

Chapter XII

Refugees and displaced persons

In 1995, the Office of the United Nations High Commissioner for Refugees (UNHCR) was concerned with the fate of some 24 million persons, of whom 14 million were refugees, 3.2 million internally displaced persons, 2.8 million returnees, and 3.5 million were others with humanitarian needs. Prospects for a large-scale repatriation to the former Yugoslavia emerged towards the end of the year, while in Central Africa plans for a comprehensive voluntary repatriation faltered. In general, UNHCR focused on programmes and mechanisms launched in response to previous large-scale emergencies, the implementation of solutions where possible, and the elaboration of preventive strategies. It also continued to implement its international protection mandate and reinforced operational links with agencies and other partners, including various non-governmental organizations (NGOs) and UN human rights mechanisms.

During the year, UNHCR was involved in the repatriation of some 800,000 persons, notably to Afghanistan, Myanmar and Rwanda.

Africa in 1995 hosted 5.5 million refugees, some 2 million of whom were in the Great Lakes region and challenged the resources of both countries of asylum and UNHCR. Refugee flows also continued in Liberia, Sierra Leone and Somalia; in East Africa, repatriation efforts picked up, and were successfully concluded in Mozambique.

As durable solutions had been found to the majority of refugee situations in Central America, UNHCR concentrated on strengthening the capacity of Governments in the Americas region to deal with refugee-related matters. Some 1,121 Haitian refugees were repatriated from the Dominican Republic. The arrival of extra-continental asylum-seekers in South America and the Caribbean increased significantly.

In Europe, following the signing of the General Framework Agreement for Peace in Bosnia and Herzegovina, UNHCR was entrusted with developing and implementing a repatriation plan to allow the orderly return of refugees and displaced persons. In Asia and Oceania, the voluntary repatriation of some 62,000 Myanmar refugees from Bangladesh took place and the implementation of the Comprehensive Plan of Action for Indo-Chinese Refugees was expected to be completed by the year's end. However, the impasse in finding a solution for Bhutanese asylum-seekers in Nepal and new displacements in Sri Lanka were causes for

concern. In South-West Asia, North Africa and the Middle East, the UN continued efforts to assist some 3.6 million refugees.

In October, the UNHCR Executive Committee considered such topics as prevention and reduction of statelessness, refugee women, refugees and the environment, the situation of refugees, returnees and displaced persons in Africa, the Comprehensive Plan of Action for Indo-Chinese Refugees, voluntary repatriation to Afghanistan, humanitarian issues in the former Yugoslavia, and the budget structure and governance of UNHCR, as well as its working methods.

In December, the General Assembly called on States to promote conditions conducive to the return of refugees and to support their sustainable integration by providing countries of origin with rehabilitation and development assistance in conjunction with UNHCR and other development agencies.

Office of the United Nations High Commissioner for Refugees

Programme policy

Executive Committee action. At its forty-sixth session (Geneva, 16-20 October 1995),⁽¹⁾ the Executive Committee of the UNHCR Programme expressed its distress over the continued suffering of refugees for whom a solution had yet to be found, and urged the continued commitment of States to receive and host refugees and ensure their protection. It called on UNHCR to organize informal consultations on the development of guiding principles concerning measures to ensure international protection. The Committee called on the High Commissioner to support the development and implementation of criteria and guidelines on responses to persecution specifically aimed at women by sharing information on initiatives by States to develop such criteria and guidelines, and to ensure their fair and consistent application. It called on States to promote conditions conducive to the return of refugees and to support their reintegration by providing countries of origin with rehabilitation and development assistance in conjunction with UNHCR and relevant development

agencies. The Committee encouraged UNHCR to cooperate with other international organizations on ways to facilitate the return of persons not in need of international protection and to inform the Standing Committee. It called on the High Commissioner to continue to expand and strengthen the Office's activities with regard to the promotion and dissemination of refugee law and protection principles and to explore ways to integrate its activities in the areas of documentation, research, publications and electronic dissemination. UNHCR was encouraged to strengthen its efforts in assisting host Governments to ensure the access of refugees to education. States were called on to manifest their international solidarity and burden-sharing with countries of asylum politically and in other tangible ways that reinforced their capacity to maintain generous asylum policies. The Committee welcomed the commissioning of an evaluation study and the UNHCR-sponsored consultations on resettlement, and encouraged UNHCR to strengthen its activities in that connection and provide regular reports to the Committee. It also called on States of refuge to ensure that the civilian and humanitarian character of refugee camps and settlements was maintained, and called on all other States to assist them; States of refuge should take measures to prevent the infiltration of armed elements, to provide effective physical protection to refugees and asylum-seekers, and to afford UNHCR and other organizations prompt and unhindered access to them.

Concerning the prevention and reduction of statelessness and the protection of stateless persons, the Committee called on States to adopt nationality legislation to reduce statelessness, to prevent the arbitrary deprivation of nationality, and to eliminate provisions permitting the renunciation of a nationality without prior possession or acquisition of another. It requested UNHCR to promote accession to the 1954 Convention relating to the Status of Stateless Persons⁽²⁾ and the 1961 Convention on the Reduction of Statelessness,⁽³⁾ and to provide to interested States technical and advisory services pertaining to the preparation and implementation of nationality legislation; to promote the prevention and reduction of statelessness through the dissemination of information and the training of staff and government officials; to enhance cooperation with other interested organizations; to provide the Committee biennially, beginning at its forty-seventh (1996) session, with information on activities undertaken on behalf of stateless persons, particularly with regard to the implementation of international instruments and principles relating to stateless persons, and including the magnitude of the problems of statelessness.

In her opening statement to the Committee, the High Commissioner stated that UNHCR had to

prepare for a reappraisal of how it worked. Four priorities would be set for the coming years: revitalization of protection policies and strategies to reflect the dimension of solutions and respond to the needs of a growing range of beneficiaries; a rethinking of the way UNHCR planned its activities; reinforcement of the implementation and monitoring of UNHCR policies, guidelines and programmes, including the ability to monitor and control implementing partners; and restructuring of UNHCR work methods, so as to improve delivery, accountability and performance and to build a capacity to contract and expand in response to operational demands. In the light of the environmental damage caused by large concentrations of refugee populations, UNHCR proposed reformulating its environmental policy to make the environmental dimension an integral part of its operations.

By **decision 1995/314** of 28 July, the Economic and Social Council took note of the High Commissioner's report for 1994/1995.(4)

UNHCR-NGO Partnership in Action

In 1995, UNHCR continued to follow up on the UNHCR/NGO Partnership in Action (PARINAC) process, launched in 1993⁽⁵⁾ to establish a common agenda for field activities, and to implement the recommendations of the Oslo Declaration and Plan of Action, adopted at the 1994 PARINAC Global Conference.⁽⁶⁾ To respond more effectively to the needs of NGOs, UNHCR made the NGO coordinator the focal point for all policy issues concerning NGOs at Headquarters and appointed NGO focal points in the Regional Bureaux. It undertook studies on safety of third countries, safety zones or safe areas and on minimum standards that Governments could apply concerning temporary protection. UNHCR concentrated on country/region-specific planning in emergency preparedness and was incorporating a systematic approach to inter-agency coordination, developed during recent emergencies, into emergency management training programme workshops. Guidelines governing cooperation with implementing partners, their choice and administrative support costs were issued and a programme and project management handbook for UNHCR implementing partners was being prepared. At the regional level, PARINAC follow-up meetings took place for southern Africa (South Africa, January), West Africa (Cote d'Ivoire, March), Asia and Oceania (Sri Lanka, May), and Central America (Costa Rica, December).

In October, the UNHCR Executive Committee adopted a conclusion⁽¹⁾ in which it reaffirmed the importance of the Oslo Declaration and Plan of Action as a joint agenda for humanitarian action. It encouraged UNHCR and NGOs to pursue activi-

ties in the field and at headquarters to enhance their partnership in protection and assistance and, together with Governments, to identify areas in the Plan of Action in which they could cooperate further to implement particular recommendations. The High Commissioner was asked to report in 1996 on the follow-up to the PARINAC process.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted **resolution 50/152**.

Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of her Office and the report of the Executive Committee of the Programme of the High Commissioner on the work of its forty-sixth session,

Recalling its resolution 49/169 of 23 December 1994,

Reaffirming the importance of the 1951 Convention and the 1967 Protocol relating to the Status of Refugees as the cornerstone of the international system for the protection of refugees, and noting with satisfaction that one hundred and thirty States are now parties to one or both instruments,

Reaffirming also the purely humanitarian and non-political character of the activities of the Office of the High Commissioner, as well as the crucial importance of the High Commissioner's functions of providing international protection to refugees and seeking solutions to refugee problems,

Commending the High Commissioner and her staff for the competent, courageous and dedicated manner in which they discharge their responsibilities, paying tribute to those staff members who have endangered or lost their lives in the course of their duties, and emphasizing the urgent need for effective measures to ensure the security of staff engaged in humanitarian operations,

Distressed at the continued suffering of refugees, for whom a solution has yet to be found, and noting with deep concern that refugee protection continues to be jeopardized in many situations as a result of denial of admission, unlawful expulsion, refoulement, unjustified detention, other threats to their physical security, dignity and well-being and failure to respect and ensure their fundamental freedoms and human rights,

Welcoming the continuing strong commitment of States to providing protection and assistance to refugees and the valuable support extended by Governments to the High Commissioner in carrying out her humanitarian tasks, and commending those States, particularly the least developed and those hosting millions of refugees over long periods of time, which, despite severe economic, development and environmental challenges of their own, continue to admit large numbers of refugees into their territories,

Recognizing that, in certain regions, misuse by individuals of asylum procedures jeopardizes the institution of asylum and adversely affects the prompt and effective protection of refugees,

Concerned that statelessness, including the inability to establish one's nationality, may result in displacement,

and stressing, in this regard, that the prevention and reduction of statelessness and the protection of stateless persons are important also in the prevention of potential refugee situations,

1. Strongly reaffirms the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the United Nations High Commissioner for Refugees of providing international protection to refugees and seeking solutions to refugee problems, and the need for States to cooperate fully with the Office in order to facilitate the effective exercise of that function;

2. Calls upon all States which have not yet done so to accede to and implement fully the 1951 Convention and the 1967 Protocol relating to the Status of Refugees and relevant regional refugee instruments, as applicable, for the protection of refugees;

3. Also calls upon all States to uphold asylum as an indispensable instrument for the protection of refugees, to ensure respect for the principles of refugee protection, including the fundamental principle of non-refoulement, as well as the humane treatment of asylum-seekers and refugees in accordance with internationally recognized human rights and humanitarian norms;

4. Reaffirms that everyone, without distinction of any kind, is entitled to the right to seek and enjoy in other countries asylum from persecution;

5. Reiterates the importance of ensuring access, for all persons seeking international protection, to fair and efficient procedures for the determination of refugee status or, as appropriate, to other mechanisms to ensure that persons in need of international protection are identified and granted such protection, while not diminishing the protection afforded to refugees under the terms of the 1951 Convention, the 1967 Protocol and relevant regional instruments;

6. Reaffirms the continued importance of resettlement as an instrument of protection;

7. Reiterates its support for the role of the Office of the High Commissioner in exploring further measures to ensure international protection to all who need it, consistent with fundamental protection principles reflected in international instruments, and looks forward to the informal consultations of the Office of the High Commissioner on the subject;

