



# General Assembly

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## Executive Committee of the Programme of the United Nations High Commissioner for Refugees Sixty-second session

### Summary record of the 653rd meeting

Held at the Palais des Nations, Geneva, on Wednesday, 5 October 2011, at 3 p.m.

Chairperson: Mr. Badr.....(Egypt)

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*The meeting was called to order at 3.10 p.m.*

**General debate** (*continued*)

1. **Mr. Cheikh** (Observer for the Organization of Islamic Cooperation (OIC)) said that the grave humanitarian situation in the Horn of Africa called for a rapid and coordinated international response. Efforts to assist in Somalia and neighbouring States should be improved in order to find durable solutions, and a common action plan was needed to facilitate economic recovery.
2. OIC attached great importance to providing cooperation in humanitarian crisis management. It had established an office in Mogadishu to channel emergency aid to where it was needed and planned to open another one in Nairobi in the near future.
3. OIC called for the burden on UNHCR and refugee host countries to be shared. In addition to funding, durable solutions such as resettlement and voluntary repatriation were needed. The principles of legality and good governance must be upheld in the delivery of global responses to the needs of persons of concern and those seeking protection. OIC intended to hold a joint conference with UNHCR on the refugee situation in its member States.
4. **Mr. Jauhar** (Observer for Sri Lanka) said that the crises in the Horn of Africa and elsewhere could only be alleviated in the long term by addressing their root causes. Both UNHCR and the International Organization for Migration (IOM) had played a fundamental role in dealing with the displacement crisis in Libya, and the full support of the international community was needed if all protracted refugee situations were to be resolved.
5. He thanked UNHCR for its work in Sri Lanka, which had brought about a significant decrease in the number of internally displaced persons. As a result of the assistance that UNHCR had provided, returning refugees could now receive effective care in Sri Lanka.
6. **Mr. Chatterjee** (Observer for the International Federation of Red Cross and Red Crescent Societies) said that the members of the Federation provided assistance to migrants at every stage of their journey and that national societies worked with public authorities to ensure that the voice of migrants was heard. In partnership with UNHCR, the members of the Federation provided protection and assistance in numerous countries, as well as health care and support for separated families. Over the past few months, the Maltese and Italian Red Cross Societies had provided thousands of Libyan refugees with secure transit and humanitarian support.
7. He drew attention to the vulnerable situation in destination countries, of disabled migrants, victims of trafficking and unaccompanied minors and called for greater efforts to promote dialogue and mutual understanding in local and migrant communities so as to overcome the problems that those groups faced.
8. The focus of the draft resolution on migration that was due to be considered at the 31st International Conference of the Red Cross and Red Crescent was on: the adoption of laws and procedures to allow national societies access to all migrants; the establishment of border procedures that enabled migrants to have their needs addressed in safety; cooperation with Governments on education and voluntary service initiatives for migrants; and enhanced assistance and protection for migrants.
9. **Mr. Hetfield** (Observer for the Hebrew Immigrant Aid Society), speaking on behalf of a wide range of NGOs, drew attention to the plight of stateless internally displaced persons who were deprived of access to essential services, and called on UNHCR and host countries to raise awareness of their situation. He noted that, while universal birth

registration served to affirm children's rights and prevent abuse and exploitation, a clear articulation of the measures that must be taken to comply with the standards set out in previous Executive Committee conclusions was still lacking.

10. He noted with concern the calls that had been made for camps to be set up in Somalia in order to prevent internally displaced persons from crossing borders in search of protection. Such a proposition was untenable and ran counter to the very notion of international protection. He commended UNHCR on its ongoing commitment to the protection of refugee, displaced and stateless women and girls and on its organization of a series of dialogues to discuss their protection needs.

11. Events in North Africa and Somalia had thrown into relief the perilous journeys undertaken by those fleeing from poverty and violence. The European Union should establish a specialized body to reduce the number of migrant deaths at sea and should establish clear and binding guidelines on responsibility for disembarking migrants at sea.

12. The decision of the Government of Australia to transfer asylum-seekers to Malaysia undermined protection principles and placed vulnerable groups at greater risk. It sent the message that Australia did not respect the binding nature of its international legal obligations.

13. He welcomed UNHCR leadership of country-level protection clusters in the event of natural disasters and urged States to comply with the Guiding Principles on Internal Displacement and Operational Guidelines on the Protection of Persons in Situations of Natural Disasters developed by the Inter-Agency Standing Committee.

14. He noted reports that persons of concern were being detained for lengthy periods in substandard conditions without access to asylum procedures or the right to challenge their detention. NGOs had raised concerns about being denied access to immigration detention centres in Egypt, Libya and Japan and had stressed the need for greater oversight in that regard. NGOs wished to remind States that detention should be used only as a last resort and for the shortest possible time.

