He was released after his face had been burnt with acid.

Mr. Chairman, I could go on and give this Committee hundreds of concrete examples of this kind from different corners of the world. I do not need to dramatize because, in our experience, stark reality is more poignant than fiction. I have given these few examples in order to bring into focus the problems of legal protection, which is one of the primary functions of my Office and which, more than ever, demands the attention of the world community and public opinion.

Incidents like those I have just cited inevitably create a great feeling of insecurity if not panic among the refugees. Of course, where necessary, I consistently intervene with the authorities at the highest level requesting appropriate measures on behalf of specific cases and, more generally, to ensure the safety of persons of concern to my Office. However, what makes the exercise of my protection role particularly difficult in cases of threats, abductions, torture or casualties, is the fact that these incidents are reportedly caused often by uncontrolled individuals or organizations. Thus, in many instances, legal protection becomes a synonym of "physical" protection which, in spite of the co-operation between my Office, Governments concerned, religious groups and non-governmental organizations, can hardly be fully achieved. Safe havens are created. Refugees are grouped together in centres. Appeals for resettlement opportunities are launched. But there are limits to what my Office can do unless it receives the fullest co-operation of the international community and Governments, at least in finding effective and timely remedies to the problem, if they cannot eradicate the root causes.

Mr. Chairman, I have alluded until now to only one aspect of the problem, that is, where refugees are victims of violence. There is another equally regrettable aspect, that of terrorism which, as a malignant disease, is continuing to grow around the globe. I am referring here to cases where persons who are the concern of my Office are sometimes themselves authors of acts of terrorism. There have been instances where such persons have not only committed acts of violence against fellow human beings for reasons whose validity remains in doubt, but also cases where staff members of UNHCR have themselves been targets of such senseless actions.

I wish to make absolutely clear that, on the basis of both the 1951 Convention and the Statute of my Office, persons acting against the purposes and principles of the United Nations are excluded from the benefits of refugee status. If such acts are committed by refugees, they constitute not only a challenge to human conscience, which condemns them, but also an affront to the humanitarian feelings which led their country of residence to grant them asylum and give them a chance to start a new life. Thus, these refugees not only violate the provisions of the international convention which protects them, but also run the serious risk of losing all benefits that the country of their adoption grants them. I would like, in this connexion, to reiterate that, according to the 1951 Convention, "every refugee has duties to the country in which he finds himself, which require in particular that he conform to its laws and regulations as well as to measures taken for the maintenance of public order". a/

Mr. Chairman, it seems fitting to start with protection matters in view of the increasing attention that this Committee is paying to this aspect of UNHCR's functions. Mindful of the debate last year, I am aware that you may wish to form a sub-committee to deal in greater detail with protection problems which my Office is now facing. This is important not because the vigilance of UNHCR has decreased, but because the number of violations of human rights and of the rights of refugees has increased immensely.

On the positive side, I should like to report the entry into force, since we last met, of the two International Covenants on Human Rights and the Optional Protocol to the International Covenant on Civil and Political Rights. This

a/ United Nations, Treaty Series, vol. 189, no. 2545, art. 2, p. 156.

development is as gratifying as it is ironical in view of the increasing violation around the world of the very principles which these Covenants propound.

Similarly, there have been further accessions during the year to the 1951 Convention and the 1967 Protocol and I would like in this connexion to cite Guinea-Bissau, Iran, Portugal and Uganda. Here again let me stress that the respect by Governments of the principles which these instruments defend is as important as their adhesion to them. Efforts must be made to eliminate any discrepancy between external attitudes of States and their internal practices.

Finally, special mention should be made of the forthcoming Conference of Plenipotentiaries on the Question of a Convention on Territorial Asylum. This gathering on 10 January next year will be the culmination of arduous efforts over several years to codify the basic humanitarian principles relating to territorial asylum. I am gratified that, at the meetings of bodies such as the Organization of African Unity and the Asian-African Legal Consultative Committee, at which my Office was represented, positive recommendations were unanimously adopted in support of the proposed Conference. It is my earnest hope that the work of the Conference will constitute a hallmark in the development of international humanitarian law relating to territorial asylum. May I also refer in this connexion to General Assembly resolution 3456 (XXX), under which I was required to seek voluntary contributions to cover the cost of the Conference. In view of the inadequate response hitherto received, I would appreciate it if Governments could give an early indication of their contribution to the total requirements amounting to \$300,000.

