



**Executive Committee of the
High Commissioner's Programme****Report of the Executive Committee of the High
Commissioner's Programme on its seventy-second session
(4-8 October 2021)****I. Introduction****A. Opening of the session**

1. The Executive Committee of the High Commissioner's Programme held its seventy-second plenary session at the Palais des Nations in Geneva, from 4-8 October 2021, with many delegations participating remotely due to coronavirus disease (COVID-19). It was chaired by the Vice-Chairpersons of the Executive Committee, Ambassador Salim Baddoura, Permanent Representative of Lebanon to the United Nations Office at Geneva, and Ambassador Kadra Ahmed Hassan, Permanent Representative of Djibouti to the United Nations Office at Geneva.

B. Representation

2. The following Executive Committee members were represented at the session:

Afghanistan, Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chad, Chile, China, Colombia, the Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, the Holy See, Hungary, Iceland, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kenya, Latvia, Lebanon, Lesotho, Lithuania, Luxembourg, Malawi, Mali, Malta, Mexico, Montenegro, Morocco, Mozambique, Namibia, the Netherlands, New Zealand, Nicaragua, Nigeria, North Macedonia, Norway, Pakistan, Paraguay, Peru, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Rwanda, Senegal, Serbia, Slovakia, Slovenia, Somalia, South Africa, Spain, the Sudan, Sweden, Switzerland, Thailand, Togo, Tunisia, Turkey, Turkmenistan, Uganda, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America, Uruguay, Venezuela (Bolivarian Republic of), Yemen, Zambia and Zimbabwe.



3. Other United Nations Member States present as observers were as follows:
Albania, Andorra, Angola, the Bahamas, Bhutan, Bosnia and Herzegovina, Botswana, Burundi, the Central African Republic, Comoros, Cuba, the Dominican Republic, El Salvador, Equatorial Guinea, Eritrea, Eswatini, Gabon, the Gambia, Guatemala, Guinea-Bissau, Haiti, Honduras, Indonesia, Iraq, Kazakhstan, Kuwait, Kyrgyzstan, the Lao People's Democratic Republic, Liberia, Libya, Malaysia, Mauritania, Monaco, Nepal, Niger, Panama, Qatar, Saudi Arabia, Sierra Leone, South Sudan, the Syrian Arab Republic, Ukraine and Viet Nam.
4. United Nations non-member States present as observers were as follows:
State of Palestine.
5. The European Union was represented as an observer.
6. Also present were the following intergovernmental organizations and other entities:
African Union, Commonwealth of Independent States, Cooperation Council for the Arab States of the Gulf, Council of Europe, Economic Community of West African States, Intergovernmental Authority on Development, International Conference on the Great Lakes Region, International Development Law Organization, International Olympic Committee, International Organization of la Francophonie, Organisation of Islamic Cooperation, Organization for Security and Co-Operation in Europe and Sovereign Order of Malta.
7. The United Nations system, specialized agencies and related organizations were represented as follows:
Food and Agriculture Organization, United Nations Children's Fund, United Nations Development Programme, United Nations Educational, Scientific and Cultural Organization, United Nations Office at Geneva, United Nations Office for the Coordination of Humanitarian Affairs, World Bank Group and World Food Programme.
8. Some 12 non-governmental organizations and other partners were in attendance.

C. Adoption of the agenda and other organizational matters

9. The Executive Committee adopted by consensus the following agenda (A/AC.96/LXXII/1):
 1. Opening of the session, adoption of the agenda and other organizational matters.
 2. Statement by the High Commissioner.
 3. General debate.
 4. Consideration of reports on the work of the Standing Committee:
 - (a) International protection;
 - (b) Programme budgets, management, financial control and administrative oversight.
 5. Consideration of reports relating to programme and administrative oversight and evaluation.
 6. Consideration and adoption of the programme budget for 2022.
 7. Review of the consultations with non-governmental organizations.
 8. Other statements.
 9. Meetings of the Standing Committee in 2022.
 10. Consideration of the provisional agenda of the seventy-third session of the Executive Committee.