15. He noted with regret that most new resettlement countries were participating in resettlement initiatives at a level that was little more than symbolic. He commended several countries which had shown how resettlement could be done. He expressed regret that, in 2011, the United States would have resettled fewer refugees than it had in 2010, as thousands were being screened out as security risks.

16. It had been nearly 20 years since the "Partnership in Action" process had been critically evaluated. While the practice of establishing, negotiating and extending partnerships in the absence of formal requests or transparent and accountable evaluation procedures could be advantageous in emergency situations, it became less effective in stable or protracted refugee situations. UNHCR should explore with NGOs how best to serve refugees through more transparent partnerships.

17. **Ms. Diop** (Observer for the Economic Community of West African States (ECOWAS)), extending her sympathies to the victims of the bombing at the United Nations offices in Abuja in 2011, said that there were about a million internally displaced persons in Côte d'Ivoire and more than a hundred thousand refugees in the West African region. ECOWAS, UNHCR and other partners were working to find durable solutions to displacement in West Africa. ECOWAS had organized the Ministerial Conference on Humanitarian Assistance and Internal Displacement in West Africa, held in Abuja in July 2011, to promote ratification of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa. With assistance from UNHCR and the African Development Bank, it was implementing a pilot project on refugee reintegration and local integration in Guinea, Guinea-Bissau, Liberia and Sierra Leone. In 2011, the

organization had provided US\$ 500,000 to assist Ivorian refugees in Liberia. It had recently approved an allocation of more than US\$ 3 million for internally displaced persons in Côte d'Ivoire and for Ivorian refugees in Ghana, Guinea, Liberia, Mali and Togo.

18. In recent years ECOWAS and UNHCR had developed the emergency response mechanism of the West African region; they were now working on a regional humanitarian policy and plan of action. In that connection, ECOWAS intended to develop a roster to enhance emergency-response capacity in the region and to establish early warning systems.

19. She called for greater international solidarity to facilitate resettlement of refugees and for increased assistance to be provided to refugee-affected and host communities in Africa. Displacement resulting from natural disasters and climate change was becoming more frequent, and she called for the mandate of UNHCR to be extended to take account of that trend.

20. **Mr. Guterres** (United Nations High Commissioner for Refugees), responding to the various points raised, welcomed the commitment of OIC to organizing the conference on refugee issues in OIC member States. As its member States were providing an increasing number of humanitarian actors, OIC should take on responsibility for national and global coordination.

21. UNHCR remained committed to finding a permanent solution to internal displacement in Sri Lanka and to the process of voluntary repatriation from India. It recognized the need for closer collaboration between the Red Cross and Red Crescent Societies, the United Nations and NGOs to ensure inter alia that human rights principles were at the centre of migration management strategy. UNHCR stood ready to enhance the transparency, efficiency and strategic elements of its partnership with NGOs.

22. **Mr. Kalashinkov** (Russian Federation), speaking in exercise of the right of reply, said that he wished to refer to the statement made by the representative of Georgia during the morning session. He said there was no occupation in Abkhazia and South Ossetia, which had both been independent sovereign States for three years with effective control over their territories. In August 2008, Georgia had attacked Tskhinvali, destroying homes, schools and hospitals and killing many people. Georgian forces had bombed the roads on which refugees were attempting to flee. The representative of Georgia had correctly referred to ethnic cleansing. Indeed, Georgian forces had conducted operations bordering on genocide in South Ossetia, attempting to drive Ossetians out of their ancestral homeland and thus creating tens of thousands of refugees.

23. **Ms. Kipiani** (Observer for Georgia), speaking in exercise of the right of reply, said that her country's territorial integrity and sovereignty were recognized by the international community and in United Nations documents including Security Council resolutions adopted since 1993 and General Assembly resolutions adopted since 2008.

24. The statement made by the representative of the Russian Federation was intended to politicize the discussions at the present forum. The crude factual misrepresentations that had been made were not an isolated occurrence; it was part of Russian Federation foreign policy to depict a false reality in an attempt to legitimize the occupation of Georgia.

25. **Mr. Asadov** (Observer for Azerbaijan), speaking in exercise of the right of reply, said that no country recognized Nagorny Karabakh as an independent State, not even Armenia. It was a separatist entity established by Armenia to showcase the results of Armenian aggression towards Azerbaijan. The territorial integrity and sovereignty of Azerbaijan were recognized in the relevant General Assembly and Security Council resolutions.