Mr. Chairman, with your permission, I should now like to comment briefly on some situations of concern to UNHCR in various parts of the world. Having just referred to protection, it may be appropriate to turn to Latin America, where these questions are of greatest relevance today. Because of political and socio-economic instability in certain countries, the situation of refugees has continued to be more than precarious. Although the number of registered Latin American refugees is not high, they represent a very complex problem in terms of effective protection and permanent solutions. Most of the Latin American countries which acceded to the 1951 Convention and the 1967 Protocol have maintained the geographic limitation while many have still not acceded. This constitutes a serious handicap for UNHCR in dealing with problems relating to the rights of refugees. Similarly, only a part of the caseload was absorbed within the continent for permanent settlement. Hence the need to seek resettlement opportunities elsewhere, which has given the problem a world-wide dimension. In Argentina, of 10,000 registered refugees, 80 per cent are Chileans while 20 per cent are Uruguayans, Bolivians and Brazilians, in that order. Of these, some 6,000 continue to live on subsistence allowances, pending permanent settlement, and thereby constitute a heavy financial burden on the limited resources of my Office. In addition to these refugees, some 4,500 Latin American refugees, mainly Chileans, have left Argentina since the events of September 1973, while many others, who are not registered, have chosen to live clandestinely. In view of problems of public order and security, many of the registered refugees, living in a state of constant fear, are eager to leave Argentina. In response to the appeal for resettlement that I made on 22 June, nine countries have responded positively, while others have kept doors open. Consequently, movement from Argentina at the rate of 200 per month is continuing. It is important and urgent that traditional countries of resettlement, as well as other countries, come forward generously to alleviate the plight of these refugees.

As for Chile, some 6,600 persons have left the country under UNHCR auspices. The movement of Chilean nationals joining heads of family abroad is still continuing. The last safe haven was closed on 31 March this year.

Similarly, some 2,350 refugees left Peru under UNHCR auspices, while about 1,000 refugees are still in the country, mainly on a temporary-asylum basis. In addition to refugees of European origin, there are also groups of Latin American refugees in various other countries of the continent. Our efforts to strengthen further the presence of UNHCR in the area are continuing with a view to meeting more adequately the increasing requirements of humanitarian aid and protection.

The developments in North America have been encouraging during the period under review. Both Canada and the United States have not only continued their financial support of various activities of the Office, but have also accepted large numbers of persons of concern to UNHCR for resettlement. In close consultation with the Government of Canada, a branch office has been opened in Ottawa, while in the United States an effort is being made to streamline eligibility procedures with UNHCR playing an advisory role.

As for Europe, UNHCR's activities remained at the level of last year's programme except in Yugoslavia, where, following a visit I paid there, need for further assistance projects was identified.

My Office has continued its efforts to promote family reunion from several East European countries. This initiative, taken in the context of intentions expressed by States at the Conference on Co-operation and Security in Europe, held in Helsinki, has met with a measure of success. Hitherto, more than half the cases submitted by UNHCR to the authorities in various East European countries have been resolved, and it is my earnest hope that further progress will be made in this domain.

I should also like to express my deep appreciation to European countries which have not only continued, but have further strengthened their support of our various activities. A number of countries have also accepted for resettlement large numbers of persons of concern to UNHCR. Special mention may be made of France, which has accepted a substantial number of Indo-Chinese displaced persons. We hope that the trend set by West European countries will be followed by others.

In the context of the annual programme, Africa continued to be the focus of attention. During the year under review, more than 60 per cent of the total UNHCR budget was allocated to refugees in that continent. The case-load increased through further influxes in countries such as those in the Central African region, Mozambique, the Sudan and Zaire. The over-all situation in southern Africa, especially in the light of recent events, continues to cause concern and we are closely watching developments in that area. Meanwhile, special assistance measures are under study for over 26,000 refugees from Southern Rhodesia (Zimbabwe) in Mozambique. A special allocation of \$75,000 had to be made on an emergency basis when one of the settlements financed by UNHCR was destroyed under circumstances which are well known and which I hardly need to repeat. Clearly until justice and fundamental human rights are fully restored in that part of the world, continuous suffering and uprooting of large numbers of people will inevitably continue.