8. Calls for a more concerted response by the international community to the needs of internally displaced persons and, in accordance with its resolution 49/169, reaffirms its support for the High Commissioner's efforts, on the basis of specific requests from the Secretary-General or the competent principal organs of the United Nations and with the consent of the State concerned, and taking into account the complementarities of the mandates and expertise of other relevant organizations, to provide humanitarian assistance and protection to such persons, emphasizing that activities on behalf of internally displaced persons must not undermine the institution of asylum, including the right to seek and enjoy in other countries asylum from persecution;

9. Reiterates the relationship between safeguarding human rights and preventing refugee situations, recognizes that the effective promotion and protection of human rights and fundamental freedoms, including through institutions that sustain the rule of law, justice and accountability, are essential for States to address some of the causes of refugee movements and for States

to fulfil their humanitarian responsibilities in reintegrating returning refugees and, in this connection, calls upon the Office of the United Nations High Commissioner for Refugees, within its mandate and at the request of the Government concerned, to strengthen its support of national efforts at legal and judicial capacity-building, where necessary, in cooperation with the United Nations High Commissioner for Human Rights;

10. Also reiterates that development and rehabilitation assistance is essential in addressing some of the causes of refugee situations, as well as in the context of the development of prevention strategies;

11. Condemns all forms of ethnic violence and intolerance, which are among the major causes of forced displacements, as well as an impediment to durable solutions to refugee problems, and appeals to States to combat intolerance, racism and xenophobia and to foster empathy and understanding through public statements, appropriate legislation and social policies, especially with regard to the special situation of refugees and asylum-seekers;

12. Welcomes the Platform for Action adopted at the Fourth World Conference on Women, held at Beijing from 4 to 15 September 1995, particularly the strong commitment made by States in the Platform to refugee women and other displaced women in need of international protection, and calls upon the United Nations High Commissioner for Refugees to support and promote efforts by States towards the development and implementation of criteria and guidelines on responses to persecution, including persecution through sexual violence or other gender-related persecution, specifically aimed at women for reasons enumerated in the 1951 Convention and 1967 Protocol, by sharing information on States' initiatives to develop such criteria and guidelines and by monitoring to ensure their fair and consistent application by the States concerned;

13. Reiterates that, the grant of asylum or refuge being a peaceful and humanitarian act, refugee camps and settlements must maintain their exclusively civilian and humanitarian character and all parties are obliged to abstain from any activity likely to undermine this, condemns all acts which pose a threat to the personal security of refugees and asylum-seekers, and also those that may endanger the safety and stability of States, calls upon States of refuge to take all necessary measures to ensure that the civilian and humanitarian character of refugee camps and settlements is maintained, and further calls upon States of refuge to take effective measures to prevent the infiltration of armed elements, to provide effective physical protection to refugees and asylum-seekers and to afford the Office of the High Commissioner and other appropriate humanitarian organizations prompt and unhindered access to them;

14. Encourages the High Commissioner to continue her activities on behalf of stateless persons, as part of her statutory function of providing international protection and of seeking preventive action, as well as her responsibilities under General Assembly resolutions 3274(XXIV) of 10 December 1974 and 31/36 of 30 November 1976;

15. Requests the Office of the High Commissioner, in view of the limited number of States party to these instruments, actively to promote accession to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the reduction of stateless-

ness, as well as to provide relevant technical and advisory services pertaining to the preparation and implementation of nationality legislation to interested States;

16. Calls upon States to adopt nationality legislation with a view to reducing statelessness, consistent with the fundamental principles of international law, in particular by preventing arbitrary deprivation of nationality and by eliminating provisions that permit the renunciation of a nationality without the prior possession or acquisition of another nationality, while at the same time recognizing the right of States to establish laws governing the acquisition, renunciation or loss of nationality;

17. Reaffirms that voluntary repatriation, when it is feasible, is the ideal solution to refugee problems, and calls upon countries of origin, countries of asylum, the Office of the High Commissioner and the international community as a whole to do everything possible to enable refugees to exercise their right to return home in safety and dignity;

18. Reiterates the right of all persons to return to their country, and emphasizes in this regard the prime responsibility of countries of origin for establishing conditions that allow voluntary repatriation of refugees in safety and with dignity and, in recognition of the obligation of all States to accept the return of their nationals, calls upon all States to facilitate the return of their nationals who are not recognized as refugees;

19. Calls upon all States to promote conditions conducive to the return of refugees and to support their sustainable reintegration by providing countries of origin with necessary rehabilitation and development assistance in conjunction, as appropriate, with the Office of the High Commissioner and relevant development agencies;

20. Recalls Economic and Social Council resolution 1995/56 of 29 July 1995 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations, and welcomes the decision of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees to review, in the course of 1996, aspects of that resolution relevant to the work of the Office of the High Commissioner;

21. Notes with appreciation the programme policies established by the Executive Committee of the Programme of the High Commissioner, and underscores the importance of their implementation by the Office of the High Commissioner, implementing partners and other relevant organizations in order to ensure the provision of effective protection and humanitarian assistance to refugees;

22. Reaffirms the importance of incorporating environmental considerations into the programmes of the Office of the High Commissioner, especially in the least developed and developing countries which have hosted refugees over long periods of time, welcomes efforts by the Office of the High Commissioner to make a more focused contribution to resolving refugee-related environmental problems, and calls upon the High Commissioner to promote and enhance coordination and collaboration with host Governments, donors, relevant United Nations organizations, intergovernmental organizations, non-governmental organizations and other actors concerned to address refugee-related environmental problems in a more integrated and effective manner;

23. Recognizes the importance of the introduction of Russian as an official language of the Executive Com-

mittee of the Programme of the High Commissioner in facilitating the work of the High Commissioner and the implementation of the provisions of the 1951 Convention relating to the Status of Refugees, notably in the countries of the Commonwealth of Independent States;

24. Calls upon all Governments and other donors to demonstrate their international solidarity and burden-sharing with countries of asylum through efforts aimed at continuing to alleviate the burden borne by States which have received large numbers of refugees, in particular those with limited resources, and to contribute to the programmes of the Office of the High Commissioner and, taking into account the effect on countries of asylum of the increasing requirements of large refugee populations and the need to widen the donor base and to achieve greater burden-sharing among donors, to assist the High Commissioner in securing additional and timely income from traditional governmental sources, other Governments and the private sector in order to ensure that the needs of refugees, returnees and other displaced persons of concern to the Office of the High Commissioner are met.

General Assembly resolution 50/152

21 December 1995 Meeting 97 Adopted without vote

Approved by Third Committee (A/50/632) without vote, 22 November (meeting 36); 97-nation draft (A/C.3/50/L.20/Rev.1), orally corrected and revised; agenda item 109.

Meeting numbers. GA 50th session: 3rd Committee 19-23, 25, 32-34, 36; plenary 97.

Financial and administrative questions

In 1995,⁽⁷⁾ UNHCR's final budget was \$1.17 billion, a decrease from the 1994 figure of \$1.2 billion. Donors contributed some \$1 billion in voluntary contributions in cash and kind towards General and Special Programmes, compared to \$1.06 billion the previous year. Some \$27.9 million from the UN regular budget went towards administrative support. The upward trend in the funding of General Programmes continued. Those programmes represented core activities for refugees and provided the High Commissioner with considerable flexibility to deal with emergencies and voluntary repatriations.

UNHCR expenditures in 1995 amounted to \$1.14 billion: disbursements under General Programmes totalled \$405.1 million and those under Special Programmes totalled \$737.9 million. Some 31.7 per cent of Special Programme expenditures pertained to UNHCR's Programme of Humanitarian Assistance in the former Yugoslavia, and 31.8 per cent to the Burundi/Rwanda emergency operation. Other important expenditures related to the Mozambique repatriation programme and the Comprehensive Plan of Action for Indo-Chinese Refugees.

Regional apportionments were as follows: Africa, \$482.6 million; Europe, \$201.6 million; South-West Asia, North Africa and the Middle East, \$105 million; Asia and Oceania, \$95.8 million; and the Americas, \$34.8 million.

Special operations accounted for some two thirds of UNHCR operational activities in 1995. Appeals were launched with the UN Department of Humanitarian Affairs (DHA) for operations in the former Yugoslavia, the Afghan repatriation programme, the Burundi/Rwanda emergency, Liberia, and programmes in the Horn of Africa and in the Republics of the former Soviet Union (see PART FOUR, Chapter III). UNHCR issued its own appeals for Central America, the Angolan and Mozambican repatriations, the repatriation to Myanmar, the Comprehensive Plan of Action for Indo-Chinese Refugees, and some other operations. The lack of funding for operations in the Great Lakes region of Africa was seen as the Office's greatest challenge during 1995, said the High Commissioner.⁽⁷⁾ The Office raised some \$662 million for special operations, repatriations and emergencies, in addition to the amounts under General Programmes.

A General Programmes budget target of \$445.3 million was set for 1996, with Special Programme requirements estimated at \$930.6 million, of which \$288.4 million pertained to the Burundi/Rwanda operation and \$348.3 million to the former Yugoslavia. Special Programme requirements for repatriation efforts in Africa and Asia, as well as for programmes in the former Yugoslavia, the Commonwealth of Independent States (CIS) and the Baltic States, remained urgent priorities.

At an extraordinary meeting held on 17 January,⁽⁸⁾ the Executive Committee approved an increase in the 1995 General Programmes target from \$415.4 million to \$428.7 million, and noted that the revised proposed estimate for 1995 under General and Special Programmes amounted to \$1,272,487,300

In an October decision,⁽¹⁾ the Committee approved the revised 1995 General Programmes budget amounting to \$428,732,500 and noted that the estimate for 1995 General and Special Programmes was \$1.3 billion. It also approved the country/area programmes, other programmes and the headquarters budgets amounting to \$357,434,900, as well as \$25 million for the Emergency Fund, \$20 million for the Voluntary Repatriation Fund and a Programme Reserve of \$42,892,100, constituting a 1996 total General Programmes budget of \$445,327,000. The Committee requested the Commissioner to initiate informal consultations on the question of overhead costs for non-governmental implementing partners, particularly headquarters costs, for review at the first session of the Standing Committee in 1996, and authorized the Standing Committee to decide on the issue in the course of its deliberations during 1996. It also approved the creation of the post of Assistant High Commissioner (Policy, Planning and Operations) at the Assistant Secretary-General level and related staffing.

UNHCR budget structure

Informal consultations on UNHCR's budget structure, funding and governance were launched at the 16 January inter-sessional meeting of the Subcommittee on Administrative and Financial Matters. At the heart of the consultations was the distinction between General and Special Programmes and governance by the Executive Committee, particularly over Special Programmes. In the light of those discussions, a series of conclusions covering the budget structure, General and Special Programmes, funds and reserves, governance, oversight reports, documentation, and future work were submitted to the Executive Committee for consideration.