26. With regard to the subject of hate statements, 30,000 Armenians were still living in Azerbaijan. Furthermore, in 2011, a representative of the Catholic Church had visited the

Armenian Church in Baku, a fact which the representative of Armenia had deliberately failed to mention. Although the present forum was not intended to address political issues, it was impossible to remain silent when confronted with armed aggression against Azerbaijani territory and the expulsion of Azerbaijanis from their homeland.

27. **Ms. Abgarian** (Observer for Armenia), speaking in exercise of the right of reply, said that the representative of Azerbaijan had provided erroneous information and made unfounded allegations against her country. He could have at least listened to the truth in the statement of Armenia and refrained from raising a point of order. Her delegation was not in a position to become involved in solving the problems in Nagorny Karabakh and had already stated its position on the matter. The delegation of Armenia had the right to state its position. In exercise of the same right, the representative of Azerbaijan had talked of an alleged occupation by Armenia and had cited resolutions. She urged the representative of Azerbaijan to reread those resolutions, which did not mention any such occupation.

28. She regretted that the delegation of Azerbaijan had failed to register the call for regional and national cooperation made by the representative of Armenia but had preferred to focus instead on Nagorny Karabakh, which existed regardless of whether Azerbaijan recognized it or not. The statement by the representative of Armenia had focused on possible international recognition of Nagorny Karabakh and on whether there was a solution to the refugee problem in Nagorny Karabakh and Azerbaijan.

29. **Mr. Asadov** (Observer for Azerbaijan), speaking in exercise of the right of reply, said that Armenia should overcome its illusions and start to implement all the relevant General Assembly and Security Council resolutions so as to address the root causes behind the displacement of millions of refugees and persons in Azerbaijan. Armenia was the only State impeding economic cooperation in the South Caucasus region, owing to its aggressive economic policy towards Azerbaijan and its expulsion of the Azerbaijani population from the region. The Government of Azerbaijan could only contemplate economic cooperation with Armenia once the latter withdrew from occupied territories, including Nagorny Karabakh.

30. **Ms. Abgarian** (Observer for Armenia), speaking in exercise of the right of reply, said that she failed to understand the point raised by the representative of Azerbaijan regarding economic policy and therefore had nothing to say on the matter. Reiterating the position of Armenia on the Nagorny Karabakh conflict, she said that the situation was being handled by the Minsk Group. The conflict must be resolved on the basis of international norms and principles which included the right to self-determination of the people of Nagorny Karabakh. It was the peaceful exercise of that right that had provoked Azerbaijani military aggression against the people of Nagorny Karabakh who, at the time of the aggression, were Armenian citizens. That explained why there were millions of refugees in the region.

#### **Chairperson's summary of the general debate**

31. **The Chairperson**, summing up the general debate, said that member States had recognized the increasing complexity of the humanitarian environment and cited causal factors such as climate change, natural disasters, food and water insecurity and armed conflict. Many had commended UNHCR staff members for their dedication and had called on UNHCR to strengthen safety and security measures.

32. With regard to the refugee crises in North Africa and the Horn of Africa, many had praised the generosity and solidarity of neighbouring host countries but expressed concern about the burdens that those countries bore and the need for the entire international community to participate in burden-sharing.

33. Delegations had also expressed concern about protracted refugee situations. While acknowledging that durable solutions should be pursued and that voluntary repatriation remained the preferred option, they had drawn attention to the importance of ensuring that conditions in areas of return were conducive to sustainable returns. There had been calls for States to increase the number of resettlement opportunities, given that repatriation was not always an option. Several delegations had expressed support for the work by UNHCR to promote self-reliance among refugees in connection with local integration activities. A few had referred to the needs of specific refugee groups, such as urban and women refugees, and many had welcomed the efforts of UNHCR on behalf of internally displaced persons.

34. The importance of partnerships and coordination to enable UNHCR to perform its primary mission had been noted. There had been calls for UNHCR to work closely with the Office for the Coordination of Humanitarian Affairs and to enhance its cooperation with a variety of other humanitarian organizations, NGOs, development actors and regional bodies.

35. Delegations had voiced support for UNHCR structural and management reforms, efforts to improve accountability, results-based management and the Global Needs Assessment. Some had called for UNHCR to fully implement the International Public Service Accounting Standards in 2012.

36. The importance of funding had been stressed, with several delegations encouraging UNHCR to broaden its donor base. There had also been calls for more non-earmarked funding to be provided.

37. Many delegations had described measures being undertaken in their countries to assist refugees and stateless persons. It had been gratifying to hear about new refugee policies, legislation and other initiatives, but it was clear that host countries needed help to assist refugees within their borders.

38. Lastly, most delegations had expressed support for the planned commemoration of the anniversaries of the 1951 Convention relating to the Status of Refugees and the 1961 Convention on the Reduction of Statelessness. There had been calls for more ratifications of the conventions, and some delegations had indicated that their Governments planned to ratify — or had already ratified — the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. The upcoming commemorations would provide an opportunity to hear the voices of refugees and send them a message of hope.