As in the case of Guinea-Bissau and Mozambique, a large programme of assistance to refugees and displaced persons is required in Angola. Following an interagency mission undertaken during June and July of this year, the Secretary-General asked me to assume the role of co-ordinator of assistance from the United Nations system to Angola for a period of one year. Subsequently, on 23 August, I launched an appeal on behalf of the Secretary-General, covering the total requirements of the displaced populations. In addition to 48,000 tons of food, other relief items would require a total input of some \$32.5 million. I hope that, with the close co-operation of UNDP, UNICEF, WFP and WHO, and the support of Governments and non-governmental bodies, it would be possible to implement fully this direly-needed programme of assistance.

Besides the continuing concern in southern Africa, my Office is also faced with a serious problem in northern Africa resulting from the situation in Western Sahara. The Government of Algeria has requested the assistance of my Office for thousands of Sahrawis at present living in precarious conditions in camps in the Tindouf area in south-west Algeria. On the other hand, the Governments of Mauritania and Morocco have launched appeals for the return of these Sahrawis to their homes and requested the assistance of my Office to promote their voluntary repatriation. Naturally, in this case as in others elsewhere in the world, UNHCR is following its traditional policy, which is not to perpetuate a problem, but rather to seek speedy and permanent solutions which include, inter alia, voluntary repatriation and permanent settlement. However, pending a durable solution, there is urgent need for humanitarian assistance. I sincerely hope that Governments will contribute generously in order to meet the relief requirements.

Similarly, Mr. Chairman, who can ignore the tragic plight of hundreds of thousands of displaced persons in Cyprus and Lebanon? It is clear that, while satisfactory solutions are sought to the problems faced by these countries, there is again continuing need for humanitarian assistance.

Turning now to Asia, let me first briefly comment on the programme in the Indo Chinese peninsula. The implementation of the projects, both in the Socialist Republic of Viet Nam and in the Lao People's Democratic Republic, continued to progress satisfactorily. In Viet Nam, after the reunification of the country, the two UNHCR programmes in the North and the South were, with minor modifications, amalgamated into one consolidated programme. While massive needs in both countries continue to exist, UNHCR is concentrating only in predefined geographical areas with the majority of displaced persons and in specific sectors of assistance with a view to avoiding duplication. As elsewhere in the world, my Office expects gradually to phase out its programme as the beneficiaries achieve a measure of self-sufficiency. Thus, as compared to the on-going programmes, which foresaw an input of \$20 million, it is expected that the 1977 programme may be less than 50 per cent of the present one.

In Thailand, regrettably, the influx continues and the UNHCR programme at this stage is still one of containment. Recently, in the course of a regional meeting held in Bangkok, some of my senior colleagues were able to visit various camps and assess the over-all situation. Discussions were also held with the Thai authorities to promote permanent solutions. For the displaced persons from Laos, who constitute the overwhelming majority of the caseload, the most suitable solution would naturally be, as elsewhere in the world, voluntary repatriation. Until this materializes, the relief projects will have to continue, although we

hope that next year the UNHCR programme would be much more oriented towards self-sufficiency than is the case at present.

As for the countries east of Thailand, which are covered by the regional office in Kuala Lumpur, the pattern of UNHCR involvement has remained more or less uniform. In addition to resettlement projects, such as in Malaysia, the main activities consist of temporary assistance or care and maintenance of a fluctuating caseload of Indo-Chinese displaced persons. This applies, in particular, to Hong Kong, Indonesia, Japan, the Philippines and Singapore. UNHCR is also continuing its efforts in the field of resettlement of these persons, mainly from Thailand, but also from other countries of the region.