In October,⁽¹⁾ the Executive Committee decided that the objectives of the UNHCR budget should be transparency, accountability and managerial control; flexibility to address emergency situations and unexpected changes to programmes; and assured funding for statutory activities. Further streamlining of the budget structure should be undertaken so that in a single, coherent structure, there would be a clear indication of overall, country-level and headquarters needs, as well as those of other programmes. To be included under General Programmes, activities should qualify as statutory, relate to situations that had stabilized, and be a funding priority. If, for a given year, all stabilized, statutory activities could not be included under General Programmes, the first priority for inclusion should be refugee situations that had stabilized. The High Commissioner should bear in mind the relative chances of funding for different activities and report to the Executive Committee the consideration which had determined the action. The Executive Committee should keep under review the levels of and criteria governing the Emergency Fund, the Programme Reserve, and the Voluntary Repatriation Fund. The Programme Reserve could be used to complement Special Programme funding for refugee situations, provided that the total of all such allocations did not exceed one third of the Programme Reserve in a given year. To support voluntary repatriation activities not included under General Programmes, the Voluntary Repatriation Fund should be enhanced by its extension to voluntary repatriation operations for refugees included under Special Programmes; in a given year, an allocation of up to \$10 million could be made for any such operation. It was proposed that, as of 1997, the Programme Reserve should be constituted between 10 and 15 per cent of programmed activities under the Annual Programme for a given year; the level of the Voluntary Repatriation Fund for a given year should be set between \$20 million and 10 per cent of the budgetary estimates for voluntary repatriation for the

previous year; the High Commissioner would propose the actual levels of the Programme Reserve and the Voluntary Repatriation Fund for approval by the Executive Committee. Any allocation from the Programme Reserve and the Voluntary Repatriation Fund could be cancelled if sufficient contributions were later received for relevant activities. The use of the Working Capital and Guarantee Fund could be extended to guarantee budget increases in the headquarters component of General Programmes, not exceeding 2 per cent of the approved General Programmes total target. The Executive Committee would thus allow the General Programmes approved budgetary target to rise by up to 2 per cent, with the adjustment of the General Programmes budget taking place at the end of a calendar year. If such use was made of the Working Capital and Guarantee Fund, it would be replenished in the subsequent year.

The inter-sessional meetings of the Executive Committee would review General and Special Programmes, consider updates on programme needs and funding, and review all country programmes in a particular region or regions and any Special Programmes covering a number of countries in a region. The Executive Committee would review the use made of the Emergency Fund, the Programme Reserve Fund and the Voluntary Repatriation Fund to ensure that their use was in accord with the governing criteria. Areas for further study and informal consultations to enhance UNHCR's budgetary structure and related matters were also proposed, including ways to ensure a better funding base for UNHCR activities.

Accounts (1994)

The audited financial statements on funds administered by UNHCR for the year ending 31 December 1994 and the report of the Board of Auditors showed total expenditures of \$1,167 million and total income of \$1,192 million with a reserve balance of \$363.9 million.⁽²⁾

The Board of Auditors noted that UNHCR's overall liquidity position was not fully satisfactory. It stated that UNHCR's control over its implementing partners was inadequate. Various aspects of programme management, including planning, programme formulation and appraisal, were deficient and the system adopted by field offices and implementing partners for budgeting, accounting and auditing of expenditures needed to be streamlined. The system of project reporting and monitoring was defective; the overhead costs of its implementing partners needed to be controlled. The Board suggested that the procurement system could be improved by streamlining the system of purchase planning and framework agreements and by giving adequate publicity to tenders

and vendor performance analysis. In addition, weaknesses in property management procedures could be addressed through new asset management software. The Board also noted irregularities in the hiring of consultants, including the retrospective regularization of appointments, the engagement of consultants to perform the functions of regular staff, and the automatic extension of consultant contracts without the mandatory break in service and without a performance evaluation. The Board noted that while UNHCR had initiated action on many of its recommendations, implementation at the field level had not been satisfactory.

In its general decision on programme, administrative and financial matters,⁽¹⁾ the Executive Committee expressed serious concern about the observations of the Board of Auditors, especially those on management issues and, in particular, those relating to continuing problems regarding the lack of adequate managerial control by UNHCR of programmes implemented by its partners. It asked that the matters raised in the report be reviewed by the Standing Committee.

The Advisory Committee on Administrative and Budgetary Questions (ACABQ), in its 13 October report,⁽¹⁰⁾ expressed concern that the Board's findings were not new and that it had had to reiterate previous recommendations because of non-compliance and lack of follow-up action by UNHCR in its field offices. ACABQ stated that significantly more budgetary and financial control over implementing partners needed to be exercised by field offices. It endorsed the view that UNHCR should establish norms to regulate and monitor the overhead costs of implementing partners and recommended that agreements with those partners should specify clearly UNHCR's responsibilities vis a vis those of the partners with respect to funding staff costs, including salary and allowances and separation payments. It did not believe that such payments should be chargeable to UNHCR and requested the High Commissioner to investigate the matter and include in her next report information on the findings and appropriate action taken on UNHCR activities. ACABQ believed that irregularities in consultancy services warranted immediate investigation and rectification and that existing rules and regulations should be enforced to prevent recurrences. If the current rules and regulations were, for the most part, not enforceable, proposals to amend them should be submitted rather than have programme managers circumvent or ignore the existing guidelines.

GENERAL ASSEMBLY ACTION

The General Assembly, in resolution 50/204 A of 23 December, accepted the audited financial statements for the year ending 31 December 1994

and the report of the Board of Auditors on UNHCR and the Board's conclusions and recommendations.

Also, on the same date, the Assembly adopted resolution 50/204 B.

The General Assembly,

Recalling its resolution 48/216 A of 23 December 1993, especially paragraph 6 thereof, as well as paragraph 2 of its resolution 48/216 C of 23 December 1993,

Reaffirming that the rectification of deficiencies and irregularities identified by the Board of Auditors will enhance the effective exercise of the functions of the Office of the United Nations High Commissioner for Refugees in providing international protection for refugees and will strengthen as well its crucial role in seeking solutions to refugee problems,

1. Expresses serious concern about the findings in the report of the Board of Auditors on the voluntary funds administered by the United Nations High Commissioner for Refugees, especially those concerning management issues, such as the continuing problems of the lack of adequate managerial control over the programmes carried out by implementing partners;

2. Expresses particular concern about the persistent nature of various problems and the non-implementation of the previous recommendations of the Board of Auditors;

3. Requests the High Commissioner to implement as a matter of urgency the recommendations of the Board of Auditors, taking into account the views expressed by the Member States and keeping the Board fully informed of the ongoing measures taken, and requests the Board to report thereon to the General Assembly at its fifty-first session;

4. Also requests the High Commissioner to work out and put in place, as a matter of urgency, procedures enhancing the efficiency of implementation of the recommendations of the Board of Auditors;

5. Further requests the High Commissioner to review with due diligence the content of the audit report, submitted to her before its issuance, in order to ensure the quality of the information issued for the use of the Member States;

6. Notes with appreciation that in the programme of work for 1996 recently adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees for its Standing Committee, the follow-up by the High Commissioner to the observations and recommendations of the Board of Auditors will be addressed in a systematic manner, in particular regarding issues related to implementing partners;

7. Reiterates its request that the Secretary-General and the executive heads of the United Nations organizations, funds and programmes comply with the common accounting standards approved by the General Assembly and that they address the specific recommendations made by the Board of Auditors in this regard;

8. Requests the High Commissioner to amend the term "funds available" in statement II of the audited financial statements of the voluntary funds administered by the High Commissioner, and in its annex, in order to correct the financial information disclosed and to reflect more accurately the financial resources available.

General Assembly resolution 50/204 B
23 December 1995 Meeting 100 Adopted without vote
Approved by Fifth Committee (A/50/839) without vote, 21 December (meeting 44); draft by Vice-Chairman (A/C.5/50/L.20, part B) following informal consultations; agenda item 113.
Meeting numbers. GA 50th session: 5th Committee 21, 25, 27, 44; plenary 100.

Committee working methods

In 1995, the Executive Committee reviewed its working methods. In January, the Subcommittee on Administrative and Financial Matters established a working group to consider the issue, including the streamlining of documentation. At an extraordinary meeting on 20 June,⁽¹⁾ the Executive Committee adopted recommendations on documentation and the need for summary records.

By an October decision,⁽¹⁾ the Committee reconstituted its annual cycle of meetings to comprise one annual plenary session and a number of inter-sessional meetings of a Standing Committee of the Whole, which would replace the Subcommittee of the Whole on International Protection, the Subcommittee on Administrative and Financial Matters, and the informal meetings of the Executive Committee. The Standing Committee would discuss protection, programme and financial issues and would meet about four times a year; the penultimate annual meeting would focus on international protection and its programme implications. The annual plenary session of the Executive Committee would be held in mid-October and the general debate would be replaced by a debate on a focused annual theme. The Committee also made recommendations relating to decisions and conclusions, the structure of the agenda and timeliness and limitation of documentation. These arrangements would be implemented on an experimental basis for one annual cycle of meetings and reviewed in 1996.

It was also decided to introduce Russian as an official language of the Committee and to forward the matter to the General Assembly for approval.

Subcommittee on Administrative and Financial Matters

The Executive Committee's Subcommittee on Administrative and Financial Matters met in Geneva on 16 January, 4 April, 20 June and 12 October.⁽¹²⁾ It discussed a broad range of issues including an update of programmes and funding, UNHCR budget structure, the proposal to create a post of Assistant High Commissioner, policies and strategies for durable solutions, Executive Committee working methods, Rwanda "lessons learnt", UNHCR headquarters accommodation, human resources management, an update on voluntary repatriation movements, UNHCR telecommunications, an evaluation of the "women victims of violence" project in Kenya, the PARINAC progress re-

port, refugee children, refugee health, refugees and the environment, and implementing partners.

REFERENCES

- (¹)A/50/12/Add.1. (²)YUN 1954, p. 416. (³)YUN 1961, p. 533. (⁴)A/50/12. (⁵)YUN 1993, p. 1072. (⁶)YUN 1994, p. 1217. (⁷)E/1996/52. (⁸)A/AC.96/841. (⁹)A/50/5/Add.5. (¹⁰)A/50/560. (¹¹)A/AC.96/843. (¹²)A/AC.96/859.

Refugee protection and assistance

Proposed conference on refugees

The Secretary-General, in response to a 1994 General Assembly request,⁽¹⁾ submitted a September 1995 report⁽²⁾ on the comprehensive consideration and review of the problems of refugees, returnees, displaced persons and related migratory movements. In particular, the report discussed the preparatory process leading to the convening of a United Nations conference for the comprehensive consideration and review of the problems of refugees, returnees, displaced persons and migrants in the Commonwealth of Independent States (CIS) countries and relevant neighbouring States.

In January, UNHCR, the International Organization for Migration (IOM) and the Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights established a joint secretariat at UNHCR to prepare for such a conference. A joint UNHCR/IOM appeal for financial assistance for the secretariat was launched on 20 January. National consultations were held in February, March and April in Ukraine, Belarus and the Republic of Moldova, and the first regional consultation took place in March in Kyrgyzstan for the five Central Asian Republics. Consultations also took place in Armenia, Azerbaijan, Georgia, and the Baltic States. A first meeting of experts was held on 18 and 19 May in Geneva to identify issues of concern and to prepare a work plan for the conference. The experts identified the following types of movements to be addressed: refugees, displaced persons, resettlers, formerly deported peoples, irregular migration, trafficking in migrants, stranded migrants and ecological migration. The experts also raised the issues of the inadequacies of current terminology relating to refugees and displaced persons; national implementation of international instruments; emergency preparedness; a harmonized regional approach; root causes underlying displacement; strengthening the administrative systems of countries to deal with migration challenges; and cooperation among countries. A draft work plan envisaged a series of subregional

meetings to be held between July and September 1995 to analyse issues of concern identified by the experts; a second meeting of experts was to be held in November to discuss possible solutions, in conjunction with the convening of a drafting committee to start work on a declaration of principles and a programme of action. A preparatory conference and the conference itself were planned for the first quarter of 1996.