11. Election of officers.
12. Any other business.
13. Adoption of the report of the seventy-second session of the Executive Committee.
14. Closing of the session.

D. Election of officers for the seventy-third session

10. Under rule 10 of its rules of procedure, the Committee elected the following officers by acclamation, to serve the Committee from the day immediately following their election to the end of the last day of the following annual plenary session:

Chairperson:	Ambassador Salim Baddoura (Lebanon)
First Vice-Chairperson:	Ambassador Kadra Ahmed Hassan (Djibouti)
Second Vice-Chairperson:	Ambassador Vesna Batistić KOS (Croatia)
Rapporteur:	Mr Jorge Adalberto González Mayagoitia (Mexico)

II. Work of the seventy-second session

11. The High Commissioner's statement and the comprehensive summary records of each meeting of the session will be made available on the UNHCR website on the page relating to the seventy-second session of the Executive Committee¹.

III. Conclusion and decisions of the Executive Committee

A. Conclusion on international protection and durable solutions in the context of a public health emergency

12. *The Executive Committee,*

Recognizing that the coronavirus disease (COVID-19) pandemic poses a threat to human health, safety and well-being with its unprecedented and multifaceted effects including humanitarian impacts on refugees, asylum-seekers, refugee returnees, stateless persons, and, in many situations, internally displaced persons (hereafter 'persons of concern to UNHCR'), including increased protection risks,

Recognizing also that the poor and the most vulnerable people are the most affected and that the impact of the pandemic will have repercussions on development gains, hampering progress in the achievement of the Sustainable Development Goals, including target 3.8,²

Also *recognizing* that the biggest share of the world's refugees and other displaced persons are hosted by low- and middle-income countries which are among the hardest hit by the COVID-19 pandemic, having severe impacts on their public health, as well as socio-economic impacts,

Recognizing further the particular impact of COVID-19 and its multifaceted consequences for persons of concern to UNHCR, as well as many host communities,

¹ See <http://www.unhcr.org/excom>.

² See also UN General Assembly Resolution A/RES/70/1.

including as regards health, increased risks of sexual and gender-based violence (SGBV), discrimination, economies and humanitarian access, as well as access to education,

Reaffirming the right of every human being, without distinction of any kind, to the enjoyment of the highest attainable standard of physical and mental health,

Recognizing further that the availability of and timely access to safe and effective vaccines, medicines, health technologies and health therapies is important to the advancement of this right, bearing in mind that extensive immunization against COVID-19 is a global public good for health in preventing, containing and stopping transmission, in order to bring the pandemic to an end,

Recognizing that a public health emergency of international concern, such as the COVID-19 pandemic, requires a global response based on unity, solidarity and strengthened multilateral cooperation,

Reaffirming its commitment to international solidarity and responsibility- and burden-sharing involving all members of the international community, and recalling the importance of international cooperation, in particular to support communities and countries hosting large refugee populations, in ensuring protection and assistance and achieving solutions, in particular in the context of a public health emergency,

Acknowledging that States have the right to take measures to protect public health; while recalling that such measures need to be implemented in a manner consistent with States' obligations under international law, including international refugee, human rights and, where applicable, international humanitarian law,

Recalling that States have the sovereign power to regulate the entry of non-nationals, with full respect for the principle of non-refoulement, and subject to applicable international law, including international refugee law,

Recalling the Global Compact on Refugees, including the principle of burden- and responsibility-sharing,

Recalling relevant ExCom conclusions including No. 64 (XLI)(1990) Refugee Women and International Protection; No. 84 (XLVIII)(1997) on Refugee Children and Adolescents; No. 105 (LVII)(2006) on Women and Girls at Risk; No. 106 (LVII)(2006) on Identification, Prevention and Reduction of Statelessness and Protection of Stateless Persons; No. 107 (LVIII)(2007) on Children at Risk; No. 110 (LXI) (2010) on Refugees with disabilities and other persons with disabilities protected and assisted by UNHCR; No. 109 (LX) (2009) on Protracted Refugee Situations; No. 111 (LXIV)(2013) on Civil Registration; and No. 112 (LXVII) (2016) on international cooperation from a protection and solutions perspective,