Our presence in the region was recently strengthened particularly with a view to handling more adequately what has come to be known as the problem of the "boat people", on which I now would like to comment. Since last year, there has been a steady influx of persons from the Indo-Chinese peninsula into various countries of South-East Asia. Most of these persons arrive in their own small vessels. However, a number of them are in such fragile boats that, to save them from drowning, they have to be rescued on the high seas. This aspect adds a dramatic dimension to the problem, which has recently received considerable attention in the media.

I have already had occasion to draw the attention of the Committee to this problem at the informal meeting held on 25 June. Since then, I have issued an appeal in order to obtain resettlement opportunities for these "boat people". Details of the present situation concerning them are contained in an "Information note", which is being made available to the Committee. For my part, I would like, on purely humanitarian grounds, to bring to the attention of Governments the essential aspects of this phenomenon.

Firstly, in accordance with existing international instruments concerning rules of law relating to assistance at sea, the masters of ships must, in a spirit of human solidarity, come to the rescue of boats in distress on the high seas. Secondly, the countries of first asylum must adopt a generous attitude and at least grant those people temporary asylum. UNHCR would naturally be prepared, where necessary, to finance their care and maintenance pending a permanent solution. Thirdly, it is my earnest hope that Governments, particularly those of traditional countries of resettlement, would respond both favourably and generously to my request of 28 July and grant special quotas for these people on humanitarian grounds, following the pattern of the "Ten or More Plan", which is already familiar to Governments and well known to this Committee.

Mr. Chairman, the diversity and scale of situations requiring action by UNHCR has, inevitably, resulted in greater demands on the financial and human resources of my Office. As for the financial aspects, I am gratified at the confidence in UNHCR shown by Governments, of which the most concrete proof is that they have never failed to provide my Office with adequate financial means to carry out its various tasks. This is a source of encouragement to us, particularly in the atmosphere of over-all financial crises that the United Nations system generally is facing. However, I am fully aware of the danger underlying a proliferation of appeals for funds and, as the Secretary-General has aptly pointed out in his annual report, this is clearly bringing into effect the law of diminishing returns. UNHCR has had to face this situation in the context of special humanitarian operations which it has been called upon to carry out. The unforeseeable nature of the crises

which lead to situations requiring such operations and the unpredictability of their evolution in terms of permanent solutions, make it particularly difficult for my Office to hazard advance budgets or to forewarn donors. This is why there is need for ingenuity and for imaginative solutions to the technical problems of national budgetary allocations. I would, therefore, greatly welcome any suggestions that members of this Committee might have.

In connexion with the financing of the Annual Programme, I wish to remind the Committee that the 1977 programme target of some \$US 16.7 million is based on the very minimum requirements foreseen at this time. Consequently, it cannot be excluded that an upward revision of this target may be necessary in the course of next year. The Annual Programme requirements have, unfortunately, continued to increase in recent years, while government contributions announced at the annual Pledging Conference are lagging considerably behind. This situation made it necessary for me in June this year to issue a special appeal for additional contributions to the Programme and in this connexion, I wish to pay a special tribute to the Governments of the Netherlands and of the Nordic countries, which responded so generously that I am able today to announce that the full financing of the 1976 Programme with its revised target of \$US 14.8 million is secured.

As for 1977, it is extremely important that major increases in government contributions are announced at this year's Pledging Conference, in order to avoid special programme appeals for additional contributions in the course of next year.

Mr. Chairman, the objective of UNHCR is to achieve the maximum results with minimum input both in terms of money and manpower. Thus, in terms of staff, I am glad to be able to say that, despite the considerable increase in our workload, UNHCR has managed to remain a relatively small team. Regarding the regular budget of UNHCR, which forms part of the United Nations budget, an understanding was reached with the Secretary-General that it would remain constant in real terms for a period of four years. It gives me satisfaction to report that we have been able to abide fully by this understanding. The extra costs required by the increase in workload were covered from voluntary funds. As for special operations, in accordance with established United Nations practice, a small programme support component is included in the budget of each special operation. This enables UNHCR to hire temporary staff, particularly for field service, where it is most needed. With time and experience, the Office has come to draw from a pool of human resources which enables the regular staff to share the strain of increased workload. Once the specific special operation is over, the Office automatically reverts to its original size thus safeguarding its inherent flexibility and adaptability.