The first two subregional meetings were held for the Transcaucasus region (Tbilisi, Georgia, 10-11 July) and for the Central Asian Republics (Ashkhabad, Turkmenistan, 27 July). The main objective of the conference process was to devise an integrated strategy for the region, through a declaration and plan of action and an accountability framework reflecting a shared commitment on roles and responsibilities. Consultations were held in July in Tbilisi and Moscow with local and international NGOs active in the region, and similar meetings were planned later in the year at Alma Ata (Almaty) (Kazakstan), Kiev (Ukraine) and Novosibirsk (Russian Federation).

In October,^(c) the Executive Committee called on States concerned and relevant intergovernmental organizations to participate in the preparatory process leading to a CIS conference and urged Governments which had not yet done so to contribute to the common secretariat for the preparation of the conference. It requested the High Commissioner to report in 1996 on the outcome and follow-up of the conference.

GENERAL ASSEMBLY ACTION

On 21 December the General Assembly adopted **resolution 50/151**.

Comprehensive consideration and review of the problems of refugees, returnees, displaced persons and related migratory movements

The General Assembly,

Noting the 1951 Convention and the 1967 Protocol relating to the Status of Refugees,

Recalling its resolutions 48/113 of 20 December 1993 and 49/173 of 23 December 1994,

Having considered the report of the Secretary-General and the report of the United Nations High Commissioner for Refugees,

Reaffirming the need for the international community to consider comprehensive approaches for the coordination of action with regard to refugees, returnees, displaced persons and related migratory movements,

Considering the magnitude of existing and potential refugee and related migratory movements in the countries of the Commonwealth of Independent States and relevant neighbouring States,

1. Takes note of the report of the Secretary-General, as well as the report of the United Nations High Commissioner for Refugees, in particular paragraph 30 of the addendum to the latter report;

2. Calls upon the United Nations High Commissioner for Refugees, in consultation with States concerned and

in coordination with relevant intergovernmental, regional and non-governmental organizations, to continue to consider and develop comprehensive regional approaches to the problems of refugees and displaced persons;

3. Expresses its appreciation to the High Commissioner for her efforts to promote and develop a transparent preparatory process for a regional conference to address the problems of refugees, displaced persons and other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States and relevant neighbouring States;

4. Welcomes the establishment of a common secretariat for the preparation of the conference, comprising the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe and its Office for Democratic Institutions and Human Rights;

5. Requests the High Commissioner, in close cooperation with States and intergovernmental organizations concerned, to convene the conference in 1996;

6. Expresses its appreciation to United Nations bodies and agencies and other international organizations and institutions for their valuable contribution to the preparatory process leading to the conference;

7. Urges all States concerned and appropriate intergovernmental, regional and non-governmental organizations to support that process;

8. Appeals to all States and regional and intergovernmental organizations to provide the necessary support and resources needed by the secretariat for the preparation and holding of the conference;

9. Requests the Secretary-General to report to the General Assembly at its fifty-first session on the implementation of the present resolution.

General Assembly resolution 50/151

21 December 1995 Meeting 97 Adopted without vote

Approved by Third Committee (A/50/632) without vote, 21 November (meeting 34); 27-nation draft (A/C.3/50/L.19), orally corrected and revised; agenda item 109.

Meeting numbers. GA 50th session: 3rd Committee 19-23, 25, 32-34; plenary 97.

Protection issues

While the numbers of refugees worldwide continued to decline slightly, concerns remained over the real, potential and perceived burden of protecting and assisting them. Those concerns caused some Governments to deny entry to asylum-seekers, or to forcibly return thousands of refugees to their countries of origin. Other States constricted entitlement to basic rights for various groups of victims of internal conflict, and still others attempted to streamline procedures in ways that precluded fair appeals before deportation. These and other developments in 1995 presented UNHCR with serious difficulties in undertaking its protection and assistance activities. Nevertheless, many Governments continued to uphold asylum as an indispensable instrument for the international protection of refugees and demonstrated their commitment to receive and host refugees in cooperation with UNHCR.

In a 1 September note⁽⁴⁾ on international protection in mass influx, the High Commissioner examined current developments and explored protection strategies. She stated that, in 1995, a number of political and human rights factors highlighted the increased complexity and dimensions of refugee protection. The events of the year, whether in the former Yugoslavia, the Great Lakes region of Africa or the former Soviet Union, illustrated the value of the current international protection regime, while also revealing some of its shortcomings. The High Commissioner said that new and complementary strategies to ensure effective international protection should: first, reinforce the implementation of the 1951 Convention relating to the Status of Refugees⁽⁵⁾ and its 1967 Protocol⁽⁶⁾ and existing regional instruments; strengthen the protection of persons falling outside the application of international legal instruments; and support protection measures taken by States not yet party to such instruments. While various possibilities for achieving that end could be kept under review, States did not appear prepared to undertake additional binding obligations towards refugees, the High Commissioner stated. She suggested that since the 1951 Convention and the 1967 Protocol, as well as international and regional refugee and human rights instruments, provided a broadly accepted overall framework for effective international protection, the inadequacies identified within that framework could be addressed through the further development and consolidation of non-binding standards.

In an October conclusion,⁽⁷⁾ the UNHCR Executive Committee reiterated its support for UNHCR's role in exploring the development of guiding principles on measures to ensure international protection, consistent with fundamental protection principles reflected in international instruments. It called on UNHCR to organize informal consultations on the subject.

With regard to the protection of stateless persons, the Executive Committee encouraged UNHCR to continue its activities on their behalf as part of its statutory function of providing international protection and of seeking preventive action, as well as its responsibility to undertake the functions under article 11 of the 1961 Convention on the Reduction of Statelessness.⁽⁷⁾

The General Assembly, in **resolution 50/195** of 22 December, noted the efforts of the representative of the Secretary-General on internally displaced persons to develop a framework and to promote strategies for better protection, assistance and development for internally displaced persons (see PART THREE, Chapter II).

International instruments

As at 31 December 1995,⁽⁸⁾ the 1951 Convention relating to the Status of Refugees⁽⁵⁾ had 126

States parties. Antigua and Barbuda, Namibia and the Solomon Islands became parties in 1995. The 1967 Protocol⁽⁶⁾ to the Convention also had 126 States parties, with the accession in 1995 of Antigua and Barbuda and the Solomon Islands.

Other intergovernmental legal instruments of benefit to refugees included the 1969 OAU Convention governing the Specific Aspects of Refugee Problems in Africa, the 1957 Agreement relating to Refugee Seamen and its 1973 Protocol, the 1959 European Agreement on the Abolition of Visas to Refugees, the 1980 European Agreement on Transfer of Responsibility for Refugees, and the 1969 American Convention on Human Rights, Pact of San Jose, Costa Rica.

As at 31 December 1995,⁽⁸⁾ there were 41 States parties to the 1954 Convention relating to the Status of Stateless Persons⁽⁹⁾ and 17 States parties to the 1961 Convention on the Reduction of Statelessness.⁽⁷⁾

Promotional activities

The UNHCR Centre for Documentation and Research provided users with a broad collection of refugee literature and legal and country-of-origin information. Its 14 databases, known collectively as REF WORLD, included country reports, UN documentation, case law, instruments, legislation, media reports and an on-line thesaurus. REF WORLD was available on the Internet and on CD-ROM.

UNHCR promotional activities included the organization of refugee law and protection courses for government officials, implementing partners and NGOs. It was also involved in the work of human rights treaty bodies and other human rights mechanisms. A memorandum was signed in 1995 between the UNHCR Branch Office in Rwanda and the Human Rights Field Operation in Rwanda to enhance complementarity of action regarding monitoring and institution building.

Assistance measures

During 1995,⁽¹⁰⁾ UNHCR considered programmes and mechanisms launched in response to previous large-scale emergencies, implemented solutions, and elaborated preventive strategies. The prospect of large-scale repatriation to the former Yugoslavia emerged near the end of the year as a distinct possibility, while in the Great Lakes region of Africa, plans for comprehensive, voluntary repatriation faltered. In the States of the former Soviet Union, the High Commissioner consolidated a wide-ranging strategy to address existing and potential population displacements. UNHCR continued to implement its international protection mandate to promote, safeguard and develop principles of refugee protection, strengthen

international commitments, and promote durable solutions.

Worldwide, UNHCR was working to assist 24 million persons, of whom 14.2 million (60 per cent) were refugees; 3.2 million, internally displaced; 3.5 million, others of humanitarian concern; and 2.8 million, returnees. Overall, the number fell by 3.5 million during 1995, mainly in the internally displaced and returnee categories.

UNHCR continued to consolidate its emergency preparedness and response arrangements. The major deployment in 1995 of those resources was to the Russian Federation, in response to the crisis in Chechnya. Special attention was paid to contingency planning, particularly in Albania, Egypt, Ethiopia, Jordan, the Republic of Korea, Rwanda, Sri Lanka, the former Yugoslav Republic of Macedonia and Zaire. Following a meeting with NGOs in October, UNHCR began work to establish a database to better gauge and use NGO response capacity in refugee emergencies.

Following the emergency phase of a refugee operation, the basic needs of refugees were covered by care and maintenance activities. Total expenditures on such assistance in 1995 amounted to \$696.2 million, including \$454.4 million under Special Programmes.

UNHCR continued to regard voluntary repatriation as the preferable durable solution to refugee situations. In 1995, of more than 800,000 persons repatriated, 450,000 were directly assisted by UNHCR, notably to return to Afghanistan (170,000), Rwanda (110,000) and Myanmar (61,000). Expenditures of \$191.9 million went to such efforts and another \$126.4 million went to agricultural and non-agricultural activities to promote economic self-reliance and local integration of refugees.

Global expenditures on resettlement in 1995 amounted to \$7,201.6 million. During the year, UNHCR resettled 10,000 refugees from the former Yugoslavia; 21,000 resettlers elsewhere departed to third countries. The majority of persons still needing resettlement originated in the Middle East and Africa. UNHCR met with major resettlement Governments and agencies in October.

Refugee/returnee aid and development

UNHCR reinforced its operational linkages with agencies and partners to address the impact of refugee influxes on the development resources of asylum countries, as well as the multifaceted needs of countries into which refugees were least integrated. Jointly with the United Nations Development Programme (UNDP), UNHCR agreed on a Framework for Inter-agency Initiatives to promote a smooth transition from humanitarian assistance to sustainable human development. In a

new Memorandum of Understanding with the United Nations Children's Fund (UNICEF) and a revised Memorandum with the World Food Programme, the need was stressed to link operations involving the reintegration of refugees in situations of post-conflict recovery. The High Commissioner called for more flexible and predictable aid for post-conflict recovery to help bridge the gap between relief and development.

Refugees and the environment

In 1995, UNHCR reformulated its policy concerning environmental matters associated with refugee situations, based on past experience and an assessment of its 1994 Interim Guidelines for Environment-Sensitive Management of Refugee Programmes. New overall environmental guidelines were developed and the related sectoral guidelines were being revised. The basic principles involved were: to assure an integrated approach; to prevent rather than cure; to be cost-effective and ensure overall benefit maximization; and to involve the refugee and local populations. The reformulated policy and operational outcomes, to be introduced in a step-by-step manner over the next three to four years, would help UNHCR to resolve refugee-related environmental problems, such as deforestation, soil erosion, depletion and degradation of water resources and their socio-economic impacts on refugees and local communities.

In an October conclusion,⁽³⁾ the Executive Committee approved the UNHCR reformulated environmental policy, noting that proposed operational outcomes would enable UNHCR to make a more focused contribution to refugee-related environmental problems. The Committee requested the High Commissioner to revise the interim guidelines to give effect to the reformulated policy and to promote and enhance coordination and collaboration with host Governments, donors, relevant UN organizations, intergovernmental organizations and NGOs and other actors concerned to address refugee-related environmental problems in a more integrated and effective manner. The Committee called on the High Commissioner to keep it informed, through its Standing Committee, of the implementation of the policy, in particular financial implications and environmental actions in the field, and to report on results achieved in 1997.