Inclusive policies and access to health care and other services

(a) *Welcomes* measures taken by States to facilitate access to and inclusion in health care services and measures to limit and prevent infection, including vaccinations, on a non-discriminatory basis, for persons of concern to UNHCR, consistent with the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

(b) *Encourages* States to work towards further inclusion in health care services of persons of concern to UNHCR; and *calls for* further provision of support to States enabling them to build and expand the capacity of health systems to meet the needs of persons of concern to UNHCR, as well as the communities hosting them;

(c) *Encourages* States to ensure that statelessness or associated lack of documentation do not preclude access to health care services and facilities for stateless persons;

(d) *Welcomes* and calls for further effective measures to prevent the spread of infection and manage health risks among persons of concern to UNHCR, including those living in camps, collective shelters and other settlements; and for accommodation, preventive measures and treatment where necessary, and access to safe water and sanitation including in hygienic conditions consistent with appropriate-standards;

(e) *Encourages* measures to identify and address specific health needs and barriers in the context of public health emergencies, as well as promoting the priorities and capacities of children, women, adolescent girls, older persons, persons with disabilities and persons with long-term health conditions;

(f) *Encourages* UNHCR and its partners to maintain adequate capacity to support health responses, including through national services, for the benefit of persons of concern to UNHCR and host populations during preparedness, planning and response to public health emergencies;

(g) *Encourages* States and UNHCR to address mental health and psychosocial wellbeing in their response to the pandemic by promoting availability of emergency mental health and psychosocial support to persons of concern to UNHCR, as well as host communities; and *encourages* further strengthening of such measures, including through international support;

(h) *Encourages* UNHCR and its partners to continue to ensure that experiences and lessons learned from the COVID-19 pandemic, as well as from other public health emergencies, inform and strengthen planning, preparedness and responses to such emergencies, including with respect to mental health and psychosocial support;

International cooperation and burden- and responsibility-sharing

(i) *Appreciates* the continued hospitality and refugee inclusive public health responses of host countries and generosity of donors in responding to the protection needs of persons of concern to UNHCR during the COVID-19 pandemic; underlines the centrality of international cooperation to the refugee protection and durable solutions regime, and reiterates its commitment to international solidarity and equitable burden-and-responsibility-sharing;

(j) *Calls* upon States and other partners to urgently support funding, the equitable distribution of safe and effective diagnostics, therapeutics and vaccines and further explore innovative financing mechanisms aimed at ensuring affordable, timely, equitable and universal access to, and the fair distribution of COVID-19 vaccines for all, including persons of concern to UNHCR and host communities;

Limitations on entry and movement and access to asylum

(k) *Welcomes* steps taken by States to ensure that measures taken to limit entry at borders in connection with public health emergencies are temporary, non-discriminatory, necessary, proportionate and reasonable in the circumstances, and are applied in a manner which safeguards public health, while respecting the right to seek and enjoy asylum and the principle of non-refoulement, and complying with applicable obligations under international law, including international refugee law;

(l) *Welcomes* adaptive measures taken by States and UNHCR to ensure continued access to and operation of asylum and statelessness determination procedures, registration and issuance of documentation and other relevant processes for persons of concern, including use of technology for remote interviewing and the extension of timelines for birth registration and validity of nationality and residency documentation, and encourages other States, UNHCR and partners to continue to support States in this area as needed;

(m) *Notes* the importance of ensuring that any restrictions of movement for persons of concern for the purposes of protecting public health are non-discriminatory, provided by law, necessary, reasonable in the circumstances and otherwise consistent with international law, and *welcomes* the use of alternatives to detention that ensure compliance with public health measures;

(n) *Emphasizes* the need for full respect for human rights, and stresses that there is no place for any form of discrimination, racism and xenophobia in the response to the pandemic;