### **Consideration of reports on the work of the Standing Committee**

#### **(a) International protection (A/AC.96/1097 and 1098 and Add.1)**

39. **Ms. Feller** (United Nations Assistant High Commissioner for Protection), introducing the Note on International Protection (A/AC.96/1098), said that 2011 was an important year for the protection of refugees and stateless persons. Symbolically, it marked the sixtieth anniversary of the 1951 Convention, which, together with its 1967 Protocol, was among the most broadly adhered-to human rights instruments. The commemorations provided an opportunity to recall the Convention's vital purposes and explore ways of building on its foundations.

40. The year also coincided with the fiftieth anniversary of the 1961 Convention on the Reduction of Statelessness. While, with only 40 States parties, its coverage was inadequate, the recent accession of Croatia, Nigeria, Panama and the Philippines indicated a growing appreciation of the fact that statelessness was a shared and common responsibility.

41. The year had also been filled with news not just of refugee and other displacement situations but also of acts of generosity and solidarity. The relevant information was found in the Note on International Protection and in the Note on Statelessness (A/AC.96/1098 and Add.1), which also made it clear that better responses were needed. She suggested that attention should be given to proposals designed to: accord core protection higher priority earlier in emergencies; approach burden- and responsibility-sharing in more creative and structured ways; and seek more constructive solutions to address the problem of the tension between national interests and international responsibilities.

42. In 2011, UNHCR had been involved in many complex emergencies. Programmes had been mounted in difficult and remote terrain and response activities had focused on lifesaving rather than protection. It had not always been possible to ensure the civilian nature of asylum early enough or to deal with the presence of combatants. It had furthermore been difficult at times to identify core protection concerns quickly enough to prevent problems from becoming endemic in a refugee population. UNHCR intended to review improved protection options in situations where saving lives was an urgent priority. Challenges included: securing adequate protection resources; quickly identifying local partners and building their capacities; targeting information-gathering efforts through protection monitoring; and developing response strategies that integrated protection from the start.

43. UNHCR was developing a global child protection strategy and had issued a guidance note on working with persons with disabilities in forced displacement. Training on mainstreaming disability issues would shortly be launched.

44. On the issue of funding, the fact that many donors preferred to fund immediate returns rather than “hidden” results sometimes affected protection outcomes. Child protection was reportedly one of the least funded areas of the humanitarian response. As for resettlement, countries continued to insist on certain refugee profiles and to exclude particular nationalities or groups. Processing timelines were too long and resettlement countries lacked immediately available reception facilities. UNHCR sought to expand emergency transit facilities for larger-scale evaluation and had proposed the creation of a pool of additional resettlement places to which countries could contribute in emergencies.

45. While there had been many positive developments in international protection, it remained true that most of the world’s refugees were in developing countries that lacked without the capacity and resources to maintain them. Burden-sharing was needed but was often found wanting. As the 2010 High Commissioner’s Dialogue on Protection Challenges had concluded, burden-sharing needed to be transformed from an aspiration to a set of dependable commitments.

46. UNHCR actively promoted the development of regional protection mechanisms to prevent problems that could destabilize refugee groups, lead to unpredictability in protection delivery, inhibit longer-term solutions and contribute to irregular secondary movement. The regional cooperation framework agreed on at the Fourth Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime in Bali in March 2011 should include provision for the establishment of a State-owned regional support office to promote responsibility-sharing.

47. UNHCR had been promoting responsibility-sharing through stakeholder conferences organized in connection with its 10-Point Plan of Action on refugee protection and international migration. The “Almaty Process” was being followed up through border management and asylum systems initiatives.

48. Achieving durable solutions was difficult, and local integration came at a price. The successful application of the cessation clause in respect of refugees from Angola, Liberia and Rwanda would depend on donor support being provided. UNHCR had recently

launched the “Linking in EU Resettlement” initiative in order to reinforce resettlement arrangements in the European Union. Where no other solutions were available, more should be done to help host States to manage protracted displacement situations.

49. Education played a vital role in refugee protection but access to it was limited, especially for girls. Moreover, refugee education was generally of low quality. The UNHCR education budget had risen in recent years but had not kept pace with needs: the projected budget for 2012 totalled US\$ 71 million, while the corresponding figure in the Global Needs Assessment was US\$ 180 million. UNHCR was formulating a five-year strategy on refugee education.