Initiatives to promote the new policy included model projects on environmental education and training and participatory approaches to environmental problems, the development of an environmental database, and environmentally sound technologies. Efforts were also made to promote cooperation with other international organizations. One example was the UNDP/UNHCR Great

Lakes Initiative to address degradation of infrastructure and the environment in refugee-affected areas within Burundi, the United Republic of Tanzania and Zaire.

The General Assembly, in **resolution 50/152**, reaffirmed the importance of incorporating environmental considerations into UNHCR programmes, especially in least developed and developing countries hosting refugees over long periods of time. It called on the High Commissioner to promote and enhance coordination and collaboration with host Governments, donors, relevant UN organizations, intergovernmental organizations, NGOs and other actors concerned so that refugee-related environmental problems would be considered in a more integrated and effective manner.

Refugee women

During 1995, UNHCR strengthened field implementation of existing policies and guidelines regarding refugee women, creating three regional refugee women coordinator posts. It also reinforced field focal points established in connection with preparations for the Fourth World Conference on Women (Beijing, China, 4-15 September) (see PART FOUR, Chapter X), and established a reference group to support field implementation by UNHCR of the Beijing Platform for Action, adopted by the Conference. The immediate focus of the group's work was women's access to and partnership in food distribution. UNHCR's gender training—People-Oriented Planning (POP)—continued to expand its stand-alone courses, while integrating aspects of that training into other courses. Independent replication of the training by NGOs increased and a network of POP trainers was formalized to support implementation of gender policies. UNHCR also developed a human rights awareness training module targeted at refugee women.

In terms of the implementation of the recommendations of the Working Group on Refugee Women and Children, which in 1994 had examined obstacles to carrying out UNHCR's Policies and Guidelines on Refugee Women and Refugee Children,⁽¹⁾ the High Commissioner had instituted a policy of recruiting only women for the next year and POP training was used to address attitudinal change among staff members. Concerning the integration of women's concerns into UNHCR emergency activities, it was now standard practice to include in emergency teams community services officers who would be responsible for identifying constraints to protection and assistance to women. An action-oriented research project was developed to establish the conditions necessary to place food distribution into the hands of refugee women and to assess the impact of such distribu-

tion on family level food security. Regarding physical protection and human rights, the UNHCR Guidelines on Preventing and Responding to Sexual Violence against Refugees, issued in March, were cited as a model in the Beijing Platform for Action. The annual protection reporting exercise was modified to ensure that specific concerns of women were addressed. Compliance with the UNHCR policy on refugee women was encouraged through the UNHCR-NGO PARINAC process and POP training of local and international NGOs and through the efforts of government ministries.

In an October conclusion,⁽³⁾ the Executive Committee requested the High Commissioner to prepare a framework for implementation of the Beijing Platform for Action that would form the basis of future UNHCR planning on refugee women's issues, as well as reports to the Executive Committee and to the Commission on the Status of Women. It called on the High Commissioner to report in 1996 on the delivery of the implementation framework, with emphasis on field implementation of the policy and guidelines and on UNHCR implementation of the recommendations of the Working Group on Refugee Women and Refugee Children.

Refugee children

UNHCR in 1995 provided the Committee on the Rights of the Child with information concerning the situation of refugee children and actively participated in the UN study on the Impact of Armed Conflict on Children to ensure an emphasis on refugee and displaced children (see also PART THREE, Chapter I).

UNHCR included much of its field work on the psychosocial well-being of children in its community services and education programmes. Professional mental health programmes were provided in collaboration with specialized NGOs. Assistance was provided to traumatized unaccompanied children in Central Africa. UNHCR brought to the attention of concerned authorities incidents of sexual exploitation involving children, including unaccompanied girls, and camp officials, security or military personnel. The development of guidelines and procedures, training activities and close monitoring of the well-being of the child were among measures to be taken to prevent such abuse.

UNHCR also intervened where refugee children were threatened with being recruited into armed groups, advocating that those not yet 15 years old should not be allowed to volunteer. A module on rights awareness training was being developed to inform refugee women and others about the right of children not to be recruited. As to educating refugee children, the use of distance education and other innovative approaches were being explored

to meet the needs of older children. The policy of rapid educational response in emergencies bore fruit in the Kagera region of the United Republic of Tanzania, where 60,000 Rwandan refugee children were receiving non-formal education. A regional education workshop was held in Nairobi, Kenya, to train UNHCR and implementing partner staff from 15 countries.

Together with NGOs, UNHCR established or promoted projects in countries of origin to prepare the return of the child and to facilitate and monitor reintegration. In January, it established the Regional Support Unit for Refugee Children in Kigali, Rwanda, to provide technical assistance and programme support to its field offices and implementing partners in Burundi, Rwanda, the United Republic of Tanzania and Zaire. The importance of assessing children's needs from the earliest stages of emergencies to their integration into UNHCR protection and assistance activities was highlighted in the new UNHCR Handbook on Programme Management for UNHCR Implementing Partners.

Report of the Secretary-General. In response to a 1994 General Assembly request,⁽¹²⁾ the Secretary-General submitted an October report on assistance to refugee children.⁽¹³⁾ The report reviewed inter-agency cooperation; identification, registration and tracing of unaccompanied children; psychosocial rehabilitation; persistent protection problems; repatriation and reintegration; and lessons learnt.

The Secretary-General stated that unaccompanied children could constitute 3 to 5 per cent of the refugee or forcibly displaced population. In Rwanda, they represented 3.5 per cent in July. Some 300 Vietnamese unaccompanied children still lived in camps in exile in South-East Asia, while 6,000 unaccompanied children from the Sudan were living in Kenya. Few unaccompanied children were identified among Myanmar refugees in Bangladesh, Bhutanese refugees in Nepal or refugees in Chechnya, Russian Federation. However, the Burundi/Rwanda emergency created by far the highest number of unaccompanied minors in recent years; some 117,000 in July 1995. UNHCR established a Regional Support Unit for Refugee Children, based in Kigali, and UNICEF deployed specialists to advise agency staff, government counterparts and implementing partners. In Rwanda and Zaire, national NGOs were involved in the care of unaccompanied children.

In September, a meeting on family tracing and reunification was organized by the Save the Children Fund—UK, with the participation of UNHCR, UNICEF, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and Governments responsible for large groups of unaccompanied children.

Its purpose was to develop a framework for the management of unaccompanied children in future emergencies and to consolidate technical and professional practice in that area. In conjunction with NGOs, UNICEF developed a system for the registration, tracing and reunification of unaccompanied children, which was successfully implemented in Rwanda. Organizations working with unaccompanied children were exploring ways to support existing registration initiatives and share information so that implementing partners could begin active tracing as early as possible.

Among persistent problems confronting unaccompanied children, the Secretary-General said, were: allegations of recruitment of refugee children as combatants or assistants to the military or cases of children living with the military for alleged protection purposes; deprivation; neglect or abuse; sexual exploitation of unaccompanied girls; and evacuation and adoption of refugee children. UNHCR translated lessons learnt in providing protection and assistance to unaccompanied refugee children into handbooks and guidelines.

The Secretary-General concluded that progress had been made in the quality and timeliness of the international community's response to problems facing unaccompanied minors. Closer collaboration between UNHCR and UNICEF would further improve emergency response, ensuring compatibility with long-term solutions for the child, preferably in the country of origin.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted **resolution 50/150**.

Assistance to unaccompanied refugee minors

The General Assembly,
Reaffirming its resolution 49/172 of 23 December 1994,
Aware that the majority of refugees are children and women,

Bearing in mind that unaccompanied refugee minors are among the most vulnerable refugees and require special assistance and care,

Mindful of the fact that the ultimate solution to the plight of those unaccompanied minors is their return to and reunification with their families,

Noting that the Office of the United Nations High Commissioner for Refugees has developed revised Guidelines on Refugee Children, issued in May 1994,

Noting also the efforts of the High Commissioner to ensure the protection of and assistance to refugees, including children and unaccompanied minors, and that further efforts need to be exerted to this effect,

Recalling the provisions of the Convention on the Rights of the Child and the 1951 Convention and the 1967 Protocol relating to the Status of Refugees,

1. Takes note of the report of the Secretary-General;
2. Expresses its deep concern at the plight of unaccompanied refugee minors, and emphasizes the urgent need

for their early identification and for timely, detailed and accurate information on their number and whereabouts;

3. Calls upon all Governments, the Secretary-General, the United Nations High Commissioner for Refugees, all United Nations organizations, other international organizations and non-governmental organizations concerned to exert the maximum effort to assist and protect refugee minors and to expedite the return to and reunification with their families of unaccompanied refugee minors;

4. Urges the Office of the United Nations High Commissioner for Refugees, all United Nations organizations, other international organizations and non-governmental organizations concerned to take appropriate steps to mobilize resources commensurate to the needs and interests of the unaccompanied refugee minors and for their reunification with their families;

5. Condemns all acts of exploitation of unaccompanied refugee minors, including their use as soldiers or human shields in armed conflict and their recruitment in military forces, and any other acts that endanger their safety and personal security;

6. Calls upon the Secretary-General, the High Commissioner, the Department of Humanitarian Affairs of the Secretariat, the United Nations Children's Fund and other United Nations organizations and international organizations to mobilize adequate assistance to unaccompanied minors in the areas of relief, education, health and psychological rehabilitation;

7. Requests the Secretary-General to report to the General Assembly at its fifty-first session on the implementation of the present resolution.

General Assembly resolution 50/150

21 December 1995 Meeting 97 Adopted without vote

Approved by Third Committee (A/50/632) without vote, 21 November (meeting 34); 11-nation draft (A/C.3/50/L.18); agenda item 109.

Meeting numbers. GA 50th session: 3rd Committee 19-23, 25, 32-34; plenary 97.

Regional activities

Africa

In 1995, Africa hosted some 8.8 million persons of concern to UNHCR, of whom 5.5 million were refugees. The population displacements had been provoked mainly by political, ethnic and economic conflicts; in addition, widespread famine, insecurity, violence exacerbated by poverty and environmental degradation incited new population movements. Following the 1994 exodus of some 2 million people from Rwanda, the situation in the Great Lakes region remained fragile, and displacement continued. Refugee flows also continued in other parts of Africa, notably in Liberia, Sierra Leone, Somalia and the Sudan, with little hope of an early solution. In 1995, UNHCR expenditure in Africa totalled \$482.6 million.

In February, UNHCR organized a regional conference on assistance to refugees, returnees and displaced persons in the Great Lakes region of Africa (Bujumbura, Burundi) (see below).

In a report⁽¹⁰⁾ covering UNHCR activities during the year, the High Commissioner stated that in the Great Lakes region, some 1.7 million Rwandan refugees were living in Burundi, the United Republic of Tanzania and Zaire, and 208,000 Burundian refugees were in the United Republic of Tanzania and Zaire. In Rwanda, UNHCR efforts to facilitate voluntary repatriation and reintegration included the construction of shelters and implementation of quick-impact projects in the water, health, education and community services sectors in areas of return. However, major obstacles to large-scale repatriation remained, including continuing intimidation in camps in Burundi, the United Republic of Tanzania and Zaire, and the lack of a comprehensive political solution. On 10 February,⁽¹⁴⁾ the Security Council expressed concern at reports of continuing intimidation and security problems in the Rwandan refugee camps, particularly those in Zaire, and asked the Secretary-General to make recommendations for ensuring their security (see PART TWO, Chapter II).