Addressing wider impacts of public health emergencies

(o) *Expresses* concern at the multi-faceted impacts of COVID-19 on persons of concern to UNHCR, as well as their host communities, including increased poverty and profound disruption to education, increased food insecurity, limited livelihood opportunities, and increased sexual and gender-based violence (SGBV);

(p) *Calls* upon Member States, in cooperation with UNHCR, and with support of other stakeholders to ensure that the humanitarian needs of persons of concern to UNHCR and their host communities, including clean water, food and nutrition, shelter, education, livelihoods, energy, health, including sexual and reproductive health and other protection needs are addressed as components of humanitarian response in public health emergencies, including through providing timely and adequate resources, while ensuring that their collaborative efforts fully adhere to humanitarian principles;

(q) *Welcomes* and *calls on* States, UNHCR and other stakeholders to promote gender equality and the empowerment of women in all stages of the response to public health emergencies, and in this regard; *urges* Member States, in cooperation with UNHCR, and with support of other stakeholders, to ensure reliable and safe access for persons of concern to UNHCR to sexual and reproductive health care services, as well as basic health care services and psychosocial support from the onset of emergencies while recognizing that relevant services are important in order to effectively meet the needs of women and adolescent girls and infants and protect them from preventable mortality and morbidity that occur in humanitarian emergencies;

(r) *Encourages* all actors to redouble efforts to support States to minimize and address the impact of public health emergencies on persons of concern to UNHCR, and among them children, including reduced access to education, increased poverty, child, early and forced marriage and human trafficking, other violence, exploitation and abuse, including child labour, recruitment of children, family separation, and work to provide them with a basis for a better future;

Durable solutions

(s) *Expresses* concern that COVID-19 pandemic has significantly impacted the pursuit of durable solutions; *underlines* their importance, the securing of which is one of the principal goals of international protection; and *calls* for further engagement, including by States, UNHCR, and other partners in the context of public health emergencies to:

- (i) Promote the enabling conditions in countries of origin, including efforts to address root causes, for implementation of voluntary repatriation of refugees in safety and dignity and sustainable reintegration of returnees, including appropriate public health measures;
- (ii) Support resettlement, including increased resettlement places from existing resettlement States and new places from additional States; to use or expand flexible methods for processing, and facilitate timely departures while respecting public health;

- (iii) Facilitate access to complementary pathways including family reunification, labour market and study opportunities, in accordance with national law, to support durable solutions; and
- (iv) Facilitate self-reliance and provide opportunities for integration, where appropriate, for persons of concern to UNHCR.

(t) *Also* expressing concern that COVID-19 pandemic has significantly impacted the pursuit of durable solutions for internally displaced persons, and calls for further support to national authorities in creating enabling conditions for durable solutions for internally displaced persons, including their voluntary, safe and dignified return, local integration, or settlement in another part of the country;

Communication with and contributions of persons of concern

(u) *Notes* the benefits of two-way communication with persons of concern to UNHCR, and opportunities for them to be informed of and consulted on matters affecting them, including for the purpose of improving the impact of health measures;

(v) *Welcomes* and encourages measures enabling persons of concern to UNHCR to offer skills and positive contributions, including as medical, teaching and other service providers whose support may contribute to addressing public health emergencies and reinforcing well-being of their host communities and calls on UNHCR to include their voice and expertise in shaping its protection response;

(w) *Notes* that the increasing use of digital tools has enabled the continuation of the provision of services and increased the access to persons of concern to UNHCR; encourages UNHCR, in cooperation with the concerned States and other relevant stakeholders, to continue exploring further avenues for the use of appropriate digital tools as well as implementing innovative approaches to data collection, management and sharing, in accordance with national laws and consistent with applicable international privacy and data protection standards and principles; and

(x) *Notes* the risk of misinformation during a public health emergency and the importance of countering misinformation with factual communication that persons of concern can readily understand and access; and recognizes the central role that persons of concern play in relaying such information.