50. Reconciling national interests with international responsibilities was crucial in affording protection. States’ ability to provide high-quality protection was sometimes hampered by rising costs, the misuse of systems, migration fraud and concerns about national security, transnational crime and importing terrorism. As a result, asylum-seekers were swelling the ranks of irregular migrants. However, criminalizing asylum-seeking was costly and not always effective. Moreover, there was no proof that automatic detention deterred irregular migration. In fact, it generally cost more than less coercive and equally effective alternatives.

51. UNHCR had taken steps to reduce the vulnerability of its refugee status determination and resettlement procedures and to improve screening in situations involving huge numbers of refugees. It also had a role in ensuring that refugees took their duty to adhere to local laws seriously. However, UNHCR could not assume States’ responsibilities.

52. Some States tended to exercise “benign neglect” through minimalist policies. In such cases, UNHCR was obliged to perform registration, determine refugee status and issue documentation while providing large-scale humanitarian support. In some countries it was expected to resettle all recognized refugees, often within tight time frames, despite the fact that resettlement was available to very few.

53. States had a responsibility to reduce and prevent statelessness, not only by acceding to but also by implementing the 1961 Convention. Unfortunately gender-based discrimination, inadequate laws and simple inadvertence continued to generate statelessness and impede its elimination. Pending a solution, stateless people should be treated with dignity and respect for their fundamental rights.

54. While the moral and legal bases of the 1951 Convention were enduring, there were also gaps. For example, the Convention did not define persecution. UNHCR was developing guides on how to deal appropriately with diversity in refugee populations. Updated guidelines would also be issued on draft-evaders and deserters fleeing internal civil unrest or forced conscription.

55. A better bridge between prima facie status and the Convention regime was needed. The importance of temporary protection for those displaced for reasons other than persecution, serious human rights violations and ongoing conflict had not yet been authoritatively articulated. The upcoming ministerial-level meeting should provide an opportunity to discuss those issues and to secure commitments from States in order to make a real difference to the protection of refugees and stateless people.

56. **Ms. Southern** (Australia) called on more States to accede to the 1954 Convention on the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. She expressed concern about the extremely high rate of sexual and gender-based violence against refugee women and girls and appealed to UNHCR to pursue its work to protect the victims and to involve refugee women and girls in making decisions on issues that affected them. Australia would continue to guarantee a proportion of its resettlement places for vulnerable refugee women under the “Women at Risk” programme.



In that connection, her Government had recently appointed its own Global Ambassador for Women and Girls to engage in global advocacy on issues such as the social, political and economic empowerment of women and girls; the eradication of violence against, and trafficking of, women and girls; protection in conflict situations; the involvement of women in peacebuilding; and better access to education and health care for women and girls.

57. She said that her country welcomed the agreement reached on the regional cooperation framework at the Fourth Ministerial Conference of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime. The framework would act as a bridge between signatory and non-signatory countries to the 1951 Convention, facilitating burden-sharing and the management of irregular migration. She added that Australia would continue to offer places under its humanitarian programme to refugees identified by UNHCR as being in need of resettlement. Her Government looked forward to pursuing cooperation with UNHCR on that issue and urged other countries to consider providing new resettlement places.

58. **Ms. Molise-Mabusela** (Lesotho), speaking on behalf of the Group of African States, expressed the hope that the forthcoming commemorations in December 2011 would lead to a renewed commitment to refugee protection. She welcomed the important role played by UNHCR, IOM and other humanitarian actors in providing assistance to countries affected by forcible displacement and expressed concern at the growing number of deaths among refugees and asylum-seekers, particularly at sea.

59. She expressed her sincere appreciation to those countries that had gone out of their way to grant assistance and asylum to persons fleeing from forms of conflict and violence that were not covered by the 1951 Convention. She said that the Group of African States shared the concerns expressed about rules of engagement that led to torture, extrajudicial killings and sexual and gender-based violence. Such situations reduced the capacity of humanitarian actors to provide protection and the Group of African States strongly condemned them.

60. Noting that almost half of all protracted refugee situations identified by UNHCR were found in Africa, she said that host countries' generosity must not be taken for granted. Ongoing support and assistance must be provided. The Group of African States favoured voluntary repatriation over local integration and resettlement and called for more to be done to address the root causes of displacement. In that regard, UNHCR should consider establishing partnerships to analyse and address those causes and the lack of a robust enforcement mechanism for the 1951 Convention.

61. **Mr. Rasmussen** (Denmark) said that, as access to fair and efficient asylum procedures was a vital part of international protection, Denmark had introduced a new process for considering first-instance asylum cases that included stronger identification and pre-screening processes and that had reduced the time taken to consider applications.

62. As for durable solutions, the Government of Denmark was ready to participate in European Union-wide capacity-building measures. The potential advantages of local integration for host communities should also be recognized and self-sufficiency among resettled populations should be encouraged. Denmark fully supported the strategic use of resettlement and had an active resettlement programme in place, although the Government also acknowledged the importance of voluntary repatriation. His country had been particularly active in facilitating local integration and had launched numerous initiatives to promote social cohesion and counter racism, discrimination and xenophobia. His Government would be glad to share its experiences with other countries.