On 22 December, the General Assembly, in **resolution 50/58 L**, urged States, UN organizations, specialized agencies and other intergovernmental and non-governmental organizations, as well as the international financial and development institutions, to continue to provide financial, technical and material assistance, bearing in mind that sound economic foundations were vital for achieving lasting stability in Rwanda and for the return and resettlement of Rwandan refugees.

In Burundi, continuing armed conflicts provoked new flows of refugees into the United Republic of Tanzania and Zaire and within Burundi. Some 30,000 Rwandan refugees and Burundian asylum-seekers fled to the United Republic of Tanzania at the end of 1995, while 1,000 Burundians were arriving every month in Zaire.

Meanwhile, major asylum countries in the Great Lakes region expressed concern at the prolonged stay of the refugees. On 31 March, the Tanzanian Government closed its borders, and, in August, Zaire refouled some 16,000 refugees in one week, an action viewed with concern by the Security Council.⁽¹⁵⁾ The Council called on Zaire to stand by its humanitarian obligations regarding refugees and supported the Secretary-General's decision to send the High Commissioner to the region to engage in discussions with Zaire and neighbouring States to resolve the situation.

The Tripartite Commissions on repatriation—involving Rwanda and UNHCR and the United Republic of Tanzania or Burundi—met regularly. Meetings involving Zaire, Rwanda and UNHCR were held in Geneva in September and December. Discussions focused on ways to enhance

repatriation through mass information campaigns, separation of intimidators from refugees and cross-border visits.

In Central Africa, there were 27,000 Sudanese refugees in the Central African Republic and 111,870 in north-eastern Zaire, 91,545 of whom received assistance from UNHCR. The Office was also assisting 41,950 of the estimated 160,950 Angolan refugees in Zaire.

In West Africa, some spontaneous returns to Liberia were noted following the signing in August of the Abuja Peace Agreement (see PART TWO, Chapter II), but about 750,000 Liberian refugees remained, mostly in Cote d'Ivoire and Guinea. The number of refugees from Sierra Leone in Guinea and Liberia increased significantly, reaching 360,000, due to the ongoing civil war. With an improved situation in Togo, the number of refugees from that country in Benin and Ghana declined significantly in 1995; a total of 20,983 persons repatriated from Benin during the year. Likewise, a sizeable number of Tuaregs spontaneously returned to Mali in 1995, due to the improved security situation; however, some 100,000 Malians still remained in Algeria, Burkina Faso, Mauritania and Niger. The number of Mauritanian refugees in Senegal remained at 66,000.

In East Africa and the Horn of Africa, UNHCR activities focused mainly on care and maintenance for refugees in Eritrea, Ethiopia, Somalia and the Sudan; in Uganda and northern Zaire, the Office gradually phased out those activities. In June, some 24,235 Eritreans were successfully repatriated, completing the pilot phase of the Programme for Refugee Reintegration and Rehabilitation of Resettlement Areas in Eritrea. Starting in December, more than 19,000 Ethiopian refugees were repatriated from the Sudan, with an estimated 52,000 still remaining. Another 32,000 Ethiopians were repatriated from Djibouti. The number of Somali refugees in Kenya in 1995 stood at 126,060, with another 275,190 in Ethiopia.

In southern Africa, more than 1.7 million Mozambican refugees returned home from countries of asylum, successfully concluding the UNHCR-assisted repatriation effort there. Assistance in Mozambique had focused on the reintegration of returnees and other targeted populations by improving food security, road access, water and sanitation, and primary health care through some 750 quick-impact programmes. Meanwhile, UNDP and UNHCR established a framework for inter-agency initiatives to promote the transition from humanitarian assistance to sustainable human development.

In Angola, UNHCR launched a repatriation and reintegration operation for some 311,000 Angolan refugees over a 30-month period, beginning in June 1995.

The Council of Ministers of the Organization of African Unity (OAU) (Addis Ababa, 21-23 June),⁽¹⁶⁾ in a resolution on refugees, returnees and displaced persons in Africa, appealed to the international community, and particularly UNHCR, to increase support to the countries involved in the programme of voluntary repatriation of refugees and to establish a link between emergency operations and those connected with rehabilitation and development.

On 28 July, by **decision 1995/314**, the Economic and Social Council took note of the oral report by UNHCR on assistance to refugees, returnees and displaced persons in Africa.⁽¹⁷⁾

In an October conclusion,⁽³⁾ the Executive Committee called on UNHCR to intensify its protection activities by supporting African Governments in the training of officers and other capacity-building activities, disseminating information on refugee instruments and principles, and providing financial, technical and advisory services to accelerate the enactment/amendment and implementation of legislation relating to refugees. Also, in conjunction with OAU and concerned Governments, subregional groupings and other interested parties, UNHCR should continue to seek sustainable solutions to the refugee problems in Africa, in particular through facilitating voluntary return.

The Executive Committee appealed to Governments, UN agencies, NGOs and the international community to create conditions to facilitate the return and early rehabilitation and reintegration of refugees. UNHCR should assess the negative impacts of large refugee concentrations on hosting communities, with a view to initiating measures to prevent damage and to assist in repair, especially damage to the environment and ecosystems in host countries. It expressed concern over the long stay of refugees in certain African countries and called on the High Commissioner to keep under review programmes in those countries, taking into account the increasing requirements in the region.

Report of the Secretary-General. In response to a 1994 General Assembly request,⁽¹⁸⁾ the Secretary-General submitted a September report⁽¹⁹⁾ on assistance to refugees, returnees and displaced persons in Africa. Despite the sombre refugee picture, he said that the peaceful democratic changes that had occurred in several parts of Africa had created opportunities for large numbers of refugees to return to their homes, and prospects for voluntary repatriation of refugees and the reintegration of returnees had improved. However, more comprehensive, timely and sustained efforts were needed to rehabilitate war-torn societies. The international community had to press for new means to respond faster and to meet

rehabilitation needs earlier. The persistence of population movements and refugee flows called for a comprehensive approach focusing on prevention, the adverse impact of refugees on asylum countries and the search for durable solutions.

Great Lakes regional conference

A regional conference on assistance to refugees, returnees and displaced persons in the Great Lakes region of Africa was held in Bujumbura, Burundi, from 15 to 17 February⁽²⁰⁾ (see also PART FOUR, Chapter III). In accordance with a 1994 General Assembly resolution,⁽²¹⁾ OAU and UNHCR jointly coordinated preparations for the Conference, including the establishment of a preparatory committee under their co-chairmanship. The aim of the Conference was to highlight the problems of refugees, returnees and displaced persons in the region; consider measures for their repatriation and safety; sensitize the international community to adverse socio-economic and environmental consequences; address root causes of the refugee problem; examine the impact on the civilian population of the presence of military personnel and militia in refugee camps and settlements; mobilize resources in support of the affected countries; and appeal for international assistance.

The Conference adopted a Plan of Action outlining a strategy for the peaceful resolution of the problem of displacement in the Great Lakes region, including voluntary return and reintegration of refugees and internally displaced persons. The Plan of Action included measures to be taken in and/or by the countries of origin and the countries of asylum and by the international community. The Conference requested UNDP to hold a donor's round table on countries of the region, which would provide a framework for coordinated and integrated approaches. It also established a Follow-up Committee, which, at its first meeting (Addis Ababa, Ethiopia, 26 May), noted that very little progress had been made in implementing the Plan of Action and that, in some areas, the situation had deteriorated. It agreed that consultations and discussion should continue, that political consultations should be encouraged to promote political accommodation, and that the proposed international conference on peace, security and development in the region (see PART TWO, Chapter II) would provide an impetus to humanitarian action in the region. In preparation for the round table, UNHCR and UNDP, in April, agreed that the consultations with donors should be a joint UNHCR/UNDP undertaking, in consultation with OAU. UNDP dispatched a preliminary mission to the subregion, which identified priority needs and, in collaboration with UNHCR, agreed to dispatch a comprehensive needs assessment and pro-

gramme project identification and formulation mission in September.

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly adopted **resolution 50/149**.

Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling its resolution 49/174 of 23 December 1994, Having considered the report of the Secretary-General and the report of the United Nations High Commissioner for Refugees,

Bearing in mind the fact that most of the affected countries are least developed countries,

Convinced of the necessity of strengthening the capacity within the United Nations system for the implementation and overall coordination of relief programmes for refugees, returnees and displaced persons,

Welcoming the prospects for voluntary repatriation and durable solutions to the refugee problems throughout Africa,

Recalling its resolution 49/7 of 25 October 1994, in which it endorsed the convening of a regional conference for assistance to refugees, returnees and displaced persons in the Great Lakes region,

Taking into account resolution CM/Res.1588(LXII) on refugees, returnees and displaced persons in Africa, adopted by the Council of Ministers of the Organization of African Unity at its sixty-second ordinary session, held at Addis Ababa from 21 to 23 June 1995,

Recognizing the need for States to create conditions conducive to the prevention of flows of refugees and displaced persons and to voluntary repatriation,

Bearing in mind that the majority of refugees and displaced persons are women and children,

1. Takes note of the report of the Secretary-General and the report of the United Nations High Commissioner for Refugees;

2. Notes with concern the effects of political instability, internal strife, human rights violations, foreign intervention, poverty and natural disasters, such as drought, in increasing the number of refugees and displaced persons in some countries of Africa;

3. Expresses deep concern at the serious and far-reaching consequences of the presence of large numbers of refugees and displaced persons in the receiving countries and the implications for their security, their long-term socio-economic development and the environment;

4. Expresses its appreciation and strong support for those African Governments and local populations which, in spite of the general deterioration of socio-economic and environmental conditions, as well as over-stretched national resources, continue to accept the additional burdens imposed by increasing numbers of refugees and displaced persons, in compliance with the relevant principles of asylum;

5. Commends the Governments concerned for their sacrifices, for providing assistance to refugees, returnees and displaced persons and for their efforts to promote voluntary repatriation and other measures taken to find appropriate and lasting solutions;

6. Expresses its gratitude to the international community for the humanitarian assistance it has continued

to render to refugees and displaced persons and to the countries of asylum, and calls upon it to continue to provide assistance to the millions of refugees and displaced persons in Africa;

7. Expresses its concern regarding instances, in some parts of Africa, where the fundamental principle of asylum is jeopardized as a result of unlawful expulsion, refoulement, or other threats to life, physical security, dignity and well-being;

8. Welcomes the strengthening of cooperation, at all levels, between the Office of the United Nations High Commissioner for Refugees and the Organization of African Unity, and urges both organizations, with relevant subregional bodies, United Nations and non-governmental organizations, the international community and the Governments concerned, to increase their efforts to address the root causes, work out strategies and find durable solutions to the problems of displacement in Africa;

9. Also welcomes the initiatives of the United Nations High Commissioner for Refugees to implement General Assembly resolution 49/7, and endorses the Plan of Action adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held at Bujumbura from 15 to 17 February 1995, as a framework for solution-oriented approaches to the humanitarian problems in the Great Lakes region;

10. Calls upon the Office of the United Nations High Commissioner for Refugees to intensify its protection activities by, inter alia, supporting the efforts of African Governments through appropriate training of relevant officers and other capacity-building activities, disseminating information about refugee instruments and principles and providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees;