I wish to emphasize on this occasion the essential nature of co-operation with other organizations in the United Nations system. As a matter of principle, and in terms of financial and material support, various organizations directly related have continued their effort, which has become an essential component of assistance to refugees and displaced persons. Thus, technical agencies have continued to provide specialists for the planning and appraisal of complex settlement projects. Donor agencies have made available resources complementing those of UNHCR. Their material inputs have often covered requirements which my Office would have been unable to finance. Elsewhere, particularly where UNHCR is not represented, the UNDP resident representatives ensure liaison with Governments. UNICEF provides, wherever possible, material aid to populations and particularly to vulnerable groups. In a number of cases when large groups are provided with immediate relief

and integration assistance in rural areas, food supplies made available by the World Food Programme exceed in value the total UNHCR inputs to the same groups and often run into millions of dollars. It goes without saying that every effort is made to avoid duplication and I am glad to be able to say that, with the guidance of the Secretary-General and the co-operation of agencies concerned, those efforts have hitherto been successful. I should like to thank these organizations very warmly for all their efforts through their representatives who are with us today.

I should also like to pay tribute on this occasion to the non-governmental organizations, many of which are represented here. As we all know, these organizations have an intimate awareness of the problems faced by individual refugees with whom they are in daily contact through their staff in the field.

My Office depends in many situations on the voluntary agencies. In some cases they serve as operational partners in the implementation of our programmes. In other instances, they constitute important sources for raising funds for UNHCR and also for the dissemination of information about refugee work. Finally several agencies co-operate closely with my Office in the field of protection where they represent the vigilance of community conscience in preserving the fundamental human rights of refugees.

Mr. Chairman, co-operation with other governmental and non-governmental organizations is essential if we are to pursue successfully our main objective of promoting permanent solutions to the problems confronting us. We are aware that at no cost should international assistance in any way serve to perpetuate a problem. In view of the increasing demands on the generosity of Governments, it is more necessary than ever that the planning process take fully into account the eventual phasing-out aspect. In the case of refugees covered by the UNHCR statute, the phasing-out is visible only when one of the permanent solutions enumerated in the statute is virtually achieved, that is, voluntary repatriation, resettlement or integration with eventual prospect of naturalization of refugees.

In the case of special operations, however, my Office adopts a more accelerated process of phasing out in order that they do not become too taxing for the international community. Special operations are by their very nature of short duration. Either the length of the UNHCR action is already predetermined, as in the case of Angola (one year), or the planning is done in such a way that the programme automatically phases out, as in the case of Indo-China. In all cases, our effort is geared to enabling displaced persons to achieve a measure of self-sufficiency as rapidly as possible.

Mr. Chairman, there is nothing new or original about the criterion of self-sufficiency that I have just mentioned. Two thirds of the world's population is today striving to achieve it and encountering seemingly endless difficulties in reaching this goal. Serious efforts are being made inside and outside the United Nations to narrow the gap between the haves and have-nots, between the North and the South. Every day, we read or hear about the "new economic order", which all nations are, in varying degree, trying to promote. In this context, the world of refugees and displaced persons, who are the concern of my Office, deserves, I believe, special attention. They are the poorest of the poor, not just in material terms, but also because they are often without hope. Victims of events beyond their control, they are obliged to sever their links with their past and are required to plunge, willy-nilly, from a grim present into an unknown future.

believe that parallel to the efforts for a new economic order, there is an imperative need to strive for a "new human order" in the hope that greater attention might be paid to humanitarian principles so often preached but so seldom practised.

Talking of the uprooted of our times who are victims of violations of fundamental human rights, I am reminded of the story told of a child in a refugee camp who was asked by a well-meaning investigator if he had a home: "Oh, yes", the child replied, "but we don't have a house to put it in".

Mr. Chairman, distinguished delegates, there is no better way to conclude this statement than to repeat what was said by a colleague who worked for UNHCR at the time I joined the Office, more than 15 years ago:

"Statistics are only reference points for reality. We can summarize a million lives on a sheet of paper, but eventually we must deal with individual human beings. As soon as I went into my first refugee camp, I learned the difference between statistics and people - and I could not turn my back on what I found."

Thank you.

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