63. **Ms. Pollack** (United States of America) said that the United States had recently adopted a policy which would serve as a tool for organizing and maximizing the benefits of its international protection activities. The protection policy had four main goals: to prevent

violations of human rights and the undermining of humanitarian principles; to fill protection gaps by strengthening tools, systems and existing international architecture; to improve and monitor protection standards, indicators and institutional capacities, particularly with regard to the managerial and operational functions of UNHCR and its humanitarian partners; and to increase the effectiveness of action to address the challenges posed by different populations of concern. Her Government would work with UNHCR to address egregious violations and strengthen protection activities and the evaluation of their impact. It would promote adherence to the relevant international instruments and monitor the performance of UNHCR.

64. Her Government welcomed the steps taken by UNHCR to improve policies and guidelines on protection of: unaccompanied and separated children; urban refugees; lesbian, gay, bisexual and transsexual refugees and asylum-seekers; refugees with disabilities; and other vulnerable groups and individuals. It would continue to work with UNHCR and others to find durable solutions for protracted refugee situations. It urged the Government of Bhutan to help resolve the protracted refugee situation of Bhutanese refugees by accepting for repatriation refugee cases of special humanitarian concern.

65. **Ms. Hanlomyuang** (Thailand), highlighting the fact that her country upheld the principle of non-refoulement, said that new arrivals of asylum-seekers, combined with a large number of existing cases, had placed significant strain on immigration facilities in Thailand. She called on UNHCR to continue to provide assistance to clear up the backlog of cases, and to explore resettlement and return options for asylum-seekers whose applications had been rejected.

66. Although Thailand was not party to the 1961 Convention on the Reduction of Statelessness, it addressed the issue of statelessness in its legislation and activities. Since withdrawing its reservation to article 7 of the Convention on the Rights of the Child, the State had made significant progress in regularizing the status of thousands of individuals. Her Government looked forward to continuing its cooperation with UNHCR on reducing statelessness.

67. **Ms. Rosenvinge** (Norway) said that, in 2010, Norway had adopted a broader definition of the term “refugee” in order to incorporate those needing international protection because they risked being subjected to capital punishment or to serious harm arising from torture, inhumane or degrading treatment. The intention behind that initiative was to strengthen the rights of those in need of international protection and reduce the number of unfounded asylum claims. Her Government was furthermore concerned about the movement of unaccompanied and separated children across borders and welcomed UNHCR efforts to address the issue comprehensively. It was preparing a white paper on the protection of displaced children.

68. Protracted refugee situations remained a significant challenge and her country contributed to the search for solutions in places, including eastern Sudan and the Islamic Republic of Iran. Norway had already granted 340 resettlement places to refugees from Libya and was providing places for an additional number of Libyan refugees. The Government was concerned, however, about the growing number of internally displaced persons, the vulnerability of women and girls to gender-based violence and the impact of climate change. She urged States and UNHCR to intensify their efforts to address those important issues.

69. **Mr. Bonser** (Canada) expressed concern at the increase in sexual violence in global crisis situations and requested information on UNHCR plans to address the situation. He called for a greater focus on the protection needs of victims of persecution on the grounds of sexual orientation and said that Canada was working with NGOs representing gay and lesbian refugees on resettlement options.

70. Human smuggling in the context of mixed migration remained a key issue. His Government had tabled new legislation to reduce pull factors for both people-smugglers and asylum-seekers without impinging on the State's obligations on non-refoulement. On the issue of the right to asylum, States should develop appropriate legal measures to prevent abuses. Canada received more asylum claims from nationals of European States than from countries in Africa or Asia; the majority of applicants were found not to be in need of protection. As the integrity of the Canadian asylum system was being undermined, the Government had taken measures to streamline the asylum system and expedite the removal of those who had made unfounded claims.

71. Canada welcomed the measures taken to clarify and strengthen the coordination role of UNHCR in the protection cluster, to provide effective operational guidance to UNHCR staff and partners in the field and to pursue dialogue on leadership of the country-level protection cluster in cases of displacement following natural disasters. It called for more to be done to find durable solutions for protracted refugee situations and commended the United Republic of Tanzania on its offer to naturalize former 1972 Burundian refugees. It welcomed the actions that UNHCR had taken in support of Iraqi refugees and encouraged other countries to join with it in providing resettlement opportunities for that population. Lastly, it called for measures to be implemented to prevent a protracted refugee situation from developing on the borders of Libya.