11. Expresses its appreciation for the efforts of Governments and for the important work being done by the Office of the United Nations High Commissioner for Refugees, United Nations organizations, the International Organization for Migration, non-governmental organizations and other cooperating bodies on the implementation of voluntary repatriation of refugees in Africa, and calls upon the Office of the High Commissioner, in conjunction with the Organization of African Unity and Governments concerned, subregional groupings and other interested parties, actively to continue to seek sustainable solutions to the refugee problem in Africa, in particular through facilitating voluntary return in a dignified and orderly manner;

12. Appeals to Governments, United Nations and non-governmental organizations and the international community to create conditions that can facilitate the voluntary return and the early rehabilitation and reintegration of refugees;

13. Commends the Governments of the Great Lakes region and the United Nations High Commissioner for Refugees on their initiatives to promote repatriation within the framework of tripartite agreements on voluntary repatriation of refugees in the region;

14. Encourages the Office of the United Nations High Commissioner for Refugees to continue to cooperate with the office of the United Nations High Commissioner for Human Rights in the promotion

and protection of human rights and fundamental freedoms in emergency humanitarian situations in Africa;

15. Calls upon the Office of the United Nations High Commissioner for Refugees, in conjunction with host Governments, United Nations and non-governmental organizations and the international community, to undertake an early assessment of the negative impacts of large refugee concentrations on the host communities, with a view to initiating timely and concrete measures to prevent damage and to assist in its repair, especially damage caused by mass refugee influxes to the environment and ecosystems in host countries;

16. Notes with satisfaction the voluntary return of millions of refugees to their homelands following the successful repatriation and reintegration operations carried out by the Office of the United Nations High Commissioner for Refugees, with the cooperation and collaboration of many countries hosting refugees, and looks forward to other programmes to assist the voluntary repatriation of all refugees in Africa;

17. Expresses its concern about the long stay of refugees in certain African countries, and calls upon the United Nations High Commissioner for Refugees to keep under review her programmes in those countries, taking into account the increasing requirements there;

18. Expresses its appreciation to the Secretary-General, the United Nations High Commissioner for Refugees, the specialized agencies, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, donor countries and intergovernmental and non-governmental organizations for their assistance in mitigating the plight of the large number of refugees, returnees and displaced persons;

19. Expresses the hope that additional resources will be made available for general refugee programmes to keep pace with refugee needs;

20. Calls upon Governments, United Nations organizations, non-governmental organizations and the international community as a whole to strengthen the emergency response capacity of the Office of the United Nations High Commissioner for Refugees on the basis of the experience of the emergency in Rwanda, and to continue providing needed resources and operational support to Rwandese refugees and the host countries until a permanent solution can be implemented;

21. Calls upon the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure in areas affected by refugees in countries of asylum;

22. Calls upon Member States and intergovernmental and non-governmental organizations to continue to provide the necessary support and financial assistance to the United Nations High Commissioner for Refugees to enhance her capacities and abilities to implement emergency operations, care and maintenance activities and repatriation and reintegration programmes for the benefit of refugees, returnees and, as appropriate, internally displaced persons;

23. Appeals to Member States and international and non-governmental organizations to provide adequate financial, material and technical assistance for relief and rehabilitation programmes for the large number of refugees, voluntary returnees and displaced persons and victims of natural disasters and to the affected countries;

24. Requests all Governments and intergovernmental and non-governmental organizations to pay particular attention to meeting the special needs of refugee women and children;

25. Calls upon the Secretary-General, the United Nations High Commissioner for Refugees, the Department of Humanitarian Affairs of the Secretariat, United Nations humanitarian organizations, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, regional and international financial institutions, the International Organization for Migration and non-governmental organizations to increase the capacity for coordination and delivery of humanitarian emergency assistance and disaster relief in general, with States and others concerned in respect of asylum, relief, repatriation, rehabilitation and resettlement of refugees, returnees and displaced persons, including those refugees in urban areas;

26. Requests the United Nations High Commissioner for Refugees to review her general programmes in Africa to take account of the increasing requirements in that region and with a view to continuing her efforts and expanding her activities in close collaboration with the Organization of African Unity, regional organizations and governmental and non-governmental organizations in Africa, in order to consolidate aid and increase essential services to refugees, returnees and displaced persons;

27. Requests the Secretary-General to submit a comprehensive and consolidated report on the situation of refugees, returnees and displaced persons in Africa to the General Assembly at its fifty-first session, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions", and an oral report to the Economic and Social Council at its substantive session of 1996.

General Assembly resolution 50/149

21 December 1995 Meeting 97 Adopted without vote

Approved by Third Committee (A/50/632) without vote, 21 November (meeting 34); draft by South Africa, for African Group (A/C.3/50/L.17), orally revised; agenda item 109.

Meeting numbers. GA 50th session: 3rd Committee 19-23, 25, 32-34; plenary 97.

In resolution 50/58 K of 22 December, the Assembly invited all States, UN institutions and intergovernmental and non-governmental organizations to continue to provide Burundi with assistance for economic recovery and to facilitate the voluntary repatriation of refugees.

In resolution 50/58 L of the same date, the Assembly encouraged Rwanda to pursue efforts to create conditions conducive to the return of refugees to their country.

The Americas and the Caribbean

In a report on UNHCR's 1995 activities,⁽¹⁰⁾ the High Commissioner stated that three developments had a major impact on UNHCR's work in the Americas and the Caribbean during the year. Political developments in Guatemala enhanced the repatriation process for the 12,000 Guatemalan

refugees in Mexico; Mexico decided that Guatemalan refugees might stay in Mexico on a permanent basis; and the arrival of extra-continental asylum-seekers to countries in Latin America continued.

As durable solutions had been found for the majority of Central American refugees, UNHCR's task was to strengthen the capacity of Governments to deal with refugee-related matters and, as a means of prevention, to strengthen regional human rights institutions and ensure that development-oriented projects also targeted areas with major concentrations of persons of concern to UNHCR. In Belize, the quick-impact project (QIP) programme to facilitate the socio-economic integration of 8,100 refugees and undocumented persons continued. The QIP programme in El Salvador, which facilitated the integration of some 31,500 Salvadoran returnees, was completed in April. UNHCR continued with voluntary repatriation of individual cases and with the legal integration of those refugees opting to remain in their country of asylum. Some 9,500 Guatemalan refugees were repatriated from Mexico despite continuing security problems, the scarcity of available land, and the absence of a peace agreement, bringing the total number of returnees assisted by UNHCR since January 1993 to more than 20,000. The assistance programme in the Mexican states of Campeche and Quintana Roo increased the productivity of refugee settlements through joint programmes of credit and on-the-job training, helping refugees to become self-supporting. The transfer of responsibilities for infrastructure and services in those settlements to the Mexican authorities was initiated. Mexico, at the end of 1995, announced its intention to allow the local integration of those refugees not wishing to repatriate; the majority of them were expected to relocate to Campeche and Quintana Roo.

More than 1,100 Haitian refugees were repatriated during the year, leaving 937 still in the Dominican Republic, which continued discussions with UNHCR on finding durable solutions for them. The arrival of extra-continental asylum-seekers in South America and the Caribbean increased, reaching 80 per cent of all asylum-seekers compared to 13 per cent in 1994. The United States Congress was considering two proposed immigration bills. A Memorandum of Agreement between Canada and the United States on "Cooperation in Examination of Refugee Claims from Nationals of Third Countries" was also under consideration. In February, Canada announced that every adult immigrant and refugee must pay both "right-to-landing" and per-cost recovery fees.

Total UNHCR expenditures in the Americas and the Caribbean amounted to \$34.9 million and the refugee population stood at just under 1 million.

East and South Asia and Oceania

In a report covering 1995 UNHCR activities,⁽¹⁰⁾ the High Commissioner stated that 62,000 Myanmar Muslim refugees had voluntarily repatriated from Bangladesh to their country's Rakhine State. Some 50,000 persons remaining in five camps in Bangladesh were expected to repatriate in 1996. More than 1,000 small-scale projects in returnee communities were funded by UNHCR. UNHCR staff monitored the welfare of the 93,250 refugees from Myanmar residing in Thailand. The Afghan urban refugee population in Delhi, India, decreased from 23,000 to 21,000 during the year. About 50 per cent of those refugees were receiving UNHCR assistance. Following the cessation of hostilities between Sri Lanka and the Liberation Tigers of Tamil Eelam in January, some 10,000 Sri Lankan refugees voluntarily repatriated from the Indian State of Tamil Nadu under UNHCR auspices. Some 52,000 refugees remained in camps in India and another 40,000 reportedly resided outside camps. Further repatriation of Sri Lankan refugees from India was hampered by the resumption of hostilities later in the year, precipitating the internal displacement of over 350,000 persons from the Jaffa peninsula. In December, Sri Lanka requested UNHCR assistance for up to 150,000 displaced persons in the Vanni region.

In Cambodia, UNHCR, in addition to assisting 20,300 vulnerable returnees, joined other UN agencies in providing relief to some 113,000 internally displaced persons. A total of 145 Cambodian refugees voluntarily returned home with UNHCR assistance, while some 370 remained in Association of South-East Asian Nations (ASEAN) countries pending return approval. UNHCR also monitored the safe return of 1,859 Cambodians of ethnic Vietnamese origin. The refugee population in China, as reported by the Government, increased slightly from 287,086 to 288,411 during the year. UNHCR assistance in China focused mainly on local settlement through support for revolving fund rural credit schemes.

In 1995, UNHCR expenditure in Asia and Oceania amounted to \$95.8 million. The total number of refugees in the region stood at some 0.8 million.

Comprehensive Plan of Action for Indo-Chinese Refugees

The Implementation of the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA) continued in 1995. Agreements between Viet Nam, the host country, and UNHCR on modalities for the return of remaining Vietnamese non-refugees in camps were concluded in early 1995 with both Malaysia and the Philippines. Arrangements were discussed to simplify procedures for the return of all Vietnamese who did not qualify for refugee status. As of 31 March, there were 8,610

Lao in UNHCR-assisted camps in Thailand for whom durable solutions within the framework of CPA were being pursued. Voluntary repatriation was promoted for some 7,400 of them, while resettlement for 1,200 was being finalized. The Steering Committee of the International Conference on Indo-Chinese refugees (Geneva, 16 March) agreed that by the end of 1995 all CPA activities in first-asylum countries should be completed. The target would be met soon thereafter in Hong Kong. The Committee noted that a large number of Vietnamese who did not qualify for refugee status had refused voluntary repatriation. It recognized the significance of simplified procedures and the monthly target of the return to Viet Nam of at least 3,600 of remaining non-refugees in camps. UNHCR supported implementation of 109 community-based micro-projects, valued at \$2.5 million, for returned Vietnamese refugees.

In an October conclusion,⁽³⁾ the Executive Committee called on UNHCR to convene a meeting of the Steering Committee by the end of 1995 to assess the situation and to consider measures and durable solutions to ensure the successful conclusion of CPA. It appealed to the international community to support the repatriation of Indo-Chinese camp populations under voluntary repatriation and orderly return programmes, as well as developmental assistance to countries of origin for the reintegration of returnees. It called on countries of origin to continue to ensure reasonable access to returnees by intergovernmental and non-governmental organizations and requested all parties concerned to cooperate in implementing relevant memoranda of understanding and agreements relating to the repatriation of Indo-Chinese camp populations.

Europe

In a report covering 1995 UNHCR activities,⁽¹⁰⁾ the High Commissioner stated that the downward trend in requests from persons seeking asylum in Western Europe continued in 1995, due to restrictions by States on immigration. The number of applicants granted refugee status and those allowed to remain on special humanitarian grounds or under temporary protection also declined. The signing in December of the Peace Agreement for Bosnia and Herzegovina (see PART TWO, Chapter V) raised the question of the discontinuation of temporary protection for asylum-seekers from the former Yugoslavia in Europe and gave rise to the prospect of a large-scale return. UNHCR continued to engage in an informal dialogue with member States of the European Union (EU) on asylum and refugee matters.