B. General decision on administrative, financial and programme matters

13. *The Executive Committee,*

(a) *Recalls* that the Executive Committee, at its seventy-first session, approved programmes and budgets for regional programmes, global programmes and headquarters under the biennial programme budget 2020-2021 revised, as set out in document A/AC.96/1202, amounting to \$9,131,348,441 and \$8,615,834,614 for 2020 and 2021 respectively; *notes* that the additional needs under supplementary budgets in 2021 amount to \$536,475,829 as at 30 June 2021; *approves* the total current requirements for 2021 amounting to \$ 9,152,310,400; and *authorizes* the High Commissioner, within these total appropriations, to effect adjustments in regional programmes, global programmes and headquarters budgets;

(b) *Confirms* that the activities proposed in the programme budget for 2022, as set out in document A/AC.96/1213/Rev.1, are consistent with the Statute of the Office of the High Commissioner (A/RES/428 (V)); the High Commissioner's other functions as recognized, promoted or requested by the General Assembly, the Security Council or the Secretary-General; and the relevant provisions of the financial rules for voluntary funds administered by the High Commissioner for Refugees (A/AC.96/503/Rev.11);

(c) *Takes note* that the programme budget for 2022 was prepared in accordance with the format endorsed by the Executive Committee's decision on a revision of the

financial rules for voluntary funds administered by the High Commissioner for Refugees (A/AC.96/1209, paragraph 13);

(d) *Approves* the programmes and budgets for regional programmes, global programmes and headquarters under the proposed 2022 programme budget, as set out in document A/AC.96/1213/Rev.1, amounting to \$8,993,707,996 for 2022, including the United Nations regular budget contribution towards headquarters costs, the operational reserve and the Junior Professional Officer programme; and authorizes the High Commissioner, within this total appropriation, to effect adjustments in regional programmes, global programmes and headquarters budgets;

(e) *Takes note* of the financial statements for the year 2020 as contained in the Report of the Board of Auditors to the General Assembly on the financial report and audited financial statements of the voluntary funds administered by the United Nations High Commissioner for Refugees for the year ended 31 December 2020 (A/76/5/Add.6) and the Report by the High Commissioner on key issues and measures taken in response to the recommendations in the Report of the Board of Auditors (A/AC.96/1212/Add.1); and *requests* to be kept regularly informed on the measures taken to address the recommendations and the observations raised in these documents;

(f) *Requests* the High Commissioner, within the resources available, to respond flexibly and efficiently to the needs indicated under the programme budget for 2022, encourages his Office to be as efficient and effective as possible with the funds provided in implementing his mandate, including for durable solutions, while not diminishing life-saving protection and assistance to persons of concern, and authorizes him, in the case of additional emergency needs that cannot be met fully from the operational reserve, to create supplementary budgets and issue special appeals under all pillars, with such adjustments being reported to the subsequent Standing Committee meeting for consideration;

(g) *Acknowledges* with appreciation the burden that continues to be shouldered by developing and least developed countries hosting refugees; and *urges* member States to recognize this valuable contribution to the protection of refugees and to participate in efforts to promote durable solutions and more predictable and equitable burden- and responsibility sharing; and

(h) *Urges* member States, in light of the extensive needs to be addressed by the Office of the High Commissioner, and in parallel with the long-standing and substantial support provided by refugee-hosting countries, to respond generously and in a spirit of solidarity to his appeal for resources to meet in full the 2022 programme budget and to ensure that the Office is resourced in a timely and predictable manner, while keeping earmarking to a minimum level.

C. Decision on the proposal to request approval from General Assembly for UNHCR to develop its own Financial Regulations

14. *The Executive Committee,*

Having considered the proposal to establish financial regulations for the funds administered by the High Commissioner for Refugees (A/AC.96/1218, Annex II),

(a) *Endorses* the proposal to request the United Nations General Assembly to authorize the High Commissioner to promulgate, after approval by the Executive Committee, the financial regulations for the use of all funds received by the High Commissioner, addressing the specific needs of UNHCR and in accordance with the mandate of the Office of the High Commissioner;

(b) *Requests* the High Commissioner to present a proposal for financial regulations for consideration and approval by the Executive Committee, following such approval by the General Assembly;