72. **Mr. Hilale** (Morocco) said that, under the 1951 Convention relating to the Status of Refugees, refugee registration was a key obligation in delivering international protection. Yet, despite repeated requests from UNHCR and the international community, Algeria continued to refuse permission for the registration of refugees at the Tindouf camps. The issue had been the focus of a resolution in which the Security Council had called on UNHCR to continue considering the registration of refugees in the camps. The resolution was the first in which the Council instructed UNHCR on the management of a refugee situation.

73. Censuses and registration procedures were fundamental tools for international protection; without registration, displaced persons were unable to access their basic rights. Lack of registration also made it possible for humanitarian aid to be misused and diverted from where it was needed the most. By refusing registration, Algeria denied the refugees in Tindouf access to solutions such as repatriation, local integration or resettlement and to essential supplies. As a result, some became caught up in irregular migration and crime. His Government appealed to UNHCR to implement the relevant Security Council resolution and urged donor countries to make aid delivery conditional upon Algeria lifting its ban on refugee registration.

74. **Mr. Rytövuori** (Finland) said that his country's protection policy emphasized the special needs of the most vulnerable refugee groups. Its resettlement programme included a quota for humanitarian emergencies and its integration law provided for increased financial support to be given to municipalities receiving refugees for resettlement. Resettlement was an important tool in international burden-sharing and States should do more to set up resettlement programmes.

75. **Ms. Lee Juwon** (Republic of Korea), noting the increasingly complex challenges involved in the delivery of international protection, said that she welcomed the enhanced partnerships between UNHCR and other international organizations, particularly the full support that UNHCR was lending to the efforts of the Under-Secretary-General and Emergency Relief Coordinator to strengthen the inter-agency response to emergency situations. Her Government hoped that the Transitional Solutions Initiative developed jointly by UNHCR and the United Nations Development Programme (UNDP) would help foster refugee self-reliance and sustainable development in displaced and host communities.

76. **Ms. Feller** (United Nations Assistant High Commissioner for Protection), responding to the points raised, said that she welcomed the decision of the Government of Australia to appoint a global ambassador for women and girls and looked forward to consultations on how the agenda of the Global Ambassador could feed into the work of UNHCR. The Australian delegation had drawn attention to how regional cooperation could serve as a bridge between signatory and non-signatory States. That subject would repay closer study, given that States in some regions had yet to adhere to the Convention on the Status of Refugees. She wished to commend the Government of Australia whose generosity had been of inestimable value in helping UNHCR to respond to resettlement needs globally.

77. African countries had played a very significant role in charting new approaches to protection through, *inter alia*, the elaboration of the Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa and the recent adoption of the Convention for the Protection and Assistance of Internally Displaced Persons in Africa. She supported the idea of drawing the attention of other bodies such as the Human Rights Council to agenda items on protection issues that they and the Executive Committee had in common. In that connection, she would be following the Council's debate on maritime protection very closely. While prevention of displacement was not strictly a part of its mandate, UNHCR participated in programmes designed to avert displacement.

78. The initiatives taken to streamline refugee determination procedures in Denmark and to prevent or cut down on backlogs could be of interest to other States. She would be glad to discuss them with the delegation of Denmark with a view to understanding their impact and to sharing ideas on lessons that could be learned from them in Europe.

79. The United States representative had raised numerous issues that UNHCR would consider very carefully. She had been intrigued to hear the new definition of protection and was very keen to work with the United States in order to ensure that UNHCR could meet its expectations. She echoed the calls that had been made for strong pledges to be given at the ministerial meeting to be held in December 2011.

80. UNHCR stood ready to assist Thailand with reducing its backlog, while the regional support office in the Asia-Pacific region should be able to address some of the capacity deficits identified by the representative of Thailand. She congratulated Thailand on withdrawing its reservation to article 7 of the Convention on the Rights of the Child, which would help the country to move forward on some of the statelessness challenges that it confronted.

81. The representative of Norway had described some national initiatives to develop more coherent protection systems and refugee definitions. She encouraged other States to draw on that example and to take a more holistic approach to their refugee status arrangements. She welcomed the opportunity to engage with the Government of Norway on its white paper on children and thanked the Government for its very generous response to the emergency resettlement appeal for Libya. She thanked the Government of Canada for its support for the UNHCR 10-Point Plan of Action on refugee protection and mixed migration and expressed her willingness to share additional information with the Canadian delegation on the UNHCR strategy on sexual and gender-based violence and with the delegation of Morocco on confidence-building measures.