In the former Yugoslavia, the worsening security situation in Bosnia and Herzegovina, following the failure of the warring parties to extend the

Cessation of Hostilities Agreement beyond March, adversely affected UNHCR's ability to provide assistance. The recapture of the Bihac pocket by the Bosnian Government from the Bosnian Serbs in August prompted the exodus of some 20,000 former inhabitants of Velaka Kladusa and Cazin who were loyal to the Bosnian rebel leader. When the situation improved, UNHCR launched a programme of voluntary repatriation to Bihac. In Banja Luka, continued pressure was placed on minority communities to leave the area, and the situation was further exacerbated by an influx of refugees from Western Slavonia. In May, 4,500 ethnic Serbs from Western Slavonia arrived in Sector East, while 2,500 fled to the Federal Republic of Yugoslavia (Serbia and Montenegro). The fall of the eastern Muslim enclaves of Srebrenica and Zepa in July to Bosnian Serb forces resulted in the forced exodus of 36,000 persons to the Tuzla and Zenica regions. The capture by Croat forces of Glamoc and Grahovo in late July also led to the flight of 14,000 Serbs to northern Bosnia, many of whom made their way to Banja Luka. In August, UNHCR aid supplies in Banja Luka were quickly exhausted, with a mass influx of some 200,000 refugees from Krajina. A major concern was the situation of the remaining Serb population in the Krajina. Human rights violations, including burning and looting of abandoned property, harassment and violence, were brought to the attention of Croatia, together with serious criticism from the international community. UNHCR supported the Federal Republic of Yugoslavia (Serbia and Montenegro) in efforts to cope with the influx of refugees from Krajina. It also requested the authorities to consider the estimated 800 Muslims from Zepa and Srebrenica detained in Mitrovo Polje and Slivovica in the Federal Republic as refugees.

In a 3 October statement,⁽²²⁾ the Security Council expressed concern at the withdrawal of refugee status from and the consequent ending of assistance to many refugees from Bosnia and Herzegovina in Croatia, as well as at the situations of refugees from Croatia wishing to return and of ethnic Serbs who had chosen to remain in Croatia. It urged Croatia to continue to provide asylum to all refugees regardless of their origin, and to lift any time-limits placed on the return of refugees to Croatia to claim their property.

In a 22 December statement,⁽²³⁾ the Council said that the requirement that owners should reclaim their property by 27 December 1995 was an insurmountable obstacle for most Serb refugees, and it demanded that Croatia lift the time-limit immediately (for details, see PART TWO, Chapter V).

The coming into effect of a cease-fire agreement towards the end of 1995 resulted in an agreement between the Croat and Muslim sides on return of

displaced persons to contested areas in Central Bosnia and Sector East of Croatia. In accordance with the General Framework Agreement for Peace in Bosnia and Herzegovina, signed in Dayton, United States, in November, UNHCR was entrusted with the development and implementation of a repatriation plan for the orderly return of refugees and displaced persons.

In Central Europe, UNHCR efforts continued to be centred on influencing legislation with a view to establishing fair and accessible refugee status determination procedures. Its activities were also focused on institution- and capacity-building, training, and a limited assistance programme. The region was affected by large migratory movements where the distinction between migrants and genuine asylum-seekers was often blurred. UNHCR assisted refugee authorities in Central Europe by creating conditions conducive to integration; lack of affordable housing for asylum-seekers and refugees continued to be an obstacle.

In Eastern Europe, UNHCR continued to advocate strategies to pre-empt refugee-producing situations in the CIS countries. It assisted in developing an institutional capacity to provide solutions for displaced persons and was engaged in the search for a comprehensive approach to the problems of refugees, returnees, displaced persons and other forms of involuntary displacements in the CIS countries and neighbouring States in preparation for a regional conference (see above). In Armenia, UNHCR limited its intervention to the most vulnerable of the 150,000 refugees there. In October, Armenia adopted a law giving refugees of Armenian ethnic origin access to citizenship. UNHCR planned to facilitate the integration of the most needy among some 900,000 internally displaced persons and refugees in Azerbaijan, to strengthen Georgia's capacity to service its 200,000 internally displaced persons, and to initiate confidence-building measures to benefit the 35,000 persons who had returned to the Gali district in the Abkhaz region. UNHCR envisaged phasing out, by the end of 1995, its emergency operation in the North Caucasus for displaced populations from Chechnya in the Russian Federation, but new developments generated an additional influx of displaced persons into neighbouring republics. During the year, total UNHCR expenditure in Europe amounted to \$291.9 million.

In an October conclusion,⁽³⁾ the Executive Committee expressed concern for the fate of refugees and displaced and missing persons within and from the former Yugoslavia and called on countries of origin to create conditions for and to ensure the organized and phased return of refugees and displaced persons in safety and dignity, in cooperation with UNHCR, the host countries and the international community. The international

community was asked to continue to contribute to ongoing humanitarian efforts, as well as to humanitarian and rehabilitation programmes to be undertaken within the framework of a possible peace settlement.

South-West Asia, North Africa and the Middle East

In South-West Asia, North Africa and the Middle East, UNHCR programmes focused on capacity- and institution-building, particularly in the Central Asian Republics, the High Commissioner reported.⁽¹⁰⁾ UNHCR bolstered its presence in Afghanistan in the hope of encouraging the repatriation of the 2.1 million Afghan refugees in Pakistan and Iran. In North Africa and the Middle East, incremental progress was made in planning and implementing durable solutions for relatively stable caseloads.

During 1995, 348,000 refugees returned to Afghanistan: 153,000 from Pakistan, of whom 77,000 were directly assisted by UNHCR, and 195,000 from Iran, with UNHCR assisting 92,000. Assistance activities to support repatriation shifted to communities inside Afghanistan. UNHCR implemented a total of 386 QIPs, mainly in the areas of education, irrigation and transport. The delivery of repatriation grants for returnees shifted from Quetta, Pakistan, to the southern Afghan city of Kandahar. A group-guaranteed lending programme for women in northern Afghanistan was initiated and additional credit programmes were under consideration. In Iran, host to the world's largest caseload of refugees—1,420,000 Afghans and 585,000 Iraqis (Kurds and Arabs)—the Government withdrew health and education subsidies, affecting both local and refugee populations. UNHCR initiated interim measures in those sectors to minimize any adverse impact on the welfare of the refugees.

The repatriation of refugees to Tajikistan from northern Afghanistan was lower in 1995 than projected, with 1,053 persons choosing to repatriate. The total number of returnees since 1993 was 43,000. Some 7,300 refugees remained in Sakhi Camp (Mazar), and an estimated 11,500 were scattered throughout the Kunduz province.

In North Africa, assistance continued for an estimated 50,000 refugees in southern Algeria, 28,000 from Mali and 22,000 from Niger. A pilot repatriation programme for Malians was initiated under a 1994 agreement signed by Algeria, Mali, IFAD and UNHCR,⁽²⁴⁾ but the situation in northern Mali delayed the implementation of mass organized repatriation. Still, some 8,000 Malians and 245 refugees from Niger were reported to have repatriated. The situation in northern Mali also impeded large-scale repatriation of refugees from Mauritania. In November, an UNHCR pilot proj-

ect for organized repatriation was implemented, benefiting 2,247 refugees. In the context of the plan to identify and register potential voters for the referendum in Western Sahara (see PART ONE, Chapter III), a UNHCR technical team visited various sites and potential repatriation locations in the territory, as well as the Tindouf (Algeria) camps, to collect information to update the 1991 UNHCR repatriation plan.⁽²⁵⁾

In the Middle East, UNHCR helped 7,349 Iraqi Kurds to return home, notably from Iran. In Iraq, it assisted some 16,000 Turkish nationals of Kurdish origin; 38,500 Iranian refugees; and 556 refugees of other origins. No progress was reported in the exchange of refugees between Iran and Iraq. However, UNHCR continued to liaise with both parties to ensure an organized movement of those persons wanting to return. Saudi Arabia continued to assist Iraqi refugees in Rafha Camp. Some 4,430 persons were resettled in more than 10 countries, while 520 persons were repatriated. UNHCR also assisted Palestinians expelled from the Libyan Arab Jamahiriya and stranded at Salloum on the Egyptian border. A new camp location was identified at Shukrah in Yemen to host some 9,000 Somali refugees.

In the Central Asian Republics, the UNHCR objective was to assist Governments and operational partners to create conditions for the efficient management of population movements. In August/September, liaison offices were opened in Kazakhstan, Kyrgyzstan and Turkmenistan. Of over 500,000 Tajik internally displaced persons who had left their homes in 1992, 95 per cent had returned to their places of origin by the end of 1995. Some 14,000 internally displaced persons remained in the Gorno-Badakhshan region and 43,000 refugees from Tajikistan who had fled to northern Afghanistan were repatriated with UNHCR assistance, leaving 17,600 Tajiks in Afghanistan. With the return of the majority of Tajik refugees and internally displaced persons to their places of origin, UNHCR in late 1995 neared the end of a three-year operation providing materials to reconstruct 18,000 houses for Tajik returnees. UNHCR launched resettlement projects in Kazakhstan for refugees of Kazak ethnic origin and in Kyrgyzstan for those of Kyrgyz ethnic origin.

Total UNHCR expenditure for South-West Asia, North Africa and the Middle East amounted to some \$106 million.

In an October conclusion,⁽³⁾ the Executive Committee called for continued international support for the Afghan refugees in Iran and Pakistan and their early repatriation. The international community should support a comprehensive approach to the return of Afghan refugees and rehabilitation of affected areas. The High Commissioner was asked to: maintain UNHCR activities in

Afghanistan and its neighbouring countries still hosting large numbers of refugees and to collaborate with the Governments concerned, other international humanitarian agencies and NGOs to provide assistance to refugee areas; extend UNHCR activities to other areas of return, through collaborative ventures with UN agencies that would maximize benefits to communities receiving returnees; and continue to mobilize the involvement of international and multilateral organizations as part of the rehabilitation strategy to sustain repatriation.

REFERENCES

- (¹)YUN 1994, p. 1221, GA res. 49/173, 23 Dec. 1994. (²)A/50/414. (³)A/50/12/Add.1. (⁴)A/AC.96/850. (⁵)YUN 1951, p. 520. (⁶)YUN 1967, p. 477. (⁷)YUN 1961, p. 533. (8)Multilateral Treaties Deposited with the Secretary General: Status as at 31 December 1995 (ST/LEG/SER.E/14), Sales No. E.96.V.5. (⁹)YUN 1954, p. 416. (¹⁰)E/1996/52. (¹¹)YUN 1994, p. 1223. (¹²)Ibid., p. 1224, GA res. 49/172, 23 Dec. 1994. (¹³)A/50/555. (¹⁴)S/PRST/1995/7. (¹⁵)S/PRST/1995/41. (¹⁶)A/50/647. (¹⁷)E/1995/SR.47. (¹⁸)YUN 1994, p. 1226, GA res. 49/174, 23 Dec. 1994. (¹⁹)A/50/413. (²⁰)A/50/541 & Add.1. (²¹)YUN 1994, p. 280, GA res. 49/7, 25 Oct. 1994. (²²)S/PRST/1995/49. (²³)S/PRST/1995/63. (²⁴)YUN 1994, p. 1234. (²⁵)YUN 1991, p. 793.