(c) *Requests* the High Commissioner to prepare a draft for promulgation of UNHCR financial rules complementing the draft financial regulations for the use of all funds received by UNHCR and appropriate to its needs;

(d) *Requests* the High Commissioner to ensure that a consultative process takes place with member States in the drafting of the new UNHCR Financial Regulations; also *requests* the High Commissioner to make the best efforts to incorporate in the drafting process preliminary views expressed by member States;

(e) *Acknowledges* that until such time as these financial regulations and rules are established, Paragraph 8 of General Assembly resolution 1166 shall continue to apply, including any financial rules issued thereunder;

(f) *Further requests* the High Commissioner to obtain comments from the Advisory Committee on Administrative and Budgetary Questions on these proposed financial regulations and rules prior to submission to the Executive Committee.

D. Decision on the programme of work of the Standing Committee in 2022

15. *The Executive Committee,*

Having reviewed the issues before it at its seventy-second session, and bearing in mind the decisions adopted at that session,

(a) *Decides* to convene three formal meetings of the Standing Committee in 2022, to be held in March, June and September;

(b) *Reaffirms* its decision on the framework for the Standing Committee's programme of work (A/AC.96/1003 paragraph 25, sub-paragraph 2(c)); *authorizes* the Standing Committee to add and delete items, if appropriate, to this framework for its meetings in 2022; and *requests* member States to meet in December 2021 to prepare a detailed work plan for formal adoption by the Standing Committee at its first meeting in 2022;

(c) *Calls* upon its members to continue efforts to ensure that debate at the Executive Committee and its Standing Committee is of a substantive and interactive nature, yielding practical guidance and clear advice to the High Commissioner, in keeping with the Committee's statutory functions;

(d) *Calls* upon the Office of the High Commissioner to be explicit and analytical in its reports and presentations to the Committee and to submit documentation in a timely manner; and

(e) *Further requests* the Standing Committee to report on its work to the seventy-third session of the Executive Committee.

E. Decision on observer participation in the meetings of the Standing Committee in 2021-2022

16. *The Executive Committee,*

(a) Approves applications by the following Government observer delegations for participation in meetings of the Standing Committee from October 2021 to October 2022:

Angola, Guatemala, Honduras, Indonesia, Iraq, Libya, Panama and Ukraine.

(b) *Authorizes* the Standing Committee to decide upon any additional applications from Government observer delegations to participate in its meetings during the aforementioned period;

(c) *Approves* the following list of intergovernmental and international organizations to be invited by the High Commissioner to participate as observers in relevant meetings of its Standing Committee from October 2021 to October 2022:

United Nations specialized agencies, departments, funds and programmes; African Union; Cooperation Council for the Arab States of the Gulf; Commonwealth of Independent States; Council of Europe; Central African Economic and Monetary Community; Economic Community of Central African States; East African

Community; Economic Community of West African States; European Union; Intergovernmental Authority on Development; International Centre for Migration Policy Development; International Committee of the Red Cross; International Development Law Organization, International Federation of Red Cross and Red Crescent Societies; League of Arab States; Organization of Eastern Caribbean States; International Organisation of La Francophonie; Organization of Islamic Cooperation; the Organization for Security and Co-operation in Europe; Southern African Development Community; and Sovereign Order of Malta.

F. Decision on the provisional agenda of the seventy-third session of the Executive Committee

17. *The Executive Committee,*

Recalling its decision on working methods adopted at its fifty-fifth plenary session (A/AC.96/1003, paragraph 25),

Decides to adopt as the provisional agenda for the seventy-third session of the Executive Committee the standard model contained in sub-paragraph 1(f) of the above-mentioned decision.

G. Decision on the participation of intergovernmental organizations in private meetings of the Executive Committee

18. *The Executive Committee,*

Recalling rule 38 of its Rules of Procedure (A/AC.96/187/Rev.8) and its decision on the participation of intergovernmental organizations in private meetings of the Executive Committee adopted at its sixty-seventh plenary session,

Approves the application by the European Union to participate as an observer in the Committee's private meetings on asylum and refugee matters within its competence during the seventy-third session of the Executive Committee.