82. She agreed with the representative of Morocco that registration was very important for planning assistance programmes. It was for that reason that UNHCR held regular dialogue with the Government of Algeria on issues such as refugee numbers. She expressed her appreciation to the Government of Finland for its generous response to the emergency resettlement appeal for Libya and for hosting a regional dialogue with refugee women that

had included discussion of integration challenges for resettled women. Lastly, she echoed the points raised by the representative of the Republic of Korea concerning the complexity and multiplicity of refugee crises and the need for coordinated responses.

83. **Mr. Fjellstrom** (Sweden) said that a recent UNHCR study had found the asylum assessment system in Sweden to be in accordance with the rule of law. The study provided a good basis for discussions with UNHCR on how Swedish asylum procedures could be further improved so as to ensure the integrity of the protection process. In that connection, the European Union had an important role in developing effective asylum and reception systems and in finding durable solutions for refugees and protracted refugee situations. While it was reassuring that States were providing resettlement places, it was regrettable that demand for places still far exceeded supply. The establishment of contact groups to ensure that resettlement places were used strategically was a mechanism worth exploring.

84. **Mr. Kaeser** (Switzerland) commended UNHCR for providing crucial support on the development of national legal frameworks relating to refugee and internal displacement issues. His Government, which contributed actively to the elaboration of guidelines on internal displacement, recognized that a thorough understanding of refugees' needs and of capacity and resource constraints was vital to safeguarding refugees' rights.

85. On the subject of implementing partners, his Government welcomed the steps taken by UNHCR to include quality, effectiveness and efficiency criteria in the process that it used for selecting its partners and cost/quality criteria in the procedures for evaluating their performance. Noting that UNHCR assigned some of its human resources to refugee status determination operations, at the request of States, he said that he wished to caution against excessive delegation of such tasks to UNHCR personnel. All States must bear their primary responsibilities for refugees and allow UNHCR resources to be freed up for other key protection tasks.

86. **Mr. Chebih** (Algeria) said that asylum was no substitute for durable solutions to displacement, particularly voluntary repatriation. As forced displacement was a global problem, it must be resolved through international burden-sharing. He welcomed the High Commissioner's proposal on the conduct of a study of the costs and impact of hosting refugees.

87. Algeria, which was updating its legislation on refugee status and statelessness, had kept its borders open during and after the humanitarian crisis in Libya. It called on other States to bear their responsibilities for providing assistance in the humanitarian crises in the Mediterranean region. It furthermore encouraged UNHCR to continue its work on mixed migration flows, in close cooperation with States, so as to take account of security issues and to provide refugees with adequate protection.

88. His Government recognized how important UNHCR campaigns were in combating the growing use of populist rhetoric that fuelled racism and xenophobia in some parts of the world. It appreciated the efforts made by UNHCR to offer refugees the option of migrating and the chance of a normal family life. It cautioned, however, against overburdening the organization's mandate with controversial issues. It supported the steps being taken by UNHCR to implement confidence-building and other humanitarian measures in Western Sahara and called for the protection of the process from political manipulation.

89. For its part, the Government of Algeria had done its best to implement measures including exchanges of family visits. The results thus far had been positive. It would continue to monitor the evolution of the UNHCR strategy on capacity-building in Tindouf and welcomed the recent inauguration of a new UNHCR office at the Smara refugee camp. It hoped that the preparations under way for the commemoration of the 1951 and 1961 conventions would include a focus on expanded multilateral humanitarian action to protect and assist persons of concern.

90. He did not intend to follow the example of the Moroccan delegation, whose invective had been an affront to the purposes of the Committee's deliberations. The allegations that had been raised had already been disproved. The Saharan population had been given refuge in Tindouf under UNHCR auspices and with assistance from the international community. He had never before seen a situation where a State asked for its nationals to be given less aid. Yet that was what the Moroccan State was doing for political ends. Algeria intended to host the Saharans until a political solution based on their inalienable right to self-determination had been found. As for the question of a census, the Moroccan side had blocked the work of the commission responsible for compiling the relevant data. Algeria stood ready to provide updated figures in the context of self-determination for the Saharan people.

91. **Mr. Cavale** (Argentina) said that Argentina had taken a consistent, rights-based approach to the delivery of subsidiary protection and had included provisions in its migration legislation to allow for temporary residence to be granted to persons who while not strictly speaking refugees were still in need of protection. The legislation, which also offered protection to persons temporarily unable to return home owing to prevailing humanitarian situations or natural or man-made disasters at home, helped to address cases outside the traditional protection framework.

92. Argentina recognized the fundamental right to a nationality; its laws did not allow for the loss of nationality. Indeed, Argentine legislation set higher standards for protection from statelessness than the 1961 Convention. Nevertheless, the authorities were pursuing activities aimed at meeting the requirements of the Convention pending the announcement of the voluntary pledges that Argentina would make at the upcoming ministerial meeting in December 2011.

*The meeting rose at 6.05 p.m.*